

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drpd/index.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Worcester County Planning Commission
FROM: Jennifer K. Keener, Zoning Administrator
DATE: December 28, 2018

Please be reminded that the next Planning Commission meeting will be held on **Thursday, January 3, 2019** at **1:00 P.M.** in the **1st Floor Board Room**, of the **Government Office Building, Room 1102**. For your review prior to the meeting, please find enclosed the agenda for that meeting, as well as all site plans, subdivision plats, etc. which are scheduled to be considered and their associated staff reports. **PLEASE BRING THE COPIES OF ALL SITE PLANS, SUBDIVISION PLATS, ETC. IN AN UNMARKED CONDITION TO THE MEETING.** For review at your convenience are the agendas for the forthcoming meetings of the Technical Review Committee and Board of Zoning Appeals.

CC:

Development, Review and Permitting
Fire Marshal's Office
Department of Emergency Services
Department of Environmental Programs
Department of Public Works
County Roads Division, DPW
Maureen Howarth, County Attorney
Maryland Department of Planning
Terri Smith, Assessments and Taxation
Blaine Smith, Town of Ocean City
Hal Adkins, Town of Ocean City
Carol Sullivan, City of Pocomoke
Kelly Pruitt, Town of Snow Hill
David Engelhart, Town of Berlin
Ocean Pines Association, Inc.
Dan Wilson, SHA
Ace Adkins, MDE
Joe Kincaid, MDE
Paul Ferreri, MDE
Edward Watson, MDE
David Dorr/Verizon-MD Inc
Jim Smith/ Delmarva Power
Patrick Dubinski/ Delmarva Power

Thomas Brady, Delmarva Power
John Willey, II/ Peninsula Propane
Steve Ashcraft/Eastern Shore Gas
Jerod Shelton/ Chesapeake Utilities
Woody Francis/US ACOE
Joe Price /Board of Education
Ocean City Volunteer Fire Company
Ocean Pines Volunteer Fire Dept, Inc.
Pat Hynes/ Comcast Cablevision
Greg Denston /Chesapeake Utilities
John Shermer/Choptank Electric
Joe Sise/Choptank Electric
Greg Fentress/ Sharp Energy
Assateague Coastkeeper
Ayres, Jenkins, Gordy & Almand, PA
Bayside Gazette
Becker Morgan Group
Booth, Booth, Cropper & Marriner, PC
Burbage Properties
Coastal Compliance Solutions, LLC
Coastal Realtors
Coates, Coates & Coates, PA
Davis, Bowen & Friedel, Inc.

Delmarva Veteran Builders
Fox Theatres
Gregory P. Wilkins Surveyor, Inc.
Hampshire, Hampshire & Andrews, Inc.
J.W. Salm Engineering, Inc.
Monogram Building and Design
Ocean City Today
R.D. Hand & Associates, Inc.
Vista Design Inc.
Whispering Woods HOA
Worcester County Times
Carol Ann Beres
Charles Nichols
Darl Kolar
Duverese Scarlett
Jeanne Lynch
Jim Keitt
Mark Wagner
Mitch Parker
Rota Knott
Tom Stauss
Troy Purnell

WORCESTER COUNTY PLANNING COMMISSION
AGENDA

January 3, 2019

Est. Time

- | | | |
|-----------|------|--|
| 1:00 P.M. | I. | Call to Order |
| 1:00 P.M. | II. | Administrative Matters |
| | | A. Review and approval of minutes – November 1, 2018 |
| | | B. Board of Zoning Appeals agenda – January 10, 2019 |
| 1:00 P.M. | III. | Public Hearing on the Revised Draft Land Preservation, Parks and Recreation Plan |
| 1:15 P.M. | IV. | Water and Sewerage Plan Amendment |
| | | A. River Run and Ocean Pines Sanitary Areas, Amendment SW 2018-4 - Expands the River Run sewer planning area to include to serve a proposed community of ninety (90) homes on the former Pine Shore North Golf Course identified as Tax Map 15, Parcels 127 and 259. This amendment seeks to reclassify the sewer planning area for the properties from S-6 (no planned service) to S-1 (within two years). Similarly, the amendment seeks to expand the Ocean Pines water planning area to serve these properties and to reclassify the water planning area for the properties from W-6 (no planned service) to W-1 (within two years). |
| 1:30 P.M. | V. | Miscellaneous |
| 1:35 P.M. | VI. | Adjourn |

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: November 1, 2018

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Brooks Clayville

Betty Smith

Jerry Barbierri

Staff

Ed Tudor, Director, DDRP

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

Bob Mitchell, Director, Dept. of Env. Programs

I. Call to Order

II. Administrative Matters

- A. Review and approval of minutes, October 4, 2018** — As the first item of business, the Planning Commission reviewed the minutes of the October 4, 2018 meeting. Following the discussion it was moved by Mr. Knerr, seconded by Ms. Smith and carried unanimously to approve the minutes as submitted. Ms. Ott was not present for the review of this item.
- B. Board of Zoning Appeals agenda, November 8, 2018** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for November 8, 2018. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Text Amendment

As the next item of business, the Planning Commission reviewed a proposed text amendment application to modify §ZS 1-318(c)(3)B – Campgrounds – Pull-Through Campsites. Mark Cropper, Esquire and Bob Ewell were present for the discussion. Mr. Cropper stated that Mr. Ewell is the owner of Island Resort Campground and has a number of pull-through campsites within his development. Mr. Cropper noted that the current configuration of those sites does not conform to the angle requirement currently in the code, but they do not cause any issues with access to or from the campsites. Mr. Cropper stated that Mr. Ewell wouldn't design something that would not meet the need of his customers, and that this code requirement is a detriment. Mr. Diffendal asked how it was determined that they were not in compliance, and Mr. Cropper provided an explanation.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Ms. Smith, and carried unanimously to forward a favorable recommendation to the County Commissioners.

Ms. Ott was in attendance for the remaining items.

IV. Residential Planned Community

As the next item of business, the Planning Commission reviewed Sea Oaks Village - Step I Residential Planned Community – Request for Establishment of the RPC Floating Zone - Proposed 59 unit townhouse development with 24,570 square feet of mixed commercial use, West side of MD Route 611 (Stephen Decatur Highway), north of Sinepuxent Road, Tax Map 26, Parcel 274, Lot 3A, Tax District 10, R-3 Multi-Family Residential and C-1 Neighborhood Commercial Districts. Hugh Cropper, IV, Esquire, Bob Hand, land planner, and Chris Reida, owner, were present for the discussion. Mr. Cropper explained the RPC process requirements. He outlined the previous favorable recommendation of the Planning Commission that was a result of a larger, more intense project on this site. Since then, the development has been scaled down and the commercial area has been tweaked by Mr. Hand to provide a better commercial mix of uses. Mr. Cropper noted that the Planning Commission reviewed a Water and Sewerage Plan Amendment last month and found the request consistent with the Comprehensive Plan. He addressed the standards that were in the TRC Report on page 16, and went through the Zoning Division comments that were provided at the TRC review. Mr. Knerr asked Mr. Cropper to clarify the commercial modifications that had been made.

Following the discussion, Mr. Diffendal explained what the Planning Commission needed to address. A motion was made by Mr. Knerr, seconded by Ms. Ott, and carried unanimously to find that the applicants have addressed the seven standards contained in §ZS 1-315 for the establishment of the floating zone as presented in the Technical Review Committee Report, to find the application consistent with the Worcester County *Comprehensive Plan*, and to provide a favorable recommendation to the Worcester County Commissioners.

V. Water and Sewerage Plan Amendment

As the next item of business, the Planning Commission reviewed an application associated with the addition of certain informational items in *The Plan* for the Ocean Pines Sanitary Area (SW 2018-5). Robert Mitchell, Director of Environmental Programs, presented the staff report to the Planning Commission. Hugh Cropper, attorney, was present on behalf of the applicant, Burbage/Melson, Inc., and Silver Fox, LLC, property owners, and Sina Companies, LLC, contract purchaser.

Mr. Mitchell explained that the applicant is requesting a revision of the Ocean Pines water and sewer planning areas designations in *The Plan* from S-6/W-6 to W-1/S-1 for two adjacent properties located south of the Ocean Pines Community on Racetrack Road/MD Rt 589. This revision is to provide public sewer and water to serve a proposed outpatient center for Atlantic General Hospital.

Mr. Mitchell reviewed the staff report noting the consistencies found for such a development within the Comprehensive Plan and land use designations, and that the proposed improvements would be permitted in accordance with existing zoning classification for the properties. He noted that the connections to the Ocean Pines Sanitary Area's sewer collection system and the water distribution system would be in accordance with Department of Public Works' (DPW) design approval and any installed infrastructure would be turned over to the County upon inspection and acceptance by DPW staff. He also noted that the properties were previously tested for onsite sewage and that the connection to public sewer was much more preferable than developing the property on septic.

Mr. Cropper introduced Michael Franklin, CEO of Atlantic General Hospital, who was in attendance for the hearing. Mr. Cropper argued that the Comprehensive Plan Commercial Center land use designation area for these properties should probably be much more extensive that is shown on the adopted Comprehensive Plan maps, but acknowledges that they are the official maps today and that there is no conflicts with the majority designation (Existing Developed) for what is being proposed in this project.

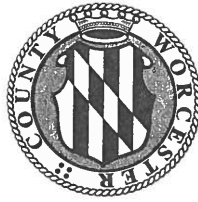
He also introduced John Salm, an engineer, from J.W Salm Engineering, Inc., who testified on the project. Mr. Salm testified that in his opinion the public sanitary capacity was present to serve the development and that it was economically and technically feasible to do so.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Barbierrri and carried unanimously to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners.

VI. Adjourn – The Planning Commission adjourned at 1:34 P.M.

Betty Smith, Secretary

Jennifer K. Keener



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Worcester County

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

TO: Worcester County Technical Review Committee
FROM: Department of Development Review and Permitting
DATE: December 28, 2018

MEMO

Please be reminded that the next regular Technical Review Committee meeting will be held on Wednesday, January 9, 2019 at 1:00 P.M. in the 1st Floor Board Room, of the Government Office Building, Room 1102. The attached agenda outlines those projects which are to be reviewed and commented upon at that meeting. Please provide all clearly legible, prepared comments no later than 12:00 P.M. on Friday, January 4, 2019. Please bring all sets of plans to the TRC meeting as well as any additional written comments beyond those which you have already provided. It is important to be on time and have thorough written comments, as time for oral comments will be limited.

CC:

Development, Review and Permitting
Fire Marshal's Office
Department of Emergency Services
Department of Environmental Programs
Department of Public Works
County Roads Division, DPW
Department of Economic Development
Worcester County Planning Commission
Maureen Howarth, County Attorney
Maryland Department of Planning
Terri Smith, Assessments and Taxation
Bill Neville, Town of Ocean City
Hal Adkins, Town of Ocean City
Carol Sullivan, City of Pocomoke
Kelly Pruitt, Town of Snow Hill
David Engelhart, Town of Berlin
Ocean Pines Association, Inc.
Dan Wilson, SHA
Ace Adkins, MDE
Joe Kincaid, MDE
Paul Ferreri, MDE
Edward Watson, MDE
David Dorr/Verizon-MD Inc
Jim Smith/ Delmarva Power

Patrick Dubinski/ Delmarva Power
Edwin Cade, Delmarva Power
Thomas Brady, Delmarva Power
John Willey, II/ Peninsula Propane
Steve Ashcraft/Eastern Shore Gas
Jerod Shelton/ Chesapeake Utilities
Woody Francis/US ACOE
Joe Price /Board of Education
Ocean City Volunteer Fire Company
Ocean Pines Volunteer Fire Dept, Inc.
Pat Hynes/ Comcast Cablevision
Greg Denston /Chesapeake Utilities
John Shermer/Choptank Electric
Joe Sise/Choptank Electric
Greg Fentress/ Sharp Energy
Assateague Coastkeeper
Ayres, Jenkins, Gordy & Almand, PA
Bayside Gazette
Becker Morgan Group
Booth, Booth, Cropper & Marriner, PC
Burbage Properties
Coastal Compliance Solutions, LLC
Coastal Realtors
Coates, Coates & Coates, PA

Davis, Bowen & Friedel, Inc.
Delmarva Veteran Builders
Fox Theatres
Gregory P. Wilkins Surveyor, Inc.
Hampshire, Hampshire & Andrews, Inc.
J.W. Salm Engineering, Inc.
Monogram Building and Design
Ocean City Today
R.D. Hand & Associates, Inc.
Vista Design Inc.
Whispering Woods HOA
Worcester County Times
Carol Ann Beres
Charles Nichols
Darl Kolar
Duverese Scarlett
Jim Keitt
Mark Wagner
Mitch Parker
Rota Knott
Tom Stauss
Troy Purnell

Copies to applicants - It is required that the applicant(s) and/or their representative be in attendance at this meeting.

cc: Sea Oaks Village, LLC/ R.D. Hand & Associates, Inc./ Hugh Cropper, IV, Esquire
Silver Fox, LLC/ Ocean Pines Medical Owners I, LLC/ J.W. Salm Engineering, Inc./ Array Architects
9724 Holdings, LLC and 9724B Holdings, LLC / Frank G. Lynch, Jr. & Associates, Inc./ Stephen J. Kansak, Inc.

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE
AGENDA**

January 9, 2019

Est. Time

1:00 P.M.

I. Call to Order

II. §ZS 1-315 Residential planned communities

1:00 P.M.

A. Sea Oaks - Step II Residential Planned Community
- Proposed 59 unit townhouse development with 24,570 square feet of mixed use commercial, West side of MD Route 611 (Stephen Decatur Highway), north of Sinepuxent Road, Tax Map 26, Parcel 274, Lot 3A, Tax District 10, R-3 Multi-Family Residential and C-1 Neighborhood Commercial Districts, Sea Oaks Village, LLC, owner/ R.D. Hand & Associates, Inc., land planner;

III. §ZS 1-325 Site plan review

1:10 P.M.

A. Atlantic General Medical Center - Proposed construction of a 99,912 square foot medical office building, east side of MD Route 589 (Racetrack Road), north of Adkins Spur Road, Tax Map 21, Parcel 66A, Tax District 3, C-2 General Commercial District, Silver Fox, LLC, owner/ Ocean Pines Medical Owners I, LLC, applicant/developer/ J.W. Salm Engineering, Inc., engineer/ Frank G. Lynch, Jr. & Associates, Inc., surveyor/ Array Architects, architect;

1:20 P.M.

B. Exodus Craft Brewery and Restaurant - Proposed construction of an approximately 21,000 square foot restaurant with brewery for on-site consumption only, east side of MD Route 611 (Stephen Decatur Highway), north of Sunset Avenue, Tax Map 27, Parcels 255, 499, Lot 25 and 586, Lot 25A, Tax District 10, C-2 General Commercial District, 9724 Holdings, LLC and 9724B Holdings, LLC, owners/ Frank G. Lynch, Jr. & Associates, Inc., surveyor/ Stephen J. Kansak, Inc., designer;

1:30 P.M.

III. Adjourn

**NOTICE OF PUBLIC HEARING
WORCESTER COUNTY
BOARD OF ZONING APPEALS**

AGENDA

THURSDAY, JANUARY 10, 2019

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held before the Board of Zoning Appeals for Worcester County, in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland.

6:30 p.m.

Case No. 19-1, on the lands of Harold & Janet Outten, requesting a special exception to locate a manufactured home for a transient use (medical hardship) in the A-1 Agricultural District, pursuant to Zoning Code Sections ZS 1-105(c)(5), ZS 1-116(c)(3), ZS 1-305 and ZS 1-337(b)(2), located at 220 Liberty Lane, approximately 283 feet north of the intersection with Garland Taylor Road, Tax Map 101, Parcel 4, in the First Tax District of Worcester County, Maryland.

6:35 p.m.

Case No. 19-2, on the lands of Michael & Diane Karsnitz, requesting a shoreline modification to exceed the allowable channelward extension of 16.25 feet by 7.75 feet (for a total of 24 feet channelward) in conjunction with a proposed boat lift in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(n)(2) and ZS 1-206(d)(6) and Natural Resources Section NR 2-102(e)(1), located at 12620 Sheffield Road, approximately 262 feet northeast of Brighton Road, Tax Map 21, Parcel 8, Section A, Block 11, Lot 14, of the Cape Isle of Wight Subdivision in the Tenth Tax District of Worcester County, Maryland.

6:40 p.m.

Case No. 19-3, on the application of Jamie Covington, on the lands of Tarak Patel, requesting a special exception to construct a freestanding non-monument sign in the C-2 General Commercial District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-210(d)(3) and ZS 1-324(c)(4)B.4, located at 127 Ocean Highway (US Route 13), on the northwest corner of the intersection with Sparrow Road, Tax Map 100, Parcel 141, Lot 1, in the First Tax District of Worcester County, Maryland.

ADMINISTRATIVE MATTERS



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1306
SNOW HILL, MARYLAND 21863
TEL: 410.632.1220 / FAX: 410.632.2012

AGRICULTURAL PRESERVATION
CONSERVATION PROGRAM
WATER & SEWER PLANNING
SHORELINE COMMISSION

WELL & SEPTIC
NATURAL RESOURCES
PLUMBING & GAS
COMMUNITY HYGIENE

Memorandum

TO: Worcester County Planning Commission
FROM: Katherine Munson, Planner V/^{Km} Bill Rodriguez, Parks Superintendent (Department of Recreation & Parks) ^{WR}
SUBJECT: DRAFT 2017 Land Preservation, Parks and Recreation Plan, REVISION, Public Hearing
DATE: December 11, 2018

Enclosed please find the *2017 Worcester County Land Preservation, Parks and Recreation Plan REVISION*, December 11 2018.

We are submitting this for your review and we are scheduling a public hearing for January 3, 2019 (your scheduled meeting time).

Following state approval of the approved plan earlier this year, the state brought to our attention that due to some content of our plan, the county would receive a decrease in state matching funds. Counties with a deficit in recreational land are penalized with a significantly reduced Program Open Space match. Therefore, interim steps have been taken to address the deficiency and the document has been revised as follows:

1. Page 33/Figure 2-9 Playing Field Access – Proximity Analysis. Fields used at the public schools and two private schools were added to the map. The additional field capacity improved the ratio from 1 acre per 4,800 people served, to 1 acre per 1,600 people served for acres of multipurpose fields and 1 field per 2,900 people served, to 1 field per 2,175 people served, for baseball fields. The discussion of playing field access on pages 34-35 was also amended to reflect the changes to the map.

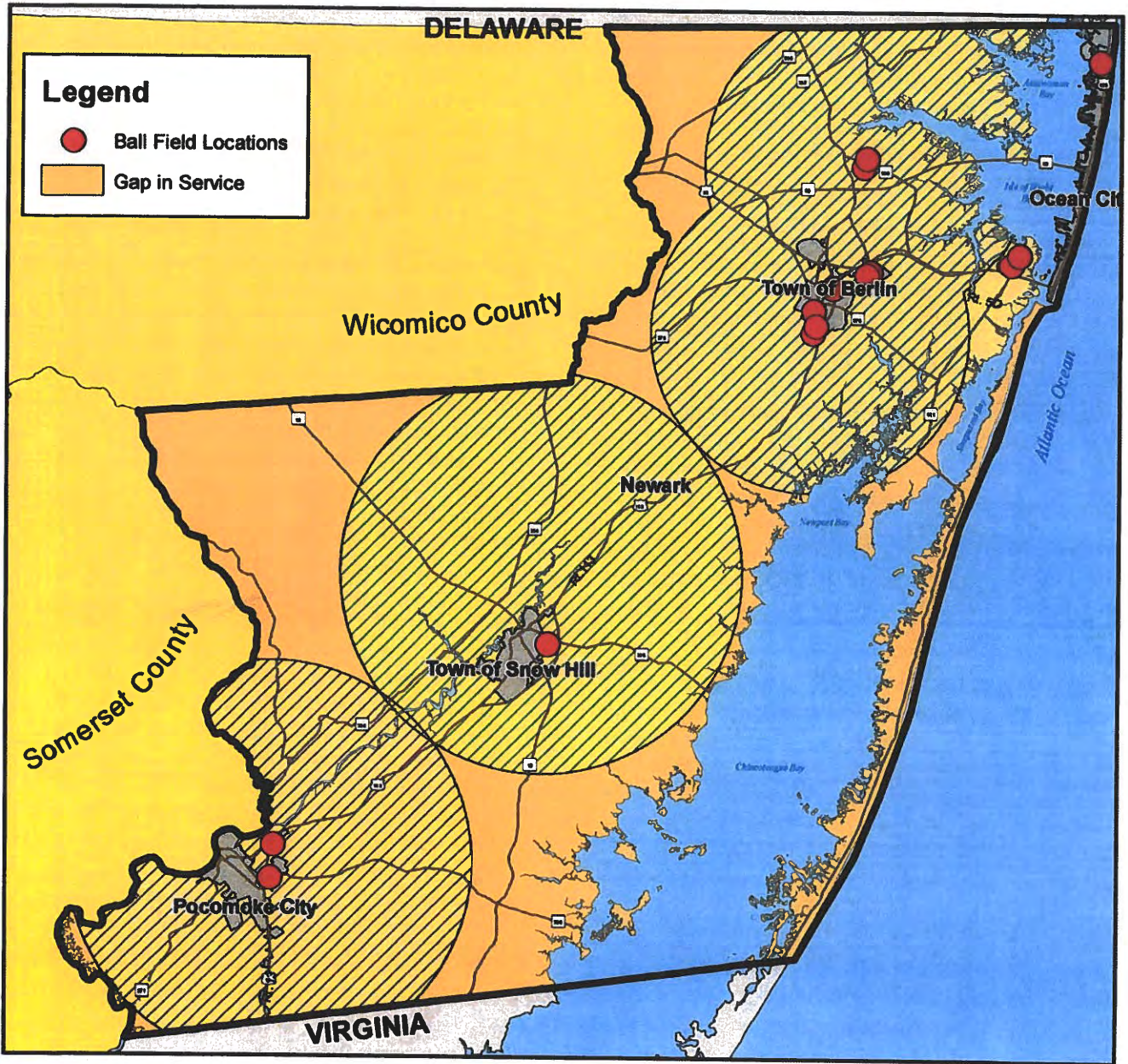
2. Proximity analysis—Half Mile Service Area discussion was expanded on page 35 and new tables added on pages 36-37. The state requested that the county clarify the apparent “gaps” in service that are shown in the maps (Figures 2-10 to 2-15). Figures 2-12, 2-13 and 2-14 were updated to include the school facilities noted below.
 3. The Department of Recreation and Parks has obtained formal joint use agreements with several schools. This is noted on page 46. A new table “Summary: Fields and Locations” was added (page 47) and tables 2-10A through 2-10D were amended to add the schools’ fields. The joint use agreements are in Appendix 2 (one has signature pending and will be added when available).
-

Thank you for your attention to this, and Happy Holidays!

Attachment

cc: Tom Perlozzo, Director, Dept. of Recreation & Parks
Bob Mitchell, Director, Environmental Programs
Jennifer Keener, Development Review and Permitting Dept.

Figure 2-9 Playing Field Access - Proximity Analysis



Recreation Region	Baseball Field	Multipurpose Field
Northern	1 field: 2100 people	1 acre: 1,760 people
Central	1 field: 630 people	1 acre: 1,050 people
Southern	1 field : 870 people	1 acre: 950 people

Worcester County Total Population (2016): 51,444
Estimated Population within Gap: 5,099
Estimated 10% of population within Gap in Service.



Note: A "Gap in Service" is any area within Worcester County up to 8.5 miles away from a Sports Complex.

October 10, 2018
 Source: Worcester County Department of Environmental Programs
 Maryland IMAP Mapping & GIS Data Portal

trails within a 5 mile distance of their residence. This is where the majority of the county's population resides. This deficiency may be reflected in the large number of citizen survey responses noting a need for more walking trails.

Water Access

Figure 2-8 shows all areas of the county within 5 miles of a boat ramp or soft launch. These amenities are spread across the county and the gaps that exist are in areas with limited population and in most cases more than five miles from any water body. This suggests that there is generally adequate supply and distribution of water access in the county, although there may be increasing demand, as the population continues to grow in the northeastern portion of the county, in particular.

Playing Field Access

Figure 2-9 shows an analysis of the ratio of population to playing field in three service areas: southern, central and northern. This analysis reflects a deficit of playing fields per capita in the northeastern portion of the county compared to the central and southern areas of the county. The 2017 citizen survey seems to reflect this: playing fields (and associated parking) were noted by many responders to be a deficit.

As organized sporting activities have grown in popularity over the last decade, so too have user expectations of what a playing surface should be. At present, the Worcester County Department of Recreation & Parks recognizes that a degree of variation in multi-purpose playing field dimension and level of development exist and as a result, adjustments have been made to our inventories. The best example is John

Walter Smith Park where the fields identified as multi-purpose in past plans, do not meet the criteria associated with multipurpose use. As a result the Worcester County Department of Recreation & Parks feels the need to more accurately define "multipurpose field" in terms of both size and playability. Doing so will clarify our offerings with respect to user expectations and to avoid any distortion in the playing field proximity analysis. At John Walter Smith Park, the 2012 LPPRP inventory identified the number of multipurpose fields as seven (7). The area associated with each field is 35,000 square feet, where specifications for regulation setup would call for 86,000 square feet. Of the seven fields only two of these fields are irrigated in order to promote turf quality/playability to the level expected.

Other past distortions include Newtown Parks and Northern Worcester Athletic Complex multipurpose fields. In past plans Newtown Park has been inventoried as two fields, but is actually one field dimensioned to proper regulation specifications. At Northern Worcester Athletic Complex, four fields have been identified in the past, all dimensioned to regulation specifications however, only three are equipped with irrigation.

With respect to multipurpose fields, the Worcester County Department of Recreation & Parks will use the next 5 years to transition to a more accurate definition, defined as follow:

Dimensioned in a way which accommodates regulation setup for two or more sports, and built in a way that can provide for a high-quality playing surface.

For the purpose of the current analysis, Worcester County Department of Recreation & Parks used the above definition in the preparation of inventory provided in Table 2-10A and the Playing Field Access - Proximity Analysis, depicted in Figure 2-9. In order to establish a fair basis for comparison, field access analysis was based on acreage of acceptable playing surface throughout the county, as opposed to a simple field count.

The notable exception is at John Walter Smith Park, where the Worcester County Department of Recreation & Parks will attempt to work through definitional inconsistency through the modification of an already approved multipurpose field lighting project and the reconfiguration of existing field space in order to accommodate two fields consistent with our definition going forward.

Proximity Analysis – Half Mile Service Area

A second 'proximity analysis' series was conducted using a 0.5 mile radius to evaluate pedestrian access to recreational facilities in the county's population centers (Figures 2-10 through 2-15). Table 2-7A and 2-7B present population and parks data in all municipalities, West Ocean City and Ocean Pines. The *All Agency Median values*, from the National Recreation and Parks Association's (NRPA) *2018 NRPA Agency Performance Review, Parks and Recreation Agency Performance Benchmarks*, were used to evaluate population and park ratios. The 2018

NRPA median value, nationally, for residents per park is 2,114. The NRPA median acres of park land per 1,000 residents is 10.1. As Tables 2-7A and 2-7B indicate, Worcester County's population centers offer park access in excess of the NRPA published medians. The only exception is West Ocean City. While West Ocean City exceeds the NRPA median acreage of parks per 1,000 residents, the residents per park value is slightly higher than the NRPA median. It is important to note that West Ocean City land use and land cover limits possible additional park locations. What currently remains in open space is primarily tidal wetland or wooded non-tidal wetland, a limiting factor for recreational development.

Table 2-7C provides detailed data regarding 'gaps' in pedestrian accessibility within population centers. These are areas of the population center not within a half mile of a park, trail or water access. Table 2-7C uses a color code to categorize the gap percentage (of population) as "high", "medium" and "low". Where no constraints in doing so exist, the county will consider, and urge any recipients of POS funding to consider the feasibility of placing amenities to close pedestrian access "gaps", as a first priority when evaluating potential new amenity locations. The most significant gaps are in water access and trails. Close proximity to water access has a natural constraint that cannot always be overcome. Trails access in West Ocean City is and will likely remain limited because the area is highly developed with limited open space remaining.

Table 2-7 A.

Worcester County vs. NRPA All Agency Median - Residents Per Park

Location	Total Population	Number of Parks	Residents per Park
Town of Berlin	4,608	4	1152
West Ocean City	4,375	2	2188
Town of Ocean City	6,999	12	583
Ocean Pines	11,710	10	1171
Town of Snow Hill	2,071	4	518
City of Pocomoke	4,101	5	820

Exceeds NRPA All Agency Median of 2,114

Fails to Exceed NRPA All Agency Median of 2,114

Table 2-7 B.

Worcester County vs. NRPA All Agency Median - Acres of Parks Per 1,000 Residents

Location	Total Population	Park Acres	Acres per 1000 Residents
Town of Berlin	4,608	89	19.3
West Ocean City	4,375	45.6	10.4
Town of Ocean City	6,999	76.5	10.9
Ocean Pines	11,710	138	11.8
Town of Snow Hill	2,071	64	30.9
City of Pocomoke	4,101	69	16.8

Exceeds NRPA All Agency Median of 10.1

Fails to Exceed NRPA All Agency Median of 10.1

DRAFT 2017 Worcester County Land Preservation Parks and Recreation Plan REVISION

Table 2-7 C. Half Mile Service Area - Summary Chart

Location	Total Population	Parks Serviced (%)	Parks Gap (%)	Trails Serviced (%)	Trails Gap (%)	Water Access Serviced (%)	Water Access Gap (%)
Town of Berlin	4,608	85%	15%	60%	40%	NA	NA
West Ocean City	4,375	39%	61%	15%	85%	14%	86%
Town of Ocean City	6,999	87%	13%	59%	41%	30%	70%
Ocean Pines	11,710	89%	11%	40%	60%	12%	88%
Town of Snow Hill	2,071	91%	9%	40%	60%	43%	57%
City of Pocomoke	4,101	81%	19%	14%	86%	33%	67%

High - 68% or greater within Gap
Medium - 34%-67% within Gap
Low - 33% or less within Gap

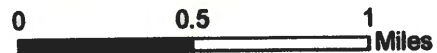
Figure 2-13 Berlin Facilities - Large Scale Proximity Analysis



- | | |
|--------------------------------|--------------------|
| Half Mile Service Areas | ● Trailhead |
| Park | ● Park |
| Trailhead | Berlin Town Limits |



Total Berlin Population: 4,608







Parks: Estimated 15% of population within Gap in Service.
 Trails: Estimated 40% of population within Gap in Service.
 Water Access: There are no water access facilities within Berlin.

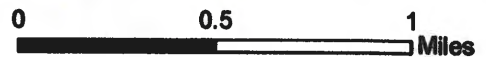
Figure 2-14 Snow Hill Facilities - Large Scale Proximity Analysis



Half Mile Service Areas

-  Park
-  Water Access
-  Trail
-  Town Limits

-  Boat Ramp
-  County Trailhead
-  Parks/Recreational Sites
-  Soft Launch



Total Snow Hill Population: 2,071

Parks/Rec Sites: Estimated 9% of population within Gap in Service.
 Water Access: Estimated 57% of population within Gap in Service.
 Trails: Estimated 60% of population within Gap in Service.

DRAFT 2017 Worcester County Land Preservation Parks and Recreation Plan REVISION

Table 2-10A. County-owned Recreation Sites, Worcester County

Id #	Site Name	City/Town	Site Class	Boat Ramps	Boat Slips	Group Campsites	TenRV Campsites	Canoeing/Kayaking	Basketball Courts	Skateboard Courts	Tennis Courts	Volleyball Courts	Ball Fields, Diamond	Lighted Ball Fields, Diamond	Multipurpose Fields	Lighted Multipurpose Fields	Picnic Pavilion	Picnic Tables	Indoor Recreational Areas	Swimming Pools	Tot Lots	Trails, Mileage
1	Beving Road Boat Ramp	Ocean City	Boat Ramp	1																		
2	Berlin Intermediate School*	Berlin	School								2				2				1		1	
3	Bird Hill Road Site	Girdletree	Special Use Area										1	1			1	8			1	0.1
4	Bishopella Park*	Bishopville	Community Park												1						1	0.25
5	Buckingham Elementary School*	Berlin	School						1								1	4	1		2	
6	Cedar Chapel Special School	Snow Hill	School																			
7	Cedar Hill Wharf	Pocomoke City	Boat Ramp	2																		
8	Downtown Recreation Complex	Ocean City	Neighborhood Park	1					2	1			1	1							1	
9	George Island Landing	Stockton	Boat Ramp															4				
10	Girdletree Park	Girdletree	Community Park																			TBD
11	Greys Creek Nature Park	Bishopville	Community Park																			
12	Gum Point Landing	Berlin	Boat Ramp	1					1								1	2				0.75
13	Herring Creek Nature Park	Ocean City	Community Park																			
14	Homer Gudelesky Park	Ocean City	Community Park																			
15	Illa Fehner Nature Preserve	Berlin	Community Park																5			TBD
16	Ile of Wight Park	Bishopville	Other Public Land					1														
17	John Walter Smith Park*	Snow Hill	Sports Complex					2	2	1	7	3	2	1	11	1					1	1.2
18	Mason Landing	Newark	Boat Ramp	1																		
19	Newark Park	Newark	Community Park						1	1			1	4							1	
20	Newtown Park	Pocomoke City	Sports Complex						1	6	2	1	1	10							1	1.5
21	Northern Worcester Athletic Complex*	Berlin	Sports Complex							6	1	7	2	11							1	0.5
22	Ocean City Elementary School*	Ocean City	School						1						1						1	
23	Pocomoke Elementary School	Pocomoke City	School						1	4	1	1	2	1							1	
24	Pocomoke High School*	Pocomoke City	School						2						1						1	
25	Pocomoke Middle School*	Pocomoke City	School						1												2	
26	Public Landing	Snow Hill	Boat Ramp	1																		
27	Shell Mill Landing	Bishopville	Boat Ramp	2																		
28	Showell Elementary School*	Showell	School						2						1						1	
29	Showell Park*	Showell	Sports Complex										2	1	3	2					1	
30	Snow Hill Elementary School*	Snow Hill	School												1						2	
31	Snow Hill High School*	Snow Hill	School										4	2	1	1					1	
32	Snow Hill Middle School*	Snow Hill	School						1						1						1	
33	South Point Landing	Berlin	Boat Ramp	1																		
34	Stephen Decatur Middle School*	Berlin	School										2	2	2						1	
35	Stephen Decatur High School*	Berlin	School										2	1	1	1					1	
36	Stockton Neighborhood Park	Stockton	Community Park																		1	
37	Taylor Landing	Girdletree	Boat Ramp	1																		
38	Whaleyville Park	Whaleyville	Mini-Park																2			
Total				11	0	0	0	3	10	1	18	7	32	9	25	6	11	76	13	1	25	4.3

* Denotes locations and fields used in the per capita ratio calculations in Figure 2-9 Playing Field Access - Proximity Analysis.

DRAFT 2017 Worcester County Land Preservation Parks and Recreation Plan REVISION

Table 2-100. Private Recreation Sites, Worcester County

Id # Site Name	City/Town/Comm Site Class	Facilities																			
		Boat Ramps	Boat Slips	Group Campsites	Tent/RV Campsites	Canoeing/kayaking	Basketball Courts	Skateboard Courts	Tennis Courts	Volleyball Courts	Ball Fields, Diamond	Lighted Ball Fields, Diamond	Multipurpose Fields	Lighted Multipurpose Fields	Picnic Pavilion	Picnic Tables	Indoor Recreational Areas	Swimming Pools	Tot Lots	Bike Trails, Mileage	
67 Barbidge Park	Ocean Pines	Community Park																			
68 Huntington Park	Ocean Pines	Neighborhood Park																			
69 Manikin Meadows Tennis Complex	Berlin	Other Public Land																			
70 Nassawango Creek Preserve	Snow Hill	Special Use Area																			
71 Ocean Pines Swim and Racquet Club	Ocean Pines	Mini-Park	22																		
72 Ocean Pines--"Pocket" Parks (18 total)	Ocean Pines	Mini-Park																			
73 Robin Hood Park	Ocean Pines	Community Park																			
74 South Gate Pond	Ocean Pines	Special Use Area																			
75 Sports Core Pool	Ocean Pines	Special Use Area																			
76 Somerset Park	Ocean Pines	Neighborhood Park																			
77 White Horse Park	Ocean Pines	School	1																		
78 Worcester Preparatory School*	Berlin	School																			
79 YMCA*	Pocomoke	Worship																			
80 Ocean City Baptist Church*	WOC	Worship																			
Total			1	22	0	929	3	3	0	20	2	1	1	6	0	2	21	0	2	5	0

* Denotes locations and fields used in the per capita ratio calculations in Figure 2-9 Playing Field Access - Proximity Analysis.

Appendix 2: Joint Use Agreements

The following are copies of joint use agreements between Worcester County Department of Recreation & Parks and public and private schools for shared use of their recreational facilities.

Joint Use Agreement

AGREEMENT BETWEEN THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND ("COUNTY") AND THE WORCESTER COUNTY BOARD OF EDUCATION ("BOARD") FOR USE OF RECREATION FACILITIES

Recitals

WHEREAS, the County and the Board desire to organize, promote, and conduct community recreation programs and activities to promote the health and general welfare of the community; and

WHEREAS, the Board is the owner of real property in the County, including facilities and active use areas that are capable of being used by the County for community recreational purposes; and

WHEREAS, the County is the owner of real property in the County, including facilities and active use areas that are capable of being used by the Board for school recreational purposes; and

WHEREAS, under appropriate circumstances, these publicly held lands and facilities should be used most efficiently to maximize use and increase recreational opportunities for the community; and

WHEREAS, both bodies are authorized to enter into agreements with each other to promote the health and general welfare of the community and contribute to enhance the recreational opportunities afforded to the community; and

NOW, THEREFORE, the Board and the County agree to cooperate with each other as follows:

1. Term

This Agreement will begin November 15, 2018, and end on November 14, 2019. The Agreement however shall automatically be renewed each year unless terminated as provided for hereinafter in Section 16 or by one party providing the other party written notice of its intention not to have the Agreement renewed on or before September 15th of each year.

2. Effective Date

This Agreement shall be effective upon the arrival of November 15, 2018.

3. Cooperative Agreement

As provided herein, the Board and the County hereby agree to cooperate in coordinating programs and activities conducted on all their respective recreational fields and facilities. As used in this Agreement, "Owner" shall mean the party to this Agreement that owns or controls a particular property and/or facility covered by this Agreement, and "User" shall mean the other party (but only the County and/or the Board and any third-party permitted by the County. Any such third party shall be the County's sole responsibility as if it was the County itself) using the Owner's property and/or facility under the terms of this Agreement.

4. Permitted Uses

a. Board Property

i Board Use

The Board shall be entitled to priority use of Board Property for public school and school-related educational and recreational activities, including summer school, and at such other times as Board Property is being used by the Board or its agents.

ii County Use

Subject to the schedule developed by the County and the Board or its agents, the County and third parties authorized by the County shall be entitled to use Board Property without charge for community recreational and educational purposes for the benefit of Board students, the Board and the County at large. The County's obligations under this Agreement shall apply to third parties using Board Property. The County shall be responsible for ensuring that third parties comply with all obligations under this Agreement when using Board Property. The County shall be solely responsible for any third-party user and all obligations of the County herein for its use shall apply to both the County and the County's third-party users. The County shall enforce all Board rules, regulations, and policies provided by the Board while supervising community recreational activities on Board Property. In planning programs and scheduling activities on school grounds, the security, academic, athletic, and recreational needs and opportunities of school-aged children will be the highest priority and be adequately protected.

b. County Property

i The County shall be entitled to priority use of County Property for the regular conduction of park, recreation, and community service activities and/or programs sponsored by the County.

ii Subject to the schedule developed by the County and Board, the Board shall be entitled to use County Property, without charge, for Board educational and recreational activities and/or programs.

5. Compliance with Law

All use of Board and County Property shall be in accordance with State and local law. In the case of a conflict between the terms of this Agreement and the requirements of State or local law, the State or local law shall govern. Any actions taken by the Board or the County that are required by State or local law, but are inconsistent with the terms of this Agreement, shall not be construed to be a breach or default of this Agreement.

6. Communication

a. Designation of Employees

The Board and the County shall respectively designate an employee with whom the other party, or any authorized agent of the party, may confer regarding the terms of

this Agreement. For purposes of this Agreement, County and Board's agent/designee shall be as follows:

(1) **Tom Perlozzo**
Director of Recreation and Parks
6030 Public Landing Rd.
Snow Hill, MD 21863
Office - 410.632.2144 x 2505

(2) **Lou Taylor**
Superintendent, Worcester County
6270 Worcester Highway
Newark, Maryland 21841

The agents shall meet as needed to effectuate this Agreement.

7. Scheduling Use of Property

a. Master Schedule

If so requested by either party, the Board and County shall develop a master schedule for joint use of Board and County Property to allocate property use to the Board, County and third parties.

b. Scheduling of County Property

The County shall have the responsibility for scheduling the use of County Property when the County is not using the Property.

c. Scheduling of Board Property

The County shall be responsible for scheduling its and any third-party use of Board Property and shall do so through the designated agent of the Board.

d. Tracking Use of Facilities

The Board and the County shall each track use of their respective properties under this Agreement.

e. Documentation of Costs

The Board and the County shall maintain records of costs associated with the Agreement.

8. Fees and Charges

The County shall timely reimburse the Board for expenses which are incurred by the Board outside normal working hours in providing staff or other personnel as the Board deems necessary to monitor and/or be present during the County's (or any third-party) use of the Board property. The Board shall timely reimburse the County for expenses which are incurred by the County outside normal working hours in providing staff or other personnel as the County deems necessary to monitor and/or be present during the Board's use of County property.

9. Improvements

- a. The Board shall obtain prior written consent of the County to make any alterations, additions, or improvements to County Property; the County shall obtain prior written consent of the Board to make any alterations, additions, or improvements to Board Property.
- b. Any such alterations, additions, or improvements shall be at the expense of the requesting party, unless otherwise agreed upon.
- c. Each party may, for good cause, require the demolition or removal of any alterations, additions, or improvements made by the other party at the expiration or termination of this Agreement. "Good cause" includes reasons of health, safety, or the Board's need to use the Board Property for educational purposes or the County's need to use County Property for governmental purposes.

10. Supervision , Security, and Inspections

a. Supervision and Enforcement

Each User shall train and provide an adequate number of competent personnel to supervise all activities on the Owner's Property. The User shall enforce all of the Owner's rules, regulations, and policies while supervising activities or programs on the Owner's Property.

b. Security

The Owner shall provide the User with access to the Owner's Property. The Owner shall provide keys, security cards, and training as needed to the User's employee(s) responsible for opening and locking the Owner's Property while supervising activities or programs.

c. Inspection and Notification

The User shall inspect the Owner's Property after use to ensure these sites are returned in the condition they were received. The User shall ensure the Owner is notified in the event that Owner's Property suffers damage during User's use. Such notification shall consist of sending written notification by letter, and email to the Owner's designated agent identifying the damaged property, date of detection, name of inspector, description of damage, and estimated or fixed costs of repair or property replacement.

d. Supplies

The User shall furnish and supply all expendable materials necessary to carry out its programs while using the Owner's Property.

e. Maintenance, Custodial Services, and Toilet Facilities

Maintenance

The User agrees to exercise due care in the use of the Owner's Property. The User shall during the time of its use keep the Owner's Property in neat order.

The Board shall be responsible for maintenance, repair and upkeep of Board property. The County shall be responsible for maintenance, repair and upkeep of County Property

Custodial

The Owner shall make its trash receptacles available during the User's use of Owner's Property. The User shall encourage community users to dispose of trash in the trash receptacles.

Parking

Parking shall be in designated areas.

11. Restitution and Repair

The User shall be wholly responsible to repair, remediate, or fund the replacement or remediation of any and all damage or vandalism to the Owner's Property during the User's use of that Property. This shall be coordinated by the designated agents and approved by the County and /or Board as required.

12. Liability and Indemnification

- a. The County shall defend, indemnify, and hold the Board, its officers, employees and agents, harmless from and against any and all liability, loss, or claims for injury or damages, arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, or claims for injury are caused by or result from the negligent or intentional acts or omissions of the County, its officers, agents, or employees.
- b. The Board shall defend, indemnify, and hold the County, its officers, employees and agents, harmless from and against any and all liability, loss, or claims for injury or damages, arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, or claims for injury are caused by or result from the negligent or intentional acts or omissions of the Board, its officers, agents, or employees.
- c. Nothing herein or any related agreement or any amendment hereto shall under any circumstances constitute or be construed as a waiver of immunities or limitations of liability that the County Commissioners and/or members of the Board of Education and or Superintendent, their officers, employees, agents, or servants, may have in by virtue of and in accordance with any law, including sovereign, statutory, qualified, official, common law, public general law or public local law immunity. No action may be brought with respect hereto other than in the appropriate State Court in Worcester County, Maryland. County Commissioners, as a body politic, has become a party hereto only in the capacity stated herein. No individual elected County Commissioner, member of Board of Education, contractor, employee, agent, or servant of County shall have any personal liability hereunder. Any indemnity herein or arising out of this Agreement, on the part of the County Commissioners or Board of Education, shall be only to the extent permitted by law and shall be subject to the non-waiver of immunity, limitations of liability and all other provisions of this Agreement.

13. Insurance

The Board and the County shall provide the following insurance in connection with this Agreement.

- a. Commercial General Liability for bodily injury and property damage, including Personal Injury and Blanket Contractual, with limits of \$1,000,000 per occurrence, \$2,000,000 aggregate.
- b. Workers' Compensation. Workers' compensation coverage as required by Maryland law.
- c. Documentation of Insurance. The Board and the County shall provide to each other a certificate of insurance each year this Agreement is in effect showing proof of the above coverage upon request.

14. Termination

This Agreement may be terminated at any time prior to its expiration, upon 45 days written notice.

15. Entire Agreement

This Agreement constitutes the entire understanding between the parties with respect to the subject matter and supersedes any prior negotiations, representations, agreements, and understandings.

16. Amendments

This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement all as of the day and year first herein written.

ATTEST:

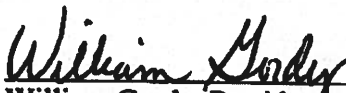


COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND


Diana Purnell, President

ATTEST:

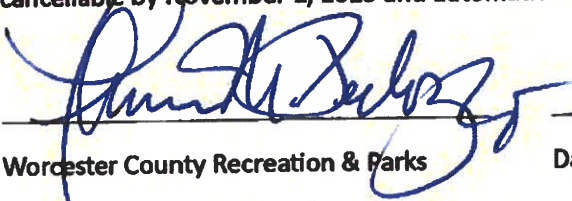
WORCESTER COUNTY BOARD
OF EDUCATION


William Gordy, President

December 3, 2018

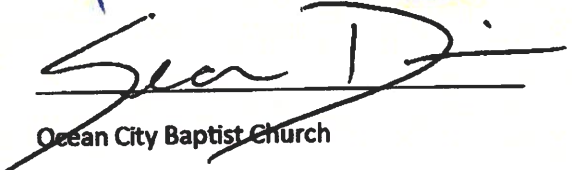
The County Commissioners of Worcester County, Maryland and the Ocean City Baptist Church will work cooperatively over the coming years to continue to provide functions and activities on Worcester County Recreation and Parks Property and Ocean City Baptist Church properties. .

It's understood that this relationship will continue on a case by case basis to best serve both the needs of the county and the Church. This agreement is valid December 3, 2018 through December 2, 2019 and is cancellable by November 1, 2019 and automatically renewed yearly hereafter.



Worcester County Recreation & Parks Date

12/5/18



Ocean City Baptist Church Date

12/5/18

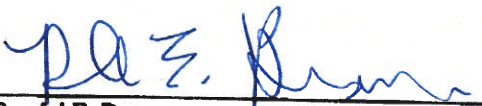


MEMORANDUM OF AGREEMENT
BETWEEN
WORCESTER COUNTY RECREATION & PARKS (MD)
AND
WORCESTER PREPARATORY SCHOOL

SUBJECT: This letter signed by both parties represents an agreement whereby the Northern Worcester Athletic Complex (NWAC) and Worcester Preparatory School (WPS) engage in a joint use agreement for their respective facilities, where such use is acceptable to both parties.

1. **Background:** The NWAC and WPS are adjacent properties and have worked cooperatively in the past. This cooperation has taken the form of using each other's parking facilities with prior approval when events warranted it as well as WPS use of certain NWAC athletic fields for its sports programs with prior approval from NWAC.
2. Both parties seek to formalize this arrangement in the future through formal memorandum updated annually.
3. On a case by case basis, both parties agree to continue this cooperation. Each party is free to reach out to the other in advance to request use of the other's facilities. The requestee is free to grant or deny use of facilities based on the needs of its own organization but should try to extend cooperation wherever possible.
4. Where joint use of facilities has been approved, both parties agree not to charge the other use fees whenever possible.
5. This agreement is in effect on 1 January 2019 and continues until expiration on 31 December 2019 unless extended or modified by mutual consent of both parties. Either side may rescind this agreement or withdraw an approved use of facilities by the other with 30 days' notice.
6. Point of contact at WPS for this agreement is Matt McGinnis, Athletic Director. 410-641-3575; email: mmcginnis@worcesterprep.org. POC for NWAC is Tom Perlozzo, Director of Recreation & Parks, 410-632-2144 ext. 2505 email: tperlozzo@co.worcester.md.us .

For Worcester Preparatory School



Randal E. Brown
Head of School

Date

12/18/18

For Worcester County Recreation & Parks



Tom Perlozzo
Director of Recreation & Parks

Date

12/18/18



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1306

SNOW HILL, MARYLAND 21863

TEL: 410-632-1220 / FAX: 410-632-2012

LAND PRESERVATION PROGRAMS
STORMWATER MANAGEMENT
SEDIMENT & EROSION CONTROL
SHORELINE CONSTRUCTION
AGRICULTURAL PRESERVATION
ADVISORY BOARD

WELL & SEPTIC
WATER & SEWER PLANNING
PLUMBING & GAS
CRITICAL AREAS
FOREST CONSERVATION
COMMUNITY HYGIENE

December 27, 2018

Worcester County Planning Commission
Worcester County Courthouse
1 West Market Street, Room 1201
Snow Hill, MD 21863

RE: Transmittal-Comprehensive Water and Sewerage Plan Amendment –River Run Sanitary Area and Ocean Pines Sanitary Area – Reclassification of Water/Sewer Planning Area Designations – Pine Shore North Golf Course Property
TM 15 Parcels 127, 259
(SW-2018-4)

Dear Commissioners:

We are writing to forward the proposed *Worcester County Comprehensive Water and Sewerage Plan (The Plan)* amendment to revise the water and sewer planning classifications for the dormant Pine Shore North golf course property. Ocean Pines Sanitary Area in *The Plan*, for your review and comment to the County Commissioners. According to Chapter One, Section 1.4.2 of *The Plan* (“Application for Amendments”), the applicant submitted a complete application and we have attached it.

River Run Development Associates, LLC (River Run) and Nichols-Neff Properties, LLC (Nichols) are the joint applicants for this amendment. This amendment seeks to reclassify the sewer and water planning areas for two adjacent parcels comprising the dormant golf course from S-6/W-6 (no planned service) to S-1/W-1 (within two years) and include this change within the appropriate sewer and water planning area information in *The Plan*. The reclassification of the sewer planning area will be for the River Run Sanitary Area and service to the properties will be from the River Run WWTP. The reclassification of the water planning area will be for the Ocean Pines Sanitary Area and service to the properties will be from the Ocean Pines water treatment and distribution system.

The applicant is requesting a change in the water and sewer service classifications in order to serve a proposed residential subdivision. The subject properties are located on the northwesterly side of Beauchamp Road, to the northeast of the junction with Racetrack Road (MD Route 589). The

Citizens and Government Working Together

properties are more specifically identified on Tax Map 15 as Parcels 127 and 259. The proposed development will consist of a residential subdivision consisting of ninety (90) single-family homes. The applicant is planning an initial utilization of ninety (90) EDUs of public sewer from the River Run Sanitary Area and ninety (90) EDUs of public water from the Ocean Pines Sanitary Area to serve the proposed development. The sewer capacity is available to the property by way of a developer's agreement that allows the River Run developer the ability to reassign sewer capacity, provided that planning and other local and state approvals are obtained. This was done under a previous amendment in November of 2000 to provide sewer capacity for the Most Blessed Sacrament School on Route 589. The River Run developer has excess capacity within their system that will not be utilized as a part of any future development of housing units within their community. They have contracted with the owner of the subject property to provide this capacity for the proposed development. The water is proposed to be provided to the development from capacity obtained directly from the Ocean Pines Sanitary Area.

The applicant is proposing to connect to the sewer collection system by connecting to appropriate location(s) within the River Run infrastructure. They will connect to the Ocean Pines water distribution system by way of connection at a point authorized by the County on the existing water main in place on Beauchamp Road. Where system components will be maintained and serviced by Worcester County, the developer-constructed infrastructure will be built under a Public Works agreement and will be turned over upon inspection and acceptance of the construction and materials by County personnel.

The Planning Commission is tasked by Section 1.4 of *The Plan* ("Procedures for Plan Amendments") to make a finding as to whether this amendment would be consistent with The Comprehensive Plan. The Planning Commission may also submit its project comments and recommendations. The findings and comments will be submitted to the County Commissioners. The County Commissioners will hold a public hearing and then take action on the proposal.

Comprehensive Plan Policies

The Comprehensive Plan assigns two (2) land use designations for this property within the River Run and Ocean Pines sewer and water planning areas. These designations are:

1. Existing Developed Area
2. Agriculture

Existing Developed Areas are defined (p. 13) as follows:

- Existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained.
- Not designated as growth areas, these areas should be limited to infill development.

Agricultural Areas are defined (p.18) as follows:

- Reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted.

The comprehensive plan goes on to state:

Chapter One, "Introduction" states:

- Provide for adequate public services to facilitate the desired amount and pattern of growth (p.8).

Chapter Two, "Land Use", under Watershed Analysis states:

- For this planning period, the location of growth has been shifted away from the MD 589 corridor to avoid more transportation problems (p. 27)
- MD 589 has been designated as currently "impacted" and unsuitable for development beyond infill of existing lots in accordance with current zoning (p.27).

Chapter Three, "Natural Resources", under Total Maximum Daily Loads (TMDLs) states:

- Provides a goal that Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources (...) clean surface and ground water (p.33).
- Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources...clean surface and ground water (p. 33).
- Improve water bodies on the "Impaired Water Bodies (303d) List" to the point of their removal from this list (p. 33).
- To address the county's responsibility, all reasonable opportunities to improve water quality should be undertaken as a part of good faith efforts to meet the TMDL standards." (p.36)

Chapter Six, "Public Infrastructure" states:

- Consistent with the development philosophy, facilities and services necessary for the health, safety, and general welfare shall be cost effectively provided (p.70).
- Require new development "pay its way" by providing adequate public facilities to meet the infrastructure demand it creates (p.70).
- Plan for efficient operation, maintenance, and upgrades to existing sanitary systems as appropriate (p. 73).
- Provide for the safe and environmentally sound water supply and disposal of wastewater generated in Worcester County (p.73).
- Sewer systems should be sized to serve their service areas' planned for land uses (p. 74).

Zoning

The current River Run and Ocean Pines *Planning Areas* have already been approved under various amendments and are appropriately zoned for the current and proposed uses planned for the existing sanitary area properties, including the subject properties presented in this reclassification amendment. The proposed expansion properties, which total approximately 95.08 acres in area, have a single zoning designation. They carry an R-1 (Rural Residential District) zoning classification. This district is intended to protect and preserve the low-density rural residential areas of the County which are not generally planned for substantial population growth, but this district does contemplate development for which limited public services are available or planned. The specific uses and density proposed by this applicant are consistent with what is permitted in this zoning district.

Department of Public Works Comments

The Department of Public Works had no comments on this amendment.

Staff's Comments

Staff comments are submitted below for your consideration.

1. The River Run WWTP and Ocean Pines water system have adequately available sewer (River Run) and water capacity (Ocean Pines) to handle this proposed development.
2. The *Planning Area's* zoning classification permits the proposed uses. Any construction in the *Planning Area* would be required to meet the provisions of the storm water program and other local and state regulatory requirements.
3. The *Planning Area's* land use designation of existing developed area permits the proposed uses. The part of the properties that carries a land use designation of agriculture is an inconsistency that tagged these properties with two different land use designations under the *Comprehensive Plan*, where the golf course was a common use across both properties. Both properties carried an Estate land use designation in the prior (1989) land use map, but they were given the dual land use designations under the current (2006) plan. The properties were successfully rezoned from E-1 (Estate) to a more intensive classification of R-1 (Rural Residential) in 2016. These properties are surrounded by land use designations of existing developed, save for the agricultural fields for historically farmed property to the rear (and northwest) of the property. The provision of sewer capacity from the neighboring subdivision downsizes their build-out potential while supplying the sanitary capacity for this proposed subdivision. Since the River Run system has a limited amount of capacity under their groundwater discharge permit, the net effect is no residential unit gain in the immediate area with this capacity transfer between the existing River Run community and this adjacent proposed community. The proposed development will be located across both properties in the same manner as the golf course was constructed across the lot lines.
4. This proposal, while expanding the original service area, does not require the expansion of water or sewer treatment facilities other than there will be a more complete build out of planned phases for the River Run spray system to realize the capacity needed to serve these EDUs as authorized under the River Run groundwater discharge permit. Additional public infrastructure, where publically operated and maintained, will be constructed by the applicant and turned over to the County for connections to existing River Run (sewer) and Ocean Pines (water) systems.
5. The County's preferred method of discharge is spray irrigation. This amendment proposes connection to the River Run WWTP, which is a spray plant, so it will not add to any remaining point source discharges in the area. Also, our septic records for the property file indicate a capacity of 4,200 gallons per day from three (3) separate systems for onsite sewage for the dormant golf course. Retirement of this septic capacity will be a benefit to the St. Martins River watershed and will help protect the unconfined water supply in this area.
6. The properties are shown in the Source Water Assessment Report for Ocean Pines as falling within the Zone #2 area for Well #4 of the Ocean Pines Sanitary Area Water Supply. One of the planning measures for this water system is to have the wellhead protection area properties sewered. This is especially important as the Ocean Pines water supply in this area is sourced from an unconfined aquifer. This property also falls within the St. Martins River/Ocean Pines Water Management Strategy Area. As a property located entirely within this area, it would be in the public interest to convert users of the unconfined water table to the public water system. This would help mitigate stress on the unconfined Pleistocene (Columbia) aquifer serving the area and supplying the public water supply wells in North Ocean Pines. These properties would abandon their existing wells and extinguish their water appropriation permit for groundwater withdrawal.

WS Amendment Case No. 2018-4
December 27, 2018

7. Appropriate zoning was provided in this area for densities and uses consistent with the character that is normally present in an Existing Developed Area (EDA). This will provide for orderly infill development within this EDA at the northern border of the Ocean Pines community. Minimal residential and other incompatible uses are permitted and were contemplated for Agricultural Area land use designations, where appropriate. This is a Rural Residential (R-1) district
8. *The Plan* states that proposed amendments must be consistent with *The Comprehensive Plan* and existing zoning classifications. Other than an explained land use designation matter described and commented on above, as proposed, the project appears to be consistent with *The Comprehensive Plan* and existing zoning.

If you need further information, please contact us.

If you need any additional information or have any questions, please do not hesitate to contact me at (410) 632-1220.

Sincerely,



Robert J. Mitchell, LEHS
Director

Attachments

cc: WS Amendment File (SW 2018-4)

Attachment 1

Application

**Application for Amendment of the
Comprehensive Water and Sewerage Plan
Worcester County, Maryland**

Date: October 30, 2018

Applicant (name, mailing address, phone and FAX number)

Name: River Run Development Associates, LLC
Address: 11605 Masters Lane Contact Person: Dana Bator
Belair, MD 21011 Telephone: 410.812.9109

Amendment Type: ___ Water Sewer ___ Other
Amendment Character: ___ Addition ___ Deletion Change

Please complete all the applicable forms included in this package. If a system does not already exist, the "Existing System" sheet is not required. Include a map of the area to be served at a scale of at least 1" = 2,000'. Return the completed application to:

Department of Environmental Programs
1 West Market Street Room 1306
Snow Hill, Maryland 21863

The fee for major amendment (adding or deleting service capacity or area(s)) is \$500.
Minor amendments (not adding or deleting service) are \$100.
Note: Modification of this form will void the application.

Property Identification:

Tax Map 15 & 16 Parcel Number(s): 126, 271 (09, 100, 101, 102, 110, 114, 116, 264)
Town/Community Name: River Run

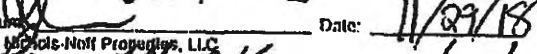
Location Description:

The entrance to River Run is on the north side of Beaufort Road across from Ocean Pines.

Property Owner Signature:

 11/29/18

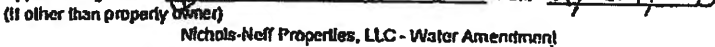
Property Owner Signature:

 Date: 11/29/18
Nichols-Neff Properties, LLC

Applicant Signature:

 Date: 11/29/18
River Run Development Associates, LLC - Sewer Amendment

Applicant Signature:

 Date: 11/29/18
Nichols-Neff Properties, LLC - Water Amendment

****NOTE - Notwithstanding the adoption of the County Comprehensive Water and Sewer Plan and approval of the Service Area Expansions by the Worcester County Commissioners which authorizes the transfer of EDUs from the River Run to Pine Shores North, the actual transfer of EDUs cannot take place until all conditions of the EDU Agreement between the parties have been fully satisfied at which time a "transfer document" in the form annexed hereto will be delivered from RRDA, LLC, to Nichols-Neff Properties, LLC with a copy to the County Attorney**

Form 6-18-18 and amendments effective 01/01/18 per amendment application 6-9-02


Initial Here: _____

**Water and Sewerage Plan Amendment Application
 Worcester County, Maryland
 Proposed Uses**

* Please provide as much detail as possible on the proposed uses and review Worcester County zoning provisions for permitted uses.


RIVER RUN

<u>Tax Map</u>	<u>Parcel</u>	<u>Zoning</u>	<u>Proposed Use*</u>	<u>EDU's Needed (Approx.)</u>
15	126	R-1	Residential Housing	
15	271	R-1	Residential Housing	
16	99	R-1	Residential Housing	
16	100	R-1	Residential Housing	
16	101	R-1	Residential Housing	
16	102	R-1	Residential Housing	
16	110	R-1	Residential Housing	
16	114	R-1	Residential Housing	
16	118	R-1	Residential Housing	
16	264	R-1	Residential Housing	
SUBTOTAL				358

NICHOLS-NEFF

<u>Tax Map</u>	<u>Parcel</u>	<u>Zoning</u>	<u>Proposed Use*</u>	<u>EDU's Needed (Approx.)</u>
15	127	R-1	Residential Housing	
15	259	R-1	Residential Housing	
SUBTOTAL				90

TOTAL **448**


 Initials:

April 13, 2004

**Water and Sewerage Plan Amendment Application
Worcester County, Maryland
Existing Sewer System**

System Parameters

Date: 30-Oct-18
System Name: River Run
System owner: Worcester County
System operator: Worcester County
Priority/Sewer and _____
Water Plan Category S-1
Service area: River Run Sanitary Service Area
[Tax Map and parcel(s)]

	2018	Year	2025
		2020	
<u>Population served:</u>			
EDU's served (and committed)	<u>335</u>		<u>448</u>
EDU's unserved	<u>113</u>		<u>0</u>
GPD per EDU	<u>250</u>		<u>250</u>

<u>System capacity</u>			
Demand (MGD)	<u>0.084</u>		<u>0.112</u>
Planned (MGD)	<u>0.028</u>		<u>0</u>
Permitted (NPDES/groundwater)	<u>0.112</u>		<u>0.112</u>

Collection system description: A system of gravity sewers, pump stations and forcemains.

Treatment Plant

Location (N/E): 38.398338, -75.180954 (11515 River Run Lane)
Type: Activated sludge followed by storage and spray irrigation
Site area (acres): _____ Occupied area: _____ Unused area: _____
Current Capacity (MGD): Secondary: 0.112 Advanced: _____
Potential Capacity (MGD): Secondary: 0.112 Advanced: _____
Existing flow (MGD): 0.050 Average: 0.050 Est Peak: 0.200
Sludge disposal: Pump and haul to Ocean Pines / dewatered sludge to landfill

Discharge:

Type: Spray irrigation on golf course
Location: River Run Golf Course
NPDES/groundwater permit number: 13-DP-2394

Comments (planned expansion; alteration, abandonment if interim [indicate date], or other changes; problems; etc.)

Map change to show River Run Sewer Service Area being extended to the adjacent property owned by Nichols-Neff Properties, LLC.

Initial Here: CW

Water and Sewerage Plan Amendment Application
Worcester County, Maryland
Planned Sewer System

Date: 10/30/2018

System Name: River Run
Area Served: River Run Sewer Service Area to be expanded for Nichols-Neff Properties LLC
Owner: River Run Development Associates, LLC
Operator: Worcester County

Population and Capacity	2018	2020	2025	2030
Population Served (EDU):(and committed)	335		448	448
Population Unserved (EDU):	113		0	0
GDP per EDU:	250		250	250
System Capacity Demand (MGD)	0.084		0.112	0.112
System Capacity Planned:	0.112		0.112	0.112
Permitted Capacity (MGD):	0.112		0.112	0.112

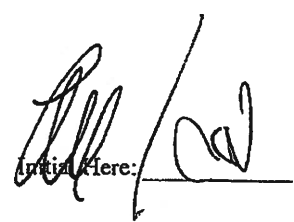
Collection System
Type (circle one): Combined Separate
Description: A system of pump stations, gravity sewers, and forcemains
Condition of Transmission facilities: Facilities in good condition and maintained by Worcester County.

Treatment Facility
Location (MD coordinates): 38.398338, -75.180954
Type: Activated sludge followed by storage and spray irrigation
Total Site Size (acres): _____ **Occupied by facility:** _____
Design Flow (MGD) 0.112
Existing Flow (MGD): Average: 0.05 **Peak:** 0.2
Sludge disposal method: Pump and haul to Ocean Pines / dewatered sludge to landfill

Discharge
Type: Spray irrigation on golf course
Location: River Run Golf Course
NPDES permit # & expiration date: 13-DP-2394 | Exp - November 30, 2019

Op., Maint., and Replacement Costs: Owned and operated by Worcester County
Funding Source: Rate payer utility fees.

Comments: The purpose of the amendment is to transfer 90 EDUs of excess capacity from River Run Development Associates, LLC to Nichols-Neff Properties, LLC.

Initial Here: 

April 13, 2004

Water and Sewerage Plan Amendment Application Worcester County, Maryland

Existing Water System

Date: October 30, 2018

System name: Ocean Pines
System owner: Worcester County
System operator: Worcester County DPW
Priority/Sewer and
Water Plan Category: _____
Service area: W-1

	Year		
	2018	2020	2025
<u>EDU's Population served:</u>			
Served	8,425	8,700	9,000
Unserved	1,575	1,300	1,000
GPD per EDU	250	250	250

<u>System capacity</u>			
Demand (MGD)	1.09	1.2	1.35
Planned (MGD)	1.5	1.5	1.5

Production Wells

Well number: 2, 3, 4, 5, 10
Aquifer: Columbia
Location: North side OP
Depth: 100'-125'
Diameter: 8"
Max. yield: 450-500 gpm
Pumping capacity: 2,500 gpm
Water quality: Exceptionally high

Treatment

Water source: Columbia
Treatment - pH adjustment,
Type: disinfection
Location: At well heads
Rated Capacity: 3 MGD with one well out of service
Average production: 1.1
Max. peak flow: 2.5 MGD
1.4 MG (500,000 tower, 250,000
tower, 250,000 ground level
storage tank, and Riddle Farm
Storage capacity: connection)
Sludge disposal: None

Comments (expansion plans [MGD/dates]; problems; planned improvements, etc.)

No expansion plans.

Initial Here:

April 13, 2004

**Water and Sewerage Plan Amendment Application
Worcester County, Maryland
Planned Water System**

Date: 30-Oct-18
System Name: Ocean Pines
System Owner: Worcester County
System Operator: Worcester County DPW

Sewer/Water Plan
proposed category: W-1 (W-1, W-2, W-3)

Service area: TM 15, Parcels 127 and 259
[Tax Map and parcel(s)]

	Year		
	2018	2020	2025
Population served: (EDU's served)	90	90	90

Gallons per EDU: 250

Constructed by: Water interconnection from Ocean Pines to Nichols-Neff Properties, LLC to be provided by the purchaser under a EDU Purchase/Turnover Agreement with Worcester County.

Planned Distribution System: Water interconnection to Ocean Pines and system of water distribution pipes to 90 single family residential units.

System parameters:

Well location: North side of OP
Well depth/aquifer: 100'-125'
Treatment facilities: pH adjustment, disinfection
Storage facilities: 1.4 MG ((500,000 tower, 250,000 tower, 250,000 ground level storage tank, and Riddle Farm connection)
Distribution system: System of pipes and pumps connected to storage facilities.
Pumping capacity: 2,500 gpm
System Cost: N/A
Funding source: Interconnection to be funded by private party

Construction schedule:

Start: 2019
Complete: 2020

Comments: Nichols-Neff Properties, LLC proposed to be developed using River Run sewer service and Ocean Pines water service for 90 proposed single family units.

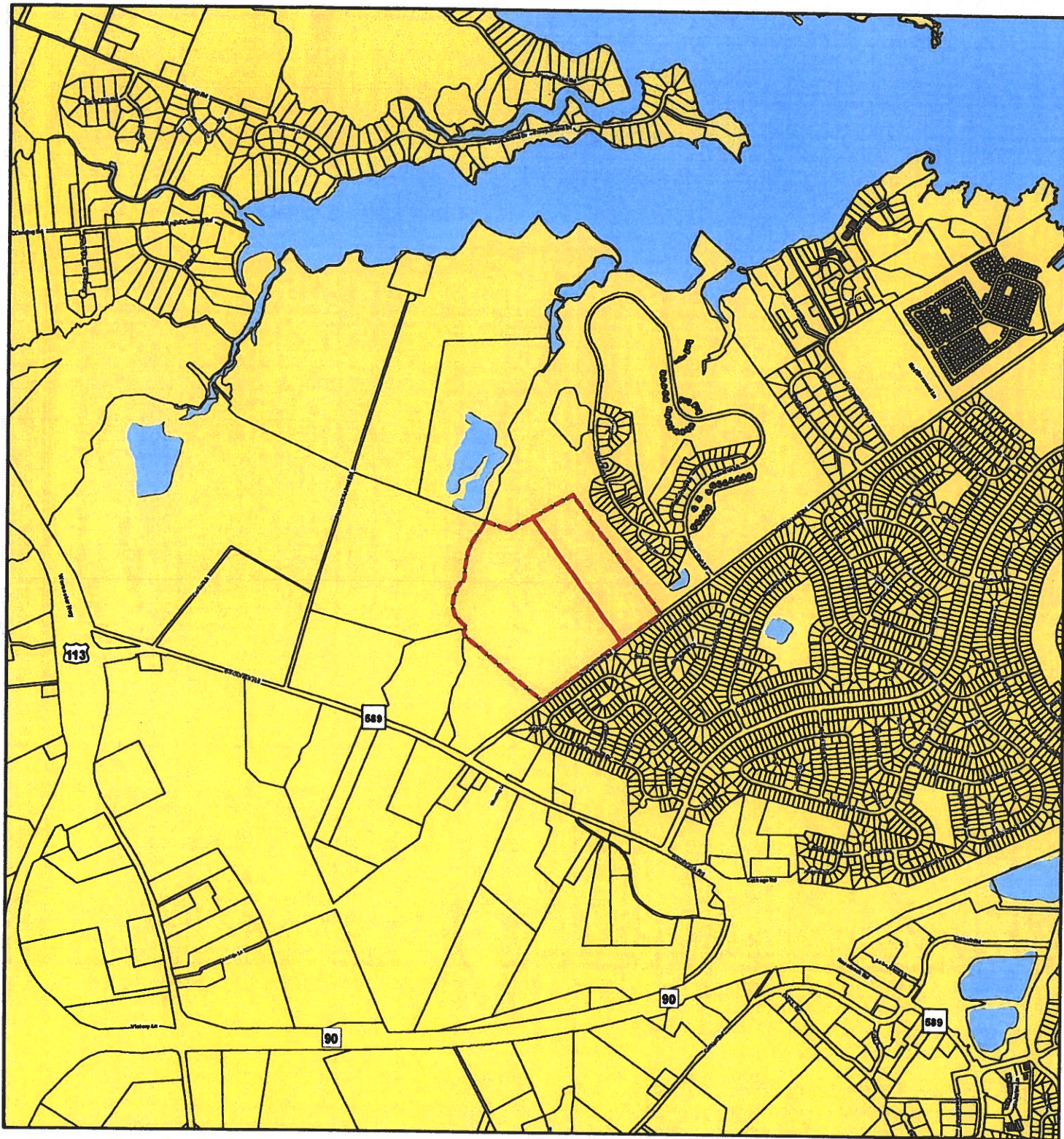
Agreement, Policies: EDU Purchase Agreement from County and Small Project Agreement for the interconnection

Allocation: 90 EDUs

Initials: 

Attachment 2

Maps



0.3 0.15 0 0.3 Miles

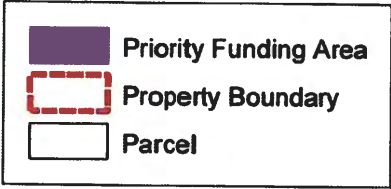
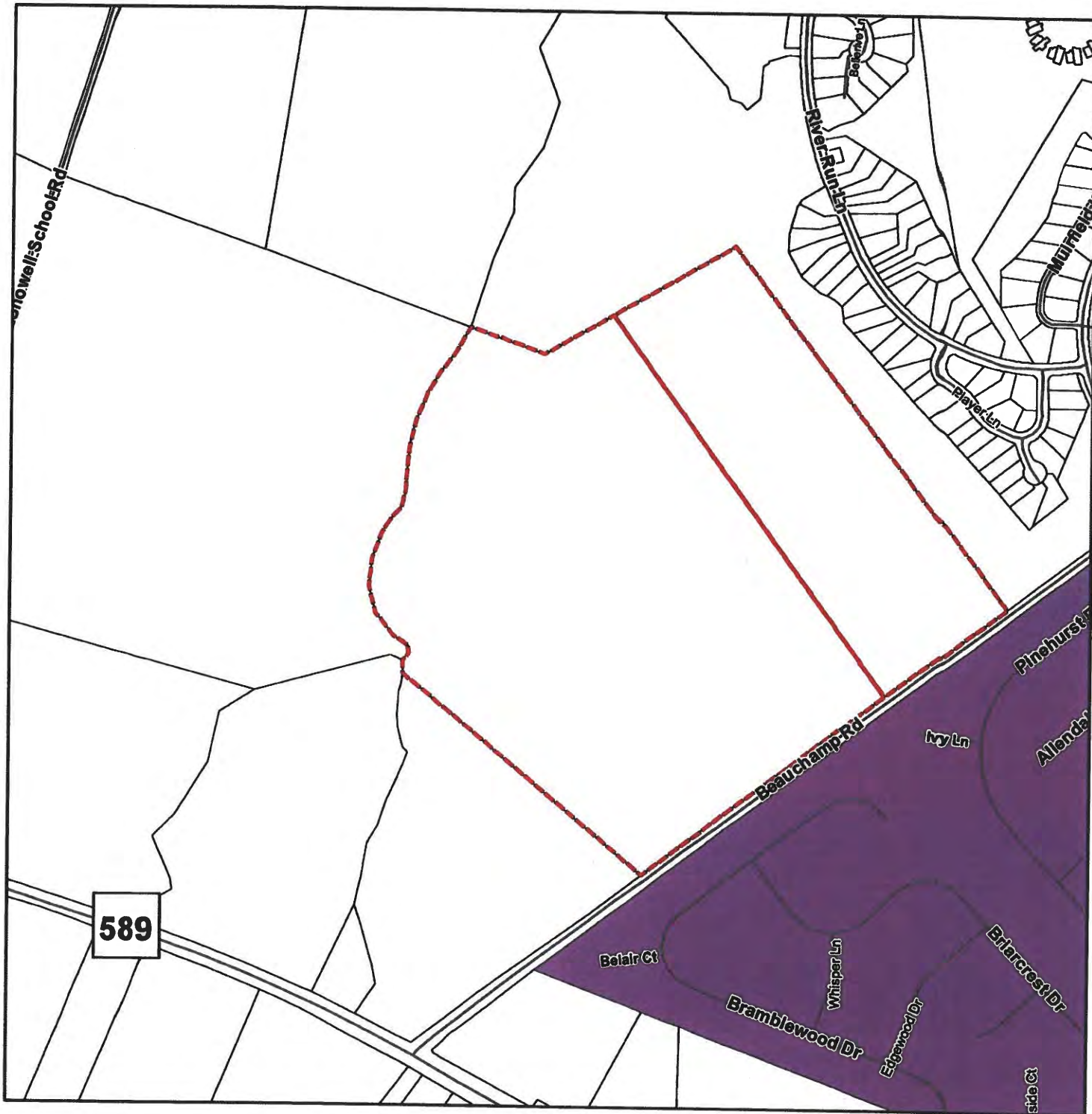


General Location

Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

	Property Boundary
	Parcel

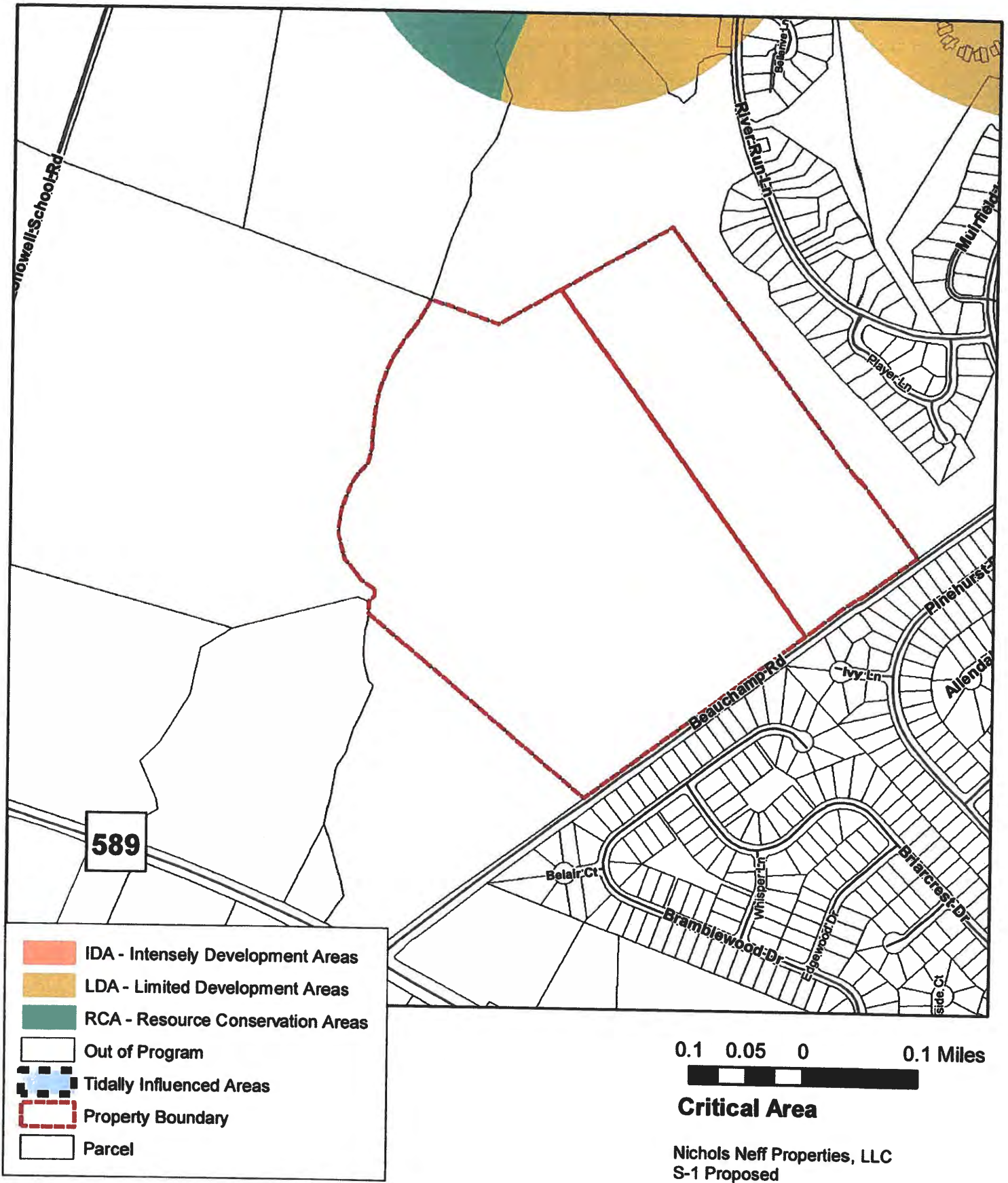
Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
 Parcel boundaries are approximate.
 This map is for planning purposes only.



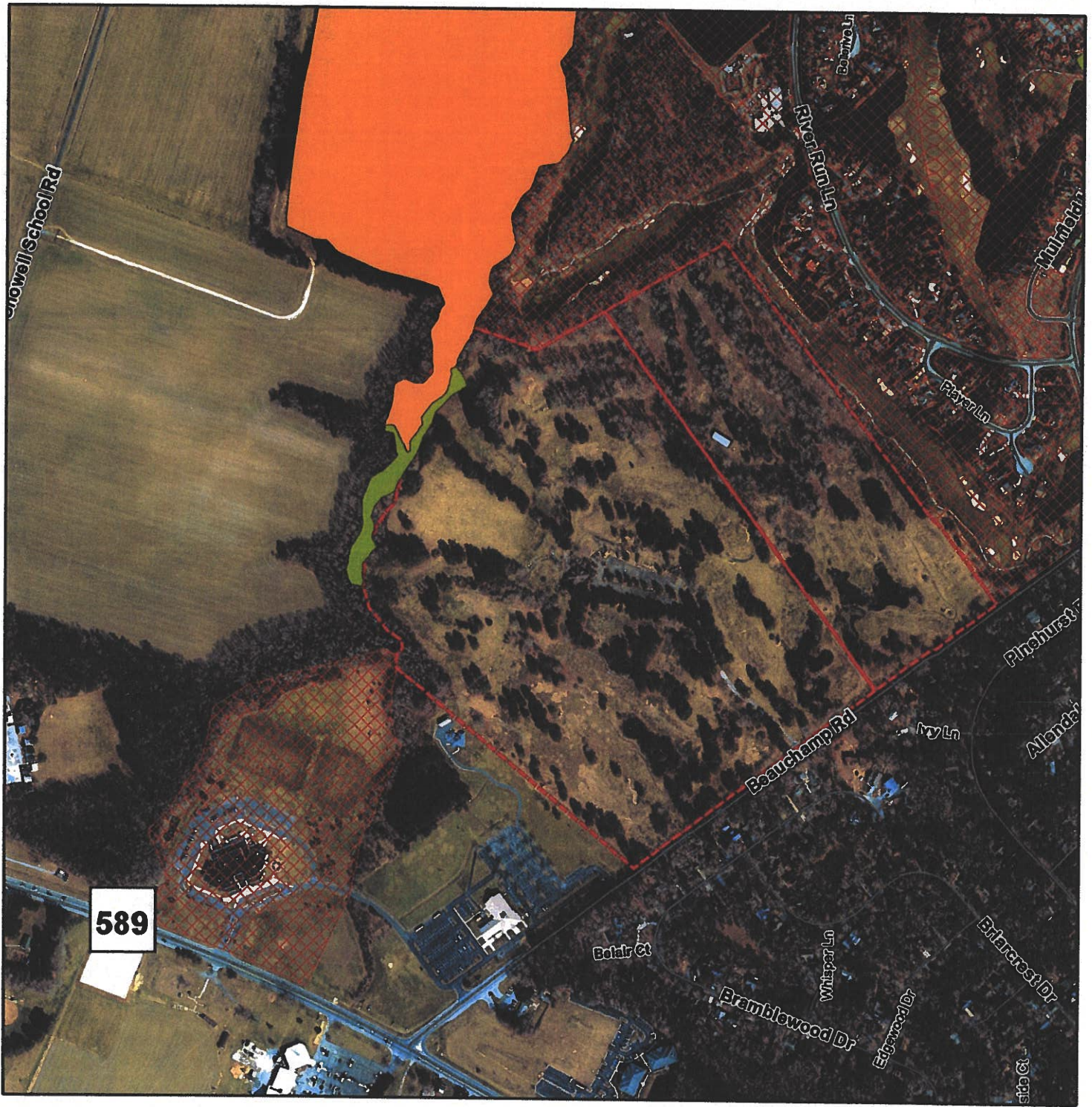
Priority Funding Area

Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
 Parcel boundaries are approximate.
 This map is for planning purposes only.
 Aerial image made 2016.
 Data: Worcester County



Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
Parcel boundaries are approximate.
This map is for planning purposes only.
Aerial image made 2016.
Critical Area data: MD DNR/Worcester County.



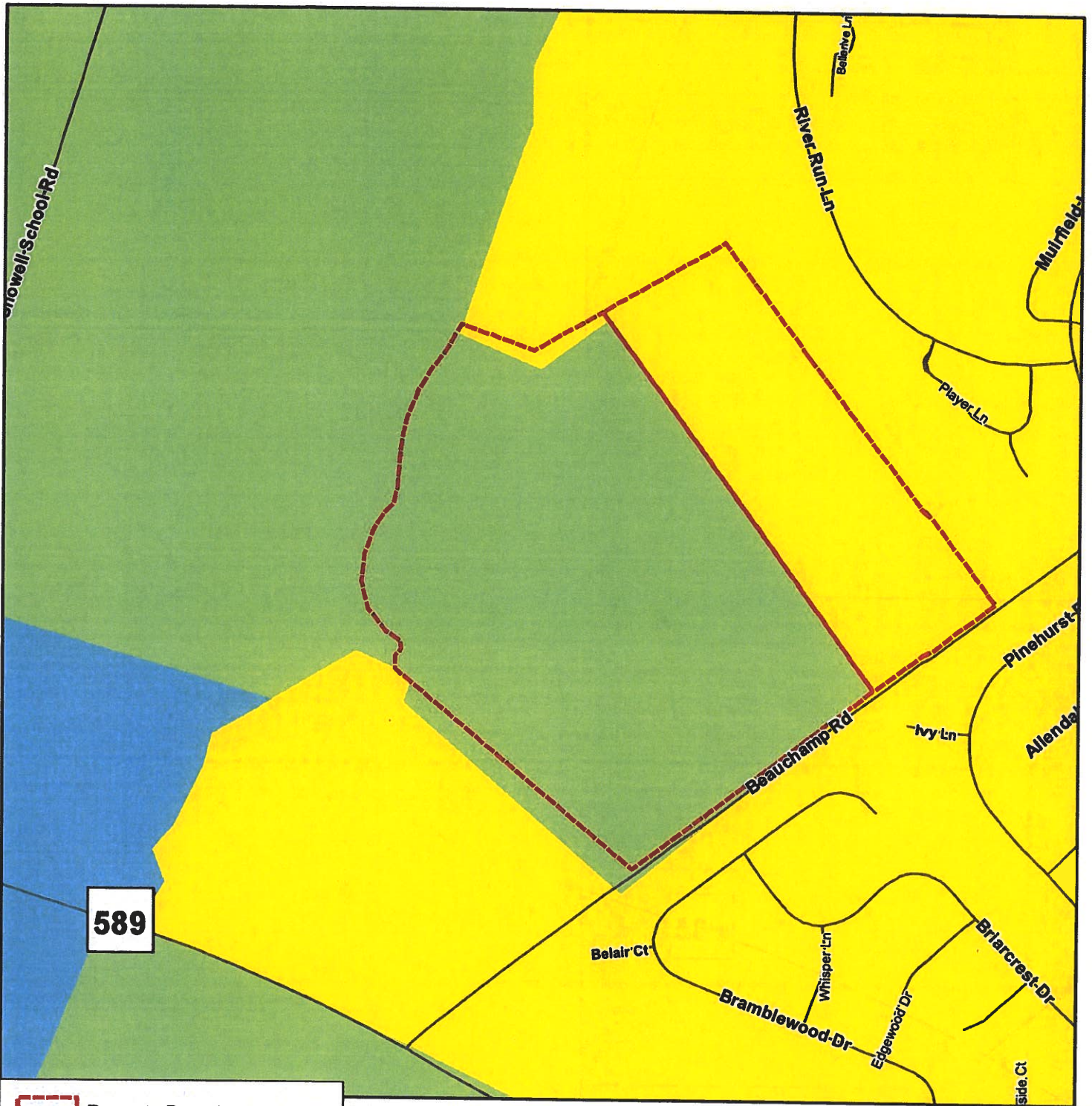
	500-Year Floodplain
	100-Year Floodplain
	Property Boundary
	River Run Service Area




Floodplain


Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4


Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
 Parcel boundaries are approximate.
 This map is for planning purposes only.
 Aerial image made 2016.
 Data: FEMA




 Property Boundary

Land Use Plan

 Agriculture

 Existing Developed Centers

 Institutional

0.1 0.05 0 0.1 Miles




2006 Land Use Plan

Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
 Parcel boundaries are approximate.
 This map is for planning purposes only.
 Aerial image made 2016.
 Data: Worcester County

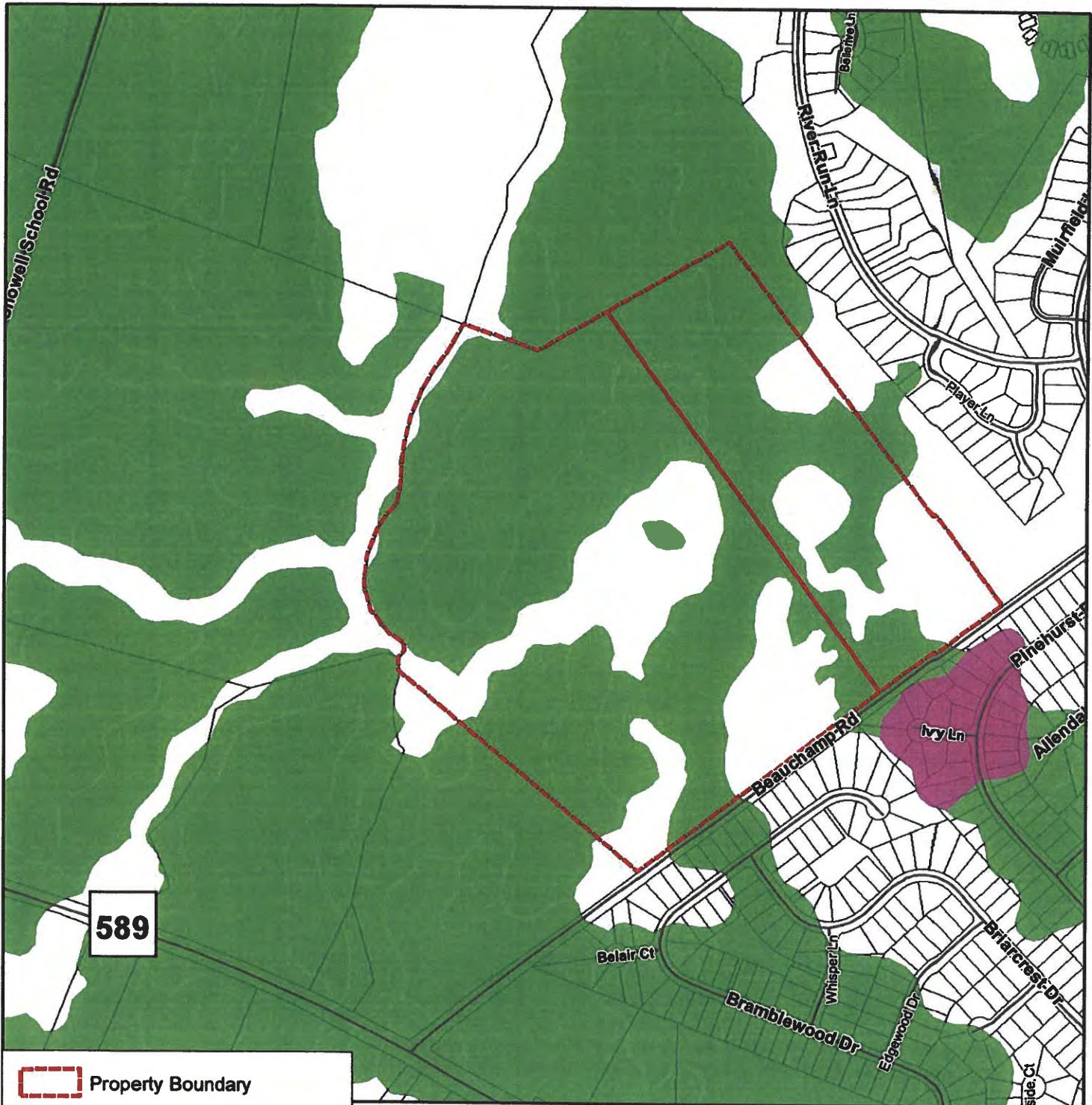







 Property Boundary



Aerial Image (2016)
Nichols Neff Properties, LLC
S-1 Proposed
Case 2018-4

Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
Parcel boundaries are approximate.
This map is for planning purposes only.



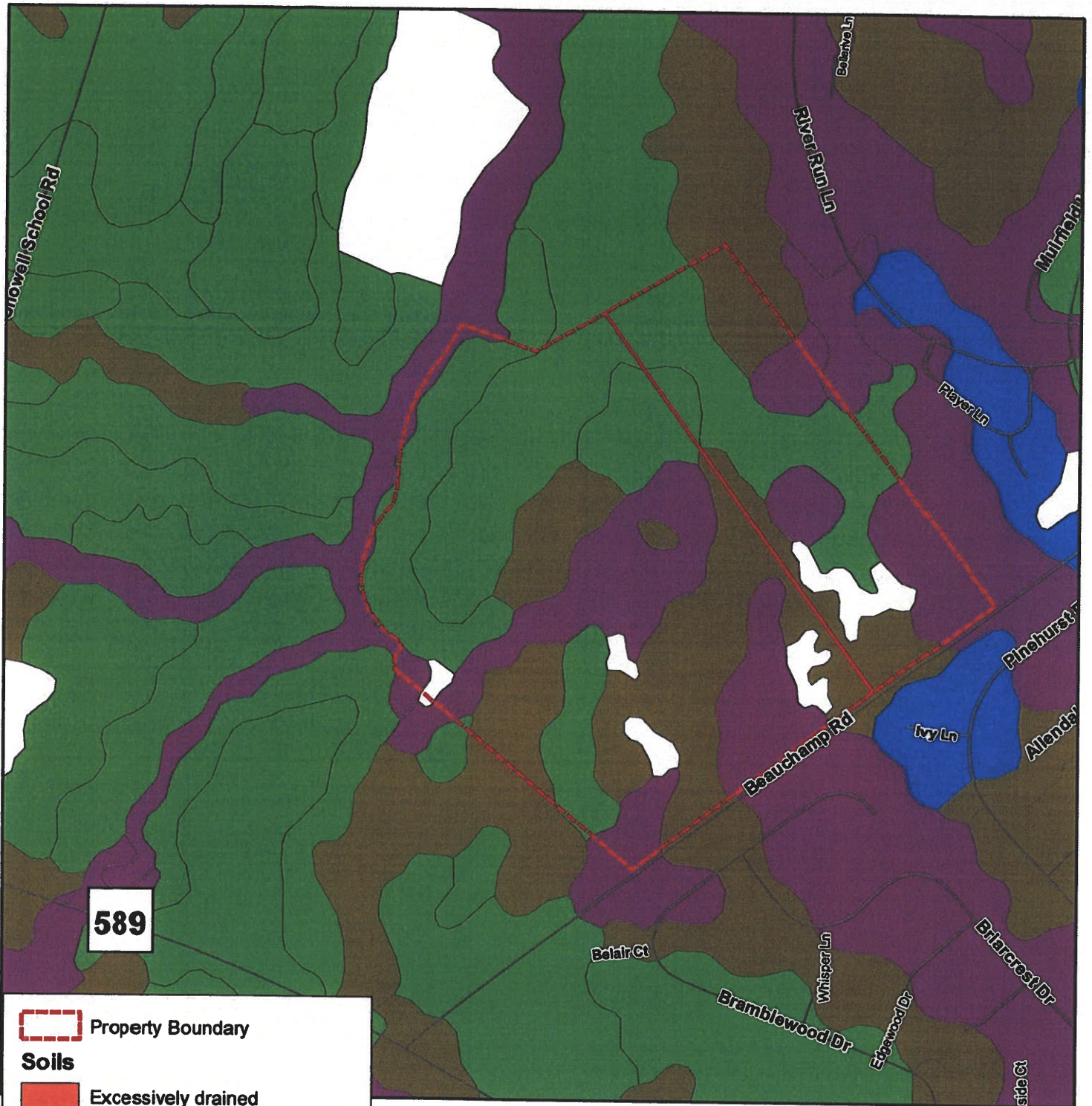
-  Property Boundary
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if irrigated
-  Parcel



Soils: Prime Farmland







Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
 Parcel boundaries are approximate.
 This map is for planning purposes only.
 Aerial image made 2016.
 Soils data: MDA/NRCS.



 Property Boundary

Soils

-  Excessively drained
-  Moderately well drained
-  Poorly drained
-  Somewhat excessively drained
-  Very poorly drained
-  Well drained

0.1 0.05 0 0.1 Miles



Soils: Drainage

Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

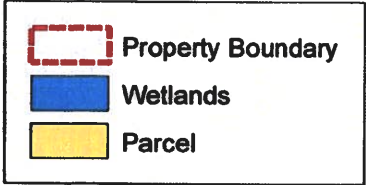
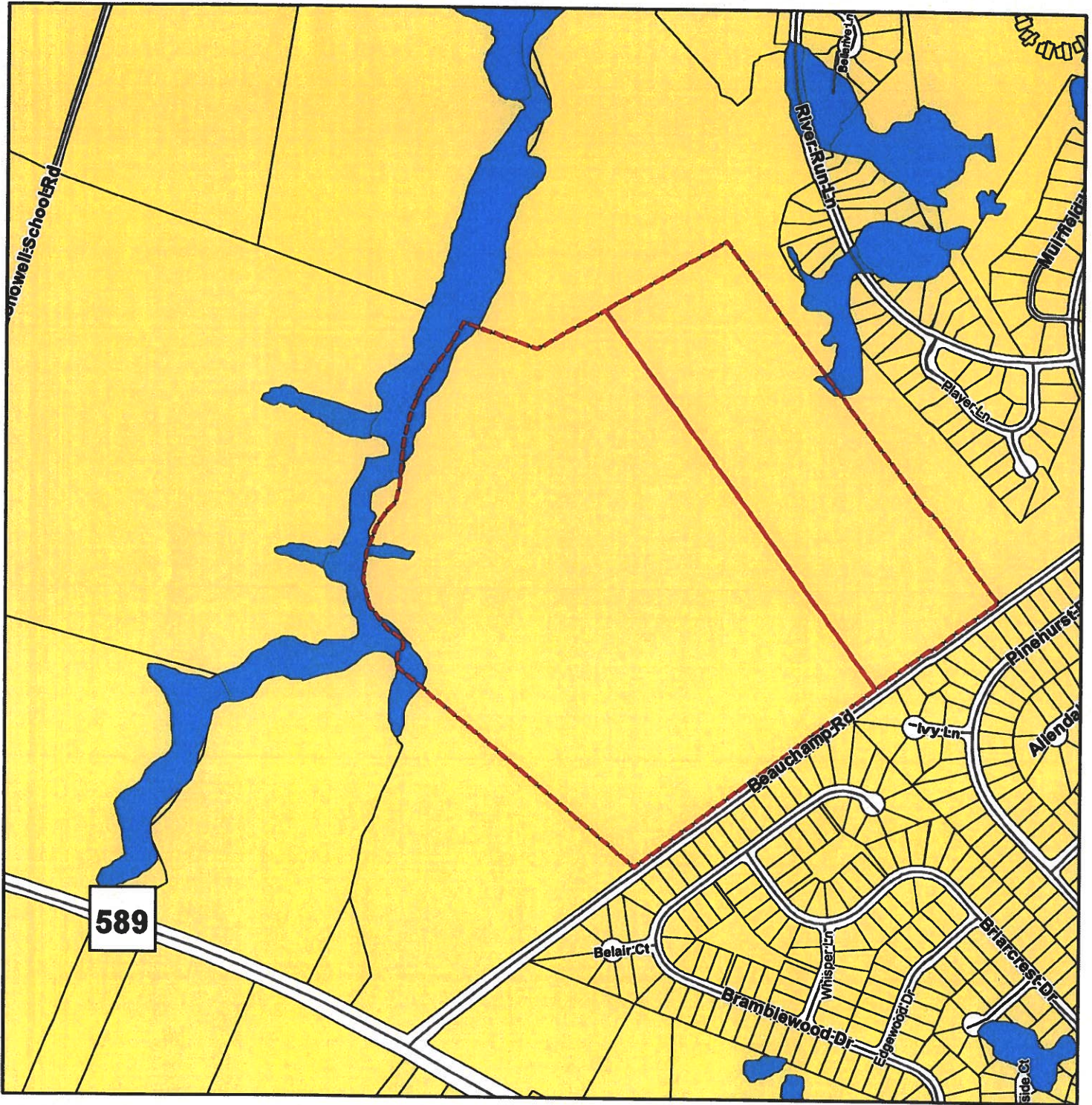
Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.

Parcel boundaries are approximate.

This map is for planning purposes only.

Aerial image made 2016.

Data: MDA/NRCS



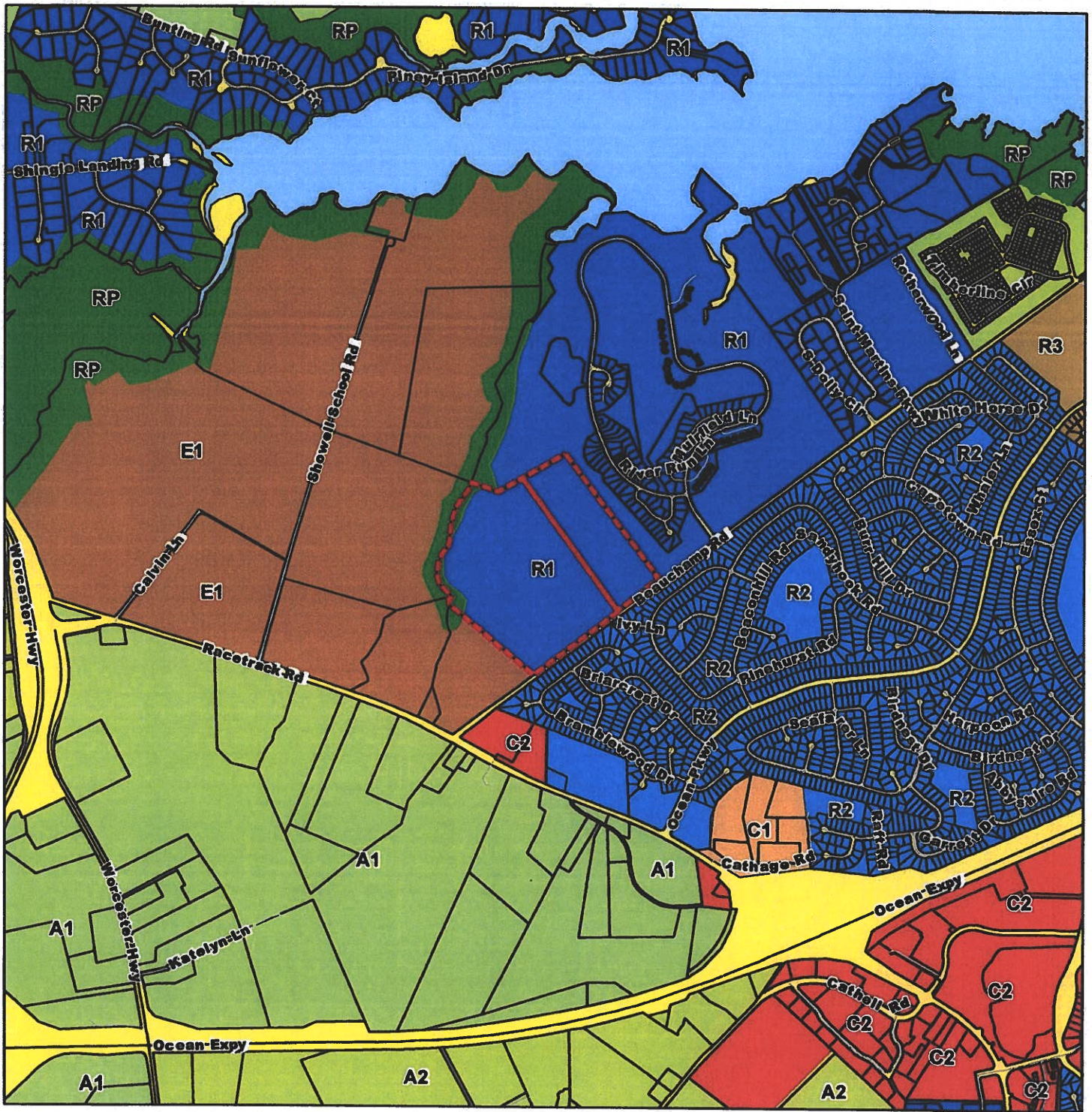
0.1 0.05 0 0.1 Miles



Wetlands Guidance Map

Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

Prepared by the Worcester County Department of Environmental Programs, October 25, 2018.
 Parcel boundaries are approximate.
 This map is for planning purposes only.
 Aerial image made 2016.
 Data: MD/DNR



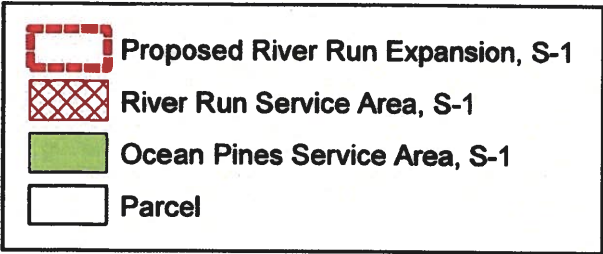
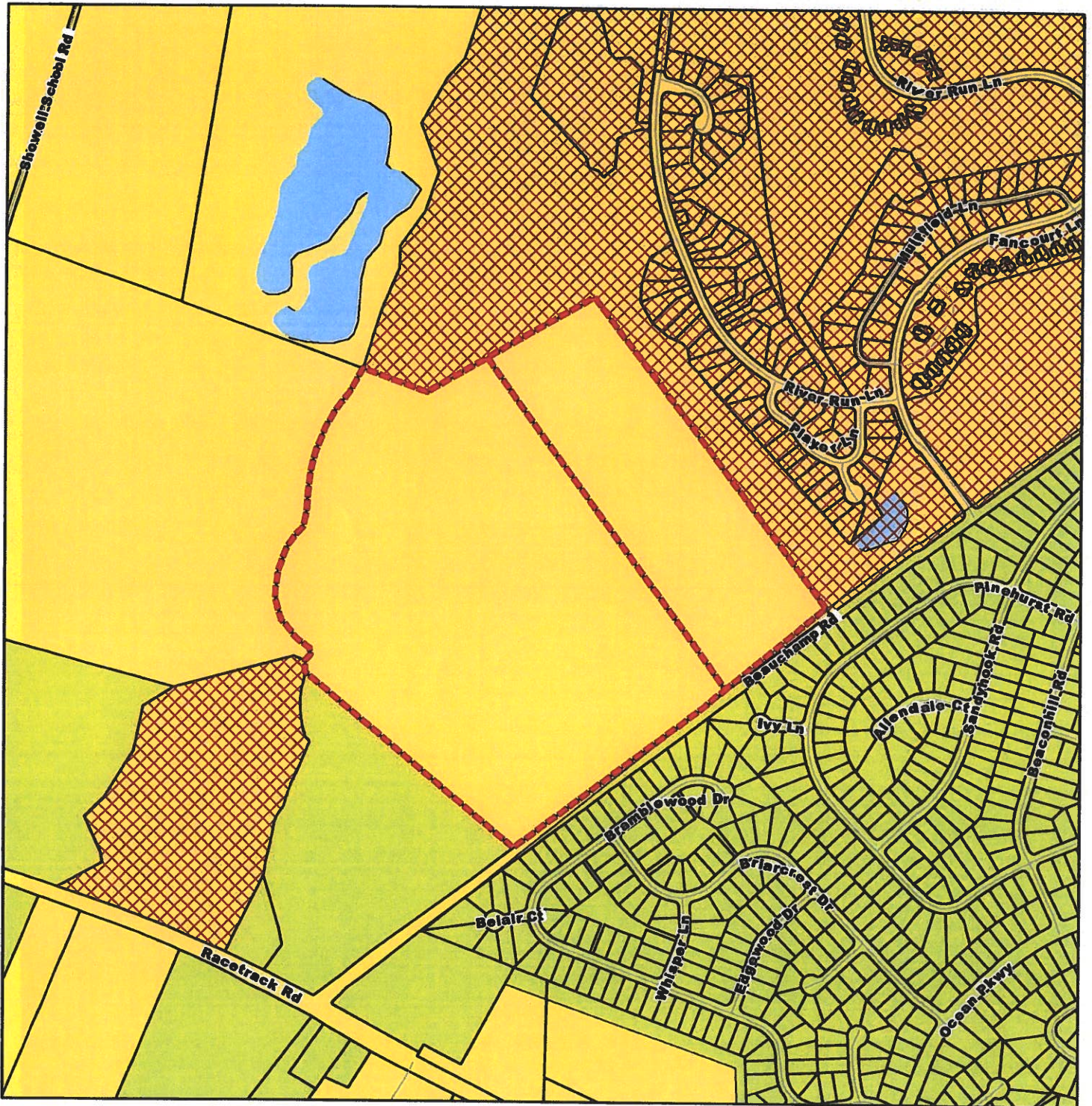
 Property Boundary
 Parcel



Zoning

Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

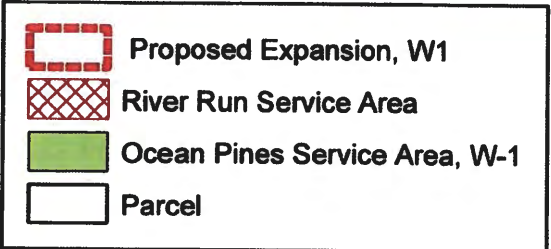
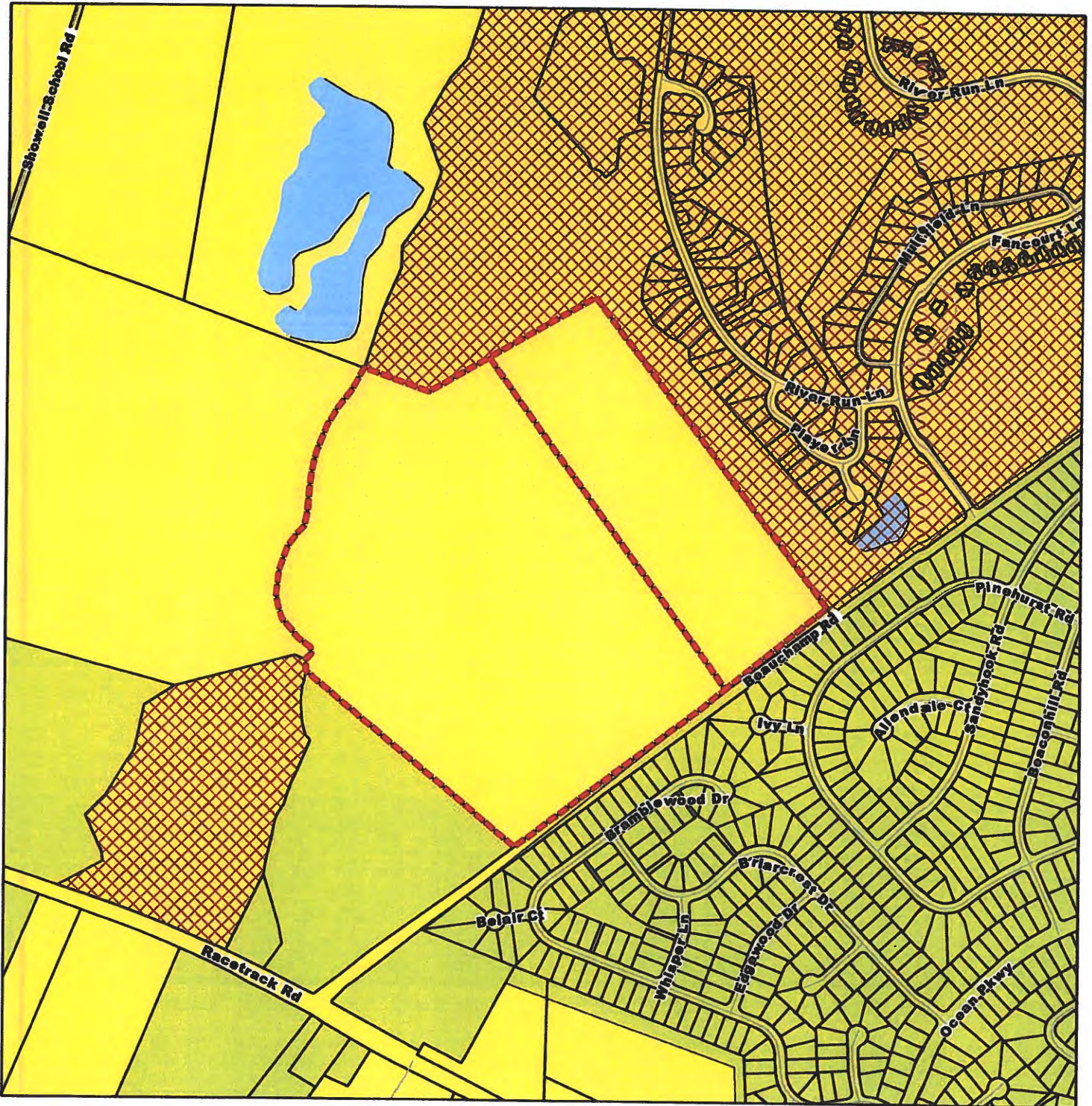
Prepared by Worcester County Environmental Programs, December 27, 2018
 Parcel boundaries are approximate.
 This map is for planning purposes only.



River Run Sewer Planning Area

Nichols Neff Properties, LLC
 S-1 Proposed
 Case 2018-4

Prepared by Worcester County Environmental Programs, December 27, 2018
 Parcel boundaries are approximate.
 This map is for planning purposes only.



Ocean Pines Water Planning Area

Nichols Neff Properties, LLC
 W-1 Proposed
 Case 2018-4

Prepared by Worcester County Environmental Programs, December 27, 2018
 Parcel boundaries are approximate.
 This map is for planning purposes only.