

COUNTY COUNCIL

OF

TALBOT COUNTY

2009 Legislative Session, Legislative Day No.: June 23, 2009

Resolution No.: 164 *AS AMENDED

Introduced by: Mr. Duncan, Mr. Foster, Mr. Harrison, Mr. Pack

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREA OF THE REGION V (TILGHMAN) WASTEWATER SYSTEM TO TAX MAP 44, PARCEL 36, LOT 1 IN THE FIFTH ELECTION DISTRICT, TALBOT COUNTY, MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE ANNOTATED CODE OF MARYLAND

By the Council: June 23, 2009

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, July 28, 2009 at 1:50 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: _____
Secretary

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREA OF THE REGION V (TILGHMAN) WASTEWATER SYSTEM TO TAX MAP 44, PARCEL 36, LOT 1 IN THE FIFTH ELECTION DISTRICT, TALBOT COUNTY, MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE ANNOTATED CODE OF MARYLAND

KEY

- Boldface**..... Heading or defined term.
- Underlining..... Added to resolution by amendment.
- ~~Strikethrough~~..... Deleted from resolution by amendment.

WHEREAS, the County Council of Talbot County, State of Maryland, by Resolution Number 100 has adopted the October 2002 Report of the Review of the Comprehensive Water and Sewerage Plan (the “Plan”); and

WHEREAS, the owner of Lot 1, Parcel 36 on Tax Map 44, in the Fifth Election District, Talbot County, Maryland, has requested to extend the service area of the Region V (Tilghman) Wastewater System to Lot 1, Parcel 36 on Tax Map 44; and

WHEREAS, the owner of Lot 1, Parcel 36 on Tax Map 44, has requested sewer service for an existing residential structure with a wastewater flow allocation of 185 gallons per day; and

WHEREAS, the Talbot County Council has considered the request, and hereby approves the same, subject to the terms of this Resolution and compliance with applicable design and technical requirements, rules, and regulations of all local, State, and federal authorities; and

WHEREAS, Talbot County has verified that the approval by this amendment to include this parcel within the Region V sewer service area (Immediate Priority (S-1) Schedule) will be properly planned, controlled, and regulated;

NOW, THEREFORE, be it resolved by the County Council of Talbot County, Maryland as follows:

Section 1. The County Council is acting pursuant to Title 9, Subtitle 5, of the Environmental Article of the Annotated Code of Maryland.

Section 2. The Talbot County Comprehensive Water and Sewerage Plan shall be amended to show Lot 1, Parcel 36 on Tax Map 44 as having the sewer classification of S-1, immediate priority status.

Section 3. The proposed sewer extension shall be constructed in accordance with the current Region V Sewer Service Policy and design guidelines.

Section 4. The proposed use shall be a residential structure with an allocation of one (1) equivalent dwelling unit.

Section 5. The peak flow sewer allocation shall be 185 gallons per day per equivalent dwelling unit, and this request shall not be expanded to serve any additional uses.

Section 6. The Owner shall be responsible for all design and construction costs related to tying a low pressure sewer system into the County-owned force main.

Section 7. The Amendment, to include immediate priority for the sewer utility extension, shall be in accordance with the attached additions and changes and shall be permanently entered into the currently effective Comprehensive Water and Sewerage Plan as part of Chapters 1, 2, and 3.

Section 8. Inclusion of the proposed utility extension, planned for immediate priority in the Talbot County Comprehensive Water and Sewerage Plan, shall record capacity demand increases, as identified herein, on the serving wastewater treatment facilities.

Section 9. Adoption of this amendment, by the County Council of Talbot County, shall authorize the construction of the projects in accordance with and subject to the approval of the Municipal, County, State, and/or Federal agencies, as may be required, effective from the date of adoption.

Section 10. This map amendment is conditioned upon the execution and recordation of a legally effective deed restriction limiting development on this parcel to a single dwelling unit.

Be It Further Resolved that this Resolution shall take effect immediately upon its date of passage.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 164 having been published, a public hearing was held on Tuesday, July 28, 2009 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time:

Enacted: July 28, 2009*

***AS AMENDED**

By Order: _____
Secretary

Foster	- aye
Pack	- aye
Duncan	- aye
Bartlett	- aye
Harrison	- Absentee ballot disallowed because text of original Resolution was amended prior to final vote