

COUNTY COUNCIL

OF

TALBOT COUNTY

2024 Legislative Session, Legislative Day No.: September 10, 2024

Resolution No.: 363

Introduced by: Mr. Leshner, Ms. Mielke, Mr. Stepp

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") OF CERTAIN REAL PROPERTY OWNED BY CORRIGAN & TRIPPE VENTURES, LLC, LOCATED ON THE EAST SIDE OF OCEAN GATEWAY/U.S. ROUTE 50, CONSISTING OF 17.329± ACRES OF LAND, SAID PROPERTY BEING MORE FULLY SHOWN ON TAX MAP 34, GRID 24, PARCEL 128, (THE "PROPERTY"), FINDING THAT THE PROPERTY'S PROPOSED REZONING FROM TALBOT COUNTY'S TOWN CONSERVATION ("TC") ZONING TO THE TOWN'S R-10A RESIDENTIAL ("R-10A") ZONING UPON ITS ANNEXATION WILL RESULT IN SUBSTANTIALLY DIFFERENT USES OR SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER THE COUNTY'S TC ZONING, AND WAIVING THE FIVE-YEAR HOLD IN ACCORDANCE WITH § 4-416 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND

By the Council: September 10, 2024

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, October 8, 2024, at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: 
Susan W. Moran, Secretary

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION BY THE TOWN OF EASTON, MARYLAND (THE “TOWN”) OF CERTAIN REAL PROPERTY OWNED BY CORRIGAN & TRIPPE VENTURES, LLC, LOCATED ON THE EAST SIDE OF OCEAN GATEWAY/U.S. ROUTE 50, CONSISTING OF 17.329± ACRES OF LAND, SAID PROPERTY BEING MORE FULLY SHOWN ON TAX MAP 34, GRID 24, PARCEL 128, (THE “PROPERTY”), FINDING THAT THE PROPERTY’S PROPOSED REZONING FROM TALBOT COUNTY’S TOWN CONSERVATION (“TC”) ZONING TO THE TOWN’S R-10A RESIDENTIAL (“R-10A”) ZONING UPON ITS ANNEXATION WILL RESULT IN SUBSTANTIALLY DIFFERENT USES OR SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER THE COUNTY’S TC ZONING, AND WAIVING THE FIVE-YEAR HOLD IN ACCORDANCE WITH § 4-416 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND

WHEREAS, Md. Code Ann., Local Gov’t § 4-416 restricts the authority of a municipality to allow development of annexed land for a period of five years after annexation for land uses substantially different than the authorized uses, or at substantially higher densities, exceeding 50 percent, than could be granted for development in accordance with the county zoning classification applicable at the time of annexation unless waived by the county; and

WHEREAS, on July 15, 2024, the Easton Town Council (the “Council”) adopted Resolution No. 6185 for the purpose of annexing certain real property owned by Corrigan & Trippe Ventures, LLC, located on the east side of Ocean Gateway/U.S. Route 50, consisting of 17.329± acres of land, said property being more fully shown on Tax Map 34, Grid 24, Parcel 128 (the “Property”), into the Town of Easton (the “Town”); and

WHEREAS, the Property is shown and depicted as “TOTAL AREA OF ANNEXATION AREA: 17.329 AC±” on a plat titled “ANNEXATION PLAT ON THE LANDS OF CORRIGAN AND TRIPPE VENTURES, LLC IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 34, GRID 24, PARCEL 128”, prepared by Lane Engineering, LLC, originally dated December 21, 2023, and revised June 19, 2024 (the “Annexation Plat”), which is attached hereto and incorporated herein by reference as Exhibit A; and

WHEREAS, the Property is also described in a metes and bounds description prepared by Lane Engineering, LLC entitled “ANNEXATION DESCRIPTION ON THE LANDS OF CORRIGAN AND TRIPPE VENTURES, LLC IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND,” dated June 19, 2024 (“Annexation Description”), which is attached hereto and incorporated herein by reference as Exhibit B; and

WHEREAS, the Property is currently zoned TC on the Talbot County Zoning Map; and

WHEREAS, on July 25, 2024, the Town submitted a letter to the County Council of Talbot County (the “County Council”) requesting that the County Council waive the five-year zoning restriction set forth in Md. Code Ann., Local Gov’t § 4-416 for the purpose of authorizing the Town to zone the Property R-10A; and

WHEREAS, on July 15, 2024, the Town Council passed Ordinance No. 811 for the purpose of zoning the Property as R-10A upon the County Council's adoption of a resolution waiving the five-year zoning restriction as aforesaid; otherwise, no development may occur on the Property for land uses different from those allowed under the County's TC zoning for a period of five years following the Property's annexation into the Town.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Talbot County, Maryland that:

1. The above recitals are hereby incorporated as if fully set forth herein.
2. The County Council finds that rezoning the Property to the Town's R-10A zoning would allow land uses substantially different from the authorized uses in the County's TC zoning and/or permit development of the Property at a substantially higher density, exceeding 50 percent, than could be permitted in the County's TC zoning.
3. Pursuant to Md. Code Ann., Local Gov't § 4-416, the County Council hereby expressly approves the Town placing the Property into the Town's R-10A zoning upon the effective date of this Resolution as proposed by Town Resolution No. 6185 and Town Ordinance No. 811, which zoning will allow land uses substantially different from the authorized uses under the County's TC zoning and/or permit development of the Property at a substantially higher density, exceeding 50 percent, than could be permitted under the County's TC zoning.

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

RESOLUTION NO. 6185

A RESOLUTION TO ANNEX A PARCEL OF LAND OWNED BY CORRIGAN & TRIPPE VENTURES, LLC LOCATED ON THE EAST SIDE OF OCEAN GATEWAY/U.S. ROUTE 50, CONSISTING OF 17.329 ACRES OF LAND, MORE OR LESS, INTO THE TOWN OF EASTON AND TO PROVIDE FOR THE TERMS AND CONDITIONS OF THE ANNEXATION.

Introduced by: Mr. Montgomery

WHEREAS, the Town of Easton (the "Town") is authorized by the provisions of §4-401 *et. seq.* of the Local Government Article of the Maryland Annotated Code (the "Code") to expand its municipal boundaries by annexing lands adjacent to it, and wishes to annex a certain parcel of land owned by Corrigan & Trippe Ventures, LLC located on the east side of Ocean Gateway/U.S. Route 50, consisting of 17.329 acres of land, more or less, which parcel is shown and depicted as "TOTAL AREA OF ANNEXATION AREA: 17.329 AC ±" (the "Annexation Property") on a plat titled "ANNEXATION PLAT ON THE LANDS OF CORRIGAN AND TRIPPE VENTURES, LLC IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 34, GRID 24 PARCEL 128", prepared by Lane Engineering, LLC, originally dated December 21, 2023 and revised June 19, 2024 (the "Annexation Plat"), which is Exhibit "A" to this Resolution and is also described in a metes and bounds description dated June 19, 2024 prepared by Lane Engineering, LLC entitled "ANNEXATION DESCRIPTION ON THE LANDS OF CORRIGAN AND TRIPPE VENTURES, LLC IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND", which is Exhibit "B" to this Resolution ("Annexation Description").

Corrigan & Trippe Ventures, LLC is the owner of one hundred percent (100%) of the assessed value of the real property lying within the area to be annexed and has consented to the

annexation. There are no registered voters in Talbot County who reside on the Annexation Property.

The Annexation Property is adjacent to existing Town boundaries. If the Annexation Property is incorporated into the Town boundaries, no enclaves of non-Town land will be created.

Now, therefore, the Town hereby resolves:

Section 1. Modification of Town Boundaries. The corporate boundaries of the Town are hereby amended to include the addition of the Annexation Property, which is described on the Annexation Plat and Annexation Description. The plat and metes and bounds description are subject to technical review and correction by the Town prior to the public hearing to be held on this Resolution.

Section 2. Application of Town Charter, Ordinances, and Taxes. Upon the effective date of this Resolution, the provisions of the Charter and Code of the Town of Easton, and any local public laws enacted or to be enacted affecting the Town, shall be effective within the Annexation Property except to the extent that this Resolution provides otherwise. The Annexation Property shall be included in the Third Election Ward of the Town for purposes of municipal elections until such time as the boundaries for election wards may be modified by the Town Council.

Section 3. Annexation Plan. The Petitioner has prepared an Annexation Plan with regard to the Annexation Property (the "Plan"). The Plan is Exhibit "C" to this Resolution but is not a part hereof, and the Town Council reserves the right to amend the Plan prior to the final enactment of this Resolution in the manner provided in §4-415 of the Local Government Article of the Code.

Section 4. Zoning Classification. Concurrently with the introduction of this Resolution, the Town Council has introduced Ordinance No. 811 to apply a zoning classification of R-10A

Residential to the Annexation Property. The Talbot County zoning for the Annexation Property is Town Conservation (TC). The proposed R-10A Residential zoning classification permits land uses that are substantially different from the land uses allowed under the current Talbot County zoning classifications and/or permits development at a substantially higher density exceeding 50% of the density allowed under the current Talbot County zoning classification applicable to the Annexation Property. In accordance with §4-416 of the Local Government Article of the Code, if Talbot County expressly approves, the Town can place the annexed land in zoning classifications that allow different land uses and/or allows a substantially higher density exceeding 50% of the density allowed under the current Talbot County zoning classification. The classification of the Annexation Property in the R-10A Residential zoning district is contingent upon the Town receiving the express consent of the County prior to the effective date of Ordinance 811. If Ordinance No. 811 is not enacted before the effective date of this Resolution, or, if as enacted, it contains provisions that are deemed unacceptable to the Petitioner, or, if the parties are unable to agree upon the terms of an Annexation Agreement, the Petitioner shall be free to withdraw this request for annexation by written notice delivered to the Town Clerk before the effective date of this Resolution, and this Resolution shall become null and void.

Section 5. Incorporation of Certain Exhibits. Exhibits A, and B are incorporated into this Resolution and made a part of it.

Section 6. Public Hearing and Public Notice. The Town Council shall conduct a public hearing on this Resolution and upon Ordinance No. 811 on June 3, 2024 at 5:35 p.m. Prior to the hearing, the Town Clerk shall arrange for the publication of a legally sufficient notice of the hearing in *The Star Democrat* for the Town two times at not less than weekly intervals, the date of publication of the last such notice to be at least 15 days prior to the date of the hearing. In addition, on the date of the first publication of the notice of the hearing, the Town Clerk shall notify the following

persons or agencies of the hearing and shall provide them with a photocopy of the legal notice and this Resolution, including Exhibits:

- (a) the Talbot County Council;
- (b) the Talbot County Planning and Zoning Commission;
- (c) the Maryland Department of Planning; and
- (d) the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

Section 7. Registration of Boundaries. Within ten (10) days of the effective date of this Resolution, in accordance with the provisions of §4-414 of the Local Government Article of the Code, the Mayor or other Town designee, shall promptly cause a copy of the resolution with the new municipal boundaries to be sent to:

- (a) the Town Clerk;
- (b) the Clerk of the Circuit Court for Talbot County, Maryland; and
- (c) the Maryland Department of Legislative Services.

Pursuant to §4-414(b) of the Local Government Article of the Code, each such official or agency shall keep this Resolution with the new boundaries on record and make it available for public inspection during regular business hours.

Section 8. Effective Date. This Resolution shall become effective 45 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with §4-408, §4-409, or §4-410 of the Local Government Article of the Code or if a petition for referendum is filed and a majority of the votes are in favor of the annexation resolution, the date upon which the Annexation Resolution becomes effective pursuant to §4-412 of the Local Government Article of the Code. This Resolution shall be deemed "finally enacted" on the date on which the Mayor of the Town of Easton indicates his approval of this Resolution by signing it or when the Town Council overrides the Mayor's veto hereof in the manner specified in the Town Charter.

Curry	-	Yea
Abbatiello	-	Yea
Montgomery	-	Yea
Davis	-	Nay
Gunsallus	-	Yea

I hereby certify that the above Resolution was passed by a yea and nay vote of the Town Council this 15th day of July, 2024.


Frank Gunsallus, Town Council President

Delivered to the Mayor by me this 15th day of July, 2024.


Kathy M. Ruf, Town Clerk

APPROVED: July 15, 2024

Date: July 15, 2024

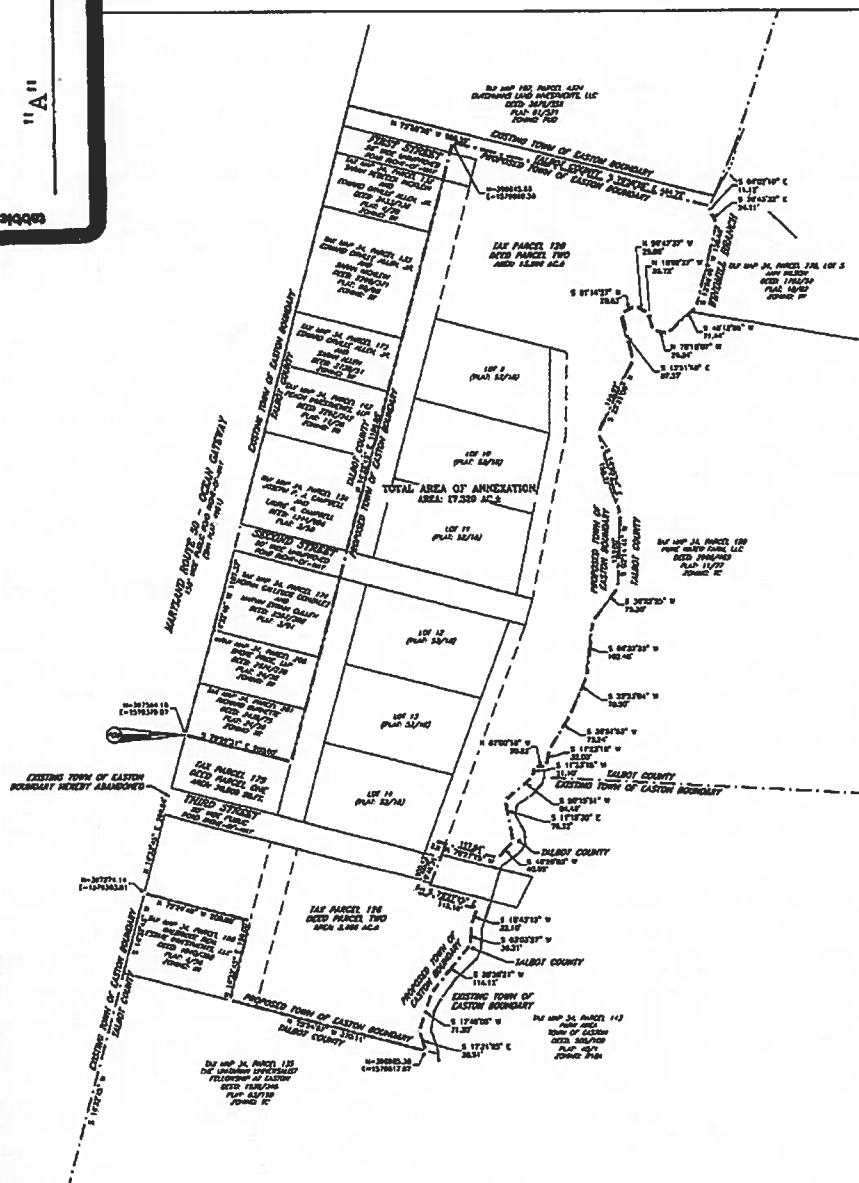

Megan J. M. Cook, Mayor

EFFECTIVE DATE: August 29, 2024.

EXHIBIT

"A"

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PROPERTY OWNER: CORRIAN AND TRIPPE VENTURES LLC
 PROPERTY ADDRESS: 10000 GARDEN
 LADEN, MARYLAND 21101
 DEED REFERENCE: 2007/1
 PLAT REFERENCE: 2007/1 AND 2007/2

AREA TO BE ANNEXED:
 DEED PARCEL 170 (DEED PARCEL 170): 6.038 AC.
 DEED PARCEL 171 (DEED PARCEL 171): 10.000 AC.
 TOTAL AREA: 16.038 AC.
 DEED REFERENCE: 2007/1
 PLAT REFERENCE: 2007/1 AND 2007/2

I HEREBY CERTIFY THAT THE BOUNDARIES SHOWN HEREON WERE PREPARED BY ME OR UNDER MY SUPERVISION, AND THAT I AM A DULY LICENSED SURVEYOR IN THE STATE OF MARYLAND. I HAVE NOT BEEN CONVICTED OF A CRIME INVOLVING FRAUD OR PERJURY, AND I HAVE NOT BEEN EXCLUDED FROM THE PRACTICE OF SURVEYING IN THE STATE OF MARYLAND. MY EXPIRATION DATE IS AUGUST 1, 2025.

[Signature]
 JAMES M. SULLIVAN
 JAMES M. SULLIVAN & ASSOCIATES, LLC
 11111 GARDEN
 LADEN, MARYLAND 21101

6/10/24



NO.	DATE	REVISIONS	BY

Lane Engineering, LLC
 Established 1988
 Civil Engineers • Land Planning • Land Surveyors
 10000 GARDEN
 LADEN, MARYLAND 21101
 410-200-1000
 www.lane-engineering.com



ANNEXATION PLAT
 ON THE LANDS OF
 CORRIAN
 AND
 TRIPPE VENTURES, LLC
 IN THE FIRST ELECTION DISTRICT
 SALISBURY COUNTY, MARYLAND
 TAX MAP 34, GRID 24, PARCEL 170

DATE	BY
11-11-20	BOB
01-23-21	BOB
01-23-21	BOB
01-23-21	BOB
01-23-21	BOB
01-23-21	BOB
01-23-21	BOB
01-23-21	BOB
01-23-21	BOB

LEGEND

- EXISTING TOWN BOUNDARY
- TOWN BOUNDARY NOT ESTABLISHED
- TOWN BOUNDARY NOT ESTABLISHED
- COMPUTED POINT



SHEET NO.	1 OF 1	DATE	08-10-24
SCALE	AS NOTED	PLAT NO.	202405
		PLAT NO.	1110

Lane Engineering, LLC

Established 1986

Civil Engineers • Land Planning • Land Surveyors

15 Washington Street
Cambridge, Maryland 21613
Tel 410-221-0818

117 Bay Street
Easton, Maryland 21601
Tel 410-822-8003
Fax 410-822-2024

354 Pennsylvania Avenue
Centreville, Maryland 21617
Tel 410-758-2095

**ANNEXATION DESCRIPTION
ON THE LANDS OF
CORRIGAN AND TRIPPE VENTURES, LLC
IN THE FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND**

June 19, 2024

All that piece, parcel or tract of land situate, lying and being in the First Election District, Talbot County, Maryland, and being more particularly described as follows.

Beginning for the same at a point, said point also being on the easterly side of the public known as Ocean Gateway (150-foot-wide right-of-way) as delineated on a plat titled "Plat showing division of Lots 6 & 7, Mecklenburg Lots (Second Block – E Section)" recorded among the Land Records of Talbot County, Maryland in Plat Book 24, Folio 36, said point also being on the easterly "Right-of-Way Line" as delineated on State Roads Commission of Maryland Plat Number 4951, said point also being at the southwest corner of the lands of Richard Burnette (Liber 2439, Folio 75), and from said point of beginning and running in the meridian of the Maryland State Coordinate System NAD 83 (2011), and by and with said southerly side of Richard Burnette lands following course and distance

(1) South 75 degrees 29 minutes 31 seconds East, 200.00 feet to a point and the rear property line of said Richard Burnette; thence by and with said rear property line and the extension thereof the following course and distance.

(2) North 14 degrees 32 minutes 45 seconds East, 1169.05 feet to a point 20-feet south of the lands of Dutchmans Land Investments, LLC (Liber 2879, Folio 359) as delineated on a plat of subdivision titled "Plat Showing Proposed Annexation to the Town of Easton" recorded among the aforesaid Land Records in Plat Book 78, Folio 47; thence running 20-feet south and parallel to said Dutchmans Land Investments, LLC lands the following course and distance

(3) South 75 degrees 58 minutes 28 seconds East, 484.72 feet more or less to a point and the center of Windmill Branch; thence by and with the center of the said Windmill Branch and many meanderings thereof generally the following seventeen courses and distances

(4) South 04 degrees 02 minutes 10 seconds East, 11.12 feet to a point; thence

- (5) South 26 degrees 43 minutes 32 seconds East, 24.11 feet to a point; thence
- (6) South 13 degrees 50 minutes 49 seconds West, 156.48 feet to a point; thence
- (7) South 48 degrees 12 minutes 55 seconds West, 71.44 feet to a point; thence
- (8) North 78 degrees 18 minutes 07 seconds West, 26.34 feet to a point; thence
- (9) North 18 degrees 02 minutes 37 seconds West, 33.72 feet to a point; thence
- (10) North 59 degrees 47 minutes 37 seconds West, 25.96 feet to a point; thence
- (11) South 61 degrees 14 minutes 27 seconds West, 28.63 feet to a point; thence
- (12) South 13 degrees 51 minutes 40 seconds East, 87.37 feet to a point; thence
- (13) South 25 degrees 31 minutes 06 seconds West, 145.92 feet to a point; thence
- (14) South 14 degrees 55 minutes 24 seconds East, 155.27 feet to a point; thence
- (15) South 02 degrees 14 minutes 41 seconds West, 133.00 feet to a point; thence
- (15) South 36 degrees 22 minutes 55 seconds West, 75.30 feet to a point; thence
- (16) South 06 degrees 33 minutes 33 seconds West, 102.48 feet to a point; thence
- (17) South 22 degrees 23 minutes 04 seconds West, 78.50 feet to a point; thence
- (18) South 30 degrees 51 minutes 53 seconds West, 73.24 feet to a point; thence
- (19) South 11 degrees 23 minutes 18 seconds West, 32.00 feet to a point; thence leaving said Windmill Branch and running in, through, over and across Tax Parcel 128, Deed Parcel Two as to include a portion thereof the following twelve courses and distances
- (20) North 87 degrees 00 minutes 18 seconds West, 20.22 feet more or less to a point; thence
- (21) South 11 degrees 23 minutes 18 seconds West, 21.10 feet to a point; thence
- (22) South 50 degrees 15 minutes 51 seconds West, 64.49 feet to a point; thence
- (23) South 11 degrees 19 minutes 30 seconds East, 76.32 feet to a point; thence
- (24) South 45 degrees 20 minutes 03 seconds West, 40.95 feet to a point; thence
- (25) North 75 degrees 27 minutes 15 seconds West, 117.94 feet to a point; thence



- (26) South 19 degrees 46 minutes 31 seconds West, 100.42 feet to a point; thence
- (27) South 75 degrees 27 minutes 15 seconds East, 115.16 feet to a point; thence
- (28) South 18 degrees 43 minutes 12 seconds West, 32.10 feet to a point; thence
- (29) South 03 degrees 03 minutes 57 seconds West, 36.31 feet to a point; thence
- (30) South 38 degrees 38 minutes 21 seconds West, 114.12 feet to a point; thence
- (31) South 17 degrees 49 minutes 05 seconds West, 71.20 feet to a point; thence
- (32) South 17 degrees 24 minutes 05 seconds East, 38.51 feet to a point and the lands of The Unitarian Universalist Fellowship at Easton (Liber 1928, Folio 346); thence by and with said The Unitarian Universalist Fellowship at Easton lands
- (33) North 75 degrees 24 minutes 57 seconds West, 370.11 feet to a point and the lands of Walbridge Real Estate Investments, LLC (Liber 1840, Folio 398; thence by and with said Walbridge Real Estate Investments, LLC land the following two courses and distances
- (34) North 14 degrees 32 minutes 45 seconds East, 150.00 feet to a point; thence
- (35) North 75 degrees 24 minutes 45 seconds West, 200.00 feet to a point and the aforementioned easterly side of Ocean Gateway; thence by and with said easterly side of Ocean Gateway
- (36) North 14 degrees 32 minutes 45 seconds East, 299.64 feet to the Place of Beginning, containing 17.329 Acres of Land, more or less, and

The above parcel is intended to be all of the same land, as shown as Total Area of Annexation on a plan entitled "Annexation Plat on the lands of Corrigan and Trippe Ventures, LLC" as prepared by Lane Engineering, LLC, on June 19, 2024, I hereby certify that these documents were prepared by me or under my responsible charge and complies with requirements as set forth in regulation 09.13.06.12, and that I am a duly licensed property line surveyor under the laws of the State of Maryland, License No. 363, and, subject to biennial renewal, my current expiration date is August 3, 2025

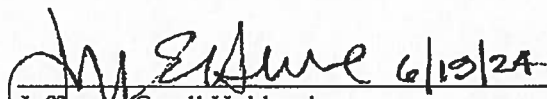

Jefferson Ewell Hubbard
Registered Property Line Surveyor
Maryland Registration Number 363



EXHIBIT C TO RESOLUTION 6185
ANNEXATION PLAN
2024 ANNEXATION TO THE TOWN OF EASTON OF CERTAIN LANDS LOCATED
ON THE EAST SIDE OF OCEAN GATEWAY/U.S. ROUTE 50 AND CONSISTING OF
17.329 ACRES OF LAND, MORE OR LESS

In accordance with § 4-415 of the Local Government Article of the Annotated Code of Maryland, the Town of Easton hereby sets forth the following Annexation Plan for Resolution No. 6185. Section 4-415 permits amendment of the Annexation Plan during the annexation process.

I. **Property.** The property proposed for annexation to which this Annexation Plan relates consists of 17.329± acres of land comprised of “TOTAL AREA OF ANNEXATION AREA: 17.329 AC ±” (the “Annexation Property”) on a plat titled “ANNEXATION PLAT ON THE LANDS OF CORRIGAN AND TRIPPE VENTURES, LLC IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 34, GRID 24 PARCEL 128”, prepared by Lane Engineering, LLC, dated December 21, 2023 (the “Annexation Plat”), which is Exhibit “A” to Resolution 6185.

II. **Land Use Patterns and Plans – Existing and Proposed.**

A. The 2016 Talbot County Comprehensive Plan identifies the Annexation Property as “Designated Growth Residential” and a “Tier II-B Secondary Mapped Growth Area, Planned for Sewage”.

The 2010 Town of Easton Comprehensive Plan, as amended (the “Easton Plan”), designates the Annexation Property as a Priority 1 Boundary Refinement Area. (Easton Plan Growth Areas Map). The Municipal Growth Element of the Comprehensive Plan defines Boundary Refinement Areas as areas that in most cases “are already developed in Talbot County and they are deemed appropriate for consideration for annexation during the life of this Plan.” (Easton Plan p. 49). The Easton Plan identifies Priority 1, Boundary Refinement Areas, including the Annexation Property, as areas that are “important to bring...into [the] Town.” (Easton Plan p. 257). The Easton Plan was amended in 2016 to incorporate a Sewer Tier Map, in accordance with State law and this map classifies the Property as “Tier II – Planned for Sewer, Municipal or Growth Area.”

B. The pre-annexation Talbot County zoning of the Annexation Property is Town Conservation (TC). The proposed R-10A Residential zoning district permits medium density residential uses. The Petitioner intends to submit a Planned Unit Development (“PUD”) for the property to construct multi-family housing on the property.

C. The R-10A Residential district permits a greater than 50% density than and permits land uses that are not authorized in the County’s Town Conservation (TC) zone. In accordance with § 4-416 of the Local Government Article of the Maryland Annotated Code, if the County expressly approves, the Town may place the annexed land in zoning classifications that permit land uses different from the land uses specified under the Talbot County Zoning Ordinance and/or

permits a 50% greater density than that allowed under the Talbot County Zoning Ordinance. The Town intends to seek Talbot County's express approval to apply the zoning district proposed. Any future development of the Annexation Property shall be in accordance with the Zoning Ordinance provisions applicable to the Annexation Property at the time of the development.

III. Availability of Land for Public Facilities. Following annexation, the Annexation Property will be served by the Easton public water and sewer systems, which will require extension of those public utility systems. Adequate water and sewer capacity exists within the Town's utility systems to serve existing and future uses of the Annexation Property without dedication of additional land. Fire and police protection will be provided by the Easton Volunteer Fire Company and the Town of Easton Police Department using existing facilities. The Town's existing public works, fire, police and emergency services facilities, equipment and personnel are adequate to accommodate the Annexation Property at this time. With the multi-family units there will be an impact on schools, libraries and other recreational services, but the applicant's share of that impact is adequately captured by impact fees. At this time, no additional land for public facilities on the Annexation Property is considered reasonably necessary.

IV. Extension of Municipal Services (Schedule and Financing).

A. Utility Service. Following annexation, all or portions of the Annexation Property may be served by Town water and sewer for facilities. All such extensions will be completed at the Owner's expense and in accordance with the standards and specifications of the Town.

All applicable Town fees and user rates to cover the costs associated with usage- or consumption-based municipal services, such as water and sewer service shall be charged to the Annexation Property.

B. Roads. The Annexation Property has existing access off of Ocean Gateway/U.S. Route 50, which is a State Road.

C. Fire Protection. The Easton Volunteer Fire Company already provides service to the Annexation Property and will continue to provide such service at the same or similar level of service after annexation. The Fire Company receives substantial financial support from the Town.

D. Police Services. Police Services are currently provided by the Talbot County Sheriff's Department. Upon annexation, the Easton Police Department will extend service to the Annexation Property. Service will be provided using existing personnel and equipment. The costs of these services shall be paid out of the Town's general funds.

Pursuant to Section 4-415(g) of the Local Government Article, amendments to this Annexation Plan shall not be construed amendments to the Annexation Resolution, nor may they serve in any manner to cause a re-initiation of the annexation procedure related to the property described in Section I.

ORDINANCE NO. 811

AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF EASTON TO APPLY THE R-10A RESIDENTIAL ZONING DISTRICT TO CERTAIN LOTS OR PARCELS OF LAND ANNEXED TO THE TOWN OF EASTON BY RESOLUTION NO. 6185 LOCATED TO THE EAST OF OCEAN GATEWAY/U.S. ROUTE 50 CONSISTING, OF 17.329 ACRES OF LAND, MORE OR LESS

Introduced by: Mr. Montgomery

WHEREAS, the Town of Easton ("Town") is authorized by §§ 4-416 and 5-213 of the Local Government Article and § 4-102 of the Land Use Article of the Maryland Annotated Code ("Code") to exercise planning and zoning jurisdiction in areas annexed by it and to enact and administer a zoning ordinance, which ordinance is Chapter 28 of the Easton Town Code; and

WHEREAS, the Town is authorized by § 4-201 of the Land Use Article of the Code to divide land within the municipal boundaries into zoning districts in a manner it deems best suited to execute the purposes of the Land Use Article; and

WHEREAS, the Town is authorized by § 4-204 of the Land Use Article of the Code to amend, supplement, modify or repeal sections of the zoning ordinance; and

WHEREAS, the Town has acted pursuant to its authority under §4-401 *et. seq.* of the Local Government Article of the Code to introduce Resolution No. 6185 (the "Resolution") to expand its municipal boundaries by annexing lands adjacent to the present Town. The area proposed for annexation is generally located on the east side of Ocean Gateway/U.S. Route 50, consisting of 17.329 acres of land, more or less, which parcel is shown and depicted as "TOTAL AREA OF ANNEXATION AREA: 17.329 AC ±" (the "Annexation Property") on a plat titled "ANNEXATION PLAT ON THE LANDS OF CORRIGAN AND TRIPPE VENTURES, LLC IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 34, GRID

24 PARCEL 128", prepared by Lane Engineering, LLC, originally dated December 21, 2023 and revised June 19, 2024 (the "Annexation Plat"), which is Exhibit "A" to this Ordinance ; and

WHEREAS, the Town Planning Commission considered the annexation and zoning requests during its public meeting on May 16, 2024 and recommended that the Town annex the Annexation Property and zone such land as R-10A Residential for several reasons, including:

(1) While the Comprehensive Plan designates the property for future Commercial land use, the Commission believes that given that the current County zoning and the adjacent residential zoning, that R-10A Residential zoning is appropriate and

(2) Given the location and zoning of the property in Talbot County, it is highly likely to be developed regardless of the outcome of the annexation request. It is more appropriate to have this development occur where there is Town infrastructure and under the terms of the Town zoning code and associated design standards and guidelines.

WHEREAS, the Easton Town Council finds that it is in the best interest of the Town to amend the Official Zoning Map of the Town to include the Annexation Property and to establish the R-10A Residential zoning for the Property; and

WHEREAS, the Easton Town Council held a duly noticed public hearing on this Ordinance on Monday, June 3, 2024, Monday June 17, 2024, and Monday, July 1, 2024.

Now, therefore, the Town of Easton hereby ordains as follows:

Section 1. Incorporation. The Annexation Plat attached hereto as Exhibit A is incorporated herein by reference.

Section 2. Modification of Official Zoning Map Boundaries and Designation of Zoning. The Official Zoning Map of the Town of Easton is hereby amended to add that certain parcels or tracts of land annexed pursuant to the Annexation Resolution and designated by the plat attached hereto as Exhibit A. The Property shall be assigned classification of R-10A Residential. In accordance

with Section 28-107 of the Zoning Ordinance, the amendment shall be made on the Official Zoning Map promptly after the effective date of this Ordinance by the Easton Town Council.

Section 3. County Zoning Consent. The County zoning for the property is Town Conservation (TC). If the proposed R-10A zoning classification permits land uses that are different from the land uses allowed under the current County zoning classifications applicable to the Annexation Property and/or allows a density greater than 50% of the density allowed under the current Talbot County zoning classification, then in accordance with §4-416 of the Local Government Article of the Code, if Talbot County expressly approves, the Town can place the annexed land in zoning classifications that allow different land uses and/or allows a density greater than 50% of the density allowed under the current Talbot County zoning classification applied to the Annexation Property. Without the express approval of the County, no development may occur on the property for land uses different from those allowed under the current County zoning classifications applicable to the Annexation Property and/or allows a density greater than 50% of the density allowed under the current Talbot County zoning classification for a period of five (5) years. The classification of the Annexation Property in the R-10A Residential zoning district is contingent upon the Town receiving the express consent of the County prior to the effective date of this Ordinance or the expiration of the five (5) years period.

Section 4. Survival. Except as amended herein, the remainder of the Official Zoning Map and the remaining terms of existing ordinances shall remain in full force and effect.

Section 5. Effective Date. In accordance with § 4-416 of the Local Government Article of the Code, § 4-203 of the Land Use Article of the Code and Article II, Section 9 of the Easton Town Charter, this Ordinance shall become effective upon the later of: (a) the effective date of the Resolution pursuant to which the land area that is the subject of this Ordinance is annexed to the Town of Easton, (b) ten (10) days after the Town Council's public hearing on this Ordinance, (c)

twenty (20) calendar days after approval by the Mayor or passage of this Ordinance by the Council over the Mayor's veto; or (d) the date the Talbot County Council expressly approves the zoning classification of R-10A or five (5) years has elapsed without the County Council approval.

Section 6. Severability. The Easton Town Council intends that, if a court of competent jurisdiction issues a final decision holding that any part of this ordinance is invalid, the remaining provisions hereof remain in full force and effect.

Curry	-	Yea
Abbatiello	-	Yea
Montgomery	-	Yea
Davis	-	Nay
Gunsallus	-	Yea

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this 15th day of July, 2024.

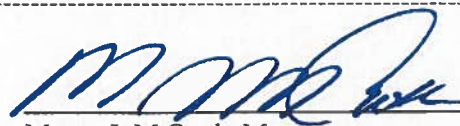

Frank Gunsallus, Town Council President

Delivered to the Mayor by me this 15th day of July, 2024.


Kathy M. Ruf, Town Clerk

APPROVED: July 15, 2024

Date: July 15, 2024


Megan J. M Cook, Mayor

EFFECTIVE DATE: August 29, 2024.

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, ___, 2024 at 6:30 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	-
Lesher	-
Mielke	-
Haythe	-

Effective: