

**COUNTY COUNCIL**  
**OF**  
**TALBOT COUNTY, MARYLAND**

2015 Legislative Session, Legislative Day No.: February 10, 2015

Resolution No.: 218

Introduced by: Mr. Bartlett, Mr. Pack, Ms. Price, Ms. Williams

**A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TWO PARCELS OF LAND LOCATED AT 7966 INDUSTRIAL PARK DRIVE, EASTON, MARYLAND, LYING ON THE WEST SIDE OF EASTON INDUSTRIAL PARK, CONSISTING OF 22.136 ACRES OF LAND, MORE OR LESS, OWNED BY APHENA PHARMA SOLUTIONS MARYLAND, LLC, F/K/A CELESTE CONTRACT PACKAGING LLC, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING LIMITED INDUSTRIAL ("LI") ZONE TO THE TOWN'S INDUSTRIAL ("I") ZONE WILL ALLOW A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR DEVELOPMENT OF THE PROPERTY UNDER THE COUNTY'S EXISTING "LI" ZONING, AND FINDING THAT THE PROPOSED REZONING WILL ALLOW LAND USES THAT ARE SUBSTANTIALLY DIFFERENT FROM THOSE PERMITTED UNDER THE COUNTY'S EXISTING "LI" ZONING, AND WAIVING THE 5-YEAR HOLD ON THE PROPOSED REZONING IN ACCORDANCE WITH MD. CODE, LOCAL GOV'T ARTICLE, § 4-416**

By the Council: February 10, 2015

Introduced, read first time, and ordered posted, with Public Hearing scheduled on Tuesday, February 24, 2015 at 6:30 p.m., in the Bradley Meeting Room, South Wing, Courthouse, 11 N. Washington St., Easton, MD 21601.

By order:



Susan W. Moran, Secretary

**A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TWO PARCELS OF LAND LOCATED AT 7966 INDUSTRIAL PARK DRIVE, EASTON, MARYLAND, LYING ON THE WEST SIDE OF EASTON INDUSTRIAL PARK, CONSISTING OF 22.136 ACRES OF LAND, MORE OR LESS, OWNED BY APHENA PHARMA SOLUTIONS MARYLAND, LLC, F/K/A CELESTE CONTRACT PACKAGING LLC, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY’S EXISTING LIMITED INDUSTRIAL (“LI”) ZONE TO THE TOWN’S INDUSTRIAL (“I”) ZONE WILL ALLOW A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR DEVELOPMENT OF THE PROPERTY UNDER THE COUNTY’S EXISTING “LI” ZONING, AND FINDING THAT THE PROPOSED REZONING WILL ALLOW LAND USES THAT ARE SUBSTANTIALLY DIFFERENT FROM THOSE PERMITTED UNDER THE COUNTY’S EXISTING “LI” ZONING, AND WAIVING THE 5-YEAR HOLD ON THE PROPOSED REZONING IN ACCORDANCE WITH MD. CODE, LOCAL GOV’T ARTICLE, § 4-416**

1           WHEREAS, Md. Code, Local Gov’t § 4-416 (b) restricts the authority of a municipality  
2 annexing land to allow development of the annexed land for a period of 5 years for land uses  
3 substantially different from the authorized uses, or at substantially higher densities, exceeding  
4 50%, than could be granted for proposed development in accordance with the county zoning  
5 classification applicable at the time of the annexation; and,  
6

7           WHEREAS, the Town of Easton (the “Town”) is authorized by the provisions of Md.  
8 Code, Local Gov’t §4-401 *et. seq.* (the “Code”) to expand its municipal boundaries by annexing  
9 lands adjacent to it, and Aphenia Pharma Solutions Maryland, LLC, f/k/a Celeste Contract  
10 Packaging LLC (the “Petitioner”) has requested that the Town annex two parcels of land located  
11 on the west side of Easton Industrial Park, consisting of 22.136 acres of land, more or less (the  
12 “Annexation Property”). The Annexation Property is shown on a plat titled “Annexation 2015,  
13 Town of Easton on the Lands of Aphenia Pharma Solutions Maryland, LLC f/k/a Celeste  
14 Contract Packaging LLC in the Town of Easton Talbot County, Maryland Tax Map 34 Grid 18  
15 Parcels 200 & 208”, prepared by Lane Engineering, LLC, dated October 31, 2014, which is  
16 attached as Exhibit “A” to this Resolution; and,  
17

18           WHEREAS, the Annexation Property is currently in the County’s Limited Industrial  
19 (“LI”) zone; upon annexation the Town proposes to rezone the property into the Town’s  
20 Industrial (“I”) zone; and,  
21

22           WHEREAS, rezoning from the County’s “LI” zone to the Town’s “I” zone will allow  
23 development of the Annexation Property at a substantially higher density, exceeding 50%, than  
24 could be granted for development under the County’s “LI” zoning classification; and,  
25

26           WHEREAS, rezoning from the County’s “LI” zone to the Town’s “I” zone will allow  
27 land uses that are substantially different from those permitted under the County’s “LI” zoning  
28 classification; and,  
29

30 WHEREAS, Md. Code, Local Gov't § 4-416 (c) provides that if the County expressly  
31 approves, the Town may place the Annexation Property in a zoning classification that allows a  
32 land use or density substantially different from the land use or density specified in the County's  
33 existing zoning classification.

34  
35 NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT  
36 COUNTY, MARYLAND, that:

37  
38 1. The County Council finds that the rezoning of the Annexation Property from its current  
39 Limited Industrial ("LI") zoning classification to the proposed Industrial ("I") zoning  
40 classification will allow development of the Annexation Property at a substantially higher  
41 density, exceeding 50%, than could be granted for development in accordance with the County's  
42 Limited Industrial ("LI") zoning classification.

43 2. The County Council finds that the rezoning of the Annexation Property from its current  
44 Limited Industrial ("LI") zoning classification to the proposed Industrial ("I") zoning  
45 classification will allow land uses that are substantially different from those permitted under the  
46 County's Limited Industrial ("LI") zoning classification.

47 3. Pursuant to Md. Code, Local Gov't § 4-416 (c), the County hereby expressly approves  
48 the Town placing the Annexation Property into a zoning classification, the Industrial ("I") zoning  
49 classification as proposed by Town Ordinance No. 647 and Town Resolution No. 6039, upon  
50 annexation of the Annexation Property, that will allow a density substantially higher than the  
51 density specified in the County's Limited Industrial ("LI") zoning classification and will allow  
52 land uses that are substantially different from those permitted in the County's Limited Industrial  
53 ("LI") zoning classification.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon the date of its passage.

**PUBLIC HEARING**

Having been posted, and a Notice of the Time and Place of the Public Hearing, and the Title of Resolution No. 218 having been published, a public hearing was held on Tuesday, February 24, 2015 at 6:30 p.m., in the Bradley Meeting Room, South Wing, Talbot County Court House, 11 N. Washington St., Easton, Maryland.

**BY THE COUNCIL**

Read second time:

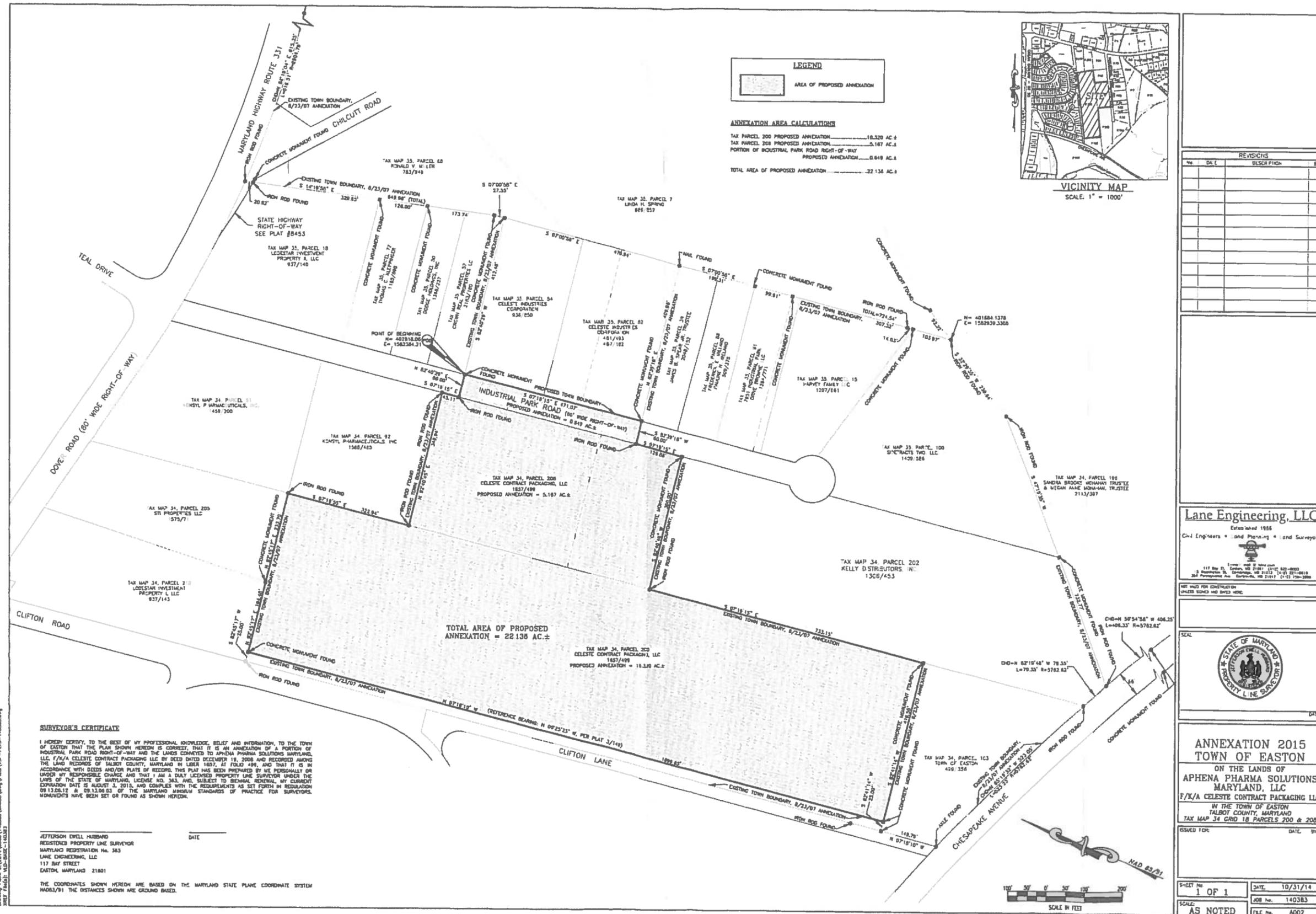
Enacted: **February 24, 2015**

By order: *Susan W. Moran*  
Susan W. Moran, Secretary

Pack - Aye  
Williams - Aye  
Bartlett - Aye  
Price - Aye  
Callahan - Aye



Effective Date: **February 24, 2015**



**LEGEND**  
 AREA OF PROPOSED ANNEXATION

**ANNEXATION AREA CALCULATIONS**  
 TAX MAP 300 PROPOSED ANNEXATION ..... 18.320 AC ±  
 TAX PARCEL 200 PROPOSED ANNEXATION ..... 3.187 AC ±  
 PORTION OF INDUSTRIAL PARK ROAD RIGHT-OF-WAY PROPOSED ANNEXATION ..... 0.619 AC ±  
 TOTAL AREA OF PROPOSED ANNEXATION ..... 22.136 AC ±



REVISIONS		
NO.	DATE	DESCRIPTION

**Lane Engineering, LLC**  
 Established 1956  
 Civil Engineers • and Planning • and Surveyors  
 117 Bay Street, Easton, MD 21821 (410) 821-8222  
 230 Washington St., Cambridge, MA 02142 (617) 271-0819  
 288 Pennsylvania Ave., Cambridge, MA 02142 (617) 736-2886



**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION, TO THE TOWN OF EASTON THAT THE PLAN SHOWN HEREON IS CORRECT, THAT IT IS AN ANNEXATION OF A PORTION OF INDUSTRIAL PARK ROAD RIGHT-OF-WAY AND THE LANDS CONVEYED TO APHENA PHARMA SOLUTIONS MARYLAND, LLC F/K/A CELESTE CONTRACT PACKAGING LLC BY DEED DATED DECEMBER 19, 2008 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 1807, AT FOLIO 498, AND THAT IT IS IN ACCORDANCE WITH DEEDS AND/OR PLATS OF RECORD. THIS PLAN HAS BEEN PREPARED BY ME PERSONALLY OR UNDER MY RESPONSIBLE CHARGE AND THAT I AM A DULY LICENSED PROPERTY LINE SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 383, AND, SUBJECT TO BIENNIAL RENEWAL, MY CURRENT EXPIRATION DATE IS AUGUST 3, 2015, AND COMPLES WITH THE REQUIREMENTS AS SET FORTH BY REGULATION 09.13.08.12 & 09.13.08.03 OF THE MARYLAND BOARD STANDARDS OF PRACTICE FOR SURVEYORS. MONUMENTS HAVE BEEN SET OR FOUND AS SHOWN HEREON.

JEFFERSON DWELL HUBBARD  
 REGISTERED PROPERTY LINE SURVEYOR  
 MARYLAND REGISTRATION No. 383  
 LANE ENGINEERING, LLC  
 117 BAY STREET  
 EASTON, MARYLAND 21801

DATE \_\_\_\_\_

THE COORDINATES SHOWN HEREON ARE BASED ON THE MARYLAND STATE PLANE COORDINATE SYSTEM MAD83/91 THE DISTANCES SHOWN ARE GROUND BASED.

**ANNEXATION 2015**  
**TOWN OF EASTON**  
 ON THE LANDS OF  
**APHENA PHARMA SOLUTIONS**  
**MARYLAND, LLC**  
 F/K/A CELESTE CONTRACT PACKAGING LLC  
 IN THE TOWN OF EASTON  
 TALBOT COUNTY, MARYLAND  
 TAX MAP 34 GRID 18 PARCELS 200 & 208

ISSUED FOR: \_\_\_\_\_ DATE: 9/1/14  
 SHEET No. 1 OF 1 DATE: 10/31/14  
 SCALE: AS NOTED JOB No. 140383  
 FILE No. A002

Date: 01/16/2014 - 3:24pm User: jhubbard Plot: 140383.dwg  
 Drawing Path: J:\2014\140383\140383.dwg Plot Path: J:\2014\140383.dwg  
 User: jhubbard Job: 140383