

WORCESTER COUNTY PLANNING COMMISSION AGENDA

Thursday April 1, 2021

Worcester County Government Center, Room 1102, One West Market Street, Snow Hill,
Maryland 21863

Although the Government Center remains closed to the public, this meeting will be held in-person. Masks will be required for all in attendance and social distancing regulations will be enforced.

Thursday, April 1, 2021

- I. **Call to Order** (1:00 p.m. est.)
- II. **Administrative Matters** (1:00 p.m. est.)
 - A. Review and approval of minutes – March 4, 2021
 - B. Board of Zoning Appeals agenda – April 8, 2021
 - C. Technical Review Committee agenda – April 14, 2021
- III. **Site Plan Review** (1:05 p.m. est.)
 - A. **Site Plan Review (§ZS 1-325) – Atlantic General Hospital Medical Center – (AMENDED Plan as approved on February 7, 2019)** Proposed construction of a single story 50,349 square foot medical office building located on the easterly 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. Materials are attached for the Planning Commission’s review and consideration.
- IV. **Text Amendments** (1:15 p.m. – 1:45 p.m. est.)
 - A. **Cooperative Campgrounds - Spaces Above First Floor Elevation (§ZS 1-318(e)(2)E)**, Diana E. Nalls, applicant.
 - B. **Off-premises signs – billboards (§ZS 1-324(d))**, Hugh Cropper, IV, Esquire.
- V. **Map Amendments** (2:00 p.m. – 2:30 p.m. est.)
 - A. **Case No. 429 – (RP)** Resource Protection District to (A-1) Agricultural District: 192.28 acres located on the southerly side of Nassawango Road, west of MD Route 12 (Snow Hill Road), northwest of Snow Hill - Daniel Strickland Hope, property owner/ Hugh Cropper, IV, Esquire, attorney.
 - B. **Case No. 430 – (RP)** Resource Protection District to (A-1) Agricultural District: 387.5 acres located on the southerly side of Cellar House Road, northeast of Whitesburg Road, northeast of Pocomoke City - Cellar House Farm, Limited Partnership, property owner/ Hugh Cropper, IV, Esquire, attorney.
- VI. **Adjournment** (3:00 p.m. est.)

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – March 4, 2021**

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: March 4, 2021

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierri, Chair
Rick Wells, Vice Chair
Marlene Ott, Secretary
Brooks Clayville
Mary Knight
Ken Church

Staff

Roscoe Leslie, County Attorney
Ed Tudor, Director
Jennifer Keener, Deputy Director
Kristen Tremblay, Zoning Administrator
Stuart White, DRP Specialist
Bob Mitchell, Director of Environmental Programs

I. Call to Order

II. Administrative Matters

- A. Review and approval of minutes, February 4, 2021** — As the first item of business, the Planning Commission reviewed the minutes of the February 4, 2021 meeting. Following the discussion, it was moved by Ms. Ott, seconded by Ms. Knight and carried unanimously to approve the minutes as submitted.
- B. Board of Zoning Appeals agenda, September 12, 2019** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for March 11, 2021. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Amendment of the Comprehensive Plan for Water and Sewerage Systems

- A.** As the next item of business, the Planning Commission reviewed an application associated with the expansion of the Water and Sewer Planning Areas in the *Master Water and Sewerage Plan (The Plan)* for the Ocean Pines Sanitary Service Area (SW 2021-01). Robert Mitchell, Director of Environmental Programs, appeared to present the staff report to the Planning Commission. Hugh Cropper, attorney, was present on behalf of the Wave Holdings, LLC, the applicant. John Salm, from JW Salm Engineering, was present on behalf of the applicant as well.

Mr. Cropper led off and agreed with the staff report and explained that the developers, Wave Holdings, intend to construct mixed-use commercial and medical buildings on this property, which totals 11.5 acres, and is located south of the south gate of the Ocean Pines community. It is adjacent to the planned Atlantic General Hospital annex medical building and sits north of the Ocean Downs racetrack and casino. Mr. Cropper questioned Mr. Salm about various parts of the project and the need to connect to public services. Mr. Salm indicated the consistencies found for this

WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – March 4, 2021

development within the *Comprehensive Plan* and the *Plan's* land use designations. Mr. Salm also indicated the connections to Ocean Pines would be approved and inspected by the Department of Public Works and would be turned over to the County upon completion. The improvements would be feasible from an engineering and economic standpoint, he added.

Mr. Mitchell explained that the applicant is requesting an expansion of the Ocean Pines Water and Sewer Planning Areas for the subject property in *The Plan*. This revision is to provide public water and sewer sanitary capacity to serve a proposed commercial development on the property with new planning designations of S-1/W-1 (immediate to two years). This property is currently not included within the Ocean Pines sewer or water planning areas with a planning designation of S-6/W-6 (no planned service). The property however is designated Commercial Center and Existing Developed in the *Comprehensive Plan*, which is consistent with the provision and extension for public sewer and water. They are adjacent to and surrounded on three sides by the service area boundaries.

Mr. Mitchell answered a question from Mr. Church regarding capacity in the Ocean Pines WWTP and responded that the plan had the capacity to serve the proposed development. He also asked about capacities in adjacent service areas for West Ocean City and Mystic and Mr. Mitchell responded that the Mystic and West Ocean City areas still have EDUs, but they are in a different position than Ocean Pines regarding available capacity. Ms. Ott asked if the plant would need to expand capacity for this development and Mr. Mitchell said an expansion would not be needed.

Mr. Mitchell did conclude with the staff comments in the 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 within the property boundaries of the property.

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

IX. Adjourn – A motion to adjourn was made by Ms. Knight and seconded by Ms. Ott. The Planning Commission adjourned at 1:14 P.M.

Jerry Barbierri, Secretary

Stuart White, DRP Specialist

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

AGENDA

THURSDAY, APRIL 8, 2021

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held in-person 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. Masks and social distancing will be required.

6:30 p.m.

Case No. 21-19, on the lands of William & Carrie Harris, requesting a variance to the Ordinance prescribed side yard setback from 6 feet to 4.48 feet (an encroachment of 1.52 feet), associated with a proposed attached garage addition to a single family dwelling, in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-207(b)(2), and ZS 1-305 located at 83 Newport Drive, approximately 345 feet south west of Bimini Lane, Tax Map 16, Parcel 38, Section 1, Lot 198 of the Ocean Pines Subdivision, in the Third Tax District of Worcester County, Maryland.

6:35 p.m.

Case No. 21-20, on the lands of William Andalora & Laura Matyas, requesting a variance to the Ordinance prescribed front yard setback off of Salt Spray Drive from 10 feet to 0.2 feet (an encroachment of 9.8 feet) associated with a proposed open deck addition to a recreational vehicle in the A-2 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-202(b)(12) and ZS 1-305, located at 25 Salt Spray Drive, on the north east corner of the westerly intersection with Deep Sea Drive, Tax Map 16, Parcel 85, Section 1, Lot 25, of the White Horse Park Campground Subdivision, in the Third Tax District of Worcester County, Maryland.

6:40 p.m.

Case No. 21-21 , on the lands of Kevin & Lori Connor, requesting a special exception to reconstruct a non-conforming second story wrap around deck in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-122(d)(1)B, ZS 1-207(b)(2) and ZS 1-305, located at 39 White Sail Circle, approximately 1,020 feet north east of Windjammer Road, Tax Map 16, Parcel 38, Section 1, Lot 585 of the Ocean Pines Subdivision, in the Third Tax District of Worcester County, Maryland.

6:45 p.m.

Case No. 21-23, on the application of Donald Littleton, on the lands of Charles Jordan, requesting a variance to the Ordinance prescribed rear yard setback from 25 feet to 16 feet (an encroachment of 9 feet) associated with a proposed deck and screen porch addition in the R-1 Rural Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-205(b)(2) and ZS 1-305, located at 11891 Man O' War Lane, approximately 632 feet east of Battle Colors Lane, Tax Map 26, Parcel 1, Lot 322, of the Riddle Farm Subdivision, in the Tenth Tax District of Worcester County, Maryland.

6:50 p.m.

Case No. 21-22, on the application of Erick Bruder, on the lands of SNRX, LLC, requesting a special exception to increase the height of a fence in a front yard setback to 10 feet tall and a variance to the Ordinance prescribed front yard setback from an arterial highway from 100 feet to 89.92 feet (an encroachment of 10.08 feet) associated with a proposed greenhouse in the I-1 Light Industrial District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-305(b)(2)A and ZS 1-305(k)(3)C, located at 11903 Peerless Road, at the northwesterly intersection with Worcester Highway (US 113), Tax Map 15, Parcel 81, in the Fifth Tax District of Worcester County, Maryland.

6:55 p.m.

Case No. 21-18, on the application of Hugh Cropper, IV, Esq., on the lands of Tricia Walsh, requesting a variance to the Atlantic Coastal Bays Critical Area buffer from 100 feet to 23.01 feet (an encroachment of 76.99 feet) and a variance to the Ordinance prescribed rear yard setback from 30 feet to 24.58 feet (an encroachment of 5.42 feet) associated with the proposed construction of a rear screen porch, sunroom, covered porch, and paver patio in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-116(m)(1), ZS 1-206(b)(2) and ZS 1-305 and Natural resources Code Sections NR3-104 (c)(4) and NR3-111 located at 10110 Waterview Drive, approximately 80 feet west of Cropper Creek Lane, Tax Map 26, Parcel 444, Lot 61A, in the Tenth Tax District of Worcester County, Maryland.

ADMINISTRATIVE MATTERS

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE
AGENDA**

Wednesday, April 14, 2021 at 1:00 p.m.

- I. Call to Order
- II. § ZS 1-315 Residential Planned Communities

Sea Oaks Village RPC – Phase 2 (Tax Map 26, Parcel P/O 274)
C-1 Neighborhood Commercial & R-3 Multifamily Residential; Tax District 10

Description: Concept plan approval (establishment of the RPC floating zone) of Phase 2 of Sea Oaks Village, consisting of 76 townhome units and ‘ball courts.’

Location: West side of MD Route 611 (Stephen Decatur Highway), north of Sinepuxent Road.

Owner:	Engineer:
Sea Oaks Village, LLC 841 E. Fort Avenue, Suite 152 Baltimore, MD 21230	Carpenter Engineering, LLC P.O. Box 3460 Ocean City, MD 21843 302-438-6745 Ronnie@carpenterEngineeringLLC.com

- III. Adjourn

Governor Larry Hogan has issued an Executive Order that limits public gatherings to no more than 10 persons in a further effort to reduce the spread of the COVID-19 virus. All in-person meetings have been suspended for the time being.

To facilitate the review of current projects, county staff will be holding a teleconference that will be open to the public during the regularly scheduled meeting time.

Please review the attached page following the agenda that outlines the call number and procedures for the meeting

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

DEVELOPMENT: Atlantic General Medical Center of Ocean Pines

PROJECT: Proposed construction of a single story 50,349 square foot medical office building.



(Source: February 17, 2021 Site Elevations – attached)

LOCATION: Easterly side of MD Route 589 (Racetrack Road), north of Adkins Spur Road, Tax Map 21, Parcel 66A, Tax District 3, General Commercial District (C-2).

PROJECT HISTORY: If the Planning Commission will recall, this project was originally proposed and conditionally approved on February 7, 2019 as a two-story 99,912 square foot medical building. A revised site plan was submitted to the Department on May 2, 2019 and was given conditional approval by the Planning Commission with waivers to the Design Guidelines, however signature approval was not granted (see attached February 7, 2019 and May 2, 2019 Planning Commission minutes excerpts). **More recently, the applicants have made additional modifications to the site plan which primarily include the removal of the second (2nd) floor, as well as a significant reduction in the number of parking spaces provided** (see attached February 10, 2021 site plans).

SIGNS: With respect to on-building signage, the Zoning Code bases the allowance of copy area on the building frontage where the principal entrance is located. With respect to freestanding signage, this development is allowed to have a single monument sign. All signage will be reviewed and approved at the time of permitting.

PARKING: In accordance with §ZS 1-320, a minimum of 199 parking spaces are required and a maximum of 331 spaces are allowed. The site plan illustrates 257 spaces have been provided. Any parking over the minimum (58 spaces) shall be constructed of a pervious design. This requirement

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

has been met. The proposed surface treatment for the main parking areas and travelways is bituminous asphalt and parking spaces shall be demarcated with striping.

**For reference, the original number of parking spaces provided was 450;
this has now been reduced to 257 spaces proposed.*

Handicap accessible parking has been shown well in excess of the minimum required, even should the facility have an outpatient physical therapy tenant. Signage indicating “Reserved,” “Van Accessible” and “No Parking in Access Aisle” with arrows have been noted on the site plan. Depressed curbing shall be provided along the sidewalks at the discharge aisle meeting the minimum ADA slope requirements. Subsection §ZS 1-320(15)(b)(13) requires that all handicap parking be located within the front parking lot. Due to the design of the project with the main entrance on the easterly façade, a Design Guidelines waiver will be needed to this standard.

LOADING SPACES: Two (2) loading spaces are required and have been provided in accordance with §ZS 1-321 along the northerly side of the building.

TRAFFIC CIRCULATION: The site will be accessed via one (1) commercial entrance off of MD Route 589 (Racetrack Road) as part of a full movement signalized intersection. A commercial entrance permit will be required to be obtained from the State Highway Administration. Written confirmation that the entrance as shown on the plan meets the requirements of SHA shall be provided prior to signature approval being granted.

**It should be noted that this entrance is being designed to share with an adjacent parcel
(tax map 21, parcel 66B, to the north).*

For the pharmacy drive-thru, a minimum of three (3) stacking spaces are required and have been provided as measured from the order/ pick-up window.

Interparcel connectors have been provided to the commercially zoned properties to the north and south of the subject property.

PEDESTRIAN AND BICYCLE CONNECTIVITY: Per Section §ZS 1-320(16)(b)(2&3), a five foot (5') wide sidewalk is required to be provided along Racetrack Road (MD Route 589) with landscaping and human scale lighting. A sidewalk in accordance with the provisions has been provided.

The front parking lot and travelway will be lit with pole mounted light fixtures located just outside of the curbing (see next section for additional information).

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

LIGHTING: A lighting plan was provided at the Technical Review Committee level, but was not included in the Planning Commission submission. Parking lot lighting will consist of full cut-off pole mounted LED fixtures within the landscape islands. Pole heights vary between 15’ and 25.’ On building lighting is proposed to consist of full cut-off architectural sconces above the entrances/exits. All lighting is listed as 4000K, consisting of natural white light.

REFUSE REMOVAL: A dumpster pad has been provided to the rear of the building that will accommodate two (2) dumpster which are proposed to be screened on three (3) sides with a six foot (6’) tall chain-link fence with slats and double-leaf chain-link swing gates. Section 20 of the *Design Guidelines and Standards for Commercial Uses* requires that these types of service areas be incorporated into the overall design of the building. In addition, they should be constructed of the same material as the building itself. It is therefore recommended (but not required) that consideration be given to the design of the dumpster enclosure.

LANDSCAPING: A landscape plan has been provided in accordance with §ZS 1-322 and Section 17 of the *Design Guidelines and Standards for Commercial Uses*. The plantings will be maintained by an automatic irrigation system with rain sensor. Landscaping has been provided within the parking area that meets the code requirements for quantity and location. Section 16(b)(8) requires landscape foundation plantings to be a minimum of six feet (6’) wide along 50% of the façade with public entrances, and ten feet (10’) wide in along all other façades. The site plan illustrates six foot (6’) wide and nine foot (9’) wide foundation beds along the westerly façade and the easterly portion of the façade adjacent to the community space.

Landscape screening is required where a commercial development adjoins Agricultural zoning (A-2) or any Residential (R) zoning district. The property on the opposite side of MD Route 589 is zoned A-2, therefore a fifteen-foot wide landscape screen is required by the Zoning Code. In addition, this landscaped area shall be a total of thirty-five feet wide, with the remaining twenty feet consisting of buffer type plantings under the *Design Guidelines and Standards for Commercial Uses*. These requirements can be modified or waived by the Planning Commission where it is deemed that strict compliance would cause undue hardship on the applicant.

***Waivers to some of the landscape provisions are being requested as outlined in the Planning Commission’s considerations on the following pages.**

In accordance with §ZS 1-322(g), a maintenance and replacement bond for required landscaping is mandatory for a period not to exceed two (2) years in an amount not to exceed one hundred and twenty-five percent (125%) of the installation cost. A landscape estimate from a nursery will be required to be provided at the time of permitting to accurately determine the bond amount.

FOREST CONSERVATION LAW: This property is subject to the Forest Conservation Law. A

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

Forest Stand Delineation and Forest Conservation Plan have been approved. Confirmation of final approval shall be required from the Department of Environmental Programs prior to signature approval.

STORMWATER MANAGEMENT/ SEDIMENT EROSION CONTROL: Written confirmation that final approval has been obtained will be required from the Department of Environmental Programs prior to signature approval.

WATER SUPPLY AND WASTEWATER SERVICES: Written confirmation from the Department of Environmental Programs that the necessary approvals and quantity of EDUs must be obtained prior to granting signature approval. Also written confirmation from the Department of Public Works, Water and Wastewater Division that the appropriate utilities and easements are shown on the plan will need to be provided.

ARCHITECTURAL JUSTIFICATION: The building elevations have been reviewed under the *Design Guidelines and Standards for Commercial Uses*. This project is located within an area designated as the Agricultural tradition based on staff policy. Within this section of the MD Route 589 corridor, there is a mix of older single-family dwellings, as well as some commercial establishments. The majority of the commercial establishments were constructed prior to the implementation of the *Design Guidelines and Standards for Commercial Uses*, however developments such as Taylorville Center still have many of the architectural features that are common to the Agricultural architectural tradition, such as the sloped gable roof and earth tone siding. The addition to the Casino at Ocean Downs was constructed under the Agricultural tradition.

The proposed building as designed is more consistent with the ‘Town Center’ architectural tradition with a flat roof, tall rectangular windows, and metal sidewalk awnings. **The applicant is requesting a number of waivers to the building design as outlined in the Planning Commission considerations below.**

The items requiring a waiver from the Planning Commission have been itemized on the following pages under “Planning Commission Considerations.” The applicant is required to justify their waiver requests based upon the criteria outlined in Section 2(b) of the *Design Guidelines and Standards*.

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

RECOMMENDATION: The Planning Commission is encouraged to review the proposed site plan amendments, the applicant's requests for Design Guidelines waivers and discuss as appropriate. If the Planning Commission is satisfied, it is recommended that it consider the following motion of approval:

Upon due consideration of the site plan entitled 'Site, Stormwater Management (SWM), Soil Erosion and Sediment Control (SESC) Plans – Atlantic General Medical Center, Ocean Pines consisting of sheets 1 through 12 and 12A prepared by J.W. Salm Engineering, Inc., dated February 10, 2021 and accompanying site elevations entitled 'Sina Companies, LLC, Atlantic General, Parcel 66A, Tax Map 21, Route 589 – Race Track Road' consisting of three (3) sheets, prepared by Array Architects dated February 17, 2021, the Planning Commission recommends approval with the waivers as requested.

OWNER: Silver Fox, LLC, 9919 Stephen Decatur Highway, Berlin, MD 21811

DEVELOPER: Ocean Pines Medical Owners I, LLC, 5220 Hood Road, Suite 110, Palm Beach Gardens, FL 33418

ENGINEER: J.W. Salm Engineering, Inc., Post Office Box 397, Berlin, MD 21811

SURVEYOR: Frank G. Lynch, Jr. & Associates, Inc., 10535 Racetrack Road, Berlin, MD 21811

ARCHITECT: Array Architects, 1 West Elm Street, Suite 400, Conshohocken, PA 19428

PREPARED BY: Stuart White, DRP Specialist

Attachments:

1. February 10, 2021 Site Plans
2. February 17, 2021 Site Elevations

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

PLANNING COMMISSION CONSIDERATIONS

Note: The following waiver requests in general were previously granted at the May 2, 2019 Planning Commission meeting. As part of the amended site plan review, the Planning Commission will need to reapprove any waiver requests for the application, as some design changes have been proposed.

1. Section 15(b)(13) requires that all handicap parking be located within the front parking lot (between the front property line and the westerly façade of the building). The main entrance is located on the easterly façade interior to the project, and therefore a large number of the handicap accessible spaces are required to be located along this façade. Justifiably, a waiver will be needed to this standard.
2. Landscape screening is required where a commercial development adjoins an Agricultural (A-2) or Residential (R) Zoning District. The property on the opposite side of MD Route 589 is zoned A-2, therefore a fifteen foot wide landscape screen is required by the Zoning Code. In addition, this landscaped area shall be a total of thirty-five feet wide, with the remaining twenty feet consisting of buffer type plantings under the *Design Guidelines and Standards for Commercial Uses*. Section 17(b)(6) requires that all perimeter property lines, curbs, etc. shall have a landscape buffer a minimum of six feet (6') in width. The Zoning Code requirements can be modified or waived by the Planning Commission where it is deemed that strict compliance would cause undue hardship on the applicant.
3. Per Section 16(b)(2) and (b)(3), a five foot (5') wide sidewalk is required to be provided along the front yard setback of Racetrack Road (MD Route 589), with landscaping and human scale lighting. The sidewalk and lighting have been provided. The front parking lot and travelway will be lit with pole mounted light fixtures located just outside of the curbing.
4. Section 16(b)(8) requires landscape foundation plantings to be a minimum of six feet (6') in width along 50% of the façade with public entrances, and ten feet wide in along all other façades. The site plan illustrates six foot (6') wide and nine foot (9') wide foundation beds along the westerly façade and the easterly portion of the façade adjacent to the community space. **The Planning Commission is encouraged to take note that the building schematics landscaping does not reflect the official landscape plan.**
5. Section 19 addresses the requirements for community spaces. For a development of this size, with more than one (1) customer entrance, an additional community space would be required. The main community space is located at the end of the easterly side of the building, and consists of 1,908 square feet of paver patio area with the required seating. An additional paver patio area has been provided along the westerly façade near the 'Immedicare' entrance consisting of approximately 266 square feet in area without the required seating. The minimum square footage required for this space is 500 square feet and must include a bench at a minimum, unless waivers are granted.
6. As stated in the staff report above, the building design is more consistent with the 'Town

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

Center’ tradition than with the ‘Agricultural’ tradition. Some façade and public space revisions have been made since the May 2, 2019 Planning Commission Meeting to bring the project into closer compliance with Worcester County Design Guidelines and Standards. Several waivers will be needed based on the current design of the building as outlined below:

- a. Visually, the building is large in scale. The building is required to be broken into distinct modules that should be made to appear as either individual buildings or as additions to the primary structure [Section 7(b)(1) & (b)(3); Section 10(b)(1)D.]. The western façade has two (2) modules that break up the façade width. In addition to the modules, the building should have a base, body and cap. A base, body, and cap design has been incorporated into the design. Finally, building recesses and projections are required that would break up the scale of the building along the public façades [Section 10(b)(1)B & C]. Items requiring a waiver are identified in bold within the chart:

Façade	Recess/Projection Depth Required vs. Provided	Recess/Projection Length Required vs. Provided
West Façade (facing MD Route 589), Module 1 (121.33’)	3.6’ / 4’	24.26’ / 28’
West Façade, Module 2 (192’)	5.76’ / 12’	38.4’ / 0’
East Façade (main entrance, internal), no modules provided	6.8’ / 6’	43.87’ / 18’
North Façade (service façade), no modules provided	0’	0’

- b. Within the design itself, the building materials to be used will need to be identified per Section 9, and the colors per Section 12, to include the wall in the service area/ loading area. Section 10(b)(1)E requires two (2) continuous details of twelve inches (12”) or less in height provided within the first ten feet of the building wall.
- c. Since this project is located in the ‘Agricultural’ tradition, a waiver is required in order to provide a flat roof/ appearance of a flat roof in general (Section 8(b)(4)). In addition, the drive-thru canopy at the pharmacy is required to have a minimum pitch of 4:12 (Section 8(b)(8)). The main roof is required to have two (2) architectural features as specified in Section 8(b)(2) of which none have been provided. With respect to the parapet wall, the average height of the parapet shall not exceed 15% of the height of the wall (equivalent to two and one-tenth feet (2.1’)).
- d. Any public façade is required to incorporate transparent features over a minimum of 25% and a maximum of 40% of the façade (such as windows and doors). Waivers are required to the three (3) public facades as follows:

West Façade (facing MD Route 589)	19.8%
East Façade (main entrance, internal)	13.7%

**WORCESTER COUNTY PLANNING COMMISSION
SITE PLAN STAFF REPORT – APRIL 1, 2021**

North Façade (service façade)	19.3%
-------------------------------	--------------

- e. A dumpster pad has been provided to the rear of the building that will accommodate two (2) dumpsters. They are to be screened on three (3) sides with six foot (6') tall chain-link fence with slats and double-leaf chain-link swing gates. Section 20 of the *Design Guidelines and Standards for Commercial Uses* requires that these types of service areas be incorporated into the overall design of the building. In addition, they should be constructed of the same material as the building itself. It is therefore recommended (but not required) that consideration be given to the design of the dumpster enclosure.

SITE, STORMWATER MANAGEMENT (SWM), SOIL EROSION AND SEDIMENT CONTROL (SESC) PLANS ATLANTIC GENERAL MEDICAL CENTER, OCEAN PINES

TAX MAP 21, PARCEL 66A

THIRD TAX DISTRICT

BERLIN

WORCESTER COUNTY

MARYLAND

GENERAL NOTES:

1. ALL WORK REQUIRED BY THESE DOCUMENTS (DRAWINGS AND SPECIFICATIONS) SHALL BE NEW. WHEREVER THE WORD "PROPOSED" IS USED, IT IS CONSIDERED INTERCHANGEABLE WITH THE WORD "NEW" AND IS INCLUDED IN THE REQUIRED WORK. ITEMS LABELED "BY OTHERS" ARE NOT INCLUDED UNDER THIS WORK.
- 2) ALL EXISTING CONDITIONS INFORMATION, ELEVATIONS AND TOPOGRAPHY SHOWN ARE BASED UPON THE SURVEY PROVIDED BY FRANK G. LYNCH, JR. AND ASSOCIATES INC. DATED JANUARY 2007 AND SUPPLEMENTAL FIELD TOPOGRAPHIC SURVEY INFORMATION BY FRANK G. LYNCH, JR. AND ASSOCIATES INC. DATED 10/23/18, PROVIDED BY THE OWNER AND THE APPLICANT. THE ENGINEER DOES WARRANT THAT THIS INFORMATION IS ENTIRELY CORRECT. THE CONTRACTOR SHALL EXAMINE A COPY OF SAID PLANS AND VISIT THE SITE IN ORDER TO DETERMINE, TO HIS SATISFACTION, THE QUANTITIES OF WORK REQUIRED TO BE PERFORMED, BUILDING RESTRICTION LINES, EASEMENTS, FLOOD ZONE LINES AND FOREST CONSERVATION AREA LOCATIONS. SHOWN ON THESE DRAWINGS, ARE PROVIDED FOR CONVENIENCE ONLY. HORIZONTAL DATUM SHOWN IS MD STATE PLANE COORDINATE SYSTEM VERTICAL DATUM SHOWN IS NAVD 1988.
3. UNLESS OTHERWISE NOTED, ALL ELEVATIONS FOR GRAVITY STORM DRAIN AND SANITARY SEWER PIPES ARE INVERTS AND ALL ELEVATIONS FOR PRESSURE PIPES ARE TOP OF PIPE ELEVATIONS.
4. THESE DRAWINGS SHOW INFORMATION REGARDING ABOVE GROUND AND UNDERGROUND UTILITIES WHICH EXIST OR MAY EXIST ALONG THE LINES OF WORK. THE LOCATION OF UTILITIES SHOWN HAS BEEN PROVIDED FROM RECORDS MADE AVAILABLE TO THE ENGINEER BY THE OWNER AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS SATISFACTION PRIOR TO CONSTRUCTION. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR OR COMPLETENESS OF INFORMATION ON THESE DRAWINGS. THIS DOES NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL EXISTING UTILITIES AND APPURTENANCES WHETHER SHOWN ON THESE DRAWINGS OR NOT. SHOULD ANY UTILITIES BE DAMAGED BY THE CONTRACTOR, THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED, TO THE UTILITY OWNER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL PROVIDE THE ENGINEER WITH VERIFICATION OF ALL EXISTING SEWER INVERTS AND EXISTING STORM DRAIN INVERTS PRIOR TO THE START OF CONSTRUCTION.
5. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THESE DRAWINGS AND SPECIFICATIONS, AND TO ALL APPLICABLE REQUIREMENTS OF WORCESTER COUNTY, THE MARYLAND DEPARTMENT OF TRANSPORTATION, AND THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.
6. ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROVIDE POSITIVE DRAINAGE AWAY FROM PROPOSED STRUCTURES AND SHALL BE STABILIZED WITH TOPSOIL, SEED AND MULCH, EXCEPT AREAS CALLING FOR PAVING. IF SETTLEMENT OCCURS, THE AREA OF SETTLEMENT SHALL BE RESTORED TO GRADE, RESEEDED AND REMULCHED TO THE SATISFACTION OF THE OWNER AT NO ADDITIONAL COST TO THE OWNER. THE CONTRACTOR SHALL PROVIDE SEED TYPE AS SPECIFIED.
7. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATIONS FROM THESE DRAWINGS AND SPECIFICATIONS.
8. THE CONTRACTOR SHALL PROVIDE NECESSARY STAKE OUT OF LINE AND GRADE FOR CONSTRUCTION. THE OWNER SHALL PROVIDE HORIZONTAL AND VERTICAL CONTROL ONLY.
9. THE CONTRACTOR SHALL HYDRAULICALLY TEST ALL PIPES AND CHAMBERS IN THE PRESENCE OF THE ENGINEER. FORTY EIGHT HOURS NOTICE SHALL BE GIVEN TO THE ENGINEER PRIOR TO THE CONTRACTOR PERFORMING ANY TESTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MEETING ALL REQUIREMENTS OF THIS TESTING. SHOULD ANY PORTION OF THE WORK FAIL TO MEET THE CRITERIA, THE CONTRACTOR SHALL TAKE CORRECTIVE MEASURES, AT HIS OWN EXPENSE, TO CONFORM TO THE TEST REQUIREMENTS.
10. THE OWNER RESERVES THE RIGHT TO AWARD OTHER CONTRACTS OR PERFORM OTHER WORK IN THE VICINITY OF WORK DESIGNATED ON THESE DRAWINGS. THE CONTRACTOR SHALL COOPERATE WITH AND COORDINATE HIS OPERATIONS WITH OTHER CONTRACTORS OR WORKMEN EMPLOYED BY THE OWNER.
11. NO INFORMATION REGARDING DEPTH TO ANY TEMPORARY OR PERMANENT GROUND WATER TABLE IS PROVIDED ON THESE DRAWINGS AS IT RELATES TO THE EXCAVATION OR INSTALLATION OF UTILITIES IN TRENCHES. THE CONTRACTOR SHALL INVESTIGATE TO HIS SATISFACTION THE SITE CONDITIONS REGARDING THE DEPTH-TO-GROUND WATER. GENERALLY, PIPING, TRENCH AND STRUCTURE CONSTRUCTION SHALL BE PROSECUTED IN A DEWATERED STATE, CONSISTENT WITH GOOD CONSTRUCTION PRACTICES. ALL EXCAVATIONS FOR MANHOLES AND OTHER CHAMBERS SHALL BE CONTINUALLY DEWATERED UNTIL THE BACKFILL OPERATION HAS BEEN COMPLETED. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER FOR TEST PITTING.
12. IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO MENTION SPECIFICALLY ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THE PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PERFORM SUCH WORK.
13. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING, TWO (2) DAYS PRIOR TO BEGINNING ANY WORK SHOWN ON THESE DRAWINGS.
- A) SINA COMPANIES (561) 627-8733
B) MISS UTILITY (800) 441-8355
C) J. W. SALM ENGINEERING, INC. (410) 641-0126
D) WORCESTER COUNTY, DEP (410) 632-1200
E) MDOT SHA ACCESS MANAGEMENT INSPECTOR (443) 397-3420 DON CONNER
F) WORCESTER COUNTY ENVIRONMENTAL PROGRAMS (410) 632-1220
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEANS AND METHODS OF AND/OR RESULTING FROM ANY EARTH MOVING AND/OR STOCKPIILING OF EARTH OR OTHER MATERIALS ON SITE. THE CONTRACTOR SHALL REMOVE ALL MATERIAL STOCKPILES UPON COMPLETION OF WORK.
15. THESE DRAWINGS, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO J. W. SALM ENGINEERING, INC. AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT, LATEST DATE HEREON. ANY DRAWING, REPRODUCTION, PLOT, ETC., WITHOUT A WET INK SIGNATURE AND SEAL IS NOT CERTIFIED BY J. W. SALM ENGINEERING AS TO ACCURACY AND AUTHENTICITY.
16. TRENCH COMPACTION FOR ALL UTILITIES SHALL BE AS FOLLOWS:
A. FOR ROAD OR PARKING AREAS: 95% OF MODIFIED PROCTOR DENSITY AT +/- 2 % OF OPTIMUM MOISTURE CONTENT
B. FOR AREAS OUTSIDE OF ROAD OR PARKING AREAS: 90% OF MODIFIED PROCTOR DENSITY AT +/- 3% OF OPTIMUM MOISTURE CONTENT
17. THIS SITE IS NOT LOCATED WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREAS.
18. THE OWNER IS REQUIRED TO COMPLY WITH ALL APPLICABLE RULES AND REGULATIONS REGARDING IMPACT TO NON-TIDAL WETLANDS.
19. A MARYLAND DEPARTMENT OF ENVIRONMENT NOTICE OF INTENT (NOI) GENERAL PERMIT FOR CONSTRUCTION ACTIVITY IS REQUIRED FOR ALL CONSTRUCTION ACTIVITY IN MARYLAND WITH A PLANNED TOTAL DISTURBANCE OF 1 ACRE OR MORE. AS MANDATED BY THE NOTICE OF INTENT (NOI) GENERAL PERMIT ISSUED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, AN INSPECTION MUST BE PERFORMED ONSITE OF ALL SEDIMENT CONTROLS ON A WEEKLY BASIS AND AFTER EVERY RAINFALL EVENT. ALL SELF INSPECTIONS MUST BE MAINTAINED ALONG WITH ALL APPLICABLE GOVERNING AGENCY INSPECTION REPORTS IN A LOG BOOK, TO BE KEPT ONSITE AT ALL TIMES.
20. THE OWNER IS REQUIRED TO COMPLY WITH ALL APPLICABLE RULES AND REGULATIONS OF THE MARYLAND FOREST CONSERVATION ACT.
21. THE CONTRACTOR MUST OBTAIN A PERMIT FROM STATE HIGHWAY ADMINISTRATION DISTRICT 1 TRAFFIC A MINIMUM OF TWO(2) DAYS PRIOR TO PERFORMING ANY WORK IN STATE OWNED ROADWAYS.
22. TEMPORARY TRAFFIC CONTROL ALONG MD 589 SHALL COMPLY WITH STANDARD DETAIL MD 104.03-01 OR OTHER APPLICABLE STANDARDS AS APPROVED BY THE ENGINEER.

EXISTING FEATURES

EDGE OF PAVEMENT
RIGHT-OF-WAY LINE
CONTOUR
STORM DRAIN PIPE
LOT LINE
TREELINE
SOIL BOUNDARY

PROPOSED FEATURES

PARCEL LINE
EDGE OF PAVEMENT
RIGHT-OF-WAY WIDENING
CONTOUR
ZONING SETBACK
NON-TIDAL WETLANDS
NON-TIDAL WETLAND BUFFER
SPOT ELEVATION
FOREST CONSERVATION LINE
BIKE RACK
BENCH
TRAFFIC DIRECTION
TO REMAIN
TO BE ABANDONED
MICRO-BIORETENTION
PERMEABLE PAVING
FOREST RETENTION
FOREST CONSERVATION
GRASS

SITE DATA:

PARCEL 66A: ID# 03-169865 TOTAL SITE AREA : 14.89 +/- AC.

APPLICANT/DEVELOPER
OCEAN PINES MEDICAL OWNERS I, L.L.C.
C/O SINA COMPANIES, L.L.C.
5220 HOOD ROAD, SUITE 110
PALM BEACH GARDENS, FLORIDA 33418

SITE INFORMATION

ZONING: C-2
EXISTING LAND USE: AGRICULTURAL LAND AND FOREST
PROPOSED LAND USE: DOCTORS OFFICE AND AMBULATORY/SURGERY
PHYSICAL THERAPY REHABILITATION AND
INCIDENTAL RETAIL

DEED REFERENCE: 04956/00440

SETBACKS ZS 1-210, (b)(2) B, C-2:

FRONT YARD: 50 FEET *
SIDE YARD: 6 FEET
REAR YARD: 20 FEET
* FROM COLLECTOR HIGHWAY

HORIZONTAL DATUM

MD. STATE PLANE COORDINATE SYSTEM

VERTICAL DATUM

NAVD 1988

NON TIDAL WETLANDS

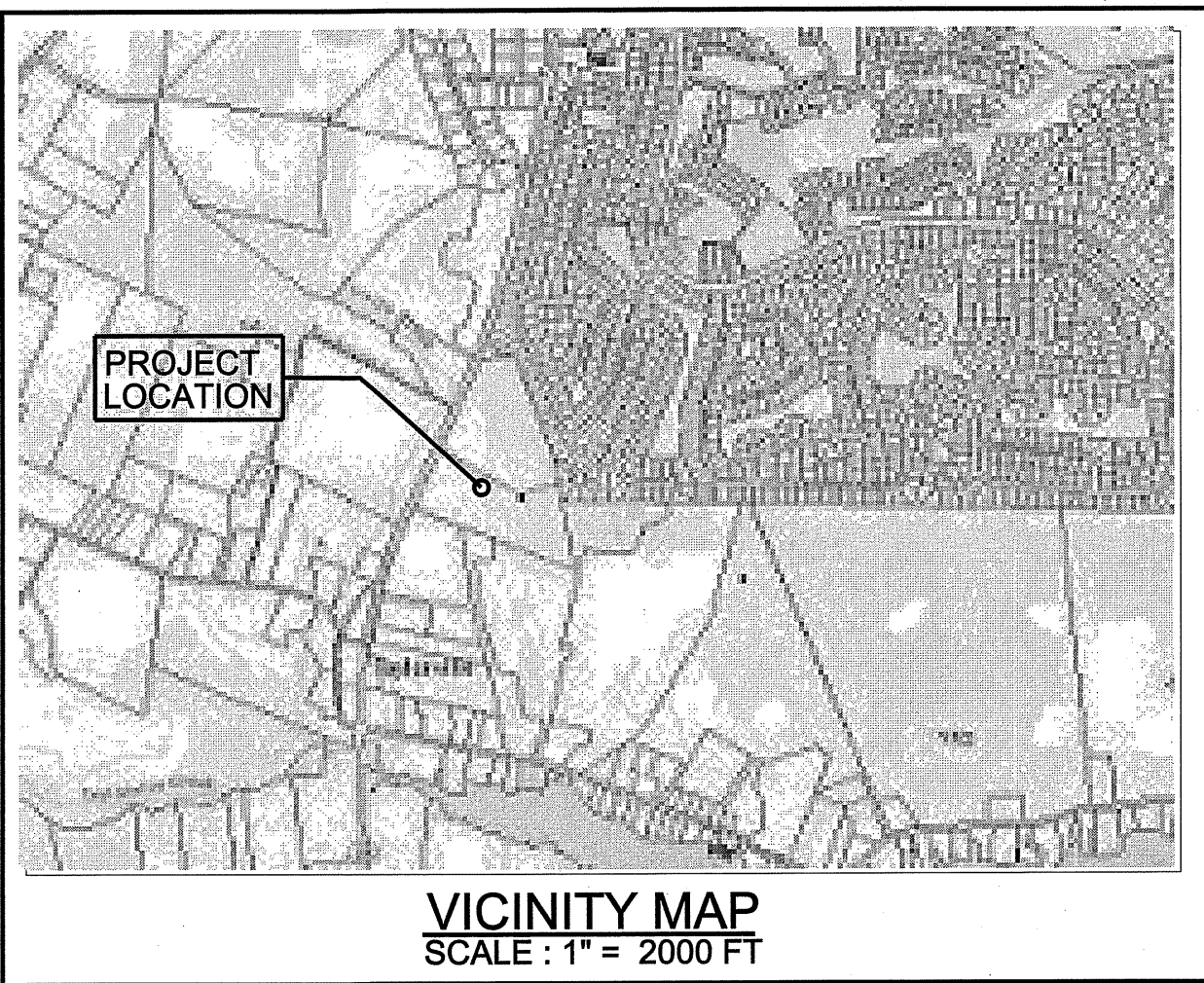
NON-TIDAL WETLANDS, WATERS AND THEIR BUFFERS ARE PRESENT ON THIS SITE AS Delineated BY ENVIRONMENTAL RESOURCES, INC., EDWARD LAUNAY, PWS NO. 875.

FOREST CONSERVATION NOTE:

THIS SITE IS SUBJECT TO THE WORCESTER COUNTY FOREST CONSERVATION LAW. THIS SITE IS SUBJECT TO FOREST CONSERVATION PLAN NO. 18-52. THIS SITE HAS BEEN SUBJECT TO A REGULATED ACTIVITY UNDER WORCESTER COUNTY FOREST CONSERVATION LAW. ANY FUTURE APPROVAL OF THIS SITE FOR A REGULATED ACTIVITY SHALL BE SUBJECT TO THE COUNTY FOREST CONSERVATION LAW. A FOREST CONSERVATION PLAN HAS BEEN APPROVED AND IS ON FILE WITH THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS A PERPETUAL PROTECTIVE AGREEMENT, AND THE PLAT SHOWING THE DEED OF FOREST CONSERVATION EASEMENT, WORCESTER COUNTY, MARYLAND, WILL BE RECORDED IN THE LAND RECORDS OF WORCESTER COUNTY, MARYLAND.

FLOW DIRECTION ARROWS

PIPE FLOW
SWALE/DITCH FLOW
ROOF FLOW
PAVEMENT SLOPE
SHEET FLOW
RAIN/DOWNSPOUT/LEADER/DRAIN
GUTTER FLOW



REQUIRED PARKING (PER ZS-320)			
USE CATAGORY	S.F.	MIN. REQ'D	MAX. ALLOWED
RETAIL [DRUGSTORE/PHARMACY AND CAFE]	3,000	1 PER EACH 300 = 10 SPACES	1 PER EACH 200 = 15 SPACES
DOCTORS OFFICES/AMBULATORY SURGERY	47,349	1 PER EACH 250 = 189 SPACES	1 PER EACH 150 = 316 SPACES
TOTALS:	50,349	199 SPACES	331 SPACES

PARKING PROVIDED: CONVENTIONAL SPACES = 177 (69%); COMPACT = 80 (31%)

TOTAL PROVIDED = 257 SPACES - MIN. REQ'D (199) = 58 SPACES SHALL BE PERVIOUS PAVMENT

24 ACCESSIBLE SPACES ARE PROVIDED

SEWER ALLOCATION:

GROSS FLOOR AREA= 50,349 S.F.
SEWER REQUIRED (@ 0.10 GPD / S.F.) = 5,035 GPD
5,035 GPD (@ 300 GPD / EDU)= 16.78 EDU'S : SAY 17 EDU'S

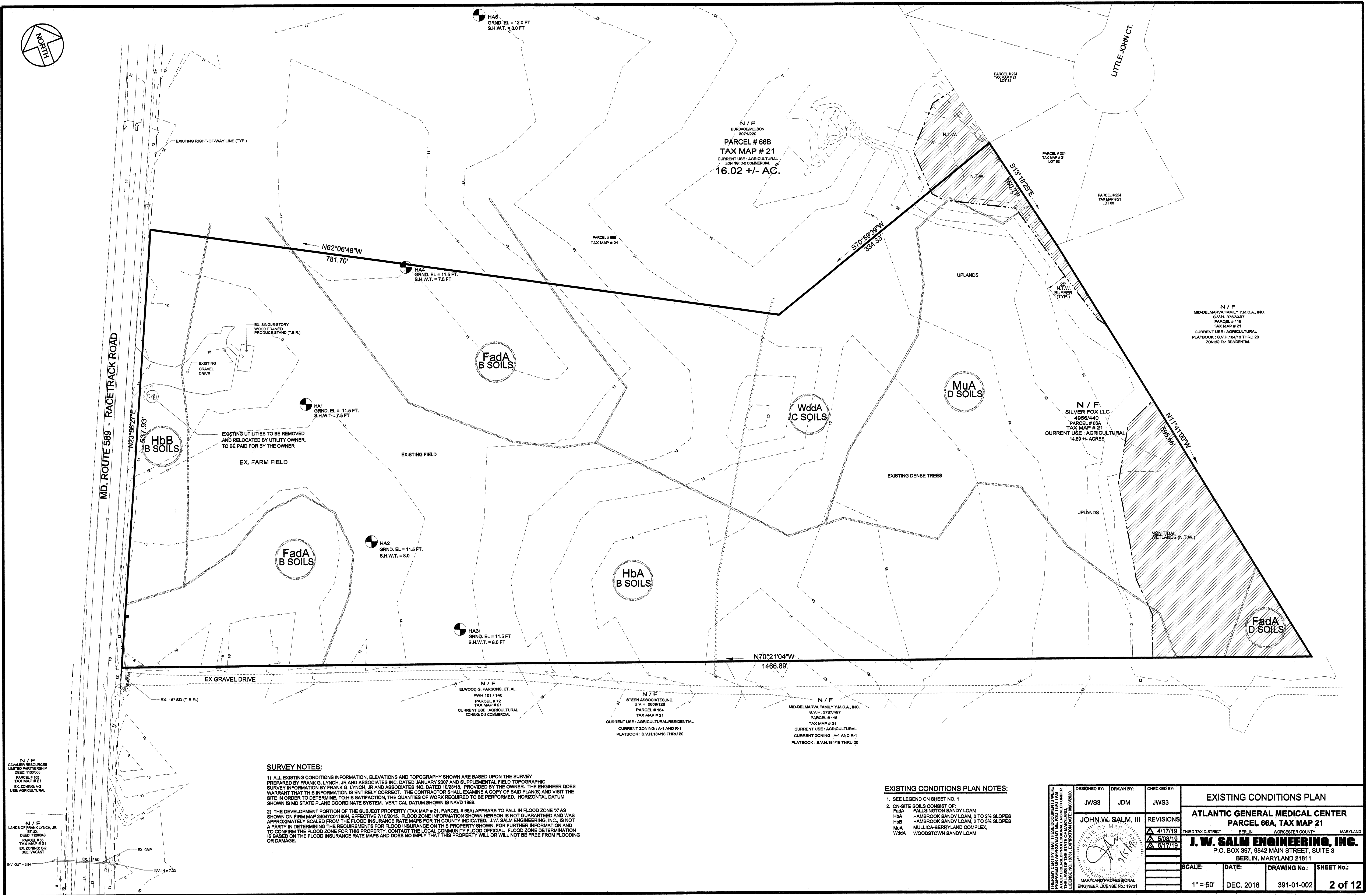
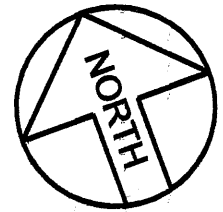
AS THE PROPERTY OWNER, I AM IN FULL AGREEMENT WITH THE SITE PLAN SUBMITTED HERewith, AND I AM RESPONSIBLE FOR THE COMPLETION OF THE IMPROVEMENT SHOWN ON THE APPROVED SITE PLAN, AND I UNDERSTAND THAT I CANNOT ALLOW THE PROPERTY OR BUILDINGS TO BE OCCUPIED UNTIL THE CERTIFICATE OF USE AND OCCUPANCY HAS BEEN ISSUED BY THE DEPARTMENT OF DEVELOPMENT, REVIEW AND PERMITTING.

SIGNATURE/OWNER

INDEX OF DRAWINGS:

DRAWING NO.:	SHEET NO.:	TITLE
391-01-001	1 of 12	COVER SHEET, NOTES, INDEX & VICINITY MAP
391-01-002	2 of 12	EXISTING CONDITIONS PLAN
391-01-003	3 of 12	SITE PLAN
391-01-004	4 of 12	STORMWATER MANAGEMENT (SWM) PLAN
391-01-005	5 of 12	UTILITIES PLAN
391-01-006	6 of 12	SOIL EROSION AND SEDIMENT CONTROL (SESC) PLAN
391-01-007	7 of 12	LANDSCAPING PLAN
391-01-008	8 of 12	OFFSITE UTILITIES PLAN
391-01-009	9 of 12	WATER AND SEWER DETAILS
391-01-010	10 of 12	DETAILS AND NOTES
391-01-011	11 of 12	DETAILS AND NOTES
391-01-012	12 of 12	DETAILS AND NOTES
391-01-012A	12A of 12	SWM PROFILES

OWNER:	APPLICANT/DEVELOPER:	ENGINEER/DESIGNER:	SURVEYOR:	APPROVED BY WORCESTER COUNTY PLANNING COMMISSION	DESIGNED BY:	DRAWN BY:	CHECKED BY:	COVER SHEET, NOTES, INDEX & VICINITY MAP
SILVER FOX L.L.C. 9919 STEPHEN DECATUR HWY OCEAN CITY, MD 21842 PHONE : 410.213.2600	OCEAN PINES MEDICAL OWNERS I, L.L.C. C/O SINA COMPANIES 5220 HOOD ROAD, SUITE 110 PALM BEACH GARDENS, FLORIDA 33418 PHONE : 561.627.8733	J. W. SALM ENGINEERING, INC. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MD 21811 PHONE : 410.641.0126	FRANK G. LYNCH, JR. AND ASSOC., INC. SURVEYING AND LAND PLANNING 10535 RACETRACK ROAD BERLIN, MD 21811 PHONE : 410.641.5353	<div>CHAIRMAN</div> <div>DATE</div>	JOHN W. SALM, III	JDM	JWS3	ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21 THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND J. W. SALM ENGINEERING, INC. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MD 21811
					APPLICANT/DEVELOPER: OCEAN PINES MEDICAL OWNERS I, L.L.C. C/O SINA COMPANIES, L.L.C. 5220 HOOD ROAD, SUITE 110 PALM BEACH GARDENS, FLORIDA 33418 PLAN PREPARED BY: J. W. SALM ENGINEERING, INC. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MD 21811 410.641.0126	REVISIONS 4/17/19 6/17/19 9/13/19 2/10/21		SCALE: AS SHOWN DATE: DEC 2018 DRAWING No.: 391-01-001 SHEET No.: 1 of 12



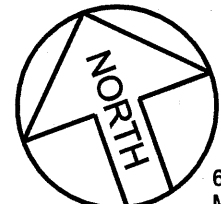
SURVEY NOTES:

- 1) ALL EXISTING CONDITIONS INFORMATION, ELEVATIONS AND TOPOGRAPHY SHOWN ARE BASED UPON THE SURVEY PREPARED BY FRANK G. LYNCH, JR. AND ASSOCIATES INC. DATED JANUARY 2007 AND SUPPLEMENTAL FIELD TOPOGRAPHIC SURVEY INFORMATION BY FRANK G. LYNCH, JR. AND ASSOCIATES INC. DATED 10/23/18. PROVIDED BY THE OWNER. THE ENGINEER DOES WARRANT THAT THIS INFORMATION IS ENTIRELY CORRECT. THE CONTRACTOR SHALL EXAMINE A COPY OF SAID PLAN(S) AND VISIT THE SITE IN ORDER TO DETERMINE, TO HIS SATISFACTION, THE QUANTITIES OF WORK REQUIRED TO BE PERFORMED. HORIZONTAL DATUM SHOWN IS MD STATE PLANE COORDINATE SYSTEM. VERTICAL DATUM SHOWN IS NAVD 1988.
- 2) THE DEVELOPMENT PORTION OF THE SUBJECT PROPERTY (TAX MAP # 21, PARCEL # 68A) APPEARS TO FALL IN FLOOD ZONE 'X' AS SHOWN ON FIRM MAP 24047C01180H, EFFECTIVE 7/16/2015. FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM THE FLOOD INSURANCE RATE MAPS FOR THE COUNTY INDICATED. J.W. Salm Engineering, Inc. IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THIS PROPERTY SHOWN, FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL. FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAPS AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE.

EXISTING CONDITIONS PLAN NOTES:

1. SEE LEGEND ON SHEET NO. 1
2. ON-SITE SOILS CONSIST OF:
 - FadA HAMBROOK SANDY LOAM, 0 TO 2% SLOPES
 - HbA HAMBROOK SANDY LOAM, 2 TO 5% SLOPES
 - HbB MULICA-BERRYLAND COMPLEX,
 - MuA WOODSTOWN SANDY LOAM

<div>I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731</div> <div>STATE OF MARYLAND JWS 9/5/19</div> <div>JOHN W. Salm, III</div> <div>REVISIONS</div> <div>4/17/19 5/08/19 6/17/19</div> <div>THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND</div> <div>J. W. Salm Engineering, Inc. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MARYLAND 21811</div> <div>SCALE: 1" = 50'</div> <div>DATE: DEC. 2018</div> <div>DRAWING NO.: 391-01-002</div> <div>SHEET NO.: 2 of 12</div>	DESIGNED BY: JWS3	DRAWN BY: JDM	CHECKED BY: JWS3	EXISTING CONDITIONS PLAN			
	JOHN W. Salm, III			ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21			
	REVISIONS						
	4/17/19			THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND			
	5/08/19			J. W. Salm Engineering, Inc. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MARYLAND 21811			
	6/17/19						
	MARYLAND PROFESSIONAL ENGINEER LICENSE NO.: 19731			SCALE: 1" = 50'			
			DATE: DEC. 2018				
			DRAWING NO.: 391-01-002				
			SHEET NO.: 2 of 12				



(MATCHLINE-SEE SHT 8)

60 - FOOT EXISTING
MDOT RIGHT-OF-WAY
(TYP.)

40-FOOT MDOT
RIGHT-OF-WAY
WIDENING (TYP.)
(NOTE 22)

50-FOOT FRONT
YARD SETBACK
(F.Y.S.B.)

INTERPARCEL CONNECTOR
THREE BARRICADE BOLLARDS
ON PROPERTY LINE
(NOTE 23)

PARCEL # 66B
TAX MAP # 21

INTERPARCEL CONNECTOR

6 - FOOT SIDE YARD SETBACK (S.Y.S.B.)

PARCEL # 224
TAX MAP # 21
LOT #1

PARCEL # 224
TAX MAP # 21
LOT #2

PARCEL # 224
TAX MAP # 21
LOT #3

LITTLE JOHN CT.

PARCEL # 118
TAX MAP # 21

MD. ROUTE 589 - RACETRACK ROAD

PROPOSED EDGE OF PAVEMENT

EXIT

NOTE 26

NOTE 27

NOTE 28

NOTE 29

NOTE 30

NOTE 31

NOTE 32

NOTE 33

NOTE 34

NOTE 35

NOTE 36

NOTE 37

NOTE 38

NOTE 39

NOTE 40

NOTE 41

NOTE 42

NOTE 43

NOTE 44

NOTE 45

NOTE 46

NOTE 47

NOTE 48

SITE PLAN NOTES:

- 1) BUILDING LAYOUT WAS TAKEN FROM THE PROJECT ARCHITECTURAL PLANS PREPARED BY ARRAY AND ASSOCIATES. PROVIDED UNDER SEPARATE COVER.
- 2) ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED. EXCLOSURE MATTING SHALL BE USED ON ALL SLOPES 3 HORIZONTAL TO 1 VERTICAL OR STEEPER.
- 3) THIS PLAN SHOWS NO IMPACT TO NON-TIDAL WETLANDS OR THEIR BUFFERS.
- 4) NO AGRICULTURAL STRUCTURES EXIST WITHIN 200 FEET OF THIS PROJECT SITE.
- 5) INSTALL NOSE DOWN TYPE CURB AND ADA COMPLIANT RAMPS WHERE INDICATED ON PLANS. SEE DETAILS ON SHEET 12. COORDINATE WITH NOSEDOWN CURB LOCATION AND WHERE APPLICABLE PROVIDE RAISED
- 6) ALL HANDICAP SPACES SHALL BE VAN ACCESSIBLE. SIGNAGE AND MARKINGS IN ACCORDANCE WITH ADA AND WORCESTER COUNTY SHALL BE PROVIDED. BOTTOM OF HANDICAP PARKING SIGN MUST BE 64" FROM THE "NO PARKING IN ACCESS AISLE" SIGN SHALL BE POSTED NEXT TO THE HANDICAP ACCESSIBLE SIGN, NOT IN THE ACCESS AISLE.
- 7) EXTERIOR LIGHTING SHALL BE PROVIDED BY BUILDING MOUNTED LIGHTS SHOWN ON THE ARCHITECTURAL PLAN. LIGHTING SHALL BE ADJUSTED AND DIRECTED SO AS NOT TO CAUSE ANY OBJECTIONABLE GLARE ON PROPERTIES OR ROADWAYS. ALL LIGHTING, EXTERIOR LIGHTS, SIGNS, FLOODLIGHTS, PARKING LOT LIGHTING, STREET LIGHTS AND LIGHTING NECESSARY FOR THE SAFETY AND PROTECTION OF PROPERTY, SHALL BE DIRECTED, CONTROLLED AND FOCUSED WITHIN THE SITE'S PROPERTY LINES TO MINIMIZE GLARE AND ILLUMINATION AND ILLUMINATION OF NEIGHBORING PROPERTIES AND SPECIFICALLY, TO DIRECT THE LIGHT AWAY FROM ADJOINING LOTS OR ROADS. SEE LIGHTING PLANS PROVIDED UNDER SEPARATE COVER.
- 8) SEE ARCHITECTURAL PLANS FOR DETAILS.
- 9) THERE SHALL BE ONE STREET TREE PROVIDED FOR EVERY 6 PARKING SPACES. THERE SHALL BE NO PAVEMENT, CURB, OR PARKING SURFACE WITHIN FOUR FEET OF ANY TREE TRUNK. LANDSCAPING SHALL BE MAINTAINED BY THE OWNER. WATER SHALL BE PROVIDED BY AUTOMATIC IRRIGATION SYSTEM.

- 12) FIRE LANES SHALL BE PROVIDED AT THE START OF THE PROJECT AND SHALL BE NOT LESS THAN 20 FEET IN UNOBSTRUCTED WIDTH WITH A MINIMUM VERTICAL CLEARANCE OF 13' - 6".
- 13) REFER TO THE FOREST CONSERVATION PLAN PROVIDED UNDER SEPARATE COVER FOR FOREST CONSERVATION DETAILS AND REQUIREMENTS FOR THE PROJECT.
- 14) PUBLIC WATER AND PUBLIC SEWER SERVICE SHALL BE PROVIDED BY THE OCEAN PINES SANITARY SERVICE AREA.
- 15) PROVIDE 30" OCTAGONAL STOP SIGN WITH DIAMOND GRADE REFLECTIVE MATERIAL. MOUNT 7" FROM GRADE TO BASE OF SIGN.
- 16) THE WORCESTER COUNTY STANDARD PAVEMENT SECTION SHOULD BE USED FOR ALL BITUMINOUS PAVED AREAS. SEE DETAIL SHEET 12.
- 17) THIS SITE IS NOT LOCATED WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA.
- 18) MECHANICALS SHALL BE ROOF MOUNTED.
- 19) ALL NEW STANDARD PARKING STALLS SHALL BE 10' X 20' OR 10' X 18', WHERE SHOWN. ALL COMPACT SPACES SHALL BE 9' X 18'. ALL SPACES SHALL HAVE PAINTED LINES ON PAVEMENT.
- 20) EXISTING UTILITY PEDISTALS TO BE RELOCATED BY UTILITY OWNER, COORDINATED BY THE CONTRACTOR AND TO BE PAID FOR BY THE DEVELOPER.
- 21) ALL SIGNAGE FREESTANDING (EXCEPT WAY FINDING) SHALL BE ADDRESSED IN A SEPARATE SUBMITTAL.
- 22) ROAD WIDENING SHALL BE AS PER "MD ROUTE 589 TRANSPORTATION CORRIDOR PLAN".
- 23) BOLLARDS BLOCKING INTERPARCEL CONNECTORS WILL BE REMOVED AT THE TIME OF THE DEVELOPMENT OF THE ADJACENT PARCELS BY THE OWNER OF PARCEL 66A.
- 24) BIKE RACKS SHALL BE MODEL RR24, BY DERO, ANCHORED TO THE GROUND.
- 25) STANDBY EMERGENCY GENERATOR (BY OTHERS).
- 26) PROVIDE TEN LOW-WATTAGE LED BOLLARDS @ 60 FOOT CENTERS FOR HUMAN SCALE LIGHTING ALONG PROPOSED FRONTAGE SIDEWALK.
- 27) OCTAGONAL 30" X 30" STOP SIGN, R1-1 AND 24" WIDE PAINTED STOP BAR.

PARCEL # 72
TAX MAP # 21

PARCEL # 134
TAX MAP # 21

PARCEL # 118
TAX MAP # 21

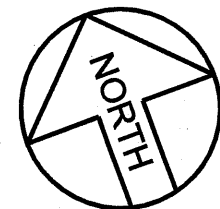
REMOVE EXISTING
STORM DRAIN PIPE

PARCEL # 105
TAX MAP # 21

PARCEL # 65
TAX MAP # 21

EX. 1" = 50'

DESIGNED BY: JWS3 JOHN W. SALM, III MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19731	DRAWN BY: JDM	CHECKED BY: JWS3	SITE PLAN			
			ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21			
			THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND			
			J. W. SALM ENGINEERING, INC. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MARYLAND 21811			
			SCALE: 1" = 50'			
DATE: DEC. 2018		DRAWING No.: 391-01-003		SHEET No.: 3 of 12		



(MATCHLINE-SEE SHT 8)

23 +/- S.Y. RIP-RAP
PAD 12" THICK, D50=7"
(TYP. BOTH SIDES)

CONCRETE HEADWALL (TYP.)

INV. = 9.50

24 +/- LF TWIN CLASS IV

15" RCP @ 0.40%

RIM EL.=12.80

INV EL.=9.40

68 +/- LF TWIN CLASS IV

15" RCP @ 0.40%

EX SIGN TO BE REMOVED

14 RIM EL.=12.80

INV EL.=9.13

32 +/- LF TWIN CLASS IV

15" RCP @ 0.40%

TC = 13.12

BC = 12.78

ROP = 12.97

INV = 9.00

TC = 13.10

BC = 12.86

ROP = 12.86

INV = 8.35

50 +/- S.Y. RIP-RAP

PAD 12" THICK, D50=7"

THROAT

EL.=12.0

MD. ROUTE 589 - RACETRACK ROAD

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

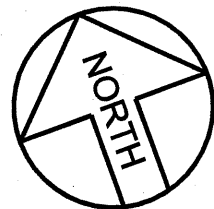
INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35

INV. = 8.35



(MATCHLINE-SEE SHT 8)

WATER AND SEWER NOTES:

- 1) ALL REFERENCES TO "STANDARD DETAILS" REFER TO WORCESTER COUNTY STANDARD SPECIFICATIONS AND DETAILS FOR WATER MAINS AND SEWER MAINS, DATED NOVEMBER 1, 2017, LATEST REVISION.
- 2) ALL REFERENCES TO AWWA STANDARDS ARE TO THE LATEST REVISION.
- 3) CONCRETE ENCASEMENT, IF REQUIRED SHALL BE IN ACCORDANCE WITH STANDARD DETAIL G-3.
- 4) DETECTION TAPE AND TRACER WIRE SHALL CONFORM TO SECTION 02664, 2.0 D-13 AND 15, SECTION 02700, 2.0 E-5 AND DETAIL G-1 AND G-2.
- 5) BACKFILL AROUND PIPES SHALL BE PERFORMED IN ACCORDANCE WITH SECTION 02250.

CONSTRUCTION SPECIFICATIONS:

- 1) IN GENERAL, UNLESS OTHERWISE NOTED, CONSTRUCTION SPECIFICATIONS SHALL CONFORM TO THE APPLICABLE PORTIONS OF THE NOVEMBER 1, 2017 WORCESTER COUNTY STANDARD SPECIFICATIONS AND DETAILS FOR WATER MAINS AND SEWER MAINS.
- 2) GRAVITY SANITARY SEWER SYSTEMS SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 02700.
- 3) WATER MAINS AND SERVICE CONNECTIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 02660 AND 02664.
- 4) STRUCTURES AND MASONRY SHALL BE CONSTRUCTED IN CONFORMANCE WITH DIVISION 3-CONCRETE AND DIVISION 4-MASONRY.

MATERIALS SPECIFICATION:

- 1) IN GENERAL, UNLESS OTHERWISE NOTED, MATERIAL SPECIFICATIONS SHALL CONFORM TO THE APPLICABLE PORTIONS OF THE NOVEMBER 1, 2017 WORCESTER COUNTY STANDARD SPECIFICATIONS AND DETAILS FOR WATER MAINS AND SEWER MAINS, LATEST REVISION.
- 2) EXCAVATION AND BACKFILL SHALL CONFORM TO SECTION 02250.
- 3) AGGREGATES FOR PORTLAND CEMENT CONCRETE SHALL CONFORM TO SECTION 03300, 2.0 C-1-4.
- 4) CLEAN GRAVEL FOR BACKFILL SHALL CONFORM TO SECTION 02250, 3.0 C.
- 5) PORTLAND CEMENT CONCRETE SHALL CONFORM TO SECTION 04100, 2.0 C-2.
- 6) BRICK AND MASONRY SHALL CONFORM TO SECTION 04200.
- 7) PVC WATER MAINS SHALL CONFORM TO AWWA C900 AND SECTION 02660, 2.0 E-2.
- 8) DUCTILE IRON PIPE AND FITTINGS SHALL CONFORM TO SECTION 02660, 2.0 E-3.
- 9) VALVES SHALL CONFORM TO SECTION 02662. VALVE BOXES SHALL CONFORM TO SECTION 02662, 2.0 D-13.
- 10) FIRE HYDRANTS SHALL CONFORM TO SECTIONS 02666.
- 11) SERVICE CONNECTIONS SHALL CONFORM TO SECTION 02664. WATER SERVICE PIPE SHALL CONFORM TO SECTION 02264.
- 12) WATER METERS SHALL CONFORM TO SECTION 02664, 2.0 D-1 AND DETAILS W-8-W-11. CONTRACTOR TO REFER TO SECTION 02664 AND PART 4 PRIOR TO ORDERING METERS.
- 13) PVC GRAVITY SEWER AND LATERAL PIPE SHALL CONFORM TO SECTION 02700 2.0 E-1.
- 14) SERVICE SADDLES SHALL CONFORM TO PART 4 NUMBER 23.
- 15) MANHOLES SHALL CONFORM TO SECTION 03400. ALL CASTINGS SHALL CONFORM TO STANDARD 5500, 2.0 D-8. MORTAR SHALL CONFORM TO STANDARD 04100.
- 16) CURB BOXES SHALL BE IN ACCORDANCE WITH PART 4, NUMBERS 12 AND 13. CURB STOPS SHALL BE IN ACCORDANCE WITH PART 4, NUMBER 26.
- 17) PVC LP SEWER FORCE MAINS, 3-INCHES IN DIAMETER AND LESS SHALL BE IPS PVC SDR 17 PUSH-ON-JOINT. PVC LP SEWER FORCE MAINS 4-INCHES IN DIAMETER OR GREATER SHALL BE AWWA C-900 PVC. ALL FITTINGS, 3-INCHES IN DIAMETER AND GREATER SHALL BE MECHANICAL JOINT WITH RETAINER GLANDS AND THRUST BLOCKS. GLUED FITTINGS WITH THRUST BLOCKS SHALL BE USED FOR 2-1/2-INCH DIAMETER AND LESS.

NOTE 1
TRAFFIC RATED EXTERNAL GREASE TRAP - SEE ARCHITECTURAL PLANS FOR SIZING AND DETAILS

NOTE 9
NOTE 11
2' OFF RW

NOTE 12
NOTE 10
P.10" x 8" TEE

PARCEL # 105
TAX MAP # 21

PARCEL # 65
TAX MAP # 21

PARCEL # 66B
TAX MAP # 21

PARCEL # 134
TAX MAP # 21

PARCEL # 116
TAX MAP # 21

PARCEL # 224
TAX MAP # 21
LOT #1

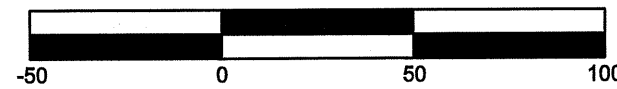
PARCEL # 224
TAX MAP # 21
LOT #2

PARCEL # 224
TAX MAP # 21
LOT #3

PARCEL # 116
TAX MAP # 21

WORCESTER COUNTY LIMIT OF MAINTENANCE IS THE EASEMENT LINE

PLAN
SCALE: 1" = 50'



NOTES:

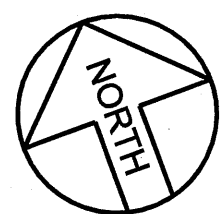
1. WATER MAIN AND SERVICE ALIGNMENT SHALL HAVE A MINIMUM 10' HORIZONTAL SEPARATION FROM SEWER MAINS EXCEPT WHERE CROSSINGS ARE SHOWN ON THIS DRAWING. PROVIDE ALL TEES, HORIZONTAL AND VERTICAL BENDS AND OTHER FITTINGS OF THE APPROPRIATE DIAMETER, AS REQUIRED FOR PROPER ALIGNMENT. PIPE DEFLECTIONS SHALL STRICTLY CONFORM TO THE PIPE MINIMUM DEPTH OF COVER FOR WATER MAINS AND SERVICES.
2. INSTALL HOPE PIPE BY HORIZONTAL DIRECTIONAL DRILLING WHERE EXPRESSLY SPECIFIED AND BY DRILLING OR OPEN-CUT ELSEWHERE. INSTALL PVC PIPE BY OPEN CUT.
3. LP SEWER FORCE MAIN SHALL BE HDPE CLASS 110, DR 15.5, BUTT FUSION WELDED JOINTS AND FITTINGS.
4. PULL COPPER TRACER WIRE CONTINUOUS ALONG WITH ANY HORIZONTAL DRILLED PIPES. LAY COPPER TRACER WIRE WITH OPEN-CUT INSTALLED PIPE. PROVIDE DETECTOR TAPE FOR OPEN-CUT INSTALLED PIPE. TERMINATE COPPER WIRES AT GROUND LEVEL IN VALVE BOXES OR OTHER LOCATION FOR CONVENIENT ACCESS.

5. HOPE CONNECTION TO C-900 PVC SHALL BE POLY-CAM SERIES 732 TRANSITION ADAPTER, OR EQUAL. RESTRAINED JOINTS ARE REQUIRED FROM THE COUPLING AND FOR 200 FEET, EACH SIDE OF THE TRANSITION. USE EBBA IRON SERIES 2600 BELL RESTRAINT HARNESS AND SERIES 1100 FITTING RESTRAINT, OR EQUAL FOR C-900 PVC PIPE RESTRAINED JOINTS.
6. IN-LINE FLUSHING CLEANOUT (SEE DETAIL - SHEET 3). LIMIT OF WORCESTER COUNTY MAINTENANCE FOR SEWER.
7. ANY CONCRETE CURB AND GUTTER AND/OR ANY PAVEMENT DAMAGED SHALL BE REPLACED IN-KIND.
8. TERMINAL FLUSHING CLEAN OUT
9. PROPOSED ENVIRONMENT ONE-HIGH-CAPACITY, QUADRAPLEX GRINDER PUMP STATION.
10. PROPOSED WATER METER VAULT. SEE DETAIL SHT 9.
11. PROPOSED 10" X 6" TEE, RUNOUT, 6" VALVE AND HYDRANT.
12. PROPOSED 8" X 4" TEE AND 45 DEGREE BEND.

THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY WATER AND WASTEWATER SERVICES	DESIGNED BY: JWS3	DRAWN BY: JDM	CHECKED BY: JWS3
DIRECTOR WO. CO., WATER & WASTEWATER SERVICES	JOHN W. SALM, III		
THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY DEPARTMENT OF PUBLIC WORKS.			
DIRECTOR WO. CO., DEPARTMENT OF PUBLIC WORKS			

DESIGNED BY: JWS3	DRAWN BY: JDM	CHECKED BY: JWS3
JOHN W. SALM, III		
MARYLAND PROFESSIONAL ENGINEER LICENSE NO. 19731		

UTILITIES PLAN			
ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21			
THIRD TAX DISTRICT	BERLIN	WORCESTER COUNTY	MARYLAND
J. W. SALM ENGINEERING, INC. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MARYLAND 21811			
SCALE: 1" = 50'	DATE: DEC. 2018	DRAWING No.: 391-01-005	SHEET No.: 5 of 12



(MATCHLINE-SEE SHT 8)

MD. ROUTE 589 - RACETRACK ROAD

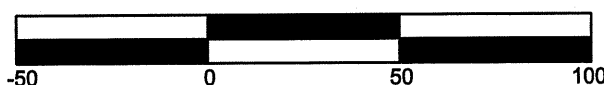
TEMPORARY STONE CHECK DAM

SOIL EROSION AND SEDIMENT CONTROL (SESC) SEQUENCE OF CONSTRUCTION (SOC):

1. SCHEDULE A PRE-CONSTRUCTION MEETING WITH WORCESTER COUNTY, DEPARTMENT OF ENVIRONMENTAL PROGRAMS AT 410-632-1220 AT LEAST 48 HOURS PRIOR TO COMMENCING ANY SITE WORK. FAILURE TO DO SO MAY RESULT IN AN IMMEDIATE "STOP WORK ORDER."
2. INSTALL STABILIZED CONSTRUCTION ENTRANCE (SCE) AND PERIMETER SILT FENCE. PAY SPECIAL ATTENTION AREAS OF ENVIRONMENTAL CONCERN. SILT FENCE INSTALLATION SHALL BE INSPECTED BY WORCESTER COUNTY, PRIOR TO PROCEEDING.
3. CONSTRUCT & STABILIZE DRAINAGE SWALE ADJACENT TO MD 589. ALSO REFER TO MDOT PLAN PROVIDED UNDER SEPERATE COVER. CONSTRUCT PERMANENT PIPE WITH HEADWALLS OR TEMPORARY PIPE AT CONTRACTORS OPTION. INSTALL ALL TEMP. SESC MEASURES (P.P., TEMP. C.D. & T.S.S.M.C.).
4. CONSTRUCT SWALE IN REAR (EAST SIDE) OF PARKING LOT. STABILIZE AND INSTALL ALL TEMP. S.E.S.C. MEASURES.
5. PERFORM THE STRUCTURE DEMOLITION ON THE SITE.
6. ROUGH GRADE THE SITE FOR PARKING AREAS AND BUILDING PADS. CONSTRUCT BUILDINGS, STOCKPILE FILL SOILS AND SOILS AS NEEDED AND SURROUND AREAS WITH SILT FENCE. STABILIZED DISTURBED AREAS IN ACCORDANCE WITH THE 7/14 DAY RULE. STABILIZE ALL AREAS DISTURBED BY REMOVAL OF TEMPORARY SESC DRIVER.
7. CONSTRUCT BUILDING FOUNDATION.
8. INSTALL WATER, SEWER AND OTHER UTILITIES AS CONSTRUCTION CONTINUES.
9. CONSTRUCT THE BUILDING.
10. CONSTRUCT SIDEWALKS AND CURB & GUTTER. STABILIZE DISTURBED AREA AS WORK PROCESSES.
11. PLACE GRAVEL SUB-BASE.
12. DETAILED DESCRIPTION OF SWM BMP CONSTRUCTION/PHASING: CONSTRUCT MBR BASINS AND PERMEABLE PAVEMENT LAST.
13. PAVE THE SITE.
14. LANDSCAPE THE SITE.
15. STABILIZE THE SITE.
16. REMOVE TEMPORARY SESC DEVICES AFTER FINAL APPROVAL FROM THE SEDIMENT CONTROL INSPECTOR IS GRANTED.

PLAN

SCALE: 1" = 50'



STANDARD SESC SYMBOLS / LEGEND

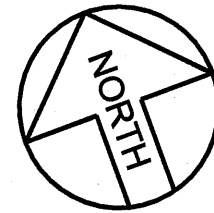
EARTH DIKE	A-2	B-3	CURB INLET PROTECTION	CIP
SWALE	A-2	B-3	MEDIAN INLET PROTECTION	MP
PERIMETER DIKE/SWALE	POIS-1		LEVEL SPREADER	LS
PIPE SLOPE DRAIN	PSD-12		GABION INFLOW PROTECTION	GM
ROCK OUTLET PROTECTION	RCP		RIP RAP INFLOW PROTECTION	RRP
STONE CHECK DAM	CD		STABILIZED CONSTRUCTION ENTRANCE	SCE
STONE OUTLET STRUCTURE	TSOS		REMOVABLE PUMP STATION	RPB
SILT FENCE	SF	LOD	PIPE PROTECTION	PP
LIMIT OF DISTURBANCE (LOD)	SF	LOD	SUMP PIT	SP
STANDARD INLET PROTECTION	SIP		FILTER BAG	FB
AT GRADE INLET PROTECTION	AGIP		CULVERT INLET PROTECTION	CP
			TS: TEMPORARY SEEDING	TS
			TSSMC: TEMPORARY SEEDING AND MATTING	

LOD = 10.03 +/- AC

SESC GENERAL NOTES:

1. CONSTRUCT ALL STORM DRAINS AND INLET PIPES IN AN 'UPSTREAM' DIRECTION. WORK FROM OUTLETS OR OUTFALLS TOWARDS CATCH BASINS OR INLETS. NO SEDIMENT LADEN WATER SHALL ENTER STORM DRAIN PIPES. COVER OPEN ENDS OF PIPES WITH PLYWOOD AND STONE AS NECESSARY.
2. RIP RAP PADS SHALL BE CONSTRUCTED FOR EACH STORMWATER BASIN OR POND INLET PIPE TO CONTROL POSSIBLE EROSION FLOWS.
3. THE PROJECT SHALL BE IN COMPLIANCE WITH ALL SECTIONS OF THE ANNOTATED CODE OF MARYLAND, ENVIRONMENTAL ARTICLE, SUBTITLE 1, SEDIMENT CONTROL 4-101 THROUGH 4-116, COMAR 28.17.01.11 AND THE 1994 STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.

DESIGNED BY:	DRAWN BY:	CHECKED BY:	SOIL EROSION AND SEDIMENT CONTROL (SESC) PLAN			
JWS3	JDM	JWS3	ATLANTIC GENERAL MEDICAL CENTER			
JOHN W. SALM, III			PARCEL 66A, TAX MAP 21			
REVISIONS			THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND			
4/17/19			J. W. SALM ENGINEERING, INC.			
6/17/19			P.O. BOX 397, 9842 MAIN STREET, SUITE 3			
2/10/21			BERLIN, MARYLAND 21811			
SCALE:			DATE:	DRAWING No.:	SHEET No.:	
1" = 50'			DEC. 2018	391-01-006	6 of 12	



(MATCHLINE-SEE SHT 8)

MD. ROUTE 589 - RACETRACK ROAD

PARCEL # 105
TAX MAP # 21

PARCEL # 65
TAX MAP # 21

EX 18" SD

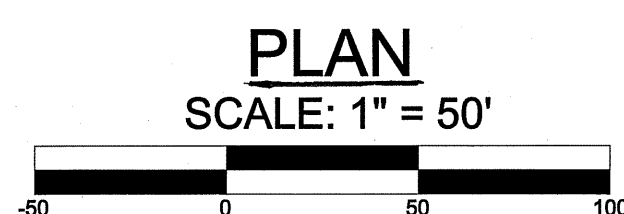
LANDSCAPING NOTES:

- 1) NO PAVEMENT SHALL BE PLACED WITHIN 4 FEET OF ANY TREE TRUNK.
- 2) ALL TREES SHALL BE A MINIMUM OF 1-1/2 INCH CALIPER AND 10 FEET AT THE TIME OF PLANTING.
- 3) PLANT TYPES MAY BE SUBSTITUTED FOR OTHERS USING MATERIALS NATIVE TO WORCESTER COUNTY WITH COUNTY APPROVAL. PERIODICALLY EXAMINE LANDSCAPING FOR ROUTINE MAINTENANCE SUCH AS MULCHING, PLANT REPLACEMENT AND PRUNING. WATERING SHALL BE VIA AUTOMATIC IRRIGATION SYSTEM.
- 4) LANDSCAPE IRRIGATION SHALL BE PROVIDED BY AN AUTOMATIC IRRIGATION SYSTEM WITH RAIN SENSOR.
- 5) THE IRRIGATION SYSTEM DESIGN SHALL BE BY THE OWNERS CONTRACTOR. THE OWNER SHALL PAY FOR THE DESIGN AND CONSTRUCTION OF THE IRRIGATION SYSTEM.

PARCEL # 72
TAX MAP # 21

PARCEL # 134
TAX MAP # 21

PARCEL # 118
TAX MAP # 21



LANDSCAPING INSTALLATION & MAINTENANCE PLAN

1. ALL PLANTS TO BE PRUNED AND FERTILIZED ONCE A YEAR.
2. A MAINTENANCE AND REPLACEMENT BOND FOR REQUIRED LANDSCAPING IS MANDATORY FOR A PERIOD NOT TO EXCEED TWO YEARS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND TWENTY FIVE PERCENT OF THE INSTALLATION COSTS.

DESIGNED BY: JWS3	DRAWN BY: JDM	CHECKED BY: JWS3	LANDSCAPING PLAN	
JOHN W. SALM, III			ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21	
REVISIONS			THIRD TAX DISTRICT BERLIN, MARYLAND	
08/17/19			J. W. SALM ENGINEERING, INC.	
11/20/19			P.O. BOX 397, 9842 MAIN STREET, SUITE 3	
02/10/21			BERLIN, MARYLAND 21811	
SCALE:			DATE:	DRAWING No.:
1" = 50'			DEC. 2018	391-01-007
SHEET No.:			7 of 12	

LANDSCAPING FOR MBR'S 3-8, 9A, 9B, 9C, 10-17 AND 19 ARE SHOWN ON THIS SHEET. THE TOTAL SURFACE AREA FOR MBR'S 1, 2 AND 18 EQUALS 27,000 +/- SF. PROVIDE ONE SHRUB PER 500 S.F. OF SURFACE AREA AND ONE HERBACEOUS SPECIES PER 250 S.F. OF SURFACE AREA IN BASINS 1, 2 AND 18, FROM THE FOLLOWING TABLE.

LANDSCAPING SCHEDULE					LANDSCAPING SCHEDULE				
LEGEND	QUANTITY	PLANTING		HEIGHT AT MATURITY	LEGEND	QUANTITY	PLANTING		HEIGHT AT MATURITY
		HEIGHT	CALIPER/SIZE				HEIGHT	CALIPER/SIZE	
ROSES SHRUB (Rose knockout)	100	1'	3 gal	2.5'	RED MAPLE (Acer rubrum)	14	10'	1.5"	50'
HYPERICUM (H. Peratum)	65	3'	3 gal	12'	LOBLOLLY PINE (Pinus taeda)	13	10'	1.5"	100'
INK BERRY (Ilex glabra)	66	3'	3 gal	10'	EASTERN RED CEDAR (Juniperus Virginiana)	3	10'	1.5"	100'
WAXMYRTLE (Myrica cerifera)	34	3'	3 gal	6'	HOLLYWOOD JUNIPER (Juniperus chinensis 'Tortuosa')	10	10'	1.5"	100'
COASTAL AZALEA (Rhododendron Atlanticum)	34	2'	3 gal	15'	AMERICAN HOLLY (Ilex opaca)	6	10'	1.5"	50'
SWITCH GRASS (Panicum virgatum)	12	2'	tuft	6'	WILLOWOAK (Quercus Phellos)	1	10'	1.5"	70'
INDIAN GRASS (Sorghastrum nutans)	9	2'	tuft	6'	CHESTNUTOAK (Quercus Prinus)	2	10'	1.5"	70'
BLUEWOODS SEDGE (Carex flacca spicata)	300	6"	tuft	12"	FLOWERING DOGWOOD (Cornus Florida)	8	10'	1.5"	20'
LIRIOPE GRASS (Liriope Spicata)	457	8"	1 gal	12"	CREPE MYRTLE (Lagerstroemia)	8	10'	1.5"	35'
					LEYLAND CYPRESS (Cupressocyparis leylandii)	12	6'	1.0"	50'
					GREEN GIANT ARBORVITAE (Thuja occidentalis 'pilosa')	7	6'	1.0"	50'

PARCEL # 66B
TAX MAP # 21

PARCEL # 66A
TAX MAP # 21

EXISTING DENSE TREES

UPLANDS

NON TIDAL WETLANDS (N.T.W.)

PARCEL # 118
TAX MAP # 21

PARCEL # 224
TAX MAP # 21
LOT 81

PARCEL # 224
TAX MAP # 21
LOT 82

PARCEL # 224
TAX MAP # 21
LOT 83

LITTLE JOHN CT.

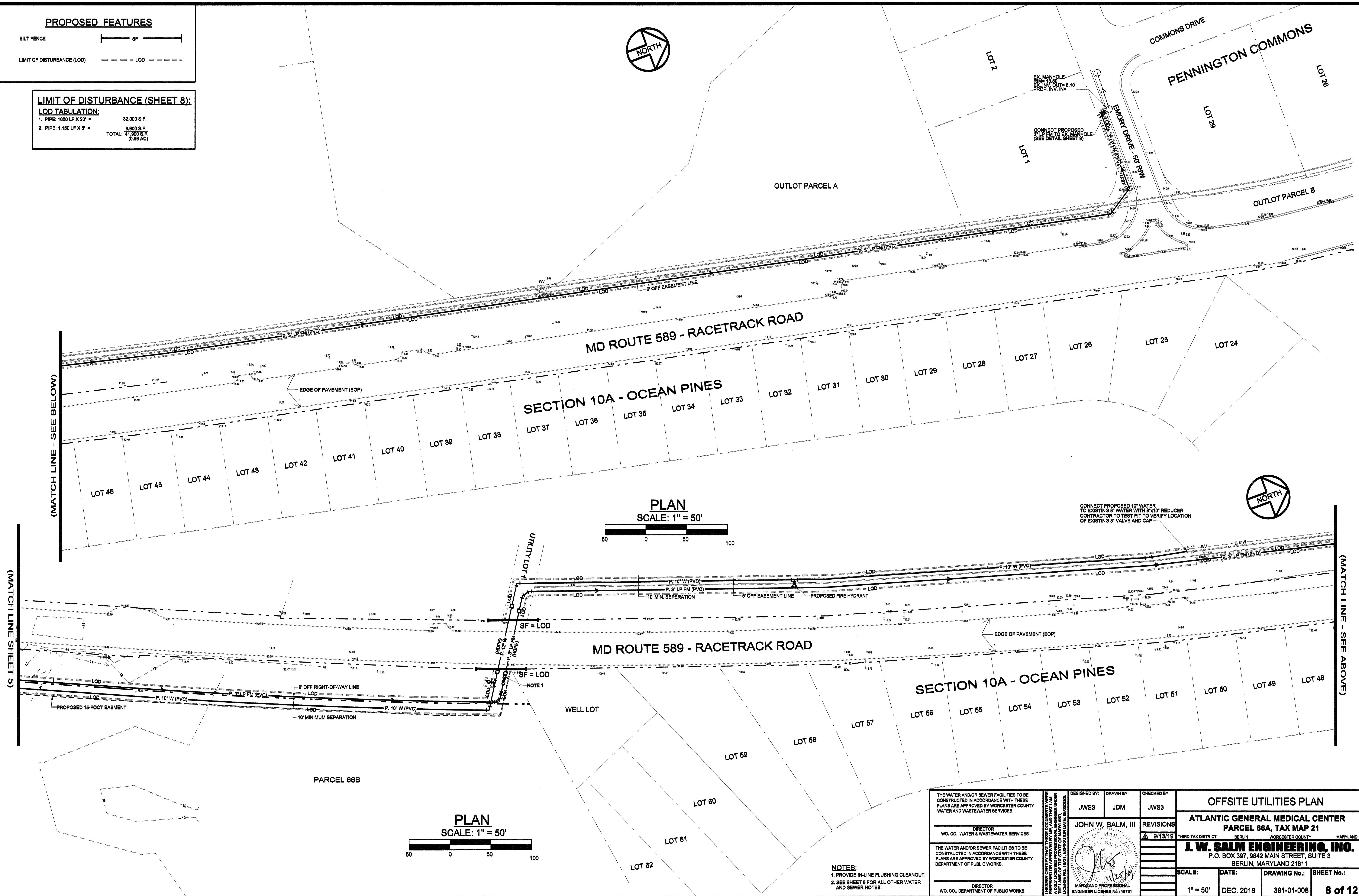
25' N.T.W. BUFFER (TYP.)

PROPOSED FEATURES

SILT FENCE
LIMIT OF DISTURBANCE (LOD)

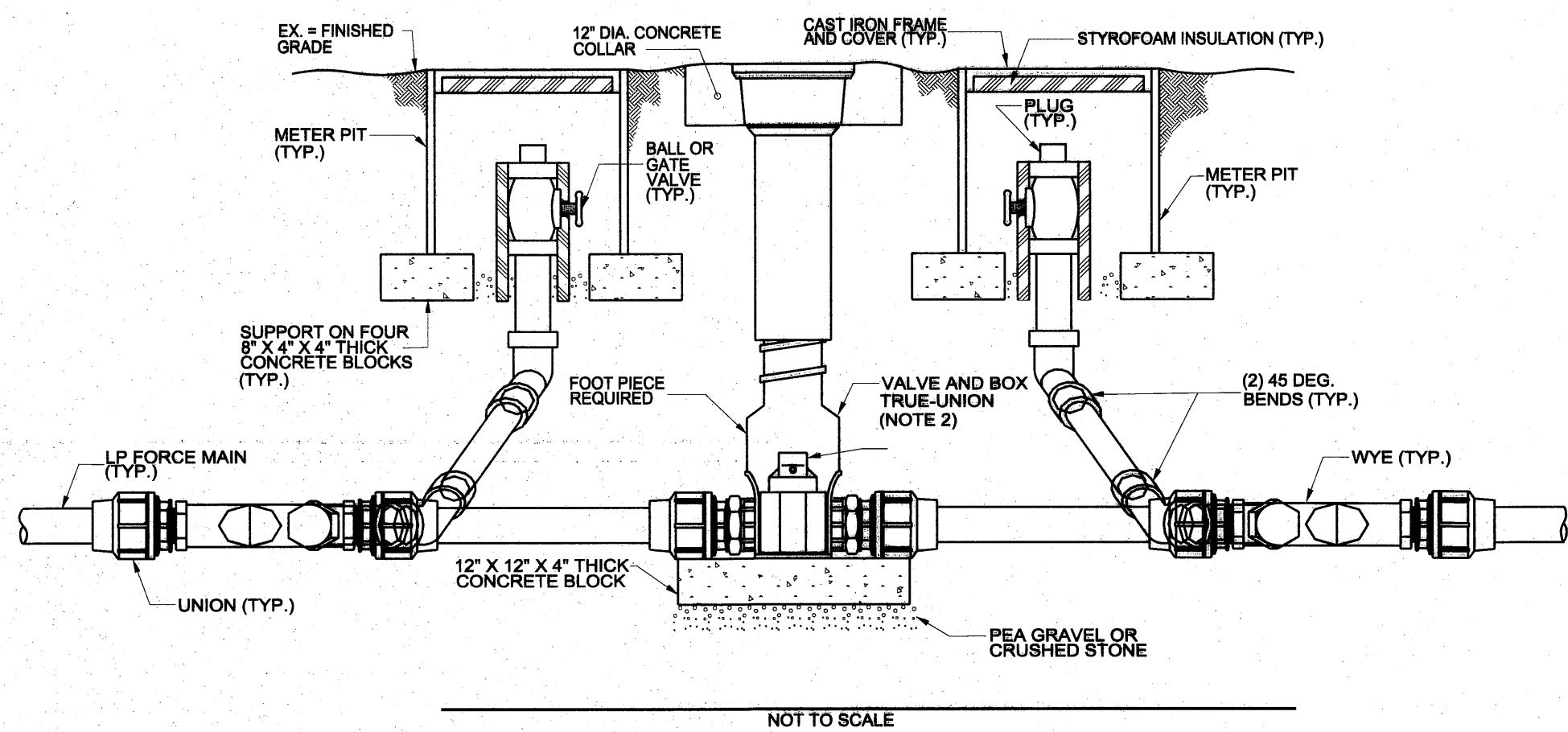
LIMIT OF DISTURBANCE (SHEET 8):

LOD TABULATION:
1. PIPE: 1600 LF X 20" = 32,000 S.F.
2. PIPE: 1,150 LF X 8" = 9,800 S.F.
TOTAL: 41,800 S.F.
(0.95 AC)

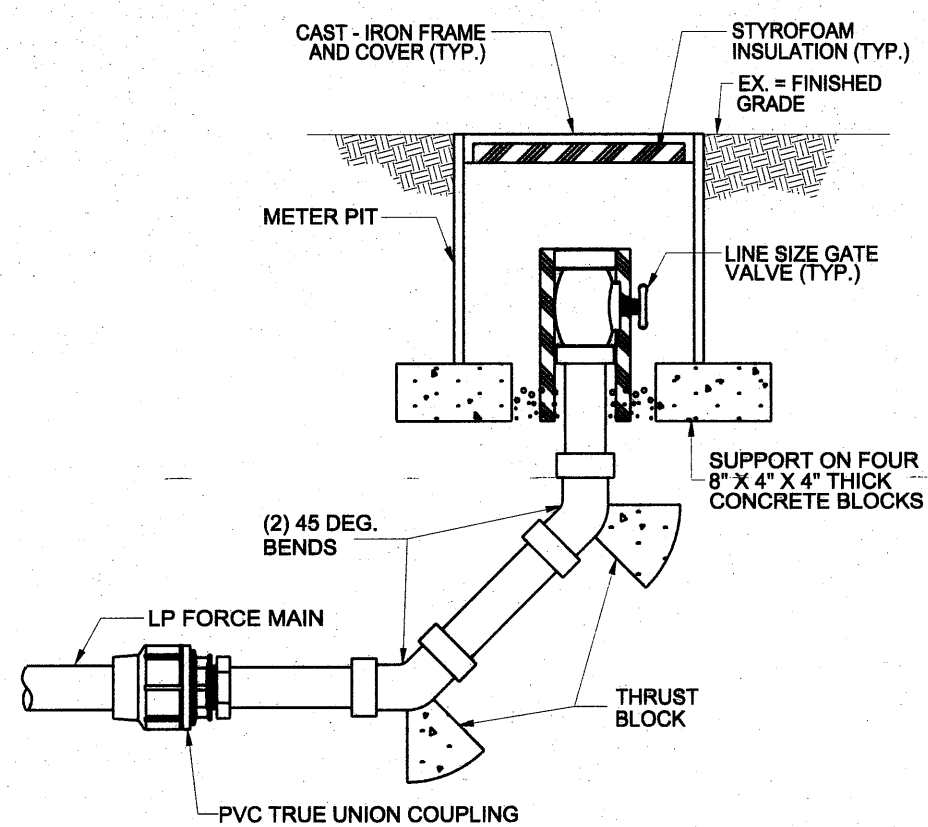


NOTES:
1. PROVIDE IN-LINE FLUSHING CLEANOUT.
2. SEE SHEET 5 FOR ALL OTHER WATER
AND SEWER NOTES.

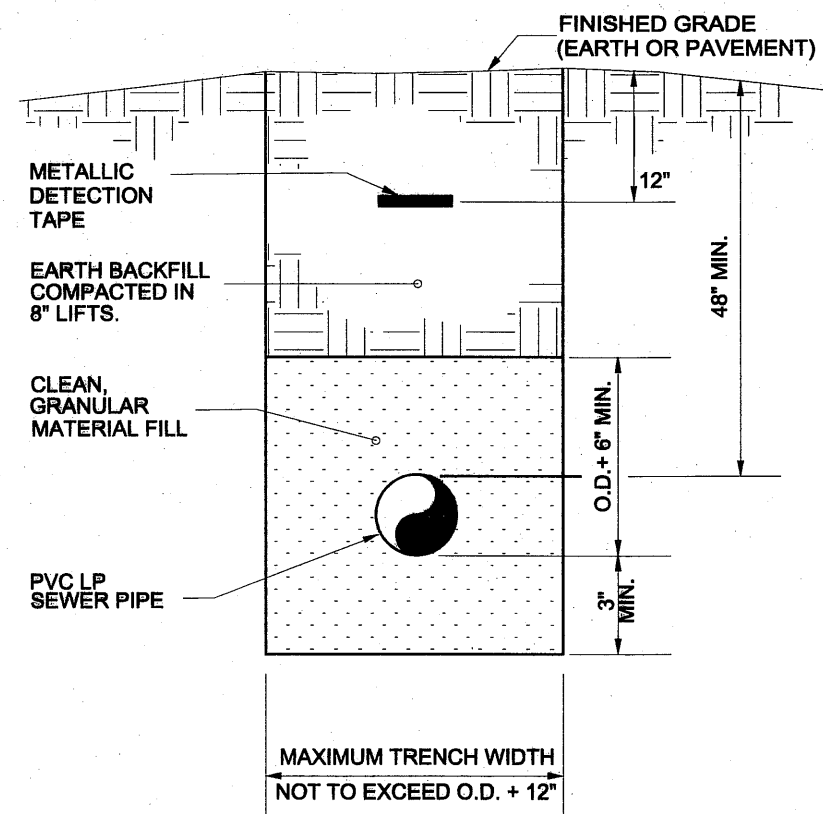
THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY WATER AND WASTEWATER SERVICES DIRECTOR WO. CO., WATER & WASTEWATER SERVICES		DESIGNED BY: JWS3 JOHN W. SALM, III MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19731	DRAWN BY: JDM CHECKED BY: JWS3	REVISIONS 9/13/19	OFFSITE UTILITIES PLAN ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21 P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MARYLAND 21811
THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY DEPARTMENT OF PUBLIC WORKS. DIRECTOR WO. CO., DEPARTMENT OF PUBLIC WORKS		SCALE: 1" = 50' DATE: DEC. 2018 DRAWING No.: 391-01-008 SHEET No.: 8 of 12			



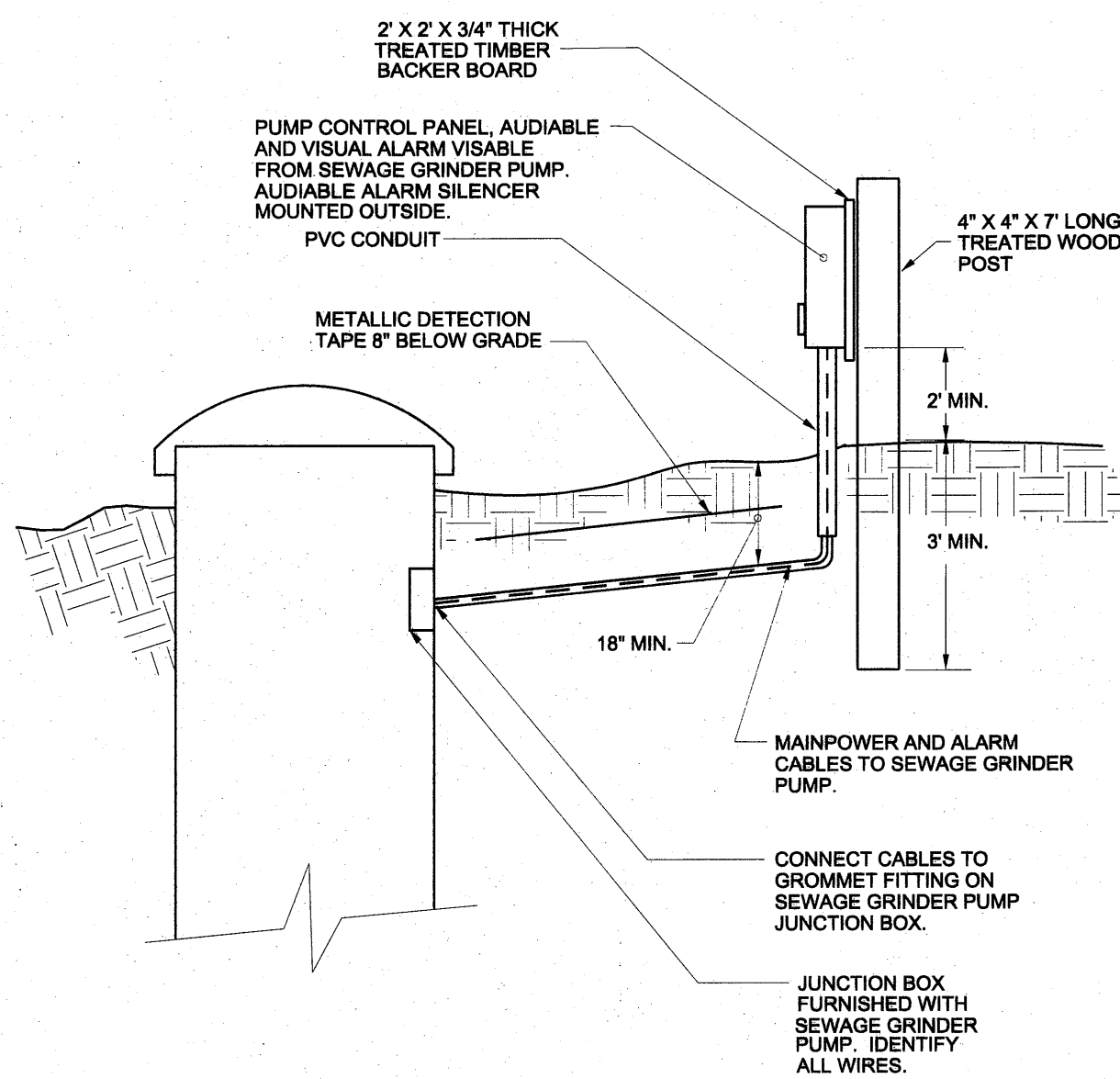
NOTES:



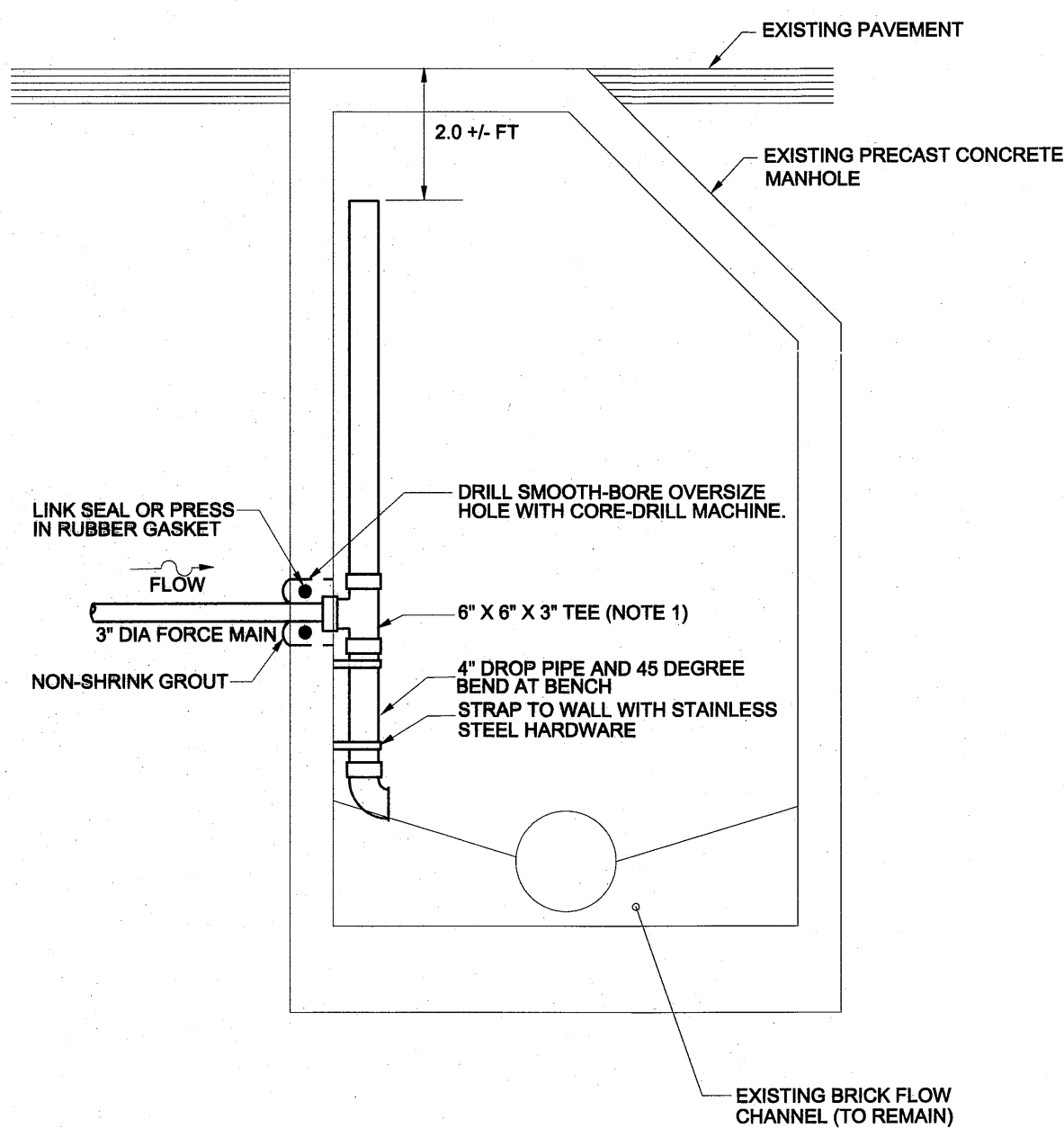
TYPICAL TERMINAL FLUSHING CLEANOUT
NOT TO SCALE



LOW PRESSURE SEWER TRENCH DETAIL
NOT TO SCALE



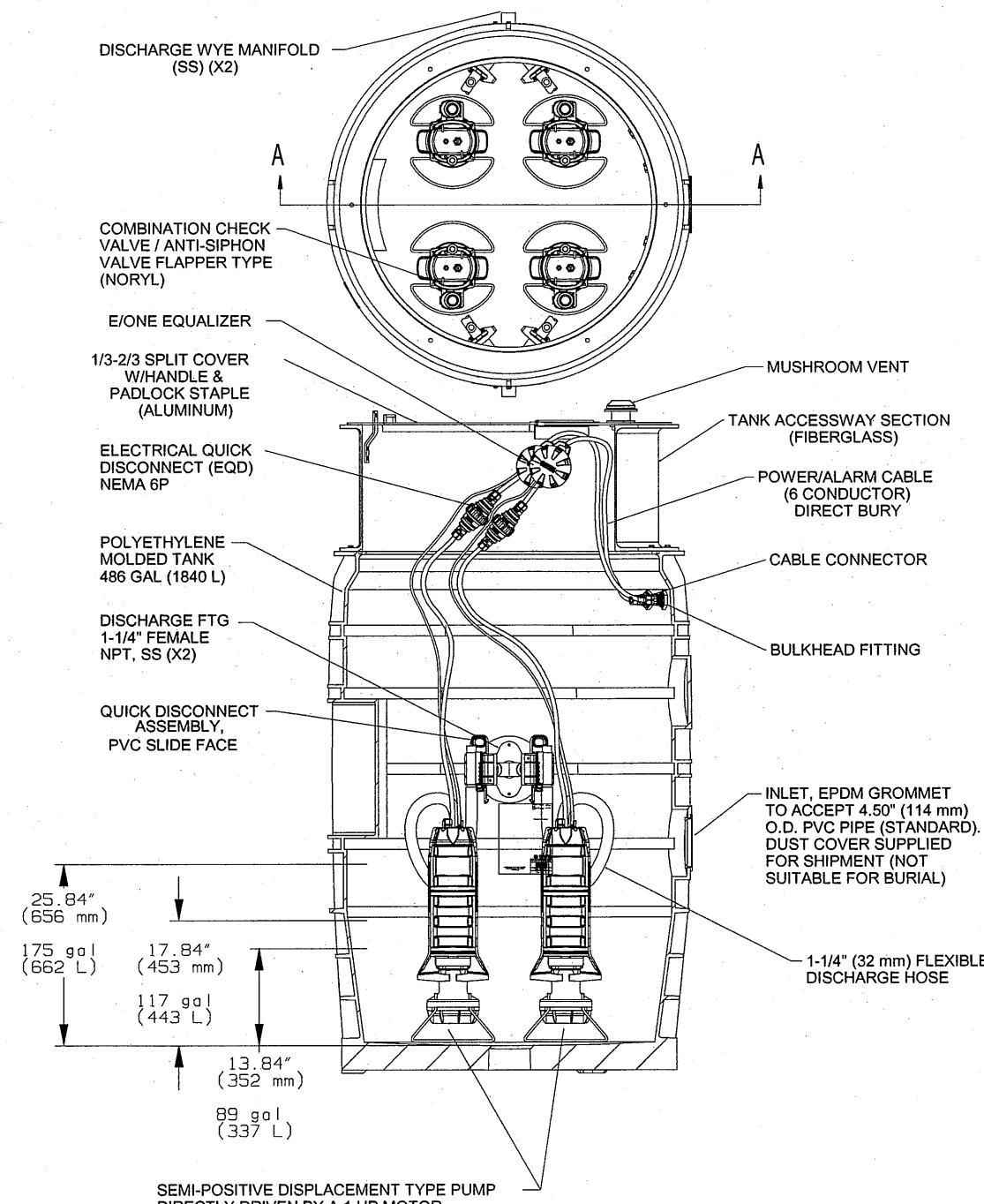
GRINDER PUMP SETTING POWER SUPPLY
NOT TO SCALE



NOTES:

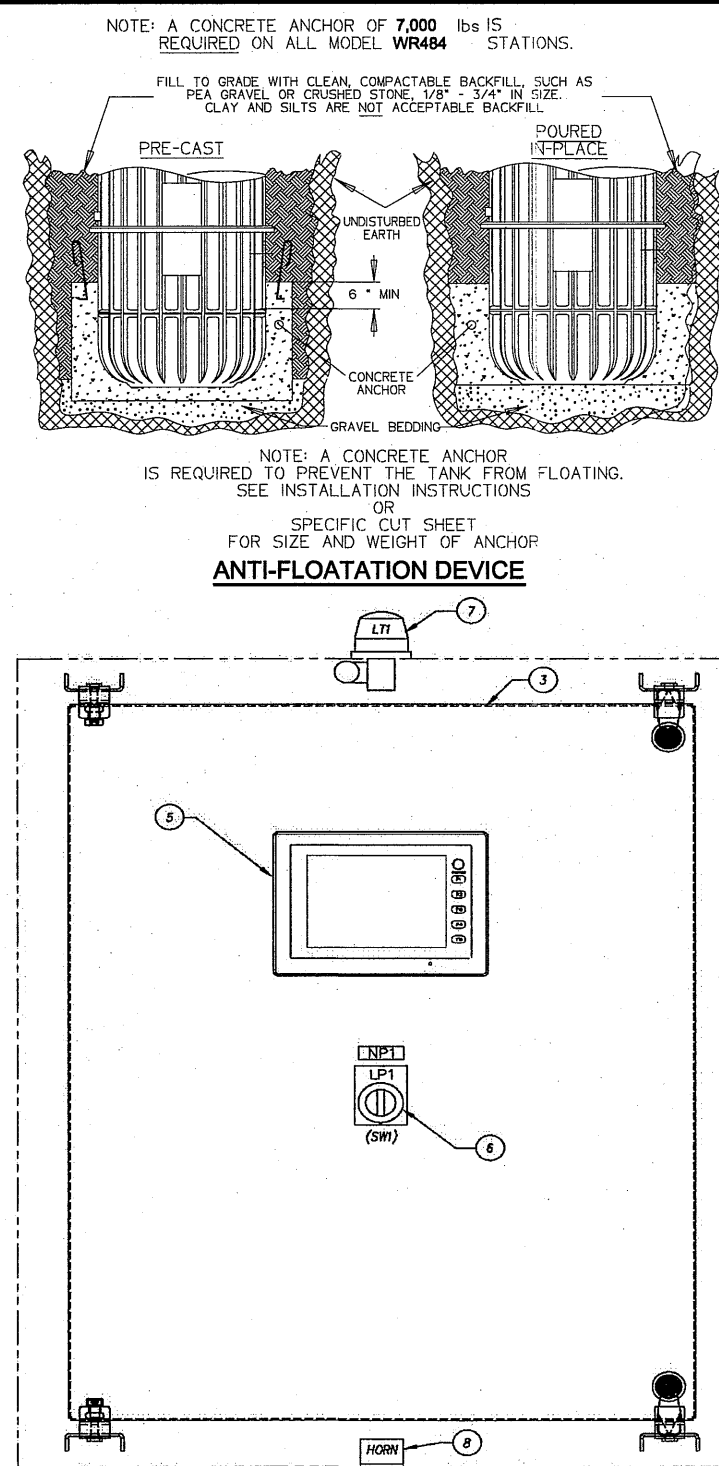
1. SECURELY STRIP ALL PIPE AND FITTINGS TO INSIDE OF MANHOLE WITH STAINLESS STEEL STRAP AND EXPANSION ANCHORS.

FORCE MAIN TO MANHOLE CONNECTION DETAIL
NOT TO SCALE



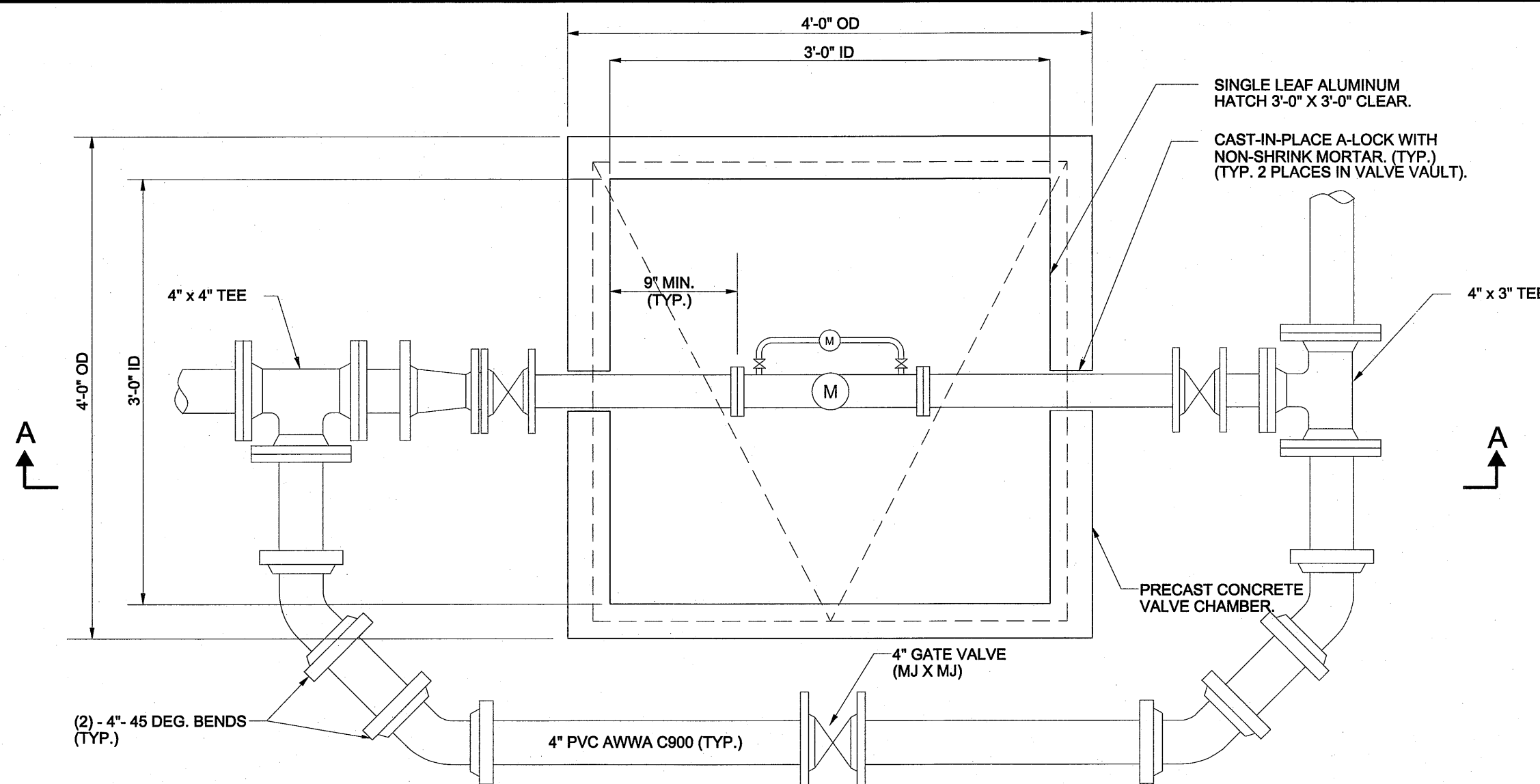
NOTE: DIMENSIONS ARE FOR REFERENCE ONLY

QUADPLEX GRINDER PUMP DETAIL

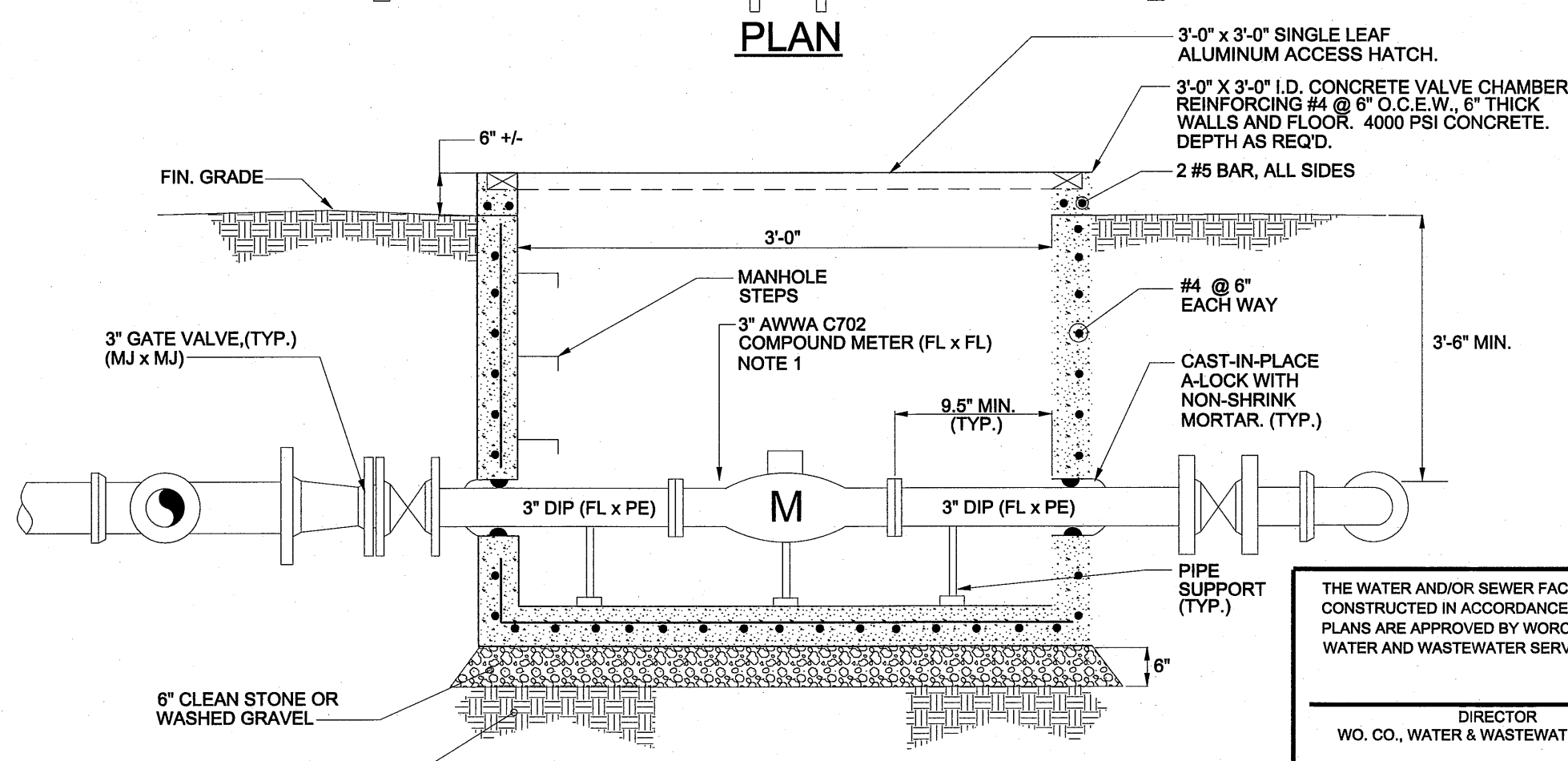


CONTROL CABLE:
TYPE TC: DIRECT BURIAL, 12AWG, SIX CONDUCTOR.
QUADPLEX CONTROL PANEL

QUADPLEX GRINDER PUMP - MODEL WR484 NO BAFFLE
NOT TO SCALE



PLAN



SECTION A-A

NOTES:

- 1) RADIO READ R9000 ECODER HEAD WITH ANTENNA MOUNTED ON HINGE SIDE OF LID.

DIAMETER (d) OF PIPE	6" OR LESS	8"	12" OR GREATER
HOR. ANGLE: Δ FROM 10° TO 45°	A: 0.75 FT	1.0 FT	1.5 FT
HOR. ANGLE: Δ FROM 46° TO 90°	A: 1.0 FT	1.5 FT	2.0 FT
TEE CONNECTION:	A: 1.5 FT	1.75 FT	2.5 FT
VERTICAL BEND #5 BAR:	A: 2.0 FT B: 1.5 FT	3.0 FT 2.0 FT	4.0 FT 3.0 FT
PLUG OR CMP	A: 1.25 FT	1.5 FT	2.5 FT

THRUST BLOCK DETAIL
(REF. AWWA C800)
NOT TO SCALE

- 1) ALL HORIZONTAL BENDS SHALL HAVE CONCRETE THRUST BLOCKS WITH MINIMUM BEARING AREAS AGAINST UNDISTURBED SOIL, AS SHOWN IN THIS DRAWING.
- 2) BEARING AREAS ARE BASED UPON UNDISTURBED SOIL WITH A MINIMUM BEARING CAPACITY OF 0.5 TONS PER SQUARE FOOT. FOR LESSER SOIL CAPACITY, THESE AREAS SHALL BE INCREASED ACCORDINGLY.
- 3) THRUST BLOCKS SHALL BE POURED DIRECTLY AGAINST TRENCH WALLS.
- 4) NO JOINT SHALL BE COVERED WITH CONCRETE.
- 5) CONCRETE SHALL BE OF A MINIMUM OF 2500 P.S.I. STRENGTH.

THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY WATER AND WASTEWATER SERVICES

DIRECTOR
WO. CO., WATER & WASTEWATER SERVICES

THE WATER AND/OR SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY DEPARTMENT OF PUBLIC WORKS.

DIRECTOR
WO. CO., DEPARTMENT OF PUBLIC WORKS

DESIGNED BY: JWS3
DRAWN BY: DAD
CHECKED BY: JWS3

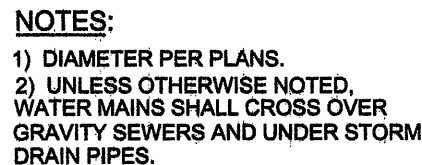
JOHN W. SALM, III
REVISIONS
9/13/19
10/22/19
MARYLAND PROFESSIONAL ENGINEER LICENSE NO.: 19731

WATER AND SEWER DETAILS

ATLANTIC GENERAL MEDICAL CENTER
PARCEL 66A, TAX MAP 21

THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND
J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

SCALE: NOT TO SCALE
DATE: DEC. 2018
DRAWING No.: 391-01-009
SHEET No.: 9 of 12



1. SHOP DRAWINGS SHALL BE ORIGINAL DRAWINGS, PREPARED BY THE CONTRACTOR, SUBCONTRACTOR, SUPPLIER OR DISTRIBUTOR, WHICH ILLUSTRATE SOME PORTION OF THE WORK, SHOWING, FABRICATION, LAYOUT, SETTING OR ERECTION DETAILS.

2. PRESENT SHOP DRAWINGS IN A CLEAR AND THOROUGH MANNER. DETAILS SHALL BE IDENTIFIED BY REFERENCE TO SHEET AND DETAIL, OR SCHEDULE SHOWN ON THESE DRAWINGS.

3. REPRODUCTIONS OF MARKED CONTRACT DRAWINGS WILL NOT BE ACCEPTABLE.

4. THE CONTRACTOR SHALL SUBMIT THE SPECIFIED NUMBER OF COPIES OF SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL. AT THE TIME OF SUBMISSION, THE CONTRACTOR SHALL CALL TO THE ENGINEER'S ATTENTION, IN WRITING, ANY DEVIATIONS THAT THE SHOP DRAWINGS MAY HAVE FROM THE REQUIREMENTS OF THE DRAWINGS AND SPECIFICATIONS. ALL SHOP DRAWINGS SHALL BE SUBMITTED WITH AN INDEX AND A COVER LETTER MARKED EITHER "SUBMITTED AS SPECIFIED" OR "SUBMITTED AS EQUAL TO SPECIFIED".

5. EACH COPY OF THE SHOP DRAWINGS SHALL BE MARKED TO IDENTIFY ALL OPTIONS OR FEATURES THE EQUIPMENT WILL CONTAIN.

6. ALL SHOP DRAWINGS, REGARDLESS IF "SUBMITTED AS SPECIFIED" OR "SUBMITTED AS EQUAL TO SPECIFIED", SHALL BE FURNISHED WITH COMPLETE, SPECIFIC DETAILED INFORMATION FROM THE MANUFACTURER OR SUPPLIER OF THE MATERIAL OR EQUIPMENT THE CONTRACTOR PROPOSES TO FURNISH, IN WHICH THE REQUIREMENTS OF THE SPECIFICATIONS ARE CLEARLY SHOWN TO BE MET. THIS SHALL INCLUDE A POINT BY POINT COMPARISON WITH THE DETAIL REQUIREMENTS OF THE SPECIFICATIONS.

7. WHERE ANY ARTICLE IS SPECIFIED BY TRADE NAME OR NAME OF MANUFACTURER, WITH OR WITHOUT THE CLAUSE "OR EQUAL", IT IS INTENDED TO ESTABLISH THE QUALITY OF THE ARTICLE. THE CONTRACTOR MAY PROPOSE TO USE MATERIAL OR EQUIPMENT OF ANY OTHER MANUFACTURER AS AN "OR EQUAL" TO MATERIALS OR EQUIPMENT SPECIFIED.

8. SUBSTITUTION OF EQUIPMENT OR MATERIALS OTHER THAN THOSE SPECIFIED WILL BE CONSIDERED, PROVIDING, IN THE OPINION OF THE ENGINEER, SUCH EQUIPMENT OR MATERIAL IS EQUAL TO OR BETTER THAN THAT SPECIFIED. THE DECISION OF THE ENGINEER WITH RESPECT TO APPROVAL OR DISAPPROVAL OF ANY MATERIAL OR EQUIPMENT PROPOSED TO BE SUBSTITUTED AS AN "OR EQUAL" IS FINAL. THE CONTRACTOR SHALL HAVE NO CLAIM OF ANY SORT BY REASON OF SUCH DECISION.

9. IF THE CONTRACTOR PROPOSES TO SUBSTITUTE MATERIALS OR EQUIPMENT AS AN "OR EQUAL" TO THOSE SPECIFIED, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FURNISH, IN ADDITION TO THE REQUIRED INFORMATION LISTED ABOVE, A POINT BY POINT COMPARISON OF THE MATERIAL OR EQUIPMENT SPECIFIED ON THESE DRAWINGS WITH THAT PROPOSED TO BE SUBSTITUTED. THE BURDEN OF RESPONSIBILITY IN FURNISHING THIS INFORMATION IS WITH THE CONTRACTOR.

10. **PRODUCT DATA (SUBMIT SEVEN (7) COPIES)**

A) CLEARLY MARK EACH COPY TO IDENTIFY PERTINENT PRODUCTS OR MODELS. DELETE BY CLEARLY MARKING ALL NON-APPLICABLE INFORMATION. SHOW PERFORMANCE CHARACTERISTICS AND CAPACITIES. SHOW DIMENSIONS AND CLEARANCES REQUIRED. SHOW WIRING AND PIPING DIAGRAMS AND CONTROLS.

B) MANUFACTURER'S STANDARD SCHEMATIC DRAWINGS AND DIAGRAMS SHALL BE MODIFIED TO DELETE INFORMATION NOT APPLICABLE TO THE WORK AND BE SUPPLEMENTED TO PROVIDE INFORMATION SPECIFICALLY APPLICABLE TO THE WORK.

C) MANUFACTURER'S CATALOG SHEETS, BROCHURES, DIAGRAMS, ILLUSTRATIONS AND OTHER STANDARD DESCRIPTIVE DATA SHALL BE CLEARLY MARKED TO IDENTIFY PERTINENT MATERIALS, PRODUCTS OR MODELS AND SHOW DIMENSIONS AND CLEARANCES REQUIRED.

11. **CERTIFICATIONS (CERTIFICATES OF COMPLIANCE) (SUBMIT SEVEN (7) COPIES)**

A) THE ENGINEER MAY PERMIT USE, BEFORE SAMPLING, AND TESTING OF CERTAIN MATERIALS OR ASSEMBLIES ACCOMPANIED BY CERTIFICATES OF COMPLIANCE STATING THAT SUCH MATERIALS OR ASSEMBLIES FULLY COMPLY WITH THESE DRAWINGS. THE CERTIFICATE SHALL BE SIGNED BY THE MANUFACTURER. EACH LOT OF MATERIALS OR ASSEMBLIES DELIVERED MUST BE ACCOMPANIED BY A CERTIFICATE OF COMPLIANCE IN WHICH THE LOT IS CLEARLY IDENTIFIED.

B) MATERIALS OR ASSEMBLIES USED ON THE BASIS OF CERTIFICATES OF COMPLIANCE MAY BE SAMPLED AND TESTED AT ANY TIME. IF FOUND NOT IN CONFORMITY WITH THESE DRAWINGS, THEY WILL BE SUBJECT TO REJECTION WHETHER IN PLACE OR NOT.

C) THE FORM AND DISTRIBUTION OF CERTIFICATES OF COMPLIANCE SHALL BE AS APPROVED BY THE ENGINEER.

D) THE ENGINEER RESERVES THE RIGHT TO REFUSE PERMISSION FOR USE OF MATERIALS OR ASSEMBLIES ON THE BASIS OF CERTIFICATES OF COMPLIANCE.

E) ALL MATERIALS USED SHALL BE INSPECTED, SAMPLED AND TESTED IN ACCORDANCE WITH THESE REQUIREMENTS AND OTHERS AS SET FORTH ELSEWHERE IN THESE DRAWINGS, IN WHICH PARTICULAR REFERENCE IS MADE TO A SPECIFIC MATERIAL. UNLESS OTHERWISE DESIGNATED, TESTS WILL BE MADE IN ACCORDANCE WITH THE MOST RECENTLY PUBLISHED, CITED STANDARD, TENTATIVE OR INTERIM, METHODS OF ASHTO, ASTM, AWWA, WORCESTER COUNTY, OR OTHERS WHICH ARE CURRENT AS OF THE DATE OF ADVERTISEMENT FOR BIDS. THESE TESTS WILL BE MADE AT THE EXPENSE OF THE OWNER, UNLESS OTHERWISE SPECIFIED.

ENGINEER WILL REVIEW FOR THE DESIGN CONCEPT OF THE PROJECT AND THE INFORMATION GIVEN ON THE DRAWINGS.

Q) REVIEW OF SEPARATE ITEM DOES NOT CONSTITUTE REVIEW OF AN ASSEMBLY IN WHICH ITEM FUNCTIONS.

D) AFFIX STAMP AND INITIALS OR SIGNATURE CERTIFYING REVIEW OF SUBMITTAL.

E) RETURN SUBMITTALS TO CONTRACTOR FOR DISTRIBUTION OR RESUBMITTAL.

F) SHOP DRAWINGS REQUIRING RESUBMITTAL SHALL BE RETURNED TO THE CONTRACTOR WITHIN 14 DAYS OF RECEIPT OF RESUBMISSION AT THE ENGINEER'S OFFICE. NO EXTENSION OF TIME OR ADJUSTMENT OF COST SHALL BE ALLOWED DUE TO REJECTION OF DEFICIENT OR INCORRECT SHOP DRAWINGS.

G) THE ENGINEER WILL REVIEW AND STAMP THE SHOP DRAWINGS IN ONE OF THE FOLLOWING WAYS:

- 1) ACCEPTED AS SPECIFIED
- 2) ACCEPTED AS EQUAL TO SPECIFIED
- 3) ACCEPTED AS NOTED
- 4) REVISE AND RESUBMIT
- 5) REJECTED
- 6) INFORMATIONAL PURPOSES ONLY

H) CORRECTIONS OR COMMENTS ON THE SHOP DRAWINGS DURING THE ENGINEER'S REVIEW DO NOT RELIEVE THE CONTRACTOR FROM COMPLIANCE WITHIN THE REQUIREMENTS OF THE DRAWINGS. THE OWNER OR ENGINEER WILL NOT BE RESPONSIBLE FOR ERRORS OR OMISSIONS ON ANY DRAWINGS OR INFORMATION FURNISHED BY THE CONTRACTOR, EVEN THOUGH DRAWINGS CONTAINING SUCH ERRORS ARE INADVERTENTLY APPROVED. THE ENGINEER'S REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE DESIGN CONCEPT OF THE PROJECT AND GENERAL COMPLIANCE WITH THE INFORMATION GIVEN ON THE DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR CONFORMING AND CORRELATING ALL QUANTITIES AND DIMENSIONS; SELECTING FABRICATION PROCESSES AND TECHNIQUES OF CONSTRUCTION; AND IN PERFORMING THIS WORK IN A SAFE MANNER. IF THE SUBMITTAL DRAWINGS OR OTHER INFORMATION DEVIATE FROM THESE DRAWINGS, THE CONTRACTOR SHALL ADVISE THE ENGINEER OF THE DEVIATIONS, IN WRITING ACCOMPANYING THE SHOP DRAWINGS, INCLUDING THE REASONS FOR THE DEVIATIONS, AND SHALL REQUEST A DEVIATION FROM THESE DRAWINGS.

F) ACCEPTANCE TESTING BY THE OWNER AS DESCRIBED HERE AND ELSEWHERE IS NOT CONSIDERED AS A REPLACEMENT FOR CONTROL TESTING CONDUCTED BY THE CONTRACTOR OR MANUFACTURER PRODUCING MATERIALS FOR THE CONTRACTOR WHEN THE CONTRACTOR OR MANUFACTURER IS NOT PROVIDING ADEQUATE CONTROL TESTING FACILITIES ON HIS OWN BEHALF. THE ENGINEER MAY REFUSE TO CARRY OUT RESAMPLING AND TESTING OF MATERIALS WHICH HAVE BEEN SHOWN TO BE DEFECTIVE BY NORMAL SAMPLING AND TESTING ROUTINES. THE ENGINEER MAY ALSO REFUSE TO RESAMPLE AND TEST DEFECTIVE MATERIALS UNTIL AND UNLESS CORRECTIVE ACTION HAS BEEN TAKEN BY THE CONTRACTOR OR THE MANUFACTURER.

A) CONTRACTOR'S RESPONSIBILITIES

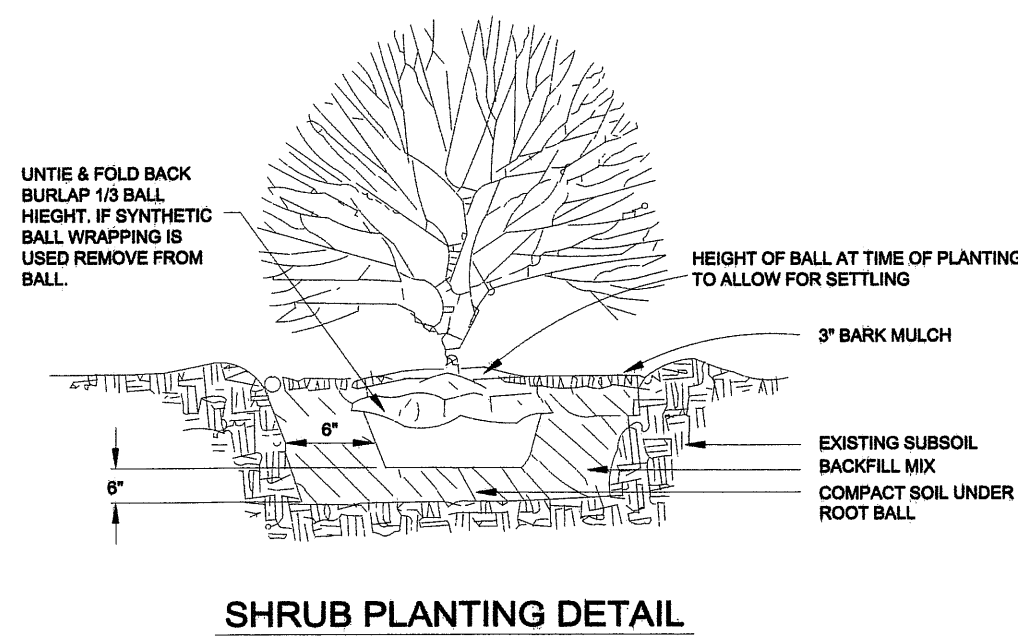
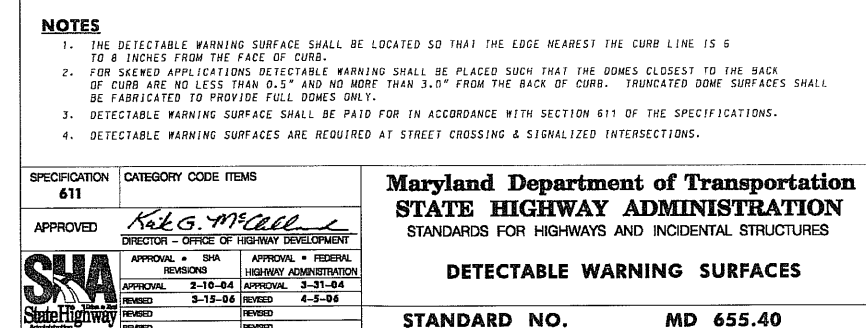
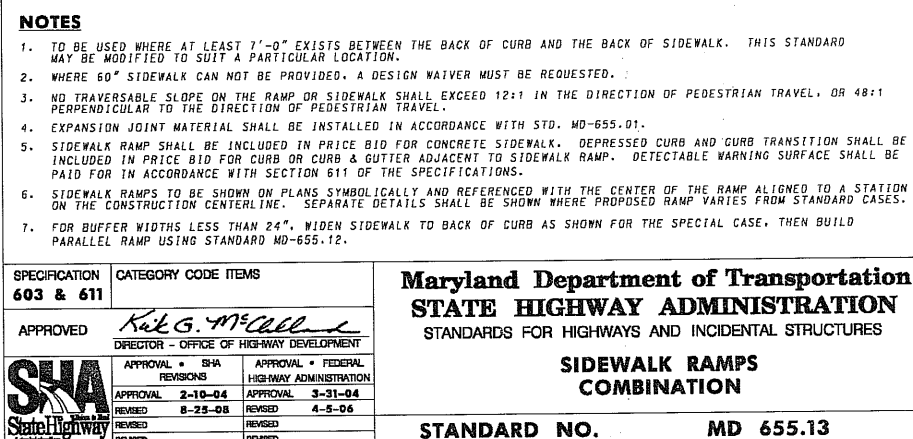
- a) REVIEW ALL SUBMITTALS PRIOR TO SUBMISSION.
- b) DETERMINE AND VERIFY: FIELD MEASUREMENTS, FIELD CONSTRUCTION CRITERIA, CATALOG NUMBERS AND SIMILAR DATA AND CONFORMANCE WITH DRAWINGS.
- c) COORDINATE EACH SUBMITTAL WITH REQUIREMENTS OF THE WORK AND OF THE DRAWINGS.
- d) CONTRACTOR'S RESPONSIBILITY FOR ERRORS AND OMISSIONS IN SUBMITTALS IS NOT RELIEVED BY ENGINEER'S REVIEW OF SUBMITTALS.
- e) CONTRACTOR'S RESPONSIBILITY FOR DEVIATIONS IN SUBMITTALS FROM REQUIREMENTS OF THE DRAWINGS IS NOT RELIEVED BY ENGINEER'S REVIEW OF SUBMITTALS, UNLESS ENGINEER GIVES WRITTEN ACCEPTANCE OF SPECIFIC DEVIATIONS.
- f) CONTRACTOR SHALL NOTIFY ENGINEER, IN WRITING AT TIME OF SUBMISSION, OF DEVIATIONS IN SUBMITTALS FROM REQUIREMENTS OF THESE DRAWINGS AND SPECIFICATIONS.
- g) CONTRACTOR SHALL BEGIN NO FABRICATION OR WORK WHICH REQUIRES SUBMITTALS UNTIL RETURN OF SUBMITTALS WITH ENGINEER'S STAMP AND INITIALS OR SIGNATURE INDICATING REVIEW AND APPROVAL.
- h) CONTRACTOR SHALL LEAVE AN 8" X 3" BLANK SPACE ON PAPER SUBMITTALS FOR THE ENGINEER'S STAMP.

5) RESUBMISSION REQUIREMENTS

- a) MAKE ANY CORRECTIONS OR CHANGES IN THE SUBMITTALS REQUIRED BY THE ENGINEER AND RESUBMIT UNTIL APPROVED.
- b) REVISIONS TO SHOP DRAWINGS AND PRODUCT DATA SHALL CONSIST OF REVISED, CLEAN COPIES, AS SPECIFIED FOR THE INITIAL SUBMITTAL. INDICATE ANY CHANGES MADE OTHER THAN THOSE REQUESTED BY THE ENGINEER.

6) ENGINEER'S DUTIES

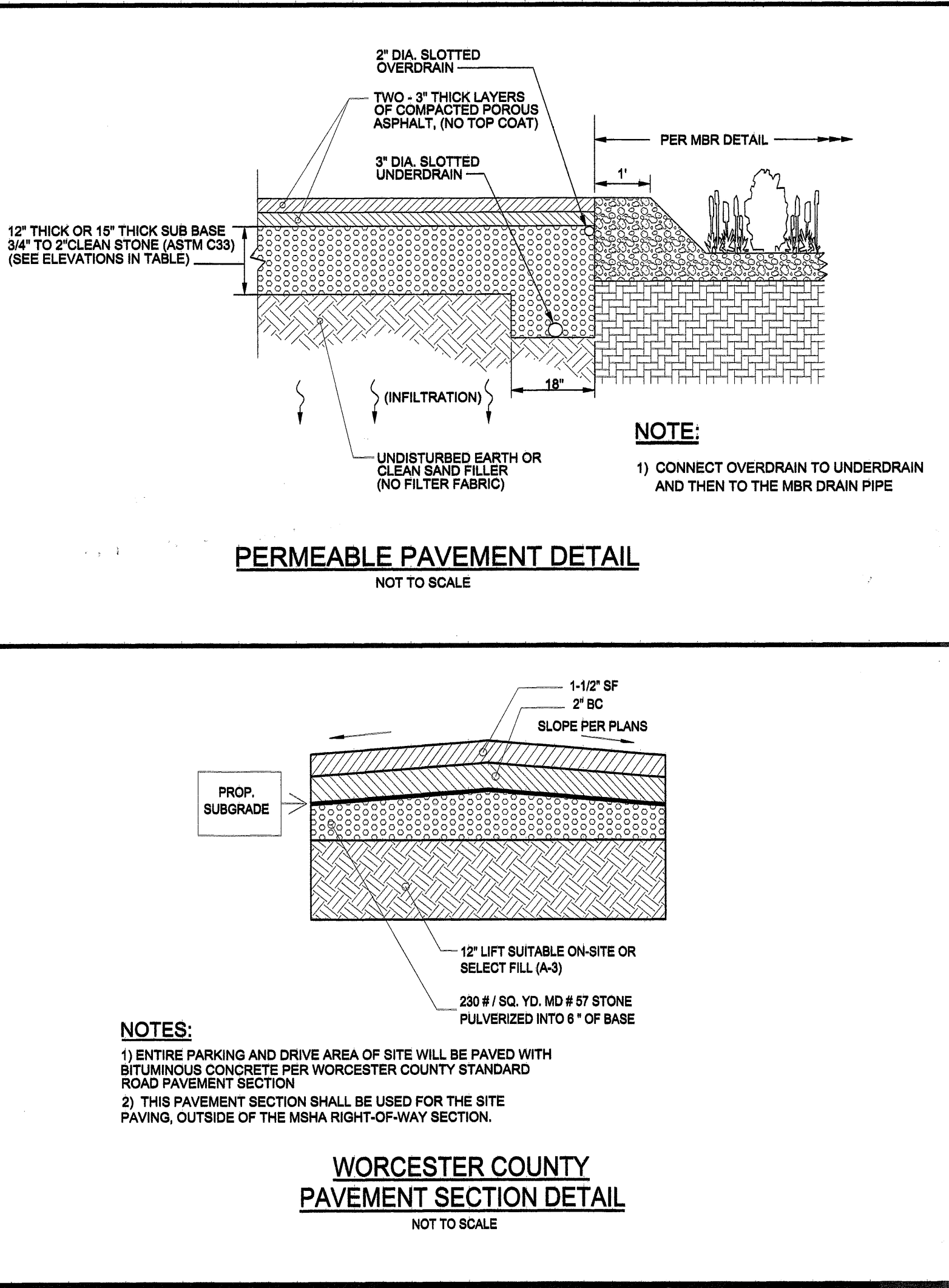
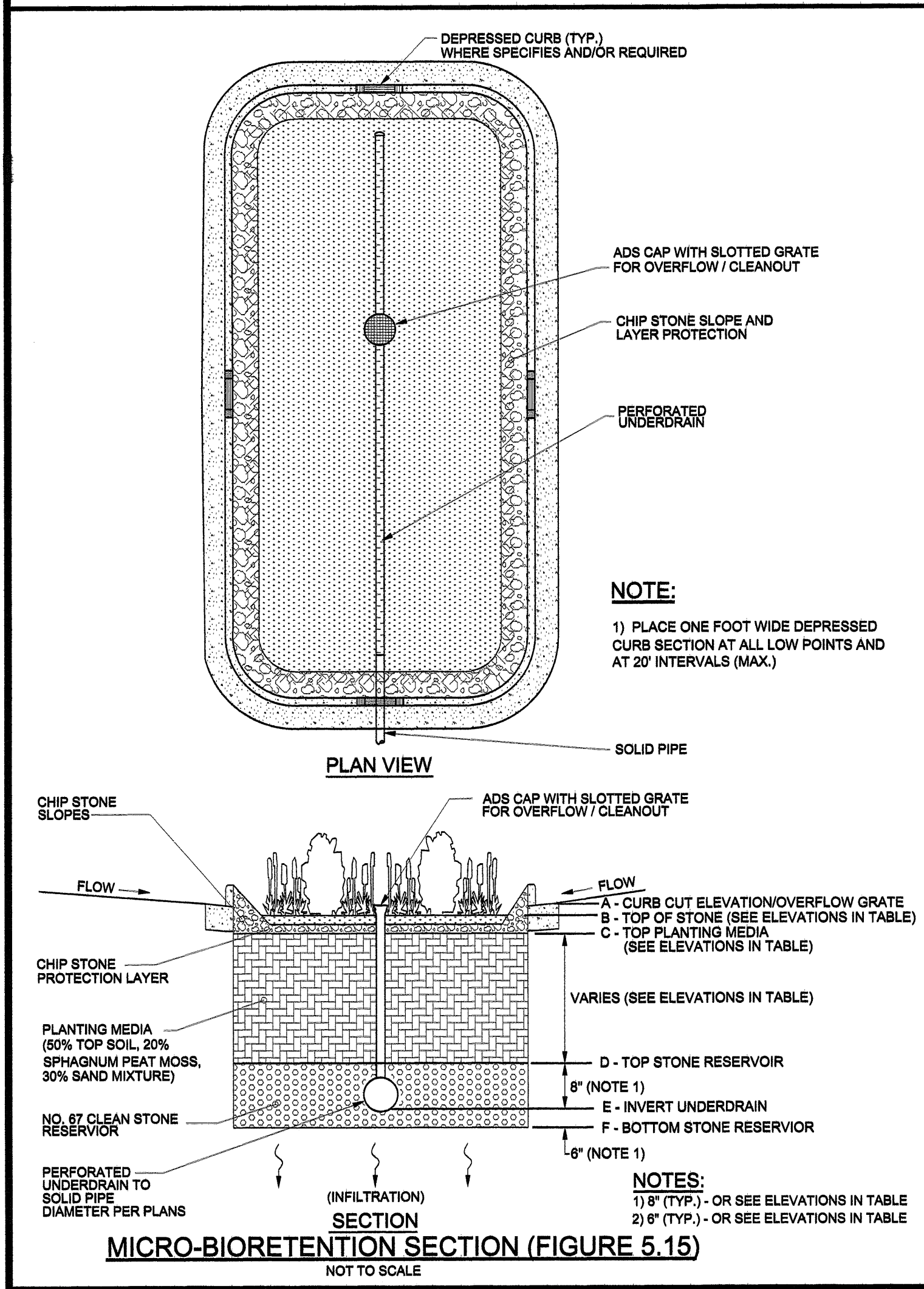
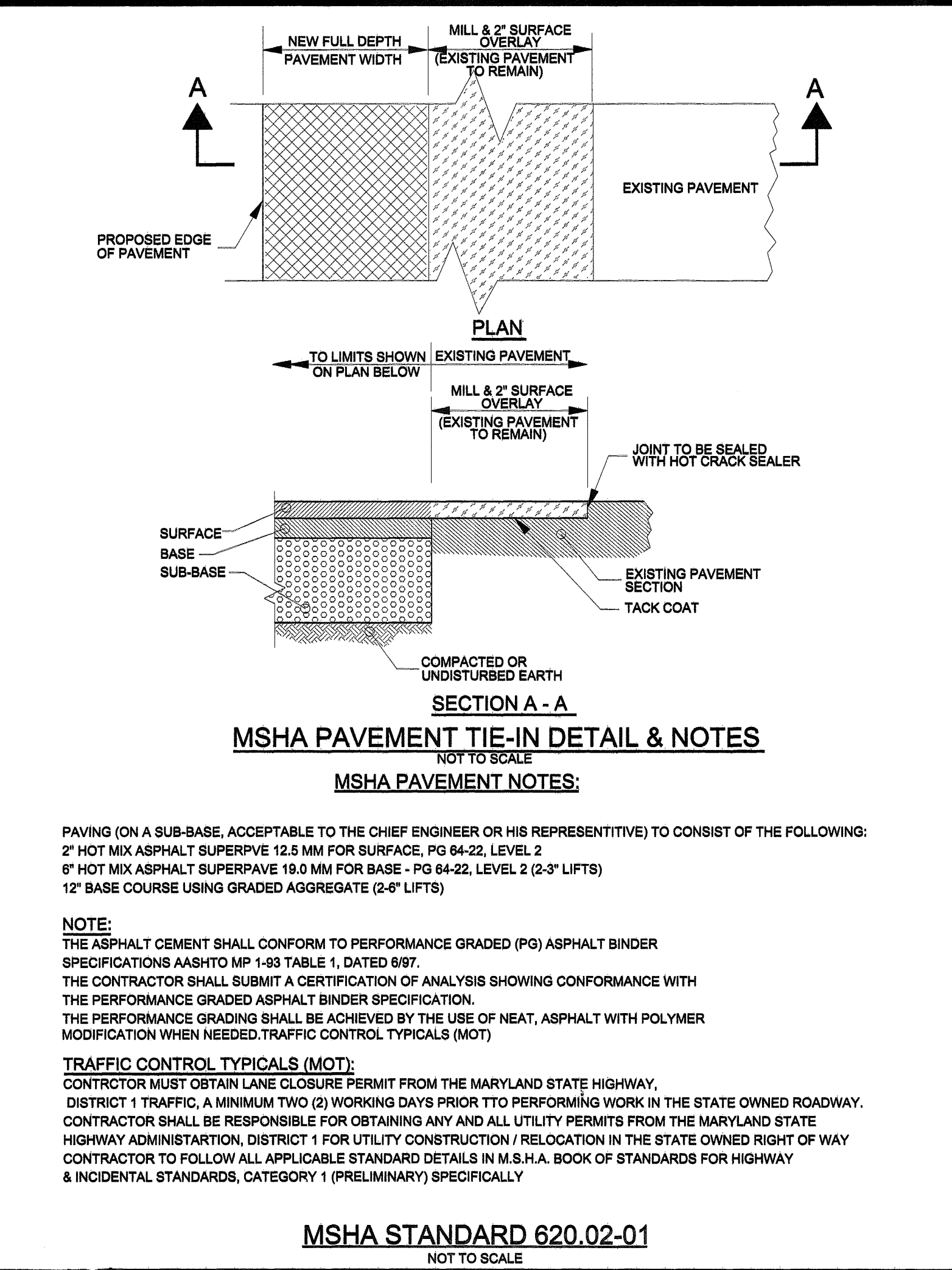
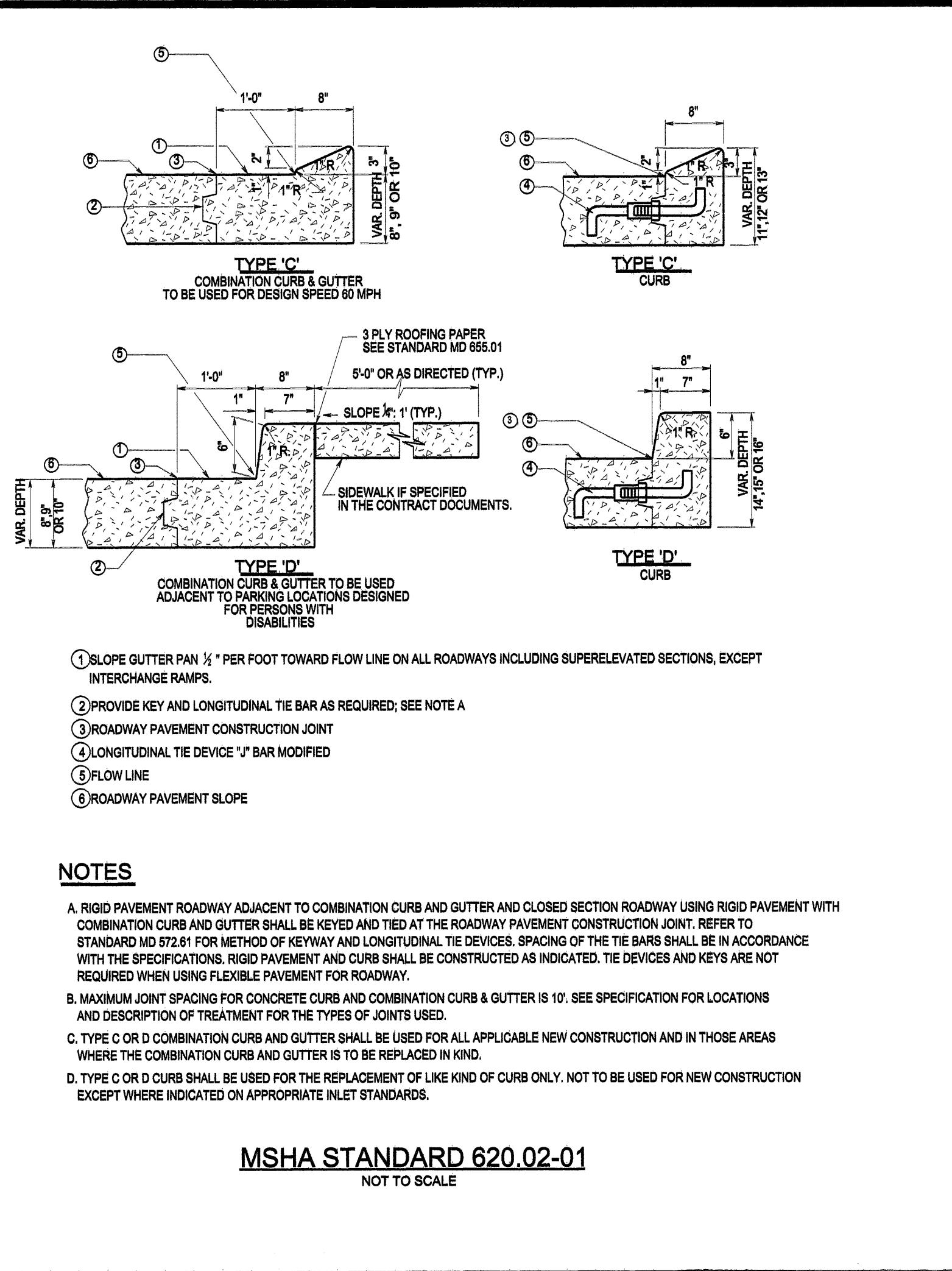
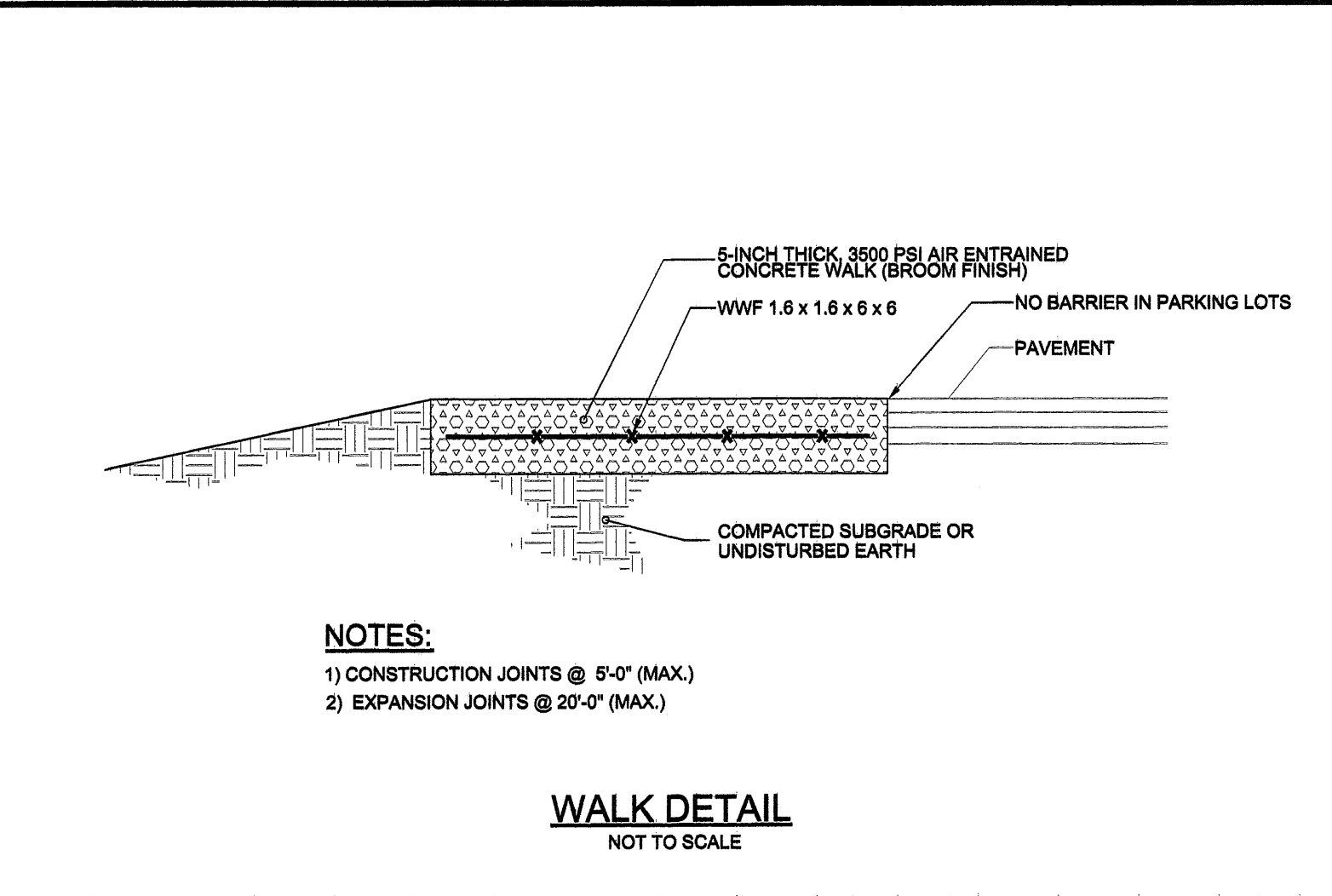
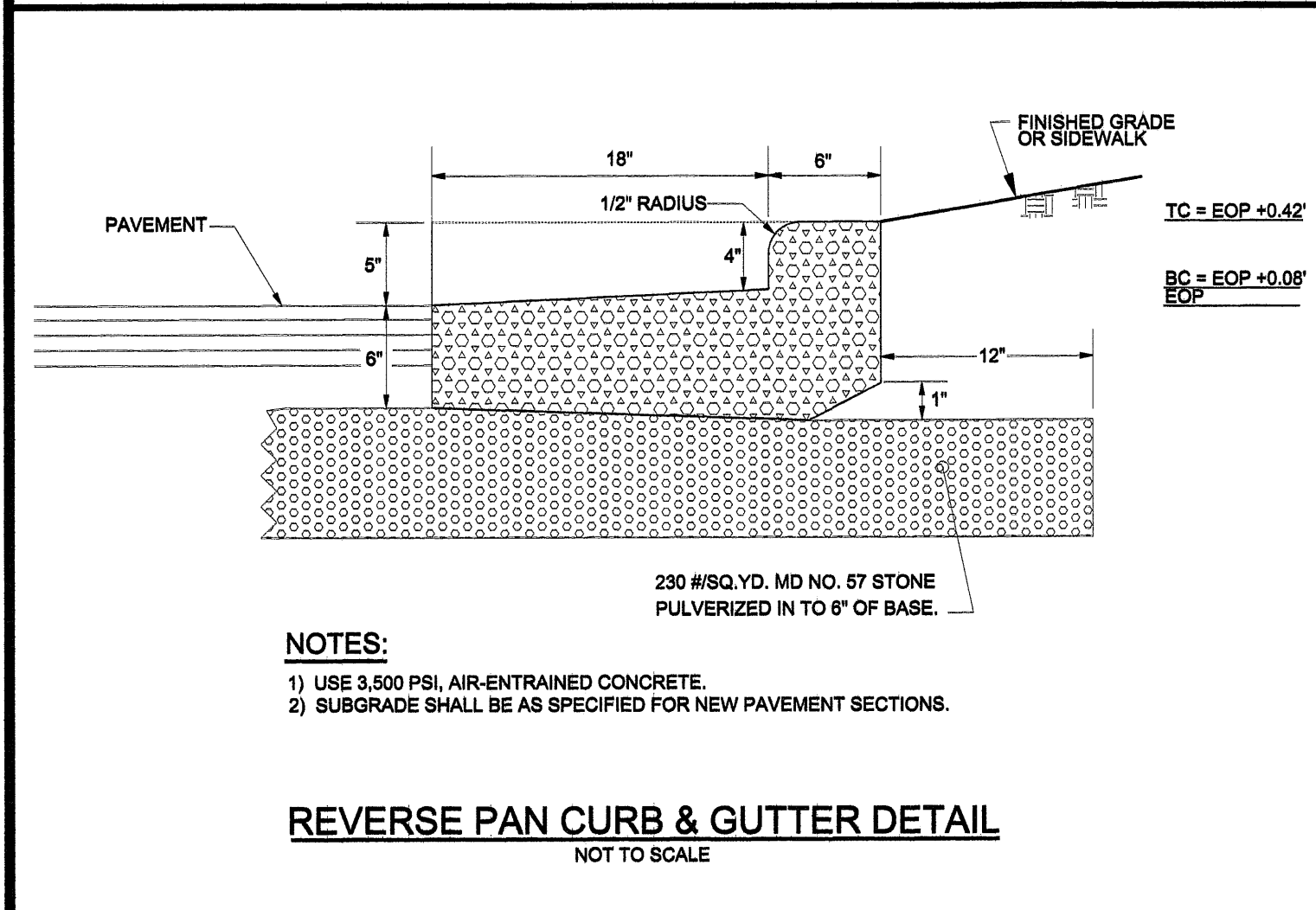
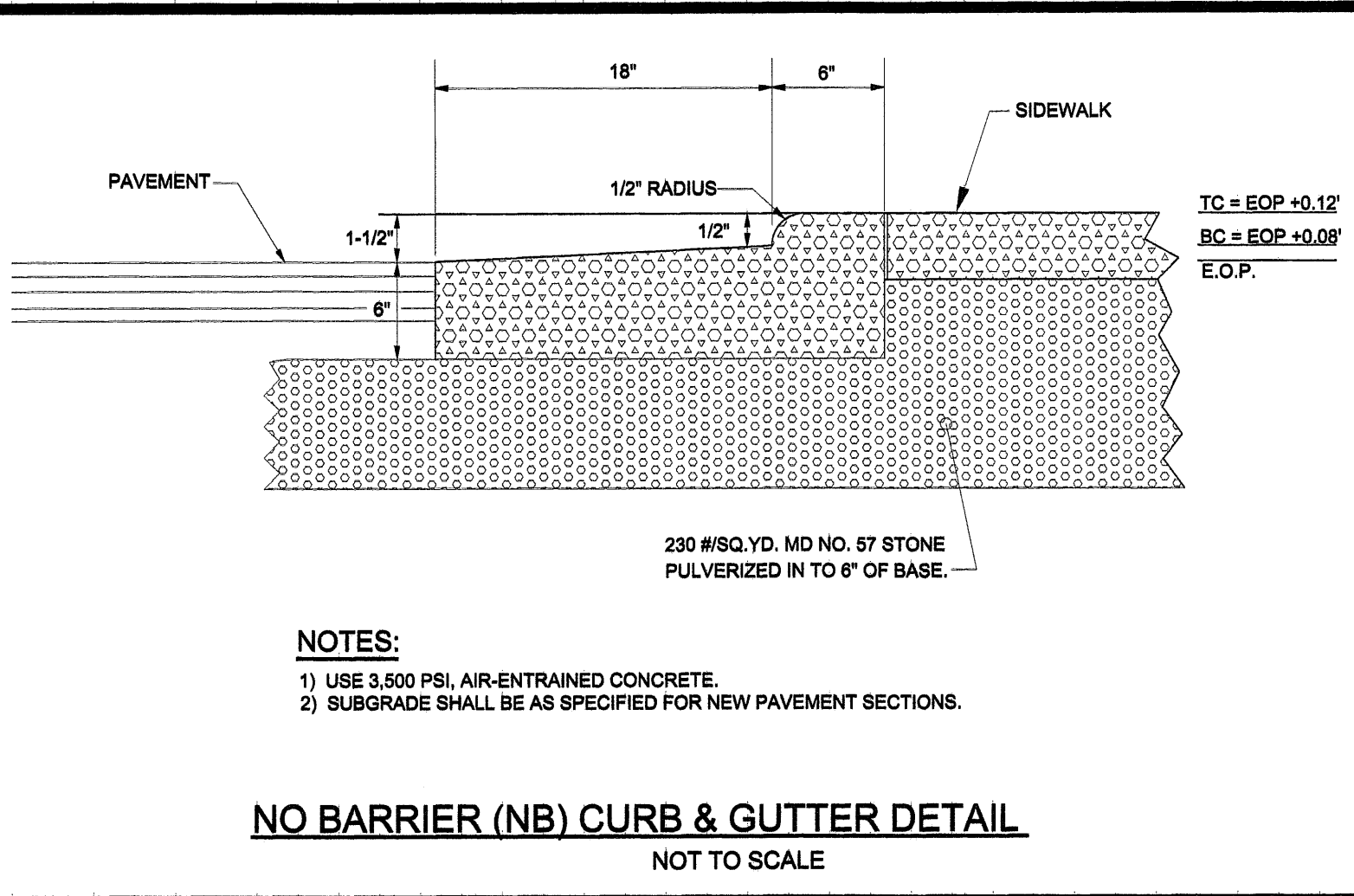
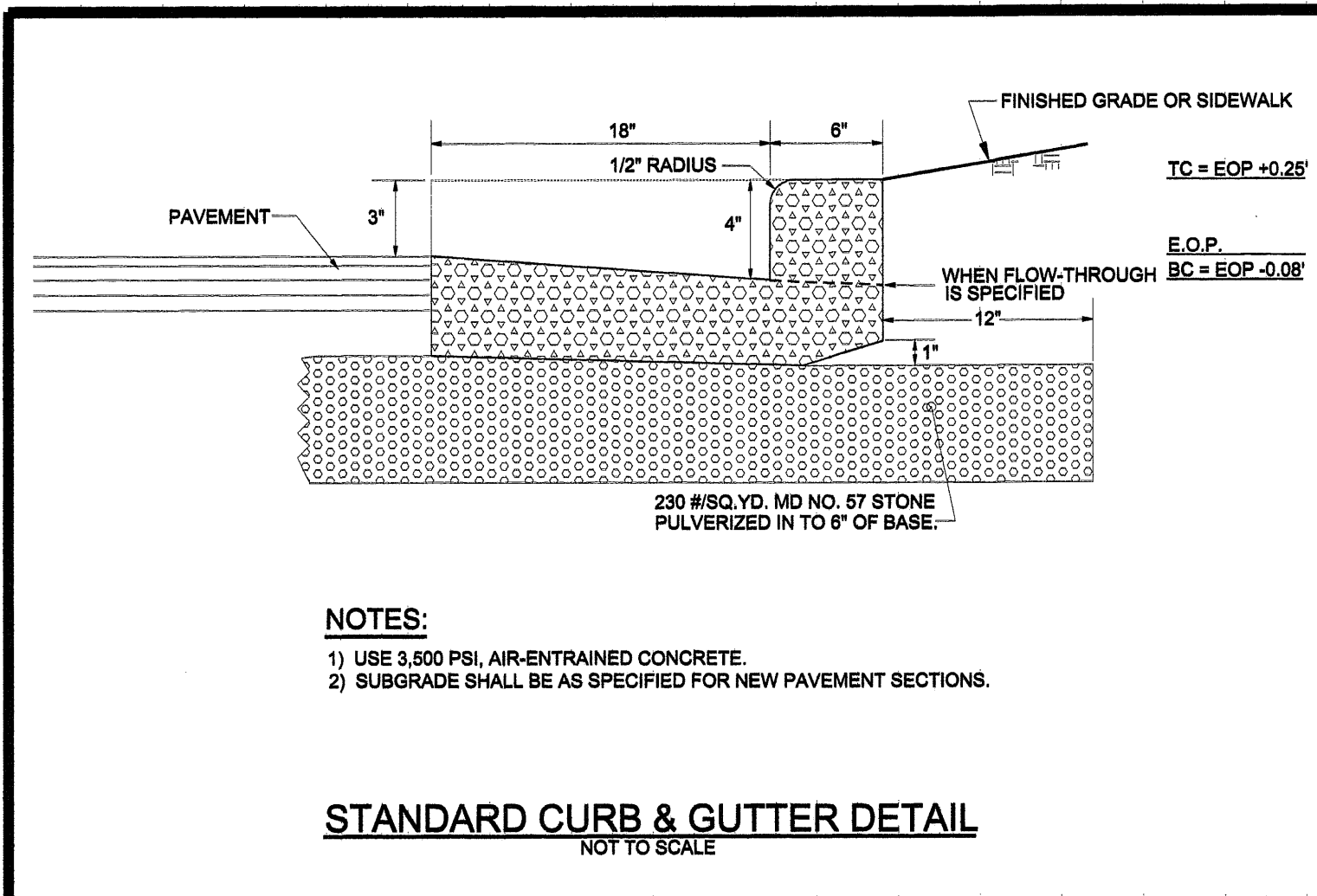
- a) REVIEW SUBMITTALS WITH REASONABLE PROMPTNESS AS DETERMINED BY THE PROJECT SCHEDULE AND RETURN TO THE CONTRACTOR WITHIN 14 DAYS OF RECEIPT AT THE ENGINEER'S OFFICE.



SUBMIT TO THE ENGINEER, SHOP DRAWINGS, CERTIFICATIONS, PRODUCT DATA AND SAMPLES FOR ITEMS LISTED IN THE FOLLOWING TABLE:

	SHOP DRAWINGS	CERTIFICATIONS	PRODUCT DATA
HDPE WATER MAIN AND FITTINGS	X	X	
PVC WATER MAIN		X	X
CAST OR DUCTILE IRON FITTINGS		X	X
DUCTILE IRON PIPE (FOR HYDRANT RUN-OUTS)		X	X
RETAINER GLANDS		X	X
GATE VALVES	X	X	
TRANSITION COUPLING	X	X	
FIRE HYDRANTS	X	X	
CASTINGS	X	X	
JOINT RESTRAINT		X	X
ENVIRONMENT ONE GRINDER PUMP	X	X	
PUMP CONTROL PANEL	X	X	

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 19731 OF EXPIRATION DATE: 06/30/2020	DESIGNED BY:	DRAWN BY:	CHECKED BY:	DETAILS AND NOTES			
	JWS3	DAD	JWS3	ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21 THIRD TAX DISTRICT, BERLIN, WORCESTER COUNTY, MARYLAND J. W. SALM ENGINEERING, INC. P. O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MD 21811			
	JOHN W. SALM, III		REVISIONS				
			A 4/17/19				
				SCALE:	DATE:	DRAWING NO.:	SHEET NO.:
				AS SHOWN	DEC. 2018	391-01-011	11 of 12



MICRO-BIORETENTION ELEVATION SUMMARY TABLE

MBR	1	2	3-8	18	19	10-17	9A	9B	9C
Sum of areas	5,445 S.F.	12,747 S.F.	3,540 S.F.	11,512 S.F.	8,765 S.F.	20,232 S.F.	1,717 S.F.	4,513 S.F.	4,304 S.F.
Underdrain invert	8.50 ft. el.	8.50 ft. el.	9.60 ft. el.	9.60 ft. el.	8.50 ft. el.	9.90 ft. el.	9.51 ft. el.	9.51 ft. el.	9.51 ft. el.
Underdrain diameter	18 inches	18 inches	8 inches	15 inches	15 inches	8 inches	8 inches	12 inches	15 inches
Culvert length	35 feet	95 feet	75 feet	80 feet	35 feet	125 feet	30 feet	30 feet	123 feet
Bottom of Stone	8.50	8.50	9.10	9.10	8.50	9.90	9.51	9.51	9.51
Stone Thickness	9.17	9.17	10.27	9.77	9.17	10.57	10.18	10.18	10.18
Media Thickness	1.60	1.60	1.00	1.00	1.50	2.00	2.00	1.59	0.72
Top of Media	10.77	10.77	11.27	10.77	10.67	12.57	12.18	11.77	10.90
Chip Layer Thickness	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33
Top of Chip	11.10	11.10	11.60	11.10	11.00	12.90	12.51	12.10	11.23
Storage	1.65	1.50	1.00	1.50	1.00	0.70	0.99	0.50	0.37
Overdrain Rim El.	12.75	12.60	12.60	12.60	11.50	13.60	13.50	12.60	11.60
Freeboard	0.75	0.90	0.30	0.90	2.00	0.30	0.50	0.40	1.40
Top of Bank: EL	13.50 feet	13.50 feet	13.50 feet	13.50 feet	13.50 feet	14.00 feet	13.00 feet	13.00 feet	13.00 feet
Top of Bank: Area	6445 S.F.	14336 S.F.	3540 S.F.	12485 S.F.	10324 S.F.	20232 S.F.	1717 S.F.	4513 S.F.	4839 S.F.

MBR #	S.A. (s.f.)	9A, 9B & 9C (s.f.)	PP #	S.A. (s.f.)	B-soil	C-soil
1	5,445	5,445	1	1,550	1,550	
2	12,747	12,747	2	1,550	1,550	
3	590	590	3	1,550	1,550	
4	590	590	4	1,550	1,550	
5	590	590	5	1,550	1,550	
6	590	590	6	1,550	1,550	
7	590	590	7	1,550	1,550	
8	590	590	8	1,550	1,550	
9A	1,717	1,717	9	1,550	1,550	
9B	4,513	4,513				
9C	4,304	4,304				
10	4,764	4,764	10	1,550	1,550	
11	2,717	2,717	11	1,550	1,550	
12	2,953	2,953	12	1,550	1,550	
13	1,579	1,579	13	1,550	1,550	
14	2,695	2,695	14	1,550	1,550	
15	1,579	1,579	15	1,550	1,550	
16	2,371	2,371	16	1,550	1,550	
17	1,574	1,574				
18	11,512	11,512				
19	8,765	8,765				
	72,775	42,009	30,766			
		10-17	20,232	17	2,000	2,000
				18	2,000	2,000
				19	2,000	2,000
				20	2,000	2,000
				21	2,000	2,000
				22	2,000	2,000
				23	2,000	2,000
				24	2,000	2,000
				25	2,000	2,000
				26	2,000	2,000
				27	2,000	2,000
				28	2,000	2,000
					48,800	41,050
						7,750
						54,559
						9,438
						95,609
						17,188

Pavement up 14.00 ft. el.
pavement dn 13.90 ft. el.
top of stone 13.75 ft. el.
bottom of stone 12.75 ft. el.
overdrain dia. 2 inches
overdrain invert 13.5 ft. el.
underdrain dia 3 inches
underdrain invert 12.5 ft. el.

Pavement up 13.00 ft. el.
pavement dn 12.90 ft. el.
top of stone 12.75 ft. el.
bottom of stone 11.50 ft. el.
overdrain dia. 2.00 inches
overdrain invert 12.50 ft. el.
underdrain dia 3.00 inches
underdrain invert 11.25 ft. el.

DETAILS AND NOTES

ATLANTIC GENERAL MEDICAL CENTER
PARCEL 66A, TAX MAP 21

DESIGNED BY: JWS3
DRAWN BY: DAD
CHECKED BY: JWS3

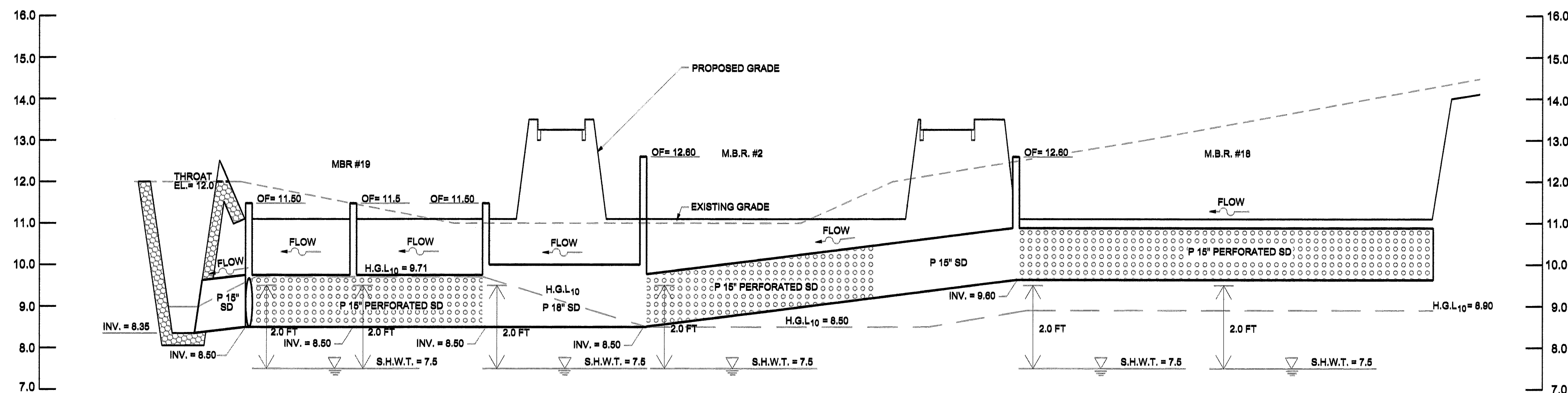
JOHN W. SALM, III
MARYLAND PROFESSIONAL ENGINEER LICENSE NO. 19731

REVISIONS:
4/17/19
6/17/19
9/13/19
10/22/19

THIRD TAX DISTRICT: BERLIN, WORCESTER COUNTY, MARYLAND

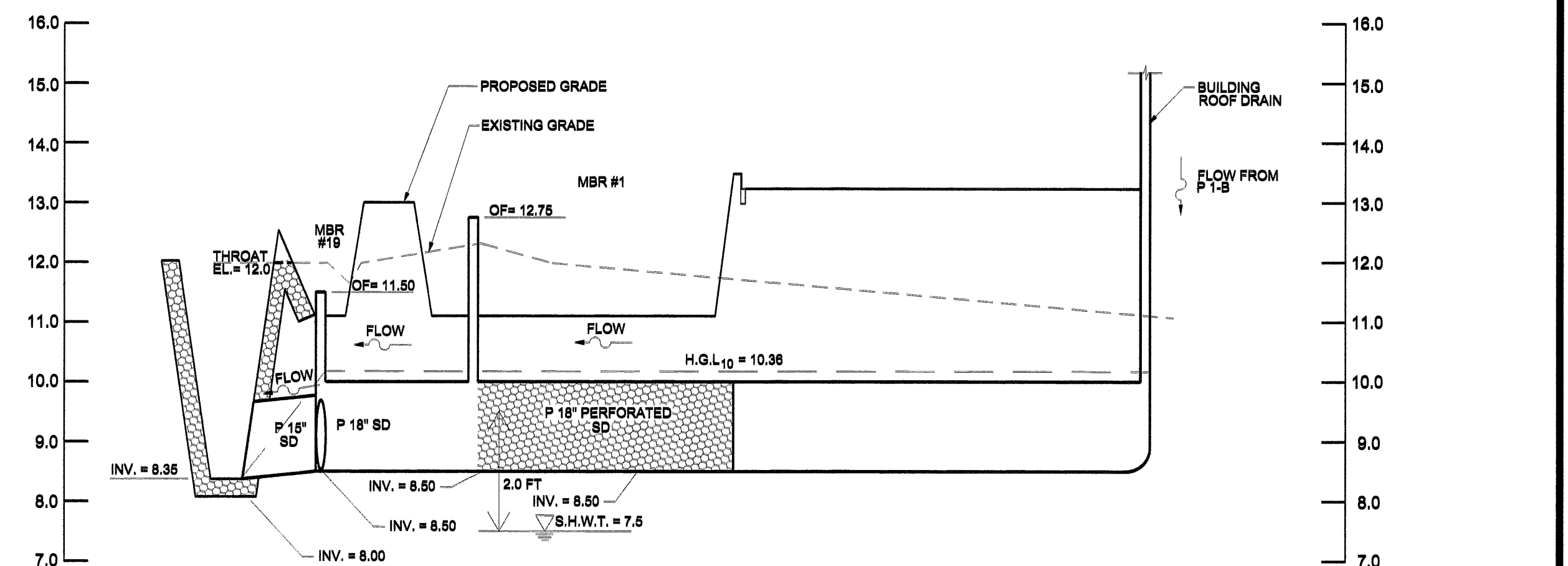
J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MARYLAND 21811

SCALE: N.T.S.
DATE: DEC. 2018
DRAWING No.: 391-01-012
SHEET No.: 12 of 12



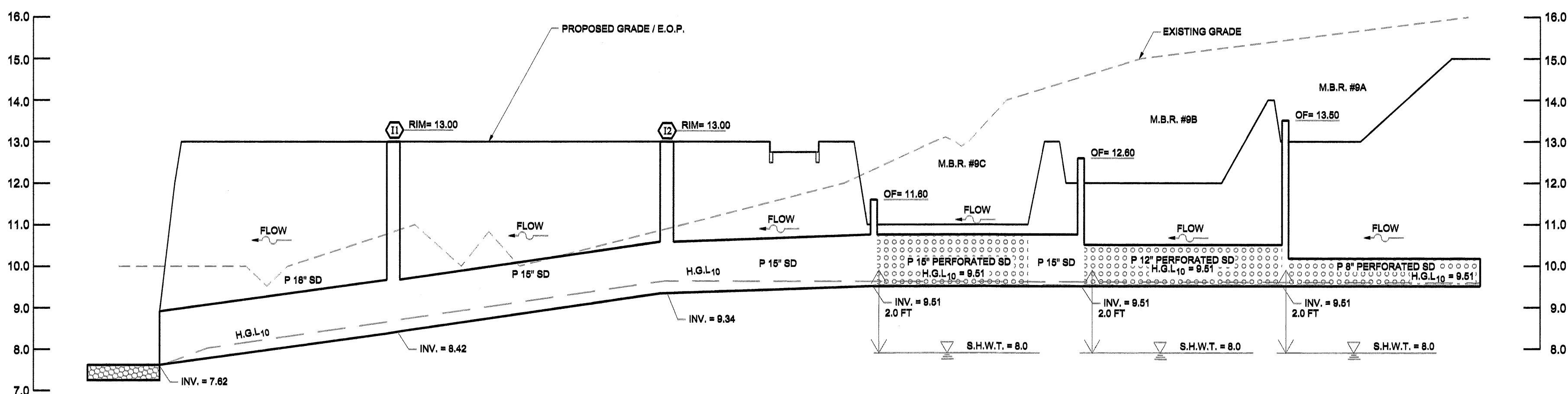
HGL COMPUTATIONS TAKEN FROM
HYDROCAD ANALYSIS IN SWM REPORT

SWM PROFILE THROUGH M.B.R. #18
NOT TO SCALE



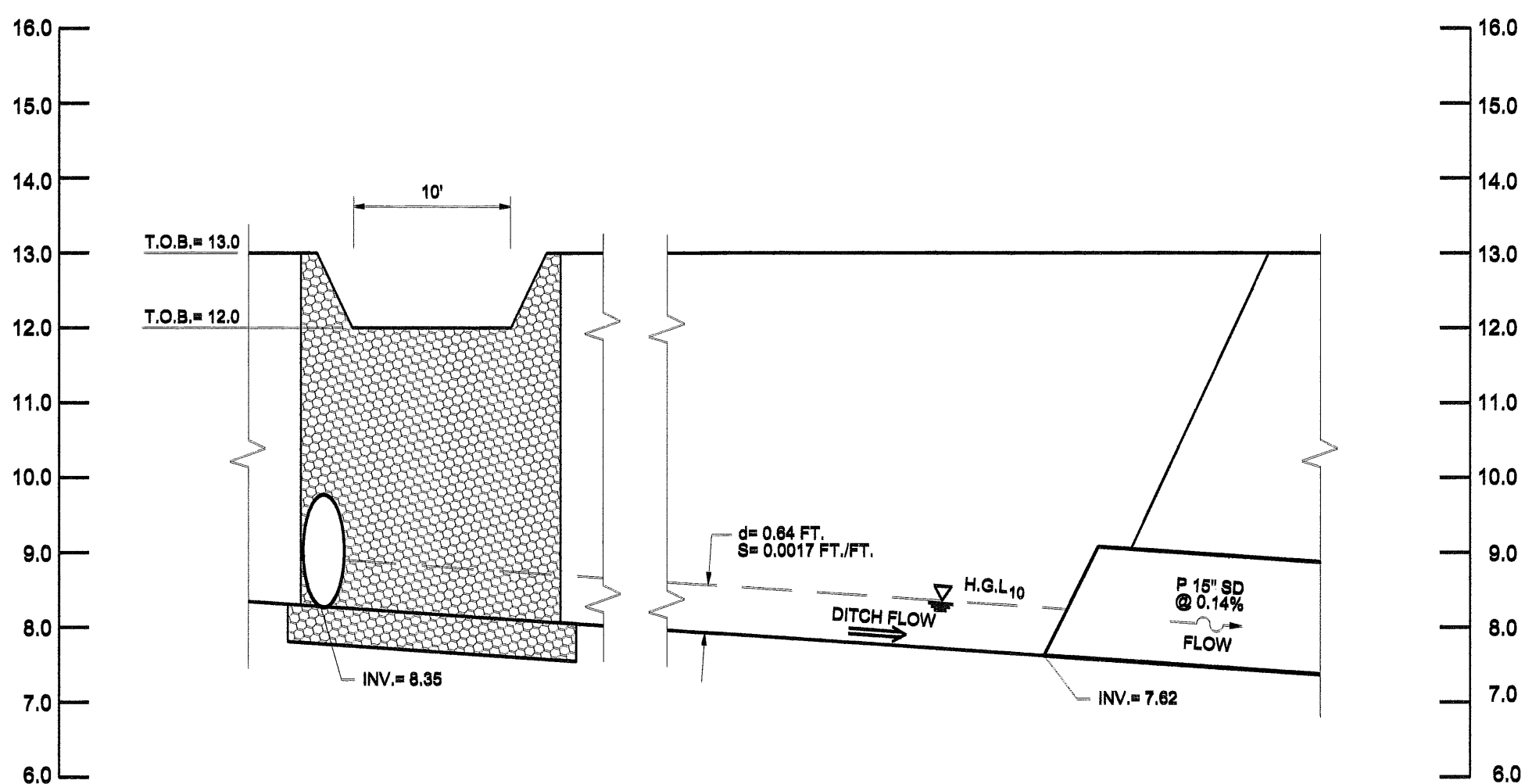
HGL COMPUTATIONS TAKEN FROM
HYDROCAD ANALYSIS IN SWM REPORT

SWM PROFILE THROUGH M.B.R. #1
NOT TO SCALE



HGL COMPUTATIONS TAKEN FROM
HYDROCAD ANALYSIS IN SWM REPORT

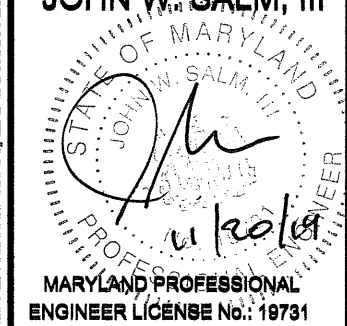
SWM PROFILE THROUGH M.B.R. #9A
NOT TO SCALE

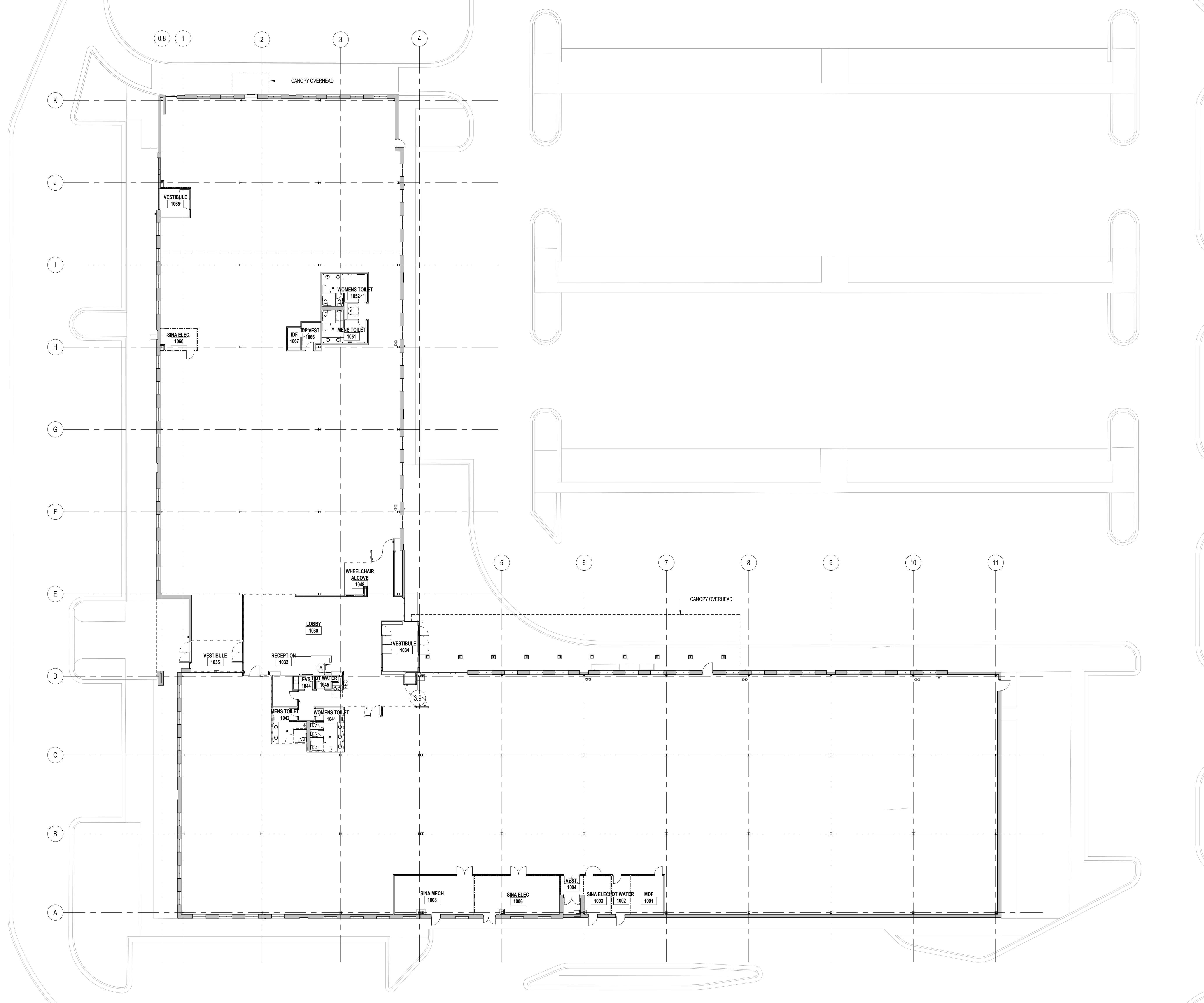


HGL COMPUTATIONS TAKEN FROM
HYDROCAD ANALYSIS IN SWM REPORT

PARTIAL SWM PROFILE OF OUTFALL 001
NOT TO SCALE

MBR:
OPERATION AND MAINTENANCE CRITERIA:
THE FOLLOWING ITEMS SHALL BE ADDRESSED TO ENSURE PROPER MAINTENANCE AND LONG-TERM PERFORMANCE OF MICRO-BIORETENTION PRACTICES:
1. THE TOP FEW INCHES OF FILTER MEDIA SHOULD BE REMOVED AND REPLACED WHEN WATER PONDS FOR MORE THAN 48 HOURS. SILT AND SEDIMENT SHOULD BE REMOVED FROM THE SURFACE OF THE FILTER BED WHEN ACCUMULATION EXCEEDS ONE INCH.
2. CHIP STONE SHOULD BE REPLACED AS REQUIRED.
3. OCCASIONAL PRUNING AND REPLACEMENT OF DEAD VEGETATION IS NECESSARY. IF SPECIFIC PLANTS ARE NOT SURVIVING, MORE APPROPRIATE SPECIES SHOULD BE PLANTED.
CONSTRUCTION INSPECTION SCHEDULE:
REGULAR INSPECTIONS SHALL BE MADE DURING THE FOLLOWING STAGES OF CONSTRUCTION:
1. DURING EXCAVATION TO SUBGRADE AND PLACEMENT AND BACKFILL OF UNDERDRAIN SYSTEMS.
2. DURING PLACEMENT OF FILTER MEDIA.
3. DURING CONSTRUCTION OF APPURTENANT CONVEYANCE.
4. UPON COMPLETION OF FINAL GRADING AND ESTABLISHMENT OF PERMANENT STABILIZATION.
PERMEABLE PAVEMENT:
OPERATION AND MAINTENANCE CRITERIA:
PERMEABLE PAVEMENT SHALL BE SWEEP REGULARLY AND VACUUMED PERIODICALLY (QUARTERLY), OR MORE FREQUENTLY WHEN A DECREASE IN PERMEABILITY IS NOTICED.
SWEEPING SHALL BE PERFORMED WITH A COMMERCIAL CLEANING UNIT. WASHING SYSTEMS AND COMPRESSED AIR UNITS SHALL NOT BE USED TO PERFORM SURFACE CLEANING.
DRAINAGE PIPES, INLETS, STONE EDGE DRAINS, AND OTHER WITHIN OR DRAINING TO THE SUBBASE SHOULD BE CLEANED OUT AT REGULAR INTERVALS.
TRUCKS AND OTHER HEAVY VEHICLES CAN GRIND DIRT AND GRIT INTO THE POROUS SURFACES, LEADING TO CLOGGING AND PREMATURE FAILURE. THESE VEHICLES SHALL BE PREVENTED FROM TRACKING AND SPILLING MATERIAL ONTO THE PAVEMENT.
DEICERS SHALL BE USED IN MODERATION. WHEN USED, DEICERS SHALL BE NON-TOXIC AND ORGANIC AND CAN BE APPLIED EITHER AS CALCIUM MAGNESIUM ACETATE OR AS PRETREATED SALT.
SNOW PLOWING SHALL BE DONE CAREFULLY WITH BLADES SET ONE-INCH HIGHER THAN NORMAL. PLOWED SNOW PILES AND SNOWMELT SHALL NOT BE DIRECTED TO PERMEABLE PAVEMENT.
CONSTRUCTION INSPECTION SCHEDULE:
REGULAR INSPECTIONS SHALL BE MADE DURING THE FOLLOWING STAGES OF CONSTRUCTION:
1. DURING EXCAVATION TO SUBGRADE.
2. DURING PLACEMENT AND BACKFILL OF ANY DRAINAGE OR DISTRIBUTION SYSTEMS.
3. DURING PLACEMENT OF THE CRUSHED STONE SUBBASE MATERIAL.
4. DURING PLACEMENT OF THE SURFACE MATERIAL.
5. UPON COMPLETION OF FINAL GRADING AND ESTABLISHMENT OF PERMANENT STABILIZATION.
STORMWATER MANAGEMENT SUPERVISION AND CERTIFICATION NOTE:
THE CONTRACTOR AND OWNER SHALL PROVIDE SUPERVISION AND CERTIFICATION OF ALL CONSTRUCTION OF STORMWATER MANAGEMENT PRACTICES THAT PROVIDE INFILTRATION AND FILTERING, BY A PROFESSIONAL ENGINEER DULY LICENSED IN THE STATE OF MARYLAND AND FILTERING, BY A PROFESSIONAL ENGINEER DULY LICENSED IN MARYLAND.
SWM O&M SCHEDULE:
1) INSPECT ALL STORMWATER STRUCTURES AND MICRO-PRACTICES ANNUALLY AND AFTER EACH LARGE STORM EVENT FOR OPERABILITY AND BEDDIMENT OR TRASH ACCUMULATION. CLEAN OR REPAIR IF NECESSARY.
2) SWALES AND MICRO-BIORETENTION AREAS SHOULD HAVE SILT AND SEDIMENT REMOVED FROM THE SURFACE OF THE FILTER BED WHEN ACCUMULATION EXCEEDS ONE INCH. INSPECT STONE ANNUALLY AND REPLACE AS NEEDED. MAINTAIN LANDSCAPING AND REPLACE ANY DEAD VEGETATION.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A PROFESSIONAL ENGINEER DULY LICENSED IN THE STATE OF MARYLAND. 	DESIGNED BY:	DRAWN BY:	CHECKED BY:	SWM PROFILES AND NOTES ATLANTIC GENERAL MEDICAL CENTER PARCEL 66A, TAX MAP 21 J. W. SALM ENGINEERING, INC. P.O. BOX 397, 9842 MAIN STREET, SUITE 3 BERLIN, MARYLAND 21811				
	JWS3	DAD	JWS3					
	JOHN W. SALM, III			REVISIONS:	THIRD TAX DISTRICT:	BERLIN	WORCESTER COUNTY	MARYLAND
				05/08/19 08/17/19 09/09/19 09/13/19 10/22/19	SCALE:	DATE:	DRAWING No.:	SHEET No.:
				N.T.S.	DEC. 2018	391-01-012A	12A of 12	



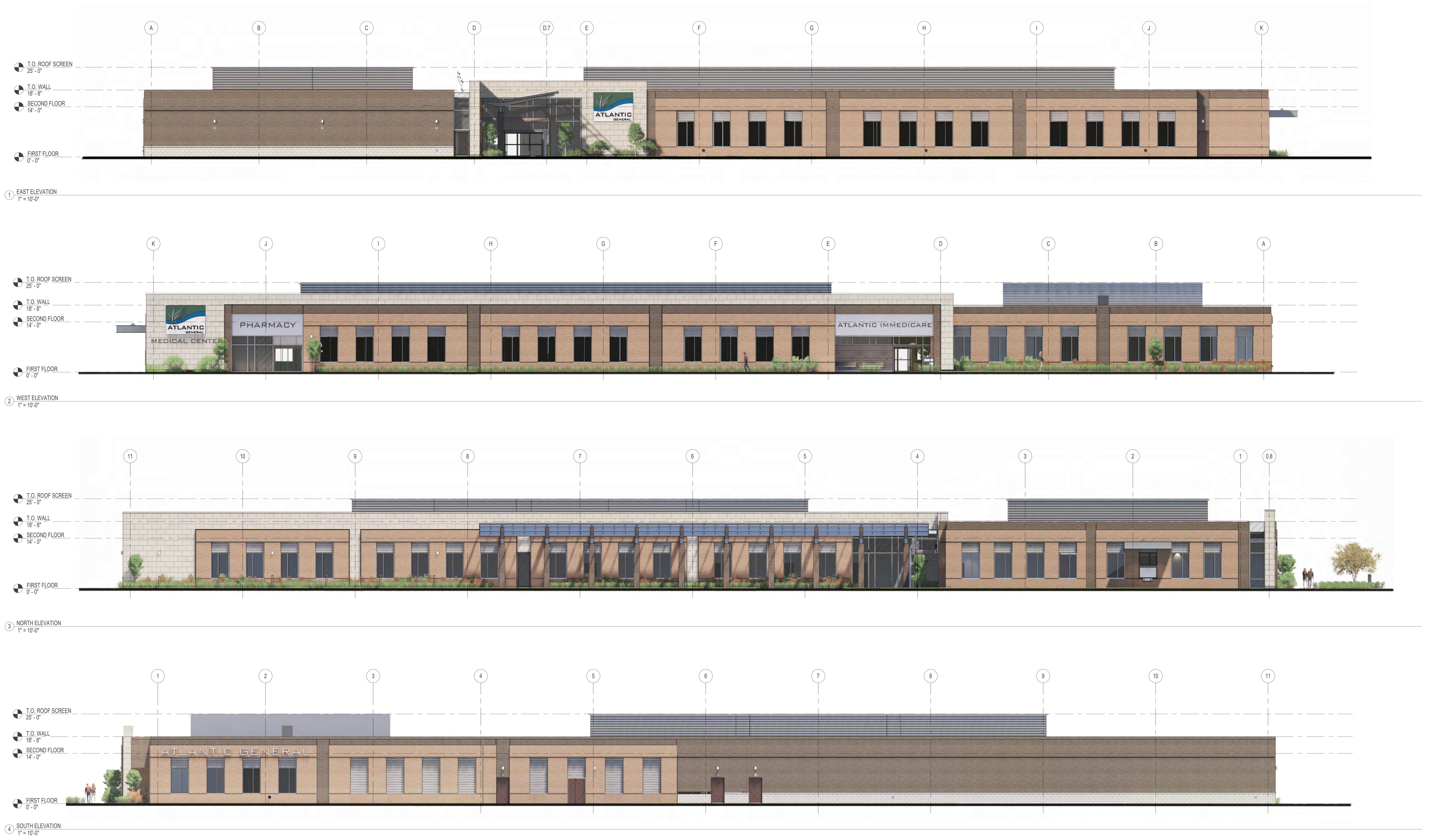
SINA COMPANIES, LLC
 ATLANTIC GENERAL
 PARCEL #66-A
 TAX MAP #21
 ROUTE 589 - RACE TRACK ROAD

Documentation
 © COPYRIGHT - 2018 ARRAY ARCHITECTS

OCEAN PINES MEDICAL OFFICE BUILDING FIRST FLOOR PLAN



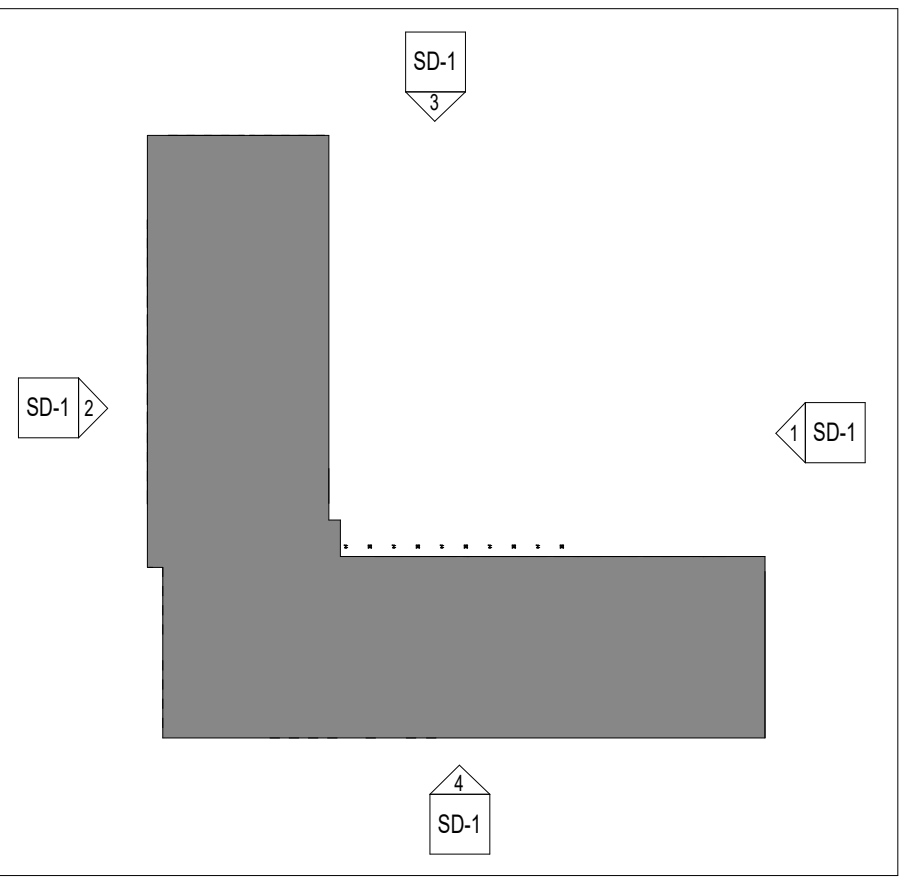
Scale : 1/16" = 1'-0"
 Project No. 5277.01
 Date : 02/17/2021



SINA COMPANIES, LLC
ATLANTIC GENERAL
PARCEL #66-A
TAX MAP #21
ROUTE 589 - RACE TRACK ROAD

Documentation
© COPYRIGHT - 2018 ARRAY ARCHITECTS

OCEAN PINES MEDICAL OFFICE BUILDING
BUILDING ELEVATIONS



Scale :
Project No. 5277.01
Date : 2/17/2021

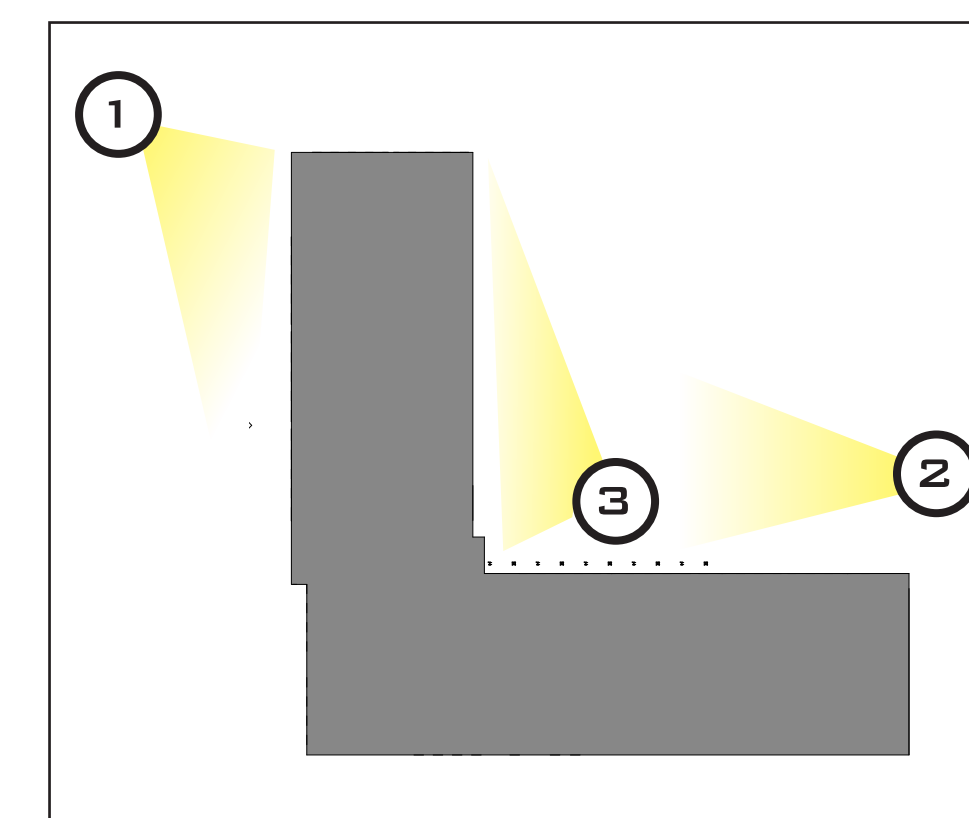


SINA COMPANIES, LLC
ATLANTIC GENERAL
PARCEL #66-A
TAX MAP #21
ROUTE 589 - RACE TRACK ROAD

Documentation

© COPYRIGHT - 2018 ARRAY ARCHITECTS

OCEAN PINES MEDICAL OFFICE BUILDING RENDERINGS



Scale :
Project No. 5277.01
Date : 02/17/2021

PLANNING COMMISSION MINUTES EXCERPT: FEBRUARY 7, 2019

III. §ZS 1-325 Site Plan Review – Atlantic General Hospital Medical Center

As the next item of business, the Planning Commission reviewed a site plan for the proposed construction of a 99,912 square foot medical office building, located on the 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. Mr. Knerr recused himself from the review of this project. Present for the review were Hugh Cropper, IV, Esquire, John Salm, engineer, and Kent Doss, architect. Mr. Cropper explained that the developer of the property was Sina Companies, who primarily develop medical offices around the country. The current proposal is a design, build and lease agreement with Atlantic General Hospital (AGH). The goal for AGH is to consolidate their various doctors and services into one central location. AGH is moving in the direction of providing more outpatient services, such as the ambulatory surgery center that will be located in this building. Mr. Cropper stated that they have attempted to design the building to comply with the *Design Guidelines and Standards for Commercial Uses* as much as possible, but due to their needs for certain uses and interior layouts, certain aspects of the building façade will need waivers. This includes features such as transparency and recesses/projections.

Mr. Salm went through the Planning Commission Considerations individually, and noted where and why they needed particular waivers. Certain features were added to eliminate the need for waivers, such as human scale lighting along the front property line sidewalk; expanding foundation planting beds to the minimum required widths; adding a brick band at the base of the building to clearly define the base, as well as provide the human scale detailing required by the *Design Guidelines and Standards*; adding a three dimensional cornice feature to the main parapet; and modifying the dumpster enclosure to more closely reflect the architectural design of the building, rather than a chainlink fence with slats.

The Planning Commission then went through each of the considerations. The only change requested was to the large parapet that was designed to screen the rooftop mechanical equipment. They requested that it be designed so that it provides the appearance of wood siding, with modulations more in keeping with the Eastern Shore vernacular, not a tacked-on feature. They requested staff to review and approve the new design as part of the approval process. The applicants agreed to do so.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Barbierri, and carried unanimously to approve the site plan subject to the following conditions/ waivers:

1. A waiver to Item 1;
2. A waiver to Item 2;
3. A waiver to Item 3 with respect to the landscaping along the front property line sidewalk and the provision for providing a sidewalk within Lots B, C and D to the rear of the development;
4. A waiver to Item 4 with respect to providing foundation beds along the easterly façade near the handicap parking area and on the southerly façade along the portion of the building not providing the covered entrance feature, as well as along the northerly (service) façade;
5. A waiver to Item 6 with respect to the location of the community space that was provided (not in the area of highest pedestrian traffic), and a waiver to the requirement for a second community space in the front near the Immedicare entrance;
6. A waiver to Item 7a;

PLANNING COMMISSION MINUTES EXCERPT: FEBRUARY 7, 2019

7. A waiver to Item 7c, with the exception of the large mechanical screening parapet, and the applicants' proffer of a three dimensional cornice feature on the main parapet. This parapet shall be designed to look like wood siding, and be modulated. Approval of the parapet wall will be by the staff;
8. A waiver to Item 7d;
9. A waiver to Item 7e with respect to the location of the dumpster pad area to be separated from the building;
10. As a condition of approval, the applicant must all necessary approvals associated with the water and sewer service.

Mr. Knerr returned for the review of the next agenda item.

PLANNING COMMISSION MINUTES EXCERPT: MAY 2, 2019

IV. §ZS 1-325 Site Plan Review – Atlantic General Hospital Medical Center Revision

As the next item of business, the Planning Commission reviewed a revised site plan for the proposed construction of a 99,912 square foot medical office building, located on the 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. Mr. Knerr recused himself from the review of this project. Present for the review were Hugh Cropper, IV, Esquire, John Salm, engineer, and Wayne Yetman, Sina Companies. Mr. Cropper explained that they had decided to flip the building in order to create a holistic design with the northerly parcel, and that they made some minor architectural adjustments to comply with the Planning Commission requirements from the last meeting. Mr. Salm stated that they were able to secure an assisted living facility proposal for the northerly parcel. He noted that they were providing extensive landscaping in areas that they didn't previously before.

Mr. Diffendal asked why they couldn't provide landscaping along MD Route 589 (Racetrack Road); Mr. Cropper claimed that they were off-setting the landscaping with screening in the rear; all parking and landscape areas were to be associated with stormwater management facilities.

The applicants discussed widening the landscape island at the southwest corner of the building and adding landscaping with a tree, as well as adding shrubs at the main entrance at the northwesterly corner of the property line.

Following the discussion, a motion was made by Ms. Ott, seconded by Mr. Barbierri, and carried unanimously to approve the site plan revision subject to carrying forth the conditions/ waivers granted at the February 7, 2019 meeting, and the following additional conditions/ waivers:

1. The Planning Commission granted a waiver to the requirement for landscaping within the front yard setback along MD Route 589 (Racetrack Road), provided the applicant include shrubs within the northwesterly landscape area between the northerly property line and the travelway, and expand the landscape island, adding plant material, at the southwesterly corner of the building;
2. All other conditions of approval were carried forth from the original approval granted on February 7, 2019, as outlined in the letter dated February 8, 2019;

Mr. Knerr returned for the review of the next agenda item.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

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/drp/drpindex.htm

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer Keener, AICP, Deputy Director JKK
Date: March 17, 2021
Re: Text Amendment Application – §ZS 1-318(e)(2)E Cooperative Campgrounds - Spaces Above First Floor Elevation

The attached text amendment application has been revised by Diana E. Nalls in order to allow loft space above the first floor elevation for recreational vehicles, recreational park trailers, and cabins within a cooperative campground. The proposed revision maintains that the area shall not be used for living space (i.e. sleeping quarters), which would indicate that it could only be used for storage purposes.

In reviewing the proposed language, it does little to change staff's original opinion of the proposal as outlined in the March 16, 2021 staff report (attached), and if adopted, it will be difficult to enforce the restriction on occupancy of the loft area.

Should you have any questions or require additional information, please do not hesitate to contact me. I will be available to discuss this request in more detail at the upcoming meeting.

Attachments

cc: Edward A. Tudor, Director
Roscoe Leslie, County Attorney
Kristen Tremblay, Zoning Administrator
Diana E. Nalls, applicant



Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863

**PETITION FOR AMENDMENT TO THE OFFICAL TEXT
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE**

(For Office Use Only – Please Do Not Write in this Space)

Date Received by Office of the County Commissioners _____

Date Received by Development Review and Permitting Revision received 3/17/2021

Date Reviewed by the Planning Commission 4/1/2021

- I. Application: Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

- a. Resident of Worcester County: _____
- b. Taxpayer of Worcester County: ✓
- c. Governmental Agency: _____ (Name of Agency)

II. Proposed Change to Text of the Zoning and Subdivision Control Article

- a. Section Number: 1310(e)(2)E
- b. Page Number: _____
- c. Proposed revised text, addition or deletion:
Revise: "Furthermore no such structure shall
contain any living space below or above the first floor
elevation."

A BILL ENTITLED

AN ACT Concerning

Zoning – Campgrounds – Cooperative campground provisions

For the purpose of amending the Zoning and Subdivision Control Article to allow lofts for storage above the first-floor elevation for recreational vehicles, recreational park trailers, and cabins within a cooperative campground.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Subsection § ZS 1-318(a)(2)E of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- E. No recreational vehicle, recreational park trailer or cabin shall exceed one story nor shall it exceed seventeen feet in height. Furthermore, no such structure shall contain any living space below or ~~any attic space or loft~~ above the first-floor elevation.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.



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/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer Keener, AICP, Deputy Director *JKK*
Date: March 16, 2021
Re: Text Amendment Application – §ZS 1-318(e)(2)E Cooperative Campgrounds - Spaces Above and Below First Floor Elevation

The attached text amendment application has been submitted by Diana E. Nalls. It seeks to amend §ZS 1-318(e)(2)E Campgrounds to eliminate the prohibition on living space below or attic/loft space above the first floor elevation for recreational vehicles, recreational park trailers, and cabins within a cooperative campground only. Following our customary practice, once the text amendment application was received, it was reviewed by Ed Tudor, Director, Kristen Tremblay, Zoning Administrator, and Roscoe Leslie, County Attorney and Planning Commission Attorney, as well as myself for comment.

Mr. Tudor's comments provide valuable insight into the historical development of cooperative campgrounds and their evolution over time. Specifically, the types of units permitted in the cooperative campgrounds has expanded from recreational vehicles and park trailers to also include permanent, stick-built cabins. Additions have metamorphosed from open decks to roofed decks, then to screen porches, and ultimately to the plastic enclosures that are permissible today. Each modification further enhances the sense of permanency within the seasonal campground. Mr. Tudor provides an example of the impact that the addition of lofts could have: assuming that only 25% of the units in the Bali Hi cooperative campground were replaced with units that included lofts that could support two persons, it would result in the increased occupant load of the development by just under 100 persons. This will have greater impacts on the infrastructure, open space, recreation and other services provided within these developments.

Ms. Tremblay echoes Mr. Tudor's comments regarding the impacts that additions of this type could have to occupancy, as well as to services. She states that while seemingly innocuous, it is the cumulative impact that this could have to a development overall that could create a long-term issue that would be difficult to rectify. She is concerned that the amendment may only further erode the protections in place within the zoning ordinance to limit the temporary, seasonal nature of campgrounds.

I share Mr. Tudor's and Ms. Tremblay's concerns relative to the effects of the proposed amendment. While seemingly minor in scope, eliminating the prohibitions on living space below or above the first floor will result in an intensification of use on campsites that are as small as 3,000 square feet in lot area. Typical loft ceiling heights within park models are intentionally designed to be on average between five feet and six feet eight inches in height so as not to be counted as a story nor towards the overall square footage of the unit. The American National Standards Institute (ANSI) park model recreational vehicle standards, to which these units are constructed, limits units to a maximum of 400 square feet of gross floor area, and does not include the loft area in that calculation due to the ceiling height. The Zoning Code also limits a park model unit to 400 square feet, but currently prohibits lofts and crawl spaces. As you can see from the example photographs provided by Ms. Nalls in her application, some of these lofts occupy upwards of 50% of the units' floor area. Mr. Tudor suggests that a possible solution to this could be to allow lofts, but include them in the overall square footage calculation of the unit, regardless of the ceiling height of the loft.

The amendment also seeks to eliminate the prohibition on living space below the first floor. While perhaps not common today, we should not discredit human ingenuity when it comes to creating a conditioned crawl space under the first floor, which again has the ability to increase the overall livable area of the unit.

With respect to Ms. Nalls' concern that the loft appearance is more aesthetically pleasing than the older style, I would note that there are various companies that design park model units with optional clerestories (the second row of windows) as shown in the example photographs provided by the applicant. Those units do not necessarily have to have a loft in order to have these design features, and are able to be permitted today.

Our office has processed numerous text amendment applications for campground design and occupancy standards, some of which have been approved, and others not. However, each subsequent application has sought to further enhance the permanency and intensification of these units on campsites that were never designed or intended for such uses. The effects of these amendments become cumulative, as evidenced by the example provided by Mr. Tudor in his memorandum regarding the evolution of additions. In 2013 when the Planning Commission reviewed the text amendment request to permit plastic enclosures within screen porch additions, they expressed concerns regarding the potential for an increase in usable area that would allow more sleeping areas and result in an increase in vehicular traffic. The Planning Commission also expressed serious concerns in regards to accessibility to units through the proposed plastic enclosed porches in the event of a fire or other emergency, which would only be intensified with features such as lofts or crawl spaces. While Ms. Nalls may only be seeking to utilize the space for her own family, the potential impact of this amendment overall will definitively result in the capacity for additional living space and the ability to sleep additional persons, therefore increasing the overall occupancy of these types of units.

Should you have any questions or require additional information, please do not hesitate to contact me. I will be available to discuss this request in more detail at the upcoming meeting.

Attachments

cc: Edward A. Tudor, Director
Roscoe Leslie, County Attorney
Kristen Tremblay, Zoning Administrator
Diana E. Nalls, applicant



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/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Jennifer Keener, AICP, Deputy Director
From: Edward A. Tudor, Director *EAT*
Date: March 1, 2021
Re: Text Amendment Application – §ZS 1-318(e)(2)E Cooperative Campgrounds - Spaces Above and Below First Floor Elevation

This memorandum is in response to your request for comment on the above text amendment application submitted by Diana E. Nalls. As you know, Ms. Nalls originally contacted me by email regarding this issue on February 8, 2021. After trading several emails, Ms. Nalls elected to file the text amendment application. In order to properly frame the proposal, I believe it is important to have a historical perspective on the issue of cooperative campgrounds in general and the specific limitations that are contained in the law today.

Almost 20 years ago, the department was approached by then local attorney, Paul Ewell, who wanted to discuss a new form of campground. Specifically, Mr. Ewell wanted to develop a text amendment to allow for cooperative ownership of local campgrounds. Staff held several meetings with Mr. Ewell and also worked with then County Attorney, Ed Hammond, to put forth an outline of a text amendment. Considering the issues we have had over the years with the Campground Subdivisions, it was the collective staff position to try to provide for the cooperative form of ownership but still maintain the true context of a campground. One mechanism was to limit those elements that gave the campground sites a greater sense of permanency. For instance, the original intent was to not allow any type of additions to the recreational vehicles or park models whatsoever. The applicants requested that they at least be able to have a simple open deck. Over time, the requests went on to “just allow a roof over the deck”. Well of course, if we have a roof over a deck we should at least be allowed to screen it in. Next came the argument that we really need something more than insect screening to protect the furniture and electronics we have on the screen porch so next came the plastic three-season room enclosure.

A similar chain of events has occurred to the types of units allowed in cooperative campgrounds. The original intent was to limit them to recreational vehicles and recreational park trailers in order to limit the sense of permanency. This provision was subsequently expanded to also include cabins. Another protection that was incorporated in the original legislation was a limit on the number of months a cooperative campground could be open. While this component was one of the

most efficient controls against more permanent occupancy, it too has been amended to include additional time.

Like all the measures described above, the prohibition on living space below or above the first-floor elevation, including lofts, was designed to not only limit the sense of permanency but to limit to a greater extent the impacts on any number of existing infrastructure, open space, recreation and other service issues. While a loft may not qualify as an additional story and therefore would not be included today in the square footage calculation of the structure, it could be argued its impact is de minimis. However, it certainly would allow for additional occupants in the unit. Some may argue that it simply creates extra storage capacity. While that may be true, my years of observation tell me that any additional horizontal surface generally winds up meaning more occupants. Take the case of Bali Hi, the park in which the current applicant has a site. The park has 188 lots. If just 25% of the sites add a loft to their unit and each loft holds just two people you increase the occupant load in the park by just under 100 people. A possible solution to that problem would be to allow lofts but include the loft area in the square footage calculation of the unit, which is currently limited to 400 square feet.

In the application, the applicant states that the reason for requesting the text change is allow for more aesthetically pleasing units versus older camper appearance and that cooperative owners are making significant investments for personal use and for tourism. While I have no doubt that the applicant believes this to be true, I also believe that before using this opinion to justify amending the code, due consideration be given to the historical perspective provided herein. Thank you for indulging me with my history lesson but I believe it is vitally important in the context of many of the text amendments we receive. While often they appear rather innocuous on the surface, they collectively result in a slow erosion of the code ending in the ultimate death by a thousand cuts to the larger issue.

cc: Roscoe Leslie, County Attorney
Kristen Tremblay, Zoning Administrator



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410.632.1200 / FAX: 410.632.3008
<http://www.co.worcester.md.us/departments/drp>

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Jennifer K. Keener, Deputy Director, DDRP
From: Kristen M. Tremblay, Zoning Administrator
Date: March 11, 2021
Re: Text Amendment Request – ‘Cooperative Campgrounds’ (Section ZS 1-318(e)(2)(E))
.....

Background:

A request to amend the current zoning ordinance section ZS 1-318(e)(2)(E)) ‘Cooperative Campgrounds’ was received by the Department on February 18, 2021 as submitted by Diana E. Nalls in order to remove the provision regarding living space below or attic space/loft above the first-floor elevation.

The current ordinance states the following:

“No recreational vehicle, recreational park trailer or cabin shall exceed one story nor shall it exceed seventeen feet in height. Furthermore, no such structure shall contain any living space below or any attic space or loft above the first-floor elevation.”
(Section ZS 1-318(e)(2)(E)).

Staff Comments:

In my opinion, the text amendment proposed by Ms. Nalls, if approved, would be problematic for a number of reasons. While seemingly innocuous on a small-scale, the cumulative effect of multiple units being placed with a loft, attic, or below first floor elevation throughout the County could potentially create a long-term situation that would be difficult to rectify.

Merely the act of allowing a loft or other living spaces beyond what is currently permitted would increase the overall occupancy of cooperative campgrounds. This in turn would lead to more traffic congestion not only on-site, but create numerous other trips generated on the County’s already burdened roadway levels of service. It should also be expected that the number of guests at cooperative campgrounds would also increase, placing additional load on water and sewer (and/or septic) facilities.

If adopted, the ordinance would allow not only Ms. Nalls to purchase a park model RV of greater size than is currently permitted, but so too would other campground users also seek to replace their units as well. As other 'additions' such as screened-in or soft plastic porches have been added to the zoning ordinance as allowable over the years, the potential for future text amendments further degrading the current zoning ordinances protections for campgrounds and residents' investments in such remains a concern.

While the evolution of a zoning ordinance occurs as a result of changing times, it is my firm opinion that the current zoning ordinance language preventing additional living space has a realistic and well-intended purpose of retaining the overall intent of what a campground should be: a temporary respite from the world and not a place for full-time residency. I would posit the following question: at what point does a cooperative campground become more than that and becomes more akin to other notable campgrounds throughout Delmarva such as Trails End?

Recommendation: It is recommended that the proposed ordinance amendment be denied.



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/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Edward A. Tudor, Director
Roscoe Leslie, County Attorney
Kristen M. Tremblay, Zoning Administrator
From: Jennifer K. Keener, AICP, Deputy Director *Jkh*
Date: February 19, 2021
Re: Text Amendment Application – §ZS 1-318(e)(2)E Cooperative campgrounds

The attached text amendment application has been submitted by Diana E. Nalls. It seeks to amend §ZS 1-318(e)(2)E Campgrounds to eliminate the prohibition on living space below or attic/loft space above the first floor elevation for recreational vehicles, recreational park trailers, and cabins only within a cooperative campground.

I anticipate scheduling this text amendment for consideration by the Planning Commission at a forthcoming meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than March 12, 2021.

Should you have questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

Attachment

Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863

**PETITION FOR AMENDMENT TO THE OFFICIAL TEXT
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE**

(For Office Use Only – Please Do Not Write in this Space)

Date Received by Office of the County Commissioners _____

Date Received by Development Review and Permitting 2/18/2021

Date Reviewed by the Planning Commission 4/1/2021

I. **Application:** Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

a. Resident of Worcester County: _____

b. Taxpayer of Worcester County: ✓

c. Governmental Agency: _____ (Name of Agency)

II. **Proposed Change to Text of the Zoning and Subdivision Control Article**

a. Section Number: 1-318(e)(2)E.

b. Page Number: 2S1:III:76

c. Proposed revised text, addition or deletion:

delete "Furthermore no such structure shall
contain any living space below or any attic
space or loft above the first floor elevation."

III. Reasons for Requesting Text Change:

- a. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

· Allow 10ft style park RV models per
RVIA standards
· Aesthetically pleasing verses older camper appearance
· Co-ops owners are making significant investment for personal use
+ for Worcester County & tourism

IV. Signature of Applicants

Signature(s): Diana Nalls

Printed Name(s): Diana Nalls

Mailing Address: 4838 Eraveton Rd Whiteford Md 21160

Phone Number: 410-459-16634

Email: denalls452@gmail.com

Date: 02-16-2021

V. Signature of Attorney

Signature: _____

Printed Name: _____

Mailing Address: _____

Phone Number: _____

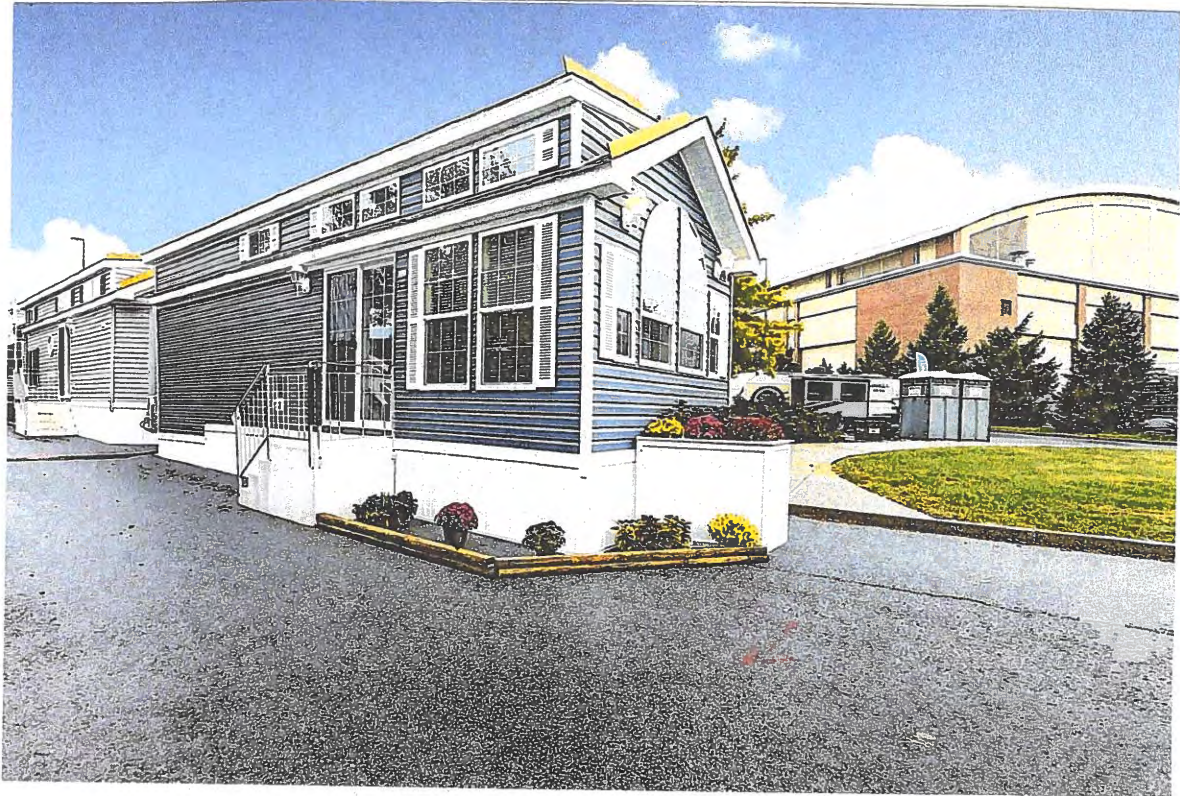
Email: _____

Date: _____

VI. General Information Relating to the Text Change Process

- a. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.

- b. Procedure for Text Amendments: Text amendments shall be passed by the County Commissioners of Worcester County as Public Local Laws according to legally required procedures, with the following additional requirements. Any proposed amendment shall first be referred to the Planning Commission for recommendation. The Planning Commission shall make a recommendation within a reasonable time after receipt of the proposed amendment. After receipt of the recommendation of the Planning Commission, the County Commissioners shall hold at least one public hearing in relation to the proposed amendment, at which parties and interested citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing and the nature of the proposed amendment shall be published in an official paper or a paper of general circulation in Worcester County. In the event no County Commissioner is willing to introduce the proposed amendment as a bill, it will not be considered.









A BILL ENTITLED

AN ACT Concerning

Zoning – Campgrounds – Cooperative campground provisions

For the purpose of amending the Zoning and Subdivision Control Article to remove the prohibition on living space below or attic or loft space above the first-floor elevation for recreational vehicles, recreational park trailers, and cabins within a cooperative campground.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Subsection § ZS 1-318(a)(2)E of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- E. No recreational vehicle, recreational park trailer or cabin shall exceed one story nor shall it exceed seventeen feet in height. ~~Furthermore, no such structure shall contain any living space below or any attic space or loft above the first floor elevation.~~

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this _____ day of _____, 2021.



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/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer Keener, AICP, Deputy Director *JKK*
Date: January 11, 2021
Re: Text Amendment Application – §ZS 1-324(d) – Off-premises signs - billboards

The attached text amendment application has been submitted by Hugh Cropper, IV, Esquire on behalf of his client, John H. Burbage, Jr. It seeks to amend §ZS 1-324(d)(4) and (5) of the off-premise sign section to allow billboards to take advantage of the non-conformity provisions of § ZS 1-122 relative to reconstruction. Following our customary practice, once the text amendment application was received, it was reviewed by Ed Tudor, Director, Kristen Tremblay, Zoning Administrator, and Roscoe Leslie, County Attorney and Planning Commission Attorney, as well as myself for comment. Our comments relative to this request are as follows:

There are two aspects to this proposed amendment. The first pertains to the consideration that the destruction of a billboard as a result of a force of nature shall not be permitted to be reconstructed if it meets a certain threshold. The second aspect pertains to the reconstruction of a billboard in general as a non-conforming structure, regardless of whether or not it was destroyed by a force of nature. A copy of the applicable code sections are attached.

Currently, billboards may be periodically maintained under the ordinary repairs and maintenance provisions of the Zoning Code as nonconforming structures. However, any billboard that is destroyed by the forces of nature to the extent found in §ZS 1-324(d)(5) would not be able to be rebuilt. This language has been in place for nearly 30 years, when it was incorporated into the 1992 Zoning Code. Mr. Cropper is proposing to strike this section in its entirety. The objective of this language was to intentionally phase out billboards, which have been regulated since the passage of the Highway Beautification Act in 1965. The proposed amendment is contrary to the spirit of federal, state and local laws.

One of Mr. Cropper's arguments is that this regulation is unfair for financial reasons. However, as with any business venture, there are risks that must be planned for, a cost of doing business. An owner has a responsibility to ensure that their investment is properly maintained to reduce the risk of damage or destruction, no matter the structure. In addition, the current County ordinance puts all existing billboards on the same playing field. As Valerie Morton, Real Property Supervisor, Special Acquisitions and Outdoor Advertising with Maryland Department of Transportation State Highway

Administration (MDOT SHA) states in her letter (attached), approval of this amendment would only allow those billboards not located along a scenic byway to be replaced. Others would be prohibited from being reconstructed by state law.

If this facet of the current law were to be eliminated, any existing billboard not located on a scenic byway would be subject to the nonconformity provisions of §ZS 1-122(d)(6), in which reconstruction could occur with a valid permit application issued by Worcester County, and without Board of Zoning Appeals action, within two years from the date of destruction. As proposed, there are no standards that would regulate the construction materials of the replacement billboard.

The amendment also proposes the elimination of a portion of the language contained in §ZS 1-324(d)(4)A. While one sentence references the destruction provisions from the item above, a second sentence has a provision to prevent an applicant from requesting a special exception from the Board of Zoning Appeals to reconstruct an existing, intact billboard. This language was added to the Zoning Code during the 2009 updates to specifically prohibit the ability to file a special exception request to reconstruct existing billboards. Between 2001 and 2009, the Department received approximately ten special exception requests before the Board of Zoning Appeals to reconstruct or relocate billboards (between one and four signs per application) as a non-conforming structure. The majority of the applications received proposed a change in the construction material from wood supports to the steel monopole design that is more prevalent today. Staff is concerned that the elimination of this section will lead to further Board of Zoning Appeals applications to replace existing billboards in a similar manner.

It has been the long-standing policy of Worcester County to encourage the removal of billboards. In support of that policy, Worcester County included such recommendations in the US Route 50 Transportation Corridor Plan adopted in 2000 and the US Route 113 Transportation Corridor Plan adopted in 2003, as from time to time amended. The MD Blue Crab Scenic Byway Corridor Management Plan was developed in 2004 by the former Lower Eastern Shore Heritage Committee, with the support of the Worcester County Commissioners, and representation by and direct writing credit for a portion to the Worcester County Tourism department. This plan was developed to serve as a touring route for visitors, linking them with sites, attractions and resources on the three counties of the Lower Eastern Shore. The plan identified strategies and actions that should be taken to achieve this vision, one of which was the need for "better roadside management including the control of billboards" (Page 6).

In 2011, the Maryland General Assembly prohibited the construction of any new off-premise outdoor advertising signs along designated scenic byways. This also includes limitations on the reconstruction of existing billboards. The Maryland Department of Transportation State Highway Administration (MDOT SHA) is responsible for enforcement. Within Worcester County, portions of the Blue Crab byway have been combined into existing state scenic byways, such as the Cape to Cape scenic byway, and the Chesapeake Country scenic byway. Enclosed you will find a letter provided by Valerie Morton, Real Property Supervisor, Special Acquisitions and Outdoor Advertising with MDOT SHA. In her letter, she states her opposition to the proposed text amendment. As previously mentioned above, she notes that even if the local amendments were adopted, there are billboards throughout the county that could not be replaced if located on a scenic byway.

Overall, staff are concerned that the language as drafted would allow an existing billboard to be replaced with a more permanent structure, resulting in a lesser likelihood that such billboards will be phased out. In addition, we have concerns that they may include an electronic messaging component, simply by applying for a special exception as had been done in the past, as there are no standards in place to regulate the construction materials or design of the sign.

For these reasons, staff does not support the proposed text amendment.

However, should the Planning Commission and/or County Commissioners support this proposed amendment in part or in its entirety, staff would recommend amendments, such as:

- Maintaining a prohibition on the reconstruction of a billboard by Board of Zoning Appeals action for such signs that have not been destroyed by forces of nature;
- Limiting the construction materials of the billboard to be “replacement in kind” – wood for wood, etc.; and
- A prohibition on electronic messaging sign components for any portion of the proposed copy area of a billboard.

There may be additional clarifying code amendments that are necessary for consistency within other sections of the Zoning Code that may need to be incorporated into the proposed amendment. As always, staff will assist the applicant with the identification of those items for inclusion in the draft bill.

Should you have any questions or require additional information, please do not hesitate to contact me. I will be available to discuss this request in more detail at the upcoming meeting.

Attachments

cc: Hugh Cropper, IV, Esquire, applicant
Edward A. Tudor, Director
Roscoe Leslie, County Attorney
Kristen Tremblay, Zoning Administrator

(2) Directional signs.

- A. The Board of Zoning Appeals, as a special exception, may approve up to two directional signs in cases where the Board determines that such signs are necessary for directing motorists and are not for advertising. Only those directional signs which are reasonably necessary to guide the public shall be permitted. Such signs shall be limited to indicating a change in direction and may include the business name only; they shall not be used for advertising purposes. Signs containing the phrase "straight ahead" or other similar verbiage shall not be permitted. Such signs may be permitted for any business, institution, subdivision or other structure or use and shall not be more than four square feet in area nor more than fifteen feet in height. In the case of extreme circumstances where the public may not otherwise be able to locate such structure or use, the Board of Zoning Appeals may approve additional directional signs. Directional signs may be located in any district and shall be exempted from all setback requirements except those approved by the Board.
- B. One temporary directional sign to a private residence which is for sale shall be permitted by right in any district at the street end on which the residence is located, provided that permission is obtained from the owner of the property on which the sign is located, the sign is not placed within any public right-of-way and such sign does not exceed six square feet in area.
- C. Two directional signs for a bona fide church, temple or mosque shall be permitted by right in any district. Such signs may include times and days of regular services or special events. No such sign shall exceed eight square feet in area or fifteen feet in height and may not be placed within any public right-of-way.

(3) No new billboards shall be erected.

(4) Existing billboards.

- A. Legally existing billboards may remain and be periodically maintained as permitted nonconforming structures and uses unless totally destroyed as specified in Subsection (d)(5) hereof. However, in no case may they be reconstructed, expanded or reerected.
- B. No billboard shall have more than two hundred square feet of copy area per facing and the trim shall not exceed forty percent of the copy area. No such sign shall have an overall height of more than twenty-five feet above the ground level or twenty-five feet above the grade level of the adjacent road if higher. No more than one such billboard shall be erected at any one location and facing the same direction.
- C. No billboard shall be located less than three hundred feet from any other billboard on the same side of the road, except when such sign is part of a double-faced or V-type structure where the interior angle of the "V" does not exceed forty-five degrees, nor shall any billboard be located less than one hundred feet from any R District or three hundred feet from any public or private school, park, library, church, historical shrine or other building or landmark maintained as such by a public or semipublic agency.
- D. Billboards shall be set back at least as far as the required front yard depth for a principal building within the pertinent zoning district.
- (5) Any billboard or off-premises advertising structure which is destroyed by the forces of nature to any of the following extents for any reason whatsoever shall be considered totally destroyed, shall lose its right to the benefit of any nonconformity provisions and may not be reerected. For the purposes hereof, "destruction" shall mean the rendering of the billboard element as unusable and the "facing" shall include the copy area and trim.
- A. Destruction of fifty percent or more of the supporting piles or structure;

- * ↑
- B. Destruction of seventy-five percent or more of the facing; or
 - C. Destruction of twenty-five percent or more of the supporting piles or structure and fifty percent or more of the facing.
- ↑

(e) Electronic messaging signs. All signs employing electronic messaging shall be subject to this section.

(1) For purposes of this section, the following definitions shall apply:

ELECTRONIC CHANGEABLE COPY SIGN

A sign or portion thereof that displays electronic, nonpictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.

ELECTRONIC GRAPHIC DISPLAY SIGN

A sign or portion thereof that displays electronic, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

ELECTRONIC MESSAGING SIGN

An electronic changeable copy sign, an electronic graphic display sign, or video display sign.

FLASHING SIGN

A directly or indirectly illuminated sign or portion thereof that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity in sudden transitory bursts and creates the illusion of intermittent flashing light by streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling, or sparkling.

SHIMMERING SIGN

A sign which reflects an oscillating, sometimes distorted visual image.

VIDEO DISPLAY SIGN

A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

(2) Electronic messaging signs are subject to the following provisions:

- A. The size and location of the sign shall be in accordance with all other requirements of this section.
- B. The electronic display of background color tones, lettering, logos, pictures, illustrations, symbols, and any other electronic graphic or video display shall not blink, flash, rotate,

Worcester County, MD
Monday, January 11, 2021

Subtitle ZS1:I. General Provisions

§ ZS 1-122. Nonconformities.

- (a) Statement of intent. Unless otherwise specifically provided in this Title, within the districts and under the provisions established by this Title and amendments hereto, there may exist lots, structures, uses of land and uses of structures and land in combination which were lawful when established but which are prohibited or restricted under the terms of this Title or future amendment. It is the intent of this Title to permit these nonconformities to continue yet encourage their conformance with current regulations whenever possible. It is further the intent of this Title that nonconformities shall not be altered, reconstructed, relocated, enlarged upon, expanded or extended except as herein provided.
- (b) Nonconforming lots as a result of government action. From time to time, lots legal under this Title and future amendments may become nonconforming in lot area, depth or width as a result of government action, including such action as the acquisition of additional road right-of-way. Such nonconforming lots shall, without further action, be considered conforming, except that encroachment of required setbacks for uses and structures shall be permitted only by approval of the Board as a variance in accordance with the provisions of § ZS 1-116 hereof, unless grandfathered under the provisions of § ZS 1-126 or § ZS2-116 hereof.
- (c) Single-family dwellings and manufactured and mobile homes on nonconforming lots of record. In any district in which single-family dwellings or manufactured or mobile homes are permitted, a single-family dwelling or manufactured or mobile home and customary accessory buildings may be erected on any single lot of record, notwithstanding limitations imposed by other provisions of this Title, provided that a single-family dwelling or manufactured or mobile home could have been lawfully erected on such lot immediately prior to the effective date of this Title, subject to the following provisions:
- (1) Setbacks shall be established as follows:
- A. For lots platted prior to July 27, 1965, the least restrictive of the following shall apply:
1. In no case shall any one side yard setback be less than ten percent of the width of the lot or six feet, whichever is the greater. The depth of the rear yard setback on such lot shall be thirty percent of the depth of the lot, but in no case shall it be less than fifteen feet. In cases where the right-of-way of the road on which the lot fronts is less than fifty feet in width, the depth of the front yard setback shall be the front yard setback required by the district regulations plus twenty-five feet measured from the center line of the right-of-way. The front yard depth shall be further increased to comply with the provisions of § ZS 1-305(b) hereof if applicable.
 2. As established by current district regulations.
- B. For lots platted on or after July 27, 1965, the least restrictive of the following shall apply:
1. Setbacks as established for the zoning district in which the lot was located at the time of recordation of the plat;
 2. As established by current district regulations.

- (2) In cases where the lot does not front on a public or approved private road, a single-family dwelling, or no more than one farm building group, may be situated on a lot which is served by a deeded right-of-way of not less than fifteen feet in width, or a legally established easement or right-of-way not less than fifteen feet in width, satisfactorily proven by probative documentary evidence, which may include an opinion from an attorney at law licensed to practice law in the State of Maryland.
- (3) The water supply and sewage disposal system for the lot shall be approved by the Environmental Programs Division.
- (4) Manufactured and mobile homes permitted by special exception in any district shall comply with the provisions of § ZS 1-116(c)(3) hereof.

(d) Nonconforming uses of structures, land or structures and land in combination. If a lawful use involving structures, land, or structures and land in combination existed at the effective date of adoption or amendment of this Title that would not be allowed in the district under the terms of this Title or amendment, the use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (1) Without prior approval of the Board of Zoning Appeals as a special exception, on any single lot of record, the noncomplying portion of any such structure shall not be:
 - A. Enlarged or extended. The Board of Zoning Appeals shall have no authority to grant approval of any enlargement or extension which expands by more than fifty percent of the original gross floor area and cubic content of the noncomplying portion of the structure at the time it became nonconforming; or
 - B. Reconstructed; or
 - C. Moved; or
 - D. Structurally altered.
- (2) No nonconforming use of land shall be enlarged in area or moved to a new location except by action of the Board of Zoning Appeals as a special exception. The Board may grant an expansion not to exceed fifty percent of the original land area used in a nonconforming manner at the time it became a nonconforming use. The Board shall have no authority to grant an expansion exceeding fifty percent of the original land area used in a nonconforming manner at the time it became a nonconforming use.
- (3) Any nonconforming use may be extended throughout the remaining parts of the building in which it is located, provided that such parts were manifestly arranged or designed for such use at the time of adoption or amendment of this Title. Board action is not required.
- (4) Any structure, land, or structure and land in combination in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the district in which it is located, and the nonconforming use may not thereafter be resumed.
- (5) When a nonconforming use of a structure, land, or structure and land in combination is abandoned for twelve consecutive months, the structure, land, or structure and land in combination shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- (6) Notwithstanding any other provisions of this Title, any nonconforming structure lawfully existing at the time of the adoption or amendment of this Title which shall be destroyed to any extent by forces of nature or casualty may be repaired or reconstructed at its prior location without Board action, provided that such structure is reconstructed within two years from the

date of destruction. Destruction by forces of nature or casualty shall not include demolition or destruction by neglect or failure to maintain.

(e) Repairs and maintenance.

- (1) Ordinary repairs and maintenance may be performed on any nonconforming structure.
- (2) If a nonconforming structure or portion thereof becomes physically unsafe or unlawful to occupy due to lack of repairs or maintenance and is declared by any duly authorized official to be unsafe or unlawful for occupancy by reason of physical condition, it shall not thereafter be restored or rebuilt except in conformity with this section.

(f) Uses and structures allowed under special exception provisions. Any use or structure which exists at the effective date of this Title or amendment thereto which is permitted by this Title as a special exception in the district where such use or structure is located shall not be deemed a nonconforming use or structure in such district but shall without further action be considered a conforming special exception. Such use or structure, however, shall be subject to the jurisdiction of the Board of Zoning Appeals as a special exception and shall not be expanded or otherwise modified or enlarged except upon Board hearing and approval.

(g) Existing one- and two-family dwellings. A lawfully existing one- or two-family dwelling or a lawfully existing manufactured or mobile home utilized as a residence on a single lot, including their customary incidental uses and accessory structures, are exempt from the provisions of this section, provided that:

- (1) Such structures are nonconforming as to their use under current zoning district regulations; and,
- (2) Such structures comply with the least restrictive height and setback requirements for the zoning district in which located; and,
- (3) If abandoned, use of the dwelling or manufactured or mobile home as an occupied dwelling is resumed within two years of the date of abandonment.

A Vision for the Lower Eastern Shore

The Lower Eastern Shore is a land between the Atlantic and the Chesapeake, with a wealth of history, small towns, natural areas, and beautiful landscapes threaded by country roads, trails, and waterways. By the year 2012, this region has become a destination where visitors feel especially welcome. We have found a match between our visitors and ourselves and we all enjoy the region's natural and cultural heritage, which gives us much to explore. Across all three counties, we freely share and support events, the arts, and community life with visitors and new residents. In the midst of all this activity, we can still put our feet up and enjoy the peace and quiet. Today, we feel a deep connection to our past, and we continue to recognize our varied cultures and our dependence on one another. All of us—watermen and farmers, merchants and workers, innkeepers and artists, guides and foresters, hunters and anglers, civic leaders and educators—work wholeheartedly to create economic opportunities and regional wealth that sustains our communities, environment, and traditions.

— FROM THE LOWER EASTERN SHORE
HERITAGE AREA MANAGEMENT PLAN

A Vision for the Byway

Based on this overall vision for the entire region, the byway committee developed a separate vision statement for the Byway itself:

The Real Eastern Shore -

... can be found just off the beaten path. Experience our waterways first hand by stopping at one of the many parks and wildlife areas along the Byway. Take along your fishing gear or your kayak and immerse yourself into the experience of it all. Take a boat ride out to Smith Island to see firsthand how the watermen earn a living from the Chesapeake Bay. Top it all off by stopping in one of our delightful small town museums and dine on some of the eastern shore's finest fresh seafood and produce. Whether you travel by car, by boat, or by bicycle; whether you come for a weekend or a week; you will find yourself coming back for more of the real Lower Eastern Shore.

The byway committee recognizes that there are a number of obstacles that will need to be overcome to make the vision a reality. These obstacles were identified early in the planning process and helped to identify the types of management strategies that will be needed to ensure the success of the Byway:

Key Issues

The byway committee identified a number of critical issues that needed to be addressed in order to achieve the vision:

- ◆ The preservation of historic roadways, structures and landscapes will be a significant challenge to overcome in the face of urban sprawl that is beginning to erode some of the attractiveness of the area, especially on the southeastern outskirts of Salisbury.
- ◆ There is an important need for comprehensive plan recognition in all three counties to protect distinct view sheds and historic landscapes.
- ◆ There is a need to control and/or guide development utilizing site plan review, and a need for stronger incentives to assure preservation of the assets that make the corridor unique including the use of conservation/open space design in subdivisions, and other creative techniques for guiding land use.
- ◆ There is a need for better roadside management including the control billboards, litter/pollution, and the screening or hiding of existing intrusive developments, landscaping and design standards.
- ◆ SHA District staff and state project staff will need to recognize the goals of the Byway and integrate context sensitive design approaches to everyday projects along the Byway.
- ◆ There is a need for better and more prominent public access to beaches, bays and waterways, and better facilities for on-road bicycle use (such as bicycle lanes and signed bicycle routes).



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

TO: Jennifer Keener,
Deputy Director

FROM: Valerie Morton, Supervisor
Office of Real Estate

DATE: January 8, 2021

SUBJECT: Proposed Changes to Worcester County Outdoor Advertising Regulations

After reviewing the proposed changes to Worcester County Outdoor Advertising, Maryland Department of Transportation (MDOT), State Highway Administration (SHA) Outdoor Advertising (OA) would NOT support a change in the current county ordinance. The State of Maryland follows the Highway Beautification Act and Bonus Act provisions. The Highway Beautification Act was passed in 1965 and called for the control of outdoor advertising, including removal of certain types of signs, along the Nation's growing Interstate System and the existing Federal-aid primary system. It also required certain junkyards along Interstate or primary highways to be removed or screened and encouraged scenic enhancement and roadside development. Under CFR 23 Code 131- Control of Outdoor Advertising states the following: The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty. Although the State of Maryland has adopted regulations that can be found in the Annotated Code of Maryland under the Transportation Articles 8-605 and 8-701 through 8-812, each county in Maryland has also adopted their own set of regulations as well. When reviewing a sign for compliance the State will always defer to the jurisdiction that is the most restrictive whether that would be at the Federal, State, County or Local level. Currently, the following counties do not permit new outdoor advertising: Howard, Carroll, Calvert, Charles, Anne Arundel, Baltimore County, Prince George's, Montgomery, Kent, Queen Anne's, Talbot, Worcester, and Wicomico. These counties also have provisions in their regulations that monitor and control their current inventory of signs. For instance, Montgomery County has outlawed billboards completely and gave companies a 10-year window for all billboards to be removed and no new billboards may be erected. In Washington County non-conforming signs must be static this includes any movement but not limited to flashing, scrolling, rotating, changing in light intensity or color, or image projection is prohibited. Tri-vision and other mechanical signs are also prohibited. In Charles County there is a similar act of god provision that states if a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this article, and the remnants of the former sign structure shall be cleared from the land. Under CFR 23 Section 750.707, Non-conforming signs are only permitted to be reasonably repaired or maintained and any sign that is in need of substantial repair may constitute abandonment or discontinuance. These non-conforming signs are also not permitted to be upgraded and must remain substantially the same as it was on the effective day of the State law or regulations.



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

The specific billboard in question located along Route 50 would be considered a conforming sign under state regulations, and MDOT SHA would allow the sign to be re-erected. However, if the county ordinance were to be amended to allow this billboard to be reconstructed, there are additional signs in Worcester County that if they were destroyed, even though a change in your county ordinance would allow them to be replaced, MDOT SHA would not permit them to be reconstructed. This is due to the Highway Beautification Act and provisions in the Maryland Annotated Code because these signs are located along a state road that is designated as a primary aid highway and a scenic byway.

If it is the goal of Worcester County to maintain the scenic beauty of the roadway, and the current provisions in your County ordinance which were created to maintain that beauty, then the current ordinance should stand as written. Because laws and regulations exist on a Federal, State, County, and Local level there will almost certainly be an instance where a sign that is damaged may not be able to be reconstructed. Altering your ordinance for this one sign does not guarantee that other signs located along roadways in your county will be allowed to be replaced under state and federal regulations.

cc: Janet Blondell, Chief Special Acquisitions

Title 23

SECTION 750.707

750.707 Nonconforming signs.

§ 750.707 Nonconforming signs.

(a) *General.* The provisions of § 750.707 apply to nonconforming signs which must be removed under State laws and regulations implementing 23 U.S.C. 131. These provisions also apply to nonconforming signs located in commercial and industrial areas within 660 feet of the nearest edge of the right-of-way which come under the so-called grandfather clause contained in State-Federal agreements. These provisions do not apply to conforming signs regardless of when or where they are erected.

(b) *Nonconforming signs.* A nonconforming sign is a sign which was lawfully erected but does not comply with the provisions of State law or State regulations passed at a later date or later fails to comply with State law or State regulations due to changed conditions. Changed conditions include, for example, signs lawfully in existence in commercial areas which at a later date become noncommercial, or signs lawfully erected on a secondary highway later classified as a primary highway.

(c) *Grandfather clause.* At the option of the State, the agreement may contain a grandfather clause under which criteria relative to size, lighting, and spacing of signs in zoned and unzoned commercial and industrial areas within 660 feet of the nearest edge of the right-of-way apply only to new signs to be erected after the date specified in the agreement. Any sign lawfully in existence in a commercial or industrial area on such date may remain even though it may not comply with the size, lighting, or spacing criteria. This clause only allows an individual sign at its particular location for the duration of its normal life subject to customary maintenance. Preexisting signs covered by a grandfather clause, which do not comply with the agreement criteria have the status of nonconforming signs.

(d) *Maintenance and continuance.* In order to maintain and continue a nonconforming sign, the following conditions apply:

(1) The sign must have been actually in existence at the time the applicable State law or regulations became effective as distinguished from a contemplated use such as a lease or agreement with the property owner. There are two exceptions to actual existence as follows:

(i) Where a permit or similar specific State governmental action was granted for the construction of a sign prior to the effective date of the State law or regulations and the sign owner acted in good faith and expended sums in reliance thereon. This exception shall not apply in instances where large numbers of permits were applied for and issued to a single sign owner, obviously in anticipation of the passage of a State control law.

(ii) Where the State outdoor advertising control law or the Federal-State agreement provides that signs in commercial and industrial areas may be erected within six (6) months after the effective date of the law or agreement provided a lease dated prior to such effective date was filed with the State and recorded within thirty (30) days following such effective date.

(2) There must be existing property rights in the sign affected by the State law or regulations. For example, paper signs nailed to trees, abandoned signs and the like are not protected.

(3) The sign may be sold, leased, or otherwise transferred without affecting its status, but its location may not be changed. A nonconforming sign removed as a result of a right-of-way taking or for any other reason may be relocated to a conforming area but cannot be reestablished at a new location as a nonconforming use.

(4) The sign must have been lawful on the effective date of the State law or regulations, and must continue to be lawfully maintained.

(5) The sign must remain substantially the same as it was on the effective date of the State law or regulations. Reasonable repair and maintenance of the sign, including a change of advertising message, is not a change which would terminate nonconforming rights. Each State shall develop its own criteria to determine when customary maintenance ceases and a substantial change has occurred which would terminate nonconforming rights.

(6) The sign may continue as long as it is not destroyed, abandoned, or discontinued. If permitted by State law and reerected in kind, exception may be made for signs destroyed due to vandalism and other criminal or tortious acts.

(i) Each state shall develop criteria to define destruction, abandonment and discontinuance. These criteria may provide that a sign which for a designated period of time has obsolete advertising matter or is without advertising matter or is in need of substantial repair may constitute abandonment or discontinuance. Similarly, a sign damaged in excess of a certain percentage of its replacement cost may be considered destroyed.

(ii) Where an existing nonconforming sign ceases to display advertising matter, a reasonable period of time to replace advertising content must be established by each State. Where new content is not put on a structure within the established period, the use of the structure as a nonconforming outdoor advertising sign is terminated and shall constitute an abandonment or discontinuance. Where a State establishes a period of more than one (1) year as a reasonable period for change of message, it shall justify that period as a customary enforcement practice within the State. This established period may be waived for an involuntary discontinuance such as the closing of a highway for repair in front of the sign.

(e) *Just compensation.* The States are required to pay just compensation for the removal of nonconforming lawfully existing signs in accordance with the terms of 23 U.S.C. 131 and the provisions of subpart D, part 750, chapter I, 23 CFR. The conditions which establish a right to maintain a nonconforming sign and therefore the right to compensation must pertain at the time it is acquired or removed.



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/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
ADMINISTRATIVE DIVISION

DATA RESEARCH DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Edward A. Tudor, Director
Roscoe Leslie, County Attorney
Kristen Tremblay, Zoning Administrator
From: Jennifer K. Keener, AICP, Deputy Director *JKK*
Date: October 20, 2020
Re: Text Amendment Application – §ZS 1-324(d) Off-premises signs - billboards

The attached text amendment application has been submitted by Hugh Cropper, IV, on behalf of his client John H. Burbage, Jr. It seeks to amend §ZS 1-324(d)(4) and (5) of the off-premise sign section to allow billboards to take advantage of the non-conformity provisions of §ZS 1-122 relative to reconstruction. Currently, billboards may be maintained under the ordinary repairs and maintenance clause of the non-conformity section. However, any billboard that is destroyed by the forces of nature to the extent found in §ZS 1-324(d)(5) would not be able to be rebuilt.

Also attached is the draft bill form of the request. I anticipate scheduling this text amendment for consideration by the Planning Commission at a forthcoming meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than November 18, 2020.

Should you have questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

Attachment

Worcester County Commissioners
Government Office Building
One West Market Street, Room 1103
Snow Hill, Maryland 21863

Please Type or
Print in Ink

PETITION FOR AMENDMENT OF OFFICIAL TEXT
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE

(Office Use Only - Please Do Not Write In This Space)

Date Received by Office of the County Commissioners: _____

Date Received by Development Review and Permitting: 10/15/2020

Date Reviewed by Planning Commission: _____

I. Application - Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

A. Resident of Worcester County. XXX

B. Taxpayer of Worcester County. XXX

C. Governmental Agency _____

(Name of Agency)

II. Proposed Change to Text of the Zoning and Subdivision Control Article.

A. Section Number: ZS 1-324 (d)

B. Page Number: 231

C. Proposed revised text, addition or deletion:


See attached

III. Reasons for Requesting Text Change:

- A. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

Please See Attached

IV. Signature of Applicants

Signature:  attorney

Printed Name of Applicant: John H. Burbage, Jr.

Mailing Address: 9919 Stephen Decatur Highway, Ocean Gateway, Ocean City, MD 21842

Phone Number: 410-213-1900 E-Mail: jburbage@bwdc.com

Date: October 8, 2020

Signature of Attorney: 

Printed Name of Attorney: Hugh Cropper IV

Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, Maryland 21842

Phone Number: 410-213-2681 E-Mail: hcropper@bbcmlaw.com

Date: October 8, 2020

V. General Information Relating to the Text Change Request.

- A. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- B. Procedure for Text Amendments - Text amendments shall be passed by the County Commissioners of Worcester County as Public Local Laws according to legally required procedures, with the following additional requirements. Any proposed amendment shall first be referred to the Planning Commission for recommendation. The Planning Commission shall make a recommendation

within a reasonable time after receipt of the proposed amendment. After receipt of the recommendation of the Planning Commission, the County Commissioners shall hold at least one public hearing in relation to the proposed amendment, at which parties and interested citizens shall have any opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing and the nature of the proposed amendment shall be published in an official paper or a paper of general circulation in Worcester County. In the event no County Commissioner is willing to introduce the proposed amendment as a bill, it need not be considered.

(4) Existing billboards.

- A. Legally existing billboards may remain and be periodically maintained as permitted nonconforming structures and uses ~~unless totally destroyed as specified in Subsection (d)(5) hereof. However, in no case may they be reconstructed, expanded or reerected.~~ ✓
- B. No billboard shall have more than two hundred square feet of copy area per facing and the trim shall not exceed forty percent of the copy area. No such sign shall have an overall height of more than twenty-five feet above the ground level or twenty-five feet above the grade level of the adjacent road if higher. No more than one such billboard shall be erected at any one location and facing the same direction.
- C. No billboard shall be located less than three hundred feet from any other billboard on the same side of the road, except when such sign is part of a double-faced or V-type structure where the interior angle of the "V" does not exceed forty-five degrees, nor shall any billboard be located less than one hundred feet from any R District or three hundred feet from any public or private school, park, library, church, historical shrine or other building or landmark maintained as such by a public or semipublic agency.
- D. Billboards shall be set back at least as far as the required front yard depth for a principal building within the pertinent zoning district.

(5) Any billboard or off-premises advertising structure which is destroyed by the forces of nature to any of the following extents for any reason whatsoever shall be considered totally destroyed, shall lose its right to the benefit of any nonconformity provisions and may not be reerected. For the purposes hereof, "destruction" shall mean the rendering of the billboard element as unusable and the "facing" shall include the copy area and trim.

- A. Destruction of fifty percent or more of the supporting piles or structure,
- B. Destruction of seventy-five percent or more of the facing; or
- C. Destruction of twenty-five percent or more of the supporting piles or structure and fifty percent or more of the facing.

(e) Electronic messaging signs. All signs employing electronic messaging shall be subject to this Section.

(1) For purposes of this Section, the following definitions shall apply:

- A. **Electronic changeable copy sign.** A sign or portion thereof that displays electronic, nonpictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of ~~matrix~~ MATRIX elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.
- B. **Electronic graphic display sign.** A sign or portion thereof that displays electronic, static graphics or static pictures, with or without information, defined by a small number of ~~matrix~~ MATRIX elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or

REASONS IN SUPPORT OF TEXT CHANGE

Legally existing billboards are permitted as non-conforming structures and uses. However, no new billboards shall be erected.

As the Code is currently written, if a billboard is destroyed by an Act of God, weather, or some other event, it may not be reerected.

The Code includes a specific definition of what it means to be destroyed by the forces of nature.

This is unfair for a number of reasons. First, the undersigned is not aware of any other structure or use in the Code that, if destroyed in a hurricane or other storm, cannot be rebuilt. Even in the Critical Area, Critical Area Buffer, or other environmentally sensitive areas, houses and other structures can be rebuilt if they are destroyed by hurricanes or floods.

Second, from a financial perspective, it is impossible to make any financial plans with the current law. Why would anyone lease a billboard, knowing it could be destroyed the next day and not rebuilt? Why would anyone spend money to upgrade a billboard, knowing that the right to maintain it could end at any time?

The undersigned recognizes the County's policy against a proliferation of billboards, but no new billboards shall be permitted.

If something is legally existing, and it is destroyed by a force of nature, or Act of God (such as lightning), it should be able to be rebuilt.

Respectfully submitted,



Hugh Cropper IV
Attorney for John H., Burbage, Jr.

STAFF REPORT

REZONING CASE NO. 429

PROPERTY OWNER: Daniel Strickland Hope
4224 Nassawango Road
Snow Hill, Maryland 21863

ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 70 - Parcel 18 – Parcel A - Tax District 7

SIZE: The petitioned area is 192.28 acres in size.

LOCATION: The petitioned area is located on the southerly side of Nassawango Road, to the west of MD Route 12, northwest of Snow Hill.

CURRENT USE OF PETITIONED AREA: Tilled land, forest, a single-family dwelling with customary residential accessory structures and an agricultural storage building.

CURRENT ZONING CLASSIFICATION: RP Resource Protection District

REQUESTED ZONING CLASSIFICATION: A-1 Agricultural District

APPLICANT'S BASIS FOR REZONING: The application indicates that there was a mistake made in the existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an A-1 Agricultural District classification, with a portion of the forested waterfront area placed in the C-1 Conservation District. That designation was retained in the 1992 comprehensive rezoning. During the 2009 comprehensive rezoning, the entire property was placed in the RP Resource Protection District. This district was the former C-1 Conservation District.

SURROUNDING ZONING: All adjoining and nearby properties are also zoned RP Resource Protection District. On the adjacent Parcel 18, Parcel B, also owned by the applicant, the farmed portion of the property considered upland was rezoned from RP Resource Protection District to A-1 Agricultural District as the subject of Rezoning Case No. 425 by the Worcester County Commissioners on October 6, 2020. As a condition of that approval, the wetlands adjacent to the Pocomoke River had to be retained in the RP Resource Protection District.

COMPREHENSIVE PLAN:

According to Chapter 2 – Land Use of the Comprehensive Plan and associated land use map, the petitioned area lies within the Agricultural and Green Infrastructure Land Use Categories. With regard to the Agricultural Land Use Category, the Comprehensive Plan states the following:

“The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county’s way of life. The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses and residential and other conflicting land uses, although permitted, are discouraged.” (Page 18)

With respect to the Green Infrastructure Land Use Category, the Comprehensive Plan states that this category addresses state and locally designated natural and open spaces and that these are designated to preserve environmentally significant areas and to maintain the environmental functionality of the County’s landscape. It states that greenways improve water quality, provide flood control and maintain the County’s rural and coastal character. The Comprehensive Plan further states that this category includes conservation zones, which are highly restricted due to their special sensitivity and that conservation areas are defined by their soils (muck), state owned natural areas, existing conservation zoning, tidal wetlands, and selected riparian corridors. It also states that greenway and conservation areas have distinct physical characteristics which make them special habitat areas or place extreme limitations on development and that such areas are “place dependent”, that is, they only occur at specific locations. Their identification and preservation must be proactively addressed and after-the-fact mitigation and restoration is expensive and often of limited effect. The Comprehensive Plan also states that the green infrastructure system is designed to maintain existing resource areas and, where absent, create sufficient natural “corridors” linking larger green “hubs”.

Pertinent objectives cited in Chapter 2 – Land Use state the following:

2. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions.
3. Maintain the character of the county’s existing population centers.
4. Provide for appropriate residential, commercial, institutional, and industrial uses.
5. Locate new development in or near existing population centers and within planned growth centers.
6. Infill existing population centers without overwhelming their existing character.
7. Work with municipalities to develop annexation guidance policies that encourage infill within a municipality and then provide for logical community extensions.
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character.

9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
11. Set high environmental standards for new development, especially in designated growth areas.
12. Develop green infrastructure system.
13. Expand the protection of the Coastal Bays and the Pocomoke River drainage basins through watershed plans and their implementation.
19. Limit rural development to uses compatible with agriculture and forestry.
20. Direct new development in growth areas to planned communities.

(Pages 12, 13)

In Chapter 3, Natural Resources, pertinent objectives include the following:

1. Use a systems approach to environmental planning addressing pollution at or close to its source and use sustainable development techniques.
2. Instill environmental stewardship as a universal ethic.
3. Identify and protect environmentally sensitive areas.
4. Restore and/or enhance natural resource functions where possible.
8. Conserve resources by reducing unnecessary consumption.
10. Establish sufficient buffers for sensitive areas.

(Page 33)

In Chapter 7 – Transportation, the Comprehensive Plan states that “[t]he county’s rural road system continues to have an excellent service record. Local car and truck traffic share this system with farm machinery. On-going maintenance will remain the primary need for these roads. Due to their configuration, rural roads within this plan’s growth areas will require improvements to handle the expected additional traffic.” (Page 80)

Chapter 7 also states that “MD 364 Dividing Creek/Nassawango Road (Two Lane Secondary Highway/Minor Collector Highway) This minor collector begins at US 13 west of Pocomoke City and links to MD 354 to the north of Snow Hill. This roadway’s current configuration should be adequate for the planning period.” (Page 87)

In this same chapter, under the heading General Recommendations – Roadways, it states the following:

1. **Acceptable Levels of Service**—It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.

2. Rural Roadways—Institute access controls for rural roads if their LOS drops below B for daily peak traffic.
3. Traffic studies--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
4. Impacted Roads--Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
5. Impacted Intersections--Upgrade intersections that have fallen below a LOS C, for example, the intersection of US 13 and MD 756 Old Snow Hill Road, intersection of MD 589 and US 50.

(Page 87)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the existing structures on the subject property are currently served by private well and septic, with a designation of a Sewer Service Category of S-6 and W-6 (No Planned Service) in the Master Water and Sewerage Plan. No comments were received from John H. Tustin, P.E., Director of Public Works, or John Ross, P.E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

OtA – Othello silt loams, severe limitations to on-site wastewater disposal
HbA – Hambrook sandy loam, severe limitations to on-site wastewater disposal
SadB – Sassafras sandy loam, severe limitations to on-site wastewater disposal
HuA – Hurlock loamy sand, severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Snow Hill Volunteer Fire Company, located approximately ten minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately thirty minutes away, and the Worcester County Sheriff’s Office in Snow Hill, approximately ten minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff’s Office.

ROADWAYS AND TRANSPORTATION: The petitioned area fronts on Nassawango Road, a County-owned and -maintained roadway. The Comprehensive Plan classifies Nassawango Road as a two-lane secondary highway/minor collector highway. It should be noted that other portions of this roadway are named Dividing Creek Road and/or MD Route 364 and are State-owned and -maintained. This minor collector begins at US Route 13 in Pocomoke City and links to MD Routes 12 and 354 to the north of Snow Hill. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter (copy attached) that he had no objection to the rezoning request. Frank J.

Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments at this time.

SCHOOLS: The petitioned area is within Zone 4 of the Worcester County Public School Zones and is served by the following schools: Snow Hill Elementary School, Snow Hill Middle School, and Snow Hill High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ ATLANTIC COASTAL BAYS CRITICAL AREAS: Mr. Mitchell also notes in his memorandum that the petitioned area is partially located within the boundaries of the Chesapeake Bay Critical Area (CBCA). He states that this portion of the parcel is designated as a Resource Conservation Area (RCA) and has an associated 100-foot buffer from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. He further states that RCA's are areas characterized by nature-dominated environments (i.e. wetlands, forests and abandoned fields) and resource-utilization activities (i.e. agriculture, forestry, fisheries and aquaculture). He stated that allowed uses within the A-1 Agricultural District support the County's farms and forestry operations. Furthermore, Mr. Mitchell states that if the proposed rezoning is approved, lands within the boundaries of the RCA must abide by the allowances of §NR 3-206.

Any rezoning application located wholly or partially within the Critical Area require that notification be sent to the Critical Area Commission (CAC). Mr. Mitchell has attached the comments provided by Michael Grassmann, Natural Resources Planner with the CAC. Mr. Grassmann states that a zoning map amendment may only be made in the Critical Area on the basis of a mistake in the existing zoning *and* a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification. Mr. Grassmann further states that the A-1 zone is *mostly* consistent with the RCA classification as evidenced by the A-1 Agricultural District in the County zoning code as being *intended to preserve, encourage and protect the County's farms and forestry operations*. However, Mr. Grassmann pointed out that there are certain uses allowed in the A-1 District that would not be permitted in the RCA, such as landing strips, spray irrigation fields and storage lagoons for Class II effluent, and large solar energy systems. Therefore, the County must ensure that the site complies with the RCA use limits in the code. Mr. Grassmann states that any future development of this site, including construction of a dwelling and accessory structures, or any future subdivision of this property, must be governed by the County and State Critical Area regulations, including rules and regulations regarding lot coverage, forest and developed woodland clearing, buffer establishment, and RCA density.

For those lands outside of the CBCA, Mr. Mitchell notes that those areas will be subject to the Forest Conservation Law. The afforestation threshold is 20% and the reforestation threshold is 50%.

FLOOD ZONE: The FIRM map (24047C0250H, effective July 16, 2015) indicates that this property is located in Zone X (Area of Minimal Flood Hazard) and A (100-year flood).

PRIORITY FUNDING AREA: The petitioned area is not within a designated Priority Funding Area.

INCORPORATED TOWNS: This site is not within one mile of any incorporated town.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Rob Clarke, DNR Forester: On behalf of the Maryland Forest Service, Mr. Clarke confirmed that the subject property has been under active forest management and the property owners are members of the American Tree Farm system. These activities pre-date his tenure as a county forester which started in 1978.

!!**IMPORTANT**!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

1. What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.
6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
7. Relating to compatibility with the Comprehensive Plan.
8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?



Worcester County

Department of Environmental Programs

Memorandum

To: Jennifer Keener, Deputy Director, DDRP

From: Robert J. Mitchell 
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 429
Worcester County Tax Map 70, Parcel 18 Lot A
Reclassify approximately 192.28 Total Acres of
RP- Resource Protection District to A-1 Agricultural District

Date: 11/10/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced property. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The Department of Environmental Programs has the following comments:

1. This property has mostly an agricultural land use designation in the Land Use Map in the Worcester County Comprehensive Plan (*Comprehensive Plan*), while the remaining portions along the Pocomoke River are located in the Green Infrastructure District. The Green Infrastructure land use designation addresses state and locally designated natural and open spaces. These areas are designated to preserve environmentally significant areas and to maintain the environmental functionality of the county's landscape. Greenways improve water quality, provide flood control and maintain the county's rural and coastal character. The Agricultural land use designation is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. It is expected that residential and other conflicting land uses although permitted, are discouraged within this district. The areas adjacent properties are all in the Agricultural

Citizens and Government Working Together

land use district save the portions directly fronting the Pocomoke River, where a Green Infrastructure designation is found.

2. The existing residence on the property is served by private well and septic at the present time. The subject property has a designation of a Sewer and Water Service Category of S-6/W-6 and (No Planned Service) in the *Master Water and Sewerage Plan*.
3. This rezoning is partially located within the Chesapeake Bay Critical Area (CBCA). The parcel is designated as a Resource Conservation Area (RCA) and has an associated 100ft buffer from the mean high water line of tidal water, the edge of the bank of tributary streams, and landward extent of tidal wetlands. RCA's are areas characterized by nature-dominated environments (i.e. wetlands, forests, abandoned fields) and resource-utilization activities (i.e. agricultural, forestry, fisheries, aquaculture). Allowed uses within the A-1 Zoning District support the County's farms and forestry operations. As the attached letter from the Critical Area Commission asserts, the A-1 zone is *mostly* consistent with the RCA classification but not entirely, and there are uses that are allowed in the A-1 zone that are not permitted in the RCA.
4. It should be noted that if the proposed rezoning is approved, lands within RCA boundaries must abide by the allowances in §NR 3-206. This includes, but is not limited to, lot coverage, clearing, and density limitations. Also, no new commercial, industrial, or institutional uses can be permitted within approval of a Growth Allocation. Though they are not claimed here, any existing industrial or commercial facilities may not exceed density specified in §NR 3-206(c)(3).
5. This proposed rezoning is also proposed for portions of the property located in an area outside the CBCA; therefore, that area will also be subject to the Forest Conservation Law (FCL). The property has not been subject to the FCL, due to all permitted construction having occurred prior to the implementation of the Law. A change from RP to A-1 would not change the afforestation/reforestation thresholds when/if the property is further developed to the point that compliance with the law is required. The afforestation threshold will remain at 20 percent and the reforestation threshold will remain at 50 percent should rezoning be granted.
6. The boundary of the RP zone does not follow the green infrastructure boundary of the 2006 Land Use Plan in this location, however there are several reasons why this property is zoned RP.
7. The purpose of the RP is to preserve environmentally significant areas of the County and includes those areas which pose constraints for development or where development could have a substantially adverse environmental effect. The district serves to maintain the environmental functionality of the landscape. Full text is provided below in Note #10.
8. Among other things, the criteria used to determine RP zone boundaries included presence of Critical Area, extensive woodland, hydric soils/wetlands, and a riparian corridor.

9. These parcels are consistent with the purpose of the RP zone and the criteria used to map the boundary of this zone. The subject parcel is primarily wooded and part of a large contiguous tract of private and publicly owned woodland corridor protecting the Pocomoke River. The subject parcel includes extensive Chesapeake Bay Critical Area (the land on the parcel that is not wooded is mainly in the Critical Area). The parcel is adjacent to a “wetland of special state concern” and Sensitive Species Project Review Area. The zoning designation is consistent with the RP zoning in this portion of the river corridor: Land that is primarily wooded, whether privately or publicly owned, is zoned RP in this corridor. Protection of contiguous riparian woodland in this location is key to the continued health of the Pocomoke River—both its water quality and the quality of habitat. (Maps are attached)
10. Text from §ZS 1-215 for the RP District - *Purpose and Intent: protect its natural resources in all areas. The district includes those areas of the County which pose constraints for development or where development could have a substantially adverse environmental effect. This district serves to maintain the environmental functionality of the landscape by avoiding or minimizing disturbance of sensitive areas which generally include tidal and nontidal wetlands, state-owned natural areas, selected riparian corridors, conservation areas, and muck and alluvial soils. Development potential within this district is severely limited; however, some minor development may be carried out, provided it is done in a manner sufficiently sensitive to the existing natural environment and visual character of the site.*
11. It would appear that reasons exist for a restriction in the change for the zoning reclassification for the entire property. The applicant should be prepared to address why portions of the property where sensitive areas exist and where a Green Infrastructure land use designation exists should be included in this zoning reclassification.

If you have any questions on these comments, please do not hesitate to contact me.

Attachments

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman
Katherine Charbonneau
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

October 27, 2020

Ms. Jenelle Gerthoffer
Worcester County Department of Environmental Programs
One West Market Street – Room 1306
Snow Hill, Maryland 21863

Re: Rezoning Case No. 429: Hope, Daniel & Jana
4224 Nassawango Road (Tax Map 70, Parcel 18, Lot A)

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of the above referenced parcel. The 192.28 acre property is located partially the Critical Area, with 60 acres of land designated as Resource Conservation Area (RCA). The proposed rezoning would change the property from Resource Protection (RP) to Agricultural District (A-1). The petitioned area is located at 4224 Nassawango Road in Snow Hill on Tax Map 70, Parcel 18, Lot A.

The applicant is arguing that a mapping mistake was made in the Comprehensive Rezoning in 2009. A zoning map amendment in the Critical Area can only be made in the Critical Area on the basis of mistake in the existing zoning *and* a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification (Natural Resources Article 8-1809(h)(2)). The A-1 zone is *mostly* consistent with the RCA classification as evidenced by the description of the A-1 Agricultural District in the County's zoning code as being *intended to preserve, encourage and protect the County's farms and forestry operations*. However, the A-1 zone allows certain uses that are not permitted in the RCA per Worcester County Code NR 3-206 and NR 3-217. These uses include, but are not limited to, landing strips, spray irrigation fields and storage lagoons for Class II effluent, and large solar energy systems. Therefore, the County must ensure that the site complies with the RCA use limits outlined in the Code.

Additionally, the County's text amendment for adding special events to the RCA use table is still pending revision, so commercial non-agriculture functions and events cannot be hosted on the RCA portions of the property until such time as the Critical Area Commission approves the revised language and it is adopted into the Worcester County Code.

Any future development of this site, including construction of a dwelling and accessory structures, or any future subdivision of this property, must be governed by Worcester County Code NR3:II Chesapeake Bay Critical Area and COMAR Title 27, including, but not limited to, rules and regulations regarding lot coverage, forest and developed woodland clearing, Buffer

Ms. Jenelle Gerthoffer
October 27, 2020
Page 2 of 2

establishment, and RCA density. Where Worcester County Code NR3:II and COMAR Title 27 differ, the stricter rule or regulation shall prevail.

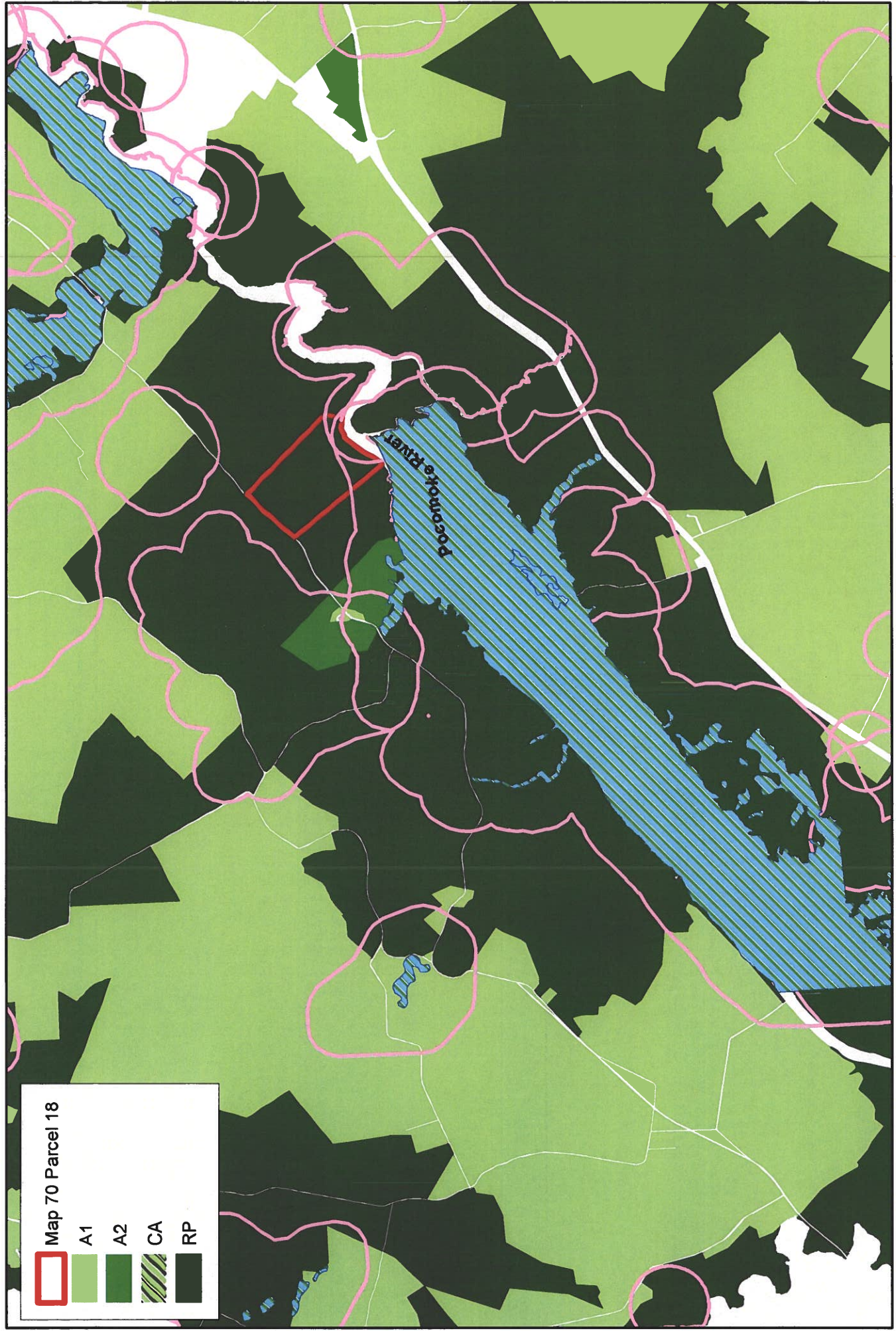
Please include this letter in the file and submit it as part of the record. In addition, please notify the Commission in writing of the decision made in this case. Thank you for the opportunity to comment. If you have any questions, please contact me at (410) 260-3462 or by emailing me at michael.grassmann@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Grassmann", followed by a horizontal line.

Michael Grassmann
Natural Resources Planner

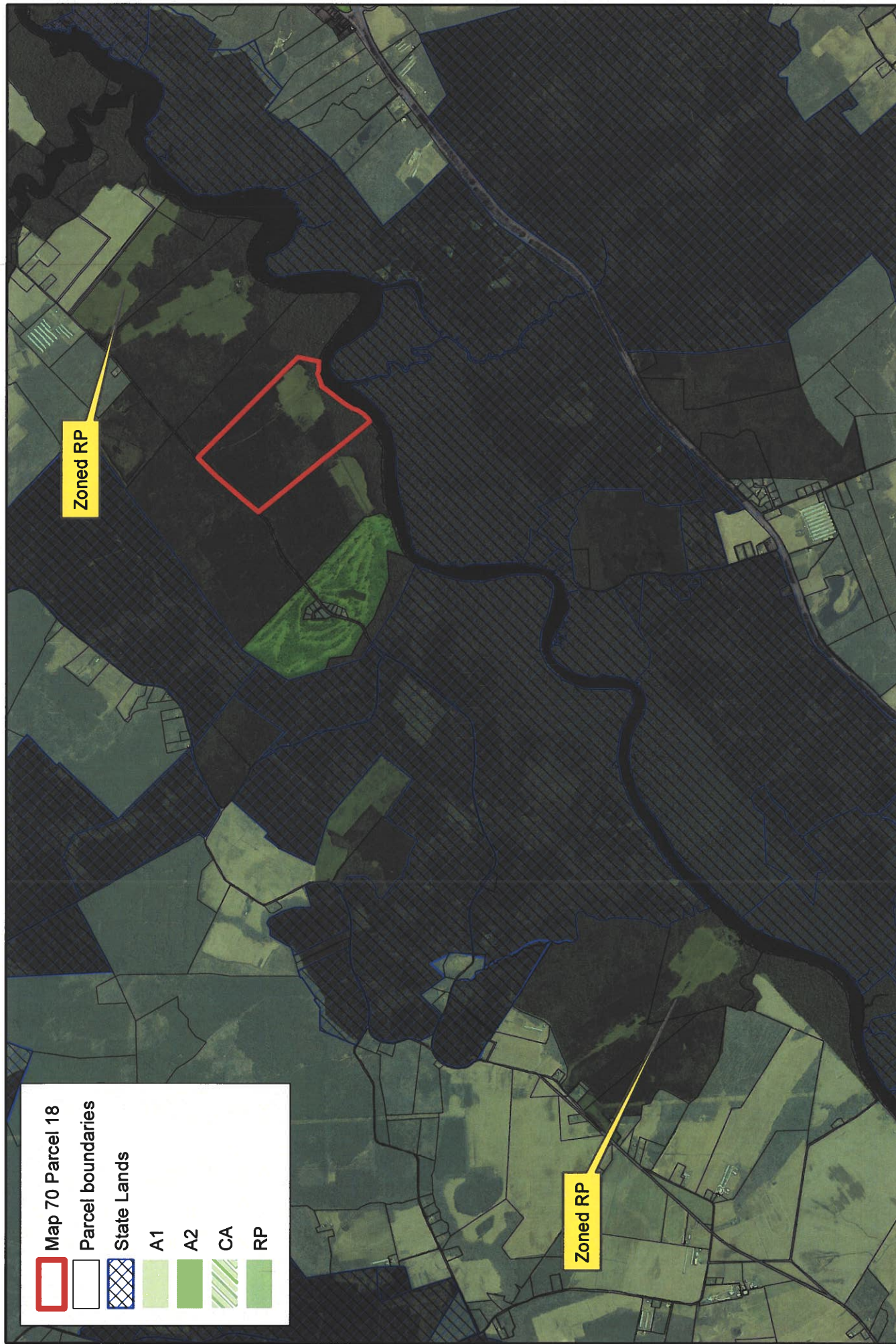
File: WO 399-20



Re-zoning Case 429: TM 70, Parcel 18
Zoning, Wetland of Special State Concern, Sensitive Species Project Review Area



Re-zoning Case 429: TM 70, Parcel 18
Zoning, Critical Area, State Lands





STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Gregory Slater
Secretary

Tim Smith, P.E.
Administrator

October 23, 2020

Ms. Jennifer Keener
Deputy Director
Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill MD 21863

Dear Ms. Keener:

Thank you for the opportunity to review the Rezoning Application from Hugh Cropper for Rezoning Case No. 429 – Daniel S. and Jana P. Hope. The property is described as Tax Map 70, Parcel number 18, Lot number A, Tax District number 7th, located on the south side of River Road, in Worcester County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents. We are pleased to respond.

Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, District 1 will require a concept study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary.

As reflected in our aforementioned comments, MDOT SHA has no objection to the rezoning as determined by Worcester County. Thank you for the opportunity to provide a response. If you have any questions regarding this response, please feel free to contact Mr. Daniel Wilson, District 1 Access Management Regional Engineer, via email at dwilson12@mdot.maryland.gov or by calling him directly at 410-677-4048.

Sincerely,

James W. Meredith,
District Engineer

cc: Mr. Dallas Baker, D-1 Assistant District Engineer Project Development, MDOT SHA
Mr. Rodney Hubble, Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Tony Turner, Asst. Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Daniel Wilson, D-1 Access Management Regional Engineer, MDOT SHA



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

M E M O R A N D U M

TO: Jennifer Keener, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: October 13, 2020
RE: Rezoning Case No. 429, 430 and 431

.....

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185



Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 429: No comments at this time.

Rezoning Case 430: No comments at this time.

Rezoning Case 431: No comments at this time.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/ll
\\wfile2\users\llawrence\Rezoning\Rezoning Case 429.430.431.doc

Rezoning
Case No 429

Jennifer Keener

From: April Mariner
Sent: Thursday, October 8, 2020 2:09 PM
To: Jennifer Keener
Subject: FW: Rezoning

FYI

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Thursday, October 8, 2020 2:06 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Hi April,

I am doing well, thanks.

I can vouch for the fact that the Hope Farm (case 429) and Cellarhouse Farms (case 430) have been under active forest management and members of the American Tree Farm System for decades. I have worked on forest management activities with 3 generations of the Strickland / Hope families. In both cases, their forest management activities predate my tenure here as county forester, which started in 1978. I have no other comments on these two requests.

I have no comments case 431.

Thanks for the opportunity to provide input.



Rob Clarke
Forester
Maryland Forest Service
Department of Natural Resources
10990 Market Lane
Princess Anne, Maryland 21853-2910
Rob.Clarke@maryland.gov
(410) 651-2004 (O)
(443)235-1636 (M)
[Website](#) | [Facebook](#) | [Twitter](#)

On Thu, Oct 8, 2020 at 1:37 PM April Mariner <amariner@co.worcester.md.us> wrote:

Good Afternoon Rob, I hope this email finds you well. I have attached 3 memos requesting comment for three upcoming Rezoning Cases. Please send any comments back to me and I will pass them along. Thank you and have a great day!

April L. Mariner

Office Assistant IV

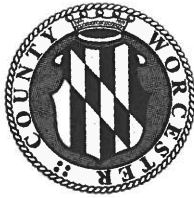
Worcester County Development Review & Permitting

amariner@co.worcester.md.us

410-632-1200 x1172

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message.

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
<http://www.co.worcester.md.us/departments/drp>

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
Billy Birch, Director, Worcester County Emergency Services
Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office
John H. Tustin, P.E., Director, Worcester County Public Works Department
John Ross, P.E., Deputy Director, Worcester County Public Works Department
Frank Adkins, Roads Superintendent, Worcester County Public Works Department
Jeff McMahon, Fire Marshal, Worcester County Fire Marshal's Office
Tom Perlozzo, Director of Recreation and Parks, Tourism & Economic Development
Louis H. Taylor, Superintendent, Worcester County Board of Education
James Meredith, District Engineer, Maryland State Highway Administration
Lt. Earl W. Starnier, Commander, Barracks V, Maryland State Police
Rebecca L. Jones, Health Officer, Worcester County Health Department
Rob Clarke, State Forester, Maryland Forest Services
Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
Trey Heiser, Fire Chief, Snow Hill Volunteer Fire Department

FROM: Jennifer K. Keener, Deputy Director *JKK*

DATE: October 8, 2020

RE: Rezoning Case No. 429- Daniel S. and Janna P. Hope, Property Owners, and Hugh Cropper, IV, Attorney- South of River Road at Pocomoke River, Southwest of Snow Hill

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 192.28 acres of land shown on Tax Map 70 as Parcel 18, Parcel A, from RP Resource Protection District to A-1 Agricultural District. Uses allowed in the District include, but are not limited to, single family dwellings, agriculture, grain dryers, feed mills, agricultural processing

Citizens and Government Working Together

plants, aquaculture or seafood processing facilities and landing sites, sawmills, and commercial hosting of non-agricultural functions and events.

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which **your** agency is responsible. ***If no response is received by NOVEMBER 13, 2020, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.***

If you have any questions or require further information, please do not hesitate to call this office or email me at jkkeener@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

Fee Received
9/28/2020

**Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863**

PLEASE TYPE
OR PRINT IN
INK

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

(Office Use One - Please Do Not Write In This Space)

Rezoning Case No. 429

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 9/28/2020

Date Reviewed by Planning Commission: _____

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. _____ Governmental Agency
B. _____ Property Owner
C. _____ Contract Purchaser
D. _____ Option Holder
E. _____ Leasee
F. XXX Attorney for B (Insert A, B, C, D, or E)
G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 70
B. Parcel Number(s): 18
C. Lot Number(s), if applicable: A
D. Tax District Number: 7th

III. Physical Description of Property

- A. Located on the South side of Nassawango River Road.
B. Consisting of a total of 192.28 acres of land.
C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:

-
- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and such other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): **RP, Resource Protection**
(Name and Zoning District)
- B. Acreage of zoning classification(s) in "A" above: **192.28**
- C. Requested zoning classification(s): **A-1, Agricultural District**
(Name and Zoning District)
- D. Acreage of zoning classification(s) in "C" above: _____

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

- A. Please list reasons or other information as to why the rezoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:


This rezoning is based upon a mistake. A more detailed summary is attached.

IV. Filing Information and Required Signatures


- A. Every application shall contain the following information:
1. If the application is made by a person other than the property owner, the application shall be co-signed by the property owner or the property owner's attorney.

2. If the applicant is a corporation, the names and mailing addresses of the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest of the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.

B. Signature of Applicant in Accordance with VI.A. above.

Signature: 
Printed Name of Applicant: _____
Hugh Cropper, IV, Attorney for Property Owner
Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City,
MD 21842 Phone Number: 410-4213-2681
E-Mail: hcropper@bbcmlaw.com
Date: September 29, 2020

C. Signature of Property Owner in Accordance with VI.A. above

Signature: 
Printed Name of Owner: _____
Daniel S. Hope
Mailing Address: 4224 Nassawango Road, Snow Hill, MD 21863
Phone Number: 410-430-4095
E-Mail: _____
dpinewood@gmail.com.com
Date: September 29, 2020

(Please use additional pages and attach to application if more space is required.)

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January

31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.

- B. Applications for map amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case including but not limited to the following matters:

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment based upon a finding that (a) there a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) there is a mistake in the existing zoning classification and that a change in zoning would be

more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

ATTACHMENT IN SUPPORT OF REZONING APPLICATION

INTRODUCTION

Daniel S. Hope, by his attorney, Hugh Cropper IV, respectfully submits the following in support of his Application for Amendment of Official Zoning Map:

Parcel A, 192 acres, has been in the Hope Family since the 1960's. In approximately 1998, the property was surveyed, and a copy of that recorded survey is attached. As shown on that survey, the majority was zoned A-1, Agricultural District. The survey also showed existing dwelling unit, garage, shed, and other outbuildings located on the property. It also showed an entrance road.

The property was again surveyed in 2007, and a Boundary Line Adjustment was approved in February 2008.

Approximately 25 acres of the property is tillable. This agricultural use has existed since approximately 1937.

The property has been a certified Tree Farm for over 50 years. The February 22, 1965 deed to Ann S. Hope, Mr. Hope's mother, is attached. It specifically references the timber, and includes a reservation of timber rights: "to all of the timber, but not including ornamental trees and shrubs, growing and standing on the above described property..." It is clear that commercial timber dates back prior to 1965.

The current property owner, Daniel S. Hope, has resided there with his wife, Jana, for many years. There is a large pond on the property where they train their dogs. They have raised Chesapeake Bay Retrievers on the property

for many, many years.

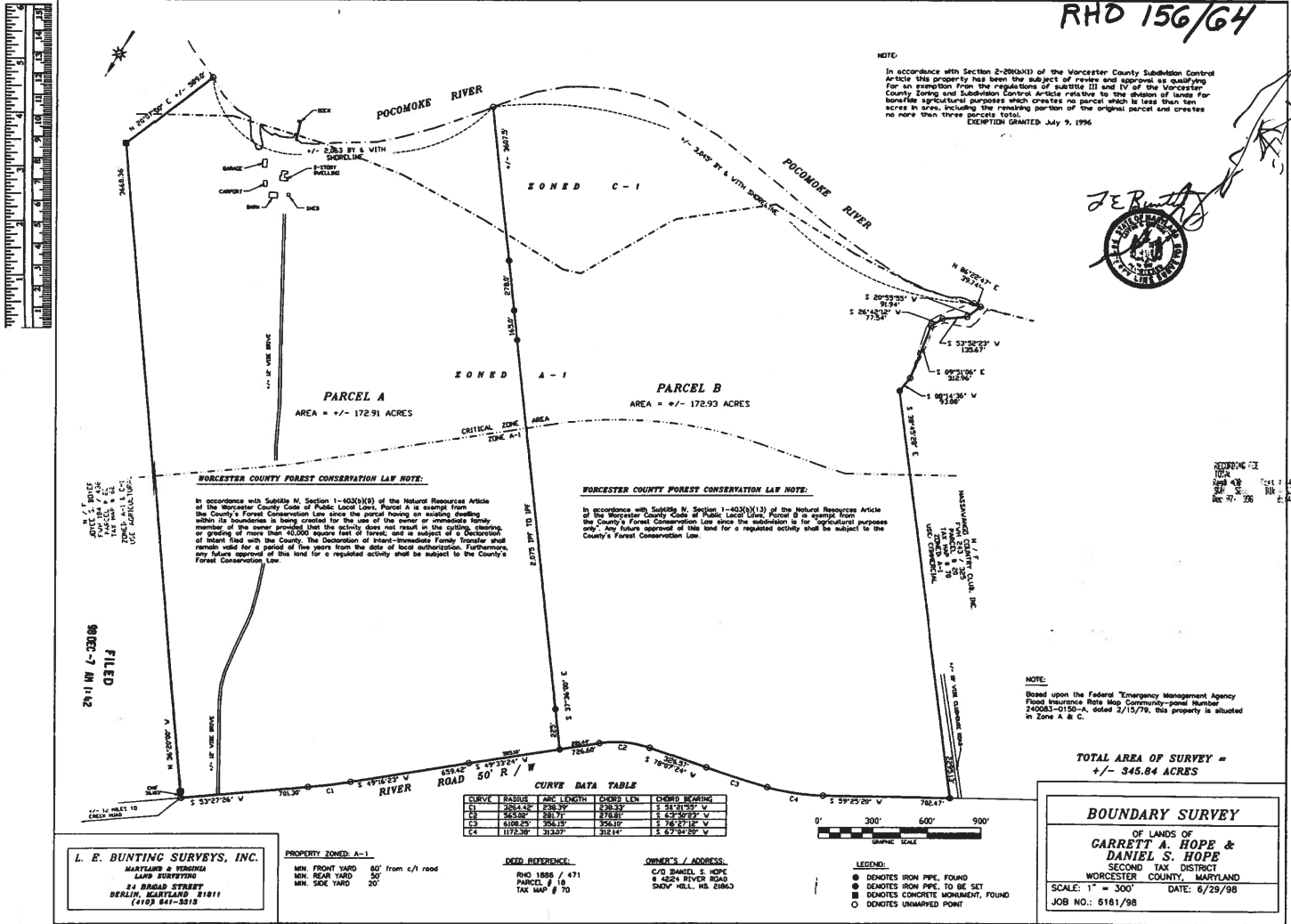
The RP, Resource Protection Zoning, does not allow single family dwellings, without a special exception. As such, the property is a non-conformity. This working farm has been in operation for many years, along with the single-family dwelling, and accessory uses. The rezoning of the property to A-1, Agricultural District, will bring those uses into conformity. According to SDAT records, the primary structure was built in 1920.

A large portion of the property is in the Critical Area, and the A-1, Agricultural District will be consistent with the RCA designation.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Hugh Cropper IV', is written above a horizontal line.

Hugh Cropper IV
Attorney for Owner Daniel S. Hope



HSA C2157-6553

INTER 184 PAGE 433

HELLO

[illegible]

TOGETHER with the buildings and improvements thereupon being
and erected and all rights, ways, waters, privileges, appurtenances
and advantages thereunto belonging or in anywise appertaining.

- 1 -

LHFR 184 440

ever in fee simple, subject, however, to a reservation unto the grantors herein during their joint lives or the life of the survivor, to all of the timber, but not including ornamental trees and shrubs, growing and standing on the above described property, with the right to the said grantors, their agents, servants, employees, or assignees, with the necessary machinery or tools, to enter said land and cut and remove any and all of said timber at any time during joint lives of the grantors or the life of the survivor or for such time thereafter as may be set forth in any contract made during their respective lifetimes, with full rights of ingress, egress, and regress over the said land for said purpose.

AND said grantors hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such other and further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors.

Witness:

Witnessed by
Subscribed by
Clarence W. Strickland (SEAL)
Clarence W. Strickland
Patricia G. Berdan
Patricia G. Berdan
Nannie E. Strickland (SEAL)
Nannie E. Strickland

STATE OF MARYLAND, WORCESTER COUNTY, to wit:

On this the 22nd day of February, 1965, before me, Patricia G. Berdan, the undersigned officer, personally appeared Clarence W. Strickland and Nannie E. Strickland, his wife, known or satisfactorily proven to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Patricia G. Berdan
Patricia G. Berdan, Notary Public

1965, Mar. 2..... The foregoing..... deed..... filed
for record and is accordingly recorded among the land records of
Worcester County, Md., in Liber. F.W.H. No. 184 folios 439-440
..... Frank H. Wales. Clerk

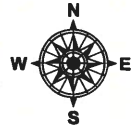
Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Special Tax Recapture: AGRICULTURAL TRANSFER TAX										
Account Identifier:		District - 07 Account Number - 005202								
Owner Information										
Owner Name:		HOPE DANIEL STRICKLAND				Use: Principal Residence:		AGRICULTURAL YES		
Mailing Address:		4224 NASSAWANGO RD SNOW HILL MD 21863-3622				Deed Reference:		/02646/ 00576		
Location & Structure Information										
Premises Address:		4224 NASSAWANGO RD SNOW HILL 21863-0000				Legal Description:		PARCEL A 192.28 ACS SOUTH SIDE RIVER RD BNDRY LN ADJ DANIEL HOPE		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	156064
0070	0004	0018	7010060.24	0000			A	2020	Plat Ref:	0225/0013
Town: None										
Primary Structure Built		Above Grade Living Area			Finished Basement Area		Property Land Area		County Use	
1920		3,024 SF					192.2800 AC			
Stories	Basement	Type		Exterior	Quality	Full/Half Bath		Garage	Last Notice of Major Improvements	
2	NO	STANDARD UNIT		FRAME/	3	3 full/ 1 half		1 Detached		
Value Information										
				Base Value		Value		Phase-in Assessments		
						As of 01/01/2020		As of 07/01/2020		As of 07/01/2021
Land:				149,900		149,900				
Improvements				111,700		113,000				
Total:				261,600		262,900		262,033		262,467
Preferential Land:				32,500						32,500
Transfer Information										
Seller: HOPE GARRETT A & DANIEL				Date: 02/16/1999				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: SVH /02646/ 00576				Deed2:		
Seller: HOPE GARRETT ANTHONY &				Date: 12/08/1992				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: RHO /01886/ 00471				Deed2:		
Seller: HOPE CLIFTON & CHARLES R				Date: 12/08/1992				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: RHO /01886/ 00469				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class				07/01/2020		07/01/2021		
County:		000				0.00				
State:		000				0.00				
Municipal:		000				0.00 0.00		0.00 0.00		
Special Tax Recapture: AGRICULTURAL TRANSFER TAX										
Homestead Application Information										
Homestead Application Status: Approved 09/08/2008										

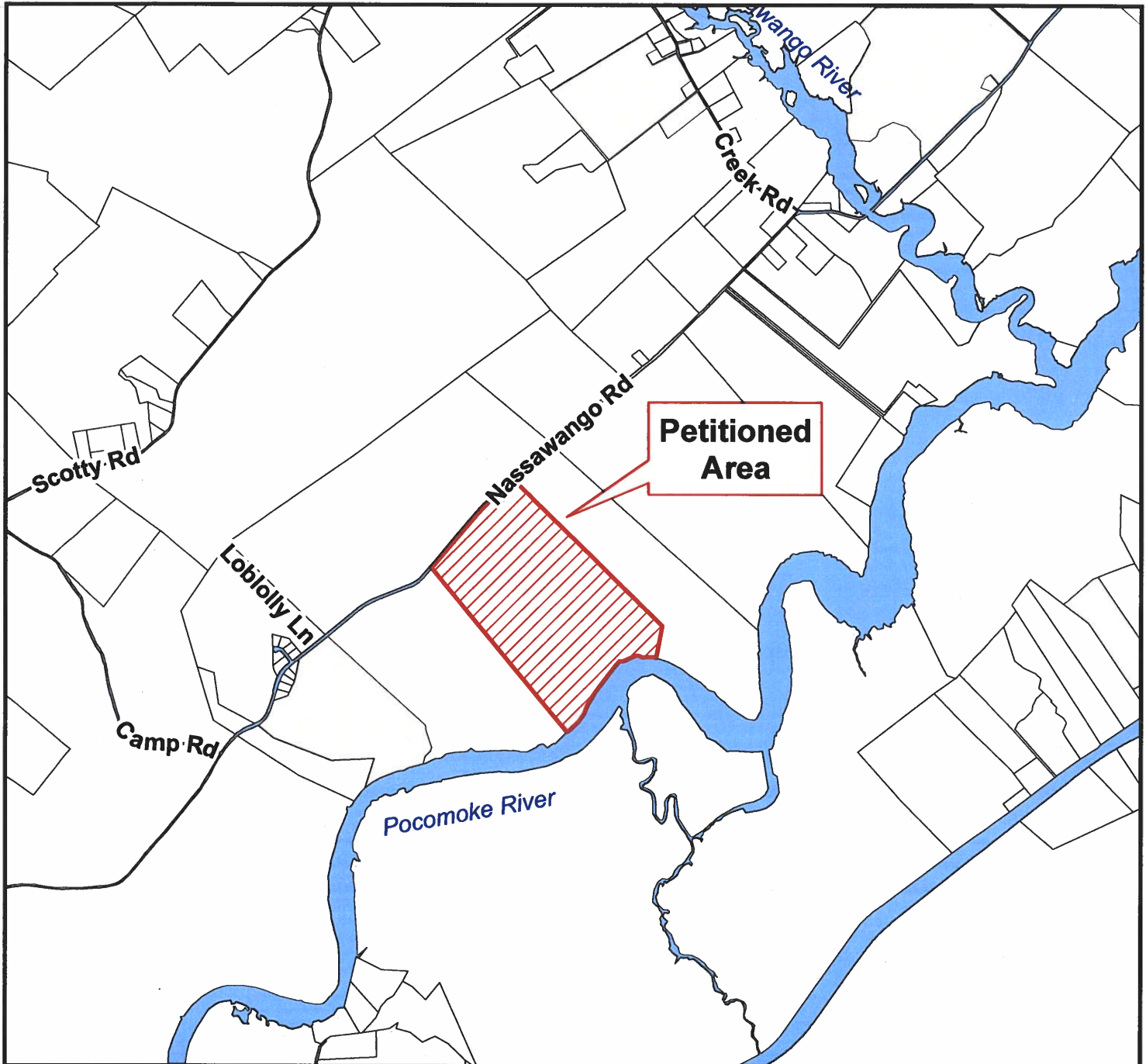


WORCESTER COUNTY, MARYLAND

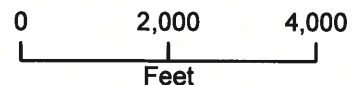


REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020



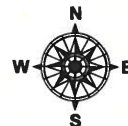
Source: Worcester County GIS Data Layers

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

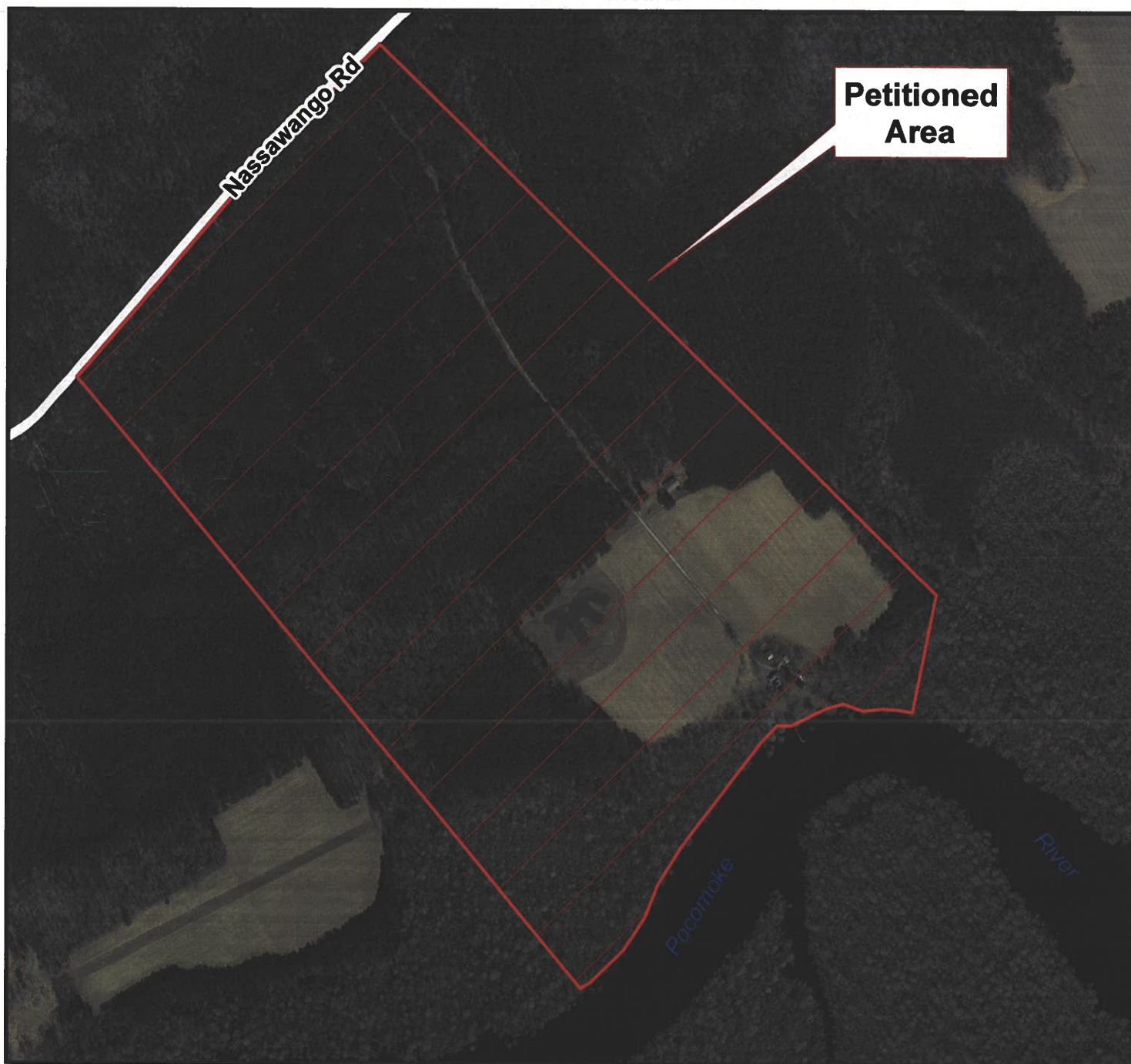


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 500 1,000
Feet

Source: Worcester County GIS Data Layers, 2019 Aerial Imagery

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

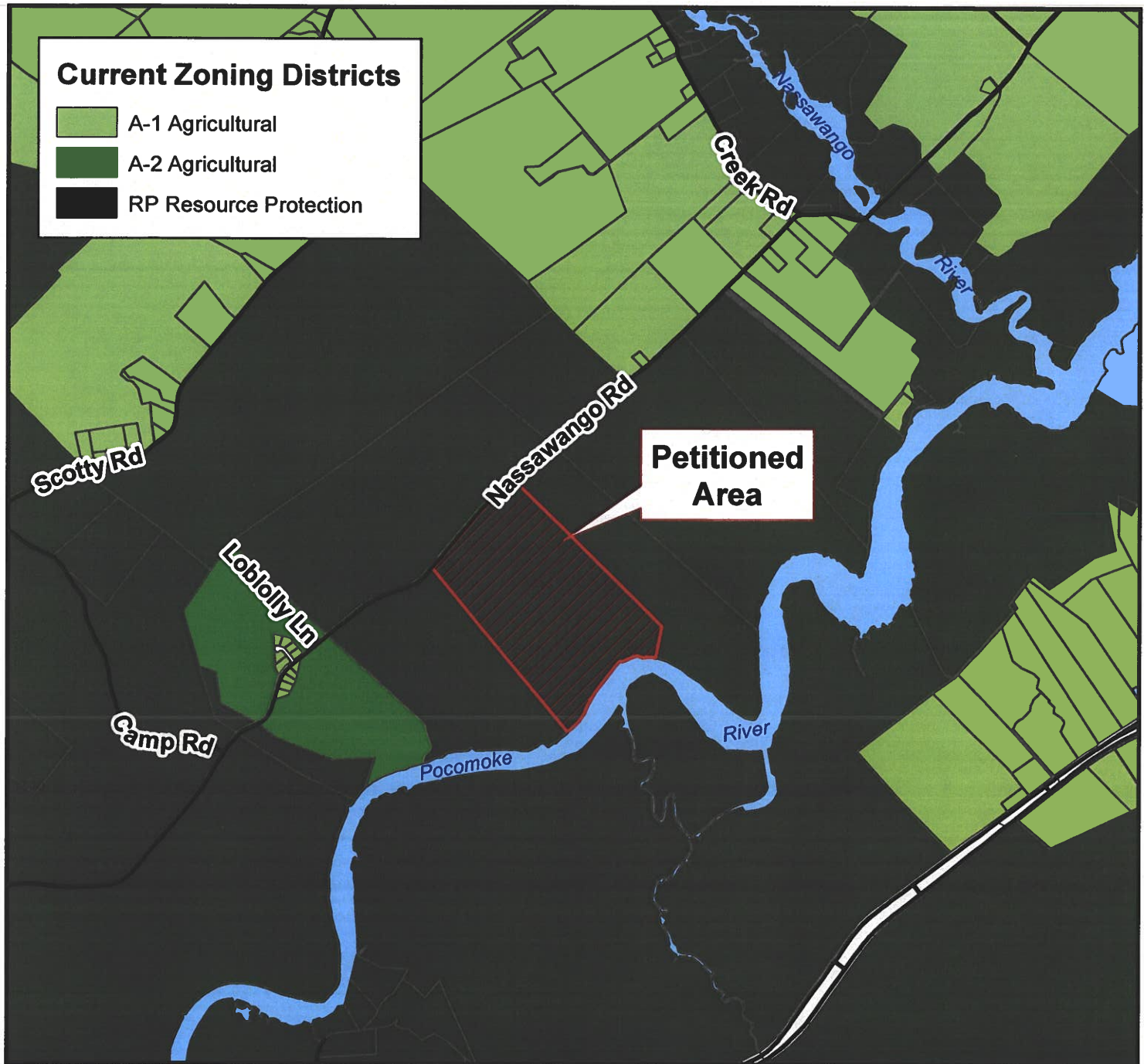


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 2,000 4,000
Feet

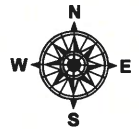
Source: Worcester County GIS Data Layers, 2009 Official Zoning Districts

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

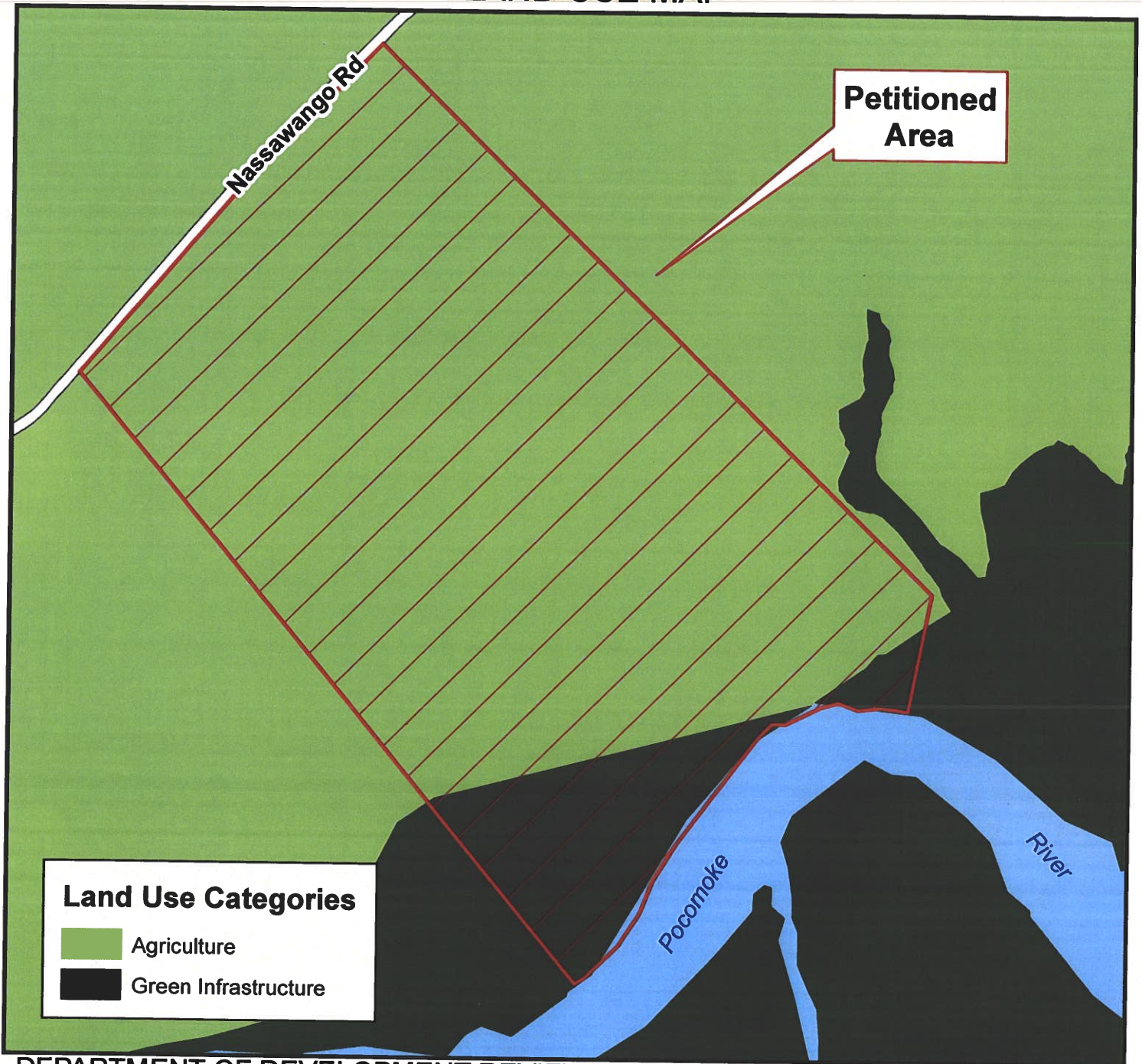


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2006 Land Use Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

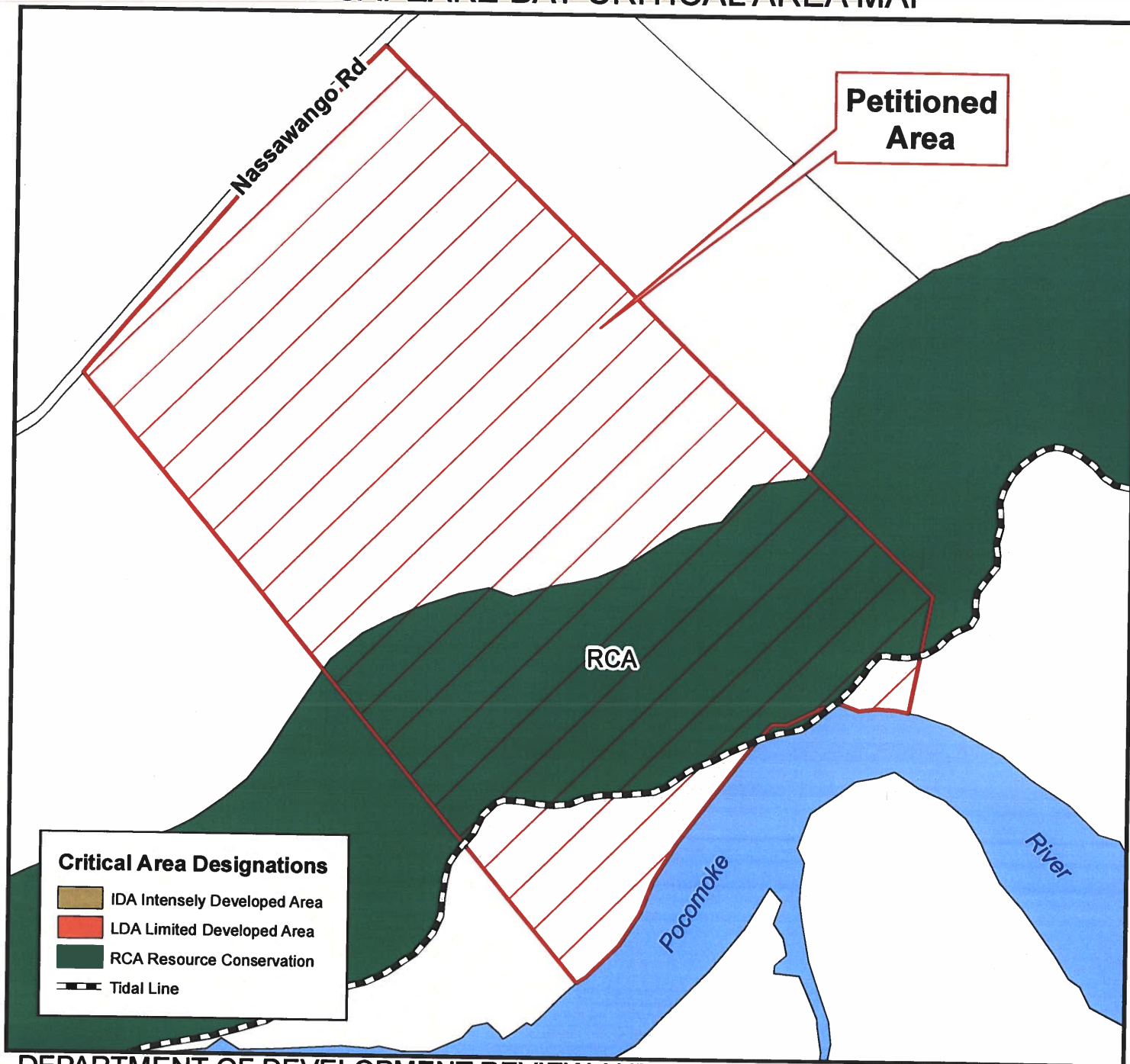


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

CHESAPEAKE BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, Chesapeake Bay Critical Area Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

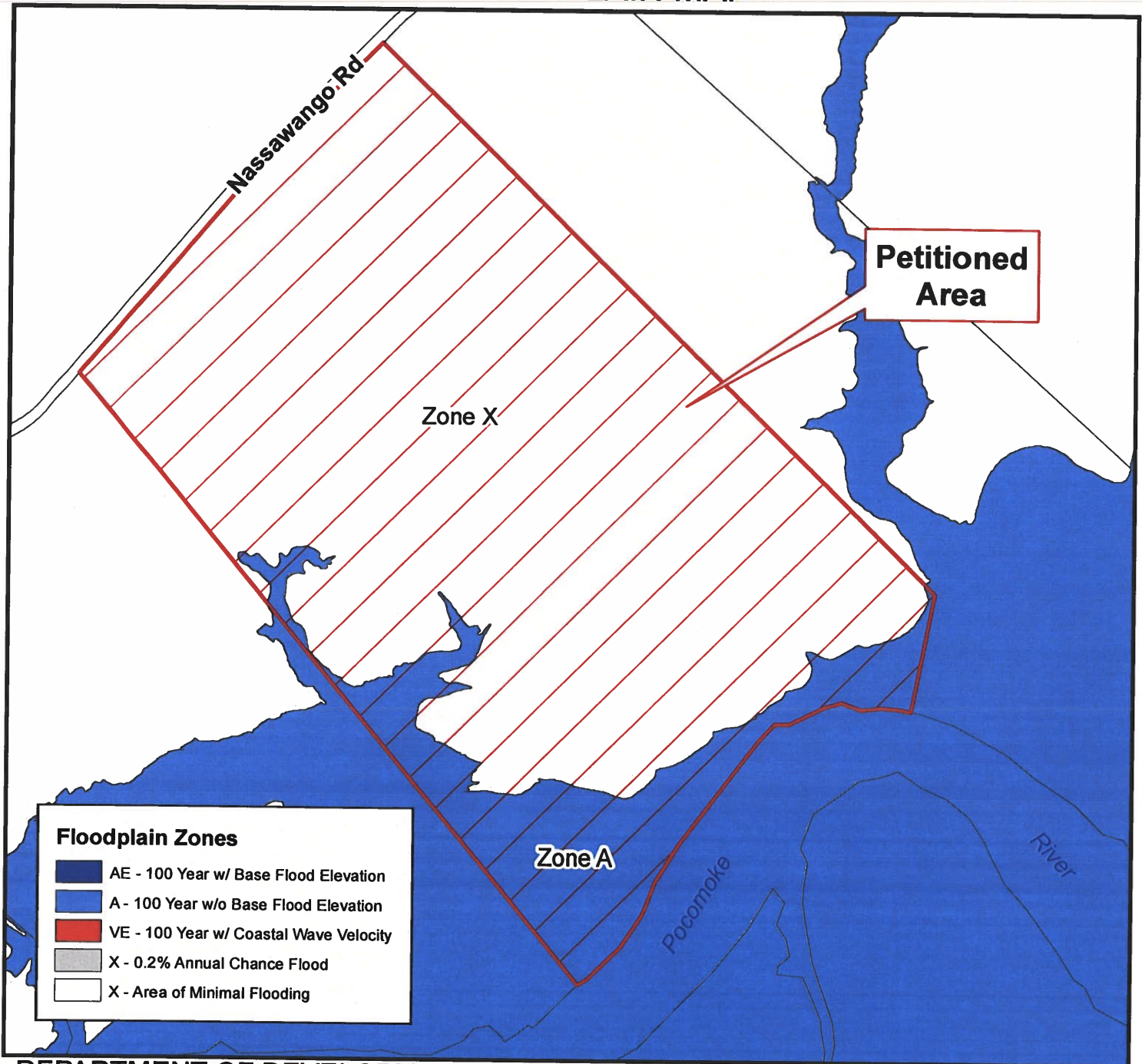


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 500 1,000
Feet

Source: Worcester County GIS Data Layers, 2015 FEMA Flood Insurance Rate Map

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

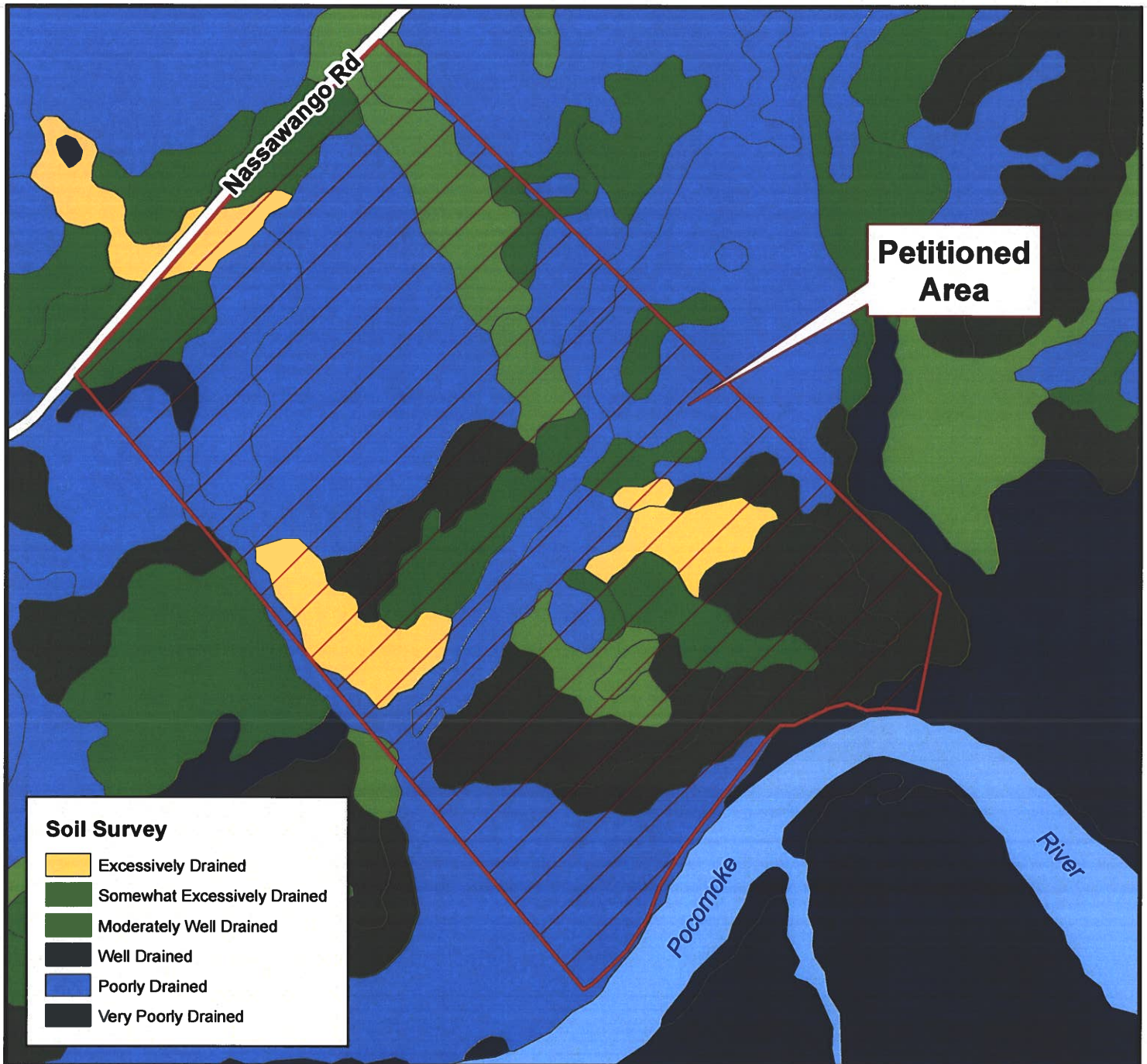


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 500 1,000
Feet

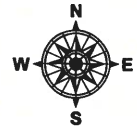
Source: Worcester County GIS Data Layers, 2007 Soil Survey

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

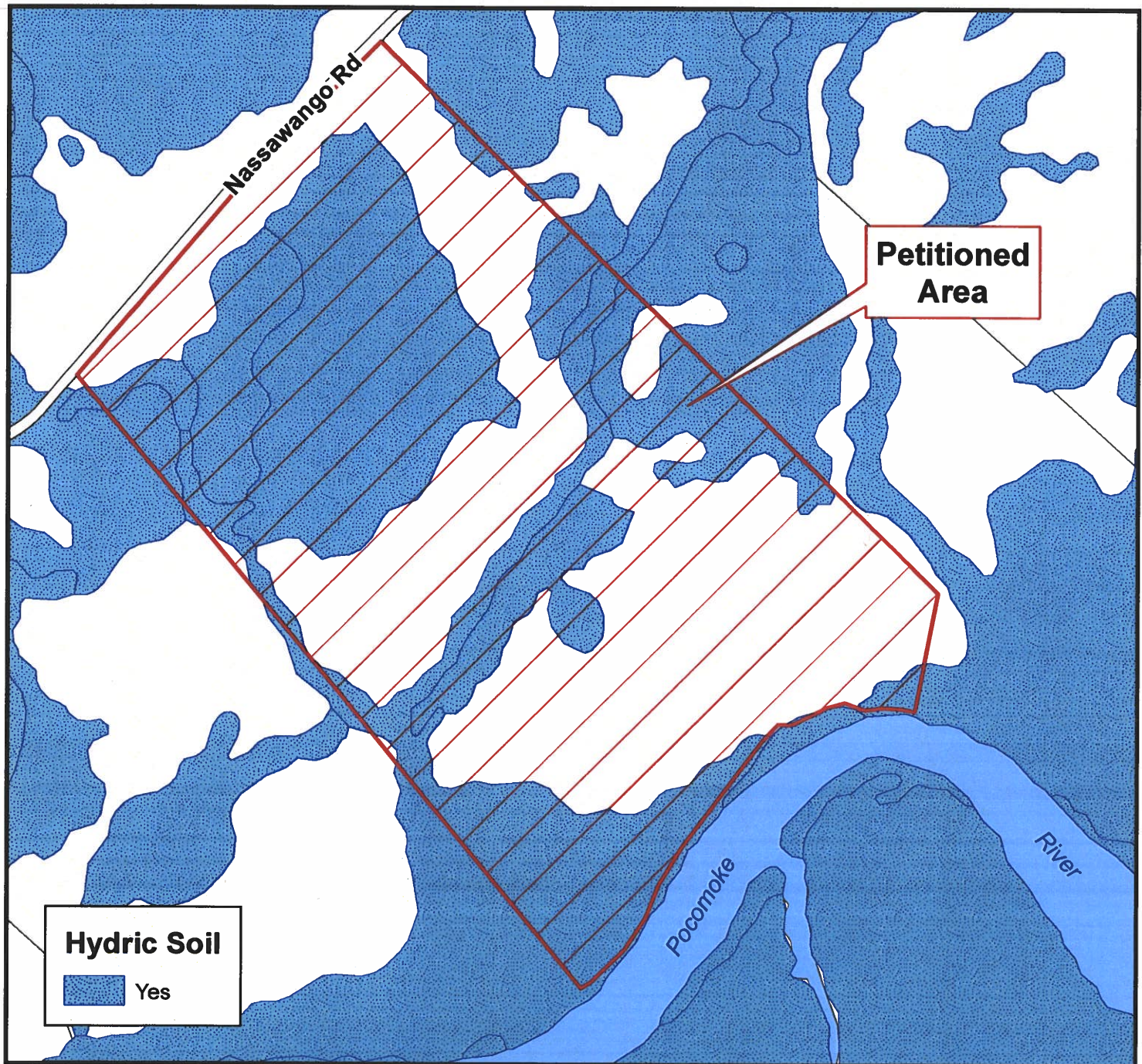


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 429
RP Resource Protection to A-1 Agricultural District
Tax Map: 70, Parcel 18

HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2007 Soil Survey

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

STAFF REPORT

REZONING CASE NO. 430

PROPERTY OWNER: Cellar House Farms, Limited Partnership
c/o Robert Graham
1878 Silverado Trail
Napa, California 94558

ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 69 - Parcels 25 and 27 - Tax District 7

SIZE: The petitioned area is 387.5 acres in size.

LOCATION: The petitioned area is located on the southerly side of Cellar House Road, northeast of Whitesburg Road, northeast of Pocomoke City.

CURRENT USE OF PETITIONED AREA: Tilled land, forest, and a single-family dwelling with accessory structures.

CURRENT ZONING CLASSIFICATION: RP Resource Protection District

REQUESTED ZONING CLASSIFICATION: A-1 Agricultural District

APPLICANT'S BASIS FOR REZONING: The application indicates that there was a mistake made in the existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960's, the petitioned area was given an A-1 Agricultural District classification, with a portion of the waterfront area where the single-family dwelling is located placed in the R-3 Multi-Family Residential District. That designation was retained in the 1978 comprehensive rezoning. During the 1992 comprehensive rezoning, the property was placed completely in the A-1 Agricultural District. During the 2009 comprehensive rezoning, the entire property was placed in the RP Resource Protection District.

SURROUNDING ZONING: Adjoining and nearby properties are also zoned RP Resource Protection District, with the exception of those bordering Cellar House Road and Nassawango Road, which are currently zoned A-1 Agricultural District.

COMPREHENSIVE PLAN:

According to Chapter 2 – Land Use of the Comprehensive Plan and associated land use map, the petitioned area lies primarily within the Agricultural Land Use Category, with a small portion of

area along the tributaries within the Green Infrastructure Land Use Category. With regard to the Agricultural Land Use Category, the Comprehensive Plan states the following:

“The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county’s way of life. The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses and residential and other conflicting land uses, although permitted, are discouraged.” (Page 18)

With respect to the Green Infrastructure Land Use Category, the Comprehensive Plan states that this category addresses state and locally designated natural and open spaces and that these are designated to preserve environmentally significant areas and to maintain the environmental functionality of the County’s landscape. It states that greenways improve water quality, provide flood control and maintain the County’s rural and coastal character. The Comprehensive Plan further states that this category includes conservation zones, which are highly restricted due to their special sensitivity and that conservation areas are defined by their soils (muck), state owned natural areas, existing conservation zoning, tidal wetlands, and selected riparian corridors. It also states that greenway and conservation areas have distinct physical characteristics which make them special habitat areas or place extreme limitations on development and that such areas are “place dependent”; that is, they only occur at specific locations. Their identification and preservation must be proactively addressed and after-the-fact mitigation and restoration is expensive and often of limited effect. The Comprehensive Plan also states that the green infrastructure system is designed to maintain existing resource areas and, where absent, create sufficient natural “corridors” linking larger green “hubs”.

Pertinent objectives cited in Chapter 2 – Land Use state the following:

2. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions.
3. Maintain the character of the county’s existing population centers.
4. Provide for appropriate residential, commercial, institutional, and industrial uses.
5. Locate new development in or near existing population centers and within planned growth centers.
6. Infill existing population centers without overwhelming their existing character.
8. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character.
9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
11. Set high environmental standards for new development, especially in designated growth areas.
12. Develop green infrastructure system.

13. Expand the protection of the Coastal Bays and the Pocomoke River drainage basins through watershed plans and their implementation.
19. Limit rural development to uses compatible with agriculture and forestry.
20. Direct new development in growth areas to planned communities.

(Pages 12, 13)

In Chapter 3, Natural Resources, pertinent objectives include the following:

1. Use a systems approach to environmental planning addressing pollution at or close to its source and use sustainable development techniques.
2. Instill environmental stewardship as a universal ethic.
3. Identify and protect environmentally sensitive areas.
4. Restore and/or enhance natural resource functions where possible.
8. Conserve resources by reducing unnecessary consumption.
10. Establish sufficient buffers for sensitive areas.

(Page 33)

In Chapter 7 – Transportation, the Comprehensive Plan states that “[t]he county’s rural road system continues to have an excellent service record. Local car and truck traffic share this system with farm machinery. On-going maintenance will remain the primary need for these roads. Due to their configuration, rural roads within this plan’s growth areas will require improvements to handle the expected additional traffic.” (Page 80)

Chapter 7 also states that “MD 364 Dividing Creek/Nassawango Road (Two Lane Secondary Highway/Minor Collector Highway) This minor collector begins at US 13 west of Pocomoke City and links to MD 354 to the north of Snow Hill. This roadway’s current configuration should be adequate for the planning period.” (Page 87)

In this same chapter, under the heading General Recommendations – Roadways, it states the following:

1. **Acceptable Levels of Service**—It is this plan’s policy that the minimal acceptable level of service for all roadways be LOS C. Developers shall be responsible for maintaining this standard.
3. **Traffic studies**--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
4. **Impacted Roads**--Roads that regularly have LOS D or below during weekly peaks are considered “impacted.” Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.

5. Impacted Intersections--Upgrade intersections that have fallen below a LOS C, for example, the intersection of US 13 and MD 756 Old Snow Hill Road, intersection of MD 589 and US 50.

(Page 87)

WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the existing dwelling on the subject property is served by private well and septic, with a designation of a Sewer and Water Service Category of S-6 and W-6 (No Planned Service) in the Master Water and Sewerage Plan. No comments were received from John H. Tustin, P.E., Director of Public Works, or John Ross, P.E., Deputy Director of Public Works.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

FadA – Fallsington sandy loams, severe limitations to on-site wastewater disposal

HbB – Hambrook sandy loam, severe limitations to on-site wastewater disposal

NnA – Nassawango fine sandy loam, severe limitations to on-site wastewater disposal

SadB – Sassafras sandy loam, severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Pocomoke City Volunteer Fire Company, located approximately twenty minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately thirty-five minutes away, and the Worcester County Sheriff's Office in Snow Hill, approximately fifteen minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Office.

ROADWAYS AND TRANSPORTATION: The petitioned area fronts on Cellar House Road, a County-owned and -maintained roadway. It should be noted that Cellar House Road is less than half a mile in length, beginning and ending at Nassawango Road, which is State-owned and -maintained. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter (copy attached) that he had no objection to the rezoning request. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comments at this time.

SCHOOLS: The petitioned area is within Zone 5 of the Worcester County Public School Zones and is served by the following schools: Pocomoke Elementary School, Pocomoke Middle School, and Pocomoke High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ ATLANTIC COASTAL BAYS CRITICAL AREAS: Mr. Mitchell also notes in his memorandum that the petitioned area is located within the boundaries of the Chesapeake Bay Critical Area (CBCA). He states that this portion of the parcel is designated as a Resource Conservation Area (RCA) and has an associated 100-foot buffer from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of

tidal wetlands. He further states that RCA's are areas characterized by nature-dominated environments (i.e. wetlands, forests and abandoned fields) and resource-utilization activities (i.e. agriculture, forestry, fisheries and aquaculture). He stated that allowed uses within the A-1 Agricultural District support the County's farms and forestry operations. Furthermore, Mr. Mitchell states that if the proposed rezoning is approved, lands within the boundaries of the RCA must abide by the allowances of §NR 3-206.

Any rezoning application located wholly or partially within the Critical Area require that notification be sent to the Critical Area Commission (CAC). Mr. Mitchell has attached the comments provided by Michael Grassmann, Natural Resources Planner with the CAC. Mr. Grassmann states that a zoning map amendment may only be made in the Critical Area on the basis of a mistake in the existing zoning *and* a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification. Mr. Grassmann further states that the A-1 zone is *mostly* consistent with the RCA classification as evidenced by the A-1 Agricultural District in the County zoning code as being *intended to preserve, encourage and protect the County's farms and forestry operations*. However, Mr. Grassmann pointed out that there are certain uses allowed in the A-1 District that would not be permitted in the RCA, such as landing strips, spray irrigation fields and storage lagoons for Class II effluent, and large solar energy systems. Therefore, the County must ensure that the site complies with the RCA use limits in the code. Mr. Grassmann states that any future development of this site, including construction of a dwelling and accessory structures, or any future subdivision of this property, must be governed by the County and State Critical Area regulations, including rules and regulations regarding lot coverage, forest and developed woodland clearing, buffer establishment, and RCA density.

For those lands outside of the CBCA, Mr. Mitchell notes that those areas will be subject to the Forest Conservation Law. The afforestation threshold is 20% and the reforestation threshold is 50%.

FLOOD ZONE: The FIRM map (24047C0250H, effective July 16, 2015) indicates that this property is located in Zone X (Area of Minimal Flood Hazard) and A (100-year flood).

PRIORITY FUNDING AREA: The petitioned area is not within a designated Priority Funding Area.

INCORPORATED TOWNS: This site is not within one mile of any incorporated town.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Rob Clarke, DNR Forester: On behalf of the Maryland Forest Service, Mr. Clarke confirmed that the subject property has been under active forest management and the property owners are members of the American Tree Farm system. These activities pre-date his tenure as a county forester which started in 1978.

!!**IMPORTANT**!!

THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:

1. What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.
6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
7. Relating to compatibility with the Comprehensive Plan.
8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?




Worcester County

Department of Environmental Programs

Memorandum

To: Jennifer Keener, Deputy Director, DDRP

From: Robert J. Mitchell 
Director, Environmental Programs

Subject: **EP Staff Comments on Rezoning Case No. 430**
Worcester County Tax Map 70, Parcels 25 and 27
Reclassify approximately 387.5 Total Acres of
RP- Resource Protection District to A-1 Agricultural District

Date: 11/10/20

This response to your request for comments is prepared for the map amendment application associated with the above referenced property. The Worcester County *Zoning and Subdivision Control Article*, Section ZS1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009. The Code requires that the Commissioners find that the proposed "change in zoning" would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The Department of Environmental Programs has the following comments:

1. This property has mostly an agricultural land use designation in the Land Use Map in the Worcester County Comprehensive Plan (*Comprehensive Plan*), while the remaining portions along the southern edge of Parcel 25 and the eastern edge of Parcel 27 are located in the Green Infrastructure District. The Green Infrastructure land use designation addresses state and locally designated natural and open spaces. These areas are designated to preserve environmentally significant areas and to maintain the environmental functionality of the county's landscape. Greenways improve water quality, provide flood control and maintain the county's rural and coastal character. The Agricultural land use designation is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. It is expected that residential and other conflicting land uses although permitted, are discouraged within this

Citizens and Government Working Together

2. district. The adjacent properties to the north are entirely covered with a Green Infrastructure land use district, with the properties to the south mostly carrying an Agricultural designation save the portions of those properties directly fronting the Pocomoke River, where a Green Infrastructure designation is found.
3. The existing residence on the property is served by private well and septic at the present time. The subject property has a designation of a Sewer and Water Service Category of S-6/W-6 and (No Planned Service) in the *Master Water and Sewerage Plan*.
4. This rezoning is partially located within the Chesapeake Bay Critical Area (CBCA). The parcel is designated as a Resource Conservation Area (RCA) and has an associated 100ft buffer from the mean high water line of tidal water, the edge of the bank of tributary streams, and landward extent of tidal wetlands. RCA's are areas characterized by nature-dominated environments (i.e. wetlands, forests, abandoned fields) and resource-utilization activities (i.e. agricultural, forestry, fisheries, aquaculture). Allowed uses within the A-1 Zoning District support the County's farms and forestry operations. As the attached letter from the Critical Area Commission asserts, the A-1 zone is *mostly* consistent with the RCA classification but not entirely, and there are uses that are allowed in the A-1 zone that are not permitted in the RCA.
5. It should be noted that if the proposed rezoning is approved, lands within RCA boundaries must abide by the allowances in §NR 3-206. This includes, but is not limited to, lot coverage, clearing, and density limitations. Also, no new commercial, industrial, or institutional uses can be permitted within approval of a Growth Allocation. Though they are not claimed here, any existing industrial or commercial facilities may not exceed density specified in §NR 3-206(c)(3).
6. This proposed rezoning is also proposed for portions of the property located in an area outside the CBCA; therefore, that area will also be subject to the Forest Conservation Law (FCL). The property has not been subject to the FCL, due to all permitted construction having occurred prior to the implementation of the Law. A change from RP to A-1 would not change the afforestation/reforestation thresholds when/if the property is further developed to the point that compliance with the law is required. The afforestation threshold will remain at 20 percent and the reforestation threshold will remain at 50 percent should rezoning be granted.
7. The boundary of the RP zone does not follow the green infrastructure boundary of the 2006 Land Use Plan in this location, however there are several reasons why this property is zoned RP.
8. The purpose of the RP is to preserve environmentally significant areas of the County and includes those areas which pose constraints for development or where development could have a substantially adverse environmental effect. The district serves to maintain the environmental functionality of the landscape. Full text is provided below in Note #10.
9. Among other things, the criteria used to determine RP zone boundaries included presence of Critical Area, extensive woodland, hydric soils/wetlands, and a riparian corridor.

Citizens and Government Working Together

10. These parcels are consistent with the purpose of the RP zone and the criteria used to map the boundary of this zone. The subject parcels are primarily wooded and part of a large contiguous tract of private and publicly owned woodland corridor protecting the Pocomoke River. The subject parcels include extensive Chesapeake Bay Critical Area (the land on the parcel that is not wooded is mainly in the Critical Area). The parcels are adjacent to a "wetland of special state concern" and Sensitive Species Project Review Area. The zoning designation is consistent with the RP zoning in this portion of the river corridor: Land that is primarily wooded, whether privately or publicly owned, is zoned RP in this corridor. Protection of contiguous riparian woodland in this location is key to the continued health of the Pocomoke River, both its water quality and the quality of habitat. (Maps are attached)
11. Text from §ZS 1-215 for the RP District - *Purpose and Intent: protect its natural resources in all areas. The district includes those areas of the County which pose constraints for development or where development could have a substantially adverse environmental effect. This district serves to maintain the environmental functionality of the landscape by avoiding or minimizing disturbance of sensitive areas which generally include tidal and nontidal wetlands, state-owned natural areas, selected riparian corridors, conservation areas, and muck and alluvial soils. Development potential within this district is severely limited; however, some minor development may be carried out, provided it is done in a manner sufficiently sensitive to the existing natural environment and visual character of the site.*
12. It would appear that reasons exist for a restriction in the change for the zoning reclassification for the entire property. The applicant should be prepared to address why portions of the property where sensitive areas exist and where a Green Infrastructure land use designation exists should be included in this zoning reclassification.

If you have any questions on these comments, please do not hesitate to contact me.

Attachments

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman
Katherine Charbonneau
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

October 28, 2020

Ms. Jenelle Gerthoffer
Worcester County Department of Environmental Programs
One West Market Street – Room 1306
Snow Hill, Maryland 21863

Re: Rezoning Case No. 430: Cellar House Farms Limited Partnership
East Side of Cellar House Road (Tax Map 69, Parcels 25 & 27)

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of the above referenced parcel. The 387.5 acre property is located partially the Critical Area, with 130 acres of land designated as Resource Conservation Area (RCA). The proposed rezoning would change the property from Resource Protection (RP) to Agricultural District (A-1). The petitioned area is located on the East Side of Cellar House Road in Pocomoke, Tax Map 69, Parcels 25 and 27.

The applicant is arguing that a mapping mistake was made in the Comprehensive Rezoning in 2009. A zoning map amendment in the Critical Area can only be made in the Critical Area on the basis of mistake in the existing zoning *and* a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification (Natural Resources Article 8-1809(h)(2)). The A-1 zone is *mostly* consistent with the RCA classification as evidenced by the description of the A-1 Agricultural District in the County's zoning code as being *intended to preserve, encourage and protect the County's farms and forestry operations*. However, the A-1 zone allows certain uses that are not permitted in the RCA per Worcester County Code NR 3-206 and NR 3-217. These uses include, but are not limited to, landing strips, spray irrigation fields and storage lagoons for Class II effluent, and large solar energy systems. Therefore, the County must ensure that the site complies with the RCA use limits outlined in the Code.

Additionally, the County's text amendment for adding special events to the RCA use table is still pending revision, so commercial non-agriculture functions and events cannot be hosted on the RCA portions of the property until such time as the Critical Area Commission approves the revised language and it is adopted into the Worcester County Code.

Any future development of this site, including construction of a dwelling and accessory structures, or any future subdivision of this property, must be governed by Worcester County Code NR3:II Chesapeake Bay Critical Area and COMAR Title 27, including, but not limited to, rules and regulations regarding lot coverage, forest and developed woodland clearing, Buffer

Ms. Jenelle Gerthoffer
October 28, 2020
Page 2 of 2

establishment, and RCA density. Where Worcester County Code NR3:II and COMAR Title 27 differ, the stricter rule or regulation shall prevail.

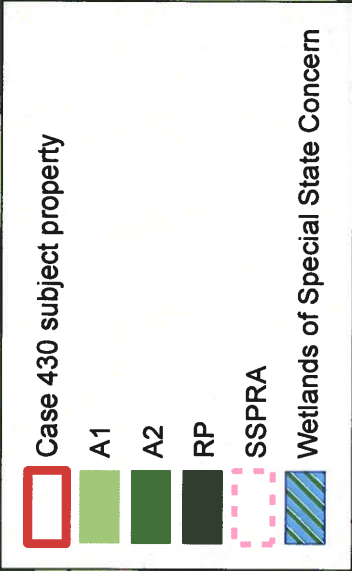
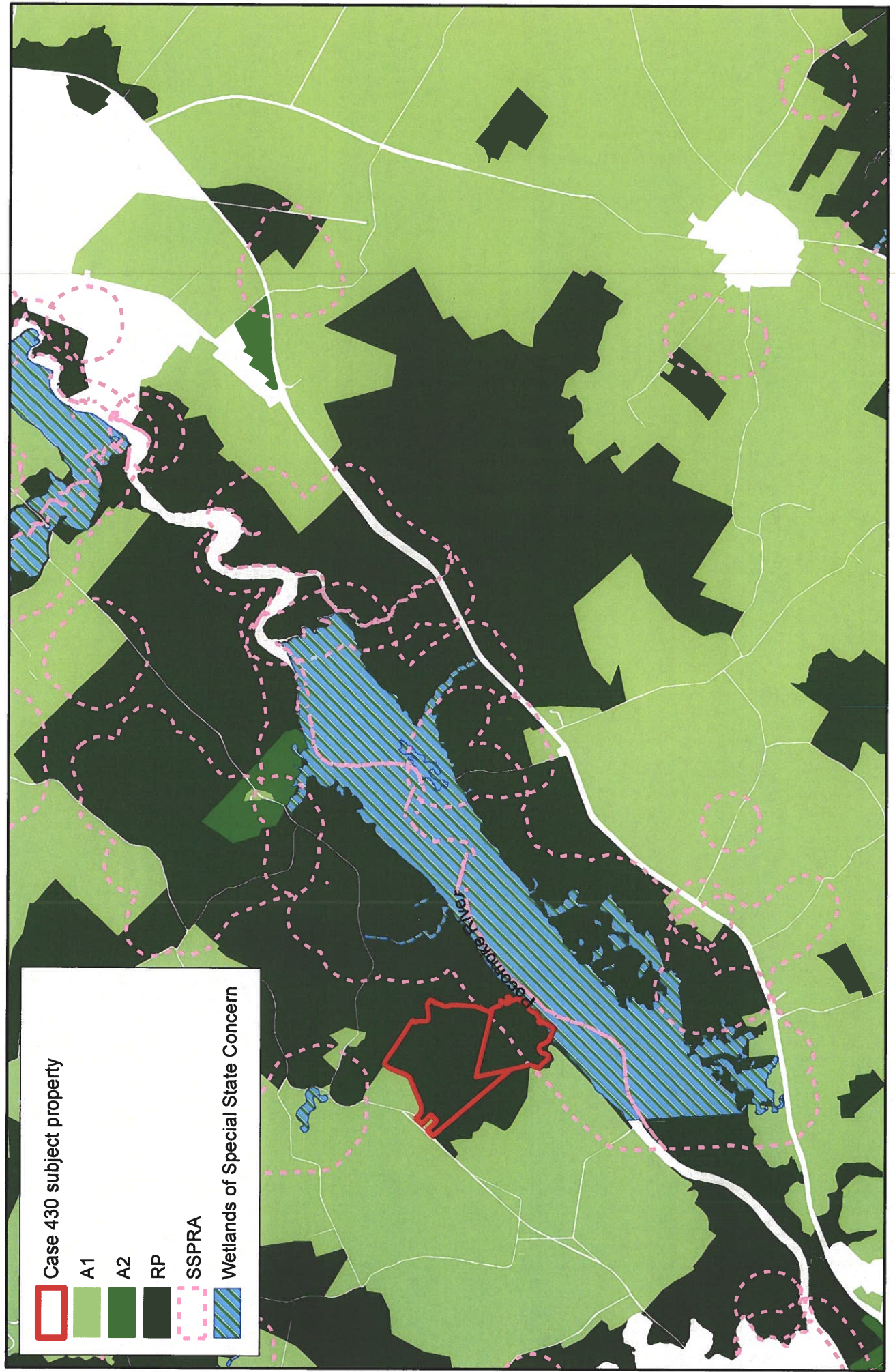
Please include this letter in the file and submit it as part of the record. In addition, please notify the Commission in writing of the decision made in this case. Thank you for the opportunity to comment. If you have any questions, please contact me at (410) 260-3462 or by emailing me at michael.grassmann@maryland.gov.

Sincerely,

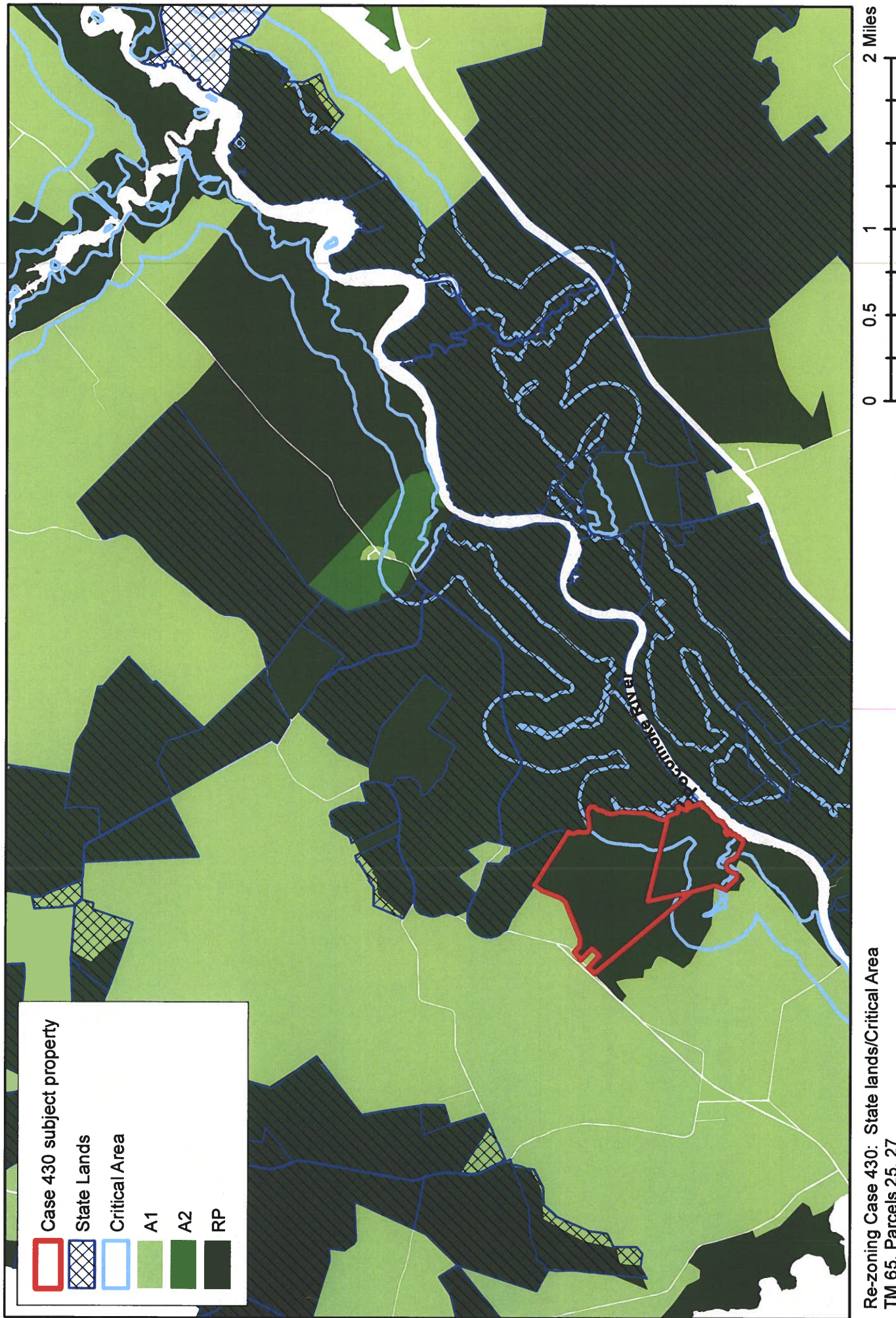
A handwritten signature in black ink, appearing to read "Michael Grassmann", followed by a horizontal line.

Michael Grassmann
Natural Resources Planner

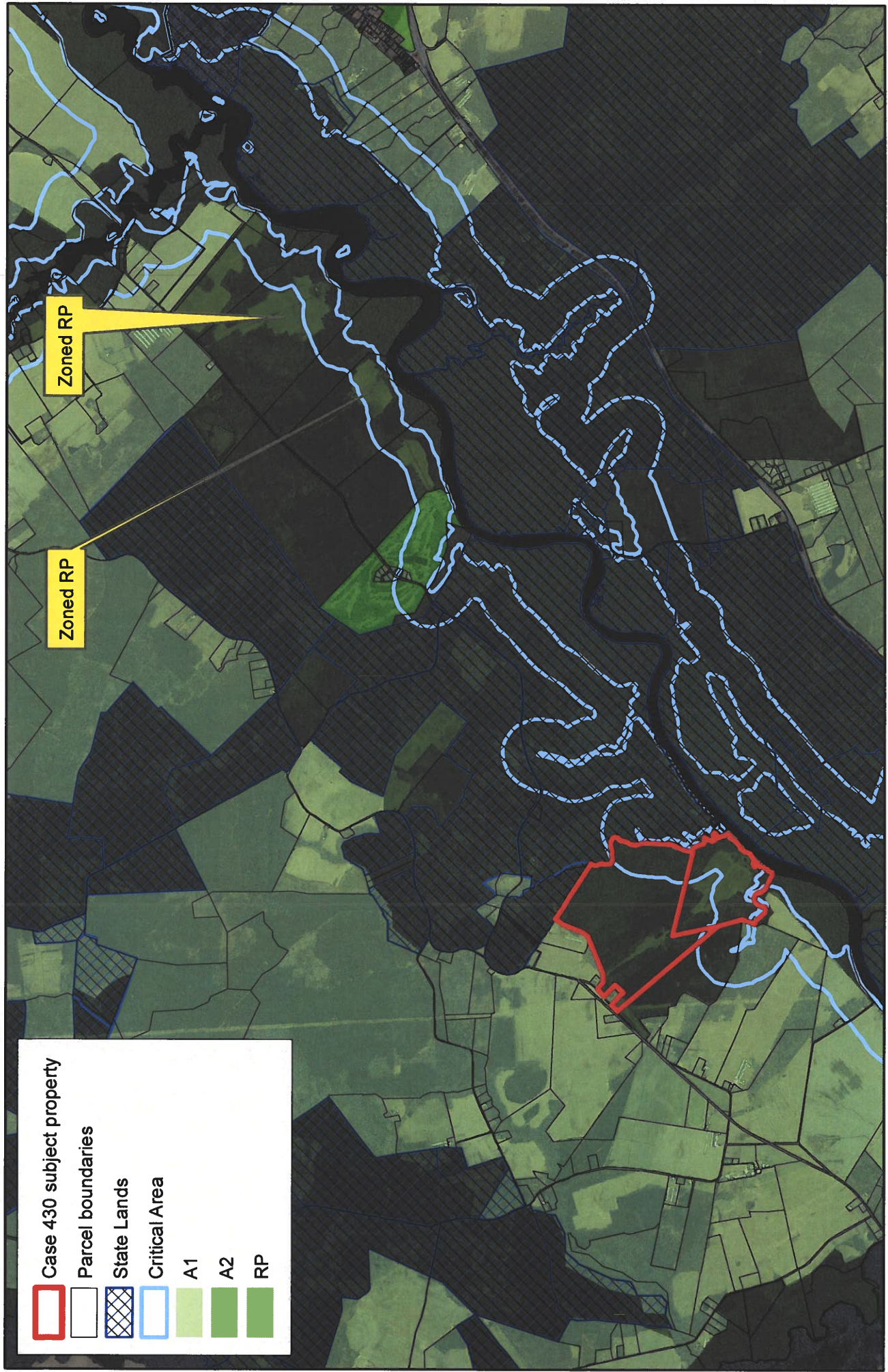
File: WO 399-20



Re-zoning Case 430: Wetland of Special State Concern/SSPRA
TM 65, Parcels 25, 27



Re-zoning Case 430: State lands/Critical Area
TM 65, Parcels 25, 27



Case 430 subject property

Parcel boundaries

State Lands

Critical Area

A1

A2

RP

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

October 23, 2020

Ms. Jennifer Keener
Deputy Director
Department of Development Review and Permitting
Worcester County Government Center
One West Market Street, Room 1201
Snow Hill MD 21863

Dear Ms. Keener:

Thank you for the opportunity to review the Rezoning Application from Hugh Cropper for Rezoning Case No. 430 – Cellar House Farm Limited Partnership. The property is described as Tax Map 69, Parcel numbers 25 and 27, Tax District number 7th, located on the east side of Cellar House Road, in Worcester County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the application and associated documents. We are pleased to respond.

Rezoning is a land use issue, which is not under the jurisdiction of the MDOT SHA. If development of the property is proposed in the future, District 1 will require a concept study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary.

As reflected in our aforementioned comments, MDOT SHA has no objection to the rezoning as determined by Worcester County. Thank you for the opportunity to provide a response. If you have any questions regarding this response, please feel free to contact Mr. Daniel Wilson, District 1 Access Management Regional Engineer, via email at dwilson12@mdot.maryland.gov or by calling him directly at 410-677-4048.

Sincerely,



James W. Meredith,
District Engineer

cc: Mr. Dallas Baker, D-1 Assistant District Engineer Project Development, MDOT SHA
Mr. Rodney Hubble, Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Tony Turner, Asst. Resident Maintenance Engineer, Snow Hill Shop, MDOT SHA
Mr. Daniel Wilson, D-1 Access Management Regional Engineer, MDOT SHA



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

M E M O R A N D U M

TO: Jennifer Keener, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: October 13, 2020
RE: Rezoning Case No. 429, 430 and 431

.....

Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 429: No comments at this time.

* **Rezoning Case 430:** No comments at this time.

Rezoning Case 431: No comments at this time.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/ll
\\wcfiler2\users\llawrence\Rezoning\Rezoning Case 429.430.431.doc

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185

Rezoning
Case No. 430

Jennifer Keener

From: April Mariner
Sent: Thursday, October 8, 2020 2:09 PM
To: Jennifer Keener
Subject: FW: Rezoning

FYI

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- <rob.clarke@maryland.gov>
Sent: Thursday, October 8, 2020 2:06 PM
To: April Mariner <amariner@co.worcester.md.us>
Subject: Re: Rezoning

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Hi April,

I am doing well, thanks.

I can vouch for the fact that the Hope Farm (case 429) and Cellarhouse Farms (case 430) have been under active forest management and members of the American Tree Farm System for decades. I have worked on forest management activities with 3 generations of the Strickland / Hope families. In both cases, their forest management activities predate my tenure here as county forester, which started in 1978. I have no other comments on these two requests.

I have no comments case 431.

Thanks for the opportunity to provide input.



Rob Clarke
Forester
Maryland Forest Service
Department of Natural Resources
10990 Market Lane
Princess Anne, Maryland 21853-2910
Rob.Clarke@maryland.gov
(410) 651-2004 (O)
(443)235-1636 (M)
[Website](#) | [Facebook](#) | [Twitter](#)

On Thu, Oct 8, 2020 at 1:37 PM April Mariner <amariner@co.worcester.md.us> wrote:

Good Afternoon Rob, I hope this email finds you well. I have attached 3 memos requesting comment for three upcoming Rezoning Cases. Please send any comments back to me and I will pass them along. Thank you and have a great day!

April L. Mariner

Office Assistant IV

Worcester County Development Review & Permitting

amariner@co.worcester.md.us

410-632-1200 x1172

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message.

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply e-mail and delete all copies of this message.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
<http://www.co.worcester.md.us/departments/drp>

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
Billy Birch, Director, Worcester County Emergency Services
Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office
John H. Tustin, P.E., Director, Worcester County Public Works Department
John Ross, P.E., Deputy Director, Worcester County Public Works Department
Frank Adkins, Roads Superintendent, Worcester County Public Works Department
Jeff McMahon, Fire Marshal, Worcester County Fire Marshal's Office
Tom Perlozzo, Director of Recreation and Parks, Tourism & Economic Development
Louis H. Taylor, Superintendent, Worcester County Board of Education
James Meredith, District Engineer, Maryland State Highway Administration
Lt. Earl W. Starnier, Commander, Barracks V, Maryland State Police
Rebecca L. Jones, Health Officer, Worcester County Health Department
Rob Clarke, State Forester, Maryland Forest Services
Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
Dicky Gladding, Fire Chief, Pocomoke Volunteer Fire Department

FROM: Jennifer K. Keener, Deputy Director

JKK

DATE: October 8, 2020

RE: Rezoning Case No. 430- Cellar House Farm Limited Partnership, Property Owner, and Hugh Cropper, IV, Attorney- East Side of Cellar House Road, Pocomoke, Maryland

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a forthcoming meeting. This application seeks to rezone approximately 387.5 acres of land shown on Tax Map 69 as Parcels 25 and 27, from RP Resource Protection District to A-1 Agricultural District. Uses allowed in the District include, but are not limited to, single family dwellings, agriculture, grain dryers, feed mills, agricultural processing

plants, aquaculture or seafood processing facilities and landing sites, sawmills, and commercial hosting of non-agricultural functions and events.

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which **your** agency is responsible. ***If no response is received by NOVEMBER 13, 2020, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.***

If you have any questions or require further information, please do not hesitate to call this office or email me at jkkeener@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

Fee received
9/28/2020

Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863

PLEASE TYPE
OR PRINT IN
INK

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

(Office Use One - Please Do Not Write In This Space)

Rezoning Case No. 430

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: 9/28/2020

Date Reviewed by Planning Commission: _____

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

- A. _____ Governmental Agency
B. _____ Property Owner
C. _____ Contract Purchaser
D. _____ Option Holder
E. _____ Leasee
F. XXX Attorney for B (Insert A, B, C, D, or E)
G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 69
B. Parcel Number(s): 25 and 27
C. Lot Number(s), if applicable: _____
D. Tax District Number: 7th

III. Physical Description of Property

- A. Located on the east side of Cellar House Road.
B. Consisting of a total of 387.5 acres of land.
C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area:

-
- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and such other information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): **RP, Resource Protection**
(Name and Zoning District)
- B. Acreage of zoning classification(s) in "A" above: **387.467**
- C. Requested zoning classification(s): **A-1, Agricultural District**
(Name and Zoning District)
- D. Acreage of zoning classification(s) in "C" above: **387.5**

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

- A. Please list reasons or other information as to why the rezoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:


This rezoning is based upon a mistake. A more detailed summary will be submitted.

IV. Filing Information and Required Signatures


- A. Every application shall contain the following information:
1. If the application is made by a person other than the property owner, the application shall be co-signed by the property owner or the property owner's attorney.

2. If the applicant is a corporation, the names and mailing addresses of the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest of the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.

B. Signature of Applicant in Accordance with VI.A. above.

Signature: 
Printed Name of Applicant: _____
Hugh Cropper, IV, Attorney for Property Owner
Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, MD
21842
Phone Number: 410-213-2681
E-Mail: hcropper@bbcmlaw.com
Date: September 28, 2020

C. Signature of Property Owner in Accordance with VI.A. above

Signature: 
Printed Name of Owner: _____
Cellar House Farm Limited Partnership
c/o Robert S. Graham
Mailing Address: 1878 Silverado Trail, Napa, CA 94558
Phone Number: 530-412-0610
E-Mail: paintedrock@ltol.com
Date: September 28, 2020

(Please use additional pages and attach to application if more space is required.)

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1st to January 31st, May 1st to May 31st, and September 1st to September 30th of any calendar year.
- B. Applications for map amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case including but not limited to the following matters:

population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development and existing environmental conditions for the area, including no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement, the recommendation of the Planning Commission, and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment based upon a finding that (a) there a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) there is a mistake in the

existing zoning classification and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of the notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Special Tax Recapture: AGRICULTURAL TRANSFER TAX									
Account Identifier:			District - 07 Account Number - 005954						
Owner Information									
Owner Name:		CELLAR HOUSE FARM LIMITED PARTNERSHIP				Use: Principal Residence:		AGRICULTURAL NO	
Mailing Address:		2634 CELLAR HOUSE RD POCOMOKE MD 21851-3622				Deed Reference:		/01889/ 00512	
Location & Structure Information									
Premises Address:		2634 CELLAR HOUSE RD POCOMOKE 21851-0000				Legal Description:		135.85 ACS CELLAR HOUSE FARM SE SIDE R-364	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0069	0024	0025	7010060.24	0000				2020	Plat Ref:
Town: None									
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1700		2,856 SF				135.8500 AC			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
2	YES	STANDARD UNIT	BRICK/	3	1 full/ 1 half				
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of 01/01/2020		As of 07/01/2020		As of 07/01/2021
Land:			135,100		135,100				
Improvements			74,700		73,900				
Total:			209,800		209,000		209,000		209,000
Preferential Land:			35,100						35,100
Transfer Information									
Seller: GRAHAM JOHN L III & MARTHA K				Date: 12/21/1992				Price: \$0	
Type: ARMS LENGTH MULTIPLE				Deed1: RHO /01889/ 00512				Deed2:	
Seller: GRAHAM JOHN L III				Date: 12/21/1992				Price: \$0	
Type: ARMS LENGTH MULTIPLE				Deed1: RHO /01889/ 00507				Deed2:	
Seller: E S ADKINS & CO				Date: 12/09/1968				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: FWH /00218/ 00071				Deed2:	
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2020		07/01/2021			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Special Tax Recapture: AGRICULTURAL TRANSFER TAX									
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application						Date:			

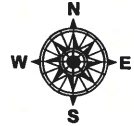
Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Special Tax Recapture: AGRICULTURAL TRANSFER TAX									
Account Identifier:		District - 07 Account Number - 005768							
Owner Information									
Owner Name:		CELLAR HOUSE FARM LIMITED PARTNERSHIP			Use: Principal Residence:		AGRICULTURAL NO		
Mailing Address:		2634 CELLAR HOUSE RD POCOMOKE MD 21851-3622			Deed Reference:		/01889/ 00512		
Location & Structure Information									
Premises Address:		R-364 HWY SNOW HILL 21863-0000			Legal Description:		251.617 ACS PT CELLAR HOUSE FARM SE SIDE R-364		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0069	0024	0027	7010066.24	0000				2020	Plat Ref:
Town: None									
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
						251.6100 AC			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
/									
Value Information									
			Base Value		Value		Phase-in Assessments		
					As of		As of		
					01/01/2020		07/01/2020		
							As of		
							07/01/2021		
Land:			47,100		47,100				
Improvements			0		0				
Total:			47,100		47,100		47,100		
Preferential Land:			47,100				47,100		
Transfer Information									
Seller: GRAHAM JOHN L III & MARTHA K				Date: 12/21/1992			Price: \$0		
Type: ARMS LENGTH MULTIPLE				Deed1: RHO /01889/ 00512			Deed2:		
Seller: GRAHAM JOHN L III				Date: 12/21/1992			Price: \$0		
Type: ARMS LENGTH MULTIPLE				Deed1: RHO /01889/ 00507			Deed2:		
Seller: E S ADKINS X CO				Date: 01/26/1990			Price: \$167,500		
Type: ARMS LENGTH IMPROVED				Deed1: RHO /01619/ 00033			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2020			07/01/2021		
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00			0.00 0.00		
Special Tax Recapture: AGRICULTURAL TRANSFER TAX									
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				

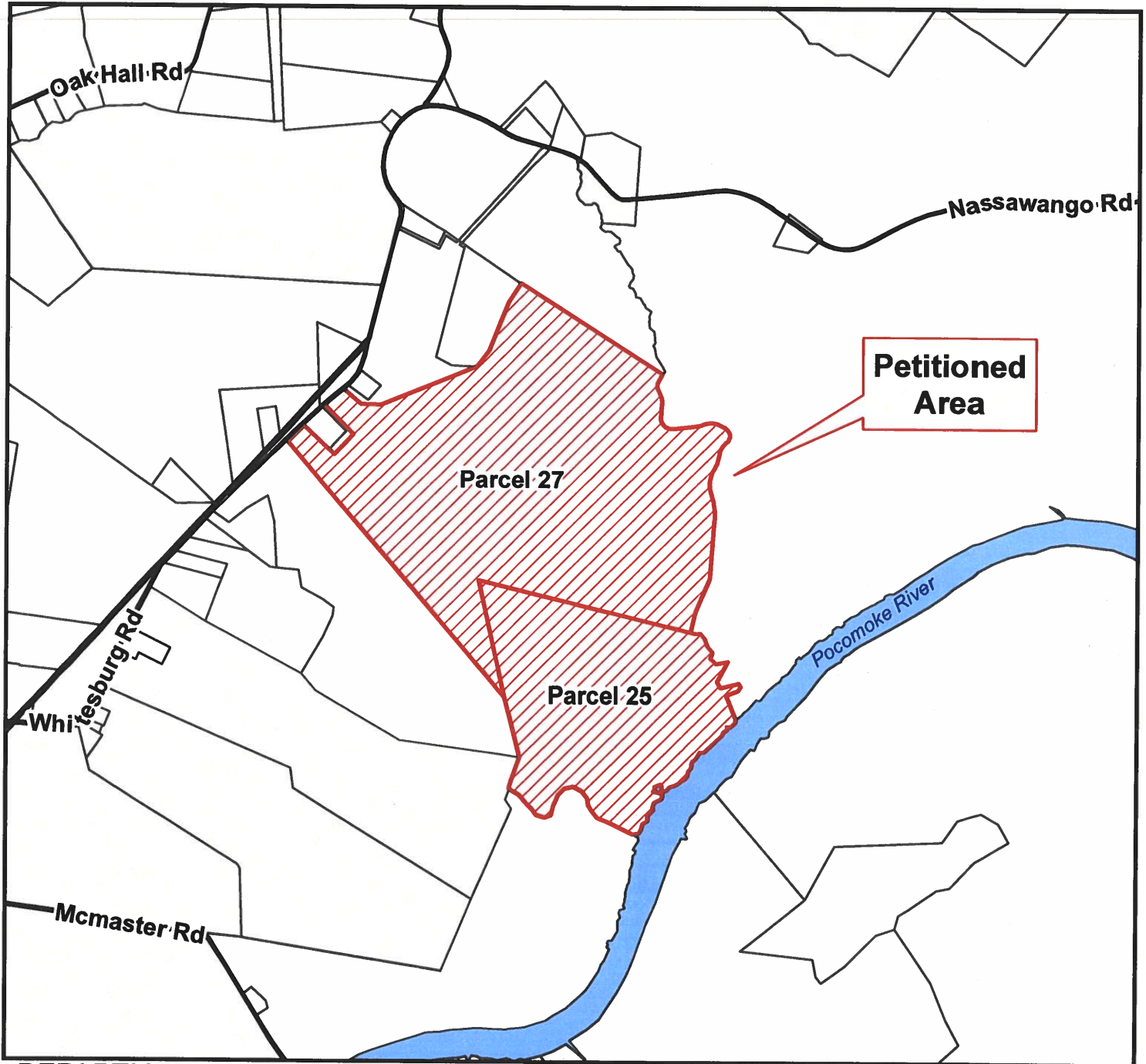


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 1,000 2,000
Feet

Source: Worcester County GIS Data Layers

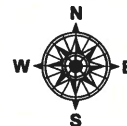
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

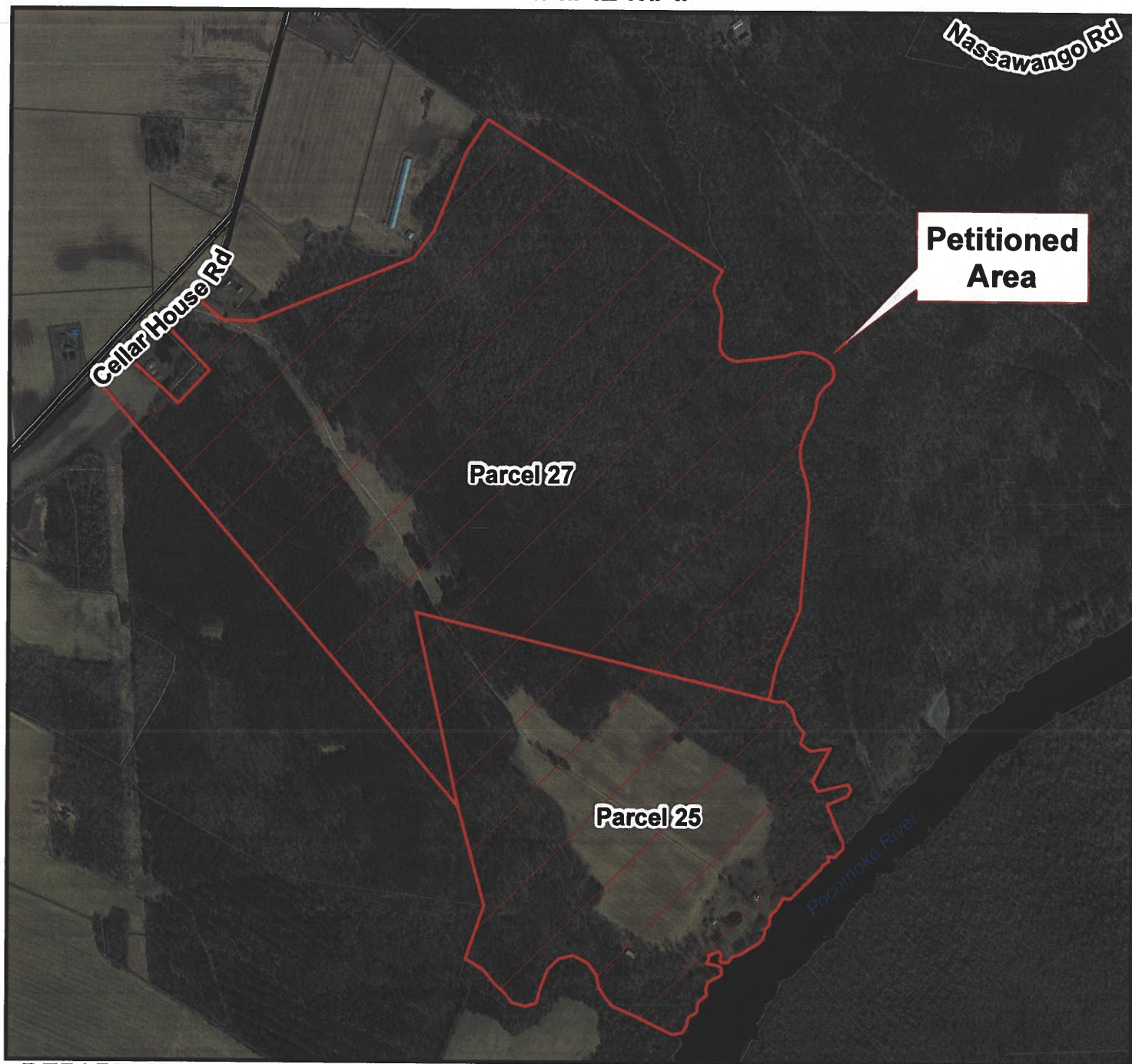


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 600 1,200
Feet

Source: Worcester County GIS Data Layers, 2019 Aerial Imagery

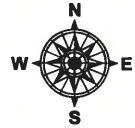
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

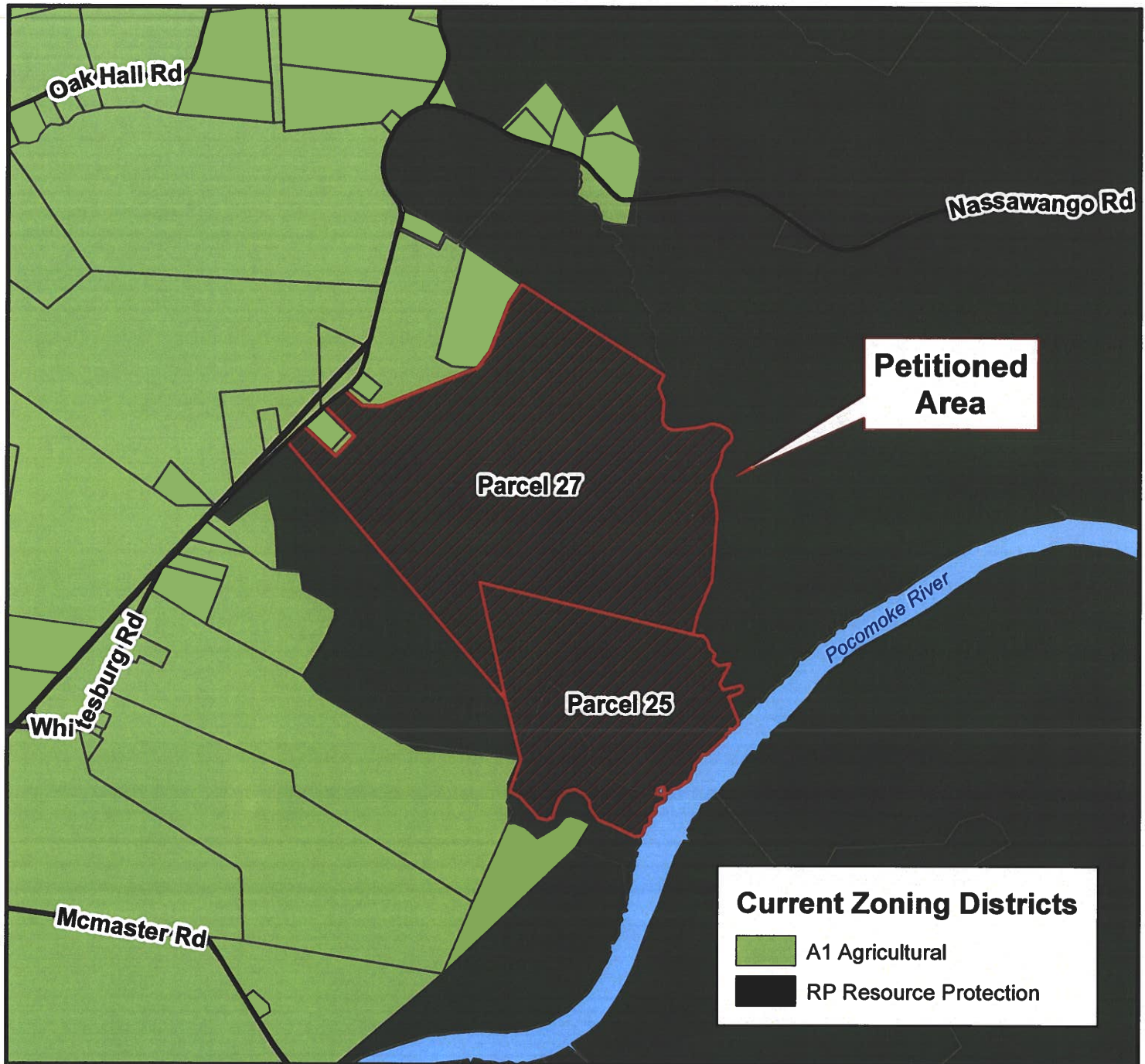


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

Source: Worcester County GIS Data Layers, 2009 Official Zoning Districts

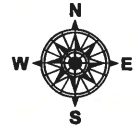
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

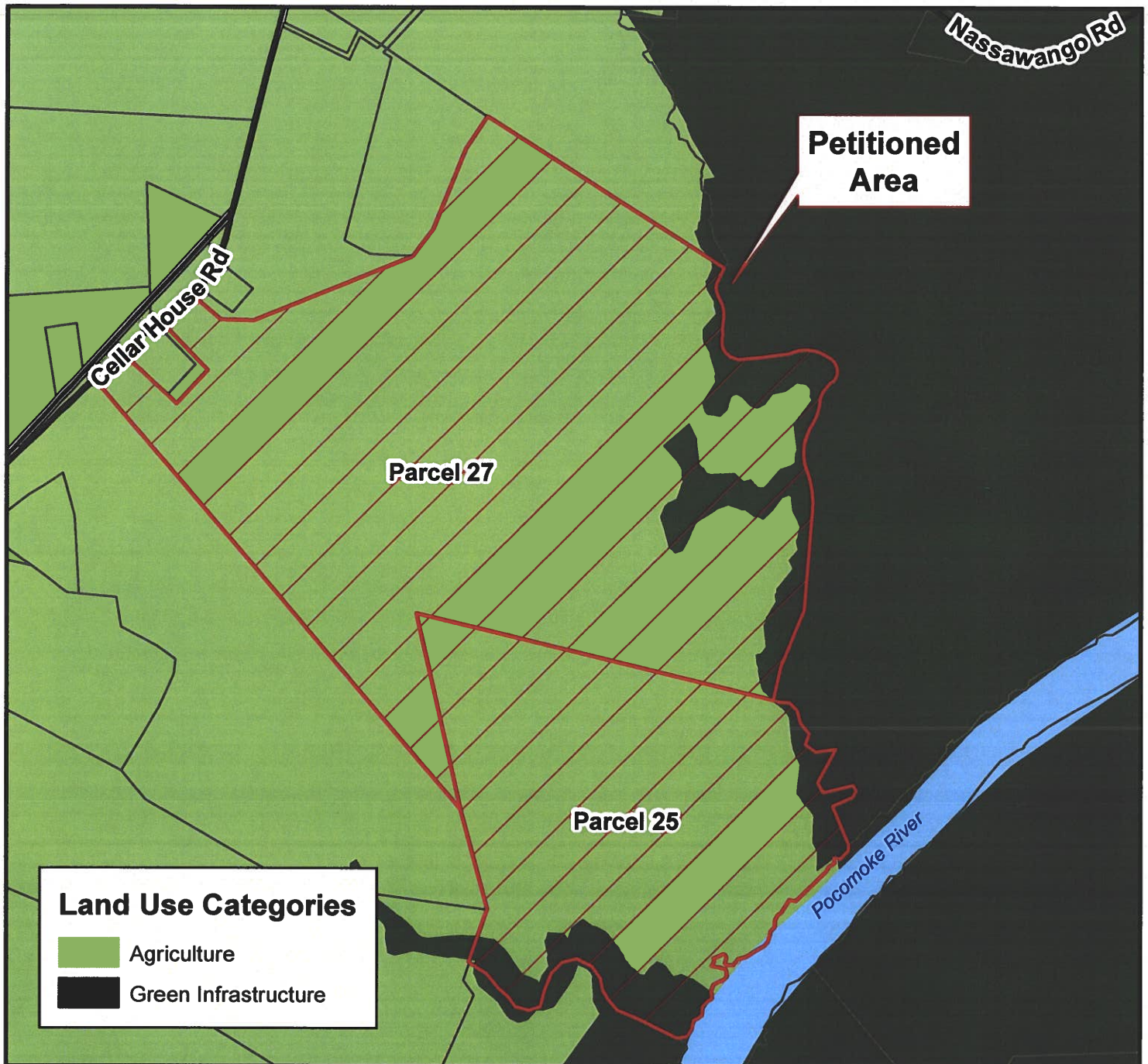


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 600 1,200
Feet

Source: Worcester County GIS Data Layers, 2006 Land Use Maps

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action. Drawn By: KLH Reviewed By: JKK

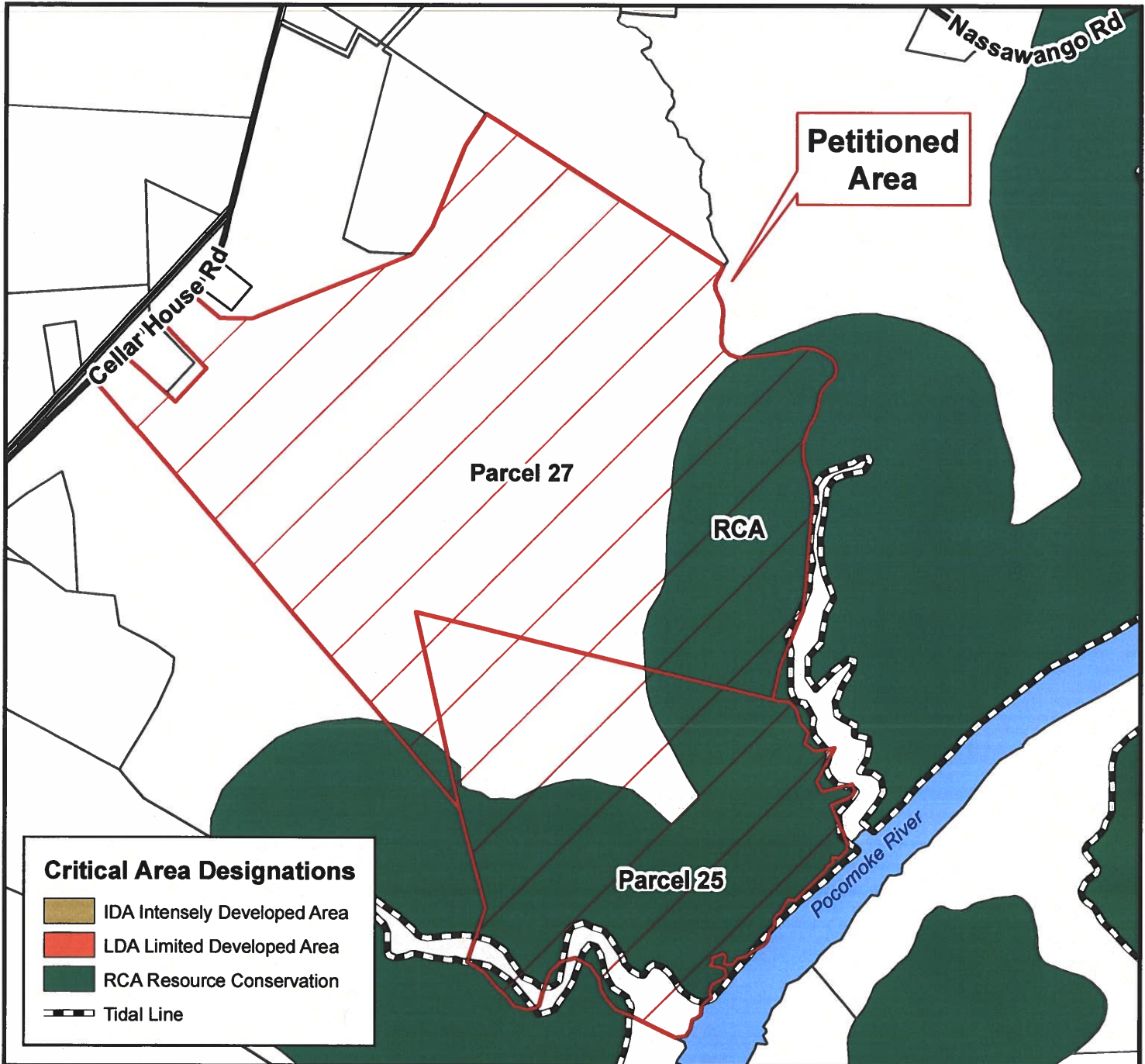


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

CHESAPEAKE BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 600 1,200
Feet

Source: Worcester County GIS Data Layers, Chesapeake Bay Critical Area Program

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK

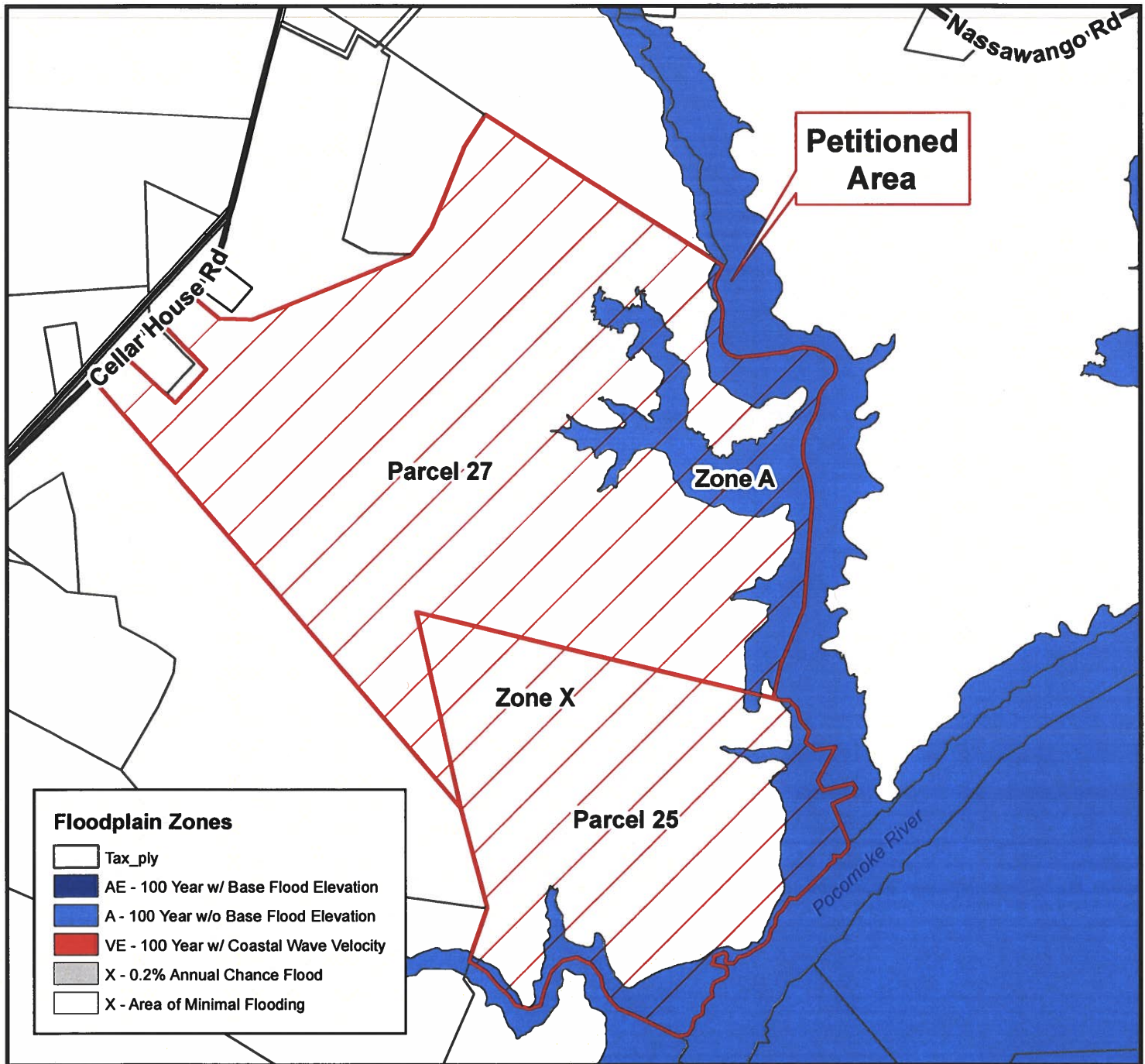


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 600 1,200
Feet

Source: Worcester County GIS Data Layers, 2015 FEMA Flood Insurance Rate Maps

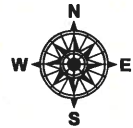
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

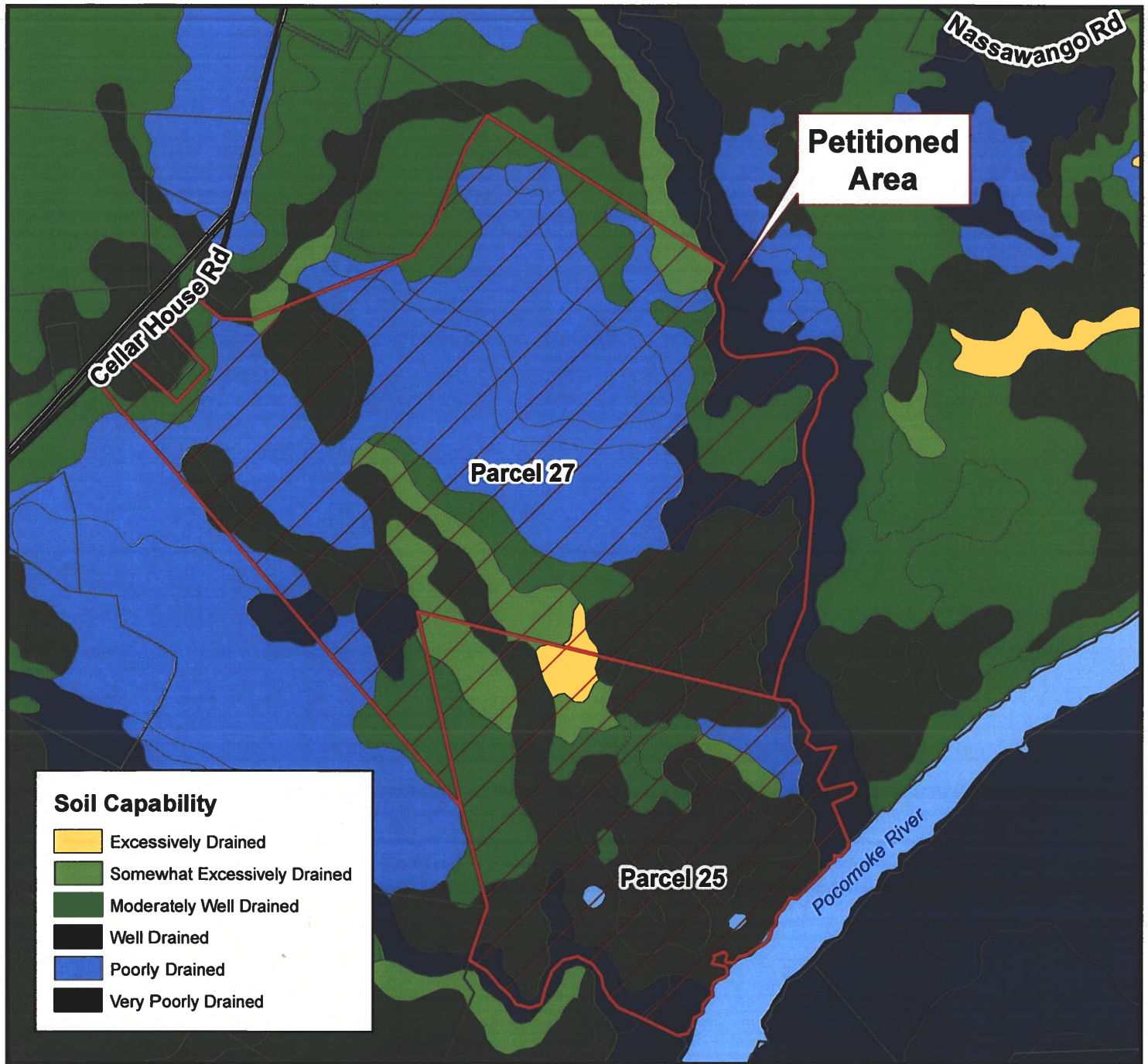


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 600 1,200
Feet

Source: Worcester County GIS Data Layers, 2007 Soil Survey

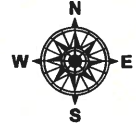
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: JKK

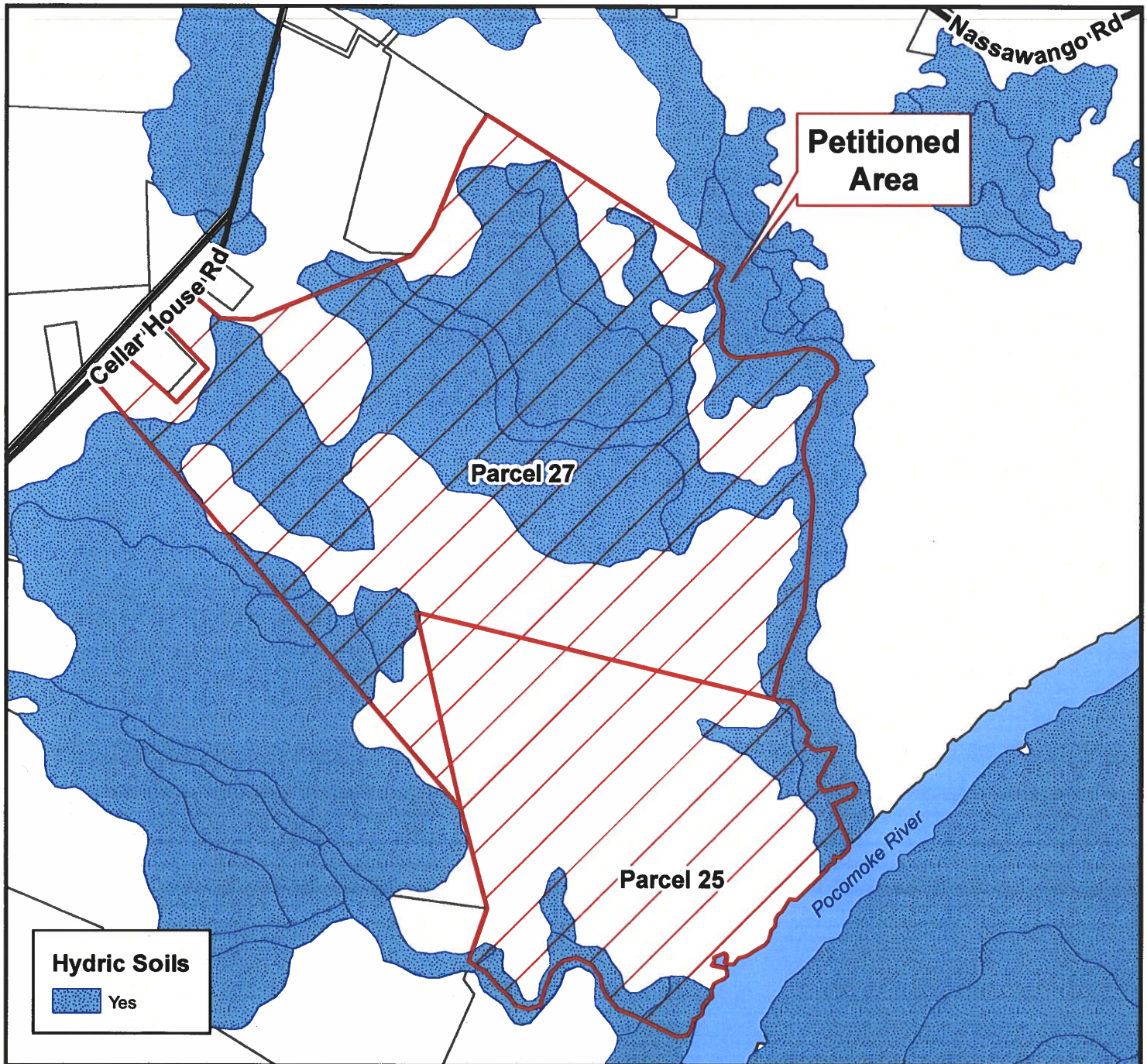


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 430
RP Resource Protection to A-1 Agricultural District
Tax Map: 69, Parcel 25 and 27

HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared October 2020

0 600 1,200
Feet

Source: Worcester County GIS Data Layers, 2007 Soil Survey

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: JKK