

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2017 Legislative Session, Legislative Day No.: June 27, 2017

Resolution No.: 247 *AS AMENDED*

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

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TWO PARCELS OF LAND LOCATED AT 8007 AND 7987 INDUSTRIAL PARK DRIVE, EASTON, MARYLAND, FURTHER DESCRIBED AS TAX MAP 35 PARCELS 54 AND 82, LYING ON THE EAST SIDE OF EASTON INDUSTRIAL PARK, CONSISTING OF 4.446 ACRES OF LAND, MORE OR LESS, OWNED BY CELESTE INDUSTRIES CORPORATION, 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: June 27, 2017

Introduced, read first time, and ordered posted, with Public Hearing scheduled on Tuesday, July 25, 2017 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 8007 AND 7987 INDUSTRIAL PARK DRIVE, EASTON, MARYLAND, FURTHER DESCRIBED AS TAX MAP 35 PARCELS 54 AND 82, LYING ON THE EAST SIDE OF EASTON INDUSTRIAL PARK, CONSISTING OF 4.446 ACRES OF LAND, MORE OR LESS, OWNED BY CELESTE INDUSTRIES CORPORATION, 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

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

WHEREAS, the Town of Easton (the "Town") is authorized by the provisions of Md. Code, Local Gov't §4-401 *et. seq.* (the "Code") to expand its municipal boundaries by annexing lands adjacent to it, and Celeste Industries Corporation (the "Petitioner") has requested that the Town annex two parcels of land located on the east side of Easton Industrial Park, consisting of 4.446 acres of land, more or less (the "Annexation Property"). The Annexation Property is shown on a plat titled "ANNEXATION 2017 TOWN OF EASTON ON THE LANDS OF CELESTE INDUSTRIES CORPORATION, IN THE FIRST ELECTION DISTRICT, TOWN OF EASTON, TALBOT COUNTY, MARYLAND TAX MAP 35 GRID 13 PARCELS 54 & 82", prepared by Lane Engineering, LLC, dated March 20, 2017, which is attached as Exhibit "A" to this Resolution; and,

WHEREAS, the Annexation Property is currently in the County's Limited Industrial ("LI") zone; upon annexation the Town proposes to rezone the property into the Town's Industrial ("I") zone; and,

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

WHEREAS, rezoning from the County's "LI" zone to the Town's "I" zone will allow land uses that are substantially different from those permitted under the County's "LI" zoning classification; and,

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, THAT:

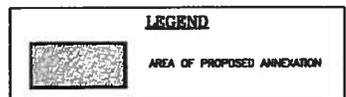
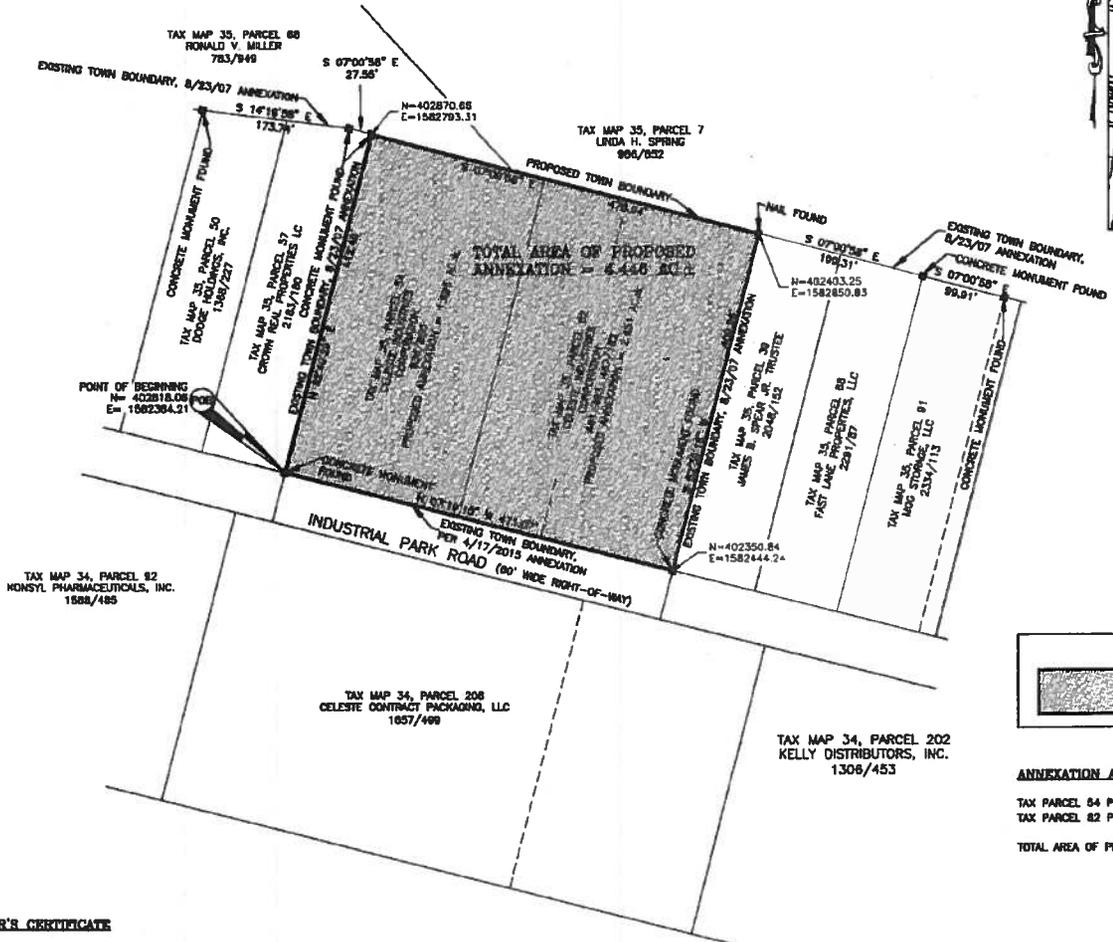
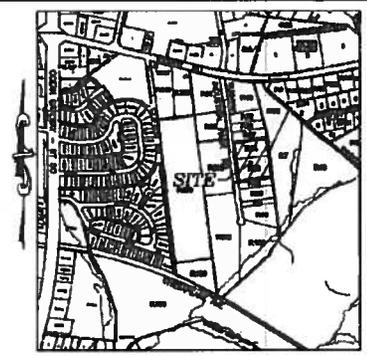
1. The County Council finds that the rezoning of the Annexation Property from its current Limited Industrial ("LI") zoning classification to the proposed Industrial ("I") zoning classification will allow development of the Annexation Property at a substantially higher density, exceeding 50%, than could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

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

3. Pursuant to Md. Code, Local Gov't § 4-416 (c), the County hereby expressly approves of the Town placing the Annexation Property into a zoning classification, the Industrial ("I") zoning classification as proposed by Town Ordinance No. 708 and Town Resolution No. 6082, upon annexation of the Annexation Property, that will allow a density substantially higher than the density specified in the County's Limited Industrial ("LI") zoning classification and will allow land uses that are substantially different from those permitted in the County's Limited Industrial ("LI") zoning classification.

4. The above findings and approvals are expressly conditioned on the Town of Easton's acceptance of Industrial Park Road (the "Road"), which is located entirely within the Town boundaries, and the County's conveyance of the Road to the Town by quitclaim deed.

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



ANNEXATION AREA CALCULATIONS

TAX PARCEL 64 PROPOSED ANNEXATION.....	1.985 AC.±
TAX PARCEL 82 PROPOSED ANNEXATION.....	2.461 AC.±
TOTAL AREA OF PROPOSED ANNEXATION.....	4.446 AC.±

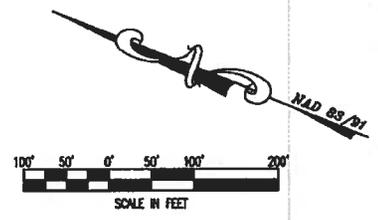
SURVEYOR'S CERTIFICATE

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 THE LANDS CONVEYED TO CELESTE INDUSTRIES CORPORATION BY DEED DATED JUNE 30, 1980 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 936, AT FOLIO 890 AND THE LANDS CONVEYED TO CELESTE INDUSTRIES CORPORATION BY DEED DATED APRIL 28, 1972 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 481, AT FOLIO 463, 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. 363, AND, SUBJECT TO PERMANENT REDEMPTION, MY CURRENT EXPIRATION DATE IS AUGUST 3, 2017, AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09.13.06.12 OF THE MARYLAND MINIMUM STANDARDS OF PRACTICE FOR SURVEYORS. MONUMENTS HAVE BEEN SET OR FOUND AS SHOWN HEREON.

[Signature]
 DWIGHT W. HUBBARD
 REGISTERED PROPERTY LINE SURVEYOR
 MARYLAND REGISTRATION No. 363
 LANE ENGINEERING, LLC
 117 BAY STREET
 EASTON, MARYLAND 21801

4/2/17
 DATE

THE COORDINATES SHOWN HEREON ARE BASED ON THE MARYLAND STATE PLANE COORDINATE SYSTEM NAD83/91. THE DISTANCES SHOWN ARE GROUND BASED.



REVISIONS			
No.	DATE	DESCRIPTION	BY

Lane Engineering, LLC
 Established 1996
 Civil Engineers • Land Planning • Land Surveyors

E-mail: gwh@laneeng.com
 117 Bay St., Easton, MD 21821 (410) 825-2000
 19 Washington St., Chestertown, MD 21613 (410) 321-2618
 284 Pennsylvania Ave., Centerville, MD 21027 (443) 708-2265

SEAL

[Signature] 4/2/17
 DATE

**ANNEXATION 2017
 TOWN OF EASTON**

**ON THE LANDS OF
 CELESTE INDUSTRIES
 CORPORATION**

IN THE FIRST ELECTION DISTRICT,
 TOWN OF EASTON, TALBOT COUNTY, MARYLAND
 TAX MAP 35, GRID 13, PARCELS 54 & 82

ISSUED FOR: DATE: BY:
 SUBMIT TO TOWN 3/20/17 JEH

SHEET No. 1 OF 1	DATE: 3/20/17
SCALE: AS NOTED	JOB No. 170038
	FILE No. A002

Date: 03/20/2017 User: rdawn Plot: 170038.dwg | AnnotationPlot
 Drawing Paths: J:\2017\170038\170038.dwg
 Plot File(s): J:\2017\170038\170038.dwg
 Project Manager: JEH

PUBLIC HEARING

Having been posted, and a Notice of the Time and Place of the Public Hearing, and the Title of Resolution No. 247 having been published, a public hearing was held on Tuesday, July 25, 2017 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: **July 25, 2017 *AS AMENDED***

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

Williams - Aye

Price - Aye

Bartlett - Aye

Pack - Aye

Callahan - Aye (via absentee ballot)

Effective Date: **July 25, 2017**