

COUNTY COUNCIL

OF

TALBOT COUNTY

2025 Legislative Session, Legislative Day No.: March 11, 2025

Resolution No.: 372

Introduced by: Mr. Callahan, Ms. Haythe, Mr. Stepp

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN BY RECLASSIFYING AND REMAPPING TWO PARCELS OF REAL PROPERTY LOCATED AT 23452 PINE POINT ROAD, BOZMAN, MARYLAND AND PINE POINT ROAD, BOZMAN, MARYLAND, AND FURTHER DESCRIBED AS TAX MAP 31, PARCEL 352, LOT 2, AND TAX MAP 31, PARCEL 351, LOT 3, RESPECTIVELY, FROM "UNPROGRAMMED" TO "S-1," IMMEDIATE PRIORITY STATUS PURSUANT TO AN APPLICATION FILED BY CHRISTOPHER F. DANIELS AND DeVON WILLIAMS DANIELS, TRUSTEES UNDER THE C&D DANIELS TRUST DATED MAY 30, 2024

By the Council: March 11, 2025

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, April 8, 2025, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

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

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN BY RECLASSIFYING AND REMAPPING TWO PARCELS OF REAL PROPERTY LOCATED AT 23452 PINE POINT ROAD, BOZMAN, MARYLAND AND PINE POINT ROAD, BOZMAN, MARYLAND, AND FURTHER DESCRIBED AS TAX MAP 31, PARCEL 352, LOT 2, AND TAX MAP 31, PARCEL 351, LOT 3, RESPECTIVELY, FROM “UNPROGRAMMED” TO “S-1,” IMMEDIATE PRIORITY STATUS PURSUANT TO AN APPLICATION FILED BY CHRISTOPHER F. DANIELS AND DeVON WILLIAMS DANIELS, TRUSTEES UNDER THE C&D DANIELS TRUST DATED MAY 30, 2024

WHEREAS, on October 22, 2002, the County Council of Talbot County (the “County Council”) adopted Resolution No. 100, which updated the Talbot County Comprehensive Water and Sewer Plan (the “CWSP”) through the 2002 Report of the Review; and

WHEREAS, the Maryland Department of the Environment (“MDE”) approved Resolution No. 100 on February 20, 2003; and

WHEREAS, Christopher F. Daniels and DeVon Williams Daniels, Trustees under The C&D Daniels Trust dated May 30, 2024 (the “Owner”) is the owner of two parcels of real property located at 23452 Pine Point Road, Bozman, Maryland and Pine Point Road, Bozman, Maryland, and further described as Tax Map 31, Parcel 352, Lot 2, and Tax Map 31, Parcel 351, Lot 3, respectively (individually, “Parcel 352” and “Parcel 351”; collectively, the “Properties”); and

WHEREAS, Parcel 352 consists of 10.877± acres and is improved with a single-family dwelling; and

WHEREAS, Parcel 351 consists of 2.475± acres and is unimproved; and

WHEREAS, the Owner has submitted an Application for an Amendment to the CWSP for Change of Priority Status to change the sewer classification of the Properties from “Unprogrammed” to “S-1,” Immediate Priority Status; and

WHEREAS, the County Engineer has evaluated and confirmed the feasibility of extending public water and sewer to the Properties and requested that the Talbot County Office of Law prepare this amendment to the CWSP to facilitate extension of public sewer thereto; and

WHEREAS, in accordance with the requirements of Md. Code Ann., Envir. § 9-506(a)(1)(i), the proposed CWSP amendment set forth herein has been submitted to the Talbot County Planning Commission (the “Planning Commission”), as well as the Talbot County Public Works Advisory Board, for review for consistency with planning programs for the area; and

WHEREAS, on _____, 2025, the Planning Commission certified that the proposed CWSP amendment set forth herein is consistent with the Comprehensive Plan as required by Md. Code Ann., Envir. § 9-506(a)(1)(ii).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that the Talbot County Comprehensive Water and Sewer Plan shall be and is hereby amended as follows:

SECTION ONE: The above recitals are hereby incorporated as if fully set forth herein.

SECTION TWO: Subject to the terms and conditions herein, the CWSP is amended to reclassify and remap the Properties from “Unprogrammed” to “S-1,” Immediate Priority Status, as shown on the map attached hereto as Exhibit A and incorporated herein by reference as if fully set forth.

SECTION THREE: Sewer service for the Properties shall be from the St. Michaels – Region II Wastewater Treatment Plant. The proposed sewer extension shall be designed and constructed in accordance with the current Region II Service Policy and design guidelines.

SECTION FOUR: Parcel 352 is hereby granted an allocation of one (1) equivalent dwelling unit (“EDU”) of sewer capacity, with a peak flow allocation of two hundred fifty (250) gallons per day.

SECTION FIVE: Parcel 351 is hereby granted an allocation of one (1) equivalent dwelling unit (“EDU”) of sewer capacity, with a peak flow allocation of two hundred fifty (250) gallons per day.

SECTION SIX: The Owner shall be responsible for contracting and paying for all required permits, easements, construction work, and all benefit and connection charges in accordance with a Public Works Agreement (a “PWA”) approved by the County. The PWA for each of the Properties shall run with and bind the property served and shall be filed among the Land Records of Talbot County, Maryland within sixty (60) days from the date of execution of the PWA.

SECTION SEVEN: The Owner shall be responsible for paying a connection fee as defined for the Region II Wastewater System before commencing construction to connect the Properties to the force main. Such connections shall be subject to periodic charges, tariffs, and policies as may be adopted from time to time.

SECTION EIGHT: The Owner shall be solely responsible for all costs incurred for design, engineering, construction, inspection, and testing that may be reasonably required, as determined by the County Engineer, to connect the Properties to the force main, including, without limitation, any material, pumps, saddles, or other equipment, and for all costs incurred for ongoing maintenance and repair.

SECTION NINE: No sewer service shall be available to any area beyond the existing Properties to be served. No other properties, lots, or parcels, including any future reconfiguration or recombination of either of the Properties, shall be entitled to service or capacity unless and until the CWSP is amended to permit such service.

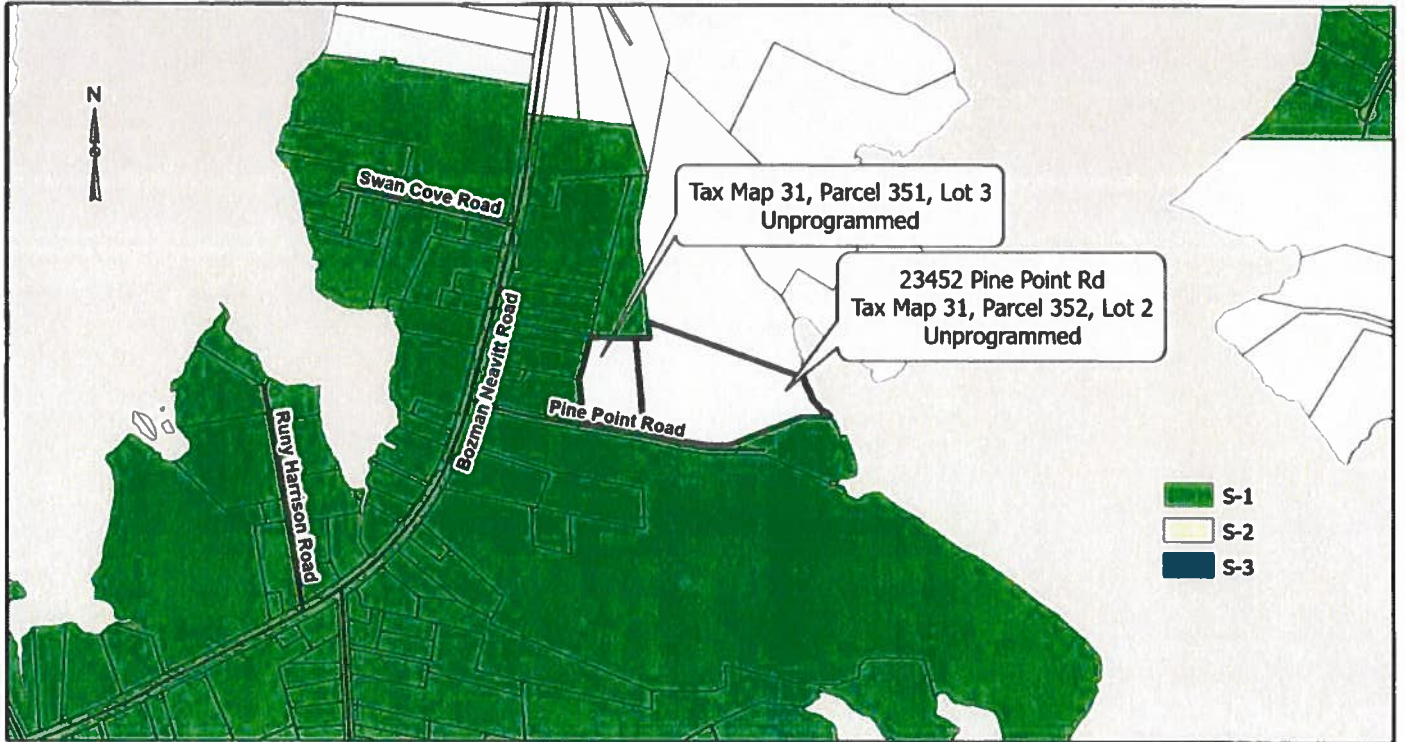
SECTION TEN: The design shall be consistent with the design standards for similar projects in the Region II Service Area, shall be subject to review and approval by the County Engineer, and shall include design features, components, and materials as the County Engineer or their designee may reasonably require, including the ability to isolate the connection.

SECTION ELEVEN: The Owner shall be solely responsible for all remediation, mitigation, damages, charges, fines, penalties, or other costs imposed, levied, or assessed at any time by any federal, State, or local enforcement agency for any environmental damage or violation of law caused by or resulting from the Owner's connection to the force main. The Owner shall indemnify and hold the County harmless from and against all such claims, actions, suits, damages, losses, or expenses, of any kind, nature, or description whatsoever.

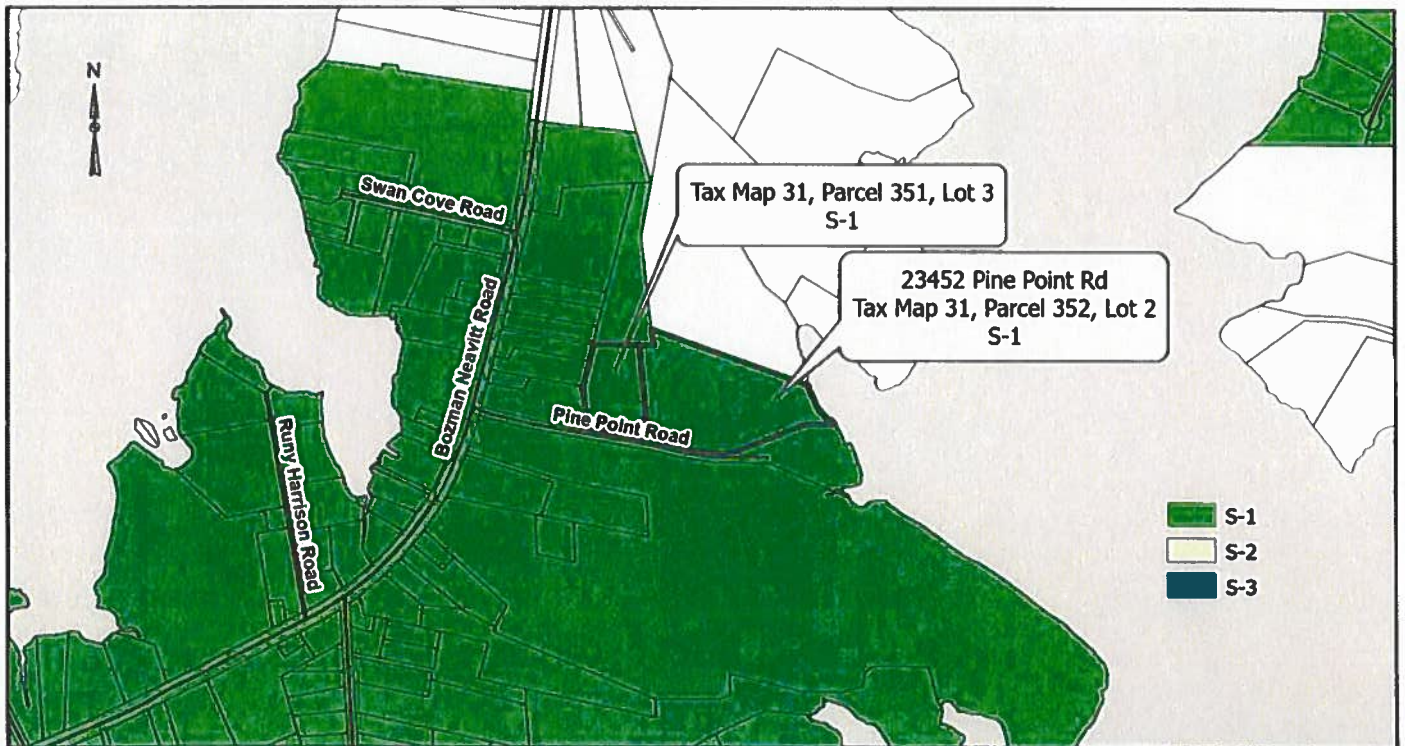
SECTION TWELVE: This Resolution shall not modify, excuse, or supersede any other requirements for ongoing compliance with all applicable federal, State, and local statutes, ordinances, rules, or regulations, including without limitation all conditions and requirements of all permits and approvals necessary for connection to the force main.

SECTION THIRTEEN: This Resolution shall take effect immediately upon the date of its adoption.

Existing Sewer Service Area
Tax Map 31, Parcel 351, Lot 3 & Parcel 352, Lot 2



Proposed Sewer Service Area
Tax Map 31, Parcel 351, Lot 3 & Parcel 352, Lot 2



PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. ___ having been published, a public hearing was held on Tuesday, __, 2025, at 5:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Adopted: _____

By Order: _____
Susan W. Moran, Secretary

- Callahan -
- Stepp -
- Leshner -
- Mielke -
- Haythe -

Effective: _____