

Amendment No. 1 to Resolution No. 313

Introduced by: Mr. Leshner

Date: January 25, 2022

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN REGARDING THE CONNECTION OF PHASE 1, SECTION 1 OF THE LAKESIDE PROJECT TO THE EXISTING TRAPPE WASTEWATER SYSTEM

KEY

Boldface.....Heading or defined term

Underlining.....Added by amendment

~~Strikethrough~~.....Deleted by amendment

* * * Existing resolution unaffected

Proposed Amendments: The amendments proposed to the text of the Resolution are as follows:

* * *

TRAPPE AREA SEWERAGE SYSTEM - FUTURE PLANNING

As identified within the goals of Chapter One of this Plan, growth of the County is to be encouraged and directed in concentrated centers around existing centers of population that presently have adequate or potentially adequate water and sewer services. To plan sewer service to meet the needs of future growth, the sewer service provider, the Town of Trappe, is proposing to create sanitary sewer service districts. The sewer service presently being provided in the Town of Trappe would be referred to as the Trappe Sewer District. To address the sanitary sewer needs in the growth area around the Town of Trappe, two sewer service districts are being proposed.

The proposed Trappe East Sewer District will serve parcels located in the Town on the east side of Maryland Route 50. On the northern end of Town, a second sewer service district, White Marsh Sewer District, is being proposed to serve parcels annexed into the Town of Trappe.

The delineated development area around the Town of Trappe is shown on Figure 24. The factors that influence the size of the development areas for the Town of Trappe includes the growth potential of the Town, the presence of natural growth constraints such as waterways, the Chesapeake Bay Critical Area, and the availability of water and sewer service. As land is annexed into the Town of Trappe, these areas would be designated as S-1 (means areas served or to be served by the Town of Trappe that are either existing, under construction, or have immediate priority status to be served with sewer service) after amending the Talbot County Comprehensive Water and Sewer Plan.

An Enhanced Nutrient Removal ("ENR") 0.54 MGD Membrane Bio-Reactor ("MBR") wastewater treatment plant ("WWTP") and collection system will be designed, constructed in phases and operated to serve the proposed Lakeside development within the Trappe East Sewer District. The proposed MBR ENR WWTP will be designed such that it can be constructed in phases. This type of design will eliminate operating challenges associated with the low flows generated by early phases of development and the inability of a WWTP constructed to full build-out capacity to operate properly at initial low flows. Phase 1 Section 1 of the proposed Lakeside project is expected to include approximately 84 single-family residential dwellings and a visitor and sales center. Sanitary sewer capacity for the proposed start-up phase will require treatment and disposal of approximately 30,000 to 40,000 gallons per day. The initial treatment and disposal capacity estimate includes consideration of flow equalization and peak-flow capacity. Start-up wastewater treatment for the Lakeside project may be provided by: 1) a modular ENR MBR WWTP, capable of operating at the initial development flow rates; or 2) by a direct connection to the existing Trappe wastewater system. Any new connections to the existing Town of Trappe wastewater system are subject to the existing WWTP not having any outstanding MDE enforcement actions, consent orders, or violations and being upgraded to ENR standards, with the treated effluent also meeting ENR standards, as set forth in the "Trappe Area Sewerage System" section of this Plan. Connection to the existing Town of Trappe wastewater system is also subject to the approval of the Town of Trappe, available WWTP capacity, and adequate access to the existing collection system. ~~No portion of the start-up phase may be connected to the existing Town of Trappe wastewater system more than 18 months after final approval of County Resolution No. 313 by MDE. Within 18 months from final issuance of all required permits and approvals for the new Lakeside WWTP (including exhaustion or final resolution of all appeals), all wastewater from the start-up phase being treated by the existing Trappe wastewater system shall be redirected to the new Lakeside WWTP.~~ Following the initial section of development, the full-capacity Lakeside WWTP will be constructed in phases of approximately 100,000 gallons per day of wastewater. The WWTP will be expanded in phases as the capacity of the then-existing Lakeside WWTP approaches 80% of capacity.

Treated effluent from the Lakeside WWTP will be disposed of by spray irrigation on lands within the Trappe East Sewer District. If the initial section of the Lakeside project is served by the existing Town of Trappe wastewater system, wastewater flow from that section ~~may shall~~ be redirected to the full capacity Lakeside WWTP if required by the Town of Trappe ~~as set forth in the preceding paragraph.~~ Otherwise, no wastewater capacity of the existing Trappe District wastewater treatment plant will be allocated to serve the Trappe East Sewer District.

Based upon the discharge permit previously issued by MDE for the Trappe East Sewer District, treated wastewater from the Lakeside WWTP must meet minimum treatment and flow limitations of BODS - 10 mg/1, Suspended Solids - 10 mg/1, Flow - 540,000 gpd (Ultimate Permitted Flow) 37,500 gpd (Permitted Flow at Start-Up Phase), Total Nitrogen - 8 mg/1, Total Phosphorus - 3 mg/1, and Fecal Coliform 3 MPN/100ml. The Trappe East MBR ENR wastewater treatment plant will be capable of exceeding minimum nutrient effluent standards with effluent nutrient levels of Total Nitrogen - 3 mg/1, Total Phosphorus - .3 mg/1.

The information presented in Figure 24 is for planning purposes. The Sewer Districts have been defined using a blue line with various colors, shading and hatches defining the areas of existing sewer service and future sewer service areas and the Priority Funding Areas as defined by the Town of Trappe and the County and those Priority Funding Areas approved by the State. This map does not impose an obligation on Talbot County or the Town of Trappe to provide sewer and/or sanitary sewer service areas not presently being served. Prior to extending sewer service into the growth areas, the Town of Trappe would assure that the existing sewer system has capacity to serve the growth areas and the safety and adequacy of its public sewer supply system is maintained for all its users.

* * *

Purpose: This new language is intended to add a requirement that any new connections from the Lakeside start-up phase to the existing Trappe wastewater system are subject to the existing WWTP being upgraded to ENR standards, with the treated effluent also meeting ENR standards, as set forth in the “Trappe Area Sewerage System” section of the CWSP and delete those proposed amendments inconsistent therewith.

Amendment not substantive: The amendments proposed herein are non-substantive, as they do not enlarge or narrow the scope of Resolution No. 313 as introduced to such an extent that Resolution No. 313, if adopted with the foregoing amendments, could be said to be misleading in a substantial manner. Furthermore, such amendments do not defeat the original purpose of Resolution No. 313 as introduced. *See Ajamian v. Montgomery County*, 99 Md. App. 665, 684-685 (1994).