

COUNTY COUNCIL

OF

TALBOT COUNTY

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

Resolution No.: 377 * AS AMENDED*

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

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN BY RECLASSIFYING AND REMAPPING CERTAIN REAL PROPERTY LOCATED AT 3965 OCEAN GATEWAY, TRAPPE, MARYLAND, AND FURTHER DESCRIBED AS TAX MAP 55, PARCEL 51, FROM “UNPROGRAMMED” TO “S-1,” IMMEDIATE PRIORITY STATUS PURSUANT TO AN APPLICATION FILED BY THE TOWN OF TRAPPE

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 CERTAIN REAL PROPERTY LOCATED AT 3965 OCEAN GATEWAY, TRAPPE, MARYLAND, AND FURTHER DESCRIBED AS TAX MAP 55, PARCEL 51, FROM “UNPROGRAMMED” TO “S-1,” IMMEDIATE PRIORITY STATUS PURSUANT TO AN APPLICATION FILED BY THE TOWN OF TRAPPE

KEY

Boldface.....Heading or defined term

Double Underlining ...Added to Resolution by amendment

* * *Existing Resolution unaffected

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, Paris Foods Corporation (the “Owner”) is the owner of certain real property located at 3965 Ocean Gateway, Trappe, Maryland and further described as Tax Map 55 as Parcel 51 (the “Property”); and

WHEREAS, the Property consists of 20.57± acres and is improved; and

WHEREAS, the Property is currently classified as “Unprogrammed”; however, it was nonetheless connected to the Town of Trappe’s wastewater system in or around 2021 based upon the mistaken belief that the Property was already classified as “S-1,” Immediate Priority Status; and

WHEREAS, the Town of Trappe, on behalf and with the consent of the Owner, has submitted an Application for an Amendment to the CWSP for Change of Priority Status to change the sewer classification of the Property 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 Property and requested that the Talbot County Office of Law prepare this amendment to the CWSP to facilitate extension of public water and 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 April 2, 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 Property 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 Property shall be from the Town of Trappe. Any sewer extension shall be constructed in accordance with the current Town of Trappe Sewer Service Policy and design guidelines.

SECTION FOUR: Sewer allocation for the property will be for approved uses in the C-2 Highway Commercial Zoning District for the Town of Trappe, as approved by the Town of Trappe.

SECTION FIVE: The Property is hereby granted an allocation of sixteen (16) Equivalent Dwelling Units (“EDUs”) of sewer capacity, with a peak flow allocation of two hundred fifty (250) gallons per day per EDU.

SECTION SIX: The Owner shall be responsible for contracting and paying for all required permits, easements, construction work, and all benefit and connection charges as required by the Town of Trappe.

SECTION SEVEN: The Owner shall be responsible for paying a connection fee as defined for the Town of Trappe’s wastewater systems. 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 Town of Trappe, to connect the Property 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 Property to be served. No other properties, lots, or parcels, including any future reconfiguration

or recombination of the Property, 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 Town of Trappe, shall be subject to review and approval by the Town Engineer or their designee, and shall include design features, components, and materials as the Town 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.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 377 having been published, a public hearing was held 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.

BY THE COUNCIL

Read the second time:

Adopted: April 22, 2025 *AS AMENDED*

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

Callahan - Aye

Stepp - Aye (via absentee ballot)

Leshner - Nay

Mielke - Nay

Haythe - Aye

Effective: April 22, 2025