

Amendment A
Proposed Amendments to Resolution 165

Proposed by: Department of Public Works
Date: July 14, 2009

Purpose of the Proposed Amendments:

1. To include Lots 19-25 of Parcel 207 as part of the Resolution. These lots are currently improved by the Hyde Park Office, swimming pool, and community club house, and lie adjacent to Md. Rt. 309 on either side of the community entrance drive.

These lots are currently served by the existing Hyde Park community sewerage system and are therefore properly classified and mapped as "S-1". Inclusion of these lots corrects a pre-existing mapping error in the Comprehensive Water and Sewer Plan ("CWSP") map dating from 2002, which should have shown these parcels as being served by the existing Hyde Park community system.

2. To include extension of *water* as well as wastewater to the properties covered by the Resolution.
3. To eliminate redundant language (lines 39-42) already included (lines 25-29).
4. To eliminate language (a recital, lines 59-61, and text lines 95-96) that the flow allocation will be in accordance with the Easton Utilities tariffs. Elimination of that language leaves that issue (capital costs, cost of service) to be resolved directly by and between Easton Utilities and the property owner.
5. To eliminate a recital (lines 66-69) that the County has verified these facilities will be within the boundaries of the Town of Easton because, until the property is annexed, this cannot be verified.
6. To clarify certain pages will be removed from the existing CWSP concerning the Hyde Park community sewerage system once Easton Utility's services are extended to the properties (lines 86-93).
7. To add a provision that actual extension of utility service shall be subject to all requirements of the Town of Easton and Easton Utilities. (lines 111-112)

The proposed changes are shown below:

1 A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE
2 WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION
3 100, TO EXTEND THE SERVICE AREAS OF THE EASTON WATER AND
4 WASTEWATER SYSTEMS TO CERTAIN AREAS THAT INCLUDE TAX MAP 17,
5 PARCEL 39 AND TAX MAP 25, PARCELS 13 AND 17 AND PARCEL 207, LOTS 19-
6 25 AS W-1 AND S-1, IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY,
7 MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN
8 THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE
9 ANNOTATED CODE OF MARYLAND

10
11 **WHEREAS**, the County Council of Talbot County, State of Maryland, by Resolution
12 Number 100 has adopted the October 2002 Report of the Review of the Comprehensive
13 Water and Sewerage Plan (the "Plan"); and

14
15 **WHEREAS**, the developed portion of Parcel 13 and Parcel 207, Lots 19-25 on Tax Map 25,
16 in the First Election District, Talbot County, Maryland, are served by a community system
17 that consists of a two-stage stabilization lagoon process that discharges to a failed bermed
18 infiltration pond, with the final effluent being pumped to the Hog Neck Golf Course to be
19 spray irrigated on the fairways and greens; and,

20
21 **WHEREAS**, Parcel 207, Lots 19-25 are improved by the Hyde Park Office, swimming pool
22 and community clubhouse, but were inadvertently omitted from the maps showing the
23 existing Hyde Park community sewerage system in the 2002 Report of the Review; and,

24
25 **WHEREAS**, the owner of Parcel 39 on Tax Map 17 and Parcels 13 and 17 and Lots 19-25 of
26 Parcel 207 on Tax Map 25, in the First Election District, Talbot County, Maryland, is
27 working with Talbot County to address on-going permit violations at the Hog Neck Golf
28 Course and has agreed to the extension of the Easton Water and Wastewater Systems to serve
29 its property; and

30
31 **WHEREAS**, Parcel 13 and Lots 19-25 of Parcel 207 on Tax Map 25 has a daily average
32 wastewater flow of approximately 20,000 gallons per day; and

33
34 **WHEREAS**, Parcel 39 on Tax Map 17 is an unimproved not improved with any residential
35 dwelling and lot, is not connected to the existing Hyde Park community wastewater system,
36 and has no with no existing demand for demand or wastewater flows service from the
37 Easton Water or Wastewater System; and

38
39 **WHEREAS**, the owner of Parcel 17 on Tax Map 25, in the First Election District, Talbot
40 County, Maryland, is working with Talbot County to address on-going permit violations and
41 has agreed to the extension of the Easton Water and Wastewater Systems to serve their
42 property; and

43
44 **WHEREAS**, Parcel 2517 on Tax Map 1725 has a daily average wastewater flow of
45 approximately 10,000 gallons per day; and

47 | **WHEREAS**, the Town of Easton, in the First Election District, Talbot County, Maryland, has
48 | previously classified Parcel 39 on Tax Map 17 and Parcels 13 and 17 and Lots 19-25 of
49 | Parcel 207 on Tax Map 25 as part of the with a Priority One ~~(1)~~ Boundary Refinement Area
50 | for future annexation bywith the Town; and

51 |
52 | **WHEREAS**, the Town of Easton, in the First Election District, Talbot County, Maryland, is
53 | working with Talbot County to process this request to extend the service area and program
54 | the water and sewer service designations of the Easton Water and Wastewater Systems; and

55 |
56 | **WHEREAS**, after January 1, 2007, the new wastewater treatment facility consisting of
57 | Enhanced Nutrient Removal technologies for the Town of Easton was completed; and

58 |
59 | ~~**WHEREAS**, Flow Allocation for sewer service will be made in accordance with the Easton~~
60 | ~~Utilities' service tariff; and~~

61 |
62 | **WHEREAS**, the Talbot County Council has considered the request, and hereby approves the
63 | same, subject to the terms of this Resolution and compliance with applicable design and
64 | technical requirements, rules, and regulations of all local, state, and federal authorities; ~~and~~

65 |
66 | ~~**WHEREAS**, the County has verified that these facilities will be within the boundaries of the~~
67 | ~~municipal corporation of the Town of Easton, thus permitting the Easton Water and~~
68 | ~~Wastewater Systems service improvements to be extended to the areas specified in this~~
69 | ~~Resolution;~~

70 |
71 | **NOW, THEREFORE**, be it resolved by the County Council of Talbot County, Maryland as
72 | follows:

73 |
74 | **Section 1.** The County Council is acting pursuant to Title 9, Subtitle 5, of the Environmental
75 | Article of the Annotated Code of Maryland.

76 |
77 | **Section 2.** The Talbot County Comprehensive Water and Sewerage Plan shall be amended
78 | to show Parcel 39 on Tax Map 17 and Parcels 13 and 17 and Lots 19-25 of Parcel 207 on Tax
79 | Map 25 having the water and sewer classifications of W-1, S-1, immediate priority status,
80 | within the Easton Water and Wastewater Systems.

81 |
82 | **Section 3.** Page 22 and Figure 15 will be removed from the Talbot County Comprehensive
83 | Water and Sewerage Plan when the Easton Water System has been extended to Parcel 39 on
84 | Tax Map 17 and Parcels 13 and Lots 19-25 of Parcel 207 on Tax Map 25.

85 |
86 | **Section 4.** Page 25 and Figure 19 will be removed from the Talbot County Comprehensive
87 | Water and Sewerage Plan when the Easton Sewer System has been extended to Parcel 39 on
88 | Tax Map 17 and Parcel 13 and Lots 19-25 of Parcel 207 on Tax Map 25.

89 |
90 | ~~**Section 45.**~~ The references to Hyde Park's wastewater treatment system shall be deleted
91 | from pages 28 and 31 of the Talbot County Comprehensive Water and Sewerage Plan when

92 | the Easton Wastewater System has been extended to Parcel 39 on Tax Map 17 and Parcels 13
93 | and Lots 19-25 of Parcel 207 on Tax Map 25.

94 |
95 | ~~Section 5. The proposed subdivision shall follow the Flow Allocation for sewer service in~~
96 | ~~accordance with the Easton Utilities' service tariffs.~~

97 |
98 | **Section 6.** The Amendment to include immediate priority for water and sewer utility
99 | extension shall be in accordance with the attached additions and changes and shall be
100 | permanently entered into the ~~currently effective~~ Talbot County Comprehensive Water and
101 | Sewerage Plan as part of Chapters 1, 2, and 3.

102 |
103 | **Section 7.** Inclusion of the proposed utility extension, planned for immediate priority in the
104 | Talbot County Comprehensive Water and Sewerage Plan, shall record capacity demand
105 | increases, as identified by the recitals herein, on the serving water and wastewater treatment
106 | facilities.

107 |
108 | **Section 8.** Adoption of this amendment by the County Council of Talbot County shall
109 | authorize the construction of the projects in accordance with, and subject to, the approval of
110 | the Municipal, County, State, and/or federal agencies, as may be required, effective from the
111 | date of adoption. Actual extension of utility service shall be subject to all requirements of the
112 | Town of Easton and Easton Utilities.

113 |
114 | Be It Further Resolved that this Resolution shall take effect immediately upon its date of
115 | passage.