

COUNTY COUNCIL

OF

TALBOT COUNTY

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

Resolution No.: 165

Introduced by: 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 AREAS OF THE EASTON WATER AND WASTEWATER SYSTEMS TO CERTAIN AREAS THAT INCLUDE TAX MAP 17, PARCEL 39 AND TAX MAP 25, PARCELS 13 AND 17 AS W-1 AND S-1, IN THE FIRST 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 2:00 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 AREAS OF THE EASTON WATER AND WASTEWATER SYSTEMS TO CERTAIN AREAS THAT INCLUDE TAX MAP 17, PARCEL 39 AND TAX MAP 25, PARCELS 13 AND 17 AS W-1 AND S-1, IN THE FIRST 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

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

WHEREAS, the owner of Parcel 39 on Tax Map 17 and Parcel 13 on Tax Map 25, in the First Election District, Talbot County, Maryland, is working with Talbot County to address on-going permit violations at the Hog Neck Golf Course and has agreed to the extension of the Easton Water and Wastewater Systems to serve their property; and

WHEREAS, Parcel 13 on Tax Map 25 has a daily average wastewater flow of approximately 20,000 gallons per day; and

WHEREAS, Parcel 39 on Tax Map 17 is an unimproved lot with no water demand or wastewater flows; and

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

WHEREAS, Parcel 25 on Tax Map 17 has a daily average wastewater flow of approximately 10,000 gallons per day; and

WHEREAS, the Town of Easton, in the First Election District, Talbot County, Maryland, has previously classified Parcel 39 on Tax Map 17 and Parcel 13 and 17 on Tax Map 25 with a Priority One (1) Boundary Refinement Area for future annexation with the Town; and

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

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

WHEREAS, Flow Allocation for sewer service will be made in accordance with the Easton Utilities' service tariff; 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, the County has verified that these facilities will be within the boundaries of the municipal corporation of the Town of Easton, thus permitting the Easton Water and Wastewater Systems service improvements to be extended to the areas specified in this Resolution;

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 Parcel 39 on Tax Map 17 and Parcels 13 and 17 on Tax Map 25 having the water and sewer classification of W-1, S-1, immediate priority status within the Easton Water and Wastewater Systems.

Section 3. Page 22 and Figure 15 will be removed from the Talbot County Comprehensive Water and Sewerage Plan when the Easton Water System has been extended to Parcel 39 on Tax Map 17 and Parcels 13 on Tax Map 25.

Section 4. The references to Hyde Park's wastewater treatment system shall be deleted from page 28 of the Talbot County Comprehensive Water and Sewerage Plan when the Easton Wastewater System has been extended to Parcel 39 on Tax Map 17 and Parcels 13 on Tax Map 25.

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

Section 6. The Amendment to include immediate priority for 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 7. 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 by the recitals herein, on the serving wastewater treatment facilities.

Section 8. 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.

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. 165 having been published, a public hearing was held on _____ in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: _____

By Order: _____
Secretary

Foster -

Pack -

Duncan -

Bartlett -

Harrison -