



Worcester County Government
One West Market Street | Room 1103 | Snow Hill MD 21863-1195
(410) 632-1194 | (410) 632-3131 (fax) | admin@co.worcester.md.us | www.co.worcester.md.us

MEMORANDUM

TO: Worcester County Commissioners
FROM: Ed Welch, Procurement Officer
DATE: February 3, 2026
RE: Request Waiver to Sole Source – LMB – Due East Partners

The Worcester County Local Management Board (LMB) is requesting approval of a waiver to allow sole sourcing the completion of the Worcester County Community Plan to Due East Partners. The cost for completion of the Community Plan is \$60,000. Funding will be awarded from the ENOUGH Initiative external to the County’s budget.

The finished Needs Assessment was completed by Due East Partners in FY25 after a competitive bid which they won. This will be the next step in implementing that plan.

The development of the Needs Assessment by Due East Partners places them in the best position to efficiently and effectively implement it. They also have a proven track record of implementing Community Plans in multiple counties across the State of Maryland.

For these reasons I recommend approving their request to sole source the award for completion on the Worcester County Community Plan to Due East Partners.

Please feel free to contact me with any questions. Thanks

Ed Welch
Procurement Officer
Worcester County Government Center
1 W. Market Street
Snow Hill, MD 21863
Phone: 410-632-1194, ext. 1012
Email: eawelch@worcestermd.gov
www.co.worcester.md.us

**Worcester County's  
Initiative to Preserve Families**

6040 Public Landing Road  
Snow Hill, Maryland 21863  
Telephone: (410) 632-3648



**MEMO**

**To: Becky Jones, Health Officer**  
**From:**  
**Date:**  
**Subject:**

These documents have been reviewed by:

Shylia Tingle, Local Behavioral Health  
Authority and Local Management Board  
Director

ST / 11-30-26  
Initials      Date

Michael Trader, Planning Program Director

MT / 1/30/26  
Initials      Date

Debra Stevens, Director of Community Health

DS / 1/30/26  
Initials      Date

Heather Barton, Administration Program Director

HB / 1/30/26  
Initials      Date

Loren Sallah

LS / 1/30/26  
Initials      Date

SDI Approval Required? Y or N  
SDI Approval Received? Y or N

**TO BE COMPLETED BY PROGRAM:**

|                                    |  |
|------------------------------------|--|
| <b>Program Name:</b>               | <b><u>Enough Initiative: Sole Source Request</u></b>                 |
| <b>Agency/Vendor Name:</b>         | <b><u>Worcester County's Initiative to Preserve Families LMB</u></b> |
| <b>Agency/Vendor Address:</b>      | <b><u>6040 Public Landing Snow Hill, Maryland 21863</u></b>          |
| <b>Agency/Vendor Phone Number:</b> | <b><u>(410)-632-3648</u></b>   |
| <b>Start Date/End Date:</b>        | <b><u>February 16,2026 through September 30, 2026</u></b>            |
| <b>Dollar Amount:</b>              | <b><u>\$60,000</u></b>   |
| <b>Vendor Tax ID:</b>              | <b><u>47-2672140</u></b>   |
| <b>PCA/OBJ Code:</b>               | <b><u>F102N</u></b>  |

## Worcester County's Initiative to Preserve Families



Worcester County's  
Initiative  
to Preserve Families

6040 Public Landing Rd.  
Post Office Box 129  
Snow Hill, MD 21863

Telephone: 410-632-3648

To: Weston Young, Chief Administrative Officer  
Office of the County Commissioners

Through: Rebecca Jones, Worcester County Health Officer *(RJS)*

From: Christen Barbierrri, LMB Point of Contact *(CAB)*  
Shylia Tingle, Director of the LMB

Date: January 29, 2026

RE: Request to Waive the Bidding Process

The Worcester County Local Management Board (LMB) is requesting that the Worcester County Commissioners grant approval to waive the bidding process for completion of the Worcester County Community Plan, which would allow the Local Management Board to award funds from the ENOUGH Initiative to Due East Partners. This Community Plan will be built on the finished Needs Assessment, which was completed by Due East Partners in FY25. Due East Partners was awarded funds to complete a Needs Assessment through a competitive bidding process in FY25.

Due East Partners has an extended history of working closely with other LMBs across the State. This history ensures that Needs Assessments and Community Plans align with the Governor's Office of Children's priorities as well as local needs. In addition, through the process of completing the Needs Assessment, Due East Partners had the opportunity to develop extensive knowledge of local resources and generate contact with a number of local partners, thus uniquely positioning them to move the Needs Assessment forward into an action stage in the development of a Community Plan.

The Worcester LMB hopes to utilize Due East Partner's knowledge and expertises to complete the Community Plan for Worcester to ensure that services, gaps and needs are being addressed in the most fiscally responsible way possible.

### Sole Source Justification & Disclosure Statement

This form must accompany the Purchase Requisition whenever a sole source purchase is requested. The Worcester County Financial Rules requires all County departments to practice competitive bidding. Purchase Requisitions for goods and services that are to be purchased from a specific vendor must be accompanied by a written justification explaining the circumstances that make alternatives unacceptable. The justification must be signed by the principal investigator, the Department Head and the Procurement Officer.

The individual signing the justification must disclose, in writing, whether or not he/she has a potential or actual conflict of interest. County employees are not to make or participate in any purchasing decision that places them in a conflict of interest between their official job duties and any other interest or obligation. County employees who have a business relationship or financial interest with the suggested vendor, or who have received or anticipate receiving gifts or special favors from the suggested vendor must disclose the conflict of interest. Anyone who has a conflict of interest cannot participate in the decision to sole source the purchase.

The Worcester County Procurement Officer or his designee will determine whether the justification is appropriate. Sole source justifications are to be supported by factual statements that will pass an audit. It is the significant features of a product or service that make it a sole source.

Department Worcester County Local Management Board

Date February 2, 2026

Vendor Due East Partners

Product or Service Requested for Sole Source Development of a Community Plan

Purchasing threshold: \$2,000 to \$25,000  over \$25,000  CHECK ONE

#### Sole Source Justification

Please check all applicable categories (1a. through 1e) below and provide additional information where indicated.

a. The requested product is an integral repair part or accessory compatible with existing equipment or system software that is currently in use by the County.

Existing Equipment: \_\_\_\_\_

Manufacturer/Model Number: \_\_\_\_\_

Age: \_\_\_\_\_ Current Value: \_\_\_\_\_

Provide Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. The requested product has unique design design/performance specifications or quality requirements which are essential to perform my job requirements and are not available in comparable products.

Justification \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other Products reviewed \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. The requested product is essential in maintaining compliance with established County standards.

(Check applicable category below and provide details)

- Requested product is being used in continuing County department operations
- Other County departments have used this product to address similar tasks.
- I have standardized the requested product and the use of another brand/model would require considerable time and cost to evaluate.

Provide Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- d. The requested product is one with which I (or my staff) have specialized training and/or extensive expertise. Retraining would incur substantial cost in time and/or money.

Provide Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- e. The requested service is provided by a vendor that has unique or specialized qualifications or significant previous experience in the same or similar task and whose employment on this project will result a more efficient or cost effective result.

Justification During Calendar Year 2025, Due East Partners was awarded funds through the Local Management Board (LMB), via a competitive bid process, for the purpose of completing a Needs Assessment. These funds came from the ENOUGH Initiative. This year, the ENOUGH Initiative seeks to follow up on that Needs Assessment and put that information into action via development of a Community Plan. This will involve pulling together the same community partners and providers who Due East coordinated with in the development of the Needs Assessment. Through their previous work, Due East Partners has become a trusted broker and developed strong partnerships with key stakeholders. Additionally, Due East Partners is a trusted advisor to the Maryland Association of Local Management Boards, understanding the unique needs of each local county, as well as the vision for Local Management Boards in the eyes of the Governor’s Office for Children. Due East Partners has worked extensively to develop Community Plans for other counties in the state, with a specific emphasis on childhood poverty, impactful programs, and rural consideration. For these reasons, Due East Partners is uniquely qualified to complete this work efficiently and effectively.

Previous Experience Due East Partners has a history of working with Local Management Boards across the state and completing the same type of work. Additionally, this work follows up on a Needs Assessment, which Due East Partners completed for Worcester County and the Worcester County LMB in September 2025.

- f. Time is of the essence and only one known source can meet the Department’s needs within the required timeframe.

Justification State funds for the ENOUGH Initiative were awarded to local LMBs with a brief turnaround. Worcester County was awarded \$60,000 to complete this work, which must be completed and final invoices paid by September 30, 2026, which leaves little time for a full procurement process, and for a different vendor to adequately familiarize themselves with the key stakeholders and needs as related to Worcester County and the pillars of the ENOUGH Initiative.

# ITEM 1

g. Other factors (provide detailed explanation in #1 below)

Provide Details \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attached other sheets as needed.

List below the names of each individual who was involved in making the recommendation to sole source this purchase.  
**Each individual must sign the Disclosure Statement on the next page.**

Name/Title or Position Shylia Tingle – Local Management Board Director

Name/Title or Position \_\_\_\_\_

## Disclosure Statement For Proposed Sole Source Purchase

### Disclosure Statement

*I/we are aware that Worcester County procurement regulations require procurements to be done competitively whenever practicable. I am requesting a sole source procurement based on the above criteria. The above statements are complete and accurate, based on my professional judgment and investigations. I also certify that no personal advantage, gain or privilege has (or will) accrue to my immediate family or myself through the purchase from this vendor, nor is a family member employed by or an officer of this vendor.*

1. Please list any other income or gifts you received from this company during the past 12 months.

None

2. Please list any financial interests (stocks, shares, investments, etc.) you may have in this company.

None

3. Is there any type of professional or other business relationship between you and this company?

The Worcester County LMB recently utilized Due East Partners for completion of a Needs Assessment. They were selected through a competitive procurement process in early 2025.

4. Please provide any additional information you believe should be disclosed at this time.

N/A

I certify that the above information is true and a signed copy of this Sole Source Justification document will be kept on file and available for audit in my department:

  
Signature of Requester

Shylia Tingle – LMB Director

Printed Name and Title

  
Date

  
Signature of Department Head

Rebecca Jones – Health Officer

Printed Name and Title

  
Date

  
Signature of Procurement Officer

Ed Welch - Procurement Officer

Printed Name and Title

  
Date



Worcester County Department of Environmental Programs  
 Worcester County Government Center, 1 West Market Street, Rm 1306 | Snow Hill MD 21863  
 Tel: (410) 632-1220 | Fax: (410) 632-2012

## Memorandum

**To:** Weston S. Young, P.E., Chief Administrative Officer  
 Candace Savage, CGFM, Deputy Chief Administrative Officer

**From:** Robert J. Mitchell, LEHS, REHS/RS   
 Director, Environmental Programs

**Subject:** **Public Hearing Request**  
**Riddle Farm**  
**Expansion of Water and Sewer Planning Areas**  
**Case No. (SW-2026-1)**

**Date:** 2/9/26

The Planning Commission met on February 5, 2026, and reviewed this application. We are writing to forward the Planning Commission's finding of consistency with the *Comprehensive Development Plan* and their recommendation to amend the *Comprehensive Water and Sewerage Plan* for an amendment to expand the water and sewer planning areas to include a group of adjacent commercial properties in *The Plan* for the Riddle Farm Sanitary Service Area.

This amendment is a request to expand the water and sewer planning areas for the Riddle Farm Sanitary Service Area to include multiple commercial properties on the south side of Route 50 (Ocean Gateway), west of Herring Creek, to include Parcels 133, 136, 137, 383, 471, and 256 of Tax Map 26), Hugh Cropper, applicant; on behalf of multiple property owners. Case No. SW 2026-01. The properties are existing developed parcels with existing uses, and the owners are desirous to connect to the Riddle Farm systems when capacity is available.

The County Commissioners, after reviewing this request, may approve or disapprove the proposed amendment. Enclosed are the following attachments:

1. Environmental Program's transmittal letter and report to the Planning Commission; and
2. Minutes for this Case before Planning Commission meeting on February 5, 2026

A draft advertisement for the public hearing has been forwarded to County Administration under separate cover. As always, I am available at any time for the presentation and to answer any questions on this matter.

Attachment

cc: WS File – Riddle Farm (SW-2026-1)

# Attachment 1

# Staff Report



**Worcester County**  
Department of Environmental Programs

January 28, 2026

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

RE: Transmittal-Comprehensive Water and Sewerage Plan Amendment –Riddle Farm Sanitary Area – Expansion of Water/Sewer Planning Area  
TM 26 Parcels, 133, 136, 137, 256, 383, and 471)  
(SW-2026-1)

Dear Commissioners:

We are writing to forward the proposed *Worcester County Comprehensive Water and Sewerage Plan (The Plan)* amendment to revise the water and sewer planning areas for the Riddle Farm Sanitary Area in *The Plan*, for your review and comment to the County Commissioners.

Mr. Hugh Cropper is the applicant, on behalf of multiple property owners. This amendment seeks to reclassify the sewer and water planning areas for two adjacent properties from S-6/W-6 (no planned service) to S-1/W-1 (within two years) and include in the Riddle Farm sewer and water planning area information in *The Plan*.

The applicant is requesting a change in the water and sewer service classifications in order to provide for eventual public service of water and sewer for a group of developed commercial properties. The subject properties are located on Ocean Gateway (MD Route 50), west of Herring Creek. The properties are more specifically identified on Tax Map 26 as Parcels 133, 136, 137, 383, 471, and 256. The currently developed properties service a mix of existing commercial uses and are served by existing well and septic systems. The applicant understands that there does not exist sewer capacity to service these properties at the present time but would like to apply for such service when it becomes available.

The applicant would eventually access public water and sewer infrastructure via the east entrance to the Glen Riddle Community. If a previously approved amendment for the Riddle-Mystic water inter-connection under Herring Creek proceeds to construction, that could be an alternative water connection, subject to Department of Public Works approval. Any developer-constructed infrastructure

**Citizens and Government Working Together**

Riddle Farm WS Amendment Case SW 2026-01  
January 28, 2026

will be built under a Public Works agreement and will be turned over upon inspection and acceptance of the construction and materials by County personnel.

Other than the subject properties, this amendment does not seek to amend or intensify the planning areas approved in prior amendments with respect to the mapped planning areas.

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

## **Comprehensive Plan Policies**

The Comprehensive Plan assigns one land use designation for this properties within this proposed amendment for the Riddle Farm water and sewer planning area. This designation is:

### 1. Commercial Center

Commercial Center Areas are defined (p. 16) as follows:

- This category designates sufficient area to provide for anticipated needs for business, light industry, and other compatible uses.
- Retail, offices, cultural/entertainment, services, mixed uses, warehouses, civic, light manufacturing and wholesaling would locate in commercial centers

The Comprehensive Plan goes on to state:

Chapter One, “Introduction” states:

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

Chapter Three, “Natural Resources” states:

- Provides a goal that Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources (...) clean surface and ground water (p.33).
- Worcester County recognizes the value of and is committed to conservation and protection of the following natural resources...clean surface and ground water (p. 33).
- Improve water bodies on the “Impaired Water Bodies (303d) List” to the point of their removal from this list (p. 33).

Chapter Three, “TMDLs” states:

- “all reasonable opportunities to improve water quality should be undertaken as a part of good faith efforts to meet the TMDL standards.” (p.36)

Chapter Six, “Public Infrastructure” states:

- Consistent with the development philosophy, facilities and services necessary for the health, safety, and general welfare shall be cost effectively provided (p.70).
- Require new development “pay its way” by providing adequate public facilities to meet the infrastructure demand it creates (p.70).

Riddle Farm WS Amendment Case SW 2026-01

January 28, 2026

- Plan for efficient operation, maintenance, and upgrades to existing sanitary systems as appropriate (p. 73).
- Provide for the safe and environmentally sound water supply and disposal of wastewater generated in Worcester County (p.73).
- Sewer systems should be sized to serve their service areas' planned for land uses (p. 74).

## Zoning

The current Riddle Farm *Planning Area* has already been approved under various amendments and is appropriately zoned for the current and proposed uses planned for the existing sanitary area properties, including the subject properties. The proposed expansion properties, which total approximately 27 acres in area, have a single zoning designation. They carry a C-2 (General Commercial District) designation. This zoning district is intended to provide for more intense commercial development serving populations of three thousand or more within an approximate ten-to twenty-minute travel time. From the Zoning Ordinance, these commercial centers have a higher parking demand and possess greater visibility. The existing uses on these properties are permitted in this zoning district.

## Staff's Comments

Staff comments are submitted below for your consideration.

1. The Riddle Farm WWTP does not have at this time adequate available sewer capacity to handle this addition. Applicants are aware of this and are pursuing this amendment to prepare for the time when they can acquire additional capacity to serve their existing developed and occupied commercial properties and perhaps expand or intensify their businesses.
2. The *Planning Area's* comprehensive plan designation and zoning permits the existing uses. Any construction in the *Planning Area* would be required to meet the provisions of the storm water program and other local and state regulatory requirements.
3. This proposal, while expanding the water and sewer planning areas, would require the expansion of sewer treatment facilities and connection to existing water mains and sewer collection systems. Additional public infrastructure expenses for the water main and sewer collection system extensions and any additional infrastructure additions will be constructed or funded by the applicant and turned over to the county. Connections to existing water and sewerage facilities, when they occur, are expected to eventually be completed through the east gate of the Glen Riddle community.
4. The properties are currently served by onsite sewage systems of various ages and conditions. The negative effects of continuing to serving existing commercial development with onsite sewage would be addressed with service from the Riddle Farm WWTP, a plant with exceptional Enhanced Nutrient Reduction (ENR) capability and a land application discharge utilizing spray irrigation.
5. *The Plan* states that proposed amendments must be consistent with *The Comprehensive Plan* and existing zoning classifications. As proposed, the project appears to be consistent with *The Comprehensive Plan* and existing zoning. If you need further information, please contact us.

Riddle Farm WS Amendment Case SW 2026-01

January 28, 2026

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

Sincerely,

A handwritten signature in black ink, appearing to read 'RJM', with a long horizontal flourish extending to the right.

Robert J. Mitchell, LEHS, REHS/RS  
Director

Attachments

cc: WS Amendment File (SW 2026-01)

# Attachment 1

# MAPS



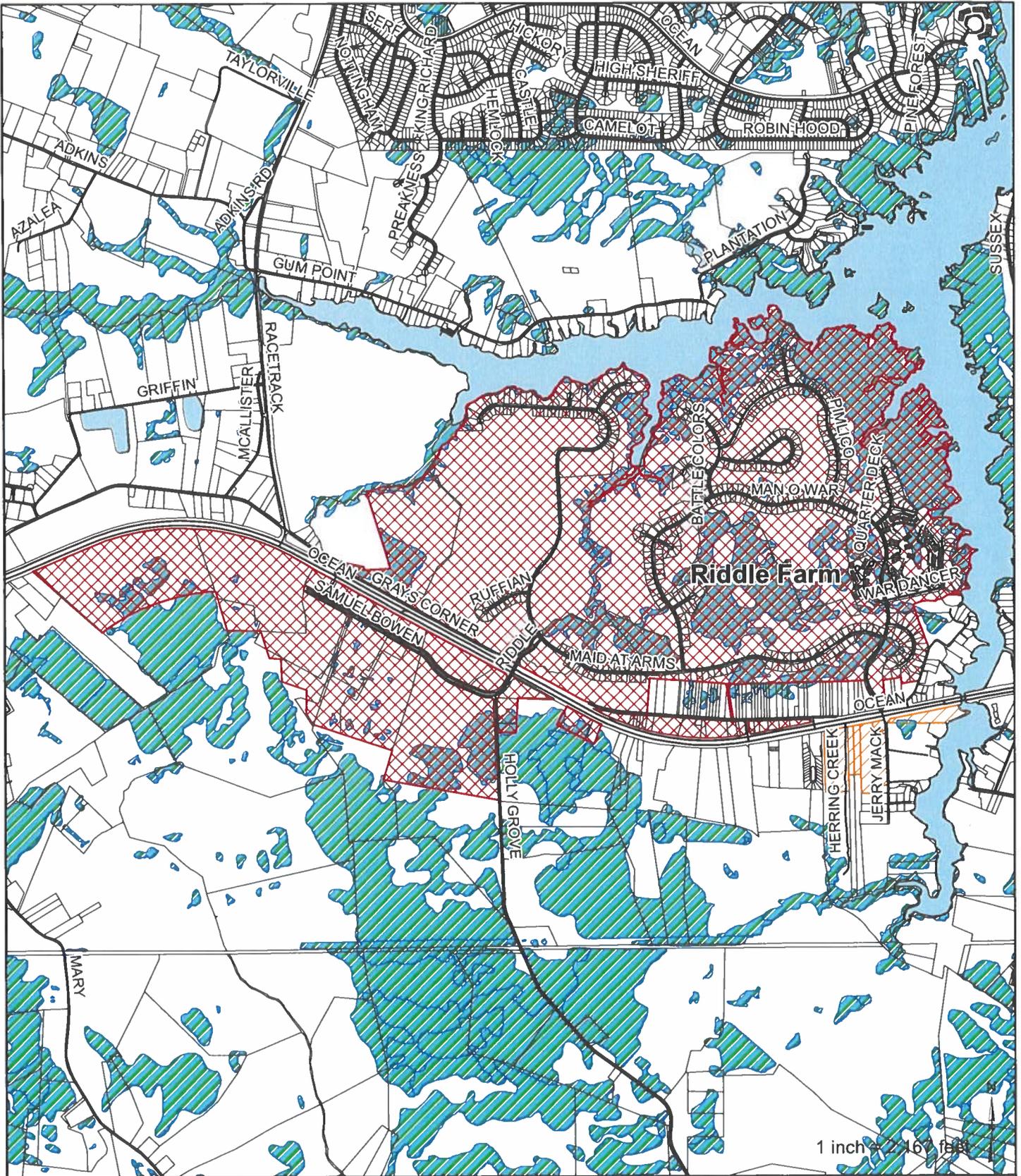
**Sanitary Areas**

-  Riddle Farm, Existing Sewer Sanitary Area
-  Riddle Farm, Proposed Sewer Planning Area Expansion

**Planning Area Expansion**

Riddle Farm





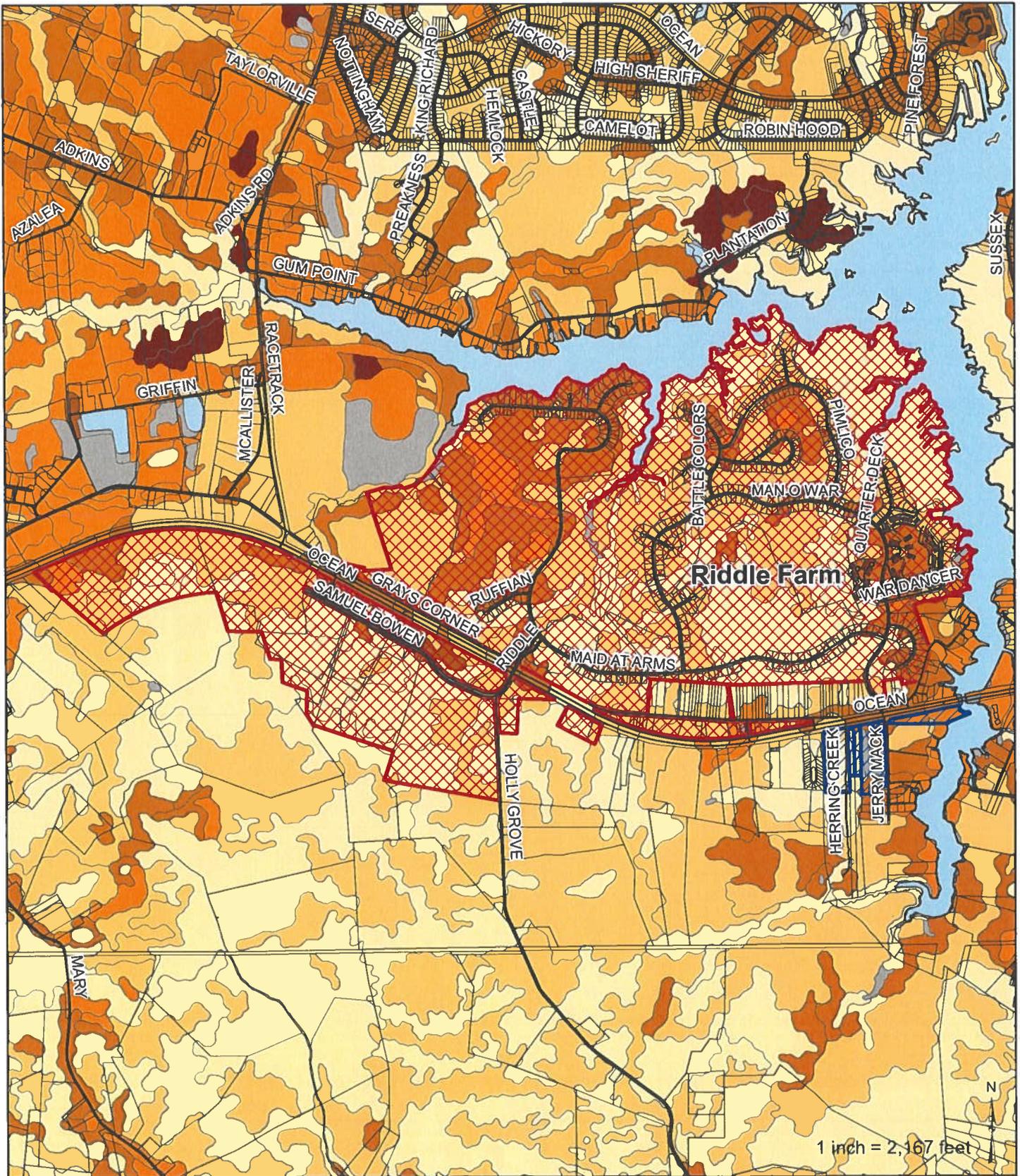
**Wetland Areas**

-  Riddle Farm, Existing Sanitary Area
-  Riddle Farm, Proposed Planning Area Expansion
-  Wetlands



**Planning Area Expansion**

Riddle Farm

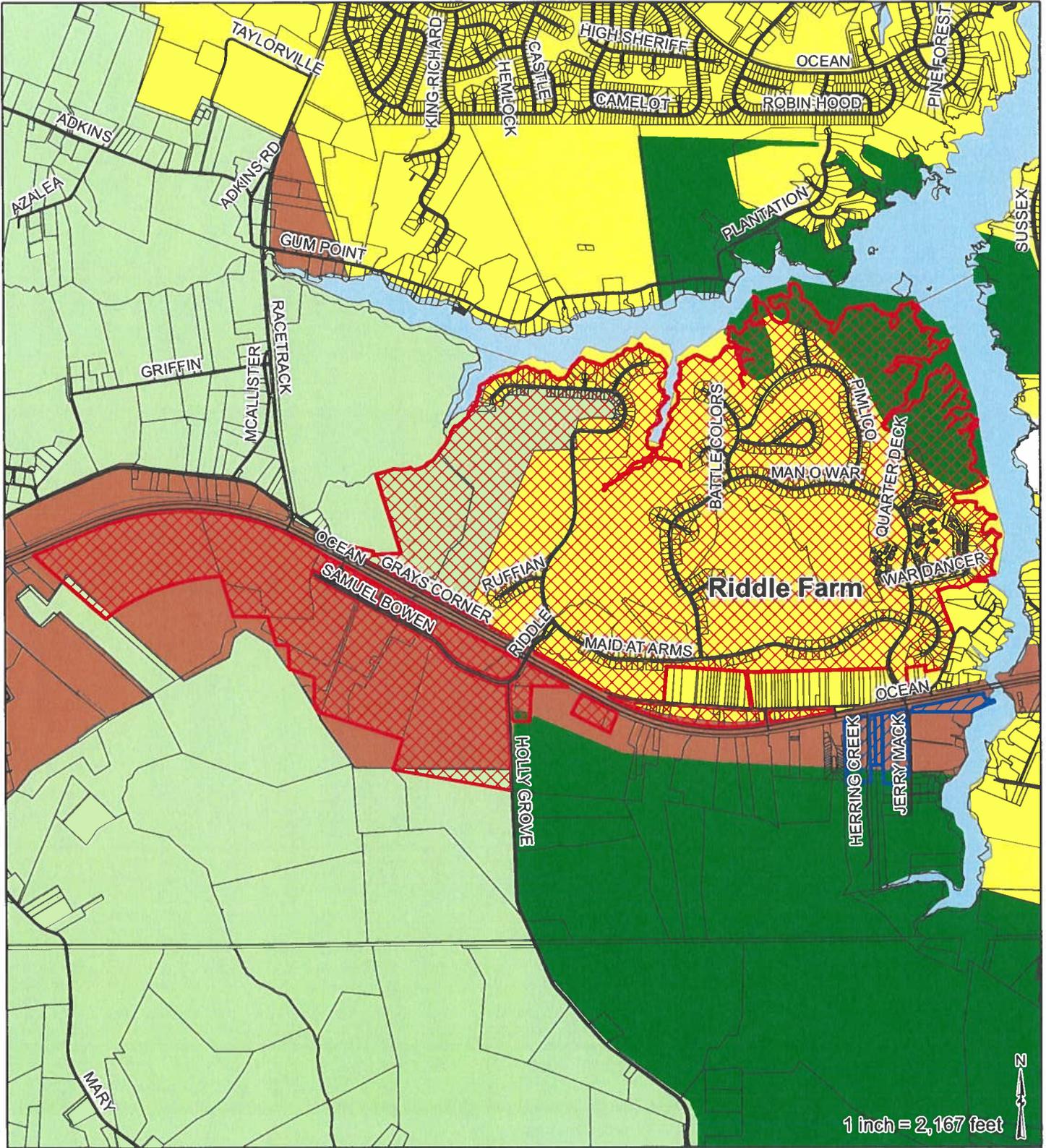


**Soils**

- |   |   |   |                              |
|---|---|---|------------------------------|
|  | Riddle Farm, Existing Sanitary Area           |  | Well drained                 |
|  | Riddle Farm, Proposed Planning Area Expansion |  | Moderately well drained      |
|  | Urban   |  | Somewhat excessively drained |
|  | Very poorly drained                           |  | Excessively drained          |
|  | Poorly drained                                |   |                              |

**Planning Area Expansion  
Riddle Farm**



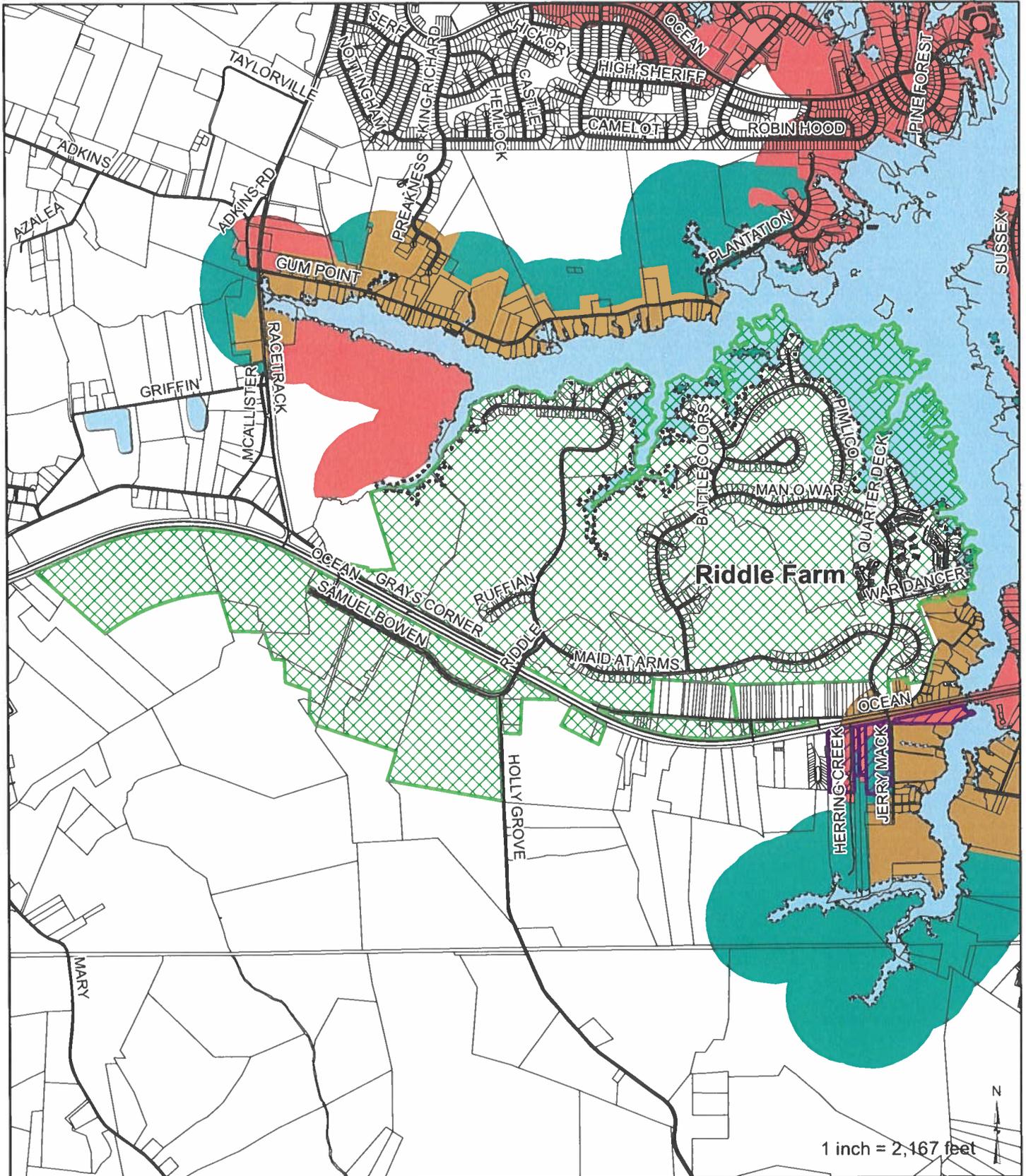


**Planning Area Expansion  
Riddle Farm**



**Land Use**

- Riddle Farm, Existing Sewer Planning Area
- Riddle Farm, Proposed Planning Area Expansion
- Agriculture
- Existing Developed Centers
- Green Infrastructure
- Waterway (rivers, streams, creeks)
- Commercial Center



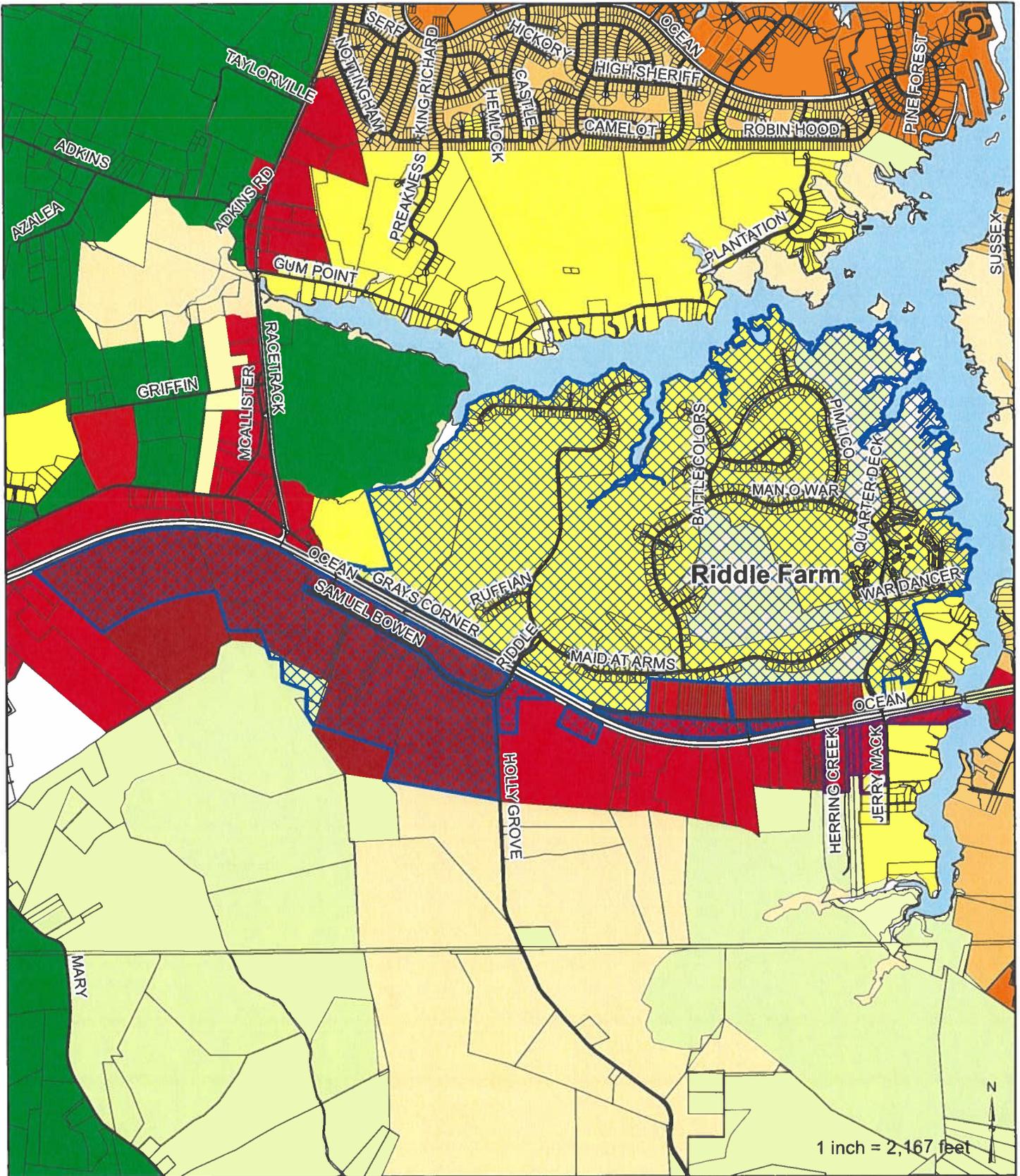
**Critical Area**

-  Riddle Farm, Existing Sewer Planning Area
-  Riddle Farm, Proposed Planning Area Expansion
-  IDA- Intensely Development Areas
-  LDA- Limited Development Areas
-  RCA- Resource Conservation Areas
-  Tidally Influenced Areas
-  Out of Program

**Planning Area Expansion**

Riddle Farm





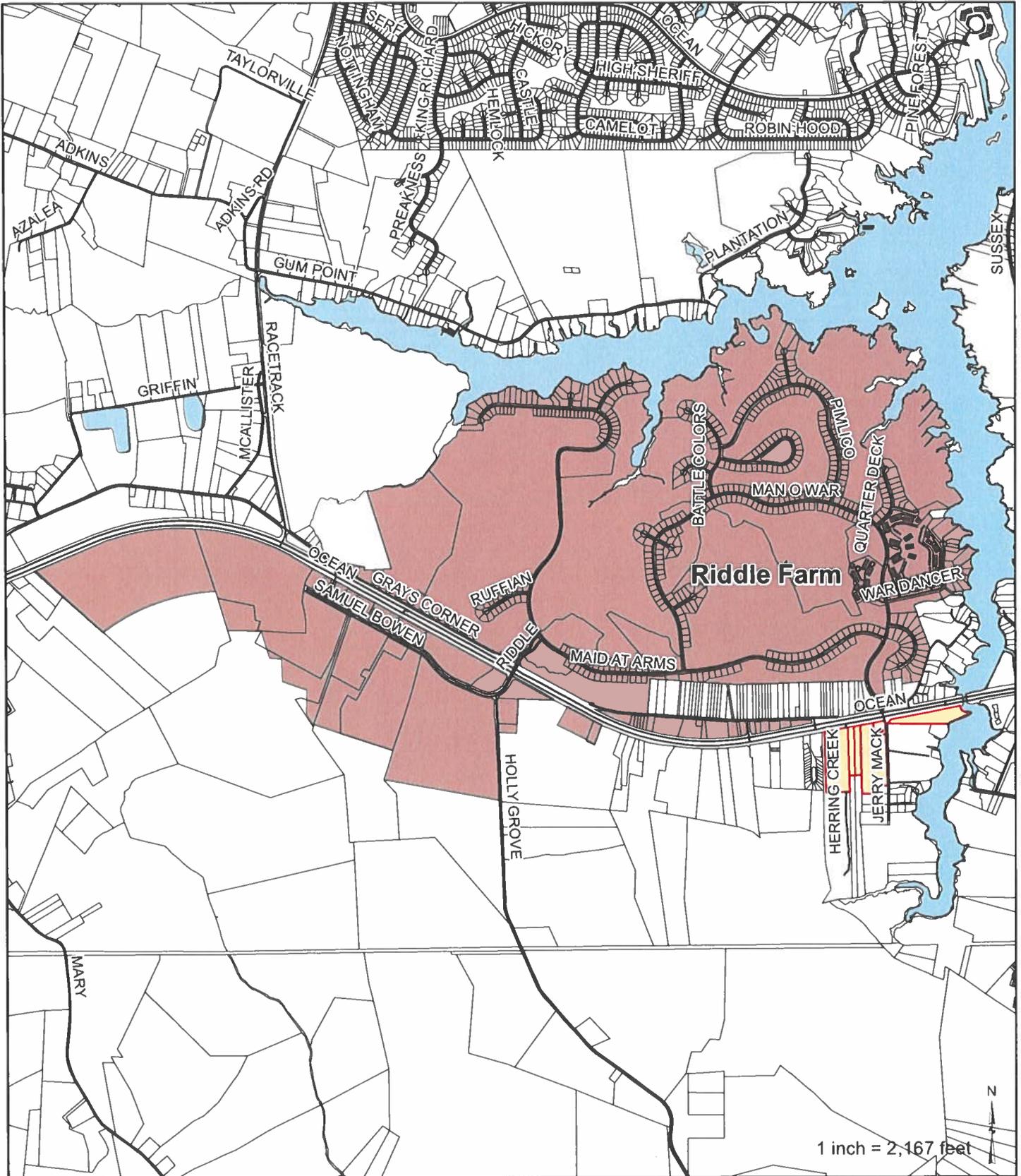
**Zoning Areas**

|   |   |   |    |   |    |
|---|---|---|----|---|----|
|  | Riddle Farm, Existing Planning Area           |  | C2 |  | R2 |
|  | Riddle Farm, Proposed Planning Area Expansion |  | C3 |  | R3 |
|  | A1  |  | E1 |  | R4 |
|  | A2  |  | R1 |  | RP |

**Planning Area Expansion**

Riddle Farm





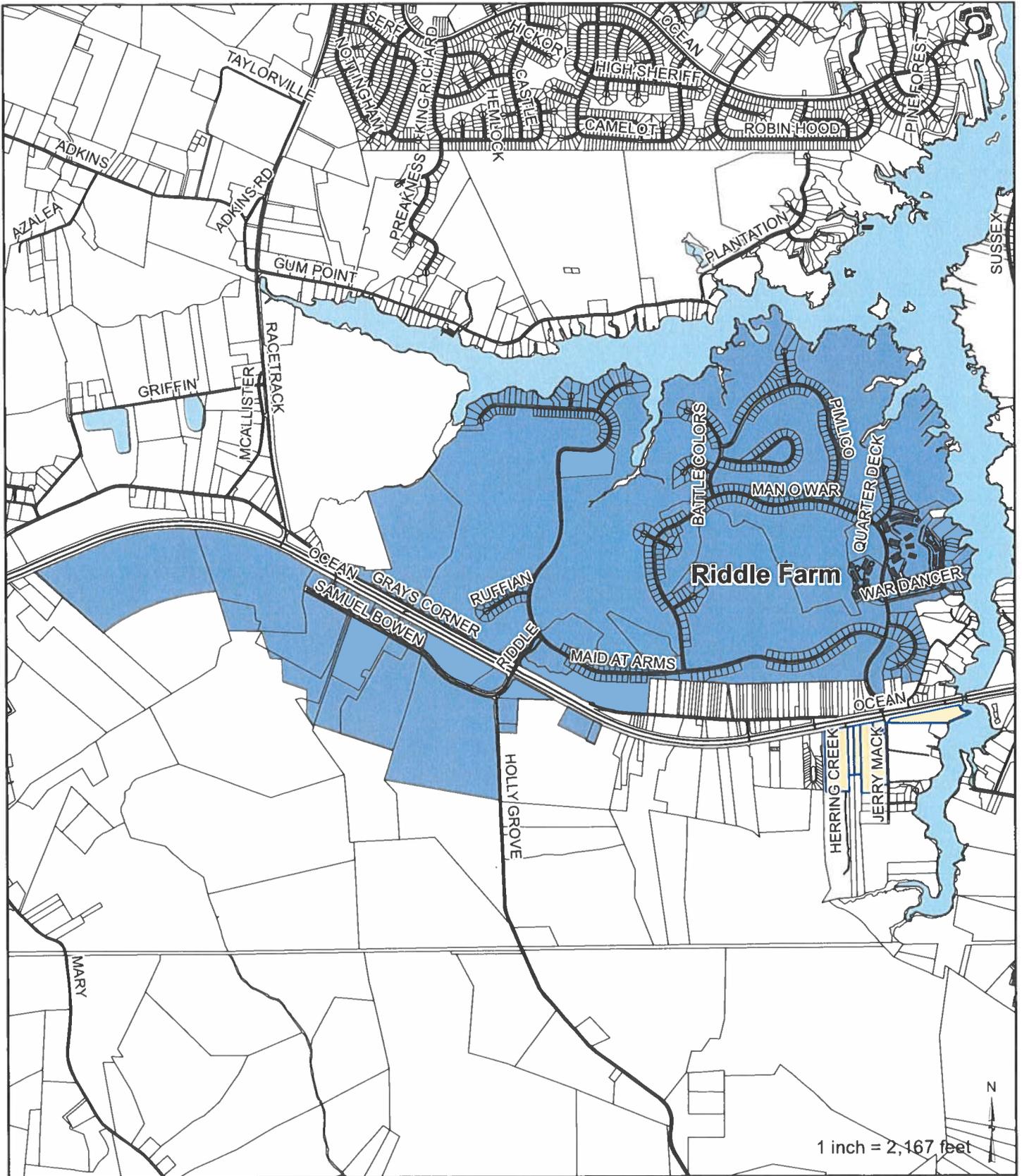
**Sewer Planning Area**

-  Riddle Farm, Existing Sanitary Sewer Area
-  Riddle Farm, Proposed Sanitary Area Expansion



**Sewer Planning Area**

Riddle Farm



**Sanitary Service Areas**

- Riddle Farm, Existing Water Sanitary Area
- Riddle Farm, Proposed Sanitary Area Expansion

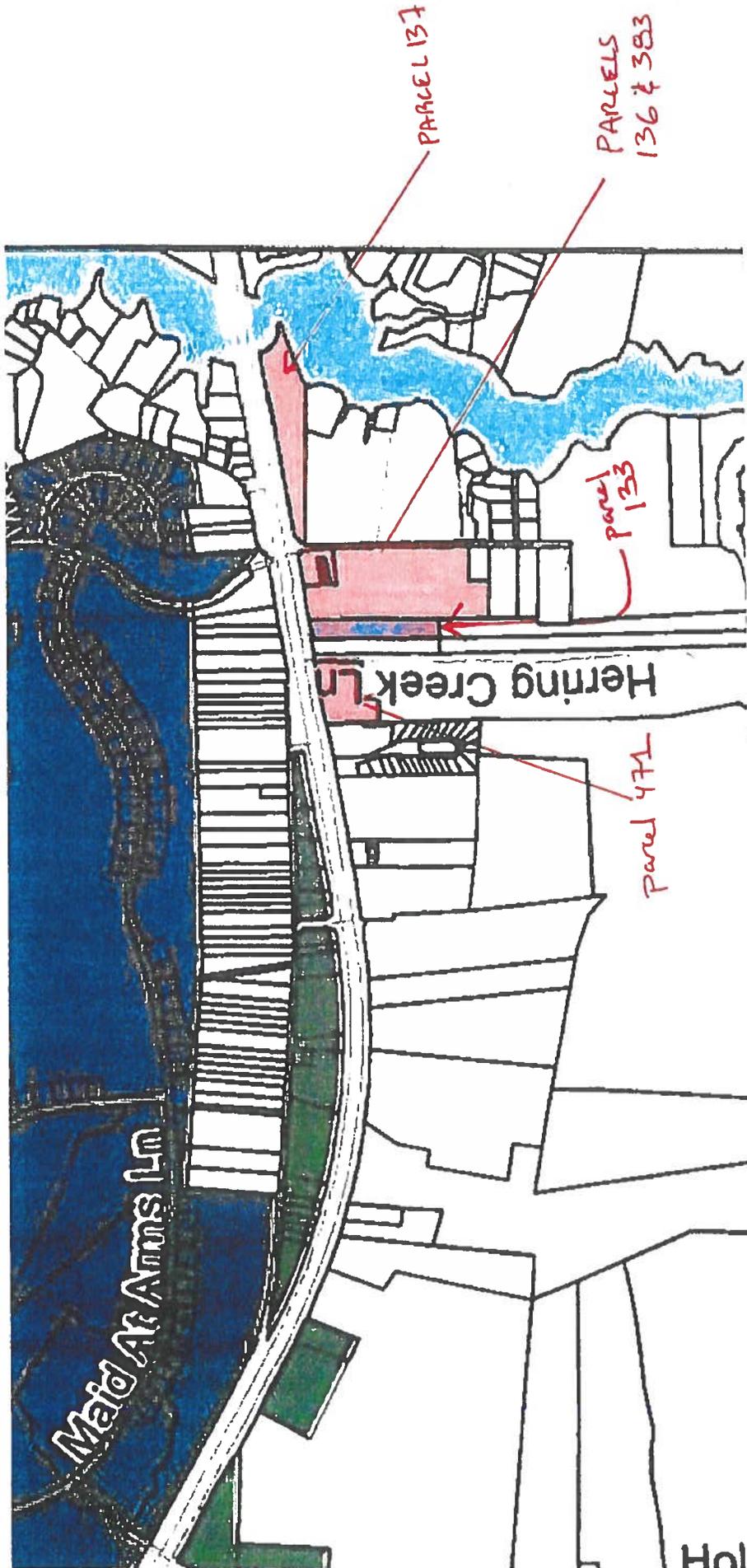


**Water Sanitary Service Area**

Riddle Farm

**Attachment 2**

**APPLICANTS MAPS**

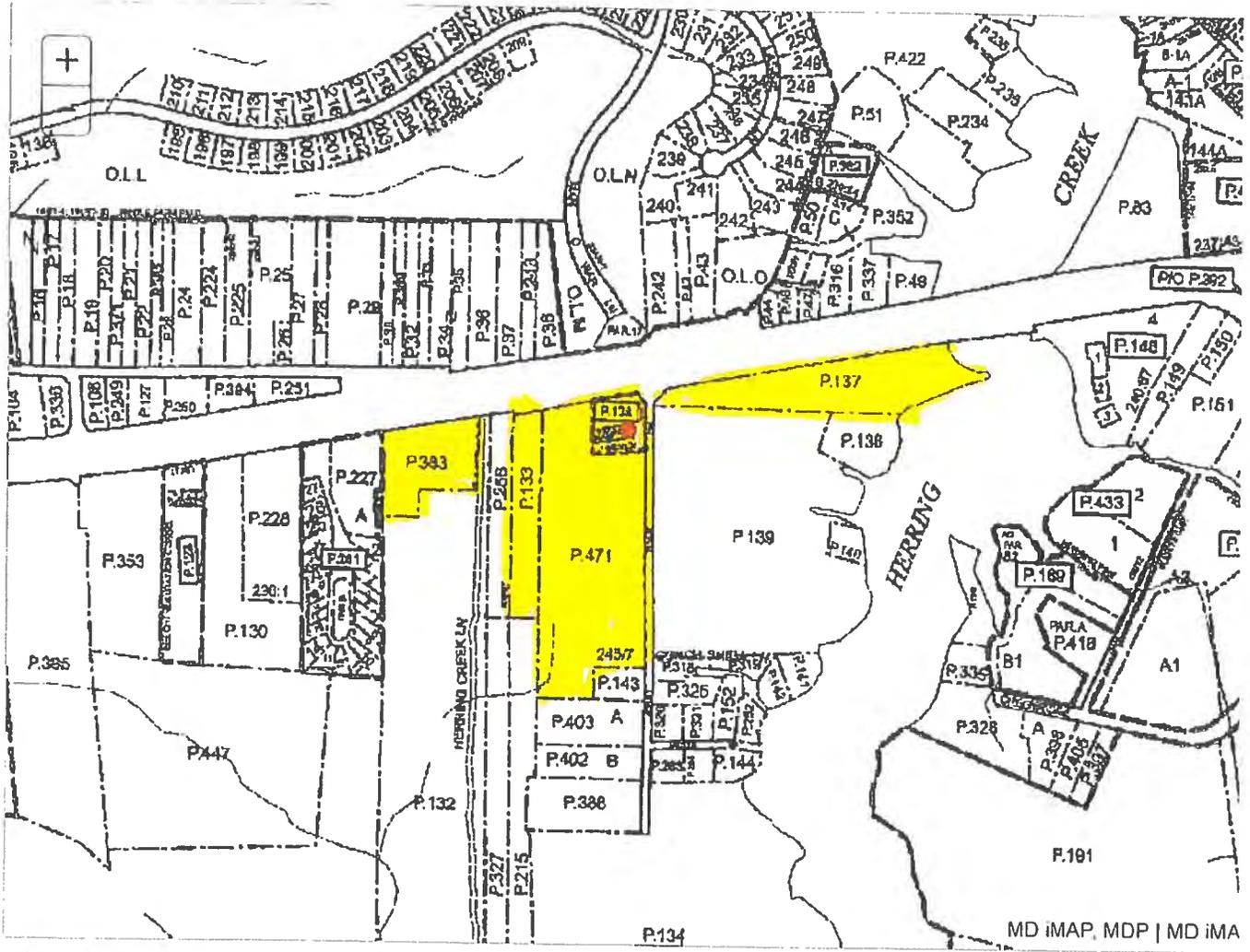


PETITION AREA (WATER & SEWER)

Worcester County

Now Search (<https://sdat.dat.maryland.gov/RealProperty>)

District: 10 Account Number: 359333

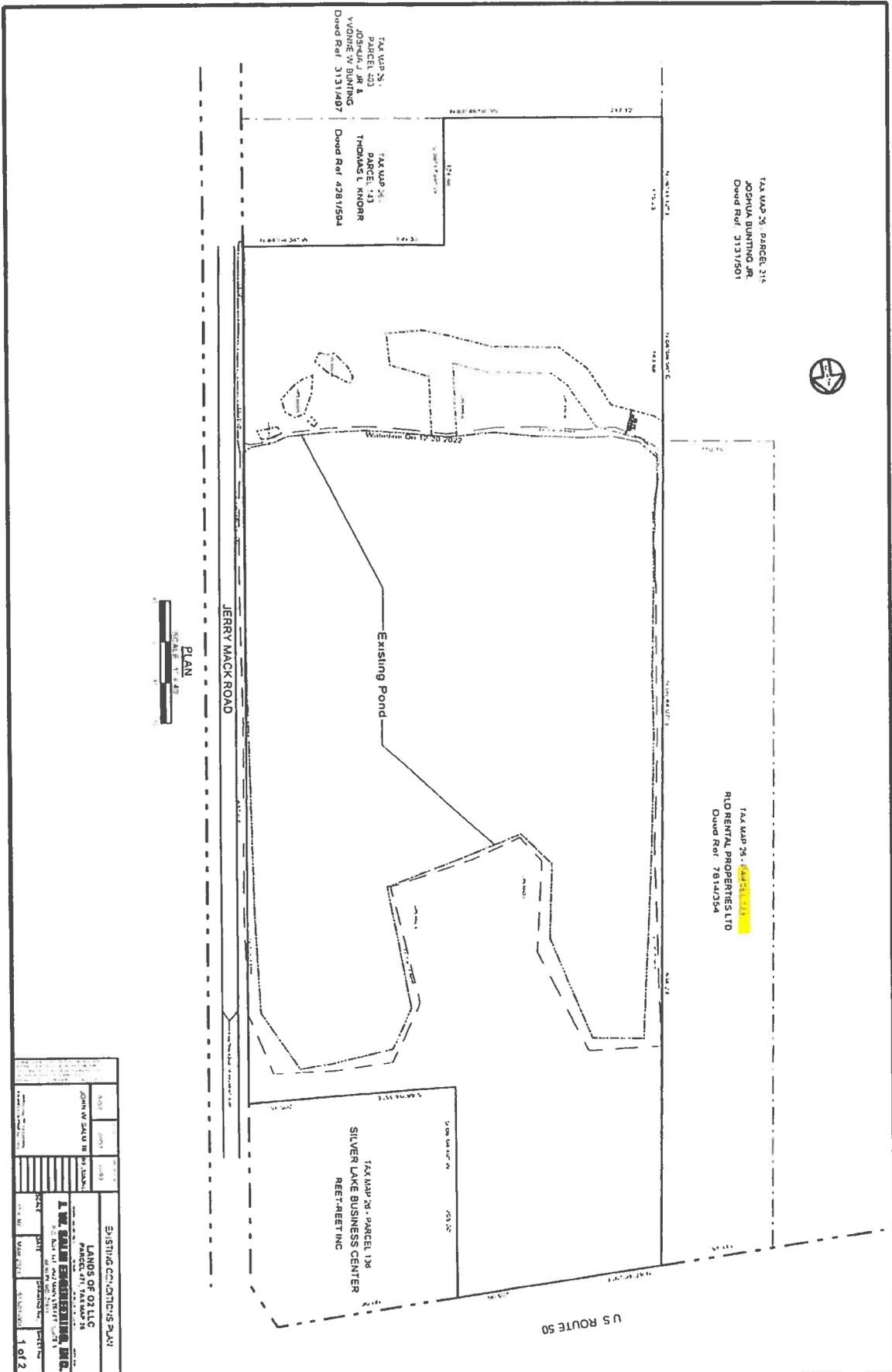


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net) (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>)



|                          |                 |
|--------------------------|-----------------|
| EXISTING CONDITIONS PLAN |                 |
| NO. 1                    | LANDS OF OZ LLC |
| NO. 2                    | LANDS OF OZ LLC |
| NO. 3                    | LANDS OF OZ LLC |
| NO. 4                    | LANDS OF OZ LLC |
| NO. 5                    | LANDS OF OZ LLC |
| NO. 6                    | LANDS OF OZ LLC |
| NO. 7                    | LANDS OF OZ LLC |
| NO. 8                    | LANDS OF OZ LLC |
| NO. 9                    | LANDS OF OZ LLC |
| NO. 10                   | LANDS OF OZ LLC |
| NO. 11                   | LANDS OF OZ LLC |
| NO. 12                   | LANDS OF OZ LLC |
| NO. 13                   | LANDS OF OZ LLC |
| NO. 14                   | LANDS OF OZ LLC |
| NO. 15                   | LANDS OF OZ LLC |
| NO. 16                   | LANDS OF OZ LLC |
| NO. 17                   | LANDS OF OZ LLC |
| NO. 18                   | LANDS OF OZ LLC |
| NO. 19                   | LANDS OF OZ LLC |
| NO. 20                   | LANDS OF OZ LLC |
| NO. 21                   | LANDS OF OZ LLC |
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| NO. 24                   | LANDS OF OZ LLC |
| NO. 25                   | LANDS OF OZ LLC |
| NO. 26                   | LANDS OF OZ LLC |
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| NO. 29                   | LANDS OF OZ LLC |
| NO. 30                   | LANDS OF OZ LLC |
| NO. 31                   | LANDS OF OZ LLC |
| NO. 32                   | LANDS OF OZ LLC |
| NO. 33                   | LANDS OF OZ LLC |
| NO. 34                   | LANDS OF OZ LLC |
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| NO. 36                   | LANDS OF OZ LLC |
| NO. 37                   | LANDS OF OZ LLC |
| NO. 38                   | LANDS OF OZ LLC |
| NO. 39                   | LANDS OF OZ LLC |
| NO. 40                   | LANDS OF OZ LLC |
| NO. 41                   | LANDS OF OZ LLC |
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| NO. 44                   | LANDS OF OZ LLC |
| NO. 45                   | LANDS OF OZ LLC |
| NO. 46                   | LANDS OF OZ LLC |
| NO. 47                   | LANDS OF OZ LLC |
| NO. 48                   | LANDS OF OZ LLC |
| NO. 49                   | LANDS OF OZ LLC |
| NO. 50                   | LANDS OF OZ LLC |
| NO. 51                   | LANDS OF OZ LLC |
| NO. 52                   | LANDS OF OZ LLC |
| NO. 53                   | LANDS OF OZ LLC |
| NO. 54                   | LANDS OF OZ LLC |
| NO. 55                   | LANDS OF OZ LLC |
| NO. 56                   | LANDS OF OZ LLC |
| NO. 57                   | LANDS OF OZ LLC |
| NO. 58                   | LANDS OF OZ LLC |
| NO. 59                   | LANDS OF OZ LLC |
| NO. 60                   | LANDS OF OZ LLC |
| NO. 61                   | LANDS OF OZ LLC |
| NO. 62                   | LANDS OF OZ LLC |
| NO. 63                   | LANDS OF OZ LLC |
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## Attachment 2

# Planning Commission Minutes

**IV. Comprehensive Water and Sewerage Plan Amendment**

- D. As the next item of business, the Planning Commission reviewed an application associated to expand, slightly, the water and sewer planning areas for the Riddle Farm Sanitary Service Area in the *Master Water and Sewerage Plan (The Plan)*. Robert Mitchell, Director of Environmental Programs submitted the staff report to the Planning Commission for this meeting. Mr. Hugh Cropper and one of the property owners, Mr. Todd Ferrante, addressed the Planning Commission on the application.

Mr. Cropper referenced the staff report and indicated that the properties are zoned commercial, they are designated as a Commercial Center land use in the *Comprehensive Plan*, and they are positioned and willing to access Riddle Farm infrastructure when capacity becomes available in the future. Both Mr. Cropper and Mr. Ferrante indicated that the subject properties are all developed commercially with existing uses that they would like to preserve with a connection to sewer and water. Mr. Cropper added that he feels anytime the County gets opportunity to convert septic to sewer it's a good thing and they should try to take advantage of the opportunity

The Planning Commission did have a couple of questions. Ms. Wimbrow asked how they would access connections to the Riddle systems. Mr. Mitchell responded that the connections would be at the east gate of the Glen Riddle Community. Mr. French asked if these applicants would get priority over other applicants in the area that came later. Mr. Cropper responded that in his years of experience here, that just doesn't happen. This application was done because the land use designation of the subject properties is in conformance with extension of public services. Obviously, public services are not going to be extended to neighboring, undeveloped properties and non-commercially developed properties that have land use designations inconsistent with the *Comprehensive Plan*. Mr. Mitchell added that the County has been fortunate to match opportunities to convert septic to sewer in commercial corridors due to the willingness of the owners to intensify existing uses and pay for the infrastructure to connect. Those infrastructure extensions were also made accessible to residential user as well for their connections. He added that local code mandates growth pay for itself and these willing property owners understand that principle. Ms. Knight made a comment that she was sure the applicants understood that and their connection to the system one day will be beneficial to the County.

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

TEL: 410-632-5623  
 FAX: 410-632-1753  
 WEB: co.worcester.md.us



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

**DALLAS BAKER JR., P.E.**  
 DIRECTOR

**JANA POTVIN, P.E.**  
 DEPUTY DIRECTOR

**TO:** Weston Young P.E., Chief Administrative Officer  
 Candace Savage, Deputy Chief Administrative Officer  
**FROM:** Dallas Baker, Jr., P.E., Director *Dallas Baker Jr*  
**DATE:** February 9, 2026  
**SUBJECT:** Ocean Pines - Pump Station T – Wet Well Relining

---

Public Works respectfully requests Commissioner approval to award the Ocean Pines Pump Station T Wet Well Relining Project to Pleasants Construction, Inc. in the amount of \$67,205.28.

Funding is available within the Ocean Pines Capital Projects Account (555.8004.9010.090). This project was included in the approved FY26 Budget with an allocated amount of \$65,000. The budget variance of \$2,205.28 will be fully offset through underspending within the Ocean Pines Collection System Maintenance (555.8004.6500.010) operating account, resulting in no net budget impact.

This project will be executed by piggybacking on Frederick County Contract #32-336 – Manhole and Wet Well Rehabilitation. Utilizing this competitively awarded cooperative contract has expedited procurement, ensured favorable unit pricing, and allows the work to be completed during a seasonal period of reduced wastewater flow, minimizing operational risk and service disruption. Pleasants Construction, Inc. has previously completed rehabilitation and relining projects for the County and has consistently met County performance and quality standards.

Pump Station T is a critical component of the Ocean Pines wastewater collection system. Rehabilitation of the wet well structure will significantly reduce groundwater inflow and infiltration (I/I), which in turn decreases unnecessary hydraulic loading on the downstream collection and treatment system. Relining will restore and protect the structural integrity of the wet well, extending the useful service life of the asset while reducing corrosion and deterioration caused by the wastewater environment. This improvement is expected to lower long-term maintenance and repair costs, improve pumping efficiency, and enhance overall operational reliability. Completion of this work represents a proactive infrastructure reinvestment that supports regulatory compliance and ensures the continued delivery of reliable wastewater service to the Ocean Pines community.

Please let me know if there are any questions.

## Attachments

CC: Jana Potvin, P.E., Deputy Director  
Lee Beauchamp, P.E., W/WW Superintendent



January 27, 2026

Lee Beauchamp
Worcester County Public Works
Water & Wastewater Division
1000 Shore Lane
Berlin MD 21811
phone: 410.641.5251 x2439
cell: 410-430-2366
lrbeauchamp@worcestermd.gov

RE: R24-119 – Ocean Pines Pump Station Lining

Dear Jeff:

Pleasants Construction, Inc. (PCI), is a certified installer of the Warren Environmental and is pleased to submit the following proposal to furnish labor, equipment and material, complete in accordance with the email request on 1/12/26.

Table with 5 columns: Description, Quantity, Units, Unit Price, Bid Total. Rows include Wet Well Coating of Concrete Surface Areas, Temporary Sewer Pump, Mobilization, and Demobilization. Total Bid Total is \$67,205.28.

\*\*\*Owner/Contractor must ensure clear access to the Tank and ensure the tank is emptied prior to work commencing

\*\*\*Owner/Contractor to provide an onsite disposal area for fluids generated during cleaning

\*\*\*PCI is not responsible for damage to deteriorated material due to pressure washing before waterproofing

General Conditions:

- 1. Limited Warranty. Pleasants Construction, Inc. ("PCI") warrants to Customer that the Warren Environmental Products Liner installed by PCI under this Contract will be free from defects in materials and workmanship (the "Limited Warranty") for a period of One (1) years from the date of installation (the "Warranty Period"). Any Liners which fail to meet the Limited Warranty shall, at PCI's option, either be



24024 FREDERICK ROAD CLARKSBURG, MARYLAND 20871

PHONE: 301-428-0800

FAX: 301-428-3922

repaired or replaced by PCI at no charge to Customer; provided, the Limited Warranty shall not cover damages caused by abuse or acts of God. If any Liner fails to meet the Limited Warranty and Customer provides PCI with written notice of such failure during the Warranty Period, PCI's sole obligation and liability hereunder shall be to repair or replace the Liner.

2. Claims for Changed, Concealed, or Unknown Conditions: If conditions are encountered at the site which are (1) materially changed: (2) subsurface or otherwise concealed physical conditions which differ materially from the information upon which this Proposal is based or (3) unknown physical conditions of an unusual nature, which differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities of the character provided herein, then the Proposal Price and Time shall be equitably adjusted to address the conditions. If the structures are not capable of being lined by the CPP method, PCI reserves the right to withdraw or modify our proposal. If such a change is required the Owner shall have the right to accept or cancel the order or Contract with reimbursement to PCI for the CCTV inspection, mobilization and any other preparatory work performed.
3. PCI shall not be responsible for any inability to perform under this Proposal or for any loss or damage due to delays or disruptions resulting directly or indirectly from, or contributed to by, any act of God, action or omission of Customer, act of civil or military authorities, fire, strike or other labor dispute, accident, flood, adverse weather, war, riot, terrorism, transportation delay, inability to obtain material or fuel supplies, or any other circumstances beyond PCI's reasonable control, whether similar or dissimilar to any of the foregoing. If any of PCI's crews are delayed on site for reasons beyond the control of PCI, then PCI's standby time will be invoiced to Customer at the hourly rate of \$600 per hour.
4. PCI requires adequate lead time from the time this proposal is signed by the Customer to procure materials to complete this job.
5. PCI will not be responsible for damage to our liner by others.
6. Proposal is based on the assumption that PCI will have access to all structures necessary to perform rehabilitation with all necessary equipment.

**Inclusions:**

The following items are included in the Pricing and Scope of Services PCI provides within this Proposal.

1. Inspection/measurement of the Tank.
2. Cleaning of the interior of the Tank for proper installation.
3. Cleanup and removal of debris from the Tank.
4. Clean/Prep/Spray Multi-Layer Lining of Tank

**Exclusions:**

The following items are excluded from PCI's above Pricing and Scope of Services stated in this Proposal. These items, if necessary, applicable or otherwise required, shall be furnished by the Customer, at the Customer's direction and at no cost to PCI or may, upon mutual agreement in writing between PCI and Customer, be provided by PCI at an additional cost:

1. Engineering
2. Permits and fees
3. Wage Scales
4. Maintenance of Traffic beyond Signs and Cones
5. Safety Fence
6. Pumping/ Dewatering
7. Site for disposal of material generated during cleaning



24024 FREDERICK ROAD CLARKSBURG, MARYLAND 20871 PHONE: 301-428-0800 FAX: 301-428-3922

- 8. Removal or disposal of any hazardous or toxic materials encountered during the project
- 9. Holiday work, rushed delivery or adverse weather work
- 10. State and local sales and/or use taxes
- 11. Access and use of fire hydrants and/or sufficient water supply (within reasonable distance of the installation site) to complete flushing

**Acceptance:**

This proposal may be withdrawn if not accepted within 30 days.

This proposal is to be included in and become an integral part of any formal contract agreement. The terms and conditions of this proposal take precedence over other terms and conditions unless agreed otherwise.

If the above meets with your approval, please sign and return both copies of this proposal to the attention of Stephen Thomas (301-428-0800). A fully executed copy will be returned for your files.

SUBCONTRACTOR or CONTRACTOR:

CONTRACTOR or OWNER:

PLEASANTS CONSTRUCTION, INC.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**FREDERICK COUNTY GOVERNMENT**  
**PROCUREMENT & CONTRACTING OFFICE**

**ITEM 3** Jessica Fitzwater  
County Executive

*Diane Fouché, CPPO, CPPB, PMP, Director*

April 19, 2023

Pleasants Construction Inc.  
Attn to: Brian Lippy  
24024 Frederick Road  
Clarksburg, Maryland 20871

Re: Request for Proposal #23-336, Manhole and Wet Well Rehabilitation

Dear Brian Lippy:

On April 13, 2023, your firm was awarded Request for Proposal #23-336, Manhole and Wet Well Rehabilitation for the initial term of April 13, 2023, through April 12, 2024, with four 1-year renewal options. All prices, specifications, terms and conditions of the proposal apply to the contract award.

Attached is an executed contract.

Please be advised that the Contractor shall maintain, during the entire term of the contract, including any renewals thereof, the insurance requirements as stated.

Please contact Brad Nee, Division of Water and Sewer Utilities, at telephone number 301-600-3414 for information concerning the contract services.

Thank you for doing business with Frederick County.

Sincerely,

Brian Stieg  
Procurement Analyst IV

Cc: File

**FREDERICK COUNTY, MARYLAND**

**CONTRACT SERVICES AGREEMENT NO. 23-336**

**MANHOLE AND WET WELL REHABILITATION**

THIS CONTRACT SERVICES AGREEMENT (herein "Agreement") is made and entered into this 13th day of April, 2023, and is by and between Frederick County, Maryland, 12 East Church Street, Frederick, Maryland 21701, a body corporate and politic of the State of Maryland, (herein "County") and *Pleasants Construction, Inc.* (herein "Contractor") 24024 Frederick Road, Clarksburg, Maryland, 20871. The parties hereto agree as follows:

**1.0 SERVICES OF CONTRACTOR**

**1.1 Scope of Services.** In compliance with all terms and conditions of this Agreement, the original solicitation and its original response, incorporated herein by reference or attachment, the Contractor shall provide those services specified in the "Scope of Services" attached hereto as Exhibit "A" and incorporated herein by this reference, which services may be referred to herein as the "services" or "work" hereunder. As a material inducement to the County entering into this Agreement, Contractor represents and warrants that Contractor is a provider of first class work and services and Contractor is experienced in performing the work and services contemplated herein and, in light of such status and experience, Contractor covenants that it shall follow the highest professional standards in performing the work and services required hereunder and that all materials will be of good quality, fit for the purpose intended. For purposes of this Agreement, the phrase "highest professional standards" shall mean those standards of practice recognized by one or more first-class firms performing similar work under similar circumstances.

**1.2 Contractor's Proposal.** The Scope of Service shall include the Contractor's proposal which shall be incorporated herein by this reference as though fully set forth herein. In the event of any inconsistency between the terms of such proposal and this Agreement, the terms of this Agreement shall govern.

**1.3 Compliance with Law.** All services rendered hereunder shall be provided in accordance with all ordinances, resolutions, statutes, rules, and regulations of the County and any Federal, State or local governmental agency having jurisdiction in effect at the time service is rendered.

**1.4 Licenses, Permits, Fees and Assessments.** Contractor shall obtain at its sole cost and expense such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement. Contractor shall have the sole obligation to pay for any fees, assessments and taxes, plus applicable penalties and interest, which may be imposed by law and arise from or are necessary for the Contractor's performance of the services required by this Agreement, and shall indemnify, defend and hold harmless County against any such fees, assessments, taxes penalties or interest levied, assessed or imposed against County hereunder.

**1.5 Familiarity with Work.** By executing this Contract, Contractor warrants that Contractor (a) has thoroughly investigated and considered the scope of services to be performed, (b) has carefully considered how the services should be performed, and (c) fully understands the facilities, difficulties and restrictions attending performance of the services under this Agreement. If the services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the conditions there existing, prior to commencement of services hereunder. Should the Contractor discover any latent or unknown conditions, which will materially affect the performance of the services

hereunder, Contractor shall immediately inform the County of such fact and shall not proceed except at Contractor's risk until written instructions are received from the Contract Officer.

**1.6 Care of Work.** The Contractor shall adopt reasonable methods during the life of the Agreement to furnish continuous protection to the work, and the equipment, materials, papers, documents, Plan, studies and/or other components thereof to prevent losses or damages, and shall be responsible for all such damages, to persons or property, until acceptance of the work by County, except such losses or damages as may be caused by County's sole negligence.

**1.7 Further Responsibilities of Parties.** Both parties agree to use reasonable care and diligence to perform their respective obligations under this Agreement. Both parties agree to act in good faith to execute all instruments, prepare all documents and take all actions as may be reasonably necessary to carry out the purposes of this Agreement. Unless hereafter specified, neither party shall be responsible for the service of the other.

**1.8 Additional Services.** County shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to or deducting from said work. No such extra work may be undertaken unless a written order is first given by the Contract Officer to the Contractor, incorporating therein any adjustment in (i) the Contract Sum, and/or (ii) the time to perform this Agreement.

## 2.0 COMPENSATION

**2.1 Contract Sum.** For the services rendered pursuant to this Agreement, the Contractor shall be compensated in accordance with the "Schedule of Compensation" attached hereto as Exhibit "B" and incorporated herein by this reference, but not exceeding the maximum contract amount of Three Hundred and Fifty Thousand US Dollars (\$350,000) (herein "Contract Sum"), except as provided in Section 1.8. The method of compensation may include: (i) a lump sum payment upon completion, (ii) payment in accordance with the percentage of completion of the services, (iii) payment for time and materials based upon the Contractor's rates as specified in the Schedule of Compensation, but not exceeding the Contract Sum or (iv) such other methods as may be specified in the Schedule of Compensation. Compensation may include reimbursement for actual and necessary expenditures for reproduction costs, telephone expense, transportation expense approved by the Contract Officer in advance, and no other expenses and only if specified in the Schedule of Compensation. The Contract Sum shall include the attendance of Contractor at all project meetings reasonably deemed necessary by the County; Contractor shall not be entitled to any additional compensation for attending said meetings. Contractor hereby acknowledges that it accepts the risk that the services to be provided pursuant to the Scope of Services may be more costly or time consuming than Contractor anticipates, that Contractor shall not be entitled to additional compensation therefore, and the provisions of Section 1.8 shall not be applicable for such services.

**2.2 Method of Payment.** Unless some other method of payment is specified in the Schedule of Compensation, in any month in which Contractor wishes to receive payment, no later than the first (1st) working day of such month, Contractor shall submit to the County in the form approved by the County's Director of Finance, an invoice for services rendered prior to the date of the invoice. Except as provided in Section 7.3, County shall pay Contractor for all expenses stated thereon which are approved by County pursuant to this Agreement no later than the last working day of the month.

## 3.0 PERFORMANCE SCHEDULE

**3.1 Time of Essence.** Time is of the essence in the performance of this Agreement.

**3.2 Force Majeure.** The time period(s) specified in the Schedule of Performance for performance of the services rendered pursuant to this Agreement shall be extended because of any delays due

to unforeseeable causes beyond the control and without the fault or negligence of the Contractor, including, but not restricted to, acts of God or of the public enemy, unusually severe weather, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes, wars, litigation, and/or acts of any governmental agency, including the County, if the Contractor shall within ten (10) days of the commencement of such delay notify the Contract Officer in writing of the causes of the delay. The Contract Officer shall ascertain the facts and the extent of delay, and extend the time for performing the services for the period of the enforced delay when and if in the judgment of the Contract Officer such delay is justified. In no event shall Contractor be entitled to recover damages against the County for any delay in the performance of this Agreement, however caused, Contractor's sole remedy being extension of the Agreement pursuant to this Section.

**3.3 Term.** Unless earlier terminated in accordance with Section 7.7 of this Agreement, this Agreement shall continue in full force and effect for an initial period of one year after approval and proper execution of the contract documents, with a renewal option for four additional years in one (1) year increments under the same terms and conditions, exercisable at the sole discretion of the County. The successful Contractor will be notified prior to the end of the contract term if the contract is to be renewed.

#### 4.0 COORDINATION OF WORK

**4.1 Representative of Contractor.** The following principal(s) of Contractor are hereby designated as being the principal(s) and representative(s) of Contractor authorized to act in its behalf with respect to the work specified herein and make all decisions in connection therewith: Brian Lippy, Director of Construction. It is expressly understood that the experience, knowledge, capability and reputation of the foregoing principal(s) were a substantial inducement for County to enter into this Agreement. Therefore, the foregoing principal(s) shall be responsible during the term of this Agreement for directing all activities of Contractor and devoting sufficient time to personally supervise the services hereunder. For purposes of this Agreement, the foregoing principal(s) may not be replaced nor may their responsibilities be substantially reduced by Contractor without the express written approval of County.

**4.2 Contract Officer.** The Contract Officer shall be such person as may be designated by the Director of Procurement and Contracting of Frederick County. It shall be the Contractor's responsibility to assure that the Contract Officer is kept informed of the progress of the performance of the services and the Contractor shall refer any decisions that must be made by County to the Contract Officer. Unless otherwise specified herein, any approval of County required hereunder shall mean the approval of the Contract Officer. The Contract Officer shall have authority to sign all documents on behalf of the County required hereunder to carry out the terms of this Agreement.

**4.3 Prohibition Against Subcontracting or Assignment.** The experience, knowledge, capability and reputation of Contractor, its principals and employees were a substantial inducement for the County to enter into this Agreement. Therefore, Contractor shall not contract with any other entity to perform in whole or in part the services required hereunder without the express written approval of the County. In addition, neither this Agreement nor any interest herein may be transferred, assigned, conveyed, hypothecated or encumbered voluntarily or by operation of law, whether for the benefit of creditors or otherwise, without the prior written approval of County. Transfers restricted hereunder shall include the transfer to any person or group of persons acting in concert of more than twenty-five percent (25%) of the present ownership and/or control of Contractor, taking all transfers into account on a cumulative basis. In the event of any such unapproved transfer, including any bankruptcy proceeding, this Agreement shall be void. No approved transfer shall release the Contractor or any surety of Contractor of any liability hereunder without the express consent of County.

**4.4 Independent Contractor.** Neither the County nor any of its employees shall have any control over the manner, mode or means by which Contractor, its agents or employees, perform the

services required herein, except as otherwise set forth herein. The County shall have no voice in the selection, discharge, supervision or control of Contractor's employees, servants, representatives or agents, or in fixing their number, compensation or hours of service. The Contractor shall perform all services required herein as an independent Contractor of the County and shall remain at all times as to the County a wholly independent Contractor with only such obligations as are consistent with that role. The Contractor shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of the County. The County shall not in any way or for any purpose become or be deemed to be a partner of the Contractor in its business or otherwise or a joint venturer or a member of any joint enterprise with the Contractor.

## 5.0 INSURANCE, INDEMNIFICATION AND BONDS

**5.1 Insurance.** The Contractor shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to County, during the entire term of this Agreement including any extension thereof, the policies of insurance as set forth in Exhibit "C", attached hereto and incorporated by reference.

5.1.1 All of the above policies of insurance required shall be primary insurance. The insurer shall waive all rights of subrogation and contribution it may have against the County, its officers, employees and agents, and their respective insurers. In the event any of said policies of insurance are canceled, the Contractor shall, prior to the cancellation date, submit new evidence of insurance in conformance with this Section 5.1 to the Contract Officer. No work or services under this Agreement shall commence until the Contractor has provided the County with Certificates of Insurance, endorsements or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance, endorsements, or binders are approved by the County.

5.1.2 The Contractor agrees that the provisions of this Section 5.1 shall not be construed as limiting in any way the extent to which the Contractor may be held responsible for the payment of damages to any persons or property resulting from the Contractor's activities or the activities of any person or person for which the Contractor is otherwise responsible.

5.1.3 In the event the Contractor subcontracts any portion of the work in compliance with Section 4.3 of this Agreement the contract between the Contractor and such subcontractor shall require the subcontractor to maintain the same polices of insurance that the Contractor is required to maintain pursuant to this Section.

**5.2 Indemnification.** The Contractor agrees to indemnify the County, its officers, agents and employees against, and will hold and save them and each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities, (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the performance of the work, operations or activities of Contractor, its agents, employees, subcontractors, or invitees, provided for herein, or arising from the acts or omissions of Contractor hereunder, or arising from Contractor's performance of or failure to perform any term, provision, covenant or condition of this Agreement, but excluding such claims or liabilities arising from the sole negligence or willful misconduct of the County, its officers, agents or employees, who are directly responsible to the County, and in connection therewith:

5.2.1 Contractor will defend any action or actions filed in connection with any of said claims or liabilities and will pay all costs and expenses, including legal costs and attorneys' fees incurred in connection therewith;

5.2.2 Contractor will promptly pay any judgment rendered against the County, its officers, agents or employees resulting from any of the above claims or liabilities subject to Contractor's indemnification obligation; and

5.2.3 In the event the County, its officers, agents or employees are made a party to any action or proceeding filed or prosecuted against Contractor arising from the above claims or liabilities

subject to Contractor's indemnification obligation, Contractor shall pay to the County, its officers, agents or employees, any and all costs and expenses incurred by the County, its officers, agents or employees in such action or proceeding, including but not limited to, legal costs and attorneys' fees.

## 6.0 REPORTS AND RECORDS

**6.1 Reports.** Contractor shall periodically prepare and submit to the Contract Officer such reports concerning the performance of the services required by this Agreement as the Contract Officer shall require. Contractor hereby acknowledges that the County is greatly concerned about the cost of work and services to be performed pursuant to this Agreement. For this reason, Contractor agrees that if Contractor becomes aware of any facts, circumstances, techniques, or events that may or will materially increase or decrease the cost of the work or services contemplated herein or, if Contractor is providing design services, the cost of the project being designed, Contractor shall promptly notify the Contract Officer of said fact, circumstance, technique or event and the estimated increased or decreased cost related thereto and, if Contractor is providing design services, the estimated increased or decreased cost estimate for the project being designed.

**6.2 Records.** The Contractor shall keep, and require subcontractors to keep, such books and records as shall be necessary to perform the services required by this Agreement and enable the Contract Officer to evaluate the performance of such services. The Contract Officer shall have full and free access to such books and records at all times during normal business hours of County, including the right to inspect, copy, audit and make records and transcripts from such records. Such records shall be maintained for a period of three (3) years following completion of the services hereunder, and the County shall have access to such records in the event any audit is required.

**6.3 Ownership of Documents and Data.** All drawings, specifications, reports, records, documents, data and other materials prepared by Contractor, its employees, subcontractors and agents in the performance of this Agreement shall be the property of County and shall be delivered to County upon request of the Contract Officer or upon the termination of this Agreement in a format acceptable to the County, and Contractor shall have no claim for further employment or additional compensation as a result of the exercise by County of its full rights of ownership of the documents and materials hereunder. Contractor may retain copies of such documents for its own use. Contractor shall have an unrestricted right to use the concepts embodied therein. All subcontractors shall provide for assignment to County of any documents or materials prepared by them, and in the event Contractor fails to secure such assignment, Contractor shall indemnify County for all damages resulting therefrom.

**6.4 Release of Documents and Data.** The drawings, specifications, reports, records, documents, data and other materials prepared by Contractor in the performance of services under this Agreement shall not be released publicly without the prior written approval of the Contract Officer.

## 7.0 ENFORCEMENT OF AGREEMENT

**7.1 Maryland Law.** This Agreement shall be construed and interpreted both as to validity and to performance of the parties in accordance with the laws of the State of Maryland. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted in the Circuit Court of Frederick County, State of Maryland, or any other appropriate court in such county, and Contractor covenants and agrees to submit to the personal jurisdiction of such court in the event of such action.

**7.2 Disputes.** In the event of a dispute between the parties to this contract involving \$10,000.00 or more regarding the terms of the contract or performance under the contract, the questions involved in the dispute shall be subject to a determination first by the Director of P&C, then to a determination

of questions of fact by the Contractor Responsibility Board. The decisions of the Contractor Responsibility Board are subject to review on the record by the Circuit Court of Frederick County.

7.2.1 A dispute between the parties to this contract involving less than \$10,000.00 regarding the terms of the contract or performance under the contract shall be determined by the Director of P&C. The decision of the Director of P&C to resolve this dispute shall be final and binding on the parties to the dispute, and conclusive of the issue.

7.2.2 The only parties to any proceeding to determine a dispute shall be the Contractor and the County, unless the Contractor and the County otherwise agree to allow additional parties.

7.2.3 Unless otherwise agreed, the Contractor shall carry on the work and maintain its progress during any dispute proceedings as if no dispute had occurred, and the County shall continue to make payments to the Contractor in accordance with the contract documents for items not subject to the dispute.

7.2.4 Nothing herein shall limit the County's right to terminate this Agreement without cause pursuant to Section 7.7.

7.2.5 At any time during the performance of the contract, the Contractor may contact the Director of P&C to request to be included in the agenda of the Contractor Responsibility Board to present information, lodge a complaint, or be heard for any reason.

**7.3 Retention of Funds.** The Contractor hereby authorizes the County to deduct from any amount payable to the Contractor (whether or not arising out of this Agreement) (i) any amounts the payment of which may be in dispute hereunder or which are necessary to compensate the County for any losses, costs, liabilities, or damages suffered by the County, and (ii) all amounts for which the County may be liable to third parties, by reason of Contractor's acts or omissions in performing or failing to perform Contractor's obligation under this Agreement. In the event that any claim is made by a third party, the amount or validity of which is disputed by the Contractor, or any indebtedness shall exist which shall appear to be the basis for a claim of lien, the County may withhold from any payment due, without liability for interest because of such withholding, an amount sufficient to cover such claim. The failure of the County to exercise such right to deduct or to withhold shall not, however, affect the obligations of the Contractor to insure, indemnify, and protect the County as elsewhere provided herein.

**7.4 Waiver.** No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

**7.5 Rights and Remedies are Cumulative.** Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the parties are cumulative and the exercise by either party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party.

**7.6 Legal Action.** Except with respect to disputes that are subject to Section 7.2 of this Agreement, either party may take such legal action, in law or in equity, to recover damages for any material default in a party's failure to perform this Agreement, to compel specific performance of this Agreement, to obtain declaratory or injunctive relief in the event of a party's failure to perform this Agreement, or to obtain any other remedy consistent with the purposes of this Section.

**7.7 Termination Prior to Expiration of Term.** This Section shall govern any termination of this Agreement except as specifically provided in the following Section for termination for cause. The County reserves the right to terminate this Agreement at any time, with or without cause, upon thirty (30) days' written

notice to Contractor, except that where termination is due to the fault of the Contractor, the period of notice may be such shorter time as may be determined by the Contract Officer. Upon receipt of any notice of termination, Contractor shall immediately cease all services hereunder except such as may be specifically approved by the Contract Officer. The Contractor shall be entitled to compensation for all services rendered prior to the effective date of the notice of termination and for any services authorized by the Contract Officer thereafter in accordance with the Schedule of Compensation or such as may be approved by the Contract Officer, except as provided in Section 7.3. In the event of termination without cause pursuant to this Section, the County need not provide the Contractor with the opportunity to cure pursuant to Section 7.3.

**7.8 Termination for Default of Contractor.** If termination is due to the failure of the Contractor to fulfill its obligations under this Agreement, the County may take over the work and prosecute the same to completion by contract or otherwise, and the Contractor shall be liable to the extent that the total cost for completion of the services required hereunder exceeds the compensation herein stipulated (provided that the County shall use reasonable efforts to mitigate such damages), and the County may withhold any payments to the Contractor for the purpose of set-off or partial payment of the amounts owed the County as previously stated.

**7.9 Termination for Non-appropriation.** If the County or other funding source fails to appropriate funds or if funds are not otherwise made available for continued performance for any fiscal period or part thereof of this Agreement, this Agreement shall be cancelled automatically as of the beginning of the fiscal year or part thereof for which funds were not appropriated or otherwise made available; provided, however, that this will not affect either the County's rights or the Contractor's rights under any termination clause in this Agreement. The effect of termination of the Agreement hereunder will be to discharge both the Contractor and the County from future performance of the Contract, but not from their rights and obligations existing at the time of termination. The Contractor shall be reimbursed for the reasonable value of any non-recurring costs incurred but not amortized in the price of the Agreement. The County shall make a good faith effort to notify the Contractor as soon as it has knowledge that funds may not be available for the continuation of this Agreement for each succeeding fiscal period or part thereof beyond the first fiscal year.

## **8.0 COUNTY OFFICERS AND EMPLOYEES: NON-DISCRIMINATION**

**8.1 Non-liability of County Officers and Employees.** No officer or employee of the County shall be personally liable to the Contractor, or any successor in interest, in the event of any default or breach by the County or for any amount, which may become due to the Contractor or to its successor, or for breach of any obligation of the terms of this Agreement.

**8.2 Conflict of Interest.** No officer or employee of the County shall have any financial interest, direct or indirect, in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which effects his financial interest or the financial interest of any corporation, partnership or association in which he is, directly or indirectly, interested, in violation of any State statute or regulation. The Contractor warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement.

**8.3 Covenants Against Discrimination.** The Contractor covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement. The Contractor shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin, or ancestry.

## 9.0 MISCELLANEOUS PROVISIONS

**9.1 Notice.** Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally sent by prepaid, first-class mail, sent by facsimile or sent by email as follows:

9.1.1 for the County: Frederick County, Maryland  
Procurement & Contracting Office  
Attention to: Brian Stieg  
12 East Church Street  
Frederick, Maryland 21701  
Office Phone: 301-600-6702  
Email: bstieg@frederickcountymd.gov

With a copy to: Frederick County, Maryland  
Division of Water and Sewer Utilities  
Attention to: Brad Nee, Superintendent of Maintenance  
4520 Metropolitan Court  
Frederick, Maryland 21704  
Office Phone: 301-600-3414  
Email: bnee@frederickcountymd.gov

9.1.2 for the Contractor: Contractor's Name  
Attention to: Brian Lippy, Director of Construction  
24024 Frederick Road  
Clarksburg, Maryland, 20871  
Office Phone: 301-428-0800  
Email: blippy@pleasantsconstruction.com

9.1.3 Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated at the time personally delivered or in seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

**9.2 Interpretation.** The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

**9.3 Integration; Amendment.** It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

**9.4 Severability.** In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid

provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

**9.5 Corporate Authority.** The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

*Signatures on next page.*

IN WITNESS WHEREOF, the parties have executed and entered into this Agreement as of the date above.

SIGNATURE SECTION

**COUNTY:**

**ATTEST:** **Frederick County, Maryland**  
A body corporate and politic of the State of Maryland

By:  By: 

Diane Fouché, Director, Procurement and Contracting

**CONTRACTOR:**

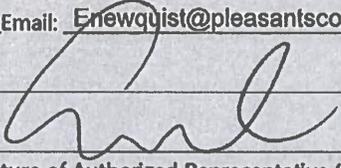
Contractor Legal Name (as it appears on BUSINESS LICENSE): Pleasants Construction, Inc.

Contractor Address: 24024 Frederick Road, Clarksburg, MD 20871

Phone: 301-428-0800 Email: Enewquist@pleasantsconstruction.com

Contractor's Signatory PRINTED NAME: Eric Newquist

Check one:  Individual  Partnership  Corporation

By:   
Signature of Authorized Representative (notarized)

**NOTARY:**

Notary Name: Sarah V. Shaper Title: Project Coordinator

Address: 7700 Grove Road Frederick, MD 21704

State of: Maryland County of: Frederick

On this date: April 5, 2023 before me, this person: Eric A. Newquist  
DATE PRINT NAME FROM IDENTIFICATION PROVIDED

personally appeared and proved to me on the basis of this satisfactory evidence: Drivers License  
TYPE OF IDENTIFICATION PRESENTED

to be the person whose name is subscribed to herein and acknowledged to me that they executed this document in their authorized capacity as signatory for named company. WITNESS my hand and official seal,

Notary Signature:  Notary Seal: 

**EXHIBIT "A"**  
**SCOPE OF SERVICES**

**1.1 SCOPE:**

- 1.1.1 The work primarily consists of Manhole Coating, Manhole Frame and Cover Replacement, Manhole Chimney Sealing, Raising Manhole Frames with Chimney Rings, Raising Manhole Cover with Riser Rings, Manhole or Wet Well Structure and/or Bench and Invert Reconstruction, Wet Well Coating, and Coating Piping and Miscellaneous Metals in Wet Wells.
- 1.1.2 Coatings shall be completed using a monolithic 100% solids epoxy, formulated with exceptionally high physical strengths and broad range chemical resistance, and capable of being spray applied or hand troweled. When cured, the system shall form a continuous, tight-fitting, hard, impermeable surface that is suitable for sewer system service and chemically resistant to any chemicals, bacteria or vapors normally found in domestic or industrial sewers. The system shall effectively seal the interior surfaces of the structure and prevent any penetration or leakage of groundwater infiltration. The work shall be completed in accordance with the specifications.
- 1.1.3 This work shall also include temporary plugging of lines, bypass pumping of flows, capture, removal and disposal of debris and traffic control. The Contractor shall furnish all labor, materials, and equipment required to perform the rehabilitation work. The Contractor shall provide redundancy of all tools and equipment that are critical to completing work without interruption. The County may terminate the contract if inferior work is performed by the successful offeror. The County shall be the sole judge of whether work is inferior. The County, at its sole discretion, may grant an opportunity to remedy the situation but is not contractually obligated to do so.

**1.2 "OR EQUAL" CLAUSE:**

- 1.2.1 "Or Equal" Clause, the product referenced in these specifications, is for reference only. Any product equal to the products specified will be considered by the County. Determination of whether the product meets the performance specifications will be at the sole discretion of the County.
- 1.2.2 The materials to be utilized in the lining of manholes, wet wells and related structures shall be designed and manufactured to withstand the severe effects of hydrogen sulfide in a wastewater environment. Manufacturer of the corrosion protection products shall have long proven experience in the production of the lining products utilized and shall have a satisfactory installation record.
- 1.2.3 Equipment for installation of lining materials shall be high quality grade and be as recommended by the manufacturer.

**1.3 BYPASS PUMPING / DIVERSION:**

- 1.3.1 The Contractor, with approval from the County, shall determine if it is necessary to provide bypassing around a manhole or other structure specified for rehabilitation to comply with manufacturer's recommendations, safety requirements, or any other requirements of this specification.

- 1.3.2 The bypass pumping system shall be in place and working before the sewer lining work begins. The sewer shall be returned to gravity flow at the end of each working day. Unattended bypass pumping is not allowed unless approved by the County in advance.
  - 1.3.3 Bypass pumping shall be limited to those hours that the Contractor is performing the work for this project unless necessitated by an emergency beyond the Contractor's control. A representative of the Contractor must be on-site at all times that the bypass pumping is in operation.
  - 1.3.4 If the Contractor elects to use bypass pumping as a means of sewerage control, the methods, equipment, type of hose, etc., shall be subject to approval by the County. Hoses crossing streets, driveways, parking areas, etc., are to be ramped over to prevent damage to the hoses. Bypass pumps shall be sized to handle the peak flow with one pump out of service. Contractor must have a backup pump ready in case a pump fails.
  - 1.3.5 No spillage of wastewater to adjacent streets, lawns, etc., shall be tolerated. If any such spillage should occur, all construction operations shall cease and cleanup shall commence immediately and be completed to the satisfaction of the County prior to the resumption of any construction operations and at no cost to the County. Failure to clean to the satisfaction of the County will result in referral to the Contractor Responsibility Board.
  - 1.3.6 Bypassing will not be permitted in the event of excessively wet weather. The County reserves the right to determine when any bypassing will or will not be allowed.
- 1.4 **TRAFFIC CONTROL:** The Contractor shall be responsible to provide any traffic control necessary to safely complete the work. The Contractor shall be responsible for obtaining any permits required from the State, County or Municipalities in which the work takes place. All traffic control, including signing and barricading of work areas, shall conform to the Federal Highway Administration's "manual on Uniform Traffic Control Devices."
- 1.5 **STEPS:** The Contractor shall remove all steps. Removal shall consist of neatly cutting steps flush with the wall prior to any lining installation. The steps shall not be replaced and the Contractor shall be responsible for proper disposal of steps.
- 1.6 **CONTRACTOR:** The Contractor shall be an experienced, qualified Contractor and possess the workers, equipment, and abilities to successfully provide all needed services. The Contractor, and all employees of the Contractor, shall fully comply with all County, State and Federal laws and/or mandates applicable to the services to be provided under this agreement.
- 1.7 **SPECIAL TERMS & CONDITIONS**
- 1.7.1 **FINAL INSPECTION:** At the conclusion of the work, the Contractor shall demonstrate to the authorized County representative that the work is fully operational and in compliance with contract specifications and codes. Any deficiencies shall be promptly and permanently corrected by the Contractor at the Contractor's sole expense prior to final acceptance of the work.
  - 1.7.2 **WORK SITE DAMAGES:** Any damage to existing utilities, equipment, or finished surfaces resulting from the performance of this contract shall be repaired to the County's satisfaction at the Contractor's expense.
  - 1.7.3 **SUPERINTENDENCE BY CONTRACTOR:** The Contractor shall have a competent foreman or superintendent, satisfactory to the County, on the job site at all times during the progress of the work. The Contractor shall be responsible for all construction means,

methods, techniques, sequences, and procedures, for coordinating all portions of the work under the contract except where otherwise specified in the contract documents, and for all safety and worker health programs and practices. The Contractor shall notify the County, in writing, of any proposed change in superintendent including the reason therefore prior to making such change.

1.7.4 USE OF PREMISES AND REMOVAL OF DEBRIS:

1.7.4.1 The Contractor shall perform in such a manner as not to interrupt or interfere with the operation of any existing activity on the premises or with the work of any Contractor; and store his apparatus, materials, supplies, and equipment in such orderly fashion at the site of the work as will not unduly interfere with the progress of his work or the work of any other Contractor; and place upon the work or any part thereof only such loads as are consistent with the safety of that portion of the work.

1.7.4.2 The Contractor expressly undertakes directly, to effect all cutting, filling, or patching of his work required to make the same conform to the drawings and specifications, and, except with the consent of the County, not to cut or otherwise alter the work of any other Contractor. The Contractor shall not damage or endanger any portion of the work or premises, including existing improvements, unless called for by the contract.

1.7.4.3 The Contractor expressly undertakes directly, to clean up frequently all refuse, rubbish, scrap materials, and debris caused by his operations, to the end that at all times the site of the work shall present a neat, orderly, and workmanlike appearance. No such refuse, rubbish, scrap material, and debris shall be left within the completed work nor buried on the building site, but shall be removed from the site and properly disposed of in a licensed landfill or otherwise as required by law. The Contractor expressly undertakes directly, before final payment, to remove all surplus material, false work, temporary structures, including foundations thereof, plants of any description and debris of every nature resulting from his operations and to put the site in a neat, orderly condition; to thoroughly clean and leave reasonably dust free all finished surfaces including all equipment, piping, etc., on the interior of all buildings included in the contract; and to thoroughly clean all glass installed under the contract including the removal of all paint and mortar splatters and other defacements. If a Contractor fails to clean up at the completion of the work, the County shall charge for costs thereof to the Contractor.

1.7.5 SAFETY:

1.7.5.1 The Contractor shall conform to all work safety requirements of pertinent regulatory agencies, and shall secure the site for working conditions in compliance with the same. The Contractor shall erect such signs and other devices as are necessary for the safety of the work site.

1.7.5.2 The Contractor shall perform all work in accordance with applicable OSHA safety standards. Emphasis shall be placed upon the requirements for entering confined spaces and with the equipment being utilized for manhole rehabilitation components. Confined space, defined as any space having one or more of the following characteristics:

- 1.7.5.2.1 Limited openings for entry and exit.
- 1.7.5.2.2 Unfavorable natural ventilation.

- 1.7.5.2.3 Not designed for continuous worker occupancy.
- 1.7.5.3 The Contractor shall have on the job site at all times at a minimum the following safety equipment:
  - 1.7.5.3.1 Gas monitor capable of testing and detecting for combustible gas, oxygen deficiency and hydrogen sulfide.
  - 1.7.5.3.2 Confined space access and retrieval winch system.
  - 1.7.5.3.3 Ventilating fans with large diameter ventilating hose.
  - 1.7.5.3.4 Supplied air respirator, MSHA/NIOSH approved type.
  - 1.7.5.3.5 Safety harness and life lines.
  - 1.7.5.3.6 Other equipment as may be required for a specific project
  - 1.7.5.3.7 All equipment to be available for use, in sufficient quantity, by the Contractor for the duration of the project.
- 1.7.6 WORK PERFORMANCE: The Contractor shall perform the work in accordance with manufacturer's recommendations and specifications.
- 1.7.7 CONTRACTOR RESPONSIBILITIES:
  - 1.7.7.1 Employees of the Contractor must be able to work within a public setting without creating a disruption and conform to all policies, rules and regulations. Contractor shall require that their employees to be courteous at all times and not to use loud or profane language. Contractor shall require that its employees shall not trespass, loiter, cross property to adjoining premises, or tamper with property not covered by the contract.
  - 1.7.7.2 The Contractor shall be solely responsible for job site conditions and completely supervising and directing the work under this contract. The Contractor agrees that it is fully responsible for the acts and omissions of his own employees. These requirements will apply continuously and not be limited to working hours.
  - 1.7.7.3 It is the Contractor's responsibility to have equipment of suitable type, and in proper condition to operate and maintain uninterrupted schedules, redundancy of critical equipment shall be on-site at all times.
  - 1.7.7.4 The Contractor shall follow schedules and instructions provided by designated County contacts.
- 1.7.8 PROTECTION OF PERSONS AND PROPERTY: The Contractor expressly undertakes directly, to take every precaution at all times for the protection of persons and property, including Frederick County employees and property.
- 1.7.9 EMERGENCY: In an emergency affecting the safety of life, the project, or the adjoining property, the Contractor, without special instruction or authorization from the County, shall act to prevent threatened loss or injury. Any compensation, claimed by the Contractor on account of emergency work, shall be determined by agreement between the County and the Contractor.
- 1.7.10 DAMAGES:
  - 1.7.10.1 The Contractor shall be responsible for damage or injury to property during the prosecution of the Work resulting from any act, omission, neglect, or misconduct in the method of executing the Work or attributable to defective Work or materials. This responsibility shall not be released until final acceptance of the project by the County.
  - 1.7.10.2 When direct or indirect damage is done to property by or on account of any act, omission, neglect or misconduct in the method of executing the Work or

in consequence of the non-execution thereof on the part of the Contractor, the Contractor shall restore such property to a condition similar or equal to that existing before such damage was done by repairing, rebuilding or restoring, as may be directed by the County.

- 1.7.11 RESTORATION: Proper notice shall be given to the County of any expected inconvenience or hazardous condition. Special care must be taken to prevent damage to trees and shrubs. Road surfaces adjacent to excavations shall be cleaned of soil with mechanical brooms at the end of the working day. All surplus materials shall be disposed of in a manner acceptable to the County, and the construction area shall be left in a neat condition. No machinery or equipment shall be left or stored on the job site after the project is completed.
- 1.7.12 LABELING OF HAZARDOUS SUBSTANCES: If the items or products requested by this agreement are "Hazardous Substances" as defined by Section 1261 of Title 15 of the United States Code (U.S.C.) or "Pesticides" as defined in Section 136 of Title 7 of the United States Code, then the Contractor certifies and warrants that the items or products to be delivered under this contract shall be properly labeled as required by the foregoing sections and that by delivering the items or products the offeror does not violate any of the prohibitions of Title 15 U.S.C. Section 1263 or Title 7 U.S.C. Section 136.
- 1.7.13 MATERIAL SAFETY DATA SHEETS: Material Safety Data Sheets (MSDS) and descriptive literature shall be provided for each chemical and/or compound offered.
- 1.7.14 MATERIALS AND WORKMANSHIP:
  - 1.7.14.1 The Contract Documents describe the character and features of the materials and workmanship required to perform the Work. The Contract Documents require first class work and materials in all particulars. It is understood that the contract includes any and all work that may be necessary to connect the work done with the adjoining work in a proper and workmanlike manner.
  - 1.7.14.2 The County reserves the right to employ an independent testing laboratory to conduct tests of materials, etc. as the County may deem necessary to assure complete compliance with the requirements of the specifications. The Contractor shall offer full cooperation with personnel in the employ of the County in making these tests.
- 1.7.15 NO DEVIATION FROM CONTRACT DOCUMENTS BY THE CONTRACTOR:
  - 1.7.15.1 The Contractor shall not deviate from the Contract Documents without the written consent of the County. If the Contractor does deviate from the Contract, they shall correct the error at their expense in a manner satisfactory to the County. INTERPRETATION OF CONTRACT DOCUMENTS. In case of discrepancy between or among Contract Documents, the County shall make such interpretations as may be deemed necessary for the fulfillment of the intent of the Contract Documents as construed by the County and the County decision shall be final.
  - 1.7.15.2 The Contractor shall verify all figures and will be responsible for the proper coordination of all dimensions as well as the different parts of the Work.
- 1.7.16 DISCREPANCIES: The Contractor shall immediately report to the County, in writing, any discrepancies found between the Contract Documents and site conditions or any inconsistencies or ambiguities in the Contract Documents. The County shall promptly correct such inconsistencies or ambiguities in writing. Work done by the Contractor after

his discovery of such discrepancies, inconsistencies, or ambiguities shall be done at the Contractor's risk.

**1.7.17 CONTRACT WORKING HOURS:**

1.7.17.1 Working hours shall be between 7:00AM and 3:30PM on weekdays, excluding holidays. In some instances, it may be mutually beneficial to perform the work outside of those hours, in which case the County will review those requests individually.

1.7.17.2 County Holidays – New Year's Day, Martin Luther King Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Friday After, Christmas Eve and Christmas Day.

**1.7.18 SUBCONTRACTORS:** The County shall not permit the use of subcontractors for any part of this contract.

**1.7.19 PUBLIC NOTIFICATION:** The County shall notify the affected customers at least 48 hours in advance of any work activities taking place.

**1.8 MANHOLE/WET WELL REHABILITATION SPECIFICATIONS**

1.8.1 This specification covers all labor, materials, equipment and services, including but not limited to, by-pass pumping and traffic control necessary to complete manhole and wet well rehabilitation work as herein specified. It is the Contractor's responsibility to stop all active leaks in association with the coating of the manhole or wet well interiors.

1.8.2 Work covered by this specification includes Manhole Coating, Manhole Frame and Cover Replacement, Manhole Chimney Sealing, Raising Manhole Frame with Chimney Rings, Raising Manhole Cover with Riser Rings, Manhole or Wet Well Structure and/or Bench and Invert Reconstruction, Wet Well Coating, and Coating Piping and Miscellaneous Metals in Wet Wells and other related services.

1.8.3 When cured, the system shall form a continuous, tight-fitting, hard, impermeable surface that is suitable for sewer system service and chemically resistant to any chemicals, bacteria or vapors normally found in domestic or industrial sewers. Chemical resistance shall conform to ASTM D543.

1.8.4 The system shall effectively seal the interior surfaces of the structure and prevent any penetration or leakage of groundwater infiltration.

1.8.5 The Contractor shall perform all required permanent surface and/or landscape restoration of disturbed areas on private property and within the right-of-way upon completion of work, to the satisfaction of the County.

1.8.6 The Contractor shall provide temporary plugging of lines, bypass pumping of flows, capture, removal, and disposal of debris and traffic control as required.

**1.9 REFERENCED SPECIFICATIONS:** ASTM and other applicable standard documents, which are listed in the referenced specifications, are made a part of these specifications by reference to the extent stated herein and shall be the latest edition thereof. Where there are differences between codes, standards and these specifications, these specifications shall govern.

1.9.1 ASTM F2414/03 – Standard Practice for Sealing Sewer Manholes Using Chemical Grouting.

1.9.2 ASTM D790 – Flexural Properties of Un-reinforced and Reinforced Plastics.

1.9.3 ASTM D695 – Compressive Properties of Rigid Plastics.

- 1.9.4 ASTM D4414 – Wet Film Thickness by Notched Gages.
- 1.9.5 ASTM D4541 – Pull-off Strength of Coatings Using a Portable Adhesion Tester.
- 1.9.6 ASTM D2584 – Volatile Matter Content. - Zero Volatile Organic Compound.
- 1.9.7 ASTM D2240 – Durometer Hardness, Type Shore D.
- 1.9.8 ASTM D543 – Resistance of Plastics to Chemical Reagents.
- 1.9.9 ASTM C579 – Compressive Strength of Chemically Setting Silicate and Silica Chemical Resistance Mortars.
- 1.9.10 ASTM D4263 – Standard Test Method for Indicating Moisture in Concrete by the Plastic Sheet Method.
- 1.9.11 ASTM D4262 – Standard Test Method for pH of Chemically Cleaned or Etched Concrete Surfaces.
- 1.9.12 ASTM C143/C143M – 10a Standard Test for Slump of Hydraulic Cement Concrete.
- 1.9.13 ASTM C109/C109M – Standard Test Method for Compressive Strength of Hydraulic Cement Mortars (Using 2 in. or 50 mm Cube Specimens).
- 1.9.14 ASTM C873/C873M/10a - Standard Test Method for Compressive Strength of Concrete Cylinders Cast in Place in Cylindrical Molds.
- 1.9.15 ASTM C39 – Standard Test Method for Compressive Strength of Cylindrical Concrete Specimens.
- 1.9.16 Cup Test – As Per Contract Requirements and as specified by the manufacturer.
- 1.9.17 ASTM D6132 – Ultrasonic Test.
- 1.9.18 ASTM D7234/05 - Standard Test Method for Pull-Off Adhesion Strength of Coatings on Concrete Using Portable Pull-Off Adhesion Testers.
- 1.9.19 ASTM D4787 – Standard Practice for Continuity Verification of Liquid or Sheet Linings Applied to Concrete Substrates.
- 1.9.20 ASTM C1244 – Standard Test Method for Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test Prior to Backfill.
- 1.9.21 ASTM A48/A48M/03 – Standard Specification for Gray Iron castings Class 35B.
- 1.9.22 ASTM C923/07 – Standard Specification for Resilient Connectors Between Reinforced Concrete Manhole Structures, Pipes, and Laterals.
- 1.9.23 ASTM D412/06a – Standard Test Methods for Vulcanized Rubber and Thermoplastic Elastomers – Tension.
- 1.9.24 ASTM D638/03 – Standard test Method for Tensile Properties of Plastics.
- 1.9.25 ASTM D395/03 – Standard test methods for Rubber Property – Compression Set.
- 1.9.26 ASTM D4258/05 - Standard Practice for Surface Cleaning Concrete for Coating.
- 1.9.27 ASTM D4259/88(2006) – Standard Practice for Abrading Concrete.
- 1.9.28 ASTM D5162 – Standard Practice for Discontinuity (Holiday) Testing of Nonconductive Protective Coating on Metallic Substrates.
- 1.9.29 ACI 506.2-77 – Specifications for materials, Proportioning, and Application Silica Chemical Resistant Mortars.
- 1.9.30 SPCC SP-13/NACE No.6 – Surface Preparation of Concrete.
- 1.9.31 NACE PRO 188-99 for performing holiday detection.
- 1.9.32 ASTM C150 – Standard Specification for Portland Cement Type I.
- 1.9.33 ASTM C33/86 – Standard Specification for Concrete Aggregates.
- 1.9.34 ASTM C78 Standard test Method for Flexural Strength of Concrete, Using Simple Beam with Third Point Loading.
- 1.9.35 ASTM C157/C157M-06 – Standard Test Method for Length Change of hardened Hydraulic Cement Mortar and Concrete.

- 1.9.36 ASTM C267 – Test Methods for Chemical Resistance of Mortars, Grouts, and Monolithic Surfacing's and Polymer Concretes.
- 1.9.37 ASTM C293/02 – Standard Test Method for Flexural Strength of Concrete (Using Simple Beam with Center Point Loading).
- 1.9.38 ASTM C309 – Specification for Liquid Membrane Forming Compounds for Curing Concrete.
- 1.9.39 ASTM C321/00 (2005) – Standard Test method for Bond Strength of Chemical Resistant Mortars.
- 1.9.40 ASTM C348/02 – Standard Test Method for Flexural Strength of Hydraulic Cement Mortars.
- 1.9.41 ASTM C494/86 – Standard Specification for Chemical Admixtures for Concrete.
- 1.9.42 ASTM C496/C496M-04e1 – Standard Test Method for Splitting Tensile Strength of Cylindrical Concrete Specimens.
- 1.9.43 ASTM C666/C666M-03 – Standard Test Method for Resistance of Concrete to Rapid Freezing and Thawing.
- 1.9.44 ASTM C882/05 – Standard Test Method for Bond Strength of Epoxy Resin Systems Used With Concrete by Slant Shear.
- 1.9.45 ASTM – The published standards of the American Society for Testing and Materials, West Conshohocken, PA.
- 1.9.46 NACE – The published standards of National Association of Corrosion Engineers (NACE International), Houston, TX.
- 1.9.47 SSPC - The published standards of the Society of Protective Coatings, Pittsburgh, PA.

#### 1.10 **QUALITY ASSURANCE**

- 1.10.1 Contractor shall initiate and enforce quality control procedures consistent with applicable ASTM and NACE standards together with pull testing and vacuum testing to assure a high quality project.
- 1.10.2 Repair product(s) shall be fully compatible with coating product(s) including ability to bond effectively, thereby forming a composite system.
- 1.10.3 The County shall inspect the manholes or wet wells after surface preparation and after coating application to evaluate the Contractor's work.

#### 1.11 **DELIVERY, STORAGE, AND HANDLING**

- 1.11.1 Materials are to be kept dry, protected from weather and stored under cover.
- 1.11.2 Protective coating materials are to be stored at temperatures consistent with the manufacturer's recommendations. Do not store near flame or strong oxidants.
- 1.11.3 Protective coating materials are to be handled according to their MSDS.

#### 1.12 **WARRANTY**

- 1.12.1 The Contractor shall provide an unconditional five (5) year written warranty for Epoxy Coatings, from the date of completion for materials, workmanship, and resistance against deterioration, failure to maintain an infiltration free surface or pipe/wall interface, or other lining failures. All defects discovered within this period, as determined by the County,

shall be repaired, or replaced in a satisfactory manner, and within a reasonable timeframe, at no cost to the County.

- 1.12.2 All verified defects shall be repaired and/or replaced by the Contractor and shall be performed in accordance with manufacturers recommendations and per the original specifications.

## 1.13 WARRANTY INSPECTIONS

- 1.13.1 Visual inspection to determine integrity of SYSTEM materials and water-tightness will be conducted within 3 months before the expiration of the warranty period.
- 1.13.2 If possible, inspection should be performed in the spring during high groundwater and frequent rainfall events.
- 1.13.3 The County shall perform, at its own cost, warranty inspections with its own personnel or personnel independent of the installation Contractor.
- 1.13.4 Ten (10) percent of manholes rehabilitated shall be inspected, at locations randomly selected, by the County.
  - 1.13.4.1 No infiltration or inflow shall be visible in the renewed manhole.
  - 1.13.4.2 If any SYSTEM fails the warranty inspection, the County shall inspect all SYSTEM's installed in the contract, together with Contractor.

## 1.14 REPAIR, RECONSTRUCTION, AND INFILTRATION ELIMINATION PRODUCTS

- 1.14.1 Acrylic or Acrylate Base Grout for non-structural infiltration control: Follow ASTM F2414 and as specified herein.
  - 1.14.1.1 Two-part chemical grout mixed at point of injection.
  - 1.14.1.2 Minimum 25 percent acrylic or acrylate base material by volume.
    - 1.14.1.2.1 To increase strength or offset dilution during injection period, use higher concentration of base material as directed by Engineer.
  - 1.14.1.3 Controllable reaction time: 30 seconds to 1 hour.
  - 1.14.1.4 Viscosity: 1.5 centipoises water.
    - 1.14.1.4.1 May be increased maximum of 2.5 centipoises water as directed by Engineer.
    - 1.14.1.4.2 Remain constant throughout injection period.
  - 1.14.1.5 Tolerates dilution and reacts in moving water.
  - 1.14.1.6 Final reaction:
    - 1.14.1.6.1 Produces chemically, continuous irreversible, non-biodegradable, flexible gel, impermeable to water at pressures up to 15 psi in pure form.
    - 1.14.1.6.2 Produces stabilized soil in ground that will not become brittle or rigid.
  - 1.14.1.7 Gel does not bleed water under stress.
  - 1.14.1.8 Dehydrated gel returns to 90 percent of its original volume and form after prolonged period of low ground water.
  - 1.14.1.9 Do not use catalyst containing dimethyl amino propionitrile (DMAPM).
  - 1.14.1.10 Use root inhibitor (50% active dichlobenil) when roots are present in manholes, connecting pipes or laterals.
    - 1.14.1.10.1 Change dye color to confirm root inhibited grout is being injected.
  - 1.14.1.11 Use latex additive for increased tensile strength.

- 1.14.1.12 Tinted to allow detection of grout in drill holes or at leakage locations.
  - 1.14.1.13 Approved Manufacturers: Grout
    - 1.14.1.13.1 Avanti International, Acrylic Gel
      - 1.14.1.13.1.1 Additives
        - 1.14.1.13.1.1.1 AV-101 Catalyst T
        - 1.14.1.13.1.1.2 AV-103 Catalyst SP
        - 1.14.1.13.1.1.3 AC50W – Root Inhibitor
        - 1.14.1.13.1.1.4 AC-257 Icoset
    - 1.14.1.13.2 De Neef, Inc., AC400Acrylate Grout
      - 1.14.1.13.2.1 Additives
        - 1.14.1.13.2.1.1 TE 300 Triethanolamine
        - 1.14.1.13.2.1.2 P200 Sodium Persulfate
        - 1.14.1.13.2.1.3 Or Equal.
- 1.14.2 Urethane Base Grout for non-structural infiltration control: Follow ASTM F2414 and as specified herein.
  - 1.14.2.1 Ratio: One part urethane prepolymer to 10 parts water by volume (10 to 50 percent prepolymer).
  - 1.14.2.2 Liquid prepolymer:
    - 1.14.2.2.1 Solids content: 77 to 83 percent.
    - 1.14.2.2.2 Specific Gravity: 1.04
    - 1.14.2.2.3 Flash Point: 20 degrees F.
    - 1.14.2.2.4 Viscosity: 200 to 1,200 centipoises water at 70 degrees F.
  - 1.14.2.3 Water for reacting prepolymer: pH of 5 to 9.
  - 1.14.2.4 Use manufacturer recommended gel control agent to control cure time as required.
  - 1.14.2.5 Final Reaction:
    - 1.14.2.5.1 Produces chemically continuous irreversible, non-biodegradable, flexible gel, impermeable to water at pressures up to 15 psi in pure form.
    - 1.14.2.5.2 Produces stabilized soil in ground that will not become brittle or rigid.
  - 1.14.2.6 Dehydrated gel returns to 90 percent of its original volume and form after prolonged period of low ground water.
  - 1.14.2.7 Use root inhibitor (50% active dichlobenil) when roots are present in manholes, connecting pipes, or laterals.
  - 1.14.2.8 Use latex additive for increased tensile strength.
  - 1.14.2.9 Tinted to allow detection of grout in drill holes or at leakage locations.
  - 1.14.2.10 Approved Manufacturers.
    - 1.14.2.10.1 Warren Environmental, Inc.
      - 1.14.2.10.1.1 SG-201 Grout.
    - 1.14.2.10.2 Avanti.
      - 1.14.2.10.2.1 Norosac AC 50W Root Inhibitor.
      - 1.14.2.10.2.2 AV-254 Gelseal.
        - 1.14.2.10.2.2.1 Additives
          - 1.14.2.10.2.2.1.1 AV-257 Icoset.
          - 1.14.2.10.2.2.1.2 AV-255G Grout Side Accelerator.

- 1.14.2.10.3 De Neef, Inc.: Hydro Active Multigel NF.
    - 1.14.2.10.3.1 Additives.
      - 1.14.2.10.3.1.1 Flexgel Cat Water Side Accelerant.
      - 1.14.2.10.3.1.2 Reinforcing Agent.
  - 1.14.2.10.4 Sauereisen.
    - 1.14.2.10.4.1 F370, Hydroactive Polyurethane Grout.
  - 1.14.2.10.5 Or Equal.
- 1.14.3 Cementitious Reconstruction for Manhole Restoration.
- 1.14.3.1 Quick setting (under 20 minutes), high strength, sulfide resistant, calcium aluminate-based or 21ortland cement material.
  - 1.14.3.2 Suitable for troweling or rotary spray application to inside of manhole.
  - 1.14.3.3 Use additives to increase corrosion resistance or bond strength at manufacturer's direction and with Engineer's approval.
  - 1.14.3.4 Initial set time per manufacturer's recommendation and per project conditions.
  - 1.14.3.5 Density when applied: 135 lb/cf +/- 5 lb/cf.
  - 1.14.3.6 Compressive strength (ASTM C109) at 1 day.
    - 1.14.3.6.1 Per manufacturer's recommendation.
    - 1.14.3.6.2 Minimum acceptable: 2,000 psi.
  - 1.14.3.7 Compressive strength (ASTM C109) at 28 days.
    - 1.14.3.7.1 Per manufacturer's recommendation.
    - 1.14.3.7.2 Minimum acceptable: 5,500 psi.
  - 1.14.3.8 Bond Strength (ASTM C882) at 28 days.
    - 1.14.3.8.1 Per manufacturer's recommendation.
    - 1.14.3.8.2 Minimum acceptable: 1,640 psi.
  - 1.14.3.9 Flexural Strength (ASTM C78) at 28 days.
    - 1.14.3.9.1 Per manufacturer's recommendation.
    - 1.14.3.9.2 Minimum acceptable: 1,500 psi.
  - 1.14.3.10 Shrinkage (ASTM C596) at 28 days: 0 percent.
  - 1.14.3.11 Approved Manufacturers.
    - 1.14.3.11.1 IPA systems, Inc.
      - 1.14.3.11.1.1 Octocrete (trowel).
      - 1.14.3.11.1.2 Drycon (brush or trowel) (Non-Structural Application only).
      - 1.14.3.11.1.3 Drycon SM (spray gun).
      - 1.14.3.11.1.4 Drycon SMF fiber reinforced.
    - 1.14.3.11.2 The Strong Company, Inc.
      - 1.14.3.11.2.1 Strong-Seal MS-2A.
      - 1.14.3.11.2.2 Strong-Seal MS-2C (mild corrosion resistance).
      - 1.14.3.11.2.3 Strong-Seal High Performance (high corrosion resistance).
    - 1.14.3.11.3 AP/M Permaform.
      - 1.14.3.11.3.1 Permacast MS-10,000 (corrosion resistant).
      - 1.14.3.11.3.2 Permacast MS-10,000 with Con-Shield (anti-bacterial additive). 3) Permacast CR-9,000 (calcium aluminate cement) (trowel).
    - 1.14.3.11.4 Sauereisen.

- 1.14.3.11.4.1 F-120 Underlayment (calcium aluminate cement) (trowel).
    - 1.14.3.11.4.2 F-120 FC Fast Setting Underlayment. 3) F-121 Substrate Resurfacers.
  - 1.14.3.11.5 QuadEx.
    - 1.14.3.11.5.1 Aluminaliner (calcium aluminum cement).
  - 1.14.3.11.6 WBE Dorcas, Inc.
    - 1.14.3.11.6.1 Dinjer CMS 10K-A
  - 1.14.3.11.7 Parson CA liner 100+
  - 1.14.3.11.8 Or Equal.
- 1.14.4 Hydraulic Water Plugs for non-structural infiltration control.
  - 1.14.4.1 Rapid setting to plug active leaks prior to other rehabilitation work.
  - 1.14.4.2 Initial Set Time at 70 degrees F: 60 to 90 seconds.
  - 1.14.4.3 Final Set Time at 70 degrees F: One hour.
  - 1.14.4.4 Compressive Strength (ASTM C109) at 28 days:
    - 1.14.4.4.1 Per manufacturer's recommendation.
    - 1.14.4.4.2 Minimum acceptable "or equal" products: 4,000 psi.
  - 1.14.4.5 Length Change (ASTM C157): 0 percent.
  - 1.14.4.6 Approved Manufacturers.
    - 1.14.4.6.1 Sauereisen.
      - 1.14.4.6.1.1 Instaplug F-180.
    - 1.14.4.6.2 IPA Systems, Inc.
      - 1.14.4.6.2.1 Octoplug Plus.
      - 1.14.4.6.2.2 IPANEX Rapid.
    - 1.14.4.6.3 The Strong Company, Inc.
      - 1.14.4.6.3.1 Strong-Seal QSR (acid resistant)
      - 1.14.4.6.3.2 Strong-Plug.
    - 1.14.4.6.4 AP/M Permaform,
      - 1.14.4.6.4.1 Permacast-Plug.
    - 1.14.4.6.5 Quadex.
      - 1.14.4.6.5.1 Quad-Plug.
    - 1.14.4.6.6 WBE Dorcas, Inc., Colorado Springs, CO.
      - 1.14.4.6.6.1 Dinjer Stop Leak Ultra – Rapid Setting Repair Material.
    - 1.14.4.6.7 Parson Environmental Products
      - 1.14.4.6.7.1 Parsonpoxy SEL-80
      - 1.14.4.6.7.2 Parson RPM
      - 1.14.4.6.7.3 Parson Quick Plug
    - 1.14.4.6.8 Or Equal.
- 1.14.5 Oil-free Oakum Water Plugs for non-structural infiltration control.
  - 1.14.5.1 Rapid setting oil-free oakum and hydrophilic grout to plug active water leaks prior to other rehabilitation work.
  - 1.14.5.2 Oil-free oakum meeting Federal Specification HH-P-117.
  - 1.14.5.3 Two-part urethane resin.
  - 1.14.5.4 Initial set time: 5 to 10 seconds.
    - 1.14.5.4.1 Use accelerator to decrease initial set time.
  - 1.14.5.5 Approved Manufacturers.
    - 1.14.5.5.1 Avanti International

- 1.14.5.5.1 Oil-free Oakum (AV-219)
- 1.14.5.5.1.2 Multigrout (AV-202).
- 1.14.5.5.2 DeNeef, Inc.
  - 1.14.5.5.2.1 Oil-free Oakum
  - 1.14.5.5.2.2 Hydro Active Sealfoam
  - 1.14.5.5.2.3 Hydro Active Flex LV grout.
- 1.14.5.5.3 Or Equal.
- 1.14.6 Manhole Chimney Seals.
  - 1.14.6.1 Cured in Place Chimney Liner.
    - 1.14.6.1.1 Seamless tube liner formed in place within existing manhole, beginning just below cover seat extending downward maximum of 24 vertical inches.
      - 1.14.6.1.1.1 Structurally independent of existing manhole structure.
    - 1.14.6.1.2 Resin impregnation method: On site.
    - 1.14.6.1.3 Resin-Catalyst-Colorant Additive Mixture:
      - 1.14.6.1.3.1 Tested to certify design standards are met before impregnating felt material.
      - 1.14.6.1.3.2 Quantity of resin used for tube impregnation: Sufficient to fill volume of air voids in felt tube with additional allowances for polymerization shrinkage and loss of resin through cracks and irregularities in manhole walls.
    - 1.14.6.1.4 Seams in felt tube.
      - 1.14.6.1.4.1 Stronger than non-seamed felt.
      - 1.14.6.1.4.2 Overlapped layers of felt in vertical seams that cause lumps in final product shall not be utilized.
    - 1.14.6.1.5 Cured Liner.
      - 1.14.6.1.5.1 50-year life span.
      - 1.14.6.1.5.2 Chemically resistant to internal exposure to sewage containing small quantities of hydrogen sulfide, carbon dioxide, methane, mercaptans, kerosene, moisture and diluted sulfuric acid.
      - 1.14.6.1.5.3 Chemically and physically resistant to external exposure of soil bacteria, moisture, roots and chemical attack, this may be due to material in surrounding ground.
  - 1.14.6.2 Approved Manufacturers.
    - 1.14.6.2.1 Cured In Place Liner
      - 1.14.6.2.1.1 LMK
      - 1.14.6.2.1.2 CIPMH Chimney.
      - 1.14.6.2.1.3 Or Equal.
- 1.14.7 MANHOLE LINERS:
  - 1.14.7.1 Spray on Epoxy Liners.
    - 1.14.7.1.1 Seamless manhole formed in place, within existing manhole extending from channel to frame.
    - 1.14.7.1.2 Two or three part epoxy coating.
    - 1.14.7.1.3 Existing wall preparation: Follow manufacturer's recommendations.
    - 1.14.7.1.4 Thickness:

- 1.14.7.1.4.1 Structurally independent of existing manhole structure or sufficient to form protective barrier when used with Cementitious Manhole Restoration.
- 1.14.7.1.4.2 Designed by manufacturer related to location, loads, water table and condition of manhole.
- 1.14.7.1.5 Minimum Tensile Strength (ASTM C307): 2,500 psi.
- 1.14.7.1.6 Minimum Flexural Strength (ASTM C580): 4,600 psi.
- 1.14.7.1.7 Approved Manufacturers.
  - 1.14.7.1.7.1 Sauereisen.
    - 1.14.7.1.7.1.1 Sewer Gard No. 210 Sprayable.
    - 1.14.7.1.7.1.2 Sewer Gard No. 210 Rotary Spray.
    - 1.14.7.1.7.1.3 Sewer Gard No. 210G (Non-Structural Application Only)
    - 1.14.7.1.7.1.4 Sewer Gard No. 210 FS
    - 1.14.7.1.7.1.5 Hi-Build Filler Compound No. 209HB (Non Structural Application Only).
  - 1.14.7.1.7.2 Raven.
    - 1.14.7.1.7.2.1 Raven 400S (Non Structural Application Only).
  - 1.14.7.1.7.3 Terre Hill.
    - 1.14.7.1.7.3.1 Hydropoxy (Non Structural Application Only).
  - 1.14.7.1.7.4 AP/M Permaform.
    - 1.14.7.1.7.4.1 Cor+Gard (Non Structural Application Only)
  - 1.14.7.1.7.5 SprayRoq, Inc.
    - 1.14.7.1.7.5.1 SR6100 (Non Structural Application Only).
  - 1.14.7.1.7.6 Warren Environmental, Inc.
    - 1.14.7.1.7.6.1 S-301-14 Epoxy Spray System.
    - 1.14.7.1.7.6.2 M-301-18 Epoxy Trowel-On Mastic System.
    - 1.14.7.1.7.6.3 S-301-20 Thermaflex (Non Structural Application Only).
    - 1.14.7.1.7.6.4 SG-201 Injection Grout (Non Structural Application Only).
  - 1.14.7.1.7.7 WBE Dorcas, Inc., Colorado Springs, CO
    - 1.14.7.1.7.7.1 Dinjer SG Mastic – Two Part Epoxy.
  - 1.14.7.1.7.8 Epoxytec CPP – Sprayable.
  - 1.14.7.1.7.9 Or Equal.
- 1.14.8 MANHOLE CHIMNEY RINGS: Chimney rings shall be injection molded high density polyethylene (HDPE) adjustment rings as manufactured by LADTECH, Inc. or an approved equal. Adjustments for matching road grade shall be made utilizing a molded and indexed slope ring.
- 1.14.9 MANHOLE COVER RISER RINGS: Cast iron riser rings shall be as manufactured by Capitol Foundry of Virginia. Diameter to be field confirmed by Contractor.

- 1.14.10 **MANHOLE FRAMES AND COVERS:** Watertight and non-watertight manhole frames and covers shall conform to ASTM A48. Frames and covers are to be even grained and free from unsightly defects, and shall be machined to insure a uniform bearing in all positions. The frame and cover, including dust cover, locking bar, and gaskets, where required, shall conform to the Standard Details.
- 1.14.11 **MANHOLE CHIMNEY/FRAME SEALS:** Manhole chimney/frame seals shall be composed of flexible, pleated, high quality rubber gland with stainless steel expansion bands, and shall be designed to conform to the inside shape of the chimney area of the manhole frames. The rubber sleeve shall have a minimum thickness of 3/16 inches.
  - 1.14.11.1 The rubber gland material compound shall conform to the applicable requirements of ASTM C-923, with minimum tensile strength of 1,500 psi, a maximum compression set of 18% and a durometer hardness of 48 (plus/minus 5).
  - 1.14.11.2 The manhole chimney/frame seals shall be contained in place on the inside of the manhole frame chimney area through the use of stainless steel expansion bands designed to expand to form a compression seal between the rubber gland and the manhole chimney area surface.
  - 1.14.11.3 The bands shall be fabricated of 16 gauge Type 304 stainless steel conforming to ASTM A240, and shall be equipped with a positive locking, worm-screw or turnbuckle type mechanism. Screw hardware shall be Type 304 stainless steel conforming to ASTM F 593 and ASTM F 594.
- 1.14.12 **FLEXIBLE SEALANT FOR JOINING/SETTING MANHOLE FRAMES, CHIMNEY RINGS, AND CAST IRON RISER RINGS:** Material shall be a butyl-rubber-based, preformed, flexible sealant conforming to ASTM C-990, paragraph 6.2. The dimensions of the sealant shall be as recommended by the manufacturer for the specific application and shall be approved by the County. The material shall be PRO-STICK or EZ-STIK as supplied by PRESS-SEAL GASKET CORPORATION, or approved equal.

## 1.15 **EXAMINATION**

- 1.15.1 All structures to be coated shall be readily accessible to Applicator. The County may assist Contractor with locating and gaining access to manholes blocked by heavy landscaping, buried manholes, paved over manholes, manholes with hard-to-remove covers, etc.
- 1.15.2 Appropriate actions shall be taken to comply with local, state and federal regulatory and other applicable agencies with regard to environment, health and safety.
- 1.15.3 Any active flows shall be dammed, plugged or diverted with flow through plugs as required to ensure all liquids are maintained below or away from the surfaces to be coated. Bypass pumping, if required, shall be conducted in accordance with Section IV, page 2, Bypass Pumping/Diversion. It shall be the responsibility of the Contractor to schedule and perform his work in a manner that does not cause or contribute to incidence of overflows or spills of sewage from the sewer system. The Contractor shall be responsible for any fines or third-party claims for personal or property damage arising out of a spill or overflow that is fully or partially the responsibility of the Contractor.
- 1.15.4 Temperature of the surface to be coated shall be maintained between 40 and 120 degrees Fahrenheit. Specified surfaces shall be shielded to avoid exposure of direct sunlight or other intense heat source. Where varying surface temperatures do exist, coating installation shall be scheduled when the temperature is falling versus rising.

- 1.15.5 Applicator shall inspect all surfaces specified to receive the monolithic surfacing system prior to surface preparation. Applicator shall notify the County of any noticeable disparity in the surfaces that may interfere with the proper preparation or application of the monolithic surfacing system. The County and the Contractor shall negotiate solutions for any such surfaces.

#### 1.16 SURFACE PREPARATION

- 1.16.1 Oils, grease, incompatible existing coatings, waxes, form release, curing compounds, efflorescence, sealers, salts, or other contaminants which may affect the performance and adhesion of the coating to the substrate shall be removed.
- 1.16.2 Concrete and/or mortar damaged by corrosion, chemical attack or other means of degradation shall be removed so that only sound substrate remains. Choice of surface preparation method(s) should be based upon the condition of the structure and metal, concrete, or masonry surface, potential contaminants present, access to perform work, and required cleanliness and profile of the prepared surface to receive the coating product(s).
- 1.16.3 Surface preparation method, or combination of methods, that may be used include high pressure water cleaning, high pressure water jetting, abrasive blasting, shot blasting, grinding, scarifying, detergent water cleaning, hot water blasting and others as described in NACE No. 6/SSPC SP-13. Whichever method(s) are used, they shall be performed in a manner that provides a uniform, sound, clean, neutralized surface suitable for the specified coating product(s). The air used for blast cleaning shall be sufficiently free of oil and moisture to not cause detrimental contamination of the surfaces to be cleaned.
- 1.16.4 Infiltration shall be stopped by using a material which is compatible with the repair products and is suitable for top coating with the coating product(s). Severe water infiltration shall be stopped by using a hydroactive urethane grout that is compatible and suitable for top coating with the specified monolithic surfacing system. Drilling may be required in order to pressure grout where severe infiltration is encountered.
- 1.16.5 Manufacturer's recommendations shall be followed when pressure grouting is required. Some leaks may require weep holes to localize the infiltration during the application, after which the weep holes shall be plugged prior to final liner application.
- 1.16.6 Quick-setting high strength concrete with latex or curing agent additives shall not be used. Proper surface preparation procedures must be followed to ensure adequate bond strength to any surface to be coated. New cement must cure at least 28 days prior to coating.
- 1.16.7 Existing coatings shall be removed or thoroughly abraded to provide adequate surface profile for mechanical bond by the new system. Applicator is to maintain strict adherence to the monolithic surfacing system manufacturer's recommendations with regard to proper surface preparation and compatibility with existing coatings.
- 1.16.8 Roots shall be removed in the manholes where root intrusion is encountered. Special attention should be used during the cleaning operation to ensure almost complete removal of roots from the joints. Any roots which could prevent the proper application of the coating shall be removed. Contractor shall capture and properly dispose of all roots from the manhole.
- 1.16.9 The Contractor shall remove all steps. Removal shall consist of neatly cutting steps flush with the wall prior to any lining installation. The steps shall not be replaced and the Contractor shall be responsible for proper disposal of steps.

- 1.16.10 All waste materials, including but not limited to debris from manhole cleaning, excavated materials, demolished pavement, arboreal (landscaping) waste, roots and other debris, that are not suitable for project-related purposes (e.g., backfill) or are surplus to the needs of the project, both as determined by the County, shall become the property of the Contractor. The Contractor shall dispose of all such material in accordance with local, state, and federal regulations at no additional cost to the County. Under no circumstances shall sludge or other debris removed during the cleaning operations be dumped or spilled into streets, ditches, storm drains, or other sanitary sewers.
- 1.16.11 Potable water for cleaning may be obtained from the County free of charge so long as the Contractor uses the County-provided hydrant and combination backflow prevention device. A County representative shall be present at all times during the water transfer from the hydrant.

## 1.17 APPLICATION OF REPAIR AND RESURFACING PRODUCTS

- 1.17.1 Repair materials shall meet the specifications of this Contract. The materials shall be trowel or spray applied, utilizing proper equipment, onto specified surfaces. Repair products shall be used to fill voids, bug holes, and other surface defects which may affect the performance or adhesion of the coating product(s).
- 1.17.2 All manhole invert surfaces shall be sufficiently smooth and even, to ensure good flow handling characteristics when coated with epoxy materials.
- 1.17.3 All repaired or resurfaced surfaces shall be inspected by the County for cleanliness and suitability to receive the coating product(s). Additional surface preparation may be required prior to coating application.
- 1.17.4 Areas where structural steel has been exposed and appears to be significantly deteriorated shall require special attention. The cementitious reconstruction materials shall meet the specifications of this section and be applied according to the manufacturer's recommendations.

## 1.18 APPLICATION OF CEMENTITIOUS PRODUCTS

- 1.18.1 The specified materials shall be applied by an approved Applicator.
- 1.18.2 Cementitious repair products shall be mixed per the manufacturer's recommendations.
- 1.18.3 Coating materials shall be applied by rotary spray equipment or spray gun, per manufacturers recommendation.
- 1.18.4 Coating product primer may be applied using hand tools or other convention/airless spray application device(s).
- 1.18.5 Cementitious products shall be applied in lifts per manufacturer's recommendation.

## 1.19 APPLICATION OF EPOXY COATING PRODUCTS

- 1.19.1 The specified materials shall be applied by an approved Applicator.
- 1.19.2 Application procedures shall conform to the recommendations of the coating product(s) manufacturer, including environmental controls, product handling, mixing, application, safety, equipment and methods.
- 1.19.3 Spray equipment shall be specifically designed to accurately ratio and apply the coating product(s) and shall be in proper working order.

- 1.19.4 All specified surfaces shall be lined with the epoxy system to provide a minimum total dry film thickness of 125 mils in order to protect and restore the structural value of the manhole. The cured surfacing shall be monolithic with proper sealing of connections to all unsurfaced areas. The thickness of the coating shall be greater than 125 mils if required for structural stability based on the manufacturer's calculations or recommendations.
- 1.19.5 Subsequent top coating or additional coats of the coating product(s) shall occur within the products recoat window. Additional surface preparation procedures in accordance with the manufacturer's specifications shall be required if this recoat window is exceeded.
- 1.19.6 The termination points of the lining to the existing subsurface shall be keyed into the subsurface by mechanically scoring minimum 6mm x 6mm (1/4 inch x 1/4 inch) keyway.

#### 1.20 MANHOLE INVERT AND BENCH REPAIR

- 1.20.1 The existing bench and trough area shall be thoroughly cleaned. Remove loose and unsound materials such as mortar, brick, clay pipe and concrete. Care shall be taken to avoid damage to other parts of the manhole structure. Loose materials shall be prevented from entering into the sewer lines and shall be properly disposed of by the Contractor.
- 1.20.2 Repair manhole inverts and rebuild benches that have visible damage or infiltration present.
- 1.20.3 Trowel mix uniformly onto damaged invert and bench at a minimum thickness of ½ inch, extending out onto base of manhole sufficiently.
- 1.20.4 Finished invert and bench surfaces shall be smooth and free of ridges.

#### 1.21 TESTING AND INSPECTION:

- 1.21.1 The following tests shall be conducted by the County and/or Contractor on a random basis, as requested by the County. The Contractor shall permit the County access for inspections at all times.
  - 1.21.1.1 Pre-application surface cleanliness
  - 1.21.1.2 Pre-application pH test.
  - 1.21.1.3 Water vapor transmission test.
  - 1.21.1.4 Slump test.
  - 1.21.1.5 Standard cube test or cylinder test.
  - 1.21.1.6 Cup test.
  - 1.21.1.7 Core test thickness measurement.
  - 1.21.1.8 Ultrasonic test.
  - 1.21.1.9 Product mix ratio verification.
  - 1.21.1.10 Post application vacuum or exfiltration test.
- 1.21.2 During application, a wet film thickness gauge, such as those available through *Paul N. Gardner Company, Inc.*, meeting ASTM D4414 – Standard Practice for Measurement of Wet Film Thickness of Organic Coatings by Notched Gauges, shall be used to ensure a monolithic coating and uniform thickness during application. Measurements shall be taken, documented and attested to by Contractor for submission to the County prior to final payment. **The material thickness measurement shall be performed and documented by the Contractor on all structures that are rehabilitated.**
- 1.21.3 After the system has set hard to the touch, it shall be inspected by the County verifying the following:
  - 1.21.3.1 Groundwater infiltration of the system shall be zero.

- 1.21.3.2 All pipe connections shall be open and clear.
- 1.21.3.3 No cracks, voids, pinholes, uncured spots, dry spots, lifts, delamination or other type of defect shall be evident in the system.
- 1.21.3.4 Any deficiencies in the finished system shall be marked and repaired according to the procedures set forth herein by Applicator. Lining failure is defined as blistering, cracking, embrittlement, softening, failure to adhere to the substrate, or failure to maintain an infiltration-free surface or pipe/wall interface. **The County shall conduct a visual inspection of all rehabilitated structures after the work is complete as part of the acceptance process.**
- 1.21.4 A minimum of 10% of the manholes coated, and each wet well coated, shall be tested for adhesion/bond of the coating to the substrate. Testing shall be conducted in accordance with ASTM D4541 as modified herein. The County's representative shall select the manholes to be tested. A minimum of three 20 mm dollies shall be affixed to the coated surface at the manhole cone or wet well ceiling area, mid-section and at the bottom of the structure. The adhesive used to attach the dollies to the coating shall be rapid setting with tensile strengths in excess of the coating product and permitted to cure in accordance with manufacturer recommendations. The coating and dollies shall be adequately prepared to receive the adhesive. Failure of the dolly adhesive shall be deemed a non-test and require retesting. Prior to performing the pull test, the coating shall be scored to within 30 mils of the substrate by mechanical means without disturbing the dolly or bond within the test area. Two of the three adhesion pulls shall exceed 400 psi or concrete failure with more than 80% of the subsurface adhered to the coating. Should a structure fail to achieve two successful pulls as described above, additional testing shall be performed at the discretion of the County. Any areas detected to have inadequate bond strength shall be evaluated by the County. Further bond tests may be performed in that area to determine the extent of potentially deficient bonded area, and repairs shall be made by Contractor. Test areas shall be recoated upon completion of the tests.
- 1.21.5 High Voltage Holiday detection High voltage holiday detection for coating systems installed in corrosive environments, when it can be safely and effectively employed, shall be performed to ensure monolithic protection of the substrate. After the coating product(s) have cured in accordance with manufacturer's recommendations, all surfaces shall be inspected for holidays in accordance with NACE RPO 188-99 Discontinuity (Holiday) Testing of New Protective Coatings on Conductive Substrates or ASTM D4787 Standard Practice for Continuity Verification of Liquid or Sheet Linings Applied to Concrete Substrates. All detected holidays shall be marked and repaired according to the coating product(s) manufacturer's recommendations.
  - 1.21.5.1 Test voltage shall be a minimum of 100 volts per mil of coating system thickness.
  - 1.21.5.2 Detection of a known or induced holiday in the coating product shall be confirmed to ensure proper operation of the test unit.
  - 1.21.5.3 All areas repaired shall be retested following cure of the repair material(s).
  - 1.21.5.4 In instances where high voltage holiday detection is not feasible a close visual inspection shall be conducted and all possible holidays shall be marked and repaired as described above.
  - 1.21.5.5 Documentation of areas tested, equipment employed, results, and repairs made shall be submitted to the County by Contractor.

1.21.5.6 **High Voltage Holiday detection shall be conducted on all rehabilitated structures.**

- 1.21.6 The system may be put back into operational service as soon as the final inspection has taken place.
- 1.21.7 Testing shall be executed by the County or by the Contractor in the presence of the County. Warranty inspections shall be executed by the County or its representative. Any defects found shall be repaired by the Contractor.
- 1.21.8 The Contractor shall furnish all samples for product testing to the County. The County shall take possession of the samples for testing and shall maintain a chain of custody, deliver the samples and pay an approved laboratory for all material and product testing performed under this contract.

## 1.22 **MANHOLE FRAME AND COVER REPLACEMENT**

- 1.22.1 Remove and properly dispose of existing frame and cover. All sealing surfaces shall be smooth, clean and free of any substance that may prohibit proper sealing of the frame to the manhole or manhole chimney.
- 1.22.2 Install new manhole frame using flexible butyl-rubber-based sealant to seal the frame to the manhole or manhole chimney. 1-inch diameter butyl sealant shall be used to seal the mating surfaces unless otherwise approved by the County.
- 1.22.3 Set frames such that rims are level with roadway or lawn surfaces. Rim elevations in non-maintained and non-traffic areas shall be set as specified by the County. (Grade adjustments shall be performed by installing Chimney rings or cover riser rings as required by the County and as specified herein.
- 1.22.4 Install gasket and dust cover locking bar if manholes are required to be "watertight" as determined by the County.

## 1.23 **MANHOLE CHIMNEY SEALING**

- 1.23.1 The Contractor shall field measure the manhole(s) to determine the information required on the manufacturer's "Sizing and Ordering" procedure. This information is needed to obtain the proper size, shape and width of the rubber sleeve and the need for and size of any extensions.
- 1.23.2 All sealing surfaces shall be reasonably smooth, clean and free of any form offsets or excessive honeycomb. The top internal portion of the manhole cone shall have a minimum 3 inch high vertical surface. This vertical surface shall have been coated with the epoxy lining material as described herein.
- 1.23.3 The internal frame seal, and extension(s) as needed, shall be installed in accordance with the manufacturer's instructions.

## 1.24 **RAISING MANHOLE FRAME WITH CHIMNEY RINGS**

- 1.24.1 Remove and properly dispose of existing chimney ring materials if required by the County. All sealing surfaces shall be smooth, clean and free of any substance that may prohibit proper sealing of the chimney rings to the manhole precast cone/flat top, adjoining chimney rings, or manhole frame.

- 1.24.2 Make proper measurements in place to ensure the net build-up of rings necessary to match the required grade with the frame and cover. Confirm the need for slope rings if matching an existing sloped surface.
- 1.24.3 Install the chimney rings in accordance with the manufacturer's instructions using appropriately sized and approved flexible butyl sealant on all mating surfaces.

## 1.25 RAISING MANHOLE COVER WITH RISER RINGS

- 1.25.1 All sealing surfaces shall be smooth, clean and free of any substance that may prohibit proper sealing of the riser rings to the manhole frame.
- 1.25.2 Install new riser rings using flexible butyl-rubber-based sealant to seal the rings to the manhole frame. 3/8-inch diameter butyl sealant shall be used to seal the mating surfaces unless otherwise approved by the County.
- 1.25.3 Set riser rings such that rims are level with roadway or lawn surfaces. Rim elevations in non-maintained and non-traffic areas shall be set as specified by the County.

## 1.26 MEASUREMENT AND PAYMENT

### 1.26.1 MANHOLE OR WET WELL STRUCTURE AND/OR BENCH AND INVERT RECONSTRUCTION

- 1.26.1.1 Reconstruction entails repairs on the manhole or wet well structure and/or bench and invert and will only be performed in conjunction with Manhole or Wet Well Coating. Replacement or repair of reinforcing steel shall not be included and shall be negotiated separately with the County if required.
- 1.26.1.2 Measurement and payment for manhole or wet well structure and/or bench and invert reconstruction shall be per square foot (SF) of surface area reconstructed.

### 1.26.2 MANHOLE COATING

#### 1.26.2.1 Condition 1

- 1.26.2.1.1 Condition Standard: An Existing structure which is considered structurally sound with no indications of settlement, cracking or other signs of fatigue. Infiltration or exfiltration through pre-cast joints, mortar joints, or around the pipe connections may exist and structure may be experiencing mild corrosion or deterioration.
- 1.26.2.1.2 Repair Method: Pressure wash and clean structure. Stop any infiltration using appropriate products and methods (injection grout/hydraulic cement). Fill bug holes, joints, honeycombs and around pipe penetrations with a Cementitious Repair Material as needed. Apply a minimum of 125 mils thickness of a Protective Coating Material (PCM).

#### 1.26.2.2 Condition 2

- 1.26.2.2.1 Condition Standard: An existing structure which is exhibiting early signs of structural fatigue evidenced by minor cracks, loss of mortar or brick, moderate to moderately severe corrosion (less than ½ inch in depth), minor cross sectional distortion (less than 10 %); however, it is currently supporting the soil and live load.
- 1.26.2.2.2 Repair Method: Pressure wash and clean structure. Stop any infiltration using appropriate products and methods (injection grout/hydraulic cement). Apply a Cementitious Repair Material to

the structure at a minimum thickness of ½ inch. Apply a minimum of 125 mils thickness of a Protective Coating Material (PCM).

**1.26.2.3 Condition 3**

1.26.2.3.1 Condition Standard: An existing structure which is exhibiting severe structural fatigue and collapse is eminent. Conditions indicating this degree of deterioration may include very severe corrosion (loss of original profile of one inch or greater), cross sectional distortion beyond 10 percent, exposed reinforcing steel, loose or missing bricks, missing mortar, or large sections of the structure which are gone completely.

1.26.2.3.2 Repair Method: Pressure wash and clean structure. Fill missing sections and voids with brick and/or a Cementitious Repair Material as necessary. Stop any infiltration using appropriate products and methods (i.e. hydraulic cement and/or injection of chemical grout). Apply a Cementitious Repair Material to the structure at a minimum thickness of 1 inch or in additional ½" lifts/thicknesses (i.e. additional pay item) as needed to bring structure back to original profile. Apply a minimum of 125 mils thickness of a Protective Coating Material (PCM).

1.26.3 WET WELL COATING (including wet well piping and miscellaneous metals): Measurement and payment for Wet Well Coating (including wet well piping and miscellaneous metals coating as required by the County) shall be per square foot (SF) or linear foot (LF) as follows:

1.26.3.1 SF of concrete surface areas including walls, ceilings, floors and fillets

1.26.3.2 SF of metal surface areas including walls, ceilings, and floors SF of miscellaneous metals

1.26.3.3 LF of pipe up to 6" diameter

1.26.3.4 LF of pipe >6" and ≤12" diameter

1.26.4 MANHOLE FRAME AND COVER REPLACEMENT:

1.26.4.1 Measurement and payment for manhole frame and cover replacement shall be per each as follows:

1.26.4.1.1 Watertight frame and cover in pavement

1.26.4.1.2 Watertight frame and cover in non-pavement areas

1.26.4.1.3 Non-watertight frame and cover in pavement

1.26.4.1.4 Non-watertight frame and cover in non-pavement areas

1.26.4.2 Payment shall include removal of pavement or other pre-construction surface materials, excavation, removal and disposal of existing frame and cover, cleaning of mating surfaces for setting frame, repairs, frame sealing material, setting the frame and cover assembly.

1.26.5 MANHOLE CHIMNEY SEALING

1.26.5.1 Measurement and payment for manhole chimney seals shall be per each for seals up to 10 inches wide. If additional seals are necessary to accommodate chimney areas wider than a 10-inch seal will accommodate the price shall be adjusted appropriately as agreed upon between the Contractor and County.

1.26.5.2 Payment shall include cleaning and preparation of chimney area from six (6) inches below the chimney to the portion of frame casting below dust cover or below manhole cover if dust cover does not exist, materials, installation.

## 1.26.6 RAISING MANHOLE FRAME WITH CHIMNEY RINGS

1.26.6.1 Measurement and payment for manhole raising with chimney rings shall be per each as follows:

1.26.6.1.1 First chimney ring 2-inches in height or less including sloped rings in pavement

1.26.6.1.2 First chimney ring 2-inches in height or less including sloped rings in non-pavement areas

1.26.6.1.3 First chimney ring 4-inches in height in pavement

1.26.6.1.4 First chimney ring 4-inches in height in non-pavement areas

1.26.6.1.5 Additional chimney rings 2-inches in height or less

1.26.6.1.6 Additional chimney rings 4-inches in height

1.26.6.1.7 Sloped chimney rings

1.26.6.2 Payment for the first chimney ring shall include removal of pavement or other preconstruction surface materials, excavation, removal of existing frame and cover, removal and disposal of existing damaged chimney rings, cleaning and preparation of mating surfaces, chimney and sealing materials, installation of new Chimney rings, setting the frame and cover assembly, restoration of pavement or other pre-construction surface materials. Payment for additional chimney rings shall include chimney rings, sealing materials, preparation and installation of the additional rings.

## 1.26.7 RAISING MANHOLE COVER WITH RISER RINGS

1.26.7.1 Measurement and payment for raising manhole cover with riser rings shall be per each as follows:

1.26.7.1.1 First 1-1/2" riser ring

1.26.7.1.2 First 2" riser ring

1.26.7.1.3 Additional 1-1/2" riser rings

1.26.7.1.4 Additional 2" riser rings

1.26.7.2 Payment for first riser ring shall include cleaning and preparation of mating surfaces, riser rings and sealing materials, installation of riser rings. Payment for additional riser rings shall include riser rings, sealing materials, preparation and installation of the additional rings.

**EXHIBIT "B"**  
**SCHEDULE OF COMPENSATION**

| Item | Description  | Unit | Unit Price   |
|------|--|------|--------------|
| 1    | Manhole or Wet Well Structure and/or Bench and Invert Reconstruction (in excess of the initial 2 SF of surface area covered under Manhole or Wet Well Coating) | SF   | \$608.00 ✓   |
| 2    | Wet Well Coating of Concrete Surface Areas including walls, ceilings, floors, and fillets  | SF   | \$16.96 ✓    |
| 3    | Wet Well Coating of Metal Surface Areas including walls, ceilings, and floors  | SF   | \$19.00 ✓    |
| 4    | Coating of Miscellaneous Metals in wet wells   | SF   | \$50.00 ✓    |
| 5    | Coating of Pipes up to 6" dia. in wet wells  | LF   | \$257.00 ✓   |
| 6    | Coating of Pipes >6" ≤ 12" dia. in wet wells   | LF   | \$422.00 ✓   |
| 7    | Watertight Manhole Frame and Cover Replacement in pavement   | EA   | \$2,309.78 ✓ |
| 8    | Watertight Manhole Frame and Cover Replacement in non-pavement areas   | EA   | \$1,865.59 ✓ |
| 9    | Non-Watertight Manhole Frame and Cover Replacement in pavement   | EA   | \$2,309.78 ✓ |
| 10   | Non-Watertight Manhole Frame and Cover Replacement in non-pavement areas   | EA   | \$1,865.59 ✓ |
| 11   | Chimney Seals up to 10-inches wide   | EA   | \$1,954.43 ✓ |
| 12   | Manhole Interior Flexible Chimney Sealant  | VF   | \$515.26 ✓   |
| 13   | Raising Manhole Frame with First Chimney Ring 2" or less including sloped rings in pavement  | EA   | \$1,954.43 ✓ |
| 14   | Raising Manhole Frame with First Chimney Ring 2" or less including sloped rings in non-pavement areas  | EA   | \$1,539.85 ✓ |
| 15   | Raising Manhole Frame with First Chimney Ring 4" in pavement   | EA   | \$2,191.33 ✓ |
| 16   | Raising Manhole Frame with First Chimney Ring 4" in non-pavement areas   | EA   | \$1,776.75 ✓ |
| 17   | Raising Manhole Frame with Additional Chimney Rings 2" or less   | EA   | \$1,006.83 ✓ |
| 18   | Raising Manhole Frame with Additional Chimney Rings 4"   | EA   | \$1,125.28 ✓ |
| 19   | Raising Manhole Frame with Sloped Chimney Rings  | EA   | \$1,184.50 ✓ |
| 20   | Raising Manhole Cover with First Riser Ring 1-1/2"   | EA   | \$1,539.85 ✓ |
| 21   | Raising Manhole Cover with First Riser Ring 2"   | EA   | \$1,717.53 ✓ |
| 22   | Raising Manhole Cover with Additional Riser Rings 1-1/2"   | EA   | \$1,421.40 ✓ |
| 23   | Raising Manhole Cover with Additional Riser Rings  | EA   |              |

|    |  |    |              |
|----|--|----|--------------|
|    |  |    | \$1,421.40 ✓ |
| 24 | Sewer Manhole Liner Per Vertical Foot for Four (4') Diameter Manhole per Technical Requirement & Specifications (Spray Application)<br><b>Condition 1</b>  | VF | \$321.00 ✓   |
| 25 | Sewer Manhole Liner Per Vertical Foot for Five (5') Diameter Manhole per Technical Requirement & Specifications (Spray Application)<br><b>Condition 1</b>  | VF | \$265.00 ✓   |
| 26 | Sewer Manhole Liner Per Vertical Foot for Four (4') Diameter Manhole per Technical Requirement & Specifications (Trowel Application)<br><b>Condition 1</b> | VF | \$309.25 ✓   |
| 27 | Sewer Manhole Liner Per Vertical Foot for Five (5') Diameter Manhole per Technical Requirement & Specifications (Trowel Application)<br><b>Condition 1</b> | VF | \$204.00 ✓   |
| 28 | Sewer Manhole Liner Per Vertical Foot for Four (4') Diameter Manhole per Technical Requirement & Specifications (Spray Application)<br><b>Condition 2</b>  | VF | \$455.00 ✓   |
| 29 | Sewer Manhole Liner Per Vertical Foot for Five (5') Diameter Manhole per Technical Requirement & Specifications (Spray Application)<br><b>Condition 2</b>  | VF | \$386.50 ✓   |
| 30 | Sewer Manhole Liner Per Vertical Foot for Four (4') Diameter Manhole per Technical Requirement & Specifications (Trowel Application)<br><b>Condition 2</b> | VF | \$481.00 ✓   |
| 31 | Sewer Manhole Liner Per Vertical Foot for Five (5') Diameter Manhole per Technical Requirement & Specifications (Trowel Application)<br><b>Condition 2</b> | VF | \$456.00 ✓   |
| 32 | Sewer Manhole Liner Per Vertical Foot for Four (4') Diameter Manhole per Technical Requirement & Specifications (Spray Application)<br><b>Condition 3</b>  | VF | \$736.00 ✓   |
| 33 | Sewer Manhole Liner Per Vertical Foot for Five (5') Diameter Manhole per Technical Requirement & Specifications (Spray Application)<br><b>Condition 3</b>  | VF | \$599.00 ✓   |
| 34 | Sewer Manhole Liner Per Vertical Foot for Four (4') Diameter Manhole per Technical Requirement & Specifications (Trowel Application)<br><b>Condition 3</b> | VF | \$741.00 ✓   |

|    |  |                  |              |
|----|--|------------------|--------------|
| 35 | Sewer Manhole Liner Per Vertical Foot for Five (5') Diameter Manhole per Technical Requirement & Specifications (Trowel Application)<br><b>Condition 3</b> | VF               | \$576.00 ✓   |
| 36 | Grout Injection  | GAL              | \$333.77 ✓   |
| 37 | Temporary Traffic and Pedestrian Control at 2 Way Intersection   | Per Day          | \$1,837.47 ✓ |
| 38 | Temporary Traffic and Pedestrian Control at 3 Way Intersection   | Per Day          | \$2,308.92 ✓ |
| 39 | Temporary Traffic and Pedestrian Control at 4 Way Intersection   | Per Day          | \$2,780.39 ✓ |
| 40 | Temporary Sewer Pump Around, One (1) Pump @ 500 GPM  | Per Day          | \$769.25 ✓   |
| 41 | Suction and Discharge Piping for 500 GPM Pump  | Per Foot/Per Day | \$29.61 ✓    |
| 42 | Temporary Sewer Pump Around, One (1) Pump @ 1500 GPM   | Per Day          | \$909.87 ✓   |
| 43 | Suction and Discharge Piping for 1500 GPM Pump   | Per Foot/Per Day | \$49.75 ✓    |
| 44 | High Voltage Holiday Detection Test  | SF               | \$53.20 ✓    |
| 45 | Adhesion Pull Off Test   | EA               | \$138.10 ✓   |
| 46 | Mobilization / Demobilization  | LS               | \$319.81 ✓   |

**EXHIBIT "C"**  
**Insurance**

Work under this Agreement is contingent upon receipt and continuing coverage of the policies as stated herein, which shall be evidenced by a Certificate of Insurance naming Frederick County, Maryland and approval of such by the Risk Management Office.

**COMMERCIAL GENERAL LIABILITY** coverage with minimum limits of:  
\$2,000,000 per Occurrence; \$3,000,000 General Aggregate  
\$3,000,000 Products/Completed Operations Aggregate

**Frederick County, Maryland** must be added as an Additional Insured.

General Liability must include Frederick County, Maryland as additional insured for Completed Operations.

**AUTO LIABILITY** coverage with minimum limits of:  
\$1,000,000 Combined Single Limit or \$1,000,000 each Person  
\$1,000,000 each Accident, \$1,000,000 Property Damage

**Frederick County, Maryland** must be added as an Additional Insured.

**WORKERS' COMPENSATION** coverage with minimum statutory limits  
Employers Liability coverage with minimum limits of \$100,000 per Accident, \$100,000 per Employee; and  
\$500,000 per Policy

***NOTE:** Out of State employers must show evidence of coverage in Maryland.*

**INSTALLATION FLOATER** with "All Risk" coverage with 100% of materials associated with the job.

**PLEASE NOTE THE FOLLOWING:**

1. **A certificate of insurance showing these coverages must be provided to Frederick County Risk Management Office. The Certificate Holder must be:**  
**Frederick County, Maryland**  
**Attention to: Risk Management Office**  
**12 East Church Street**  
**Frederick, Maryland 21701**
2. In addition to the certificate of insurance showing additional insured status for the County, the General Liability endorsement must be provided upon request.
3. If any primary policy's limits fall short of the stated requirements, a certificate shall be provided for all any excess policies that supplement or extend these limits.
4. Required insurance is primary and non-contributory, which should be stated on the certificate of insurance.
5. Required insurance must be maintained for the duration of the contract or business relationship.
6. If applicable, the Contractor shall assure that all subcontractors and independent contractors performing services for the County carry identical insurance coverage as required of the contract, either individually or as an Additional Insured on the policies of the Contractor. Exceptions may be made only with the approval of the County.
7. Contractor shall indemnify Frederick County, Maryland for any uninsured losses relating to contractual services involving subcontractors, including workers' compensation claims and the cost of defense.
8. The Contractor shall not commence work for Frederick County, Maryland until evidence of all required

coverage is approved by the Risk Management Office.

9. Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.
10. The Contractor will not hold Frederick County, Maryland liable for any injuries to the employees, servants, agents, subcontractors or assignees of the contract arising out of or during the course of services relating to this agreement.
11. The providing of any insurance required herein does not relieve the Contractor of any of the responsibilities or obligations assumed by the Contractor in the contract awarded or for which the Contractor may be liable by law or otherwise. Approval of the insurance by the County shall not in any way relieve or decrease the liability of the Contractor.
12. All of the above coverages must be written by a carrier with a minimum A.M. Best rating of A- or better AND a financial size classification of VI or higher. All insurance policies must also be underwritten by companies licensed to do business in the State of Maryland and all certificates must include an authorized signature.



Worcester County Government  
One West Market Street | Room 1103 | Snow Hill MD 21863-1195  
(410) 632-1194 | (410) 632-3131 (fax) | admin@co.worcester.md.us | www.co.worcester.md.us

**MEMORANDUM**

TO: Worcester County Commissioners  
FROM: Ed Welch, Procurement Officer  
DATE: February 4, 2026  
RE: Request to Award – FY26 Crushed Aggregate

Please see the attached bid tabulation for the purchase of **Crushed Aggregate** for the Roads Division of Public Works. Public Works is requesting the Commissioner’s review and approve awarding this expenditure to the lowest responsive and responsible vendor, H&K Materials, in the amount of **\$49,702**. Bids were due and opened on Monday, February,2 2026 at 2:30pm. Two bids were received.

Funding in the amount of \$50,000 for this purchase was approved in the current FY26 operating budget in general ledger account # 100.1202.6140.030 (Road Maintenance Materials Stone).

Please feel free to contact me if you have any questions. Thank you.

| <b>Re-Bid for Crushed Aggregate</b>   |                 |                |                 |                         |
|---------------------------------------|-----------------|----------------|-----------------|-------------------------|
| <b>February 2, 2026, at 2:30 p.m.</b> |                 |                |                 |                         |
| <b>Bid Tabulation</b>                 |                 |                |                 |                         |
| <u>Vendor</u>                         | <u>Material</u> | <u>Tons/Yr</u> | <u>Base Bid</u> | <u>Sub-total</u>        |
| <b>H&amp;K Materials *</b>            | MD #57 Stone    | 540            | \$ 36.80        | \$ 19,872               |
| -                                     | MD CR-6         | 840            | \$ 29.75        | \$ 24,990               |
| -                                     | Gabion Stone    | 110            | \$ 44.00        | \$ 4,840                |
| -                                     |                 |                |                 | <b><u>\$ 49,702</u></b> |
| <u>Vendor</u>                         | <u>Material</u> | <u>Tons/Yr</u> | <u>Base Bid</u> | <u>Sub-total</u>        |
| <b>Vulcan Construction</b>            | MD #57 Stone    | 540            | \$ 34.50        | \$ 18,630               |
|                                       | MD CR-6         | 840            | \$ 44.00        | \$ 36,960               |
|                                       | Gabion Stone    | 110            | \$ 52.00        | \$ 5,720                |
|                                       |                 |                |                 | <b><u>\$ 61,310</u></b> |

\*Apparent low bidder



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

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

MEMORANDUM

TO: Weston S. Young, Chief Administrative Officer  
FROM: Jennifer K. Keener, AICP, Director  
DATE: February 6, 2026  
RE: MDOT – Surplus Property

\*\*\*\*\*

I recently received the attached letter and information from Mr. Jordan Smith, Clearance and Disposition Coordinator, for the Maryland Department of Transportation (MDOT), indicating their intent to dispose of certain surplus properties. Before disposing of the properties, MDOT must notify the local jurisdiction and give them an opportunity to request additional information or express an interest in acquiring the property. Based upon my review, I have the following comments to provide:

**MC# 26-1155 – former Betty L. Bevard, Et Ux property**

The property is shown on Worcester County Tax Map 49 as Parcel 43, located on the east side of US Route 113 at Langmaid Road in Newark. The subject property consists of an unimproved parcel containing 14,308 square feet. The current zoning is A-1 Agricultural District. The parcel was acquired as part of the US Route 113 dualization project.

At the time of acquisition, the property was a non-conforming lot of record, consisting of 21,780 square feet with a single-family dwelling and accessory shed. The structures were demolished and a portion of the parcel was included in the right-of-way and access road design.

While the SHA salient fact sheet indicates that the property will be sold at auction and is “potentially capable of independent usage”, the Department of Environmental Programs has advised that the vacant lot would not be able to meet regulatory requirements to become a buildable lot with on-site well and septic.

Upon review, there is no real use that the County may have for the property. Should the County Commissioners concur, I will be happy to notify MDOT.



Wes Moore  
Governor  
Aruna Miller  
Lieutenant Governor  
Kathryn Thomson  
Acting Secretary

January 28, 2026

SENT BY ELECTRONIC MAIL

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

Dear Ms. Keener:

The State Highway Administration (SHA) proposes the sale of MC# 26-1155 identified as the former Betty L. Bevard, Et Ux property, Item No. 106270 and further described in the attached Salient Fact Sheet with Property Plat, Tax and Location Maps.

In accordance with Maryland Department of Transportation Policy and Procedures, before proceeding with any other sales activity, we will allow you a period of **60 days** to review the attached information, request additional information and to notify us of your interest, in writing, concerning the property as offered. This review period shall expire on **Friday, March 27, 2026** without further notice. Please be aware that in most cases an interest in the property would require the purchase of the property based on an appraised value or, in a few cases, a cost plus interest basis. Additionally, we are not interested in a conveyance on any exchange basis.

Should you have an interest in acquiring the subject property, please contact this office, in writing, on or before the expiration of the review period. Any other extension for your consideration of this property must be requested, in writing, within the review period and shall be subject to specific written approval from this office.

If you have no interest in the property, please notify the following individual at your earliest convenience. In either case, we request you provide all responses to:

Mr. Jordan Smith  
Clearance and Disposition Coordinator  
Office of Real Estate and Economic Development  
Maryland Department of Transportation The Secretary's Office  
7201 Corporate Center Drive, MS 470  
Hanover MD 21076  
Phone: 410-865-1234  
email: [Jsmith38@mdot.maryland.gov](mailto:Jsmith38@mdot.maryland.gov)

Ms. Jennifer Keener  
Page Two

If you require any assistance or need additional information, please do not hesitate to contact me at 410-865-1234 or via email at [Jsmith38@mdot.maryland.gov](mailto:Jsmith38@mdot.maryland.gov).

Sincerely,

*Jordan Smith*

Mr. Jordan Smith  
Clearance and Disposition Coordinator  
Office of Real Estate and Economic Development

**ATTACHMENTS**

- Salient Fact Sheet
- Plat No. 59768
- Location and Tax Maps
- Aerial

cc: Mr. Matthew Laick, Deputy Director, Development Review  
Ms. Mashel Wakil, Director, Office of Real Estate and Economic Development,  
MDOT The Secretary's Office

**Salient Fact Sheet**

Conveyance of Real Property  
Maryland Department of Transportation State Highway Administration  
Office of Real Estate

**Date of Preparation:** January 28, 2026      **Refer to MC #:** 26-1155  
**Property Name:** Betty L. Bevard, Et Ux  
**Property Item/Reference No.:** 106270      **Internal Clearance:** October 10, 2025  
**Modal Plat No.:** 59768      **Plat Date:** February 11, 2015  
**Location:** Located at 8415 Langmaid Road, south of U.S. Route 113 in Newark,  
Worcester County

**SDAT Property Tax Information:**

|                |           |                   |     |                  |           |
|----------------|-----------|-------------------|-----|------------------|-----------|
| <b>County:</b> | Worcester | <b>Tax Map #:</b> | 49  | <b>Parcel:</b>   | 43        |
| <b>Grid:</b>   | 3         | <b>Block:</b>     | N/A | <b>Account #</b> | 04-004116 |

**Type of Transaction:** Disposition  
**Acreage:** Containing a total of 14,308 square feet or 0.328 acres of land, plus or minus  
**Improved:** No  
**Description of Improvements:** N/A  
**Consideration:** TBD  
**Federal Approval:** N/A

**Additional Notes/Info:** SHA acquired the subject property in 2016 for the U.S. Route 113 (Phase III) from north of Massey Branch to Five Mile Branch Road right-of-way project. This property is potentially capable of independent usage and has access from Langmaid Road. Unless conveyed to a Modal or to Worcester County, SHA proposes to convey the property through a public auction in the near future.

**The following information is provided subject to Appraisal and is in no way warranted:**

**Assumed Zoning:** Residential  
**Utilities Available:** TBD  
**Estimated Market Value:** TBD

**Prepared by:**

Jordan Smith

Clearance &amp; Disposition Coordinator, Office of Real Estate &amp; Economic Development

Maryland Department of Transportation The Secretary's Office

7201 Corporate Center Drive

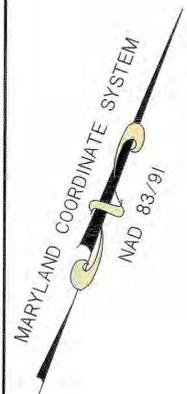
Hanover, MD 21076

Phone: 410-865-1234

email: [jsmith38@mdot.maryland.gov](mailto:jsmith38@mdot.maryland.gov)

X=1803459  
Y=216519

X=1805008  
Y=217087



|   |       |
|---|-------|
| DONALD F. KLEIN<br>AND JANE H. KLEIN<br>106253                          |       |
| REC'D   | FOLIO |
| LIBER   |       |
| TEMPORARY EASEMENT AREA<br>1,681 SQ. FT. OR 0.039 ACRES±<br>SHOWN THUS: |       |

|   |       |
|---|-------|
| HOWARD O. VANSICE<br>AND TERESA L. VANSICE<br>106252 PARCEL I           |       |
| REC'D   | FOLIO |
| LIBER   |       |
| TEMPORARY EASEMENT AREA<br>2,883 SQ. FT. OR 0.066 ACRES±<br>SHOWN THUS: |       |
| TEMPORARY EASEMENT AREA<br>1,727 SQ. FT. OR 0.040 ACRES±<br>SHOWN THUS: |       |

|  |       |
|--|-------|
| FREDERICK T. PARKER JR. AND<br>PEGGY P. PARKER<br>106250                 |       |
| REC'D  | FOLIO |
| LIBER  |       |
| TEMPORARY EASEMENT AREA<br>10,897 SQ. FT. OR 0.250 ACRES±<br>SHOWN THUS: |       |
| TEMPORARY EASEMENT AREA<br>3,584 SQ. FT. OR 0.082 ACRES±<br>SHOWN THUS:  |       |

|  |       |
|--|-------|
| BETTY L. BEVARD<br>AND RONALD K. BEVARD<br>106270                        |       |
| REC'D  | FOLIO |
| LIBER  |       |
| TEMPORARY EASEMENT AREA<br>14,308 SQ. FT. OR 0.328 ACRES±<br>SHOWN THUS: |       |

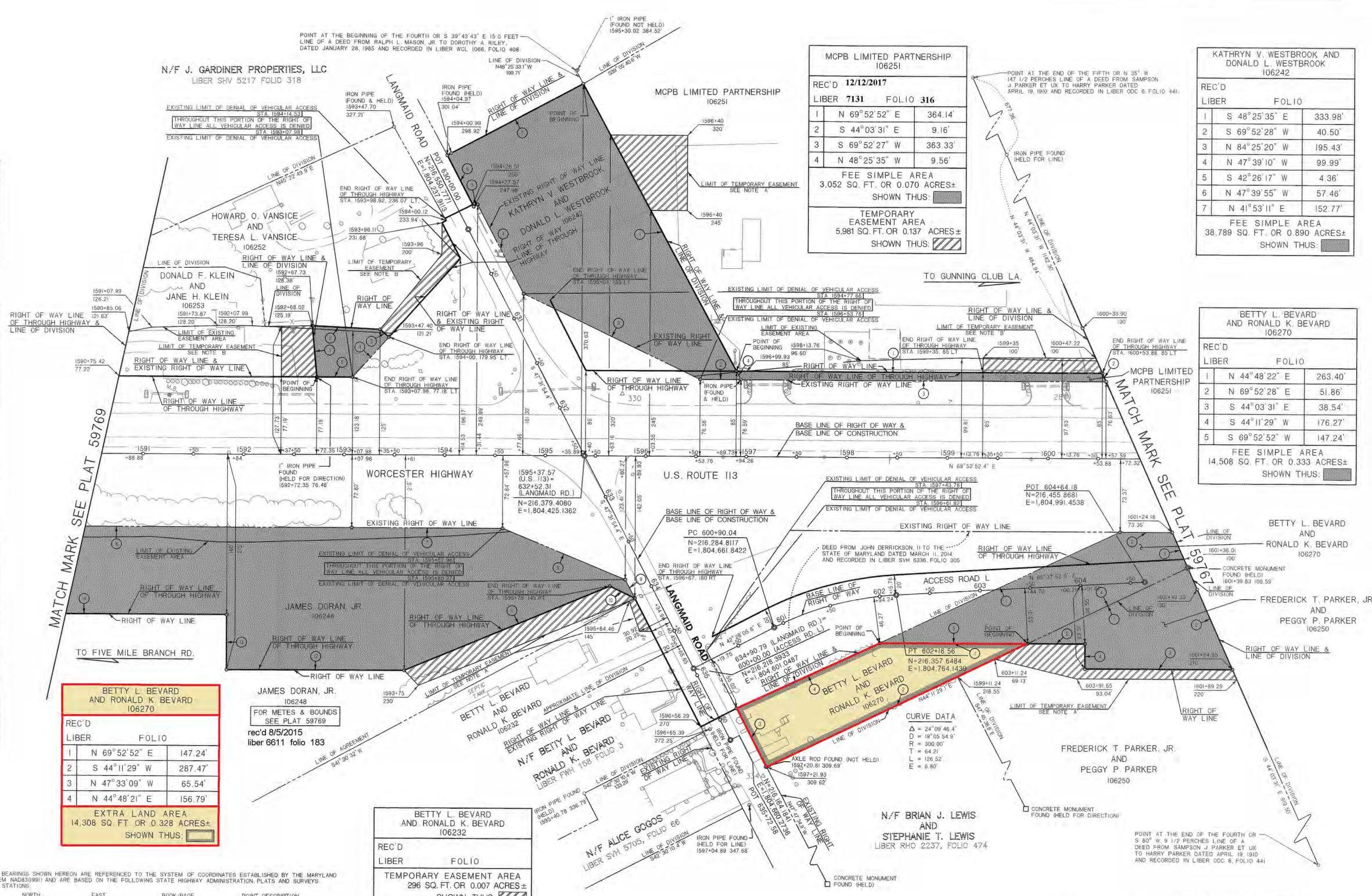
|   |       |
|---|-------|
| FOR METES & BOUNDS<br>SEE PLAT 59769                                  |       |
| REC'D   | FOLIO |
| LIBER   |       |
| TEMPORARY EASEMENT AREA<br>296 SQ. FT. OR 0.007 ACRES±<br>SHOWN THUS: |       |

|   |       |
|---|-------|
| BETTY L. BEVARD<br>AND RONALD K. BEVARD<br>106232                     |       |
| REC'D   | FOLIO |
| LIBER   |       |
| TEMPORARY EASEMENT AREA<br>296 SQ. FT. OR 0.007 ACRES±<br>SHOWN THUS: |       |

|   |       |
|---|-------|
| MCPB LIMITED PARTNERSHIP<br>106251                                      |       |
| REC'D   | FOLIO |
| LIBER   |       |
| TEMPORARY EASEMENT AREA<br>3,052 SQ. FT. OR 0.070 ACRES±<br>SHOWN THUS: |       |
| TEMPORARY EASEMENT AREA<br>5,981 SQ. FT. OR 0.137 ACRES±<br>SHOWN THUS: |       |

|  |       |
|--|-------|
| KATHRYN V. WESTBROOK AND<br>DONALD L. WESTBROOK<br>106242                |       |
| REC'D  | FOLIO |
| LIBER  |       |
| TEMPORARY EASEMENT AREA<br>38,789 SQ. FT. OR 0.890 ACRES±<br>SHOWN THUS: |       |

|  |       |
|--|-------|
| BETTY L. BEVARD<br>AND RONALD K. BEVARD<br>106270                        |       |
| REC'D  | FOLIO |
| LIBER  |       |
| TEMPORARY EASEMENT AREA<br>14,508 SQ. FT. OR 0.333 ACRES±<br>SHOWN THUS: |       |



NOTE "A"  
TEMPORARY EASEMENT TO BE USED ONLY DURING THE PERIOD OF CONSTRUCTION FOR THE PURPOSE OF FINE GRADINGS AND AT THE TERMINATION OF THE CONSTRUCTION ALL RIGHTS HEREBY ACQUIRED BY THE STATE HIGHWAY ADMINISTRATION - STATE ROADS COMMISSION SHALL THEN TERMINATE AND REVERT TO THE PROPERTY OWNERS.

NOTE "B"  
TEMPORARY EASEMENT TO BE USED ONLY DURING THE PERIOD OF CONSTRUCTION FOR THE PURPOSE OF ACCESS ROAD TIE IN AND FINE GRADINGS AND AT THE TERMINATION OF THE CONSTRUCTION ALL RIGHTS HEREBY ACQUIRED BY THE STATE HIGHWAY ADMINISTRATION - STATE ROADS COMMISSION SHALL THEN TERMINATE AND REVERT TO THE PROPERTY OWNERS.

|  |            |             |           |
|--|------------|-------------|-----------|
| COORDINATES AND BEARINGS SHOWN HEREON ARE REFERENCED TO THE SYSTEM OF COORDINATES ESTABLISHED BY THE MARYLAND COORDINATE SYSTEM (NAD83/91) AND ARE BASED ON THE FOLLOWING STATE HIGHWAY ADMINISTRATION PLATS AND SURVEYS DIVISION CONTROL STATIONS |            |             |           |
| DESIGNATION  | NORTH      | EAST        | BOOK/PAGE |
| 113-19   | 209807.129 | 179047.994  | 25010/24  |
| 113-20   | 210491.679 | 179199.250  | 25010/25  |
| 113-23   | 211925.007 | 1796348.545 | 25010/28  |
| 113-24   | 211033.928 | 1797100.649 | 25010/29  |
| 113-26   | 214747.151 | 1800016.938 | 25010/31  |
| 113-27   | 215530.749 | 1801980.989 | 25010/32  |
| 113-28   | 216824.031 | 1804832.980 | 25010/33  |
| 113-29   | 217306.017 | 1806793.376 | 25010/34  |



LEGEND

- REVERTIBLE EASEMENT FOR SUPPORTING SLOPES
- REVERTIBLE EASEMENT OR RIGHT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON PLAT.
- PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
- PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT.
- (ARROW INDICATES GENERAL DRAINAGE PATTERN)
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND.
- APPROXIMATE GENERAL DRAINAGE FLOW PATTERN (NOT TO SCALE-FOR EXPLANATORY PURPOSE ONLY)

A PORTION OF THIS RIGHT OF WAY IS FOR A CONTROLLED ACCESS ARTERIAL HIGHWAY AND NO ACCESS, EITHER VEHICULAR, PEDESTRIAN, OR ANIMAL WILL BE PERMITTED ACROSS THE LINE DESIGNATED "RIGHT OF WAY LINE OF THROUGH HIGHWAY" EXCEPT BY MEANS OF SUCH PUBLIC ROAD CONNECTIONS AS ARE AUTHORIZED BY LAW.

SENT TO RECORD OFFICE May 6 2015

APPROVED BY CHAIRMAN May 6 2015

|                         |          |                                 |
|-------------------------|----------|---------------------------------|
| BOOKS                   | REVISONS | PART OF PLATS                   |
| 08988<br>08989<br>25010 |          | 1836<br>(REV. 10-19-54)<br>1951 |

LOCATED IN WORCESTER COUNTY

PREPARED BY J.A. RICE, INC.  
JOSEPH E. FILIPPONE, II  
PLAT ENGINEER

CONSTRUCTION PROJECT:  
U.S. 113 (PHASE III) FROM NORTH OF FIVE MILE BRANCH TO SOUTH OF MASSEY BRANCH

CONSTRUCTION PROJECT NO. WO636A31

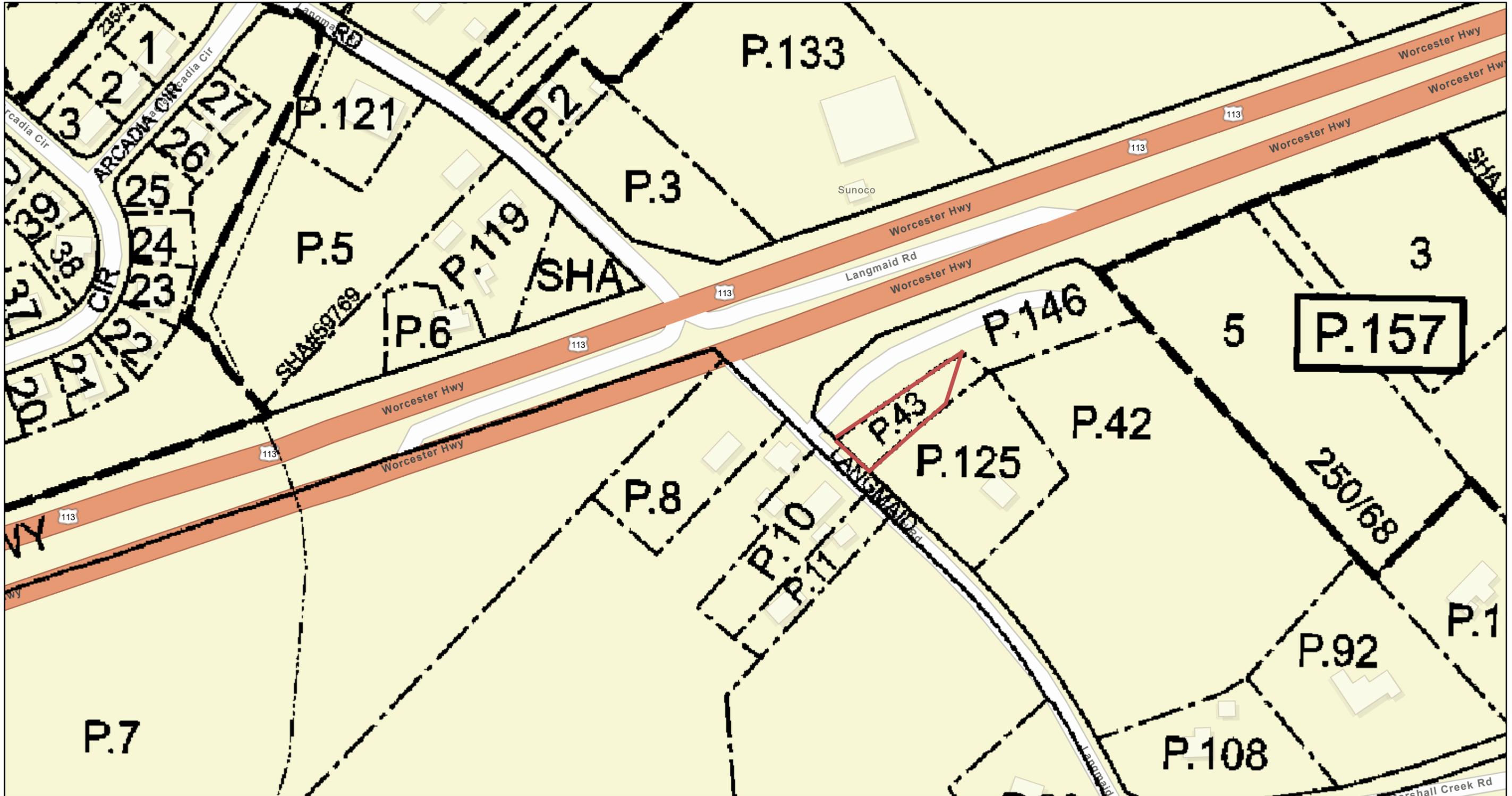
STATE OF MARYLAND  
DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ADMINISTRATION  
STATE ROADS COMMISSION

RIGHT OF WAY PROJECT : U.S. 113 (PHASE III) FROM NORTH OF MASSEY BRANCH TO FIVE MILE BRANCH ROAD WO636A31

RIGHT OF WAY PROJECT NO. \_\_\_\_\_  
FEDERAL AID PROJECT NO. \_\_\_\_\_  
ISSUED February 11 2015 SCALE 1"=50'

Paul G. Smith  
CHIEF, PLATS AND SURVEYS DIVISION

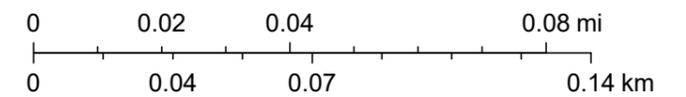
**PLAT No. 59768**



1/22/2026, 11:17:09 AM

County Boundary

1:2,257



MD iMAP, MDP, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

MDOT SHA Property Viewer



5/16/2025, 1:52:22 PM

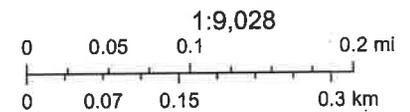
MDOT SHA Parcel Inventory - Undetermined

Right of Way

Surveyed

Marginal

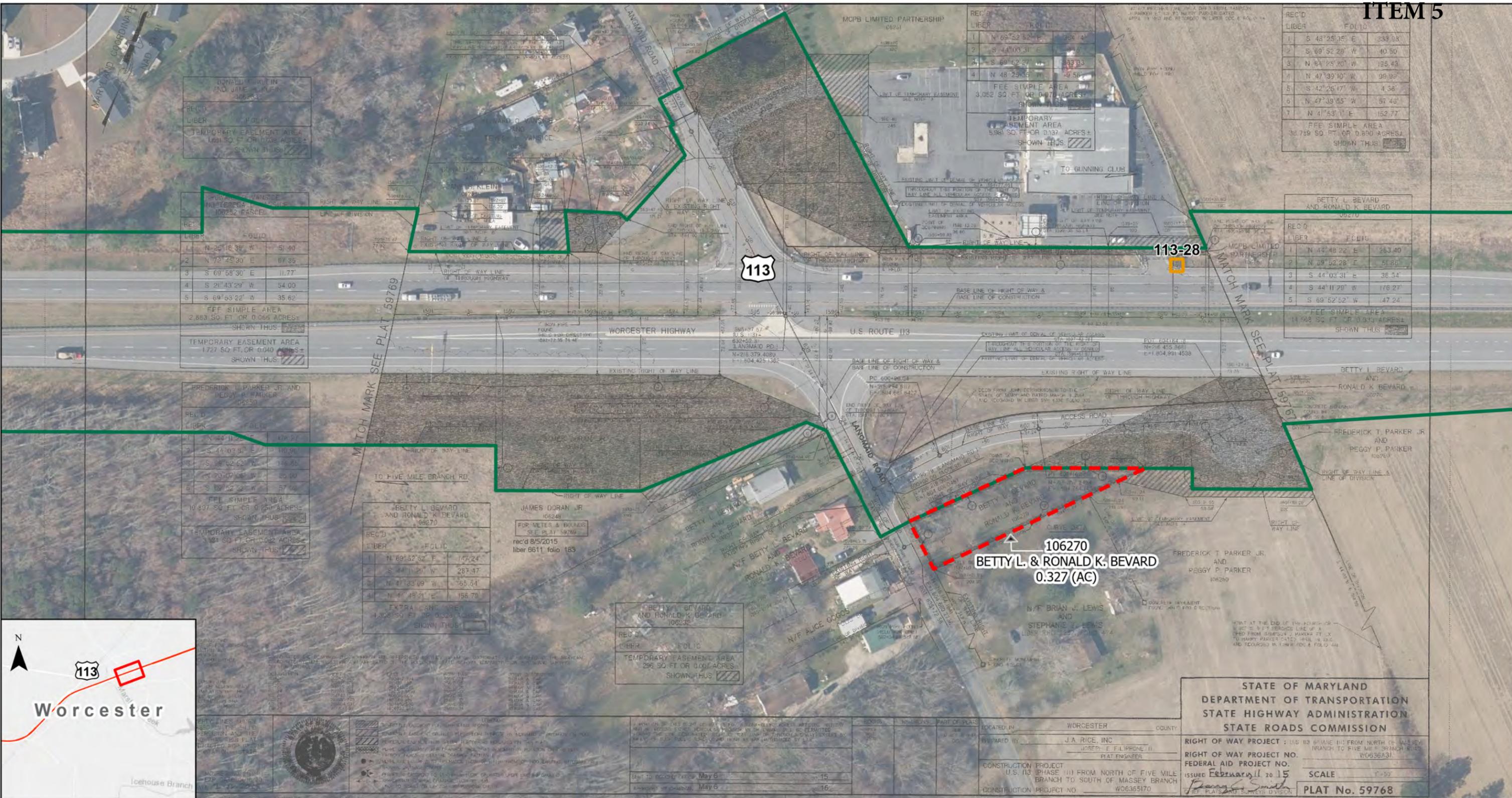
Intermediary



Maryland Department of Transportation (MDOT), Maryland Department of Transportation State Highway Administration (MDOT SHA), MDOT SHA

Maryland Department of Transportation (MDOT)

This information is provided "as is" without warranty, MDOT assumes no responsibility for errors or omissions of any kind.



**Legend**

- DELM Parcel
- Right of Way
  - Surveyed
  - Intermediary
- PSD Control Points**
  - Active Points NAD 83/91

**Determinations of Excess Land Memorandum (DELM) Exhibit**

**Request ID: 2585**  
**PSD Job No: 25-0103**  
**Item No: 106270**  
**Former: BETTY L. & RONALD K. BEVARD**  
**Pat No: 59768**  
**Area (ac): 0.327**

**WORCESTER**  
**US 113**

0 40 80 160 240 320  
 US Feet

**MDOT SHA OFFICE OF HIGHWAY DEVELOPMENT**  
**PLATS & SURVEYS DIVISION**

Date Exported: 05/20/2025 9:28 AM

MARYLAND DEPARTMENT OF TRANSPORTATION  
 Taking you places!  
 STATE HIGHWAY ADMINISTRATION

VITA, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, MD IMAP, DoIT



Plat: 59768



1 in = 100 ft

Service Layer Credits: MD iMAP, DoIT



OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

COMMISSIONERS  
THEODORE J. ELDER, PRESIDENT  
MADISON J. BUNTING, JR., VICE PRESIDENT  
CARYN G. ABBOTT  
ANTHONY W. BERTINO, JR.  
ERIC J. FIORI  
JOSEPH M. MITRECIC  
DIANA PURNELL

WESTON S. YOUNG, PE,  
CHIEF ADMINISTRATIVE OFFICER  
CANDACE I. SAVAGE, CGFM  
DEPUTY CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

January 12, 2026

To: Worcester County Commissioners  
From: Karen Hammer, Executive Administrative Assistant  
Date: January 12, 2026  
Subject: Employee Recognition Events - 2027

\*\*\*\*\*

As you are aware, over the past several years, the County Commissioners have sponsored events and programs for Worcester County Government employees to improve morale and to demonstrate their support and appreciation for County staff. These events have been extremely successful and sincerely appreciated by County employees. Therefore, I am proposing that the County Commissioners approve the following “Worcester County Government Employee Appreciation” events program for 2026:

- **Jolly Roger Day – Sunday – August 2, 2026**

This event is at **no cost to the County**; we sell wristbands to County employees and their family and friends at the generous price offered by Buddy Jenkins and the Jolly Roger staff. While prices have increased slightly, prices for 2026, estimated cost from 2025, as follows: (\$27) per person for the day at Splash Mountain, a pass for Day Rides (2 pm-6 pm), one round of Treasure Mini Golf and the use of a private rear parking lot pavilion; with add-ons including (\$22) Speedworld 2hr. passes – Formula One Track Exempt.

Invoice attached.

- **Maui Jack’s Waterpark, Chincoteague, VA – 2026 Season – TBD – Maui Jack’s Closed**

**Now- At no cost to the County** – The County becomes a Corporate Partner to Maui Jack’s for the 2026 Summer Season. The County would sign up as a Corporate Partner at no cost to the County, allowing all County employees to present their badge at the Maui Jack’s Water Park entrance and receive discounted tickets for the employee and 3 additional people at \$20/ person. Flyer attached.

- **Employee Luncheon (March 4, 2026)** will be hosted in the Government Center

Training Room for all employees to attend. The meal will be catered by Chipotle or a similar vendor. This was approved for the FY 26 Budget year.

If this luncheon is successful, we will host another employee luncheon during the 2027 Budget year. Estimated cost \$4,500 - \$5,000. This event replaces the Shorebirds and the Employee Picnic.



Jolly Roger Amusement Parks  
 2901 Coastal Highway  
 P.O. Box 572  
 Ocean City, Maryland 21843-0572

**Exec. Office** 410-289-9100  
**Fax:** 410-289-0450

**Group Sales Agreement**

Name of Group Worcester County

Date of Arrival 08 / 02 / 26

Date of Contract 01 / 12 / 26

|                                 |       |                         |
|---------------------------------|-------|-------------------------|
| Karen Hammer                    |       | 410-632-1194            |
| Contact Name                    |       | Contact Phone           |
| 1 West Market Street; Room 1103 |       | khammer@worcestermd.gov |
| Address                         |       | Contact Email           |
| Snow Hill                       | MD    | 21863                   |
| City                            | State | Zip                     |

**PAYMENT AMOUNT**

|                  |                     |
|------------------|---------------------|
| Number in Group  | <u>550</u>          |
| Price Per Person | \$ <u>27.00</u>     |
| <b>Subtotal</b>  | \$ <u>14,850.00</u> |
| 3% Amusement Tax | \$ <u>445.50</u>    |
| <b>Total</b>     | \$ <u>15,295.50</u> |
| Deposit          | \$ _____            |
| Total Due        | \$ <u>15,295.50</u> |

Deposit or total can be secured with credit card, cash or check upon prior approval.

**INFORMATION**

- Group Pricing based on minimum of 25 guests.
- Groups less that 25 *will still be charged* for 25 passes
- Payment due before or upon arrival.
- We accept Visa, Mastercard and Discover. *(\*Must present card at time of payment)*
- Company checks are also accepted with prior approval.
- SPEEDWORLD Does NOT include Formula One or Cyclone
- DAY RIDES - Maximum two rides on Roller Coaster
- Deposit or Total can be secured with Credit Card, Cash or Check (with prior approval) before or upon arrival
- Please call or email 24 hours in advance with any changes or cancellations

Attractions and times of operation to be included in your package:

Splash Mountain Waterpark 10am-6pm

Amusement Rides 2pm-6pm

One round of Treasure Mini Golf

Pavilion Reserved

Payment due dates as follows: \_\_\_\_\_

Day of Arrival \_\_\_\_\_

**Subtotal is amount due** \_\_\_\_\_

**\* BUS GROUPS** - Please call for free parking information, 410-289-4902

Please acknowledge the terms of this agreement by signing one copy and return with your deposit to our attention via fax, scan or mail.

Group Name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Thank you for choosing Jolly Roger Amusement Park for your group entertainment needs.

Email back to:  
 Dawn Dillon  
 Director of Sales  
 dawn@jollyrogerpark.com





Jolly Roger Amusement Parks  
 2901 Coastal Highway  
 P.O. Box 572  
 Ocean City, Maryland 21843-0572

**Exec. Office** 410-289-9100  
**Fax:** 410-289-0450

**Group Sales Agreement**

Name of Group Worcester County

Date of Arrival 08 / 02 / 26

Date of Contract 01 / 12 / 26

|                      |       |                         |
|----------------------|-------|-------------------------|
| Karen Hammer         |       | 410-632-1194            |
| Contact Name         |       | Contact Phone           |
| 1 West Market Street |       | khammer@worcestermd.gov |
| Address              |       | Contact Email           |
| Snow Hill            | MD    | 21863                   |
| City                 | State | Zip                     |

**PAYMENT AMOUNT**

|                  |                 |
|------------------|-----------------|
| Number in Group  | <u>1</u>        |
| Price Per Person | \$ <u>22.00</u> |
| <b>Subtotal</b>  | \$ <u>22.00</u> |
| 3% Amusement Tax | \$ <u>0.66</u>  |
| <b>Total</b>     | \$ <u>22.66</u> |
| Deposit          | \$ _____        |
| Total Due        | \$ <u>22.66</u> |

Deposit or total can be secured with credit card, cash or check upon prior approval.

**INFORMATION**

- Group Pricing based on minimum of 25 guests.
- Groups less that 25 *will still be charged* for 25 passes
- Payment due before or upon arrival.
- We accept Visa, Mastercard and Discover. *(\*Must present card at time of payment)*
- Company checks are also accepted with prior approval.
- SPEEDWORLD Does NOT include Formula One or Cyclone
- DAY RIDES - Maximum two rides on Roller Coaster
- Deposit or Total can be secured with Credit Card, Cash or Check (with prior approval) before or upon arrival
- Please call or email 24 hours in advance with any changes or cancellations

Attractions and times of operation to be included in your package:

SpeedWorld 2HR. (No Formula 1)

Payment due dates as follows: \_\_\_\_\_

Number of people TBD

Day of Arrival \_\_\_\_\_

Subtotal per person

**\* BUS GROUPS** - Please call for free parking information, 410-289-4902

Please acknowledge the terms of this agreement by signing one copy and return with your deposit to our attention via fax, scan or mail.

Group Name \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_ Thank you for choosing Jolly Roger Amusement Park for your group entertainment needs.

Email back to:  
 Dawn Dillon  
 Director of Sales  
 dawn@jollyrogerpark.com





Worcester County Administration

One West Market St. Room 1103 | Snow Hill MD 21863 | (410) 632-1194 | [www.co.worcester.md.us](http://www.co.worcester.md.us)

TO: Worcester County Commissioners  
FROM: Public Information Officer Kim Moses  
DATE: February 10, 2026  
RE: Letter of support for BVFC Application for Congressionally Directed Funds

---

Kathy Drew of the Bishopville Volunteer Fire Company is requesting a letter of support from the Worcester County Commissioners to include with an application for Congressionally Directed Funds and House Committee Project Funding to help fund a project to rebuild and remodel the BVFC main fire station.

The draft letter of support is attached for Commissioner President Elder to sign.

February 17, 2026

Senator Angela Alsobrooks  
B40E Dirksen Senate Office Building  
Washington, DC 20510

Senator Chris Van Hollen  
730 Hart Senate Office Building  
Washington, DC 20510

Congressman Andy Harris  
1536 Longworth House Office Building  
Washington, DC 20515

Dear Senators Cardin and Van Hollen and Congressman Harris:

On behalf of the Worcester County Commissioners, I would like to express our support for an application being submitted by the Bishopville Volunteer Fire Company (BVFC) for FY27 Congressionally Directed Spending funds and House FY27 Community Project funds for a three-phase project to remodel and rebuild the main fire station at a cost of approximately \$3.5 million.

The existing station, constructed in 1964, is failing and lacks the functional space to house the personnel and equipment necessary to meet the needs of the growing Bishopville community and beyond. The BVFC responds to fire and EMS calls within the primary Bishopville response area. However, the department also responds to calls across Worcester County and Sussex County, Delaware, making the services that these first responders provide vital to public safety across multiple jurisdictions and two states. We appreciate your consideration of this request.

Sincerely,

Theodore J. Elder  
President

TEL: 410-632-5623  
 FAX: 410-632-1753  
 WEB: co.worcester.md.us



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

**DALLAS BAKER JR., P.E.**  
 DIRECTOR

**JANA POTVIN**  
 DEPUTY DIRECTOR

**MEMORANDUM**

**TO:** Weston Young P.E., Chief Administrative Officer  
 Candace Savage, CGFM, Deputy Chief Administrative Officer  
**FROM:** Dallas Baker Jr., P.E., Director *Dallas Baker Jr*  
**DATE:** February 5, 2026  
**SUBJECT:** Flemming Mill Bridge Federal Aid Agreement

---

Public Works is requesting Commissioner approval and signature on the attached Federal Aid Supplement Agreement for the Flemming Mill Bridge replacement project. The bridge is the 3rd lowest-rated County owned structure in the inventory, with a bridge safety rating of 56.4. There is approximately \$4.2 Million available to Worcester County through the Federal Bridge Program to conduct the work. The program is administered by MDOT. The challenge is that participation in the Federal Bridge Program is a 3- to 5-year process. Public Works recommends using Federal funding for replacement of the bridge, since sufficient time exists to complete the longer Federal process before replacement is required. MDOT estimates Federal design costs alone at approximately \$1 million, with construction costs to be determined once design is further advanced. Completing the Supplemental Agreement is the first step in accessing the funding.

Please let me know if there are any questions.

Attachment

CC: Roscoe Leslie  
 Jana Potvin  
 Kevin Lynch

**MDOT SHA Control No.  
FEDERAL-AID PROJECT GUIDELINES AND WORKING  
SUPPLEMENTAL AGREEMENT**

**and**

**MARYLAND DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ADMINISTRATION**

This **SUPPLEMENTAL AGREEMENT (“SA”)**, executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, is in accordance with the terms of a Master Memorandum of Understanding “MOU” made effective February 1, 2018 by and between the Maryland Department of Transportation State Highway Administration, acting for and on behalf of, the State of Maryland, hereinafter referred to as “MDOT SHA”, and \_\_\_\_\_, Maryland, a body corporate and politic, hereinafter referred to as the “Local Public Agency” or “LPA”.

**WHEREAS,** The MDOT SHA agrees to assist in administering and partnering with the LPA as outlined in the Master Agreement and in this SA developed for the selected project

; and

**WHEREAS,** The PROJECT activities and reimbursement of expenses are subject to State and Federal requirements; and

**WHEREAS,** The LPA and MDOT SHA acknowledge the need to define the responsibilities and obligations of each party for the PROJECT.

**I. Project Information**

A. The PROJECT shall consist of the following

- B. The LPA shall be staffed and equipped to perform work satisfactorily and cost effectively, and adequate staffing and supervision exists to manage this federal project. The LPA has identified

, a fulltime employee, to be the "responsible charge" of the project as defined on MDOT SHA Development Guide for Local Public Agencies and other Sub-recipients of federal funds. If the responsible charge changes, the LPA is responsible for notifying MDOT SHA Program Manager.

## **II. Project Time Period**

- A. All PROJECT activities shall not begin until the execution date of SA and federal authorization from the Program Manager has been provided to the LPA.
- B. The PROJECT Closeout Date and PROJECT Agreement End Date (Period of Performance 2 CFR Part 200.309) will be established at the time of federal authorization. The PROJECT Closeout Date is the date by which the LPA must complete all related project closeout activities and reviews. The Project Closeout Date and Project Agreement End Date will be determined using the established MDOT SHA project end date procedures.
- C. The LPA will comply with MDOT SHA's monitoring requirements, including quarterly progress reports due with the billing invoice, which shall be submitted to the District Engineer within MDOT SHA until the Project has been closed out.
- D. The MDOT SHA and LPA shall retain all documents and records relating to the use of federal funds and subject to audit for a minimum of three (3) years from the last expenditure report payment. If any litigation, claim, negotiation, audit or other action involving the documents or records started before the expiration of the 3-year period, the records shall be retained until completion of the action and resolution of all issues or the end of the three-year period, whichever is later in accordance with the requirements of 49 CFR Part 18, Section 18.42 Retention and Access Requirements for Records.

## **III. Project Funding and Payment**

- A. The Maryland Department of Transportation will reimburse the LPA up to an amount not to exceed the percentage stated in the cost sharing agreement for the eligible expenses of the project.
- B. The LPA shall submit to the District Engineer a copy of paid invoices to show costs incurred in constructing the PROJECT on a quarterly basis. For design costs for projects utilizing a MDOT SHA open end consultant, MDOT SHA will bill the LPA up to an amount not exceeding the percentage stated in the cost sharing agreement for the monthly incurred costs.

- C. Reimbursement requests received after the PROJECT Closeout Date will be considered for payment on a case-by-case basis with prior written justification explaining the expected delay submitted by the LPA. All costs must have been incurred prior to the project agreement end date.
- D. Invoices shall contain sufficient documentation and proof of payment, in MDOT SHA's sole discretion, to evidence actual expenses of items eligible for reimbursement. Upon receipt, the District Engineer will forward invoice to the Federal Aid Billing Office for approval.
- E. The MDOT SHA shall remit payment to the LPA within thirty (30) days following receipt of each invoice, provided:
  - a. The invoice contains all necessary information for processing, in MDOT SHA's discretion,
  - b. No charges are disputed by MDOT SHA,
  - c. The invoice does not exceed the percentage of the project costs stated in the cost sharing agreement.
- F. The MDOT SHA shall deduct from each invoice the amount of the non-eligible portion of the expenses any costs deemed not eligible for reimbursement by law. All such non-eligible costs shall be borne solely by the LPA.
- G. Identify the option for construction-related services (i.e. construction inspection, materials testing, etc.) that is applicable to this agreement: **a.**
  - a. MDOT SHA Construction Services are not applicable to this agreement;
  - b. The LPA will use their internal staff to complete construction-related services;
  - c. The LPA will hire staff to complete construction-related services;
  - d. MDOT SHA will complete construction-related services for the PROJECT and bill for our services at the percentage stated in the cost sharing agreement.
- H. The LPA will not be reimbursed for maintenance activities, maintenance equipment and other non-essential PROJECT activities and they cannot be used towards the LPAs non-federal project cost match.
- I. The LPA must submit separate invoices to MDOT SHA for PROJECT costs to be reimbursed through any other funds, grants, or activities by MDOT SHA, the Maryland Department of Transportation, or the United States Department of Transportation.
- J. The LPA will forward the completed closeout package to the MDOT SHA Program Manager and the Assistant District Engineer - Construction. The completed package will include a certification of PROJECT materials used and of PROJECT workmanship, which must be signed and stamped by the contractor and the LPA. The completed package shall also include a request for the final reimbursement of the remaining eligible costs.

**IV. Additional Project Conditions**

- A. Upon request by MDOT SHA, the LPA shall submit for MDOT SHA review and written comment, design plans, specifications and estimates at major design milestones, including:
- a. Preliminary Design Review thirty percent (30%),
  - b. Semifinal Review sixty-five percent (65%),
  - c. Final Review ninety-five percent (95%), and
  - d. Plans, Specifications, and Estimates (PS&E) one hundred percent (100%).
- B. Project documentation must show the environmental review of the project, per 23 CFR part 771, was completed prior to the final design authorization and/or the construction authorization, and that a determination was made before construction authorization that the project's NEPA document(s) remained valid for the authorization decision, or that supplemental NEPA documentation was completed before the construction authorization. The LPA will publicize and conduct a public hearing
- C. The LPA has agreed to provide all necessary rights-of-way in compliance with the conditions governing acquisition of rights-of-way, set forth in the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Public Law 91-646, 42 U.S. Code SS4601-4655 and any supplemental amendments and in the Federal Aid Policy Guide, as amended, at no expense to MDOT SHA or Federal Highway Administration.
- D. The LPA shall require its contractor(s) to provide a surety performance bond in the amount of the most responsive and responsible bid to ensure that the PROJECT will be constructed if the contractor defaults. The LPA or Sub-recipient shall also require a surety payment bond in the amount of the estimated construction cost to ensure that the contractor pays its subcontractors and suppliers, as required by the most current MDOT SHA Standard Specifications for Construction and Materials and addendums, located at <http://www.roads.maryland.gov/ohd/part1.pdf>, page 20, section GP-3.03.
- E. The LPA shall hold a pre-construction meeting with the contractor, to which the MDOT SHA Assistant District Engineer of Construction from the respective District, Area Materials Engineer from the respective District, Equal Opportunity Officer(s) from the respective District and the Program Manager shall be invited.
- F. All steel, iron, manufactured products, and construction materials used in the PROJECT shall be produced in the United States, in accordance with FHWA Buy America provision (23 USC 313 and 23 CFR 635.410) and Build America, Buy America (BABA) Act.

G. The LPA shall not make any award or permit any award (sub-grant or contract) at any tier to any party which is **debarred or suspended** or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549 – Debarment and Suspension.

H. All notices and/or invoices, if to the LPA, shall be addressed to:

County :  
Agency: Department of Public Works

Address:

Phone:  
E-mail:

All invoices from LPA to MDOT SHA sent for processing to:

Maryland Department of Transportation  
State Highway Administration  
Mail Stop:  
Address

Phone:  
Fax:  
E-mail:

**APPROVED ON BEHALF OF**

By: \_\_\_\_\_  
Name, Title  
Agency

Date: \_\_\_\_\_

**PROPOSAL ACCEPTED ON BEHALF OF THE MDOT STATE HIGHWAY  
ADMINISTRATION**

By: \_\_\_\_\_  
Director, Office of Finance

Date: \_\_\_\_\_

TEL: 410-632-5623  
 FAX: 410-632-1753  
 WEB: co.worcester.md.us



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

**DALLAS BAKER JR., P.E.**  
 DIRECTOR

**JANA POTVIN**  
 DEPUTY DIRECTOR

**MEMORANDUM**

**TO:** Weston Young P.E., Chief Administrative Officer  
 Candace Savage, CGFM, Deputy Chief Administrative Officer  
**FROM:** Dallas Baker Jr., P.E., Director *Dallas Baker Jr*  
**DATE:** February 9, 2026  
**SUBJECT:** W&WW Dump Truck Purchase

---

Public Works is requesting Commissioner approval to purchase a dump truck for Water & Wastewater Division from local vendor Bergey's Trucks, Inc. through the competitively bid Mack Truck Sourcewell Contract# 032824-MAK, in the amount of \$223,065.00. While this purchase was not included in the approved FY 26 budget, there is approximately \$700,000 available in the Construction Group Capital Equipment New Vehicle account 511.9010.010. The funds are savings that were realized by opting to lease a new vac-truck rather than purchase it.

The dump truck is needed to haul dried biosolids from the various wastewater plants to the landfill and to support water and wastewater on various repair and maintenance jobs. Water & Wastewater Division currently has only one dump truck, a 2008 International 7600 tandem axle with 163,000 miles. On occasions when the truck is broken down, another Public Works Division has to lend a truck to W&WW until the repairs are complete. The purchase of this new dump truck was going to be included in the proposed FY 27 budget but by purchasing it this fiscal year, with savings, it will help reduce the FY 27 requested budget.

Please let me know if there are any questions.

Attachment

CC: Jana Potvin  
 Quinn Dittrich  
 Lee Beauchamp  
 Derrick Babcock

# CUSTOMER PROPOSAL

ITEM 9  
**MACK®**



**PREPARED FOR**

WORCESTER COUNTY COMMISSIONERS

1 W Market St

SNOW HILL

MD 218631085

**DATE**

2/6/2026

**PREPARED BY**

BERGEY'S TRUCKS, INC.

29 E COMMONS BLVD STE 300

NEW CASTLE

DE 197201739

**QUOTE INFORMATION**

BERG2026000044A310

GRANITE 64FR

Qty: 1



**Bergey's**  
DRIVEN TO SERVE

# TECHNICAL SPECIFICATION

## GRANITE 64FR

|                |        |                  |                           | WEIGHT (LB) |      |
|----------------|--------|------------------|---------------------------|-------------|------|
| MODEL DEFINING |        | DESCRIPTION      |                           | FRONT       | REAR |
|                | PB100K | PRICE BOOK LEVEL | 2026A Pricebook           | 0           | 0    |
| <b>S</b>       | LAX05X | VOLTAGE          | ELECTRICAL SYSTEM 12 VOLT | 0           | 0    |

|                      |        |                               |   | WEIGHT (LB) |      |
|----------------------|--------|-------------------------------|---|-------------|------|
| APPLICATION PACKAGES |        | DESCRIPTION                   |   | FRONT       | REAR |
|                      | MPK0AK | CHASSIS CONFIGURATION PACKAGE | ONEBOX EATS, RH BATTERY BOX, 6.6 GALLON (25L) SLEEVED DEF, 22" SLEEVED LH FUEL TANK | 0           | 0    |

|                       |        |   |   | WEIGHT (LB) |       |
|-----------------------|--------|---|---|-------------|-------|
| CUSTOMER/VEHICLE INFO |        | DESCRIPTION   |   | FRONT       | REAR  |
| <b>S</b>              | 002EF2 | CHASSIS (BASE MODEL)  | GRANITE 64FR  | 4,853       | 1,764 |
|                       | MP2001 | CUSTOMER FLEET SIZE   | DEALER FLEET WITH LESS THAN 25 VEHICLES IN OWN FLEET OF ANY VEHICLE BRAND                       | 0           | 0     |
| <b>S</b>              | 013001 | TYPE OF SERVICE   | COMMERCIAL  | 0           | 0     |
| <b>S</b>              | M98018 | WARRANTY REGISTRATION LOCATION                                    | USA - WARRANTY REGISTRATION LOCATION  | 0           | 0     |
|                       | MBT02T | EMISSION WARRANTY CERTIFICATION                                   | CARB + EPA for Mack MP7 / MP8 Diesel  | 0           | 0     |
|                       | 694DDD | Order Subject to Meeting All Mack Policies, Terms and Conditions, | Including but not Limited to Applicable CARB and/or Section 177 States' Regulation requirements | 0           | 0     |
|                       | M84038 | INTENDED REGISTRATION LOCATION                                    | PENNSYLVANIA  | 0           | 0     |
| <b>S</b>              | 5050B5 | INITIAL REGISTRATION LOCATION                                     | USA REGISTRATION  | 0           | 0     |
|                       | 5FFB1X | BRAND ORNAMENT  | BULLDOG, CHROME   | 0           | 0     |
| <b>S</b>              | 534014 | LANGUAGE-PUBS/DECAL/SIGNS   | ENGLISH   | 0           | 0     |
| <b>S</b>              | DHX10X | ROAD CONDITION  | WELL MAINTAINED SURFACED ROADS >95% DRIVING DISTANCE  | 0           | 0     |
|                       | 0050L5 | VEHICLE USE & BODY/TRAILER TYPE                                   | DUMP TRUCK  | 0           | 0     |
|                       | 2KEC1X | TRAILER TYPE  | FIXED DRAWBAR TRAILER AND CENTERED AXLES  | 0           | 0     |
|                       | DKXG2X | GROSS COMBINATION WEIGHT (CA in PC29 only)                        | 80,000 LB (36 TONNES) GROSS COMBINATION WEIGHT  | 0           | 0     |
| <b>S</b>              | 70BB1X | BRAKE REGULATION  | BRAKE REGULATION, STOPPING DISTANCE 94M (310FT)   | 0           | 0     |
|                       | QCXA1X | TOPOGRAPHY  | GRADES <3% GREATER THAN 98% OF DRIVING DISTANCE MAX GRADE 8%                                    | 0           | 0     |
| <b>S</b>              | E1BD1X | AMBIENT TEMP UPPER LIMIT  | AMBIENT TEMPERATURE HOT. WARMER THAN 104 F (40 C) ALLOWED UP TO 25 HOURS PER YEAR               | 0           | 0     |
|                       | 032A19 | OPERATING TERRAIN GRADE CONDITIONS                                | TURNPIKE / INTERSTATE, STARTING / OPERATING GRADES 3% MAX                                       | 0           | 0     |
| <b>S</b>              | 033A10 | LOADING SURFACE FACTOR  | CONCRETE LOADING AND / OR UNLOADING SURFACE   | 0           | 0     |
|                       | 0341A1 | VEHICLE VOCATION  | LINEHAUL / LONG HAUL SERVICE  | 0           | 0     |

|                      |        |                            |   | WEIGHT (LB) |      |
|----------------------|--------|----------------------------|---|-------------|------|
| ENGINE/TRANSMISSIONS |        | DESCRIPTION                |   | FRONT       | REAR |
|                      | 100430 | ENGINE / MOTOR             | MP8-425C MACK 425HP @ 1500-1700 RPM (PEAK) 2100 RPM (GOV) 1550 LB-FT, US'21 | 2,108       | 530  |
| <b>S</b>             | 3GCB1X | GHG APPLICATION, VEHICLE   | GREEN HOUSE GAS VOCATIONAL APPLICATION                                      | 0           | 0    |
|                      | 136206 | TRANSMISSION               | 4500 RDS 6 SPEED ALLISON GEN 6 W/PROGNOSTICS, WITH PTO PROVISION            | 732         | 245  |
| <b>S</b>             | V4EZ9X | GEARBOX 12TH GEAR LOCK-OUT | WITHOUT 12TH GEARBOX GEAR LOCK-OUT  | 0           | 0    |

|                   |        |  |  | WEIGHT (LB) |      |
|-------------------|--------|--|--|-------------|------|
| EXHAUST/EMISSIONS |        | DESCRIPTION                                    |  | FRONT       | REAR |
|                   | Z8FT1X | NOX LIMITS                                     | CARB LEGACY / EPA (200MG/HP/HR), 50 State Idle Compliance                  | 0           | 0    |
| S                 | Y7BC1X | IDLE EMISSION LABEL LOCATION (CA in PC29 only) | IDLE EMISSION LABEL LOCATION, LOWER LH CORNER OF DRIVER DOOR               | 0           | 0    |
| S                 | DPF04F | DPF DIESEL PARTICULATE FILTER                  | CLEARTECH ONE BOX E.A.T.S. RH SIDE UNDER CAB US17 / US21                   | 0           | 0    |
|                   | MCF08F | CHASSIS MOUNTED EMISSIONS FINISH               | W/O DEF COVER & STAINLESS STEEL DPF COVER                                  | 0           | 0    |
| S                 | DF1001 | DIESEL EXHAUST FLUID TANK                      | 6.6 GALLON (25 L) 22" LEFT SIDE FUEL TANK MTD                              | 89          | 31   |
|                   | 130AD7 | EXHAUST  | SINGLE VERTICAL RIGHT SIDE CAB MOUNTED, LOWER VENTURI DIFFUSER, TURNED END | -35         | -17  |
|                   | KRXAPX | EXHAUST STACK HEIGHT                           | 9' 6" FROM GROUND  | 0           | 0    |
|                   | Q0AC1X | EXHAUST - BRIGHT FINISH                        | SINGLE, BRIGHT FINISH HEAT SHIELD, STACK                                   | 0           | 0    |

|                  |        |  |  | WEIGHT (LB) |      |
|------------------|--------|--|--|-------------|------|
| ENGINE EQUIPMENT |        | DESCRIPTION                                |  | FRONT       | REAR |
| S                | 125045 | AIR CLEANER                                | UNDER HOOD SINGLE ELEMENT DRY TYPE W/AIR INTAKE FROM BOTH SIDES OF HOOD                              | 0           | 0    |
| S                | 121AA5 | BUG SCREEN                                 | BLACK ALUMINUM BUG SCREEN MOUNTED BEHIND GRILLE, WITHOUT WINTER FRONT COVER                          | 0           | 0    |
| S                | 1130G3 | AIR COMPRESSOR/DRYER                       | WABCO HEATED SS-HP AIR DRYER W/ WABCO 636 (37.4 CFM) AIR COMPRESSOR                                  | 0           | 0    |
| S                | KOXA1X | AIR DRYER POSITION (CA)                    | AIR DRYER POSITION STANDARD  | 0           | 0    |
|                  | 132AB6 | ALTERNATOR                                 | DELCO 12V 165A (36SI) BRUSHLESS  | 27          | 0    |
| S                | 316AA5 | BATTERIES                                  | (3) MACK 12V 760/2280 CCA THREADED STUD TYPE   | 7           | 3    |
|                  | 393AB0 | BATTERY BOX - MOUNTING (x)                 | RH RAIL BEHIND SCR   | 0           | 0    |
|                  | L5XF1X | BATTERY BOX COVER                          | POLISHED ALUMINUM  | 5           | 0    |
|                  | 318AA3 | BATTERY DISCONNECT SWITCH                  | FLAMING RIVER BIG SWITCH WIRED TO POSITIVE SIDE  | 3           | 0    |
|                  | NCXD1X | STARTER MOTOR                              | 12 VOLT MELCO STARTER (MITSUBISHI ELECTRIC)  | 31          | 0    |
|                  | 110AA6 | ENGINE BRAKE                               | MACK MP8 POWERLEASH  | 0           | 0    |
| S                | JMxB1X | VEHICLE/TRAILER STOP LAMP APPLICATION (CA) | VEHICLE AND TRAILER (IF APPLICABLE) STOP LAMPS ACTIVATE UPON SERVICE BRAKE APPLICATION ONLY(3899000) | 0           | 0    |
| S                | J2EAAX | ENGINE BRAKE ACTIVATION                    | ENGINE BRAKE ACTIVATION, BASIC   | 0           | 0    |
| S                | 118AB8 | FAN DRIVE                                  | BEHR FAN AND ELECTRONIC MODULATING VISCOUS FAN DRIVE   | 0           | 0    |
| S                | 119AI9 | COOLANT PROTECTION                         | ETHYLENE GLYCOL FULLY FORMULATED COOLANT (50/50 MIX DYED PINK) TO -34DEG, W/ FILTER                  | 0           | 0    |
|                  | H9XK1X | RADIATOR TYPE                              | RADIATOR, CORE AREA W/O FEPTO 1345sq in (86sq dm), CORE AREA W/ FEPTO 1296sq in (83sq dm)            | 0           | 0    |
|                  | 124AC4 | HOSES - RADIATOR/HEATER                    | SILICONE HOSES, SPRING CLAMPS ON RADIATOR & HEATER, 1/4 TURN BALL VALVE HEATER HOSE                  | 0           | 0    |
| S                | 293043 | FUEL-WATER SEPARATOR                       | MACK W/MANUAL DRAIN VALVE V2 (INTEGRAL W/ PRIMARY FUEL FILTER)                                       | 0           | 0    |
| S                | MBXA1X | RELOCATE FUEL FILTER (CA)                  | STANDARD FUEL FILTER POSITION  | 0           | 0    |
| S                | MCA04A | ENGINE HEATERS                             | 120v 1500w BLOCK HEATER ONLY   | 0           | 0    |
|                  | 5NXA1X | ENGINE BLOCK HEATER                        | 120V 1500W ENGINE BLOCK HEATER   | 5           | 0    |
|                  | MAH01I | PLUG QUANTITY & TYPE                       | SINGLE (1) 120V-15A PLUG   | 0           | 0    |
| S                | QHXC1X | OIL SUMP                                   | OIL PAN  | 0           | 0    |
| S                | 2YBZ1X | EMERGENCY ENGINE STOP (CA)                 | WITHOUT ENGINE STOP, EMERGENCY   | 0           | 0    |

|                        |        |                                     |   | WEIGHT (LB) |      |
|------------------------|--------|-------------------------------------|---|-------------|------|
| CLUTCH/TRANS EQUIPMENT |        | DESCRIPTION                         |   | FRONT       | REAR |
|                        | 492007 | GEAR SHIFTER                        | ALLISON DASH MOUNTED SHIFTER W/NEUTRAL TO RANGE INHIBIT (HD SERIES) | 0           | 0    |
| S                      | MCB05B | CLUTCH ACTUATION SYSTEM & PEDAL PAD | WITHOUT CLUTCH CABLE SYSTEM   | 0           | 0    |

# TECHNICAL SPECIFICATION (cont.)

|                        |        |                              |   | WEIGHT (LB) |    |  |
|------------------------|--------|------------------------------|---|-------------|----|--|
| CLUTCH/TRANS EQUIPMENT |        | DESCRIPTION                  | FRONT   | REAR        |    |  |
|                        | 195AA7 | DRIVELINE - MAIN             | MERITOR RPL25HD W/PERMALUBE U-JOINTS (PROPS-L)                            | 23          | 23 |  |
|                        | 204AA4 | DRIVELINE - INTERAXLE        | MERITOR RPL20 W/PERMALUBE   | 0           | 0  |  |
|                        | 76AA1X | DRIVESHAFT MAIN U-JOINT      | UNIVERSAL JOINT HALF-ROUND TYPE (where applicable)                        | 0           | 0  |  |
| <b>S</b>               | 8WAAAX | DRIVESHAFT INTERAXLE U-JOINT | HALF-ROUND UNIVERSAL JOINT  | 0           | 0  |  |
| <b>S</b>               | 4LDA1X | TRANSMISSION OUTPUT TORQUE   | TRANSMISSION OUTPUT TORQUE BASIC  | 0           | 0  |  |
|                        | 7RXAEX | LUBRICANTS, TRANSMISSION     | TRANSYND SYNTHETIC LUBE FOR ALLISON TRANS                                 | 0           | 0  |  |
|                        | 139008 | TRANSMISSION OIL COOLER      | ALLISON 4xxx SERIES TRANSMISSION W/DIRECT MOUNT COOLER & SS COOLANT TUBES | 0           | 0  |  |

|                      |        |                         |  | WEIGHT (LB) |   |  |
|----------------------|--------|-------------------------|--|-------------|---|--|
| FRONT AXLE EQUIPMENT |        | DESCRIPTION             | FRONT  | REAR        |   |  |
| <b>S</b>             | 240AA2 | FRONT AXLE              | 18000# (8200 KG) MACK FXL18 STRAIGHT SPINDLE/UNITIZED BEARINGS | 325         | 0 |  |
| <b>S</b>             | 244AB1 | SPRINGS - FRONT         | MACK TAPERLEAF 18000# (8200 KG) GROUND LOAD RATING, EQUAL BIAS | 27          | 0 |  |
|                      | 241081 | BRAKES - FRONT          | MERITOR "S" CAM TYPE 16.5" x 6" Q+                             | 29          | 0 |  |
|                      | U3XC9X | BRAKE DRUMS - FRONT     | BRAKE, FRONT, DRUM LIGHT WEIGHT TRUTURN                        | 0           | 0 |  |
| <b>S</b>             | UDXA1X | DUST SHIELDS - FRONT    | DUST SHIELDS FOR FRONT AXLE                                    | 5           | 0 |  |
|                      | U0AA1X | SLACK ADJUSTERS - FRONT | HALDEX - AUTOMATIC   | 0           | 0 |  |
|                      | V7AD1X | BRAKE CHAMBERS - FRONT  | FRONT BRAKE CHAMBER MANUFACTURER, MGM                          | 0           | 0 |  |
|                      | 0KXA1X | HUBS - FRONT            | FERROUS  | 157         | 0 |  |
| <b>S</b>             | 61500A | FRONT AXLE LUBRICANT    | FRONT AXLE LUBE, FAG NLGI2 GREASE                              | 0           | 0 |  |
| <b>S</b>             | 1KAA1X | SHOCK ABSORBERS - FRONT | DOUBLE ACTING TYPE   | 0           | 0 |  |
| <b>S</b>             | 245AA9 | STEERING                | SHEPPARD SD110   | 111         | 0 |  |

|                     |        |                           |   | WEIGHT (LB) |       |  |
|---------------------|--------|---------------------------|---|-------------|-------|--|
| REAR AXLE EQUIPMENT |        | DESCRIPTION               | FRONT   | REAR        |       |  |
|                     | 2680D8 | REAR AXLE                 | 46000# (20900kg) MACK S460R FABRICATED STEEL HOUSING                                | 0           | 1,447 |  |
| <b>S</b>            | 6MAA1X | WIDE TRACK AXLE OPTION    | W/O WIDE TRACK AXLE   | 0           | 0     |  |
| <b>S</b>            | 617003 | DRIVE AXLE LUBRICANT      | DRIVE AXLE LUBE, SHELL 75W90 SYNTHETIC OIL  | 0           | 0     |  |
| <b>S</b>            | 01800R | CARRIER - REAR AXLE       | 150/151 SERIES (Tandem Mack Rear Axles up to 150,000lb GCW)                         | 0           | 0     |  |
| <b>S</b>            | 3LAC1X | POWER DIVIDER LOCKOUT     | INTERAXLE POWER DIVIDER LOCKOUT, W/BUZZER & LIGHT                                   | 0           | 40    |  |
|                     | TAXAWX | REAR AXLE RATIO           | 4.19 RATIO  | 0           | 0     |  |
|                     | 1860K6 | REAR SUSPENSION           | SS46 MACK CAMELBACK MULTILEAF 46,000 lb, HEAVY DUTY                                 | 0           | 1,991 |  |
|                     | 402AA3 | SPRINGS - ANTI-SWAY       | SPRINGS, ANTI-SWAY  | 0           | 104   |  |
|                     | XZXA1X | TRUNNION BUSHING          | BRONZE  | 0           | 36    |  |
|                     | GWXACX | BOGIE SPREAD, REAR        | 55" AXLE SPACING (BOGIE WHEELBASE)  | 0           | 7     |  |
|                     | 2AAABX | SHOCK INSULATORS          | URETHANE SHOCK INSULATORS, HEAVY DUTY, HIGHLY RECOMMENDED W/SS582 & SS652 REAR SUSP | 0           | 5     |  |
| <b>S</b>            | XYXB1X | TRANSVERSE TORQUE RODS    | TRANSVERSE TORQUE ROD (REAR AXLE ONLY)  | 0           | 0     |  |
| <b>S</b>            | 237037 | AUX.SPRING BRAKE QTY      | AUX SPRING BRAKE QTY, 4 CHAMBERS  | 0           | 20    |  |
| <b>S</b>            | 253AA4 | BRAKES - REAR             | MERITOR "S" CAM 16.5"x7" Q+ (Total for QTY = 2)                                     | 0           | -35   |  |
| <b>S</b>            | U4XC9X | BRAKE DRUMS - REAR        | BRAKE, DRIVE REAR, DRUM LIGHT WEIGHT TRUTURN  | 0           | 0     |  |
| <b>S</b>            | U1AA1X | SLACK ADJUSTERS - REAR    | HALDEX - AUTOMATIC (Total for QTY = 2)  | 0           | 0     |  |
|                     | UEXA1X | DUST SHIELDS - REAR BRAKE | DUST SHIELDS FOR REAR AXLE  | 0           | 12    |  |
|                     | V1AB1X | REAR BRAKE CHAMBER SIZE   | REAR SPRING BRAKE CHAMBERS 30/30 TYPE   | 0           | 0     |  |

|                     |        |  |  | WEIGHT (LB) |   |     |
|---------------------|--------|--|--|-------------|---|-----|
| REAR AXLE EQUIPMENT |        | DESCRIPTION                                | FRONT  | REAR        |   |     |
|                     | N5FAJX | BRAKE ORI REAR-MOST DRIVE AXLE             | DRUM BRAKE CHAMBER ORIENTATION: High Mount - Rear of Axle - Chamber Down                 |             | 0 | 0   |
|                     | 300AB8 | PARKING BRAKE CHAMBER                      | MGM TR3030LP3THD BRAKE CHAMBERS (Total for QTY = 2)                                      |             | 0 | 0   |
| <b>S</b>            | 0LXI5X | HUBS - REAR                                | IRON PRESET REAR HUB W/INTEGRATED SPINDLE NUT  |             | 0 | 318 |
|                     | 9GAABX | ABS SENSOR/CHANNEL OPTION                  | 6S/6M SYSTEM SENSING BOTH REAR AXLES W/WHEEL END SENSORS                                 |             | 5 | 0   |
| <b>S</b>            | 6980C8 | ANTILOCK BRAKE SYSTEM                      | MACK ROAD STABILITY ADV.BENDIX ABS/ATC/RSA W/YAW CNTRLW/MUD/SNOW SW; REQ-TRUCK APPL 6S6M |             | 0 | 0   |
| <b>S</b>            | URXD1X | AIR SYSTEM VALVE VENDOR                    | BENDIX SWITCHES AND VALVES WHERE POSSIBLE  |             | 0 | 0   |
| <b>S</b>            | H9CA1X | TRACTION CONTROL DISABLE (CA in PC29 only) | AUTOMATIC TRACTION CONTROL (ATC) FULL DISABLE SWITCH                                     |             | 0 | 0   |
| <b>S</b>            | 3ZAA1X | SPRING BRAKE INVERSION VALVE               | TRACTOR SPRING BRAKE INVERSION VALVE   |             | 5 | 0   |

|                            |        |                                |   | WEIGHT (LB) |     |     |
|----------------------------|--------|--------------------------------|---|-------------|-----|-----|
| FRAME EQUIPMENT/FUEL TANKS |        | DESCRIPTION                    | FRONT   | REAR        |     |     |
|                            | 271233 | WHEELBASE                      | 233"  |             | 199 | 199 |
|                            | 374067 | AF (OVERHANG)                  | 67"   |             | -24 | 283 |
|                            | MCE0FE | FRAME RAILS & LINERS           | 11.1 x 105 x 300mm - (0.437" x 4.13" x 11.81"); RBM 3,160,000 LB-IN |             | 0   | 0   |
| <b>S</b>                   | 5CAAAX | BOLT ON FRONT FRAME EXTENSION  | 6" BOLT ON FRAME EXTENSION  |             | 155 | -2  |
| <b>S</b>                   | A0XH1X | FRONT FRAME LENGTH             | FRONT FRAME LENGTH 725MM  |             | 45  | -2  |
| <b>S</b>                   | 281AA5 | CROSSMEMBERS                   | BOC AND INTERMEDIATE(S) STEEL HD BACK-TO-BACK CHANNEL               |             | 0   | 0   |
| <b>S</b>                   | Q5AA1X | REAR CROSSMEMBER OPTIONS       | STEEL CLOSING REAR CROSSMEMBER                                      |             | -8  | 49  |
| <b>S</b>                   | X6XA1X | TAPERED FRAME RAIL ENDS        | WITHOUT TAPERED FRAME RAIL ENDS                                     |             | 0   | 0   |
|                            | 4DXN7X | FRONT BUMPER                   | EXTENDED-SWEPT BACK-STEEL BRIGHT FINISH W/ STONE GUARD              |             | 25  | -4  |
|                            | 5FXA2X | RADIATOR GUARD                 | PLATE TYPE BRIGHT FINISH  |             | 45  | -11 |
| <b>S</b>                   | 4ZAAAX | TRUNNION BRACKET               | BASIC SOLUTION TRUNNION BRACKET, STD HEIGHT                         |             | 0   | 0   |
| <b>S</b>                   | 4EXG1X | TOWING DEVICE, FRONT           | HOOKS   |             | 0   | 0   |
|                            | 6PXD1X | TOWING DEVICE,REAR             | HOOKS - FRAME MOUNTED   |             | -6  | 27  |
| <b>S</b>                   | 2RAA1X | FUEL LEVEL SENDER UNIT, LIQUID | BASIC FUEL LEVEL SENDER MOUNTED ON L.H TANK                         |             | 0   | 0   |
|                            | 288AF7 | FUEL TANK - LH                 | 111 GALLON (420 L) 22" ALUMINUM, SLEEVED D-SHAPED                   |             | 223 | 100 |
| <b>S</b>                   | 290AA1 | FUEL TANK - RH                 | W/O RH FUEL TANK  |             | 0   | 0   |
|                            | R0AA1X | FUEL TANKS - BRIGHT FINISH     | POLISHED ALUMINUM   |             | 0   | 0   |
| <b>S</b>                   | JHXB1X | FUEL LINE MATERIAL             | BRAIDED HOSE  |             | 5   | 3   |
| <b>S</b>                   | 8520C2 | FUEL FILLER NECK OPTIONS       | WITHOUT FILLER NECK SCREEN, WITH NON-LOCKABLE FUEL TANK CAP         |             | 0   | 0   |
|                            | 12AA1X | FUEL SYSTEM - DUAL             | W/O FUEL LINE OPTION  |             | 0   | 0   |
| <b>S</b>                   | Q2AA1X | CAB ACCESS STEPS               | STANDARD 2 STEP CAB ACCESS  |             | 0   | 0   |
| CA                         | 223013 | STEPS (BRIGHT) - FUEL TANK     | BRIGHT FINISH STRAPS & BRIGHT FINISH STEPS FULL LENGTH OF TANK      |             | 0   | 0   |

|           |        |                            |   | WEIGHT (LB) |     |   |
|-----------|--------|----------------------------|---|-------------|-----|---|
| AIR/BRAKE |        | DESCRIPTION                | FRONT   | REAR        |     |   |
|           | 141AA9 | RELOCATE AIR RESERVOIRS    | UNDER BATTERY BOX, REMAINING BETWEEN FRAME RAILS                          |             | 0   | 0 |
| <b>S</b>  | UWXC1X | AIR TANK DRAIN VALVE       | MANUAL (PETCOCK) DRAIN VALVES ON ALL TANKS                                |             | 0   | 0 |
|           | U2XA2X | AIR TANK MATERIAL & FINISH | ALUMINUM AIR TANK, POLISHED ALUMINUM FINISH                               |             | -24 | 0 |
|           | 1JAABX | PARKING BRAKE VALVE        | TWO (2) VALVE DUAL BRAKE SYSTEM - TRAILER SUPPLY AND TRACTOR-TRAILER PARK |             | 0   | 0 |

|            |             |                               | WEIGHT (LB) |      |
|------------|-------------|-------------------------------|-------------|------|
| ELECTRICAL | DESCRIPTION |                               | FRONT       | REAR |
|            | 5RXA6X      | BACK-UP ALARM                 | 0           | 3    |
|            | EAXB1X      | DASH MOUNTED SWITCHES         | 0           | 0    |
| <b>S</b>   | 3120A2      | ROOF & SIDE MARKER LIGHTS     | 0           | 0    |
| <b>S</b>   | LJXCAX      | HEADLAMP BULB TYPE            | 0           | 0    |
|            | LSXJ1X      | DAYTIME RUNNING LIGHTS        | 0           | 0    |
| <b>S</b>   | X2AA1X      | DRL OVERRIDE SPEED THRESHOLD  | 0           | 0    |
| <b>S</b>   | NEXC1X      | TAIL LAMPS                    | 0           | 7    |
|            | 05AGAX      | WORK LIGHTS - CHASSIS MOUNTED | 3           | 0    |

|                     |             |                           | WEIGHT (LB) |      |
|---------------------|-------------|---------------------------|-------------|------|
| TRAILER CONNECTIONS | DESCRIPTION |                           | FRONT       | REAR |
|                     | WGXA1X      | HAND CONTROL VALVE        | 0           | 0    |
|                     | WHXQ2X      | TRAILER CONNECTIONS       | 23          | 23   |
|                     | 321031      | TRAILER ELECTRICAL RECEPT | 0           | 0    |
| <b>S</b>            | 3SAZ1X      | TRAILER CONNECTORS HOLDER | 3           | 0    |

|          |             |                        | WEIGHT (LB) |      |
|----------|-------------|------------------------|-------------|------|
| PTO      | DESCRIPTION |                        | FRONT       | REAR |
|          | TYXE1X      | PTO - CONTROL          | 3           | 0    |
| <b>S</b> | B83083      | BODY BUILDER INTERFACE | 5           | 5    |

|                     |             |                                  | WEIGHT (LB) |      |
|---------------------|-------------|----------------------------------|-------------|------|
| SPECIALTY EQUIPMENT | DESCRIPTION |                                  | FRONT       | REAR |
| <b>S</b>            | MCQ01Q      | LANE SUPPORT SYSTEM (LSS)        | 0           | 0    |
| <b>S</b>            | 2PEZ1X      | DATA CAPTURE                     | 0           | 0    |
| <b>S</b>            | 1PAZ1X      | SURVEILLANCE CAMERA OPTIONS (CA) | 0           | 0    |

|                         |             |   | WEIGHT (LB) |      |
|-------------------------|-------------|---|-------------|------|
| CAB INTERIOR (A THRU G) | DESCRIPTION |   | FRONT       | REAR |
| <b>S</b>                | 198048      | SPEEDOMETER -&- GAUGES - UNIT(S) OF MEASURE | 0           | 0    |
|                         | CCXD1X      | GAUGE - PACKAGE, SECONDARY                  | 0           | 0    |
|                         | E1AAAX      | GAUGE OIL TEMP-REAR AXLE                    | 0           | 0    |
|                         | I6AA1X      | AUX.INCAB PNEUMATIC LINE                    | 0           | 0    |
| <b>S</b>                | 4AXC1X      | CLIMATE UNIT                                | 0           | 0    |
| <b>S</b>                | EEXA1X      | CUPHOLDER                                   | 0           | 0    |
| <b>S</b>                | 10XAHX      | DOME LAMP, INTERIOR                         | 0           | 0    |
| <b>S</b>                | 3XAA1X      | DASH INDICATOR - LAMP BODY OUT OF POS       | 0           | 0    |
|                         | 7860E6      | FIRE EXTINGUISHER                           | 9           | 0    |
| <b>S</b>                | 184AA2      | FLOOR COVERING                              | 0           | 0    |

|                         |        |                               |  | WEIGHT (LB) |   |  |
|-------------------------|--------|-------------------------------|--|-------------|---|--|
| CAB INTERIOR (H THRU R) |        | DESCRIPTION                   | FRONT  | REAR        |   |  |
| S                       | C52082 | INSTRUMENT CLUSTER LANGUAGE   | DEFAULT: ENGLISH, SPANISH, FRENCH  | 0           | 0 |  |
| S                       | 20XA1X | KEY TYPES FOR DOORS           | ALL CHASSIS KEYPED AT RANDOM   | 0           | 0 |  |
| S                       | 13AA1X | KEYLESS ENTRY                 | W/O ELECTRONIC KEYLESS ENTRY   | 0           | 0 |  |
| S                       | E3XD1X | OVERHEAD CONSOLE              | (2) STORAGE COMPARTMENTS AND NET RETAINERS W/CENTER MOUNTING FOR CB PROVISIONS | 0           | 0 |  |
|                         | 1740E4 | RADIO/RADIO ACCOMMODATION     | PREMIUM STEREO, AM/FM, MP3, WEATHER BAND, BLUETOOTH, SIRIUS/XM SATELLITE       | 0           | 0 |  |
|                         | 73AJ1X | RADIO - ANTENNA               | 48" ANTENNA RIGHT SIDE MIRROR MOUNTED  | 0           | 0 |  |
|                         | 5BXB5X | RADIO ANTENNA - CB            | 48" ANTENNA LEFT SIDE MIRROR MOUNTED   | 0           | 0 |  |
| S                       | 1WAB1X | RADIO - BINDING POSTS FOR CB  | POWER LEADS (5-WAY BINDING POSTS FOR CB RADIO) IN HEADER CONSOLE               | 0           | 0 |  |
| S                       | 5CXB2X | AUDIO SPEAKER LOCATION        | SPEAKER LOCATION, IN DOORS, MIDDLE HIGH SIDE PANEL                             | 0           | 0 |  |
| S                       | 5JXAIX | RADIO - CB RADIO MOUNTING     | CB RADIO MOUNTING REINFORCEMENT IN HEADER CONSOLE                              | 0           | 0 |  |
| S                       | IFXB1X | REAR WALL STORAGE COMPARTMENT | STORAGE POUCH REAR   | 5           | 0 |  |
|                         | 784054 | REFLECTOR KIT                 | EMERGENCY REFLECTOR KIT MOUNTED PARALLEL & CENTERED AGAINST BOC                | 12          | 5 |  |

|                         |        |                             |  | WEIGHT (LB) |    |  |
|-------------------------|--------|-----------------------------|--|-------------|----|--|
| CAB INTERIOR (S THRU Z) |        | DESCRIPTION                 | FRONT  | REAR        |    |  |
| S                       | 004014 | INTERIOR TRIM LEVELS        | COMFORT TRIM PACKAGE, STEEL GRAY (Package 11A)                   | 0           | 0  |  |
|                         | 196ABQ | SEAT - DRIVER'S             | MACK-AIR, HIGH BACK, 4 CHAMBER AIR LUMBAR, BOLSTER, EXTENSION    | 67          | 16 |  |
|                         | MAP06P | SEAT COVERING - DRIVER'S    | DRIVER'S SEAT - BLENDED BLACK & GREY VINYL / CLOTH MIX           | 0           | 0  |  |
|                         | 197AA2 | SEAT - PASSENGER'S          | MACK-FIXED, HIGH BACK, W/ STORAGE BOX                            | 40          | 9  |  |
|                         | MAQ07Q | SEAT COVERING - PASSENGER'S | PASSENGER'S SEAT - BLENDED BLACK & GREY VINYL / CLOTH MIX        | 0           | 0  |  |
|                         | 0HAA1X | SEAT - DUST COVER(S)        | SEAT, DUST COVER FOR DRIVER'S SEAT                               | 3           | 0  |  |
|                         | 3PXC1X | SEAT ARM REST(S)            | INBOARD MOUNTED ARM REST, DRIVER'S & RIDER'S SEAT                | 5           | 3  |  |
| S                       | 592092 | SEAT BELT(S)                | LAP & SHOULDER (BOTH SEATS) CAB MOUNTED SHOULDER BELT ADJUSTMENT | 0           | 0  |  |
| S                       | D8XC1X | SEAT BELT WARNING INDICATOR | SEAT BELT REMINDER IN INSTRUMENT, WITH AUDIO                     | 0           | 0  |  |
| S                       | 2QAA1X | STARTER SWITCH              | KEY TYPE   | 0           | 0  |  |
| S                       | 161011 | STEERING WHEEL              | 2 SPOKE URETHANE GRIP, SATIN ALUMINUM SPOKES, WITH SWITCHES      | 0           | 0  |  |
| S                       | WSXBAX | WINDSHIELD TYPE             | TWO PIECE WINDSHIELD   | 0           | 0  |  |
| S                       | 145AA1 | CAB GLASS                   | TINTED WINDSHIELD & SIDE WINDOWS & REAR WINDOW (IF EQUIPPED)     | 0           | 0  |  |
| S                       | JQXAAX | WINDSHIELD WASHER           | W/O WINDSHIELD WASHER OPTION                                     | 0           | 0  |  |
| S                       | 148AA3 | WINDSHIELD WIPERS           | 2 SPEED ELECTRIC MOTOR W/INTERMITTENT FEATURE                    | 0           | 0  |  |

|              |        |                                   |  | WEIGHT (LB) |   |  |
|--------------|--------|-----------------------------------|--|-------------|---|--|
| CAB EXTERIOR |        | DESCRIPTION                       | FRONT  | REAR        |   |  |
|              | 0BAA1X | PERMIT PLATE                      | 2 POL, 304SS 3.5X15" W/SELF-ADH. BK; AT REC. SECTION CAB SILL PL. BELOW BOTH DRS | 0           | 0 |  |
|              | MCY01Y | HOOD LATCH TYPE & FINISH          | STRAP TYPE HOOD LATCH WITH BRIGHT FINISH   | 0           | 0 |  |
| S            | MCG0AG | EXTERIOR TRIM FINISH AND PACKAGES | GRANITE BRIGHT AIR INTAKE  | 0           | 0 |  |
|              | 40000E | GRILLE                            | BRIGHT FINISH BARS W/BRIGHT FINISH SURROUND GRILL MOUNTED                        | 0           | 0 |  |
|              | MCD04D | PASSENGER SIDE VISIBILITY OPTIONS | AUXILIARY WINDOW IN RH DOOR WITH SIDE CLOSE VIEW MIRROR                          | 5           | 0 |  |
|              | 43X40X | MIRRORS - PROXIMITY               | RECTANGULAR CONVEX ABOVE RH DOOR WINDOW  | 3           | 0 |  |
| S            | 2KXB1X | FENDER EXTENSIONS                 | FENDER EXTENSIONS  | 5           | 0 |  |

|              |              |   | WEIGHT (LB) |      |
|--------------|--------------|---|-------------|------|
| CAB EXTERIOR | DESCRIPTION  |   | FRONT       | REAR |
| 5870B7       | GRAB HANDLES | BF EXTERIOR CAB GRAB HANDLES, BLACK GRAB HANDLE RH INTERIOR WINDSHIELD POST | 0           | 0    |
| 154AC3       | HORN - AIR   | (2) MACK RECTANGULAR SINGLE TRUMPET, BRIGHT FINISH ALUMINUM W/SNOW SHIELDS  | 7           | 0    |
| <b>S</b>     | LXXD1X       | HORN - ELECTRICAL   | 5           | 0    |
|              | 152AC5       | MIRRORS - EXTERIOR  | 7           | 0    |
|              | 157037       | SUN VISOR - EXTERIOR  | 9           | 0    |

|                     |             |                                   | WEIGHT (LB) |      |
|---------------------|-------------|-----------------------------------|-------------|------|
| AERODYNAMIC DEVICES | DESCRIPTION |                                   | FRONT       | REAR |
| <b>S</b>            | 159AA1      | CAB AERODYNAMIC PACKAGES          | 0           | 0    |
| <b>S</b>            | MCM998      | FRONT CHASSIS AERODYNAMIC PACKAGE | 0           | 0    |

|                |             |                                 | WEIGHT (LB) |       |
|----------------|-------------|---------------------------------|-------------|-------|
| WHEELS & TIRES | DESCRIPTION |                                 | FRONT       | REAR  |
|                | 9004Y0      | TIRES BRAND/TYPE - FRONT        | 671         | 0     |
|                | 5313F1      | WHEELS - FRONT                  | 221         | 0     |
|                | 9013G1      | TIRES BRAND/TYPE - REAR         | 0           | 1,165 |
|                | 3463Z6      | WHEELS - REAR                   | 0           | 406   |
| <b>S</b>       | 15XABX      | VALVE STEMS & CAPS              | 0           | 0     |
|                | 6VXA4X      | SPARE WHEEL                     | 0           | 0     |
|                | MCH02H      | FRONT HUB/WHEEL TRIM            | 3           | 0     |
|                | MCI02I      | REAR HUB/WHEEL TRIM             | 0           | 9     |
|                | FIXA1X      | WHEEL GUARDS - FRONT            | 3           | 0     |
|                | FMXA1X      | WHEEL GUARDS - REAR             | 0           | 3     |
| <b>S</b>       | 80AA1X      | WHEEL NUT & FINISH - FRONT (CA) | 0           | 0     |
| <b>S</b>       | 3PBA1X      | WHEEL NUT & FINISH - REAR (CA)  | 0           | 0     |

|                       |             |  | WEIGHT (LB) |      |
|-----------------------|-------------|--|-------------|------|
| COMMUNICATION SYSTEMS | DESCRIPTION |  | FRONT       | REAR |
| <b>S</b>              | 3YAA1X      | CO-PILOT - DISPLAY FEATURES ACCESS LEVEL | 0           | 0    |
| <b>S</b>              | M30060      | TELEMATIC GATEWAY                        | 0           | 0    |

|                    |             |                           | WEIGHT (LB) |      |
|--------------------|-------------|---------------------------|-------------|------|
| ENGINE ELECTRONICS | DESCRIPTION |                           | FRONT       | REAR |
| <b>S</b>           | WOXA1X      | SHUTDOWN-ENG.OIL PRESSURE | 0           | 0    |
| <b>S</b>           | WMXA1X      | SHUTDOWN-ENG.COOLANT TEMP | 0           | 0    |
| <b>S</b>           | K5XA2X      | ENG /OIL TEMP SHUTDOWN    | 0           | 0    |
|                    | K7XH3X      | LOW IDLE ENGINE RPM       | 0           | 0    |
| <b>S</b>           | X0AB0X      | IDLE RPM UP W/LOW VOLTAGE | 0           | 0    |
| <b>S</b>           | M3CA1X      | IDLE S/D ABS TAMPER CHECK | 0           | 0    |
| <b>S</b>           | B1ACAX      | IDLE S/D WARNING TIME     | 0           | 0    |

|                    |        |                                |   | WEIGHT (LB) |      |
|--------------------|--------|--------------------------------|---|-------------|------|
| ENGINE ELECTRONICS |        | DESCRIPTION                    |   | FRONT       | REAR |
| S                  | A8AALX | IDLE S/D IF WARM-UP TEMP       | 38C DEG (100F), WARM UP TEMP DELAY                        | 0           | 0    |
| S                  | A4AAEX | IDLE S/D WARM-UP TIMER         | 5 MIN. WARM UP TIME DELAY                                 | 0           | 0    |
| S                  | A6AABX | IDLE S/D IF PTO ACTIVE         | ENGINE IDLE SHUTDOWN TIME OVERRIDDEN IF PTO ACTIVE        | 0           | 0    |
| S                  | B0AAAX | IDLE SHUTDOWN IF POWER > LIMIT | ENG IDLE SHUTDOWN TIME OVERRIDDEN IF TORQUE > THAN LIMIT  | 0           | 0    |
| S                  | M4CB1X | IDLE S/D OVERRIDE %ENGINE LOAD | IDLE SHUTDOWN OVERRIDE UPTO 20% ENGINE LOAD THRESHOLD     | 0           | 0    |
| S                  | D2AAFX | AMBIENT TEMP MIN TRESHOLD      | AMBIENT TEMP MIN TRESHOLD, 16 DEG C, (60 DEG F)           | 0           | 0    |
| S                  | D3AAEX | AMBIENT TEMP MAX TRESHOLD      | AMBIENT TEMP MAX TRESHOLD, 27 DEG C, (80 DEG F)           | 0           | 0    |
| S                  | B3ABAX | EHT, MAX ROAD SPEED            | ELECTRONIC HAND THROTTLE, MAX ROAD SPEED, 16 KMH (10 MPH) | 0           | 0    |
|                    | B6ACEX | EHT, MAX ENG SPEED             | ELECTRONIC HAND THROTTLE, MAX ENGINE SPEED, 2100 RPM      | 0           | 0    |
| S                  | B4ADAX | EHT, MIN ENG SPEED             | ELECTRONIC HAND THROTTLE, MIN ENGINE SPEED, 700 RPM       | 0           | 0    |
| S                  | B9AABX | EHT, SPEED RAMP RATE           | ELECTRONIC HAND THROTTLE, SPEED RAMP RATE, 100 RPM/SEC    | 0           | 0    |

|                          |        |   |  | WEIGHT (LB) |      |
|--------------------------|--------|---|--|-------------|------|
| TRANSMISSION ELECTRONICS |        | DESCRIPTION                                 |  | FRONT       | REAR |
|                          | 7790L9 | TRANSMISSION ELECTRONICS PACKAGE            | DUMP/VOCATIONAL(223) - ALLOWS TRUCK TO BE PUT IN GEAR WITHOUT SERVICE BRAKE (FOR PAVING)             | 0           | 0    |
|                          | B1EB1X | TRANSM AUTO NEUTRAL ON P-BRAKE              | ALLISON PARK BRAKE AUTO NEUTRAL-REQUIRES PARK BRAKE TO BE DISENGAGED PRIOR TO SELECTING A GEAR TO DR | 0           | 0    |
|                          | MAV0AV | TRANSMISSION ELECTRONIC SHIFTING PROPERTIES | FUELSENSE, FULL NEUTRAL AT STOP  | 0           | 0    |

|                     |        |                                       |  | WEIGHT (LB) |      |
|---------------------|--------|---------------------------------------|--|-------------|------|
| VEHICLE ELECTRONICS |        | DESCRIPTION                           |  | FRONT       | REAR |
| S                   | JCXE6X | ROAD SPEED LIMIT (RSL)                | 105 KM/H ROAD SPEED LIMITER (65MPH)                          | 0           | 0    |
|                     | Y3CC5X | PEDAL SPEED LIMITER                   | 105 KM/H PEDAL ROAD SPEED LIMITER (65MPH)                    | 0           | 0    |
| S                   | JDXA1X | CRUISE CONTROL                        | CRUISE CONTROL   | 0           | 0    |
| S                   | JFXLLX | CRUISE CONTROL, MAX SPEED             | MAX CRUISE, 105 KPH (65 MPH)                                 | 0           | 0    |
| S                   | E3AACX | CRUISE CONTROL MIN SPEED              | MIN CRUISE, 32 KPH (20 MPH)                                  | 0           | 0    |
| S                   | E5AACX | ENG BRAKE ENGAGE IN CRUISE            | ENG BRK ENGAGE IN CRUISE, 3 MPH, ABOVE SET SPEED             | 0           | 0    |
|                     | L2CB1X | PDLO ENGAGED VLS                      | POWER DIVIDER LOCK OUT (PDLO) ROAD SPEED LIMIT 24KMH (15MPH) | 0           | 0    |
|                     | Q6FZ1X | DIFF LOCK SPEED LIMIT                 | WITHOUT DIFFERENTIAL LOCK ROAD SPEED LIMIT                   | 0           | 0    |
| S                   | A4BAAX | SPEED SENSOR TAMPERING DETECTION      | DETECTION OF SPEED SENSOR TAMPERING, ENABLE                  | 0           | 0    |
| S                   | 8RXAEX | PWR.LIMIT LVL.-MPH SENSOR             | ENG TORQUE LIMITED TO 50%, IF SPEED SENSOR TAMPER DETECTED   | 0           | 0    |
| S                   | 0PAZ1X | DRIVER PERFORMANCE & BONUS PARAMETERS | WITHOUT DRIVER PERFORMANCE PARAMETERS                        | 0           | 0    |
| S                   | G5AAHX | DATAMAX ENGINE OVERSPEED-COMPANY      | ENGINE OVERSPEED, ALL CONDITIONS, TIME LOG IF ABOVE 2200 RPM | 0           | 0    |
| S                   | G2AAGX | DATAMAX ENGINE OVERSPEED-FUEL         | ENGINE OVERSPEED, FUELED, TIME LOG IF ABOVE 2100 RPM         | 0           | 0    |
| S                   | G4AAUX | DATAMAX VEHICLE OVERSPEED-ALL         | VEHICLE OVERSPEED,ALL COND, TIME LOG IF ABOVE 75MPH (121KMH) | 0           | 0    |
| S                   | G3AAPX | DATAMAX VEHICLE OVERSPEED-FUEL        | VEHICLE OVERSPEED, FUELED, TIME LOG IF ABOVE 70MPH (113KMH)  | 0           | 0    |
| S                   | G1AABX | DATAMAX IDLE LOG DELAY                | ENGINE IDLE DELAY TO START LOG, 2 MIN                        | 0           | 0    |
| S                   | W9A01X | PERIODIC TRIP LOG DAY OF MONTH        | PERIODIC TRIP LOG, DAY 1 OF THE MONTH                        | 0           | 0    |

|                 |        |                                |  | WEIGHT (LB) |      |
|-----------------|--------|--------------------------------|--|-------------|------|
| PTO ELECTRONICS |        | DESCRIPTION                    |  | FRONT       | REAR |
| S               | F3AAEX | PTO1 SINGLE SPEED CONTROL RPM. | PTO 1ST, SINGLE SPEED SETTING, 1000 RPM    | 0           | 0    |
| S               | F5AABX | PTO 1ST, MAX ROAD SPEED        | 1ST PTO, MAX ROAD SPEED, 10 MPH (16 KPH)   | 0           | 0    |
| S               | F6AABX | PTO 1ST, SPEED RAMP RATE       | PTO 1ST, SPEED RAMP RATE 100 RPM/SEC       | 0           | 0    |
| S               | F7AAPX | PTO 1ST, MAX ENGINE SPEED      | PTO 1ST, MAX ENGINE SPEED, 2100 RPM        | 0           | 0    |
| S               | F8AAGX | PTO 1ST, ROAD SPEED LIMIT      | PTO 1ST, ROAD SPEED LIMIT, 97 KMH (60 MPH) | 0           | 0    |
| S               | F9AABX | PTO 1ST, MINIMUM ENGINE SPEED  | PTO 1ST, MINIMUM ENGINE SPEED, 600 RPM     | 0           | 0    |
| S               | H6AAEX | PTO 2ND, SINGLE SPEED SETTING  | PTO 2ND, SINGLE SPEED SETTING, 1000 RPM    | 0           | 0    |
| S               | H0AABX | PTO 2ND, MAX ROAD SPEED        | 2ND PTO, MAX ROAD SPEED, 10 MPH (16 KPH)   | 0           | 0    |
| S               | G9AABX | PTO 2ND, SPEED RAMP RATE       | PTO 2ND, SPEED RAMP RATE 100 RPM/SEC       | 0           | 0    |
| S               | H7AANX | PTO 2ND, MAX ENGINE SPEED      | PTO 2ND, MAX ENGINE SPEED, 2100 RPM        | 0           | 0    |
| S               | H5AAGX | PTO 2ND, ROAD SPEED LIMIT      | PTO 2ND, ROAD SPEED LIMIT, 97 KMH (60 MPH) | 0           | 0    |
| S               | G8AABX | PTO 2ND, MINIMUM ENGINE SPEED  | PTO 2ND, MINIMUM ENGINE SPEED, 600 RPM     | 0           | 0    |

|       |        |  |  | WEIGHT (LB) |      |
|-------|--------|--|--|-------------|------|
| PAINT |        | DESCRIPTION  |  | FRONT       | REAR |
| S     | 950AD0 | PAINT DESIGN   | SINGLE COLOR                             | 0           | 0    |
| S     | 924014 | PAINT TYPE   | SOLID PAINT                              | 0           | 0    |
| S     | 944AA7 | PAINT COLOR - FIRST COLOR  | MACK WHITE; P9188                        | 0           | 0    |
| S     | 945998 | PAINT COLOR - SECOND COLOR   | NO SECOND TRUCK COLOR PROVIDED; NO COLOR | 0           | 0    |
| S     | 946998 | PAINT COLOR - THIRD COLOR  | NO THIRD TRUCK COLOR PROVIDED; NO COLOR  | 0           | 0    |
| S     | 996AA3 | PAINT - CAB PAINT SYSTEM   | PAINT - CAB, URETHANE CLEAR COAT         | 0           | 0    |
| S     | MPB944 | CAB COLOR  | SAME AS FIRST COLOR - CAB                | 0           | 0    |
| S     | MPD944 | HOOD COLOR   | SAME AS FIRST COLOR - HOOD               | 0           | 0    |
| S     | MPC998 | SLEEPER ROOF COLOR   | WITHOUT SLEEPER ROOF COLOR               | 0           | 0    |
| S     | MPA998 | ROOF FAIRING COLOR   | WITHOUT ROOF FAIRING                     | 0           | 0    |
| S     | 95103K | CHASSIS RUNNING GEAR   | MACK BLACK (60 GLOSS); 250-12370         | 0           | 0    |
|       | 958028 | BUMPER   | W/O OPTIONAL BUMPER PAINT                | 0           | 0    |
| S     | 959019 | FUEL TANK - ***NO INVENTED VARIANTS ALLOWED in the FUEL TANK PAINT FAMILY*** | W/O OPTIONAL FUEL TANK PAINT             | 0           | 0    |
| S     | 962032 | HUBS & DRUMS-FRONT   | SAME AS CHASSIS RUNNING GEAR             | 0           | 0    |
| S     | 963033 | HUBS & DRUMS-REAR  | SAME AS CHASSIS RUNNING GEAR             | 0           | 0    |

|                        |        |                    |                                   | WEIGHT (LB) |      |
|------------------------|--------|--------------------|-----------------------------------|-------------|------|
| CALCULATED CODES - KAX |        | DESCRIPTION        |                                   | FRONT       | REAR |
| S                      | 9JXA1X | PROPCALC SELECTION | YES, THE ORDER MUST BE CALCULATED | 0           | 0    |

|                                     |        |                        |  | WEIGHT (LB) |      |
|-------------------------------------|--------|------------------------|--|-------------|------|
| BASE WARRANTY & PURCHASED COVERAGES |        | DESCRIPTION            |  | FRONT       | REAR |
| S                                   | 898003 | VEHICLE WARRANTY TYPE  | HEAVY DUTY WARRANTY CLASSIFICATION                                     | 0           | 0    |
| S                                   | M50030 | BASIC CHASSIS COVERAGE | HEAVY DUTY STANDARD BASE COVERAGE 12 MONTHS/100,000 MILES (161,000 KM) | 0           | 0    |
|                                     | M8302T | EMISSION - SURCHARGE   | CARB + EPA for Mack MP7 / MP8 Diesel                                   | 0           | 0    |
|                                     | M51102 | ENGINE WARRANTY        | MACK MP7/MP8 BASE CARB EMISSION COVERAGE 60 MONTHS / 350,000 MILES     | 0           | 0    |

| BASE WARRANTY & PURCHASED COVERAGES |        |                                 | DESCRIPTION   | WEIGHT (LB) |      |
|-------------------------------------|--------|---------------------------------|---|-------------|------|
|                                     |        |                                 |   | FRONT       | REAR |
|                                     | M52052 | EMISSION COMPONENT COVERAGE     | US and CANADA CARB EQUIPPED VEHICLE EMISSION COMPONENTS COVERAGE 60 MONTHS/350,000 MILES              | 0           | 0    |
|                                     | M540B4 | TRANSMISSION WARRANTY           | ALLISON TRANSMISSIONS (Contact Allison Transmission for standard warranty and extended coverage data) | 0           | 0    |
| <b>S</b>                            | M550G7 | CARRIER & AXLE HOUSING WARRANTY | STANDARD MACK HEAVY DUTY COVERAGE 60 MONTHS / 500,000 (804,672 KM)                                    | 0           | 0    |
| <b>S</b>                            | M56026 | AIR CONDITIONING WARRANTY       | AIR CONDITIONING STANDARD COVERAGE (Sealed System Only) 12 MONTHS UNLIMITED MILEAGE                   | 0           | 0    |
| <b>S</b>                            | M57027 | CHASSIS TOWING WARRANTY         | STANDARD NORMAL / HEAVY DUTY CHASSIS TOWING 90 DAYS OR 5,000 MILES                                    | 0           | 0    |
| <b>S</b>                            | M58028 | ENGINE TOWING WARRANTY          | STANDARD MACK ENGINE TOWING COVERAGE 24 MONTHS/250,000 MILES (402,000 KM)                             | 0           | 0    |

| CONNECTED SERVICES |        |                                   | DESCRIPTION                                   | WEIGHT (LB) |      |
|--------------------|--------|-----------------------------------|---|-------------|------|
|                    |        |                                   |   | FRONT       | REAR |
| <b>S</b>           | S03011 | MACK INTEGRATED UPTIME            | MACK INTEGRATED UPTIME - 24 MONTHS            | 0           | 0    |
|                    | S04011 | MACK CONNECT LOCATION & REPORTING | MACK CONNECT LOCATION & REPORTING - 24 MONTHS | 0           | 0    |
| <b>S</b>           | S05010 | FLEET INTEGRATION                 | WITHOUT FLEET INTEGRATION                     | 0           | 0    |
| <b>S</b>           | S06400 | PARTNERED SERVICES                | NO PARTNERED SERVICES PROVIDED                | 0           | 0    |

| ADDITIONAL ENGINEERING (Included) |    |          | DESCRIPTION | WEIGHT (LB) |      |
|-----------------------------------|----|----------|-------------|-------------|------|
|                                   |    |          |             | FRONT       | REAR |
|                                   | CA | 25M17482 |             | 0           | 0    |

|                                       |       |      |
|---------------------------------------|-------|------|
| <b>FRONT / REAR AXLE WEIGHTS (LB)</b> | 10232 | 8799 |
| <b>TOTAL WEIGHT (LB)</b>              | 19031 |      |



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**MEMORANDUM**

TO: Worcester County Commissioners  
FROM: Candace Savage, Deputy Chief Administrative Officer  
Ondrea Starzhevskiy, Finance Officer  
DATE: January 27, 2026  
SUBJECT: Health Department Funding Recorded as Liability

---

The County's new auditing firm has identified an account balance classified as a liability on the books that does not meet the definition of a liability and requires your attention.

In FY2013, the Health Department did not expend all of the county funding that was budgeted. The unexpended amount of \$1,936,565.23 was recorded in a liability account titled *Due to Local Health Department (100.2300.075)*. In addition, a special fund to hold these funds was created within the financial system titled *Local Health Department (Fund 245)*.

Typically, when a budget is underspent by a department or outside agency, the remaining funds roll into the county's surplus, and the Commissioners determine how to allocate that surplus. Staff located documentation from Administration but could not find any records indicating that the Commissioners approved the transfer of these funds or the creation of a special fund.

To remove this amount as a liability and special fund from the books, we have identified three options for your consideration:

1. Designate as Surplus for Health Department Use  
Reclassify the funds from a liability to designated surplus for the Health Department. Once designated, the Commissioners could assign the funds to a Health Department project, such as the Pocomoke Health Department and Senior Center building construction.
2. Issue Payment to the Health Department  
Issue a check to the Health Department for \$1,888,490.23, which is the remaining amount after a small expense was recorded against the original balance in FY2019 (see attached).
3. Reverse the Original Entry  
Reverse the original entry that held these funds, as it does not appear to have been approved by the Commissioners. The amount of \$1,888,490.23 would then fall into the general surplus and be commingled with other surplus funds.

Please advise on how you would like to proceed.



## Worcester County

HEALTH DEPARTMENT

P.O. Box 249 • Snow Hill, Maryland 21863-0249  
www.worcesterhealth.org

Snow Hill (Main Office)  
410-632-1100  
Fax 410-632-0906  
TTY 410-632-1100

Deborah Goeller, R.N., M.S.  
Health Officer

To: Harold L. Higgins, Finance Officer (Chief Administrative Officer)  
From: Deborah Goeller, Health Officer  
Re: Health Department Special Revenue Fund  
Date: June 14, 2013

The state has requested each local health department (LHD) to review procedures regarding unexpended fund balances in the various accounts maintained by the LHD. The primary objective in doing so was to verify and to further strengthen supporting documentation and account management protocol. In addition, procedures should prevent co-mingling of revenue streams and assure that there is a transparent audit trail available for every account.

On April 4, 2013 Gerald T. Mason, Worcester County Chief Administrative Officer, confirmed that the Worcester County LHD has the authority/responsibility to effectively and efficiently operate fee-for-service programs and has been given the authority to roll over funds not exceeding 12 months of operating expenditures in the Behavioral Health Fee for Service Programs. Mr. Mason further verified these funds are to be used for funding public health programs and infrastructure development, as needed, as well as to provide reserve funds in case programs/services are discontinued and a period of phase out is required to cover budgetary shortfalls.

To further strengthen controls over County health appropriations it has been suggested the County use a Special Revenue Fund to account for unexpended County LHD expenses that may extend beyond the normal state billing cycle (quarter to quarter). It is our understanding the County may set aside restricted resources for specifically locally indentified health expenditures within a special revenue fund.

Our analysis of funds to be set aside for this purpose is **\$1,936,565.23**.

|   |                        |
|---|------------------------|
| FY2013 Health Department County Match Appropriation (100.1301.200.7130.020) | \$4,166,168.00         |
| County payments to State of Maryland  | <u>-\$2,229,602.77</u> |
| Amount to be allocated to the County revenue account                        | <b>\$1,936,565.23</b>  |

Please feel free to contact me with any questions you may have concerning this request to transfer funds to a special revenue fund.

TEL: 410-632-1194  
FAX: 410-632-3131  
E-MAIL: admin@co.worcester.md.us  
WEB: www.co.worcester.md.us



OFFICE OF THE  
COUNTY COMMISSIONERS

GERALD T. MASON  
CHIEF ADMINISTRATIVE OFFICER  
JOHN E. "SONNY" BLOXOM  
COUNTY ATTORNEY

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# Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

April 4, 2013

Laura Herrera, MD, MPH  
Deputy Secretary of Public Health  
Department of Health and Mental Hygiene  
201 West Preston Street  
Baltimore, Maryland 21201

Dear Dr. Herrera:

This letter is to confirm that our Health Officer has had the authority/responsibility to effectively and efficiently operate fee for service programs at the Worcester County Health Department. As such, she has been given the authority to roll over funds to an amount reflecting 12 months of operating budgets in the Behavior Health Fee for Service Programs. These funds are to be used for funding public health programs and infrastructure development, as needed, as well as to provide reserve funds in case programs/services are discontinued and a period of phase out is required to cover budgetary shortfalls. If you have further questions, please do not hesitate to give me a call.

Sincerely,

Gerald T. Mason  
Chief Administrative Officer

GTM:dd  
cf: Tom Russell  
Richard Stringer  
Deborah Goeller, Worcester County Health Officer  
CC131/Laura Herrera

**Worcester County  
Journal Report**

**ITEM 10**

| Department           | Number/<br>Status       | Journal<br>Type                                      | Sub Ledger | G/L Date   | Description  | Source         | Reference      | Reclassification<br>Journal Type |
|----------------------|-------------------------|--|------------|--|--|----------------|----------------|----------------------------------|
| 1005 - Treasurer     | 2014-00000619<br>Posted | JE   | GL         | 06/30/2013   | To reclass unexpended County Local Health dept Funds | PThompson      |                |                                  |
| G/L Date             | G/L Account Number      | Account Description                                  |            | Description  | Source   | Debit Amount   | Credit Amount  |                                  |
| 06/30/2013           | 100.2300.075            | Due To Local Health Department                       |            | To reclass unexpended County Local Health dept Funds | PThompson  |                | 1,936,565.23   |                                  |
| 06/30/2013           | 100.1301.200.7130.020   | Matching Appropriation Health Department State Share |            | To reclass unexpended County Local Health dept Funds | PThompson  | 1,936,565.23   |                |                                  |
| 06/30/2013           | 245.1300.100            | Due From General Fund                                |            | To reclass unexpended County Local Health dept Funds | PThompson  | 1,936,565.23   |                |                                  |
| 06/30/2013           | 245.4775                | Local Health Department Revenue                      |            | To reclass unexpended County Local Health dept Funds | PThompson  |                | 1,936,565.23   |                                  |
| Number of Entries: 4 |                         |  |            |  |  | \$3,873,130.46 | \$3,873,130.46 |                                  |



# ITEM 10 Journal Post Listing

Sort By Entry

| Department                  | Number                    | Journal Type   | Sub Ledger | G/L Date  | Description  | Source        | Reference           | Reclassification     | Journal Type |
|-----------------------------|---------------------------|--|------------|---|--|---------------|---------------------|----------------------|--------------|
| 1001 - County Commissioners | 2019-00010193             | JE   | GL         | 06/30/2019  | FY19 Health Dept. data storage units:s/b paid fund 245 | Kathy Whited  |                     |                      |              |
| <i>G/L Date</i>             | <i>G/L Account Number</i> | <i>Account Description</i>                           |            | <i>Description</i>  |  | <i>Source</i> | <i>Debit Amount</i> | <i>Credit Amount</i> |              |
| 06/30/2019                  | 100.1301.200.7130:020     | Matching Appropriation Health Department State Share |            | FY19 Health Dept. data storage units s/b paid fund 245 ck410237 |  | Kathy Whited  | .00                 | 16,883.00            |              |
| 06/30/2019                  | 100.1301.200.7130:020     | Matching Appropriation Health Department State Share |            | FY19 Health Dept. data storage units s/b paid fund 245 ck411458 |  | Kathy Whited  | .00                 | 21,694.00            |              |
| 06/30/2019                  | 100.1301.200.7130:020     | Matching Appropriation Health Department State Share |            | FY19 Health Dept. data storage units:s/b paid fund 245 ck412822 |  | Kathy Whited  | .00                 | 9,498.00             |              |
| 06/30/2019                  | 100.2300:075              | Due To Local Health Department                       |            | FY19 Health Dept. data storage units:s/b paid fund 245          |  | Kathy Whited  | 48,075.00           | .00                  |              |
| 06/30/2019                  | 245.1300.100              | Due:From General Fund                                |            | FY19 Health Dept. data storage units:s/b paid fund 245          |  | Kathy Whited  | .00                 | 48,075.00            |              |
| 06/30/2019                  | 245.6100.190              | Administrative:Expense Office Supplies               |            | FY19 Health Dept. data storage units s/b paid fund 245 ck410237 |  | Kathy Whited  | 16,883.00           | .00                  |              |
| 06/30/2019                  | 245.6100.190              | Administrative:Expense Office Supplies               |            | FY19 Health Dept. data storage units s/b paid fund 245 ck411458 |  | Kathy Whited  | 21,694.00           | .00                  |              |
| 06/30/2019                  | 245.6100.190              | Administrative Expense Office Supplies               |            | FY19 Health Dept. data storage units:s/b paid fund 245 ck412822 |  | Kathy Whited  | 9,498.00            | .00                  |              |
| Number of Entries: 8        |                           |  |            |   |  |               |                     | \$96,150.00          | \$96,150.00  |

Kathy Whited

From: David Beach -MDH- [davidm.beach@maryland.gov]
Sent: Wednesday, July 24, 2019 4:11 PM
To: Kathy Whited
Subject: Re: FW: Expense Ledger Detail Listing dept 1301

The total we spent for the data storage units were \$48,075.00

On Wed, Jul 24, 2019 at 4:10 PM David Beach -MDH- <davidm.beach@maryland.gov> wrote:
Kathy,

When I was looking over the Expense Ledger for FY19 it appears that the data storage units were expensed to GL code 100.1301.200.7130.020 Matching Appropriation when they should have been expensed to the Special Revenue Account that that has been sitting on the books since FY13. The total amount of data storage units caused the Health Department to overspend the amount that the Commissioners awarded us. Is there any way a journal entry can be made to debit that special revenue code and credit back the GL code 100.1301.200.7130.020. I do not have the code for the special revenue code but have attached the backup for the special revenue codes along with pertinent emails. Also attached the is the expense ledger showing the matching appropriations and along with the storage units. Please let me know if you need anything else or have any questions.

On Wed, Jul 24, 2019 at 12:58 PM Kathy Whited <kwhited@co.worcester.md.us> wrote:
6/30/19

\*\*\*\*\*

Kathy Whited, Budget Officer

Worcester County Administration
Government Center
1 West Market Street, Room 1103
Snow Hill, MD 21863
internal extension: 1010
phone: 410-632-1194
fax: 410-632-3131

Handwritten calculations:
CK 410237 16,883
411458 21,694
412822 9498
-----
48,075

-----Original Message-----

From: Kathy Whited
Sent: Wednesday, July 24, 2019 12:57 PM
To: Kathy Whited
Subject: Expense Ledger Detail Listing dept 1301

Handwritten notes:
<48075> 100.1301.200 7130.020
48075 100. 2300,075

David M. Beach II
Accountant Supervisor
Worcester County Health Department
PO Box 249

Handwritten notes:
<48075> 245. 1300. 100
48075 245. 100. 190

Snow Hill, MD 21863  
Phone: [\(410\) 632-1100 x 1215](tel:(410)632-1100x1215)  
Fax: [\(410\) 632-2476](tel:(410)632-2476)  
Email: [DavidM.Beach@maryland.gov](mailto:DavidM.Beach@maryland.gov)

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--

David M. Beach II  
Accountant Supervisor  
Worcester County Health Department  
PO Box 249  
Snow Hill, MD 21863  
Phone: [\(410\) 632-1100 x 1215](tel:(410)632-1100x1215)  
Fax: [\(410\) 632-2476](tel:(410)632-2476)  
Email: [DavidM.Beach@maryland.gov](mailto:DavidM.Beach@maryland.gov)

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Worcester County Administration

One West Market St. Room 1103 | Snow Hill MD 21863 | (410) 632-1194 | [www.co.worcester.md.us](http://www.co.worcester.md.us)

TO: Weston Young, Chief Administrative Officer  
FROM: Shelby Mich, Grants and Contract Accountant  
DATE: February 10, 2026  
RE: Maryland Energy Administration Response to L-GEM Grant Application

---

Worcester County applied for funding through the Maryland Local Government Energy Modernization (L-GEM) Program, requesting \$1,940,000 for energy-efficiency enhancements at County facilities. The L-GEM program is a three-year grant and requires a 5% County match. The County has since received feedback from the Maryland Energy Administration (MEA) regarding the application and is now seeking direction from the Commissioners on the appropriate course of action.

The County's proposed projects emphasize energy efficiency. Public Works identified eligible improvements, including replacement of windows and doors at the Government Office Building, the Water/Wastewater Administration Building, and the Public Works Administration Building, as well as Building Automation System upgrades at various County-owned facilities.

MEA advised that while energy efficiency projects are eligible under the L-GEM program, a substantial portion of available funding is allocated to renewable energy projects, with a smaller statewide allocation for energy efficiency. Based on MEA's population-based allocation formula, Worcester County's estimated award is as follows:

- Renewable Energy: approximately \$828,493
- Energy Efficiency: approximately \$171,507
- Total Estimated Award: approximately \$1,000,000

MEA has requested that the County confirm whether it intends to accept both funding categories or opt out of one. Declining a funding category will not increase the allocation available for the remaining category.

The Commissioners are asked to provide guidance on one of the following options:

1. Acceptance of Energy Efficiency Funding Only  
Accept approximately \$171,507 for energy efficiency projects and decline renewable energy funding.
2. Acceptance of Both Renewable and Energy Efficiency Funding  
Accept the full estimated allocation of \$1,000,000 and retain flexibility to identify and propose renewable energy projects during the three-year grant period.

Acceptance of the full L-GEM allocation would not obligate the County to immediately construct renewable projects. However, it would preserve flexibility over the three-year grant term to evaluate feasible renewable or electrification opportunities, including solar projects, geothermal systems, or renewable gas, as conditions allow.



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**Re: FW: Worcester County L-GEM AOI1 Update**

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**From** lacey.allor@maryland.gov <lacey.allor@maryland.gov>  
on behalf of  
MSEC MEA -MEA- <msec.mea@maryland.gov>

**Date** Mon 2/9/2026 2:00 PM

**To** Weston S. Young <weston.young@worcestermd.gov>

**Cc** Candace Savage <csavage@worcestermd.gov>; Kimberly Reynolds <kreynolds@worcestermd.gov>; Shelby L. Mich <slmich@worcestermd.gov>; Lynn Wright <lwright@worcestermd.gov>; JOANNA FREEMAN -MEA- <joanna.freeman1@maryland.gov>; Lacey Allor -MEA- <lacey.allor@maryland.gov>

Dear Worcester County Applicants,

Thank you for your interest in applying to the Local Government Energy Modernization Program— the overall participation in the program exceeded our initial estimates thanks to your engagement. We are in the process of finalizing recommended [L-GEM Area of Interest 1 Block Grant](#) awards and allocations based on the program's funding categories, which include approximately \$50 million for renewable energy and \$10 million for energy efficiency, as outlined on the L-GEM website.

Based on the population-based allocation formula and the minimum award of \$1 million per county, your county is currently estimated to receive approximately **\$828,493 for renewable energy measures and \$171,507 for energy efficiency measures**, for a total estimated award of **\$1,000,000**. These figures are estimates, but we do not expect the final amounts to differ significantly.

At this stage, we are offering counties the option to either:

- Accept the full allocation (renewable energy and energy efficiency), or
- Opt out of either portion, which would allow those funds to be redistributed to other counties.

Please note that opting out of one funding category will **not** affect the allocation for the other category.

Before we issue a formal commitment letter, we would like to confirm how Worcester County would like to proceed. Please let us know whether you intend to accept **both funding amounts** or **only the energy efficiency allocation or renewable energy allocation**. We would also be happy to meet if you would like to discuss this further or have any questions.

Please respond no later than **Wednesday, February 18, 2026** with your decision, so we can move forward promptly with the next steps in the program. Please note all final awards are subject to both available funds and an additional review before a commitment can be made.

Thank you, and we look forward to your response.

Best regards,

Lacey



Local Government Energy  
Modernization (L-GEM)  
Maryland Smart Energy  
Communities

[Maryland Energy](#)

[Administration](#)

[msec.mea@maryland.gov](mailto:msec.mea@maryland.gov)

Office: (410) 537-3414



[Click here to complete a three question customer experience survey.](#)

On Mon, Feb 9, 2026 at 12:12 PM Lacey Allor -MEA- <[lacey.allor@maryland.gov](mailto:lacey.allor@maryland.gov)> wrote:

Hi Weston,

Thank you for sharing this additional context- we really appreciate Worcester's dedication to energy efficiency projects as we agree that these investments provide significant and immediate value.

Although it wasn't explicitly stated in the Funding opportunity Announcement, the [website](#) references approximately \$10M available for energy efficiency projects- this funding must be distributed across 22 counties and numerous municipalities statewide. As a result, the amount available to a single county for energy efficiency alone is limited.

I'll be sending out additional guidance shortly that includes *estimated* award allocations. I encourage you to review that information and schedule time with us to share your feedback and talk through Worcester's priorities. Even if we're unable to fund all proposed projects in this iteration of L-GEM, your application and feedback is extremely valuable and will help inform the design of future L-GEM launches. We sincerely appreciate your engagement and perspective.

All my best,  
Lacey

On Wed, Jan 28, 2026 at 3:36 PM Weston S. Young <[weston.young@worcestermd.gov](mailto:weston.young@worcestermd.gov)> wrote:

Sean:

We appreciate the opportunity to apply for L-GEM funding and are hopeful the program will be able to support Worcester County's proposed energy efficiency projects.

Based on our review of the application materials, we did not see a stated preference for renewable generation over energy efficiency measures. With that in mind, we wanted to share some additional context on our project mix and why we believe these investments align well with the program's goals of energy modernization and emissions reduction.

## ITEM 11

Worcester County's proposed projects focus heavily on energy efficiency, which we view as a highly cost-effective approach to reducing energy consumption and emissions. Energy saved—sometimes referred to as a “negawatt”—has the same functional impact as energy generated, particularly when accounting for transmission and distribution losses. In our case, reducing demand at the building level provides immediate and continuous benefits.

We have evaluated the feasibility of on-site renewable generation across our approximately 60 county-owned buildings. Many facilities lack the structural capacity to support rooftop solar, while others are too small to meaningfully host generation. Additionally, most county buildings are located within municipalities where available land for microgrids or ground-mounted systems is limited. While we are designing future facilities to accommodate solar, those opportunities do not address the current building stock.

Three of our four proposed projects involve replacing aging doors and windows in buildings that are 20–25 years old and do not meet modern thermal performance standards. These upgrades will deliver immediate, 24/7 energy savings, emissions reductions, and utility cost savings. The fourth project—implementing building automation systems—will further reduce energy use by allowing heating and cooling to respond to actual occupancy rather than fixed schedules.

Collectively, these projects reduce peak demand, ease grid strain, and lessen the need for storage or backup power. They can also be implemented more quickly than many renewable generation projects, allowing benefits to be realized sooner.

We would welcome any clarification you can provide regarding program expectations around renewable energy investments, as we did not see a specific requirement that a significant portion of L-GEM funding be allocated to renewable generation. Worcester County is hopeful to utilize at least the \$1 million minimum allocation for the projects currently proposed.

Thank you for your time and consideration. We appreciate your guidance as we move forward.

Best,

Weston

***Weston S. Young, P.E., ICMA-CM***

Chief Administrative Officer

## Worcester County Administration

Room 1103 Government Center

One West Market Street

Snow Hill, MD 21863-1195

410-632-1194

410-632-3131 (fax)

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---

**From:** Lynn Wright <[lwright@worcestermd.gov](mailto:lwright@worcestermd.gov)>

**Sent:** Thursday, January 22, 2026 3:19 PM

**To:** Candace Savage <[csavage@worcestermd.gov](mailto:csavage@worcestermd.gov)>; Kimberly Reynolds <[kreynolds@worcestermd.gov](mailto:kreynolds@worcestermd.gov)>; Shelby L. Mich <[slmich@worcestermd.gov](mailto:slmich@worcestermd.gov)>; Weston S. Young <[weston.young@worcestermd.gov](mailto:weston.young@worcestermd.gov)>

**Subject:** FW: Worcester County L-GEM AOI1 Update

**From:** [sean.stewart@maryland.gov](mailto:sean.stewart@maryland.gov) <[sean.stewart@maryland.gov](mailto:sean.stewart@maryland.gov)> **On Behalf Of** MSEC MEA - MEA-

**Sent:** Thursday, January 22, 2026 12:57 PM

**To:** Lynn Wright <[lwright@worcestermd.gov](mailto:lwright@worcestermd.gov)>

**Cc:** Lacey Allor -MEA- <[lacey.allor@maryland.gov](mailto:lacey.allor@maryland.gov)>

**Subject:** Worcester County L-GEM AOI1 Update

Dear Lynn,

Thank you for submitting your application to the L-GEM program. We appreciate the work that went into developing the proposal and wanted to follow up on one item based on our initial review.

We noticed that the application focuses exclusively on energy efficiency projects and does not include any renewable energy measures. Because a significant portion of L-GEM funding must be allocated to renewable energy projects, applications that fully opt out of renewables may

# ITEM 11

ultimately receive a smaller overall award. We wanted to flag this in case the County would like to consider adding or expanding renewable components. (Please note that you do not need to have a renewable project fully defined at this time. Counties will have up to three years to propose and complete projects, so opting into renewable funding now provides added flexibility down the road.)

We're happy to talk through this or review any additional clarification you'd like to share.

Best regards,



**Local Government Energy  
Modernization (L-GEM)  
Maryland Smart Energy  
Communities**  
[Maryland Energy  
Administration](#)  
[msec.mea@maryland.gov](mailto:msec.mea@maryland.gov)  
Office: (410) 537-3414  
  

[Click here to complete a three question customer experience survey.](#)



**Lacey Allor**  
Program Manager  
[Maryland Energy Administration](#)  
[lacey.allor@maryland.gov](mailto:lacey.allor@maryland.gov)  
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[Click here to complete a three question customer experience survey.](#)

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Worcester County Government  
 One West Market Street | Room 1103 | Snow Hill MD 21863-1195  
 (410) 632-1194 | (410) 632-3131 (fax) | admin@co.worcester.md.us | www.co.worcester.md.us

## MEMORANDUM

TO: Worcester County Commissioners  
 FROM: Charlene Sharpe, Legislative Analyst  
 DATE: February 10, 2026  
 RE: Proposed Legislation

---

Staff continue to review the bills being filed in Annapolis during the 2026 Legislative Session. We are seeking approval to provide testimony on several bills that have hearings within the next two weeks.

### To Support:

- SB 270/HB 674. This bill would require the Public Service Commission to conduct an analysis of the full costs and benefits of electricity generation in the state. Sen. Carozza is a sponsor.
- SB 681/HB 914. This is the bill that would increase the size of the Board of License Commissioners to five members. Sen. Carozza, Del. Hartman and Delegate Anderson introduced this at our request.
- SB 846. This bill has been introduced by Sen. Carozza at the county's request. It would establish a temporary to-go permit that could be used during special events.
- HB 988. This bill would repeal certain parts of the Building Energy Performance Standards. Delegate Hartman is a sponsor.
- HB 1019. This would incentivize propane powered school buses.

### To Oppose:

- SB 719/HB 925. This bill establishes restrictions on the land application of sewage sludge or products containing sewage sludge, puts forth sludge blending timelines and restrictions, and specifies mitigation and monitoring protocols that will contribute to a large fiscal and operational impact on local jurisdictions.
- HB 778. This bill establishes that certain jurisdictions have an affirmative duty to create opportunities for housing by evaluating the suitability of vacant, unused commercial and industrial land for housing use, among other things.
- HB 905/SB 547. This bill would substantially increase reporting requirements for the county. It requires local governments that receive funding from the state to provide an annual report to the Comptroller detailing subcontractors used, the number of employees each contractor employs, whether the contractor is a certified minority business enterprise, etc.

## SENATE BILL 270

C5, M5  
SB 675/25 – EEE

6lr2333

By: **Senators Carozza, Brooks, Gallion, Harris, Hershey, Hester, Simonaire,  
Watson, and West**

Introduced and read first time: January 19, 2026

Assigned to: Education, Energy, and the Environment

## A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Full Costs and Benefits Analysis of Sources of**  
3 **Electricity Generation**

4 FOR the purpose of requiring the Public Service Commission to conduct an analysis of the  
5 full costs and benefits of sources of electricity generation in the State; and generally  
6 relating to a study on electricity generation.

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
8 That:

9 (a) The Public Service Commission shall conduct a full costs and benefits analysis  
10 of sources of electricity generation in the State.

11 (b) The analysis shall:

12 (1) identify the costs of electricity to ratepayers assuming that the State  
13 electricity market is served by the following generation mixes:

14 (i) natural gas energy at its current capacity;

15 (ii) nuclear energy at its current capacity; and

16 (iii) 8,500 megawatts of offshore wind energy capacity;

17 (2) include the additional costs of electricity generation necessary to offset  
18 reliability issues and the intermittency of offshore wind energy;

19 (3) use the Levelized Full System Cost of Electricity model to analyze the  
20 costs of meeting the State's electricity needs from:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## SENATE BILL 270

- 1 (i) only natural gas energy and energy storage;
- 2 (ii) only nuclear energy and energy storage; and
- 3 (iii) only offshore wind energy and energy storage;
- 4 (4) identify the costs for natural gas energy, nuclear energy, and offshore  
5 wind energy if energy storage is available to offset reliability and intermittency issues; and
- 6 (5) include recommended policy changes to support the development of the  
7 energy sources with the lowest costs and greatest benefits to the ratepayers of the State.
- 8 (c) On or before December 1, 2027, the Public Service Commission shall report its  
9 findings and recommendations to the Senate Committee on Education, Energy, and the  
10 Environment and the House Environment and Transportation Committee, in accordance  
11 with § 2–1257 of the State Government Article.
- 12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2026.

## SENATE BILL 681

A2

6lr2949  
CF HB 914

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**By: Senator Carozza**

Introduced and read first time: February 6, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Worcester County – Board of License Commissioners – Membership**3 FOR the purpose of increasing the number of members on the Board of License  
4 Commissioners for Worcester County; and generally relating to alcoholic beverages  
5 in Worcester County.6 BY repealing and reenacting, without amendments,  
7 Article – Alcoholic Beverages and Cannabis  
8 Section 33–102  
9 Annotated Code of Maryland  
10 (2024 Replacement Volume and 2025 Supplement)11 BY repealing and reenacting, with amendments,  
12 Article – Alcoholic Beverages and Cannabis  
13 Section 33–202  
14 Annotated Code of Maryland  
15 (2024 Replacement Volume and 2025 Supplement)16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
17 That the Laws of Maryland read as follows:18 **Article – Alcoholic Beverages and Cannabis**

19 33–102.

20 This title applies only in Worcester County.

21 33–202.

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



1 (a) The Governor shall appoint [three] **FIVE** members to the Board, subject to the  
2 advice and consent of the Senate.

3 (b) Each member of the Board shall be:

4 (1) a resident and voter of the county; and

5 (2) an individual of high character and integrity and of recognized business  
6 capacity.

7 (c) (1) The term of a member is 4 years.

8 (2) The terms of the members are staggered as required by the terms  
9 provided for members of the Board on [July 1, 2016] **JUNE 1, 2026**.

10 (d) (1) The Governor shall appoint an eligible individual to fill a vacancy  
11 during the remainder of the term of office of the individual originally appointed in  
12 accordance with subsection (a) of this section.

13 (2) A member who is appointed after a term has begun serves only for the  
14 remainder of the term and until a successor is appointed and qualifies.

15 (e) (1) The Governor may remove a member for misconduct in office,  
16 incompetence, or willful neglect of duty.

17 (2) The Governor shall give a member who is charged a copy of the charges  
18 against the member and, with at least 10 days' notice, an opportunity to be heard publicly  
19 in person or by counsel.

20 (3) If a member is removed, the Governor shall file with the Office of the  
21 Secretary of State a statement of charges against the member and the Governor's findings  
22 on the charges.

23 SECTION 2. AND BE IT FURTHER ENACTED, That:

24 (a) The terms of the three members of the Board of License Commissioners for  
25 Worcester County who are in office on the effective date of this Act shall expire as follows:

26 (1) the term of the one member whose term is scheduled to expire on June  
27 30, 2027, shall expire on June 30, 2027; and

28 (2) the term of the two members whose terms are scheduled to expire on  
29 June 30, 2029, shall expire on June 30, 2029.

30 (b) The initial terms of the two additional members of the Board of License  
31 Commissioners for Worcester County, as enacted by Section 1 of this Act, shall begin July  
32 1, 2026.

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
2 1, 2026.

## SENATE BILL 846

A2

6lr2962  
CF HB 1101

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**By: Senator Carozza**

Introduced and read first time: February 6, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Worcester County – Alcoholic Beverages – Temporary To-Go Event Permit and**  
3 **Class C Per Diem Municipal To-Go Beer, Wine, and Liquor License**4 FOR the purpose of establishing a temporary to-go event permit in Worcester County;  
5 authorizing the Board of License Commissioners for Worcester County to issue a  
6 temporary to-go event permit to a holder of a Class B beer, wine, and liquor license  
7 under certain circumstances; establishing a Class C per diem municipal to-go beer,  
8 wine, and liquor license in the county; authorizing the Board to issue a Class C per  
9 diem municipal to-go beer, wine, and liquor license to a municipality in the county;  
10 requiring the Board to adopt certain regulations; and generally relating to alcoholic  
11 beverages in Worcester County.12 BY repealing and reenacting, without amendments,  
13 Article – Alcoholic Beverages and Cannabis  
14 Section 33-102  
15 Annotated Code of Maryland  
16 (2024 Replacement Volume and 2025 Supplement)17 BY repealing and reenacting, with amendments,  
18 Article – Alcoholic Beverages and Cannabis  
19 Section 33-902  
20 Annotated Code of Maryland  
21 (2024 Replacement Volume and 2025 Supplement)22 BY adding to  
23 Article – Alcoholic Beverages and Cannabis  
24 Section 33-1105 and 33-1311  
25 Annotated Code of Maryland  
26 (2024 Replacement Volume and 2025 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Alcoholic Beverages and Cannabis**

4 33–102.

5 This title applies only in Worcester County.

6 33–902.

7 (a) There are:

8 (1) a Class B beer, wine, and liquor 6–day license; and

9 (2) a Class B beer, wine, and liquor 7–day license.

10 (b) (1) The Board may issue a 6–day license for use in:

11 (i) a hotel that has at least 20 rooms and serves meals regularly; or

12 (ii) a restaurant that has seating at tables for at least 70 individuals.

13 (2) The Board may issue a 7–day license for use in:

14 (i) a hotel that:

15 1. has at least 20 rooms and serves meals regularly;

16 2. provides services ordinarily found in hotels;

17 3. has a lobby with a registration and mail desk and seating  
18 facilities; and

19 4. has an enclosed dining area that serves full–course meals  
20 from menus at least two times a day; or

21 (ii) a restaurant that has:

22 1. a seating capacity at tables for at least 70 individuals;

23 2. an enclosed dining area that serves full–course meals from  
24 menus at least two times a day; and

25 3. average daily receipts from the sale of food that exceed the  
26 average daily receipts from the sale of alcoholic beverages during the license term.

1 (3) The Board may not issue a license under this section for use in a hotel  
2 or restaurant unless the hotel or restaurant is:

3 (i) operated in a clean and sanitary manner; and

4 (ii) has proper restroom facilities.

5 (4) Before a license under this section may be issued for a premises in a  
6 municipality, the license application:

7 (i) shall be approved by the Board; and

8 (ii) may be subject to approval by the mayor and town council of the  
9 municipality.

10 (c) A license under this section authorizes the license holder to sell beer, wine,  
11 and liquor, at retail, at the place described in the license, for on-premises consumption or  
12 on- and off-premises consumption.

13 (d) (1) The annual license fees are:

14 (i) \$1,750 for a 6-day license; and

15 (ii) \$2,000 for a 7-day license.

16 (2) (i) Subject to subparagraph (ii) of this paragraph, all license fees  
17 shall be distributed to the general fund of the county.

18 (ii) If the licensed premises is located in a municipality, 75% of the  
19 license fees shall be distributed to the municipality.

20 **(E) (1) THE BOARD MAY ISSUE A TEMPORARY TO-GO EVENT PERMIT**  
21 **UNDER § 33-1105 OF THIS TITLE TO A HOLDER OF A LICENSE UNDER THIS SECTION**  
22 **IF THE LICENSED ESTABLISHMENT IS LOCATED WITHIN OR IMMEDIATELY ADJACENT**  
23 **TO A SPECIAL EVENT AREA IDENTIFIED IN A CLASS C PER DIEM MUNICIPAL TO-GO**  
24 **BEER, WINE, AND LIQUOR LICENSE ISSUED UNDER § 33-1311 OF THIS TITLE.**

25 **(2) THE TEMPORARY TO-GO EVENT PERMIT AUTHORIZES THE**  
26 **HOLDER TO SELL AT RETAIL BEER, WINE, AND LIQUOR IN APPROVED TO-GO CUPS**  
27 **THAT MAY BE CARRIED OUTSIDE THE LICENSED ESTABLISHMENT AND INTO THE**  
28 **DESIGNATED SPECIAL EVENT AREA.**

29 **33-1105.**

30 **(A) THERE IS A TEMPORARY TO-GO EVENT PERMIT.**

1 (B) THE BOARD MAY ISSUE THE PERMIT TO A HOLDER OF A CLASS B BEER,  
2 WINE, AND LIQUOR LICENSE IF THE LICENSED ESTABLISHMENT IS LOCATED WITHIN  
3 OR IMMEDIATELY ADJACENT TO A SPECIAL EVENT AREA IDENTIFIED IN AND FOR  
4 USE IN CONJUNCTION WITH A CLASS C PER DIEM MUNICIPAL TO-GO BEER, WINE,  
5 AND LIQUOR LICENSE.

6 (C) THE PERMIT AUTHORIZES THE HOLDER TO SELL AT RETAIL BEER, WINE,  
7 AND LIQUOR IN APPROVED TO-GO CUPS THAT MAY BE CARRIED OUTSIDE THE  
8 LICENSED ESTABLISHMENT OF THE CLASS B LICENSE AND INTO THE DESIGNATED  
9 SPECIAL EVENT AREA.

10 (D) THE PERMIT HOLDER SHALL BE RESPONSIBLE FOR COMPLYING WITH  
11 ALL APPLICABLE LAWS AND REGULATIONS.

12 (E) THE TERM OF THE PERMIT IS THE SAME AS THE TERM OF THE  
13 ASSOCIATED CLASS C PER DIEM MUNICIPAL TO-GO BEER, WINE, AND LIQUOR  
14 LICENSE.

15 (F) THE BOARD SHALL ADOPT REGULATIONS RELATED TO THE ISSUANCE  
16 OF AND REQUIREMENTS FOR THE PERMIT, INCLUDING REGULATIONS RELATED TO:

- 17 (1) THE DESIGNATION OF A SPECIAL EVENT AREA;
- 18 (2) THE HOURS OF SALE;
- 19 (3) AGE VERIFICATION REQUIREMENTS;
- 20 (4) THE USE OF SPECIFIED TO-GO CUPS; AND
- 21 (5) ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING  
22 REQUIREMENTS FOR THE TEMPORARY TO-GO EVENT PERMIT.

23 (G) THE FEE FOR THE PERMIT IS \$20 PER DAY.

24 33-1311.

25 (A) THERE IS A CLASS C PER DIEM MUNICIPAL TO-GO BEER, WINE, AND  
26 LIQUOR LICENSE.

27 (B) THE LICENSE ENTITLES THE LICENSE HOLDER TO ALLOW BEER, WINE,  
28 AND LIQUOR SOLD BY A HOLDER OF A TEMPORARY TO-GO EVENT PERMIT UNDER §  
29 33-1105 OF THIS TITLE TO ENTER A DESIGNATED SPECIAL EVENT AREA DESCRIBED  
30 IN THE LICENSE FOR A PERIOD NOT EXCEEDING 7 CONSECUTIVE DAYS.

1           **(C) THE BOARD MAY ISSUE THE LICENSE TO A MUNICIPALITY IN THE**  
2 **COUNTY.**

3           **(D) THE BOARD SHALL ADOPT REGULATIONS RELATED TO THE ISSUANCE**  
4 **OF AND REQUIREMENTS FOR A LICENSE UNDER THIS SECTION, INCLUDING**  
5 **REGULATIONS RELATED TO:**

6                   **(1) THE DESIGNATION OF A SPECIAL EVENT AREA;**

7                   **(2) THE HOURS OF SALE;**

8                   **(3) AGE VERIFICATION REQUIREMENTS;**

9                   **(4) THE USE OF SPECIFIED TO-GO CUPS;**

10                   **(5) ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING**  
11 **REQUIREMENTS FOR THE LICENSE AND ANY ASSOCIATED TEMPORARY TO-GO EVENT**  
12 **PERMIT; AND**

13                   **(6) PUBLIC SAFETY AND EVENT SECURITY REQUIREMENTS.**

14           **(E) THE FEE FOR THE LICENSE IS \$45 PER DAY.**

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
16 1, 2026.

## HOUSE BILL 988

M5, M3

6lr1868

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By: **Delegates Hartman, Adams, Anderson, Arentz, Baker, Beauchamp, Buckel, Chisholm, Ciliberti, Ghrist, Griffith, Hinebaugh, Hutchinson, Jacobs, Kipke, R. Long, Mangione, McComas, Metzgar, Miller, T. Morgan, Nkongolo, Pippy, Reilly, Rose, Schmidt, Stonko, Tomlinson, Valentine, and Wivell**  
 Introduced and read first time: February 6, 2026  
 Assigned to: Environment and Transportation and Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Building Energy Performance Standards – Repeal**

3 FOR the purpose of repealing certain provisions of law establishing and governing building  
 4 energy performance standards; and generally relating to building energy  
 5 performance standards.

6 BY repealing

7 Article – Environment

8 Section 2–1601 and the subtitle “Subtitle 16. Building Energy Performance  
 9 Standards”

10 Annotated Code of Maryland

11 (2013 Replacement Volume and 2025 Supplement)

12 BY repealing

13 Article – Environment

14 Section 2–1602

15 Annotated Code of Maryland

16 (2013 Replacement Volume and 2025 Supplement)

17 (As enacted by Chapter 844 of the Acts of the General Assembly of 2025)

18 BY repealing and reenacting, with amendments,

19 Article – Housing and Community Development

20 Section 4–211(d)(1) and (2)

21 Annotated Code of Maryland

22 (2019 Replacement Volume and 2025 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1 (g) “Direct greenhouse gas emissions” means greenhouse gas emissions produced  
2 on-site by covered buildings.

3 (h) “District energy” means thermal energy generated at one or more central  
4 facilities that produce hot water, steam, or chilled water that then flows through a network  
5 of insulated underground pipes to provide hot water, space heating, air conditioning, or  
6 chilled water to nearby buildings.

7 (i) “Manufacturing building” means a facility in which manufacturing, as defined  
8 in § 2–1202 of this article, takes place.]

9 [2–1602.

10 (a) The Department shall develop building energy performance standards for  
11 covered buildings that achieve:

12 (1) A 20% reduction in net direct greenhouse gas emissions on or before  
13 January 1, 2030, as compared with 2025 levels for average buildings of similar construction;  
14 and

15 (2) Net-zero direct greenhouse gas emissions on or before January 1, 2040.

16 (b) To facilitate the development of building energy performance standards under  
17 this section, the Department shall require the owners of covered buildings to measure and  
18 report direct emissions data to the Department annually beginning in 2025.

19 (c) (1) On or before June 1, 2023, the Department shall adopt regulations to  
20 implement this section.

21 (2) Regulations adopted under this section shall:

22 (i) Subject to items (ii), (iii), (iv), and (v) of this paragraph, include  
23 energy use intensity targets by building type;

24 (ii) As necessary, include special provisions or exceptions to account  
25 for:

26 1. Building age;

27 2. Regional differences;

28 3. The unique needs of particular building or occupancy  
29 types, including health care facilities, laboratories, assisted living and nursing facilities,  
30 military buildings, critical infrastructure, and buildings used in life sciences as defined in  
31 § 3–201 of the Economic Development Article;



1 (v) Exempt an owner of a covered building from energy use intensity  
2 reporting requirements if:

3 1. The covered building meets the criteria under item (iv) of  
4 this paragraph; and

5 2. In circumstances where tenant authorization is required,  
6 the tenant or occupant does not provide energy use information to the owner of the covered  
7 building due to concerns about the confidentiality of the building's secure area;

8 (vi) Provide maximum flexibility to the owners of covered buildings  
9 to comply with building energy performance standards;

10 (vii) Subject to paragraph (3) of this subsection, include an alternative  
11 compliance pathway allowing the owner of a covered building to pay a fee for greenhouse  
12 gas emissions attributable to the building's failure to meet direct greenhouse gas emissions  
13 reduction targets;

14 (viii) To the extent authorized by law, include financial incentives  
15 recommended by the Building Energy Transition Implementation Task Force; and

16 (ix) Include an annual reporting fee of \$100 per covered building,  
17 adjusted for inflation, to cover the administrative costs of the program.

18 (3) The Department may not set an alternative compliance fee that is less  
19 than the social cost of greenhouse gases adopted by the Department or the U.S.  
20 Environmental Protection Agency.

21 (4) (i) Subject to subparagraph (ii) of this paragraph, the Department  
22 shall certify a building energy performance standards program adopted by a county  
23 administering a building energy performance standards program on or before March 1,  
24 2025, and waive the requirement for covered buildings in the county to comply with the  
25 statewide program adopted under this section.

26 (ii) A county administering a building energy performance  
27 standards program certified by the Department under subparagraph (i) of this paragraph  
28 may take appropriate actions to enforce the standards, including:

29 1. Establishing alternative compliance pathways for  
30 complying with energy use intensity and direct greenhouse gas emissions requirements  
31 established in the standards;

32 2. Imposing and collecting alternative compliance fees up to  
33 the same amount and in the same manner allowed by the Department under this section;  
34 and

1                   3.     Imposing and collecting penalties up to the same amount  
2 and in the same manner allowed by the Department under § 2–610 of this title.

3                   (5)    Nothing in this section shall preclude a county administering a building  
4 energy performance standards program certified by the Department under paragraph (4)(i)  
5 of this subsection from:

6                   (i)     Adopting building energy performance standards for buildings  
7 that are not covered buildings under the statewide program adopted under this section; or

8                   (ii)    Modifying an adopted building performance standards program.

9                   (d)     Electric companies and gas companies shall provide energy data, including  
10 whole–building and aggregate data, to the owners of covered buildings for benchmarking  
11 purposes.

12                  (e)     In calculating the statewide standards developed by the Department under  
13 this section, an owner of a covered building may not consider greenhouse gas emissions or  
14 energy use by a commercial tenant of the covered building that:

15                  (1)     Is a food service facility as defined in COMAR 10.15.03.02; and

16                  (2)     Engages in commercial cooking and water heating.]

17                               **Article – Housing and Community Development**

18 4–211.

19                  (d)     (1)     (i)     In this subsection the following words have the meanings  
20 indicated.

21                               (ii)    1.     “Covered building” [has the meaning stated in § 2–1601 of  
22 the Environment Article] **MEANS A BUILDING THAT:**

23                                       **A.     IS OWNED BY THE STATE OR IS A COMMERCIAL OR**  
24 **MULTIFAMILY RESIDENTIAL BUILDING IN THE STATE; AND**

25                                       **B.     HAS A GROSS FLOOR AREA OF 35,000 SQUARE FEET**  
26 **OR MORE, EXCLUDING THE PARKING GARAGE AREA.**

27                                       2.     “COVERED BUILDING” DOES NOT INCLUDE:

28                                       **A.     A BUILDING DESIGNATED AS A HISTORIC PROPERTY**  
29 **UNDER FEDERAL, STATE, OR LOCAL LAW;**

1                   **B. A PUBLIC OR NONPUBLIC ELEMENTARY OR**  
2 **SECONDARY SCHOOL BUILDING;**

3                   **C. A MANUFACTURING BUILDING; OR**

4                   **D. AN AGRICULTURAL BUILDING.**

5                   (iii) “Energy conservation project” means a project that qualifies  
6 under § 4–218 of this subtitle.

7                   (2) For the purpose of reducing direct greenhouse gas emissions from  
8 multifamily residential buildings [in accordance with the standards adopted under §  
9 2–1602 of the Environment Article], the Administration shall develop and implement a  
10 program to provide grants and loans for energy conservation projects and projects to install  
11 renewable energy generating systems in covered buildings that house primarily low- to  
12 moderate-income households.

13                   SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the  
14 Annotated Code of Maryland, in consultation with and subject to the approval of the  
15 Department of Legislative Services, shall correct, with no further action required by the  
16 General Assembly, cross-references and terminology rendered incorrect by this Act. The  
17 publisher shall adequately describe any correction that is made in an editor’s note following  
18 the section affected.

19                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2026.

## HOUSE BILL 1019

M3, R2  
HB 1269/25 – ENT

6lr1667

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By: **Delegates Howard and Buckel**

Introduced and read first time: February 9, 2026

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **School Bus Transition – Propane–Powered School Buses – Grant Program,**  
3 **Fund, and Purchase**

4 FOR the purpose of altering certain provisions of law relating to funding and grants for  
5 transitioning to zero–emission vehicle school buses to include propane–powered  
6 school buses; authorizing a county board of education, beginning in a certain fiscal  
7 year, to enter into a new contract for the purchase of school buses that are  
8 propane–powered; and generally relating to propane–powered school buses.

9 BY repealing and reenacting, with amendments,  
10 Article – Environment  
11 Section 2–1501 through 2–1505 to be under the amended subtitle “Subtitle 15.  
12 Zero–Emission Vehicle and Propane–Powered School Buses”  
13 Annotated Code of Maryland  
14 (2013 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – State Finance and Procurement  
17 Section 6–226(a)(2)(i) and (ii)  
18 Annotated Code of Maryland  
19 (2021 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article – State Finance and Procurement  
22 Section 6–226(a)(2)(iii)112.  
23 Annotated Code of Maryland  
24 (2021 Replacement Volume and 2025 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
26 That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## 1 Article – Environment

2 Subtitle 15. Zero–Emission Vehicle **AND PROPANE–POWERED** School Buses.

3 2–1501.

4 (a) In this subtitle the following words have the meanings indicated.

5 (b) “Fund” means the Zero–Emission Vehicle **AND PROPANE–POWERED** School  
6 Bus Transition Fund.7 (c) “Program” means the Zero–Emission Vehicle **AND PROPANE–POWERED**  
8 School Bus Transition Grant Program.9 (d) “Zero–emission vehicle” has the meaning stated in § 23–206.4 of the  
10 Transportation Article.

11 2–1502.

12 The Department and the Department of Transportation jointly shall provide  
13 technical assistance to county boards of education and entities that contract with county  
14 boards to provide transportation services for transitioning to the use of school buses that  
15 are zero–emission vehicles **OR ARE PROPANE–POWERED** throughout the State.

16 2–1503.

17 (a) There is a Zero–Emission Vehicle **AND PROPANE–POWERED** School Bus  
18 Transition Grant Program in the State.19 (b) The purpose of the Program is to provide grants to county boards of education  
20 and entities that contract with county boards to provide transportation services to:

21 (1) Purchase school buses that are [zero–emission]:

22 (I) **ZERO–EMISSION** vehicles; **OR**23 (II) **PROPANE–POWERED**;24 (2) Install electric vehicle infrastructure for charging school buses that are  
25 zero–emission vehicles;26 (3) Engage in planning for a transition to using school buses that are  
27 zero–emission vehicles; and28 (4) Fund pilot programs to experiment with a transition to school buses  
29 that are zero–emission vehicles.

1 (c) The Department, in consultation with the State Department of Education,  
2 shall implement and administer the Program.

3 (d) (1) If the Department receives any funds as a result of a legal settlement  
4 that are earmarked for the purpose of transitioning to school buses that are zero-emission  
5 vehicles **OR PROPANE-POWERED**, the funds shall be made available to award grants in  
6 accordance with this section.

7 (2) In addition to any funding provided under paragraph (1) of this  
8 subsection, funding for the Program consists of:

9 (i) Money appropriated in the State budget for the Program; and

10 (ii) Any additional money made available to the Program from any  
11 private or public sources.

12 (e) The Department may adopt regulations to implement this section.

13 2-1504.

14 (a) There is a Zero-Emission Vehicle **AND PROPANE-POWERED** School Bus  
15 Transition Fund.

16 (b) The purpose of the Fund is to provide funding for the Program.

17 (c) The Department, in consultation with the State Department of Education,  
18 shall administer the Fund.

19 (d) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of  
20 the State Finance and Procurement Article.

21 (2) The State Treasurer shall hold the Fund separately, and the  
22 Comptroller shall account for the Fund.

23 (e) The Fund consists of:

24 (1) Money appropriated in the State budget to the Fund;

25 (2) Interest earnings of the Fund;

26 (3) Donations;

27 (4) Money derived from legal settlements earmarked for the purpose of  
28 transitioning to school buses that are zero-emission vehicles **OR ARE**  
29 **PROPANE-POWERED**; and

1 (5) Any other money from any other source accepted for the benefit of the  
2 Fund.

3 (f) The Fund may be used only for the Program.

4 (g) (1) The State Treasurer shall invest the money of the Fund in the same  
5 manner as other State money may be invested.

6 (2) Any interest earnings of the Fund shall be credited to the Fund.

7 (h) Expenditures from the Fund may be made only in accordance with the State  
8 budget.

9 (i) Money expended from the Fund for the Program is supplemental to and is not  
10 intended to take the place of funding that otherwise would be appropriated for the Program.  
11 2-1505.

12 (a) In this section, “incremental costs” means:

13 (1) In the case of a contract for the purchase of school buses, the cost  
14 difference between purchasing and operating school buses that are zero-emission vehicles  
15 **OR THAT ARE PROPANE-POWERED** and school buses that are diesel-powered vehicles;  
16 and

17 (2) In the case of a contract for the use of school buses, the cost difference  
18 between contracting for the use of school buses that are zero-emission vehicles **OR THAT**  
19 **ARE PROPANE-POWERED** and school buses that are diesel-powered vehicles.

20 (b) (1) Except as provided in subsection (c) of this section **AND SUBJECT TO**  
21 **PARAGRAPH (2) OF THIS SUBSECTION**, beginning in fiscal year 2025, a county board of  
22 education may not enter into a new contract for:

23 [(1)] (I) The purchase of any school bus that is not a zero-emission  
24 vehicle; or

25 [(2)] (II) The use of any school bus that is not a zero-emission vehicle,  
26 unless the school bus has an in-service date of July 1, 2024, or before.

27 (2) **BEGINNING IN FISCAL YEAR 2030, A COUNTY BOARD OF**  
28 **EDUCATION MAY ENTER INTO A NEW CONTRACT FOR THE PURCHASE OF SCHOOL**  
29 **BUSES THAT ARE PROPANE-POWERED.**

30 (c) The requirements of subsection (b) of this section do not apply if:

1 (1) The Department determines that no available zero-emission **OR**  
 2 **PROPANE-POWERED** vehicle meets the performance requirements for the county board's  
 3 use; or

4 (2) The county board is unable to obtain federal, State, or private funding  
 5 sufficient to cover the incremental costs associated with contracting for the purchase or use  
 6 of school buses that are zero-emission vehicles **OR THAT ARE PROPANE-POWERED**.

7 (d) A county board may enter into an agreement with an electric company to  
 8 obtain monetary incentives in exchange for allowing the electric company to use the storage  
 9 batteries of zero-emission buses owned or operated by the county board to access the stored  
 10 electricity through vehicle-to-grid technology.

11 (e) The Department, in consultation with other appropriate State agencies, shall  
 12 work with the county boards and private school bus contractors to develop electric vehicle  
 13 infrastructure sufficient to support school buses that are zero-emission vehicles.

14 (f) The Department shall prioritize the use of available federal funding to carry  
 15 out this section.

#### 16 **Article – State Finance and Procurement**

17 6–226.

18 (a) (2) (i) This paragraph does not apply in fiscal years 2024 through 2028.

19 (ii) Notwithstanding any other provision of law, and unless  
 20 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
 21 terms of a gift or settlement agreement, net interest on all State money allocated by the  
 22 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
 23 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
 24 Fund of the State.

25 (iii) The provisions of subparagraph (ii) of this paragraph do not  
 26 apply to the following funds:

27 112. the Zero-Emission Vehicle **AND PROPANE-POWERED**  
 28 School Bus Transition Fund;

29 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take effect  
 30 October 1, 2026.

## SENATE BILL 719

M3

6lr2034  
CF HB 925

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**By: Senators Love and Hester**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Sewage Sludge – Per- and Polyfluoroalkyl Substances – Regulation**

3 FOR the purpose of establishing restrictions on the land application, on or after a certain  
4 date, of sewage sludge or products containing sewage sludge with total  
5 concentrations of certain regulated per- and polyfluoroalkyl substances equal to or  
6 greater than certain levels; authorizing, on or before a certain date, a person to blend  
7 sewage sludge from multiple sources for a certain purpose and subject to certain  
8 regulations and requirements; establishing monitoring protocols for certain per- and  
9 polyfluoroalkyl substances in certain sewage sludge or products containing sewage  
10 sludge; authorizing the establishment of pretreatment standards for certain  
11 industrial users that discharge certain per- and polyfluoroalkyl substances at levels  
12 that exceed certain action levels; authorizing certain local jurisdictions and  
13 pretreatment authorities to set certain rates and fees for certain industrial users;  
14 encouraging sewage sludge generators to take certain actions with respect to certain  
15 per- and polyfluoroalkyl substances; and generally relating to per- and  
16 polyfluoroalkyl substances and sewage sludge.

17 BY repealing and reenacting, without amendments,  
18 Article – Environment  
19 Section 9–201(a), (l), and (m) and 9–230  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2025 Supplement)

22 BY repealing and reenacting, with amendments,  
23 Article – Environment  
24 Section 9–201(k)  
25 Annotated Code of Maryland  
26 (2014 Replacement Volume and 2025 Supplement)

27 BY adding to  
28 Article – Environment

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



1 Section 9–250  
2 Annotated Code of Maryland  
3 (2014 Replacement Volume and 2025 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
5 That the Laws of Maryland read as follows:

6 **Article – Environment**

7 9–201.

8 (a) In this subtitle the following words have the meanings indicated.

9 (k) “Sewage” means[:

10 (1) Any human or animal excretion or water–carried domestic waste; or

11 (2) A mixture of industrial waste and any of the things in item (1) of this  
12 subsection] **THE WATER–CARRIED DOMESTIC WASTE FROM RESIDENCES, BUILDINGS,**  
13 **INDUSTRIAL ESTABLISHMENTS, OR OTHER PLACES.**

14 (l) “Sewage sludge” means any thickened liquid, suspension, settled solid, or  
15 dried residue that a sewage treatment plant extracts from sewage.

16 (m) (1) “Sewage sludge generator” means a person who owns or operates a  
17 facility that receives and processes sewage in this State or produces sewage sludge to be  
18 utilized in this State.

19 (2) “Sewage sludge generator” includes:

20 (i) The Washington Suburban Sanitary Commission; and

21 (ii) The Maryland Environmental Service.

22 (3) “Sewage sludge generator” does not include the owner or operator of a  
23 septic system.

24 9–230.

25 (a) (1) The Department of the Environment shall adopt regulations to carry  
26 out this Part III of this subtitle.

27 (2) The Department of the Environment may not adopt a regulation or part  
28 of a regulation that deals with the land application of sewage sludge without the approval  
29 of the Department of Agriculture.

1 (b) In adopting regulations under this Part III and §§ 9–269 and 9–270 of this  
2 subtitle, the Department of the Environment shall consider:

3 (1) Alternative utilization methods;

4 (2) Pathogen control;

5 (3) Advertising requirements for public hearings and public information  
6 meetings;

7 (4) Performance bonds, liability insurance, or other forms of security;

8 (5) Procedures for notifying units of local government and other interested  
9 parties; and

10 (6) Adequate standards for transporting sewage sludge, including  
11 requirements for enclosing or covering sewage sludge during transportation.

12 (c) In addition to the considerations under subsection (b) of this section, in  
13 adopting regulations for the land application of sewage sludge, the Department of the  
14 Environment shall consider:

15 (1) Methods for calculating loading rates that:

16 (i) Will assure nondegradation of the groundwater supply; and

17 (ii) For agricultural land, shall be limited by the nutrient  
18 requirements of crop or cover vegetation, as recommended by the Department of  
19 Agriculture;

20 (2) The crops that are to be grown on land on which sewage sludge may be  
21 applied;

22 (3) The nature of any nearby surface water or groundwater;

23 (4) The character of any affected area;

24 (5) The character of nearby existing or planned land uses and transport  
25 routes;

26 (6) The nearness of the land on which sewage sludge may be applied to  
27 sensitive areas, including flood plains, wetlands, and areas of critical concern;

28 (7) The definitions of:

29 (i) Sewage sludge that is unsuitable for application to agricultural  
30 land;

- 1 (ii) Agricultural land;
- 2 (iii) Marginal land; and
- 3 (iv) Compost;
- 4 (8) Acceptable cumulative loading rates, including rates for nitrogen and  
5 heavy metals;
- 6 (9) Special requirements of land used for producing tobacco; and
- 7 (10) Reasonable buffer areas to separate any home or other property from  
8 land on which sewage sludge may be applied.
- 9 (d) (1) The Department shall adopt regulations to establish a mechanism for  
10 determining annual generator's fees.
- 11 (2) The regulations shall provide for public input into the development of  
12 fee schedules.
- 13 (3) The fee schedules shall take into account:
- 14 (i) The volume of sewage sludge generated by a sewage sludge  
15 generator;
- 16 (ii) The method by which the sewage sludge is utilized;
- 17 (iii) The anticipated costs of monitoring and regulating sewage  
18 sludge utilization sites;
- 19 (iv) The anticipated needs of the State's sewage sludge regulation  
20 program; and
- 21 (v) The potential hazard of the sewage sludge generator's activities  
22 to public health, safety, or welfare or to the environment.

23 **9-250.**

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
25 INDICATED.

26 (2) "CONCENTRATION OF REGULATED PFAS" MEANS THE TOTAL  
27 CONCENTRATION, AS MEASURED IN ACCORDANCE WITH MONITORING PROTOCOLS  
28 ESTABLISHED UNDER SUBSECTION (G) OF THIS SECTION, OF THE FOLLOWING  
29 PER- AND POLYFLUOROALKYL SUBSTANCES:

1 (I) PFOA;

2 (II) PFOS; OR

3 (III) A MIXTURE OF PFOA AND PFOS.

4 (3) "PFOS" MEANS PERFLUOROOCTANE SULFONIC ACID.

5 (4) "PFOA" MEANS PERFLUOROOCTANOIC ACID.

6 (B) THIS SECTION APPLIES ONLY TO SEWAGE SLUDGE AND PRODUCTS  
7 CONTAINING SEWAGE SLUDGE THAT ARE INTENDED FOR LAND APPLICATION.

8 (C) ON OR AFTER OCTOBER 1, 2027:

9 (1) A PERSON MAY NOT APPLY SEWAGE SLUDGE OR A PRODUCT  
10 CONTAINING SEWAGE SLUDGE TO AGRICULTURAL OR MARGINAL LAND IF THE  
11 SEWAGE SLUDGE OR PRODUCT CONTAINING SEWAGE SLUDGE HAS A TOTAL  
12 CONCENTRATION OF REGULATED PFAS EQUAL TO OR GREATER THAN 50 PARTS  
13 PER BILLION; AND

14 (2) IF SEWAGE SLUDGE OR A PRODUCT CONTAINING SEWAGE SLUDGE  
15 HAS A TOTAL CONCENTRATION OF REGULATED PFAS THAT IS EQUAL TO OR  
16 GREATER THAN 25 PARTS PER BILLION BUT LESS THAN 50 PARTS PER BILLION, A  
17 PERSON MAY APPLY THE SEWAGE SLUDGE OR PRODUCT CONTAINING SEWAGE  
18 SLUDGE TO AGRICULTURAL OR MARGINAL LAND ONLY IN ACCORDANCE WITH  
19 SUBSECTIONS (E) AND (F) OF THIS SECTION.

20 (D) (1) ON OR BEFORE SEPTEMBER 30, 2029, SUBJECT TO THE  
21 REQUIREMENTS OF THIS SUBSECTION AND IN ACCORDANCE WITH DEPARTMENT  
22 REGULATIONS:

23 (I) A PERSON MAY BLEND SEWAGE SLUDGE FROM MULTIPLE  
24 SOURCES TO REDUCE THE TOTAL CONCENTRATION OF REGULATED PFAS IN THE  
25 FINAL MATERIAL TO LEVELS BELOW 25 PARTS PER BILLION; AND

26 (II) SEWAGE SLUDGE OR A PRODUCT CONTAINING SEWAGE  
27 SLUDGE BLENDED IN ACCORDANCE WITH ITEM (I) OF THIS PARAGRAPH MAY NOT BE  
28 SUBJECT TO THE TEMPORARY ALTERNATIVE MANAGEMENT MEASURES SPECIFIED  
29 IN SUBSECTION (E) OF THIS SECTION.

1           **(2) (I) A PERSON THAT BLENDS OR OTHERWISE COMMINGLES**  
 2 **SEWAGE SLUDGE FOR THE PURPOSE OF LAND APPLICATION SHALL MONITOR FOR**  
 3 **THE PRESENCE OF PFOS AND PFOA AT LEAST ONCE PER MONTH, USING A**  
 4 **REPRESENTATIVE SAMPLE, IN ACCORDANCE WITH PROTOCOLS ESTABLISHED**  
 5 **UNDER SUBSECTION (G) OF THIS SECTION.**

6           **(II) IF THE TOTAL CONCENTRATION OF REGULATED PFAS IN**  
 7 **THE BLENDED PRODUCT IS EQUAL TO OR GREATER THAN 25 PARTS PER BILLION,**  
 8 **THE PERSON:**

9                   **1. SHALL IMMEDIATELY NOTIFY THE DEPARTMENT;**  
 10 **AND**

11                   **2. MAY NOT APPLY THE BLENDED PRODUCT TO LAND**  
 12 **UNTIL THE PERSON DEMONSTRATES, THROUGH ADDITIONAL MONITORING, THAT**  
 13 **THE TOTAL CONCENTRATION OF REGULATED PFAS IN THE BLENDED PRODUCT HAS**  
 14 **BEEN REDUCED TO LEVELS BELOW 25 PARTS PER BILLION.**

15           **(E) (1) THIS SUBSECTION APPLIES ONLY TO THE LAND APPLICATION OF**  
 16 **SEWAGE SLUDGE OR PRODUCTS CONTAINING SEWAGE SLUDGE THAT HAVE A TOTAL**  
 17 **CONCENTRATION OF REGULATED PFAS THAT IS EQUAL TO OR GREATER THAN 25**  
 18 **PARTS PER BILLION BUT LESS THAN 50 PARTS PER BILLION.**

19           **(2) FOR A PERIOD OF NOT MORE THAN 12 MONTHS, AND PENDING THE**  
 20 **DEVELOPMENT AND APPROVAL OF A MITIGATION PLAN UNDER SUBSECTION (F) OF**  
 21 **THIS SECTION, A PERSON MAY APPLY SEWAGE SLUDGE AND OTHER PRODUCTS**  
 22 **DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO LAND:**

23                   **(I) AT A RATE THAT DOES NOT EXCEED 3 DRY METRIC TONS**  
 24 **PER HECTARE; AND**

25                   **(II) SUBJECT TO:**

26                   **1. THE SAME SETBACK REQUIREMENTS ESTABLISHED**  
 27 **IN REGULATION FOR CLASS B BIOSOLIDS; AND**

28                   **2. ADDITIONAL SETBACKS FOR LAND APPLICATION**  
 29 **NEAR PUBLIC AND PRIVATE WATER SUPPLY WELLS DEVELOPED BY THE**  
 30 **DEPARTMENT AFTER CONSULTATION WITH ADJACENT LANDOWNERS AND COUNTY**  
 31 **AND MUNICIPAL OFFICIALS FROM EACH LOCAL JURISDICTION LOCATED WITHIN 1**  
 32 **MILE OF THE PROPERTY BOUNDARY.**

1           **(F) (1) THIS SUBSECTION APPLIES ONLY TO A SEWAGE SLUDGE**  
2 **GENERATOR THAT PRODUCES SEWAGE SLUDGE THAT IS INTENDED FOR LAND**  
3 **APPLICATION.**

4           **(2) IF A SEWAGE SLUDGE GENERATOR DETERMINES, THROUGH**  
5 **MONITORING PROTOCOLS ESTABLISHED UNDER SUBSECTION (G) OF THIS SECTION,**  
6 **THAT ITS SEWAGE SLUDGE HAS A TOTAL CONCENTRATION OF PFAS THAT IS EQUAL**  
7 **TO OR GREATER THAN 25 PARTS PER BILLION, THE SEWAGE SLUDGE GENERATOR**  
8 **SHALL:**

9                       **(I) COMPLETE A SOURCE TRACKING STUDY IN ACCORDANCE**  
10 **WITH PARAGRAPH (3) OF THIS SUBSECTION; AND**

11                      **(II) DEVELOP A MITIGATION PLAN IN ACCORDANCE WITH**  
12 **PARAGRAPH (4) OF THIS SUBSECTION.**

13           **(3) A SOURCE TRACKING STUDY CONDUCTED UNDER THIS**  
14 **SUBSECTION SHALL BE DESIGNED TO DETERMINE THE CONTRIBUTIONS OF**  
15 **SOURCES OF PFOS AND PFOA TO THE WASTEWATER TREATMENT SYSTEM WITH**  
16 **SUFFICIENT SPECIFICITY TO ALLOW THE SEWAGE SLUDGE GENERATOR AND THE**  
17 **DEPARTMENT TO REDUCE OR PREVENT THE RELEASE OF PFOA AND PFOS FROM**  
18 **CONTROLLABLE SOURCES IN ACCORDANCE WITH APPLICABLE LAW.**

19           **(4) (I) A MITIGATION PLAN DEVELOPED UNDER THIS SUBSECTION**  
20 **SHALL:**

21                               **1. BE DEVELOPED IN CONSULTATION WITH THE**  
22 **DEPARTMENT;**

23                               **2. IDENTIFY SIGNIFICANT SOURCES OF PFOA AND**  
24 **PFOS LOADING TO THE WASTEWATER TREATMENT SYSTEM;**

25                               **3. INCLUDE ACTIONS THAT THE SEWAGE SLUDGE**  
26 **GENERATOR CAN IMPLEMENT, OR REQUIRE SOURCES OF PFOA AND PFOS**  
27 **LOADING TO IMPLEMENT, TO REDUCE THE TOTAL CONCENTRATION OF REGULATED**  
28 **PFAS TO LEVELS BELOW 25 PARTS PER BILLION;**

29                               **4. TAKE INTO CONSIDERATION INNOVATIVE SOLUTIONS**  
30 **AND LONG-TERM MITIGATION APPROACHES, CONSISTENT WITH APPLICABLE LAWS,**  
31 **REGULATIONS, AND OTHER REQUIREMENTS; AND**

32                               **5. INCLUDE A REASONABLE TIMELINE, NOT TO EXCEED**  
33 **2 YEARS, FOR IMPLEMENTING THE MITIGATION PLAN.**

1                   **(II) THE ELEMENTS AND STRATEGIES IDENTIFIED IN A**  
2 **MITIGATION PLAN DEVELOPED UNDER THIS SUBSECTION MAY INCLUDE:**

3                   **1. THE EXERCISE OF PRETREATMENT CONTROL**  
4 **AUTHORITIES IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION TO REDUCE**  
5 **LOADING FROM INDUSTRIAL USERS;**

6                   **2. THE INSTALLATION OF TREATMENT SOLUTIONS AT**  
7 **POINTS OF ENTRY OR CONCENTRATION IN THE SANITARY SEWER SYSTEMS THAT**  
8 **CONTAIN SIGNIFICANT LEVELS OF PFOS OR PFOA; OR**

9                   **3. THE INSTALLATION OF SYSTEM-SCALE TREATMENT**  
10 **SOLUTIONS TO REDUCE THE TOTAL CONCENTRATION OF REGULATED PFAS TO**  
11 **LEVELS BELOW 25 PARTS PER BILLION.**

12                   **(III) IF, DURING THE MONITORING PERIOD FOR WHICH THE**  
13 **TOTAL CONCENTRATION OF PFAS WAS DETERMINED TO BE EQUAL TO OR GREATER**  
14 **THAN 25 PARTS PER BILLION, THE INDIVIDUAL SAMPLES WERE WITHIN THE MARGIN**  
15 **OF ERROR OR DETECTION LIMIT FOR THE LABORATORY PERFORMING THE SAMPLE**  
16 **ANALYSIS, THE MITIGATION PLAN SHALL INCLUDE ADDITIONAL TESTING**  
17 **REQUIREMENTS AND TIMELINES DEVELOPED IN CONSULTATION WITH THE**  
18 **DEPARTMENT.**

19                   **(5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**  
20 **PARAGRAPH, A SEWAGE SLUDGE GENERATOR SHALL SUBMIT A MITIGATION PLAN**  
21 **REQUIRED UNDER THIS SUBSECTION TO THE DEPARTMENT WITHIN 6 MONTHS**  
22 **AFTER COMPLETION OF THE SOURCE TRACKING STUDY REQUIRED UNDER THIS**  
23 **SUBSECTION.**

24                   **(II) A SEWAGE SLUDGE GENERATOR MAY REQUEST AND THE**  
25 **DEPARTMENT MAY GRANT A SINGLE EXTENSION ON THE DEVELOPMENT AND**  
26 **SUBMISSION OF A MITIGATION PLAN UNDER THIS SUBSECTION BASED ON:**

27                   **1. EXIGENT CIRCUMSTANCES; OR**

28                   **2. CONSIDERATIONS RELATED TO THE INVESTIGATION**  
29 **AND DESIGN OF MANAGEMENT APPROACHES OR TREATMENT OPTIONS.**

30                   **(6) (I) THE DEPARTMENT SHALL REVIEW EACH MITIGATION PLAN**  
31 **SUBMITTED UNDER THIS SUBSECTION AND MAY APPROVE, DENY, OR SUGGEST**  
32 **CHANGES TO THE MITIGATION PLAN.**

1                   **(II) IN REVIEWING A MITIGATION PLAN SUBMITTED UNDER THIS**  
2 **SUBSECTION, THE DEPARTMENT SHALL CONSIDER THE COST OF IMPLEMENTING**  
3 **MITIGATION OPTIONS.**

4                   **(7) A SEWAGE SLUDGE GENERATOR:**

5                   **(I) SHALL COMPLY WITH THE PROVISIONS OF AN APPROVED**  
6 **MITIGATION PLAN; AND**

7                   **(II) MAY NOT APPLY SEWAGE SLUDGE OR A PRODUCT**  
8 **CONTAINING SEWAGE SLUDGE TO LAND IF THE DEPARTMENT HAS DETERMINED**  
9 **THAT THE GENERATOR IS OUT OF COMPLIANCE WITH THE PROVISIONS OF AN**  
10 **APPROVED MITIGATION PLAN.**

11                   **(8) THE DEPARTMENT SHALL PROVIDE A SEWAGE SLUDGE**  
12 **GENERATOR WITH REASONABLE TECHNICAL ASSISTANCE IN THE DEVELOPMENT OF**  
13 **A SOURCE TRACKING STUDY AND MITIGATION PLAN UNDER THIS SUBSECTION.**

14                   **(G) (1) FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH THE**  
15 **REQUIREMENTS OF THIS SECTION, THE TOTAL CONCENTRATION OF REGULATED**  
16 **PFAS IN SEWAGE SLUDGE OR A PRODUCT CONTAINING SEWAGE SLUDGE SHALL BE**  
17 **DETERMINED BY TAKING THE AVERAGE OF SAMPLES TAKEN IN ACCORDANCE WITH**  
18 **THIS SUBSECTION OVER THE IMMEDIATELY PRECEDING 12 MONTHS.**

19                   **(2) EACH SAMPLE SHALL BE TAKEN:**

20                   **(I) DURING NORMAL OPERATING CONDITIONS, AS SPECIFIED**  
21 **IN DEPARTMENT REGULATIONS;**

22                   **(II) AT THE POINT WHERE SEWAGE SLUDGE LEAVES THE**  
23 **WASTEWATER TREATMENT FACILITY; AND**

24                   **(III) AT A FREQUENCY SPECIFIED BY THE DEPARTMENT IN**  
25 **REGULATION, BUT NOT LESS THAN QUARTERLY.**

26                   **(3) (I) SAMPLES SHALL BE ANALYZED USING A METHOD**  
27 **APPROVED BY THE DEPARTMENT AND CONDUCTED BY A LABORATORY CERTIFIED**  
28 **TO PERFORM THE METHOD AND SUBJECT TO A LABORATORY LEVEL OF**  
29 **QUANTITATION FOR BIOSOLIDS ANALYSIS NOT TO EXCEED 2 PARTS PER BILLION.**

30                   **(II) THE DEPARTMENT SHALL ASSIST SEWAGE SLUDGE**  
31 **GENERATORS IN IDENTIFYING QUALIFIED LABORATORIES UNDER THIS**  
32 **PARAGRAPH.**

1           **(4) THE DEPARTMENT MAY ESTABLISH ADDITIONAL MONITORING**  
2 **REQUIREMENTS FOR MATERIALS BLENDED IN ACCORDANCE WITH SUBSECTION (D)**  
3 **OF THIS SECTION.**

4           **(H) (1) IN ACCORDANCE WITH THE FEDERAL CLEAN WATER ACT, THE**  
5 **DEPARTMENT AND PRETREATMENT AUTHORITIES MAY ESTABLISH PRETREATMENT**  
6 **STANDARDS FOR INDUSTRIAL USERS THAT DISCHARGE PER- AND**  
7 **POLYFLUOROALKYL SUBSTANCES AT LEVELS THAT EXCEED ACTION LEVELS**  
8 **ESTABLISHED BY THE DEPARTMENT OR THE PRETREATMENT AUTHORITY UNDER**  
9 **AN INDUSTRIAL PRETREATMENT PROGRAM.**

10           **(2) IF A PUBLICLY OWNED TREATMENT WORKS DOES NOT HAVE AN**  
11 **INDUSTRIAL PRETREATMENT PROGRAM, AND IT IS DETERMINED THAT SEWAGE**  
12 **SLUDGE PRODUCED FOR LAND APPLICATION BY THE PUBLICLY OWNED TREATMENT**  
13 **WORKS HAS A TOTAL CONCENTRATION OF REGULATED PFAS EQUAL TO OR**  
14 **GREATER THAN 25 PARTS PER BILLION, THE DEPARTMENT SHALL, IN**  
15 **CONSULTATION WITH THE PUBLICLY OWNED TREATMENT WORKS, DEVELOP**  
16 **DISCHARGE PERMITS FOR INDUSTRIAL USERS IN A MANNER CALCULATED TO**  
17 **ESTABLISH LOCAL LIMITS FOR PER- AND POLYFLUOROALKYL SUBSTANCES**  
18 **CONSISTENT WITH EXISTING AUTHORITIES UNDER THE FEDERAL CLEAN WATER**  
19 **ACT.**

20           **(3) THE DEPARTMENT SHALL:**

21           **(I) ISSUE GUIDANCE TO SUPPORT PUBLICLY OWNED**  
22 **TREATMENT WORKS IN THE IMPLEMENTATION OF THIS SUBSECTION; AND**

23           **(II) PROVIDE REASONABLE TECHNICAL ASSISTANCE AS**  
24 **REQUESTED BY LOCAL JURISDICTIONS IN THE EXERCISE OF LOCAL LIMITS**  
25 **AUTHORITY UNDER THE FEDERAL CLEAN WATER ACT.**

26           **(4) A LOCAL JURISDICTION OR A PRETREATMENT AUTHORITY MAY**  
27 **SET APPROPRIATE RATES AND FEES FOR INDUSTRIAL USERS, INDIVIDUALLY OR AS**  
28 **A CLASS, THAT ARE DETERMINED TO DISCHARGE PER- AND POLYFLUOROALKYL**  
29 **SUBSTANCES INTO THE WASTEWATER TREATMENT SYSTEM AT LEVELS THAT**  
30 **NECESSITATE THE IMPLEMENTATION OF MITIGATION MEASURES.**

31           **(5) THIS SECTION MAY NOT BE INTERPRETED TO LIMIT THE**  
32 **AUTHORITY OF A LOCAL JURISDICTION OR A PRETREATMENT AUTHORITY TO SET**  
33 **LOCAL LIMITS THAT LEAD TO REDUCTIONS OF PER- AND POLYFLUOROALKYL**  
34 **SUBSTANCES THAT EXCEED THE REDUCTIONS REQUIRED UNDER THIS SECTION.**

1           **(I) ALL SEWAGE SLUDGE GENERATORS ARE ENCOURAGED TO IDENTIFY**  
2 **POTENTIAL SOURCES OF PFOA AND PFOS LOADING TO THEIR WASTEWATER**  
3 **TREATMENT SYSTEMS AND TO TAKE STEPS TO REDUCE THE TOTAL CONCENTRATION**  
4 **OF REGULATED PFAS IN THE SEWAGE SLUDGE PRODUCED BY THOSE SYSTEMS.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2026.

## HOUSE BILL 778

L6, C9

6lr2318

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By: **Delegates Allen, Behler, and Stewart**

Introduced and read first time: February 4, 2026

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Middle Housing Options – Requirements**

3 FOR the purpose of establishing that certain local jurisdictions have an affirmative duty to  
 4 create opportunities for housing by evaluating the suitability of certain commercial  
 5 or industrial land for housing use; altering the requirements for the housing element  
 6 of a certain comprehensive plan; requiring local jurisdictions to establish certain  
 7 policies and adopt certain local laws to promote and encourage building middle  
 8 housing units on certain land; prohibiting local jurisdictions from imposing certain  
 9 unreasonable limitations affecting middle housing applications; and generally  
 10 relating to residential development and middle housing.

11 BY repealing and reenacting, with amendments,  
 12 Article – Land Use  
 13 Section 1–401, 1–407.1, 3–114, and 10–103  
 14 Annotated Code of Maryland  
 15 (2012 Volume and 2025 Supplement)

16 BY adding to  
 17 Article – Land Use  
 18 Section 4–601 through 4–604 to be under the new subtitle “Subtitle 6. Middle  
 19 Housing”  
 20 Annotated Code of Maryland  
 21 (2012 Volume and 2025 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 23 That the Laws of Maryland read as follows:

24 **Article – Land Use**

25 1–401.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as provided in this section, this division does not apply to charter  
2 counties.

3 (b) The following provisions of this division apply to a charter county:

4 (1) this subtitle, including Parts II and III (Charter county –  
5 Comprehensive plans);

6 (2) § 1–101(l), (m), and (o) (Definitions – “Plan”, “Priority funding area”,  
7 and “Sensitive area”);

8 (3) § 1–201 (Visions);

9 (4) § 1–206 (Required education);

10 (5) § 1–207 (Annual report – In general);

11 (6) § 1–208 (Annual report – Measures and indicators);

12 (7) Title 1, Subtitle 3 (Consistency);

13 (8) Title 1, Subtitle 5 (Growth Tiers);

14 (9) § 4–104(c) (Limitations – Bicycle parking);

15 (10) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

16 (11) § 4–208 (Exceptions – Maryland Accessibility Code);

17 (12) § 4–210 (Permits and variances – Solar panels);

18 (13) § 4–211 (Change in zoning classification – Energy generating systems);

19 (14) § 4–212 (Agritourism);

20 (15) § 4–213 (Alcohol production);

21 (16) § 4–214 (Agricultural alcohol production);

22 (17) § 4–215 (Pollinator–friendly vegetation management);

23 (18) § 4–216 (Limitations – Family child care homes and large family child  
24 care homes);

25 (19) Title 4, Subtitle 5 (Accessory Dwelling Units);

26 (20) **TITLE 4, SUBTITLE 6 (MIDDLE HOUSING);**

- 1           **(21)** § 5–102(d) (Subdivision regulations – Burial sites);
- 2           **[(21)] (22)** § 5–104 (Major subdivision – Review);
- 3           **[(22)] (23)** Title 7, Subtitle 1 (Development Mechanisms);
- 4           **[(23)] (24)** Title 7, Subtitle 2 (Transfer of Development Rights);
- 5           **[(24)] (25)** except in Montgomery County or Prince George’s County, Title  
6 7, Subtitle 3 (Development Rights and Responsibilities Agreements);
- 7           **[(25)] (26)** Title 7, Subtitle 4 (Inclusionary Zoning);
- 8           **[(26)] (27)** Title 7, Subtitle 5 (Housing Expansion and Affordability);
- 9           **[(27)] (28)** § 8–401 (Conversion of overhead facilities);
- 10           **[(28)] (29)** for Baltimore County only, Title 9, Subtitle 3 (Single–County  
11 Provisions – Baltimore County);
- 12           **[(29)] (30)** for Frederick County only, Title 9, Subtitle 10 (Single–County  
13 Provisions – Frederick County);
- 14           **[(30)] (31)** for Howard County only, Title 9, Subtitle 13 (Single–County  
15 Provisions – Howard County);
- 16           **[(31)] (32)** for Talbot County only, Title 9, Subtitle 18 (Single–County  
17 Provisions – Talbot County); and
- 18           **[(32)] (33)** Title 11, Subtitle 2 (Civil Penalty).
- 19           (c) This section supersedes any inconsistent provision of Division II of this article.  
20 1–407.1.
- 21           (a) (1) In this section the following words have the meanings indicated.
- 22                   (2) “Affirmatively further fair housing” has the meaning stated in § 2–401  
23 of the Housing and Community Development Article.
- 24                   (3) “Area median income” has the meaning stated in § 4–1801 of the  
25 Housing and Community Development Article.
- 26                   (4) “Low–income housing” means housing that is affordable for a household  
27 with an aggregate annual income that is below 60% of the area median income.

1 (5) "Workforce housing" has the meaning stated in § 4-1801 of the Housing  
2 and Community Development Article.

3 (b) A housing element may include goals, objectives, policies, plans, and  
4 standards.

5 (c) A housing element shall address the need for affordable housing within the  
6 county, including:

7 (1) workforce housing; and

8 (2) low-income housing.

9 (d) (1) A county has a duty to affirmatively further fair housing through the  
10 county's housing and urban development programs.

11 (2) The housing element of a comprehensive plan that is enacted or  
12 amended on or after January 1, 2025, shall include an assessment of fair housing to ensure  
13 that the county is affirmatively furthering fair housing.

14 (3) On request of a county, the Department of Planning, in consultation  
15 with the Department of Housing and Community Development, shall provide technical  
16 assistance for the purpose of developing the housing element of the comprehensive plan.

17 (4) This subsection does not require a county to take, or prohibit a county  
18 from taking, a specific action to affirmatively further fair housing.

19 **(E) (1) A COUNTY HAS AN AFFIRMATIVE DUTY TO CREATE**  
20 **OPPORTUNITIES FOR HOUSING BY EVALUATING THE SUITABILITY OF VACANT,**  
21 **UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING**  
22 **USE.**

23 **(2) THE HOUSING ELEMENT OF A COMPREHENSIVE PLAN THAT IS**  
24 **ENACTED OR AMENDED ON OR AFTER JANUARY 1, 2027, SHALL INCLUDE:**

25 **(I) AN ASSESSMENT OF THE SUITABILITY OF ALL VACANT,**  
26 **UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING**  
27 **USE TO CREATE OPPORTUNITIES FOR MORE HOUSING IN AREAS SERVED BY**  
28 **EXISTING PUBLIC WATER AND SEWER SYSTEMS; AND**

29 **(II) RECOMMENDATIONS TO ALTER LOCAL LAWS AS NECESSARY**  
30 **TO AUTHORIZE HOUSING USE ON VACANT, UNUSED, OR UNDERUTILIZED**  
31 **COMMERCIAL OR INDUSTRIAL LAND THAT IS SUITABLE FOR HOUSING USE.**

1 (a) (1) In this section the following words have the meanings indicated.

2 (2) “Affirmatively further fair housing” has the meaning stated in § 2–401  
3 of the Housing and Community Development Article.

4 (3) “Area median income” has the meaning stated in § 4–1801 of the  
5 Housing and Community Development Article.

6 (4) “Low–income housing” means housing that is affordable for a household  
7 with an aggregate annual income that is below 60% of the area median income.

8 (5) “Workforce housing” has the meaning stated in § 4–1801 of the Housing  
9 and Community Development Article.

10 (b) A housing element may include goals, objectives, policies, plans, and  
11 standards.

12 (c) A housing element shall address the need for affordable housing within the  
13 local jurisdiction, including:

14 (1) workforce housing; and

15 (2) low–income housing.

16 (d) (1) Local jurisdictions have a duty to affirmatively further fair housing  
17 through their housing and urban development programs.

18 (2) The housing element of a comprehensive plan that is enacted or  
19 amended on or after January 1, 2023, shall include an assessment of fair housing to ensure  
20 that the local jurisdiction is affirmatively furthering fair housing.

21 (3) On request of a local jurisdiction, the Department of Planning, in  
22 consultation with the Department of Housing and Community Development, shall provide  
23 technical assistance for the purpose of developing the housing element of the  
24 comprehensive plan.

25 (4) This subsection does not require a local jurisdiction to take, or prohibit  
26 a local jurisdiction from taking, a specific action to affirmatively further fair housing.

27 **(E) (1) LOCAL JURISDICTIONS HAVE AN AFFIRMATIVE DUTY TO CREATE**  
28 **OPPORTUNITIES FOR HOUSING BY EVALUATING THE SUITABILITY OF VACANT,**  
29 **UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING**  
30 **USE.**



1           (1) IS LOCATED ON AN INDIVIDUAL LOT OR PARCEL; AND

2           (2) HAS AT LEAST ONE COMMON WALL WITH AN ADJACENT DWELLING  
3 UNIT.

4           (F) (1) “UNREASONABLE LIMITATION” INCLUDES A LIMITATION THAT  
5 PROHIBITS, EXPLICITLY OR BY EFFECT, THE DEVELOPMENT OF MIDDLE HOUSING.

6           (2) “UNREASONABLE LIMITATION” DOES NOT INCLUDE A LIMITATION  
7 ON THE SHORT-TERM RENTAL OF A MIDDLE HOUSING UNIT.

8           (G) “ZONING ADMINISTRATOR” MEANS A LOCAL GOVERNMENTAL UNIT  
9 THAT IS RESPONSIBLE FOR REVIEWING DEVELOPMENT PLANS AND PERMIT  
10 APPLICATIONS FOR CONSISTENCY WITH LOCAL ZONING ORDINANCES.

11 **4-602.**

12           THIS SUBTITLE APPLIES ONLY TO THE DEVELOPMENT OF MIDDLE HOUSING  
13 ON LAND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE.

14 **4-603.**

15           (A) IT IS THE POLICY OF THE STATE TO PROMOTE AND ENCOURAGE  
16 BUILDING MIDDLE HOUSING UNITS ON LAND ZONED FOR SINGLE-FAMILY  
17 RESIDENTIAL USE TO MEET THE HOUSING NEEDS OF THE STATE.

18           (B) (1) EXCEPT AS PROVIDED IN THIS SUBTITLE AND SUBJECT TO  
19 PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE DOES NOT ALTER OR  
20 ABROGATE ANY ZONING POWER OR RELATED AUTHORITY GRANTED TO A LOCAL  
21 JURISDICTION UNDER THIS TITLE.

22           (2) LOCAL JURISDICTIONS SHALL ESTABLISH POLICIES THAT  
23 FURTHER THE INTENT OF THIS SUBTITLE.

24 **4-604.**

25           (A) THIS SECTION DOES NOT APPLY TO A RESTRICTION ON USE ON HISTORIC  
26 PROPERTY THAT IS LISTED IN OR DETERMINED BY THE DIRECTOR OF THE  
27 MARYLAND HISTORICAL TRUST TO BE ELIGIBLE FOR INCLUSION IN THE MARYLAND  
28 REGISTER OF HISTORIC PROPERTIES.

1           **(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, EACH LOCAL**  
2 **JURISDICTION WITH LOCAL ZONING AUTHORITY SHALL BY LOCAL LAW ALLOW, BY**  
3 **RIGHT, MIDDLE HOUSING ON:**

4           **(1) ANY INDIVIDUAL LOT, EXISTING BEFORE JANUARY 1, 2015, THAT:**

5                   **(I) IS LOCATED IN A ZONING DISTRICT THAT ALLOWS**  
6 **CONSTRUCTION OF SINGLE-FAMILY DETACHED DWELLING UNITS; AND**

7                   **(II) IS VACANT; AND**

8           **(2) AT LEAST 25% OF THE LOTS IN ANY NEW RESIDENTIAL**  
9 **SUBDIVISION WITH AT LEAST 20 LOTS FOR SINGLE-FAMILY DWELLING UNITS.**

10          **(C) (1) A LOCAL LAW ADOPTED UNDER THIS SECTION SHALL:**

11                   **(I) REQUIRE FRONT, SIDE, AND REAR SETBACKS THAT ARE NOT**  
12 **GREATER THAN THE SETBACKS REQUIRED FOR A SINGLE-FAMILY DETACHED**  
13 **DWELLING UNIT IN THE SAME ZONING DISTRICT;**

14                   **(II) EXEMPT MIDDLE HOUSING FROM MINIMUM LOT SIZE**  
15 **REQUIREMENTS;**

16                   **(III) LIMIT MIDDLE HOUSING TO LOCATIONS SERVED BY PUBLIC**  
17 **WATER AND SEWER SYSTEMS;**

18                   **(IV) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, IF THE**  
19 **ZONING ADMINISTRATOR DETERMINES THAT ADEQUATE ON-STREET PARKING**  
20 **EXISTS FOR THE PROPOSED MIDDLE HOUSING UNITS, REQUIRE NOT MORE THAN**  
21 **ONE OFF-STREET PARKING SPACE FOR EACH MIDDLE HOUSING UNIT;**

22                   **(V) PROVIDE THAT A MIDDLE HOUSING ZONING OR BUILDING**  
23 **APPLICATION IS SUBJECT TO THE SAME REVIEW AND APPROVAL PROCEDURES**  
24 **REQUIRED FOR A COMPARABLE SINGLE-FAMILY DETACHED RESIDENTIAL USE**  
25 **APPLICATION; AND**

26                   **(VI) REQUIRE THAT MIDDLE HOUSING MEET PUBLIC HEALTH,**  
27 **SAFETY, AND WELFARE STANDARDS, INCLUDING RELEVANT BUILDING CODES.**

28          **(2) A LOCAL LAW ADOPTED UNDER THIS SECTION MAY REQUIRE**  
29 **MIDDLE HOUSING TO MEET RELEVANT ADEQUATE PUBLIC FACILITIES**  
30 **REQUIREMENTS.**

1           **(3) A LOCAL JURISDICTION MAY NOT IMPOSE UNREASONABLE**  
 2 **LIMITATIONS AFFECTING MIDDLE HOUSING APPLICATIONS CONCERNING:**

3                   **(I) HEIGHT;**

4                   **(II) SETBACKS;**

5                   **(III) BULK;**

6                   **(IV) PARKING;**

7                   **(V) DIMENSIONS OR AREA; OR**

8                   **(VI) SIMILAR REQUIREMENTS.**

9           **(4) IF THE GUIDELINES WILL NOT IMPOSE AN UNREASONABLE**  
 10 **LIMITATION THAT EFFECTIVELY PROHIBITS MIDDLE HOUSING, A LOCAL**  
 11 **JURISDICTION MAY ESTABLISH GUIDELINES THAT ARE APPROPRIATE FOR LOCAL**  
 12 **CONDITIONS TO ASSIST THE ZONING ADMINISTRATOR IN DETERMINING THE**  
 13 **ADEQUACY OF ON-STREET PARKING.**

14 10–103.

15           (a) Except as provided in this section, this division does not apply to Baltimore  
 16 City.

17           (b) The following provisions of this division apply to Baltimore City:

18                   (1) this title;

19                   (2) § 1–101(m) (Definitions – “Priority funding area”);

20                   (3) § 1–101(o) (Definitions – “Sensitive area”);

21                   (4) § 1–201 (Visions);

22                   (5) § 1–206 (Required education);

23                   (6) § 1–207 (Annual report – In general);

24                   (7) § 1–208 (Annual report – Measures and indicators);

25                   (8) Title 1, Subtitle 3 (Consistency);

1 (9) Title 1, Subtitle 4, Parts II and III (Home Rule Counties –  
2 Comprehensive Plans; Implementation);

3 (10) § 4–104(c) (Limitations – Bicycle parking);

4 (11) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

5 (12) § 4–205 (Administrative adjustments);

6 (13) § 4–208 (Exceptions – Maryland Accessibility Code);

7 (14) § 4–210 (Permits and variances – Solar panels);

8 (15) § 4–211 (Change in zoning classification – Energy generating systems);

9 (16) § 4–215 (Pollinator–friendly vegetation management);

10 (17) § 4–216 (Limitations – Family child care homes and large family child  
11 care homes);

12 (18) Title 4, Subtitle 5 (Accessory Dwelling Units);

13 (19) **TITLE 4, SUBTITLE 6 (MIDDLE HOUSING);**

14 **(20)** § 5–102(d) (Subdivision regulations – Burial sites);

15 **[(20)] (21)** Title 7, Subtitle 1 (Development Mechanisms);

16 **[(21)] (22)** Title 7, Subtitle 2 (Transfer of Development Rights);

17 **[(22)] (23)** Title 7, Subtitle 3 (Development Rights and Responsibilities  
18 Agreements);

19 **[(23)] (24)** Title 7, Subtitle 4 (Inclusionary Zoning);

20 **[(24)] (25)** Title 7, Subtitle 5 (Housing Expansion and Affordability); and

21 **[(25)] (26)** Title 11, Subtitle 2 (Civil Penalty).

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 January 1, 2027.

## HOUSE BILL 905

P2, P1, Q3

6lr3147  
CF SB 547

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By: **Delegates Roberts, Amprey, Boaf, Griffith, Harrison, Holmes, A. Johnson, J. Long, Mireku-North, Patterson, Pruski, Roberson, Taylor, Turner, and Woods**

Introduced and read first time: February 5, 2026

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Recipients of State and Local Government Funding – Reporting**  
3 **(Buy Maryland Reporting Requirements)**

4 FOR the purpose of requiring a unit of State and local government and a person that  
5 receives funding from the State operating or capital budget to report on or before a  
6 certain date each year to the Comptroller certain information regarding the use of  
7 the funds; requiring a certain individual or corporation that receives payments from  
8 a unit of State and local government for providing goods or services to the unit to  
9 include certain information on the individual's or corporation's income tax return or  
10 declaration; requiring the Comptroller to consolidate and summarize certain  
11 information and submit a report on or before a certain date each year to the General  
12 Assembly; and generally relating to reporting requirements for recipients of State  
13 and local government funding.

14 BY repealing and reenacting, without amendments,  
15 Article – State Finance and Procurement  
16 Section 1–101(a), (b), (d), and (e)  
17 Annotated Code of Maryland  
18 (2021 Replacement Volume and 2025 Supplement)

19 BY adding to  
20 Article – State Finance and Procurement  
21 Section 7–407  
22 Annotated Code of Maryland  
23 (2021 Replacement Volume and 2025 Supplement)

24 BY adding to  
25 Article – Tax – General  
26 Section 10–826

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2022 Replacement Volume and 2025 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
4 That the Laws of Maryland read as follows:

5 **Article – State Finance and Procurement**

6 1–101.

7 (a) In this Division I of this article the following words have the meanings  
8 indicated.

9 (b) “County” means a county of the State and, unless expressly provided  
10 otherwise, Baltimore City.

11 (d) “Person” means an individual, receiver, trustee, guardian, personal  
12 representative, fiduciary, or representative of any kind and any partnership, firm,  
13 association, corporation, or other entity.

14 (e) “State” means:

15 (1) a state, possession, or territory of the United States;

16 (2) the District of Columbia; or

17 (3) the Commonwealth of Puerto Rico.

18 **7–407.**

19 **(A) IN THIS SECTION, “UNIT” MEANS A UNIT OF STATE, COUNTY, OR**  
20 **MUNICIPAL GOVERNMENT.**

21 **(B) ON OR BEFORE OCTOBER 15 EACH YEAR, A UNIT OR A PERSON THAT**  
22 **RECEIVES FUNDING FROM THE STATE OPERATING OR CAPITAL BUDGET FOR THE**  
23 **MOST RECENTLY COMPLETED FISCAL YEAR SHALL REPORT TO THE COMPTROLLER**  
24 **THE FOLLOWING INFORMATION ON THE USE OF THE FUNDING:**

25 **(1) A DESCRIPTION OF THE PURPOSE FOR WHICH THE FUNDING WAS**  
26 **PROVIDED; AND**

27 **(2) THE NAME OF ANY ENTITY, CONTRACTOR, OR SUBCONTRACTOR**  
28 **THAT RECEIVES ANY OF THE FUNDING TO PERFORM WORK ON BEHALF OF THE UNIT**  
29 **OR PERSON, INCLUDING:**

1 (I) THE ADDRESS OF THE CONTRACTOR AND ANY  
2 SUBCONTRACTOR THE CONTRACTOR HIRES;

3 (II) THE NUMBER OF EMPLOYEES EACH CONTRACTOR OR  
4 SUBCONTRACTOR EMPLOYS;

5 (III) THE ADDRESS WHERE THE WORK IS PERFORMED; AND

6 (IV) WHETHER THE CONTRACTOR OR SUBCONTRACTOR IS A  
7 CERTIFIED MINORITY BUSINESS ENTERPRISE UNDER TITLE 14, SUBTITLE 3 OF THIS  
8 ARTICLE.

9 (C) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COMPTROLLER SHALL  
10 CONSOLIDATE AND SUMMARIZE THE INFORMATION RECEIVED UNDER SUBSECTION  
11 (B) OF THIS SECTION AND § 10-826 OF THE TAX – GENERAL ARTICLE AND REPORT  
12 TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE  
13 GOVERNMENT ARTICLE, ON THE USE OF STATE FUNDING, INCLUDING A SUMMARY  
14 BY UNIT OR PERSON THAT IDENTIFIES:

15 (1) THE PERCENTAGE OF OUT-OF-STATE AND IN-STATE  
16 CONTRACTORS OR SUBCONTRACTORS;

17 (2) THE AVERAGE SIZE, BY EMPLOYEE, OF THE CONTRACTOR OR  
18 SUBCONTRACTOR; AND

19 (3) THE PERCENTAGE OF CONTRACTORS OR SUBCONTRACTORS THAT  
20 ARE CERTIFIED MINORITY BUSINESS ENTERPRISES UNDER TITLE 14, SUBTITLE 3  
21 OF THIS ARTICLE.

22 Article – Tax – General

23 10-826.

24 (A) THIS SECTION APPLIES TO AN INDIVIDUAL OR CORPORATION THAT  
25 RECEIVES A PAYMENT FROM A UNIT OF STATE, COUNTY, OR MUNICIPAL  
26 GOVERNMENT FOR PROVIDING GOODS OR SERVICES TO THE UNIT AND IS REQUIRED  
27 TO FILE A RETURN OR DECLARATION UNDER PART II OF THIS SUBTITLE.

28 (B) AN INDIVIDUAL OR CORPORATION SHALL INCLUDE THE FOLLOWING  
29 INFORMATION ON THE RETURN OR DECLARATION:

30 (1) A DESCRIPTION OF THE GOODS OR SERVICES THE INDIVIDUAL OR  
31 CORPORATION PROVIDED;

1           **(2) THE NUMBER OF INDIVIDUALS THAT THE INDIVIDUAL OR**  
2 **CORPORATION EMPLOYS;**

3           **(3) A STATEMENT THAT THE INDIVIDUAL OR CORPORATION IS OR IS**  
4 **NOT A CERTIFIED MINORITY BUSINESS ENTERPRISE UNDER TITLE 14, SUBTITLE 3**  
5 **OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND**

6           **(4) THE NAME OF ANY ENTITY, CONTRACTOR, OR SUBCONTRACTOR**  
7 **THAT THE INDIVIDUAL CONTRACTS WITH TO PROVIDE THE GOODS OR SERVICES TO**  
8 **A UNIT OF STATE, COUNTY, OR MUNICIPAL GOVERNMENT, INCLUDING:**

9                   **(I) THE ADDRESS OF THE CONTRACTOR AND ANY**  
10 **SUBCONTRACTOR THE CONTRACTOR HIRES;**

11                   **(II) THE NUMBER OF EMPLOYEES EACH CONTRACTOR OR**  
12 **SUBCONTRACTOR EMPLOYS;**

13                   **(III) THE ADDRESS WHERE THE WORK IS PERFORMED; AND**

14                   **(IV) WHETHER THE CONTRACTOR OR SUBCONTRACTOR IS A**  
15 **CERTIFIED MINORITY BUSINESS ENTERPRISE UNDER TITLE 14, SUBTITLE 3 OF THE**  
16 **STATE FINANCE AND PROCUREMENT ARTICLE.**

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
18 1, 2026.

OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

WESTON S. YOUNG, PE.  
CHIEF ADMINISTRATIVE OFFICER  
CANDACE I. SAVAGE, CGFM  
DEPUTY CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEYCOMMISSIONERS  
THEODORE J. ELDER, PRESIDENT  
MADISON J. BUNTING, JR., VICE PRESIDENT  
CARYN G. ABBOTT  
ANTHONY W. BERTINO, JR.  
ERIC J. FIORI  
JOSEPH M. MITRECIC  
DIANA PURNELL

January 23, 2026

To: Worcester County Commissioners  
 From: Karen Hammer, Administrative Assistant V  
 SUBJECT: Upcoming Board Appointments - Terms Beginning January 1, 2026

**Commissioner Bertino – You have Four (4) positions open:**

- George Solyak – **Term Ended** – Agricultural Reconciliation Bd.
- J. T. Novak – **Term Ending** – Electrical Examiners Board
- Maria C- Lawrence – **Term Ended** – Housing Review Board
- John Collins – **Term Ending** – W & S Advisory Board – Ocean Pines

**Commissioner Purnell – You have Two (2) positions open:**

- Nancy Howard – **Termed Out** – Social Services Advisory Board
- Darlene Jackson Bowen – **Resigned** - Commission for Women

**Commissioner Bunting - You have Two (2) positions open:**

- Mike Poole – **Term Ending** – Building Code Appeals Board
- Harry Hammond – **Term Ended** – Social Services Advisory Bd.

**Commissioner Abbott – You have Two (2) positions open:**

- Kevin Holland – **Term Ended** – Building Code Appeals Bd.
- Michelle Goad – **Dismissal** – Commission For Women

**Commissioner Mitrecic – You have Three (3) positions open:**

- Bill Paul – **Resigned** – Building Code Appeals Board
- Kimberly List – **Termed Out** – Commission for Women
- Rebecca Ferguson – **Resigned** – Social Services Advisory Board



**Commissioner Elder – All of your positions are fulfilled. Thank you!**

**Commissioner Fiori - You have Three (3) positions open:**

- Bruce Spangler – **Term Ending** – Ethics Board
- Keith Swanton -**Term Ended** - Water & Sewer Advisory Council, West Ocean City
- Blake Haley – **Term Ended** - Water & Sewer Advisory Council, West Ocean City

**All Commissioners:**

**(4)-Adult Public Guardianship Board -**

- 3– Terms Expiring – Dr. Greer, Richard Collins, and Nancy Howard  
 1 – Vacancy – Psychiatrist

**(3)-Drug and Alcohol Abuse Council –3- Term Ends** – Kim Moses, Rev. Jones, and Alyce Marzola

**(2)-Local Development Council for the Ocean Downs Casino-**

Previously Expired Terms - **Mark Wittmyer, At-Large** – (Suggested Replacement), and **David Massey (At-Large-Business O.P.)**.

**(1)- Property Tax Assessment Appeal Board - Alternate Seat Vacancy**

**(1) – Social Services Advisory Board –** Commissioner Diana Purnell has served the maximum term.  
 This Board requires one member to be a commissioner.

**(1) – Solid Waste Advisory Board -** Town of Berlin member – James Charles’s term is ending.

**(2)- Water and Sewer Advisory Council- West Ocean City-** 1 Term Ended Dec. 2021 – Keith Swanton and Blake Haley

**(3- Total): Commission for Women:**

**(2)– Laura Morrison – Resigned (At Large); Darlene Jackson Bowen – Resigned (Purnell)**

**(1) - Currently Termed Out - Kimberly List (Mitrecic)**

ADULT PUBLIC GUARDIANSHIP BOARD

Reference: PGL Family Law 14-402, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory  
Perform 6-month reviews of all guardianships held by a public agency.  
Recommend that the guardianship be continued, modified or terminated.

Number/Term: 1 1/3 year terms  
Terms expire December 31st

Compensation: None, travel expenses (under Standard State Travel Regulations)

Meetings: Semi-annually

Special Provisions: 1 member must be a professional representative of the local department  
1 member must be a physician  
1 member must be a psychiatrist from the local department of health  
1 member must be a representative of a local commission on aging  
1 member must be a representative of a local nonprofit social services organization  
1 member must be a lawyer  
2 members must be lay individuals  
1 member must be a public health nurse  
1 member must be a professional in the field of disability  
1 member must be a person with a physical disability

Staff Contact: Department of Social Services - Roberta Baldwin (410-677-6872)

Current Members:

| <u>Member's Name</u> | <u>Representing</u>                | <u>Years of Term(s)</u>        |
|----------------------|------------------------------------|--------------------------------|
| Roberta Baldwin      | Local Dept. Rep. - Social Services | 03-06-09-12-15-18-21-24-27     |
| Melissa Banks        | Public Health Nurse                | *02-03-06-09-12-15-18-21-24-27 |
| Dr. William Greer    | Physician                          | 07-10-13-16-19-22-25 Term Exp. |
| Richard Collins      | Lawyer                             | 95-16-19-22-25 Term Exp.       |
| Nancy Howard         | Lay Person                         | *17-19, 19-22-25 Term Exp.     |
| Brandy Trader        | Comm. On Aging                     | *15-17, 17-20, 20-23-26        |
| Stephanie James      | Wor. Co. Dev. Center               | 23-26                          |
| Vacancy              | Psychiatrist                       |                                |
| Tina Dykes           | Commission on Aging Rep.           | 25-28                          |

\* = Appointed to fill an unexpired term

Reference: Public Local Law § ZS 1-346 (Right to Farm Law)

Appointed by: County Commissioners

Function: Regulatory  
 Mediate and arbitrate disputes involving agricultural or forestry operations conducted on agricultural lands and issue opinions on whether such agricultural or forestry operations are conducted in a manner consistent with generally accepted agricultural or forestry practices and to issue orders and resolve disputes and complaints brought under the Worcester County Right to Farm Law.

Number/Term: 5 Members/4-Year Terms - Terms expire December 31st

Compensation: None - Expense Reimbursement as provided by County Commissioners

Meetings: At least one time per year, more frequently as necessary

Special Provisions: - All members must be County residents  
 - Two Members chosen from nominees of Worcester County Farm Bureau  
 - One Member chosen from nominees of Worcester County Forestry Board  
 - Not less than 2 but not more than 3 members shall be engaged in the agricultural or forestry industries (**At-Large members - non-ag/forestry**)

Staff Contact: Dept. of Development Review & Permitting  
 - Jennifer Keener (410-632-1200)  
 County Agricultural Extension Agent - As Consultant to the Board  
 - Doug Jones, District Manager, Resource Conservation District - (632-3109, x112)

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Ag/Forest Industry</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|----------------------|---------------------|---------------------------|----------------|-------------------------|
| George Solyak        | At-Large            | No                        | Ocean Pines    | 18-22                   |
| Dean Ennis           | Farm Bureau         | Yes                       | Pocomoke       | 06-10-14-18-22-26       |
| Tom Babcock          | At-Large            | No                        | Whaleyville    | 14-18-22-26             |
| Stacey Esham         | Forestry Bd.        | Yes                       | Berlin         | 12-16-20-24-28          |
| Brooks Clayville     | Farm Bureau         | Yes                       | Snow Hill      | 00-04-08-12-16-20-24-28 |

Prior Members: Since 2000

- Michael Beauchamp (00-06)
- Phyllis Davis (00-09)
- Richard G. Holland, Sr. (00-12)
- Rosalie Smith (00-14)
- Betty McDermott \*(09-17)

\* = Initial terms staggered

## BUILDING CODE APPEALS BOARD

Reference: PGL - Public Safety Article - Section 12-501 - 12-508 - Annotated Code of Maryland  
COMAR 05.02.07 (Maryland Building Performance Standards)  
- International Building Code, International Residential Code

Appointed by: County Commissioners

Function: Quasi-Judicial  
Hear and decide upon appeals of the provisions of the International Building Code (IBC) and International Residential Code for one- and two-family dwellings (IRC)

Number/Term: 7/4-year terms  
Terms expire December 31

Compensation: \$100 per meeting (by policy)

Meetings: As Needed

Special Provisions: Members shall be qualified by reason of experience, training or formal education in building construction or the construction trades.

Staff Contact: Jennifer Keener, Director  
Development Review & Permitting (410-632-1200, ext. 1123)

### Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u>  |
|----------------------|---------------------|----------------|--------------------------|
| Bill Paul            | D-7 - Mitrecic      | Ocean Pines    | 15-19-23 <b>Resigned</b> |
| Kevin Holland        | D-1 - Abbott        | Pocomoke       | 96-04-08-12-16-20, 20-24 |
| Mike Poole           | D-6 - Bunting       | Bishopville    | 17-21, 21-25             |
| Mark Bargar          | D-4 - Elder         | Berlin         | 14-18-22-26              |
| Jim Wilson           | D-3 - Fiori         | Berlin         | 02-06-10-14-18-22-26     |
| Elbert Davis         | D-2 - Purnell       | Snow Hill      | *03-07-11-15-19-23-27    |
| James Spicknall      | D-5 - Bertino       | Ocean Pines    | 04-08-12-16-20-24-28     |

### Prior Members:

Robert L. Cowger, Jr. (92-95)  
Charlotte Henry (92-97)  
Robert Purcell (92-98)  
Edward DeShields (92-03)  
Sumei Prete (97-04)  
Shane C. Spain (03-14)  
Dominic Brunori (92-15)  
Richard P. Mueller (98-17)

\* = Appointed to fill an unexpired term

Reference: PGL Health-General, Section 8-1001

Appointed by: County Commissioners

Functions: Advisory  
Develop and implement a plan for meeting the needs of the general public and the criminal justice system for alcohol and drug abuse evaluation, prevention and treatment services.

Number/Term: At least 18 - At least 7 At-Large, and 11 ex-officio (also several non-voting members)  
At-Large members serve 4-year terms; Terms expire December 31

Compensation: None

Meetings: As Necessary

Special Provisions: Former Alcohol and Other Drugs Task Force was converted to Drug and Alcohol Abuse Council on October 5, 2004.

Staff Contact: Regina Mason, Council Secretary, Health Department (410-632-1100)  
Doug Dods, Council Chair, Sheriff=s Office (410-632-1111)

**Current Members:**

| <u>Name</u>       | <u>Representing</u>                        | <u>Years of Term(s)</u> |
|-------------------|--|-------------------------|
|                   | <b><u>At-Large Members</u></b>             |                         |
| Kim Moses         | Knowledgeable on Substance Abuse Issues    | 08-12-16-20, 20-24      |
| Rev. James Jones  | Knowledge of Substance Abuse Issues        | *21-25                  |
| Alyce Marzola     | Knowledge of Substance Abuse Treatment     | *24-25                  |
| Sue Abell-Rodden  | Recipient of Addictions Treatment Services | 10-14-18-22-26          |
| Colonel Doug Dods | Knowledgeable on Substance Abuse Issues    | 04-10 (adv)-14-18-22-26 |
| Jim Freeman, Jr.  | Knowledgeable on Substance Abuse Issues    | 04-11-15, 15-19-23-27   |
| Mimi Dean         | Substance Abuse Prevention Provider        | *18-19-23-27            |
| Michael Trader    | Knowledgeable on Substance Abuse Issues    | 23-27                   |
| Matthew Giardina  | Knowledgeable on Substance Abuse Issues    | 24-28                   |
| Julie Rayne       | Substance Abuse Treatment Provider         | 26-30                   |

**Ex-Officio Members**

|                                   |                                      |                        |
|-----------------------------------|--------------------------------------|------------------------|
| Rebecca Jones                     | Health Officer                       | Ex-Officio, Indefinite |
| Roberta Baldwin                   | Social Services Director             | Ex-Officio, Indefinite |
| Crystal Duffy                     | Juvenile Services, Regional Director | Ex-Officio, Indefinite |
| Travis Knapp                      | Field Supervisor                     | Ex-Officio, Indefinite |
| Kris Heiser                       | State’s Attorney                     | Ex-Officio, Indefinite |
| Chasity Simpson                   | District Public Defender             | Ex-Officio, Indefinite |
| Sheriff Matt Crisafulli           | County Sheriff                       | Ex-Officio, Indefinite |
| Todd Ferrante                     | Board of Education President         | Ex-Officio, Indefinite |
| Diana Purnell                     | County Commissioners                 | Ex-Officio, Indefinite |
| Judge Brian Shockley (Jen Bauman) | Circuit Court Administrative Judge   | Ex-Officio, Indefinite |
| Hon. Melvin Jews                  | District Court Administrative Judge  | Ex-Officio, Indefinite |
| Timothy Mulligan                  | Warden, Worcester County Jail        | Ex-Officio, Indefinite |

**Advisory Members**

\* Appointed to a partial term for proper staggering, or to fill a vacant term

## BOARD OF ELECTRICAL EXAMINERS

Reference: Public Local Law BR '2-203

Appointed by: County Commissioners

Function: Regulatory  
Regulate licensing of electricians in Worcester County.

Number/Term: 7/3 years  
Terms expire December 31st

Compensation: \$100 meeting for expenses (as determined by County Commissioners)

Meetings: As Needed (1 per month)

Special Provisions: 1 must be electrical contractor in Worcester County for 5-years prior.  
1 must be electrician in Worcester County.  
All must be residents of Worcester County.

Staff Contact: Department of Development Review & Permitting  
Deborah Mooney 410-632-1200

### Current Members:

| <u>Member=s Name</u>      | <u>Nominated By</u> | <u>Resides</u>  | <u>Years of Term(s)</u> |
|---------------------------|---------------------|-----------------|-------------------------|
| J.T. Novak (ME-5)         | D-5, Bertino        | Ocean Pines     | 07-10-13-16-19-22-25    |
| Kenneth Lambertson (ME-5) | D-1, Abbott         | Pocomoke        | 96-11-14-17-20-23-26    |
| Michael Patchett (ME-5)   | D-7, Mitrecic       | West Ocean City | 08-11-14-17-20-23-26    |
| Steve Kolarik (ME)        | D-6, Bunting        | Bishopville     | 12-21-24-27             |
| Duane Duncan (ME-5)       | D-3, Fiori          | Berlin          | *05-12-15-18-21-24-27   |
| Roy M. Case (ME)          | D-2, Purnell        | Berlin          | 10-13-16-19-22-25-28    |
| Carl Smith (ME-5)         | D-4, Elder          | Snow Hill       | 98-10-13-16-19-22-25-28 |

(Key: ME-5 = Master Electrician at least 5-years; ME = Master Electrician; EL = Electrician Limited)

### Prior Members: (Since 1972)

|                      |                            |
|----------------------|----------------------------|
| Harrison Lambertson  | Elwood Bunting             |
| William Molnar       | W. Prentiss Howard         |
| Thomas Ashby         | Frank Bradshaw (90-96)     |
| Billy Burton Cropper | H. Coston Gladding (90-96) |
| Alonza Anderson      | Willard W. Ward (92-97)    |
| Gus Foltz            | Walter Ward (92-98)        |
| Robert Conner        | Dale Venable (94-00)       |
| Gus Payne            | Gary Frick (96-03)         |
| Robert Farley        | Thomas Duncan (02-05)      |
| Mike Costanza        | Mike Henderson (00-06)     |
| Herbert Brittingham  | Brent Pokrywka (02-07)     |
| Otho Mariner         | Joel Watsky (03-08)        |
| Mark Odachowski      | Bob Arnold (97-10)         |
| Howard Pusey         | Jamie Englishmen (06-12)   |

\* = Appointed to fill an unexpired term

**ETHICS BOARD**

Reference: Public Local Law, Section CG 5-103

Appointed by: County Commissioners

Function: Advisory  
 Maintain all Ethics forms; develop procedures and policies for advisory opinions to persons subject to the Ethics Law and for processing complaints alleging violations of the Ethics Law; conduct a public information program regarding the purpose and application of the Ethics Law; annually certify compliance to the State; and recommend any changes to the Commissioners in order to comply with State Ethics Law.

Number/Term: 7/4 years  
 Terms expire December 31<sup>st</sup>

Compensation: \$100 per meeting

Meetings: As Necessary

Special Provisions:

Staff Contact: Roscoe Leslie, County Attorney (410-632-1194)

Current Members:

| <u>Member's Name</u> | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Term(s)</u> |
|----------------------|---------------------|----------------|-------------------------|
| Bruce Spangler       | D-3, Fiori          | Berlin         | *02-05-09-13-17-21-25   |
| Iola Tariq           | D-2, Purnell        | Berlin         | *22-26                  |
| Mickey Ashby         | D-1, Abbott         | Pocomoke       | 14-18-22-26             |
| David Deutsch        | D-6, Bunting        | Ocean Pines    | 17-21-23-27             |
| Frank Knight         | D-7, Mitrecic       | Ocean City     | *14-19-23-27            |
| Judy Giffin          | D-5, Bertino        | Ocean Pines    | *21-24-28               |
| Joseph Stigler       | D-4, Elder          | Berlin         | 16-20-24-28             |

Prior Members: (Since 1972)

- |                             |                               |
|-----------------------------|-------------------------------|
| J.D. Quillin, III           | Walter Kissel (05-09)         |
| Charles Nelson              | Marion Chambers (07-11)       |
| Garbriel Purnell            | Jay Knerr (11-14)             |
| Barbara Derrickson          | Robert I. Givens, Jr. (98-14) |
| Henry P. Walters            | Diana Purnell (09-14)         |
| William Long                | Kevin Douglas (08-16)         |
| L. Richard Phillips (93-98) | Lee W. Baker (08-16)          |
| Marigold Henry (94-98)      | Richard Passwater (09-17)     |
| Louis Granados (94-99)      | Jeff Knepper (16-21)          |
| Kathy Philips (90-00)       | Faith Mumford (14-22)         |
| Mary Yenney (98-05)         |                               |
| Bill Ochse (99-07)          |                               |
| Randall Mariner (00-08)     |                               |
| Wallace D. Stein (02-08)    |                               |
| William Kuhn (90-09)        |                               |

\* = Appointed to fill an unexpired term

**HOUSING REVIEW BOARD**

Reference: Public Local Law 'BR 3-104

Appointed by: County Commissioners

Function: Regulatory/Advisory  
To decide on appeals of code official=s actions regarding the Rental Housing Code. Decide on variances to the Rental Housing Code. Review Housing Assistance Programs.

Number/Term 7/3-year terms  
Terms expire December 31st

Compensation: \$100 per meeting (policy)

Meetings: As Needed

Special Provisions: Immediate removal by Commissioners for failure to attend meetings.

Staff Support: Development Review & Permitting Department  
Davida Washington, Housing Program Administrator - 410-632-1200

Ext: 1171

Current Members:

| <u>Member=s Name</u>    | <u>Nominated By</u> | <u>Resides</u> | <u>Years of Terms(s)</u> |
|-------------------------|---------------------|----------------|--------------------------|
| Maria Campione-Lawrence | D-5, Bertino        | Ocean Pines    | *22-23                   |
| Don Furbay              | D-3, Fiori          | W. Ocean City  | 23-26                    |
| Charlie Murphy          | D-7, Mitrecic       | Ocean City     | *23-26                   |
| Carl Smith              | D-4, Elder          | Snow Hill      | 24-27                    |
| Felicia Green           | D-2, Purnell        | Ocean Pines    | *21-24-27                |
| Debbie Hileman          | D-6, Bunting        | Ocean Pines    | 10-13-16-19-22-25-28     |
| Dr. Lynn Duffy          | D-1, Abbott         | Pocomoke       | 26-29                    |

Prior Members:

|                            |                            |                   |
|----------------------------|----------------------------|-------------------|
| Phyllis Mitchell           | Albert Bogdon (02-06)      | Scot Tingle 14-24 |
| William Lynch              | Jamie Rice (03-07)         | Keri Byrd 22-25   |
| Art Rutter                 | Howard Martin (08)         |                   |
| William Buchanan           | Marlene Ott (02-08)        |                   |
| Christina Alphonso         | Mark Frostrom, Jr. (01-10) |                   |
| Elsie Purnell              | Joseph McDonald (08-10)    |                   |
| William Freeman            | Sherwood Brooks (03-12)    |                   |
| Jack Dill                  | Otho Mariner (95-13)       |                   |
| Elbert Davis               | Becky Flater (13-14)       |                   |
| J. D. Quillin, III (90-96) | Ruth Waters (12-15)        |                   |
| Ted Ward (94-00)           | John Glorioso (*06-19)     |                   |
| Larry Duffy (90-00)        | Sharon Teagle (00- 20)     |                   |
| Patricia McMullen (00-02)  | Davida Washington (*21-21) |                   |
| William Merrill (90-01)    | Donna Dillion (08-22)      |                   |
| Debbie Rogers (92-02)      | C.D. Hall 10-22            |                   |
| Wardie Jarvis, Jr. (96-03) | Chase Church (*19-22)      |                   |
|                            | Jake Mitrecic (15-21)      |                   |

\* = Appointed to fill an unexpired term

**LOCAL DEVELOPMENT COUNCIL  
FOR THE OCEAN DOWNS CASINO**

**ITEM 13**

Reference: Subsection 9-1A-31(c) - State Government Article, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory  
Review and comment on the multi-year plan for the expenditure of the local impact grant funds from video lottery facility proceeds for specified public services and improvements; Advise the County on the impact of the video lottery facility on the communities and the needs and priorities of the communities in the immediate proximity to the facility.

Number/Term: 15/4-year terms; Terms Expire December 31

Compensation: None

Meetings: At least semi-annually

Special Provisions: Membership to include State Delegation (or their designee); one representative of the Ocean Downs Video Lottery Facility, seven residents of communities in immediate proximity to Ocean Downs, and four business or institution representatives located in immediate proximity to Ocean Downs.

Staff Contacts: Kim Moses, Public Information Officer, 410-632-1194  
Roscoe Leslie, County Attorney, 410-632-1194

**Current Members:**

| <u>Member=s Name</u>           | <u>Nominated By</u> | <u>Represents/Resides</u> | <u>Years of Term(s)</u> |
|--------------------------------|---------------------|---------------------------|-------------------------|
| Mark Wittmyer                  | At-Large            | Business - Ocean Pines    | 15-19                   |
| David Massey <sup>c</sup>      | At-Large            | Business - Ocean Pines    | 09-13-17, 17-21         |
| Bobbi Jones                    | Ocean Downs Casino  | Ocean Downs Casino        | 23-indefinite           |
| Mary Beth Carozza              | Indefinite          | Maryland Senator          | 14-indefinite           |
| Wayne A. Hartman               | Indefinite          | Maryland Delegate         | 18-indefinite           |
| Charles Otto                   | Indefinite          | Maryland Delegate         | 14-indefinite           |
| Matt Gordon                    | Dist. 1 – Abbott    | Resident - Pocomoke       | 19-22, 22-26            |
| Ivy Wells                      | Dist. 3 - Church    | Resident - Berlin         | 22-26                   |
| Cam Bunting <sup>c</sup>       | At-Large            | Business - Berlin         | *09-10-14-18-22-26      |
| Roxane Rounds                  | Dist. 2 - Purnell   | Resident - Berlin         | *14-15-19-23-27         |
| Michael Donnelly               | Dist. 7 - Mitrecic  | Resident - Ocean City     | *16-19-23-27            |
| Kerrie Bunting                 | Dist. 4 - Elder     | Resident - Snow Hill      | *22-24-28               |
| Mayor Rick Meehan <sup>c</sup> | At-Large            | Business - Ocean City     | *09-12-16-20-24-28      |
| Tina Kolarik                   | Dist. 6 - Bunting   | Resident -Bishopville     | 24-28                   |
| Bob Gilmore                    | Dist. 5 - Bertino   | Resident - Ocean Pines    | *19-21, 21-25-29        |

**Prior Members:**

J. Lowell Stoltzfus <sup>c</sup> (09-10)  
 Mark Wittmyer <sup>c</sup> (09-11)  
 John Salm <sup>c</sup> (09-12)  
 Mike Pruitt <sup>c</sup> (09-12)  
 Norman H. Conway <sup>c</sup> (09-14)  
 Michael McDermott (10-14)  
 Diana Purnell <sup>c</sup> (09-14)  
 Linda Dearing (11-15)  
 Todd Ferrante <sup>c</sup> (09-16)

**Since 2009**

Joe Cavilla (12-17)  
 James N. Mathias, Jr. <sup>c</sup> (09-18)  
 Ron Taylor <sup>c</sup> (09-14)  
 James Rosenberg (09-19)  
 Rod Murray <sup>c</sup> (\*09-19)  
 Gary Weber (\*19-21)

Charlie Dorman (12-19)  
 Gee Williams (09-21)  
 Bobbi Sample (17-23)  
 Steve Ashcraft (19-24)

\* = Appointed to fill an unexpired term/initial terms staggered  
<sup>c</sup> = Charter Member

**SOCIAL SERVICES ADVISORY BOARD**

Reference: Human Services Article - Annotated Code of Maryland - Section 3-501

Appointed by: County Commissioners

Functions: Advisory  
 Review activities of the local Social Services Department and make recommendations to the State Department of Human Resources.  
 Act as liaison between Social Services Dept. and County Commissioners.  
 Advocate social services programs on local, state and federal level.

Number/Term: 9 to 13 members/3 years  
 Terms expire June 30th

Compensation: None - (Reasonable Expenses for attending meetings/official duties)

Meetings: 1 per month (Except June, July, August)

Special Provisions: Members to be persons with high degree of interest, capacity & objectivity, who in aggregate give a countywide representative character.  
 Maximum 2 consecutive terms, minimum 1-year between reappointment  
 Members must attend at least 50% of meetings  
 One member (ex officio) must be a County Commissioner  
 Except County Commissioner, members may not hold public office.

Staff Contact: Roberta Baldwin, Director of Social Services - (410-677-6806)

**Current Members:**

| <u>Member=s Name</u>  | <u>Nominated By</u>       | <u>Resides</u> | <u>Years of Term(s)</u>        |
|-----------------------|---------------------------|----------------|--------------------------------|
| Harry Hammond         | D-6, Bunting              | Bishopville    | 15-21, 21- 24 Term Expired     |
| Shelly Daniels        | D-1, Abbott               | Pocomoke City  | 22-25                          |
| Rebecca Colt-Ferguson | D-7, Mitrecic             | Ocean City     | 22-25 Resigned                 |
| Janice Chiampa        | D-5, Bertino              | Ocean Pines    | 22-25                          |
| Diana Purnell         | ex officio - Commissioner |                | 14-18-22-25 Term Expired       |
| Margaret Labesky      | D-4, Elder                | Snow Hill      | 23-26                          |
| Nancy Howard          | D-2, Purnell              | Ocean City     | 09-16-17-20-23-26 Term Expired |
| Mary Beth Quillen     | At-Large                  | Snow Hill      | 25-28                          |
| Aves Ruffin-Jutis     | D-3, Fiori                | Pocomoke       | 25-28                          |

\* = Appointed to fill an unexpired term

Reference: County Commissioners= Resolution 5/17/94 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory  
Review and comment on Solid Waste Management Plan, Recycling Plan, plans for solid waste disposal sites/facilities, plans for closeout of landfills, and to make recommendations on tipping fees.

Number/Term: 11/4-year terms; Terms expire December 31st.

Compensation: \$100 per meeting expense allowance, subject to annual appropriation

Meetings: At least quarterly

Special Provisions: One member nominated by each County Commissioner; and one member appointed by County Commissioners upon nomination from each of the four incorporated towns.

Staff Support: Solid Waste - Solid Waste Superintendent – David Candy - (410-632-3177)  
Solid Waste - Recycling Coordinator – Bob Keenan - (410-632-3177)  
Department of Public Works - Dallas Baker- (410-632-5623)

**Current Members:**

| <u>Member-s Name</u> | <u>Nominated By</u>   | <u>Resides</u> | <u>Years of Term(s)</u> |
|----------------------|-----------------------|----------------|-------------------------|
| James Charles        | Town of Berlin        |                | 21-25                   |
| Bob Gilmore          | D-5, Bertino          | Ocean Pines    | *21-22, 22-26           |
| George Linvill       | D-1, Abbott           | Pocomoke       | 14-18-22-26             |
| George Dix           | D-4, Elder            | Snow Hill      | *10-18-22-26            |
| John O’Brien         | D-6, Bunting          | Bishopville    | *22-23-27               |
| Don Furbay           | D-3, Fiori            | Berlin         | 20-24-28                |
| Granville Jones      | D-7, Mitrecic         | Berlin         | *15-16-20-24-28         |
| Mike Wyatt           | Town of Pocomoke City |                | 24-28                   |
| Aaron Lumpkins       | Town of Snow Hill     |                | 25-29                   |
| Vaughn White         | D-2, Purnell          | Berlin         | *19-21, 21-25-29        |
| Brain Scarborough    | Town of Ocean City    |                | 21-25-29                |

**Prior Members: (Since 1994)**

Ron Cascio (94-96)  
 Roger Vacovsky, Jr. (94-96)  
 Lila Hackim (95-97)  
 Raymond Jackson (94-97)  
 William Turner (94-97)  
 Vernon ACorey@ Davis, Jr. (96-98)  
 Robert Mangum (94-98)  
 Richard Rau (94-96)  
 Jim Doughty (96-99)  
 Jack Peacock (94-00)  
 Hale Harrison (94-00)  
 Richard Malone (94-01)  
 William McDermott (98-03)  
 Fred Joyner (99-03)  
 Hugh McFadden (98-05)  
 Dale Pruitt (97-05)

Frederick Stiehl (05-06)  
 Eric Mullins (03-07)  
 Mayor Tom Cardinale (05-08)  
 William Breedlove (02-09)  
 Lester D. Shockley (03-10)  
 Woody Shockley (01-10)  
 John C. Dorman (07-10)  
 Robert Hawkins (94-11)  
 Victor Beard (97-11)  
 Mike Gibbons (09-14)  
 Hank Westfall (00-14)  
 Marion Butler, Sr. (00-14)  
 Robert Clarke (11-15)  
 Bob Donnelly (11-15)  
 Howard Sribnick (10-16)  
 Dave Wheaton (14-16)  
 Wendell Purnell (97-18)  
 George Tasker (\*15-20)

Rodney Bailey \*19  
 Steve Brown \*10-19  
 Bob Augustine 16-19  
 Michael Pruitt \*15-19  
 James Rosenburg (\*06-19)  
 Jamey Latchum \*17-19  
 Hal Adkins (\*20-21)  
 Mike Poole (11-22)  
 Michelle B-El Soloh (\*19-24)  
 Michael Pruitt (\*22-24)

\* = Appointed to fill an unexpired term

**WATER AND SEWER ADVISORY COUNCIL  
OCEAN PINES SERVICE AREA**

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area; review amendments to Water and Sewer Plan; make recommendations on policies and procedures; review and recommend charges and fees; review annual budget for the service area.

Number/Term: 5/4-year terms  
Terms Expire December 31

Compensation: \$100.00/ Meeting

Meetings: Monthly

Special Provisions: Must be residents of Ocean Pines Service Area

Staff Support: Department of Public Works - Water and Wastewater Division  
Chris Clasing- (410-641-5251)

Current Members:

| <u>Name</u>                 | <u>Resides</u> | <u>Years of Term(s)</u> |
|-----------------------------|----------------|-------------------------|
| John F. (Jack) Collins, Jr. | Ocean Pines    | *18-21, 21-25           |
| William Gabeler             | Ocean Pines    | 22 - 26                 |
| Robert Kane                 | Ocean Pines    | 22-26                   |
| James Spicknall             | Ocean Pines    | 07-10-14-18-22-26       |
| Frederick Stiehl            | Ocean Pines    | *06-24, 24-28           |

Prior Members: (Since 1993)

- Andrew Bosco (93-95)
- Richard Brady (96-96, 03-04)
- Michael Robbins (93-99)
- Alfred Lotz (93-03)
- Ernest Armstrong (93-04)
- Jack Reed (93-06)
- Fred Henderson (04-06)
- E. A. "Bud" Rogner (96-07)
- David Walter (06-07)
- Darwin "Dart" Way, Jr. (99-08)
- Aris Spengos (04-14)
- Gail Blazer (07-17)
- Mike Hegarty (08-17)
- Michael Reilly (14-18)
- Bob Poremski (17-20)
- Gregory Sauter (17-21)

\* = Appointed to fill an unexpired term

**WATER AND SEWER ADVISORY COUNCIL  
WEST OCEAN CITY SERVICE AREA**

Reference: County Commissioners= Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area; review amendments to Water and Sewer Plan; make recommendations on policies and procedures; review and recommend charges and fees; review annual budget for the service area.

Number/Term: 5/4-year terms  
Terms Expire December 31

Compensation: \$100.00/Meeting

Meetings: Monthly

Special Provisions: Must be residents/ratepayers of West Ocean City Service Area

Staff Support: Department of Public Works - Water and Wastewater Division  
Chris Clasing - (410-641-5251)

Current Members:

| <u>Member=s Name</u> | <u>Resides/Ratepayer of</u> | <u>Terms (Years)</u> |
|----------------------|-----------------------------|----------------------|
| Keith Swanton        | West Ocean City             | 13-17, 17-21         |
| Blake Haley          | West Ocean City             | *19-20, 20-24        |
| Gail Fowler          | West Ocean City             | 99-23-27             |
| Deborah Stanley      | West Ocean City             | 95-23-27             |
| Todd Ferrante        | West Ocean City             | 13-17-21-25-29       |

Prior Members: (Since 1993)

Eleanor Kelly<sup>c</sup> (93-96)                      Andrew Delcorro (\*14-19)

John Mick<sup>c</sup> (93-95)

Frank Gunion<sup>c</sup> (93-96)

Carolyn Cummins (95-99)

Roger Horth (96-04)

Whaley Brittingham<sup>c</sup> (93-13)

Ralph Giove<sup>c</sup> (93-14)

Chris Smack (04-14)

\* = Appointed to fill an unexpired term  
c = Charter member

COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

Number/Term: 11/3-year terms; Terms Expire December 31

Compensation: None

Meetings: At least monthly (3<sup>rd</sup> Tuesday at 5:30 PM - alternating between Berlin and Snow Hill)

Special Provisions: **7 district members**, one from each Commissioner District  
 4 At-large members, nominations from women=s organizations & citizens  
 4 Ex-Officio members, one each from the following departments: Social Services, Health & Mental Hygiene, Board of Education, Public Safety  
 No member shall serve more than six consecutive years

Contact: Susan Ostrowski, Chair, and Jocelyn Briddell, Secretary  
 Worcester County Commission for Women - P.O. Box 211, Snow Hill, MD 21863

Current Members:

| <u>Member=s Name</u>       | <u>Nominated By</u>              | <u>Resides</u> | <u>Years of Term(s)</u>      |
|----------------------------|----------------------------------|----------------|------------------------------|
| Kimberly List              | D-7, Mitrecic                    | Ocean City     | 18- 21-24 <b>Termed Out</b>  |
| Jocelyn Briddell           | At-Large                         | Berlin         | 23-26                        |
| Laura Morrison             | At-Large                         | Pocomoke       | <b>*19-20-23-26 Resigned</b> |
| Crystal Bell, MPA          | Health Department                |                | *22-23-26                    |
| Jeannine Jerscheid         | Public Safety – Sheriff’s Office |                | 23-26                        |
| Sharnell Tull              | At-Large                         | Pocomoke       | 23 -26                       |
| Susan Ostrowski            | D-6, Bunting                     | Berlin         | 24-27                        |
| Dorothy Shelton-Leslie     | D-5, Bertino                     | Ocean Pines    | 24-27                        |
| Dr. Darlene Jackson- Bowen | D-2, Purnell                     | Pocomoke       | <b>*19-21-24-27 Resigned</b> |
| Michelle Goad              | D-1, Abbott                      | Pocomoke City  | <b>25-28 - Dismissal</b>     |
| Cheryl Middleton           | At-Large                         | West O. City   | 25-28                        |
| Kelsey Moran               | Dept of Social Services          |                | 25-28                        |
| Ann Fletcher               | D-3, Fiori                       | Berlin         | 25-28                        |
| Dawn Gears                 | D-4, Elder                       | Berlin         | 25-28                        |
| Sarah Blackburn            | Board of Education               |                | 26-29                        |

Prior Members: Since 1995

- |   |                                     |                              |
|---|-------------------------------------|------------------------------|
| Ellen Pilchard <sup>c</sup> (95-97)       | Marie Velong <sup>c</sup> (95-99)   | Christine Selzer (03)        |
| Helen Henson <sup>c</sup> (95-97)         | Carole P. Voss (98-00)              | Linda C. Busick (00-03)      |
| Barbara Beaubien <sup>c</sup> (95-97)     | Martha Bennett (97-00)              | Gloria Bassich (98-03)       |
| Sandy Wilkinson <sup>c</sup> (95-97)      | Patricia Ilczuk-Lavanceau (98-99)   | Carolyn Porter (01-04)       |
| Helen Fisher <sup>c</sup> (95-98)         | Lil Wilkinson (00-01)               | Martha Pusey (97-03)         |
| Bernard Bond <sup>c</sup> (95-98)         | Diana Purnell <sup>c</sup> (95-01)  | Teole Brittingham (97-04)    |
| Jo Campbell <sup>c</sup> (95-98)          | Colleen McGuire (99-01)             | Catherine W. Stevens (02-04) |
| Karen Holck <sup>c</sup> (95-98)          | Wendy Boggs McGill (00-02)          | Hattie Beckwith (00-04)      |
| Judy Boggs <sup>c</sup> (95-98)           | Lynne Boyd (98-01)                  | Mary Ann Bennett (98-04)     |
| Mary Elizabeth Fears <sup>c</sup> (95-98) | Barbara Trader <sup>c</sup> (95-02) | Rita Vaeth (03-04)           |
| Pamela McCabe <sup>c</sup> (95-98)        | Heather Cook (01-02)                |                              |
| Teresa Hammerbacher <sup>c</sup> (95-98)  | Vyoletus Ayres (98-03)              |                              |
| Bonnie Platter (98-00)                    | Terri Taylor (01-03)                |                              |

\* = Appointed to fill an unexpired term  
<sup>c</sup> = Charter member

TEL: 410-632-5623  
 FAX: 410-632-1753  
 WEB: co.worcester.md.us



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

DALLAS BAKER JR., P.E.  
 DIRECTOR

JANA POTVIN  
 DEPUTY DIRECTOR

**MEMORANDUM**

**TO:** Weston Young P.E., Chief Administrative Officer  
 Candace Savage, CGFM, Deputy Chief Administrative Officer  
**FROM:** Dallas Baker Jr., P.E., Director *Dallas Baker Jr*  
**DATE:** February 12, 2026  
**SUBJECT:** Ocean Pines Bay Restoration Fee Update

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Public Works is requesting Commissioner approval in soliciting the help of our State representatives to advocate to MDE for the granting of an exemption from the annual Bay Restoration Fee (BRF) in the Ocean Pines service area. MDE has denied the 2025 exemption request because the annual average nitrogen value for the plant was 3.6 mg/L. To be exempt the value must be 3.0 mg/L or less. The overage was the result of abnormally low, sustained temperatures in January and February 2025, which affected the wastewater plant's performance. In January the average wastewater temperature was 10.1° C and the nitrogen value was 6.71 mg/L, in February the average temperature was 9.9° C and nitrogen was at 11.92 mg/L. The plant is not designed to operate below wastewater temperatures of 12° C. If the January and February values are removed from the annual average calculation, the nitrogen value becomes 2.66 mg/L.

Ocean Pines experienced these low temperatures in 2011 and MDE granted the County the BRF exemption, so there is historical precedent. For 2025, MDE denied the request (attached) citing historical operations at other plants, without providing any threshold at which MDE would accept these Act of God low temperatures affecting plant performance. To be clear, this issue is not one of operational error, it is purely scientific, temperature affects microbiological activity which is the only method to remove nitrogen from the waste stream. MDE's refusal to allow the exemption denies common Act of God conditions and ignores their own historical precedent. Public Works will be issuing a rebuttal to MDE's February 5, 2026 correspondence. If the Commissioners and the State representatives lent their support, it may help make the case with MDE.

Please let me know if there are any questions.

Attachments

CC: Roscoe Leslie  
 Bob Mitchell  
 Jana Potvin  
 Lee Beauchamp



**Maryland**  
Department of  
the Environment

Wes Moore, Governor  
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary  
Suzanne E. Dorsey, Deputy Secretary  
Adam Ortiz, Deputy Secretary

February 5, 2026

Mr. Dallas Baker Jr., P.E., Director  
Worcester County Public Works  
6113 Timmons Road  
Snow Hill, MD 21863

Dear Mr. Baker:

Thank you for your letter and the supporting documentation regarding your request for exemption from the Bay Restoration Fund (BRF) fee for the Ocean Pines Service Area. The Maryland Department of the Environment (MDE or Department) has reviewed your proposal and determined that the facility currently does not meet the requirements to be exempt from paying into the BRF in Calendar Year (CY) 2026. To be eligible for an exemption, the BRF statute requires that the facility shows a full CY average of 3 milligrams per liter (mg/l) total nitrogen (TN) or less, and 0.3 mg/l total phosphorus (TP) or less; and has not received any funding from the State. Based on our review of the Ocean Pines Wastewater Treatment Plant discharge monitoring reports for CY25, the facility's averages were 3.6 mg/l TN (> 3) and 0.3 mg/l TP.

We have also reviewed your request to remove January and February from the annual average based on criteria set by a letter from MDE, dated May 21, 2012. Based on the submitted information and available data, the criteria were not met. In addition, these criteria were used in 2012 when we had a few WWTPs in ENR operation with very limited performance data from these facilities. Today, we have close to 90 WWTPs in ENR operation and more than 20 years of performance data from these facilities in both the warm and cold regions of Maryland. Based on this, MDE is confident that the ENR goals of 3 mg/l TN and 0.3 mg/l TP are practicable based Environment § 9-1601.

Please note that this exemption is reviewed annually; you may reapply for an exemption from the fee in CY27 if the facility is performing at ENR in CY26. The Department is available to provide technical assistance to help with the facility operations if needed or desired. Additionally, the ENR upgrade at Ocean Pines is more than 20 years old and may require refinement to ensure more consistent ENR performance. If Worcester County is interested in applying for BRF grant funds to make needed upgrades to the Ocean Pines facility, please contact us about potential funding opportunities.

With a copy of this letter, we are advising the Maryland Water Infrastructure Financing Administration (WIFA) that the BRF billing may resume for Ocean Pines in CY26. If you have any questions regarding this matter, please contact me at (410) 537-3757 or [walid.saffouri@maryland.gov](mailto:walid.saffouri@maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Walid Saffouri".

Walid Saffouri, P.E., Program Administrator  
Engineering and Capital Projects Program  
Water and Science Administration

cc: Adriana Caldarelli - Water Infrastructure Financing Administration

TEL: 410-632-5623  
 FAX: 410-632-1753  
 WEB: co.worcester.md.us



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

**DALLAS BAKER JR., P.E.**  
 DIRECTOR

January 26, 2026

Walid M. Saffouri, P.E.  
 Program Administrator  
 Engineering and Capital Projects Program  
 Water and Science Administration  
 Maryland Department of the Environment  
 1800 Washington Boulevard, Room 5105  
 Baltimore, Maryland 21230

Dear Mr. Saffouri,

I am writing to extend the exemption from payment of the Chesapeake Bay Restoration Fund (BRF) for the Ocean Pines Service Area. On June 10, 2025, the County requested MDE exclude January and February 2025 Nitrogen values from the 2025 BRF calculations based on past precedent. The values for those months were high due to abnormally low temperatures which hindered the removal of Nitrogen from the waste stream. In your June 11, 2025 response, you indicated, "We will use the same criteria provided in Secretary Summers' letter. However, we won't be able to do that until we have all the data for CY25..." (correspondence chain attached). All calendar year 2025 data has been collected and is attached to this letter. As can be seen, the Ocean Pines Wastewater Treatment Plant met the requirements to be exempted from the BRF when January and February 2025 are excluded from the calculations

|   |                   |
|---|-------------------|
| <u>Nitrogen</u> (excluding Jan. & Feb.) | <u>Phosphorus</u> |
| 2.1 mg/L                                | 0.300 mg/L        |

Please let us know if there are any questions.

Thank you,

*Dallas Baker Jr*

Dallas Baker Jr., P.E.  
 Director  
 Worcester County Public Works

Attachments

CC: Weston Young, Chief Administrative Officer  
Candace Savage, Deputy Chief Administrative Officer  
Roscoe Leslie, County Attorney  
Lisa Ochsenhirt, AquaLaw Vice-President  
Bob Mitchell, Environmental Programs Director  
Ondrea Starzhevskiy, Finance Officer  
Quinn Dittrich, Enterprise Fund Controller  
Jana Potvin, Public Works Deputy Director  
Lee Beauchamp, Water & Wastewater Superintendent

Calculation Form for TN, TP and TSS Annual Loads

Calculation TABLE for Reporting Annual Waste Load for Total Nitrogen, Total Phosphorus and Total Suspended Solids

Facility Name: Ocean Pines WWTP State Permit Number: 22-DP-0708 NPDES Number: MD0023477

YEAR Reporting: 2025

| Months    | Total Monthly Effluent Flow Million Gallons (MG) | Total Nitrogen (TN) as N                |   |  | Total Phosphorus (TP) as P              |   |  | Total Suspended Solids (TSS)             |  |   |
|-----------|--|---|---|--|---|---|--|--|--|---|
|           |  | Monthly TN Average Concentration (mg/L) | Monthly TN Loading Rate <sup>(1)</sup> (Pounds/month) | Year-to-date Cumulative TN Loading <sup>(2)</sup> YTD (Pounds) | Monthly TP Average Concentration (mg/L) | Monthly TP Loading Rate <sup>(1)</sup> (Pounds/month) | Year-to-date Cumulative TP Loading <sup>(2)</sup> YTD (Pounds) | Monthly TSS Average Concentration (mg/L) | Monthly TSS Loading Rate <sup>(1)</sup> (Pounds/month) | Year-to-date Cumulative TSS Loading <sup>(2)</sup> YTD (Pounds) |
| January   | 25.057   | 6.71                                    | 1402  | 1402   | 0.16                                    | 33  | 33   | 1.2                                      | 247  | 247   |
| February  | 23.251   | 11.92                                   | 2311  | 3714   | 0.30                                    | 58  | 92   | 2.3                                      | 446  | 693   |
| March     | 25.621   | 5.31                                    | 1135  | 4848   | 0.50                                    | 107   | 198  | 3.2                                      | 684  | 1376  |
| April     | 27.264   | 1.83                                    | 416   | 5264   | 0.18                                    | 41  | 239  | 2.5                                      | 559  | 1936  |
| May       | 27.925   | 2.13                                    | 496   | 5760   | 0.17                                    | 40  | 279  | 2.3                                      | 536  | 2471  |
| June      | 27.578   | 2.06                                    | 474   | 6234   | 0.34                                    | 78  | 357  | 1.3                                      | 294  | 2766  |
| July      | 30.477   | 1.82                                    | 463   | 6697   | 0.20                                    | 51  | 408  | 1.4                                      | 346  | 3111  |
| August    | 27.129   | 2.09                                    | 473   | 7170   | 0.40                                    | 91  | 499  | 0.7                                      | 165  | 3277  |
| September | 21.866   | 1.43                                    | 261   | 7431   | 0.31                                    | 57  | 555  | 0.6                                      | 100  | 3377  |
| October   | 22.053   | 4.59                                    | 844   | 8275   | 0.53                                    | 97  | 653  | 3.2                                      | 590  | 3967  |
| November  | 20.987   | 2.24                                    | 392   | 8667   | 0.29                                    | 51  | 703  | 0.8                                      | 135  | 4102  |
| December  | 22.177   | 2.17                                    | 401   | 9068   | 0.22                                    | 41  | 744  |  | 0  | 4102  |

Effluent Total Annual Flow (MG/Year) <sup>(3)</sup> 301.385

Annual average TN, TP and TSS concentrations, (mg/L) = Total Annual Load / (Total Annual Flow x 8.34)  
 TN: 3.6 <---No TN Floating Cap Limit  
 TP: 0.3 <---No TP Floating Cap Limit  
 TSS: 1.6

| WASTE LOADING  | POLLUTANT                   |   |                              |   |                  |                                |
|--|-----------------------------|---|------------------------------|---|------------------|--------------------------------|
|  | TN                          |   | TP                           |   | TSS              |                                |
| Pollutant's Total Annual Load in Effluent discharged from Facility (Pounds) <sup>(4)</sup> | 9068                        |   | 744                          |   | 4102             |                                |
| Maximum Allowable Annual Loading Rate (Pounds/Year) <sup>(5)</sup>                         | 31926                       |   | 4566                         |   | N/A              |                                |
| TMDL/Tributary Strategy Based Annual Maximum Waste Load Allocation (Pounds/Year)           | GOAL = 6192                 | LIMIT = 31926                                     | GOAL = 457                   | LIMIT = 4566                                      | LIMIT =          |                                |
| Concentration-Based Annual Maximum Loading Rate Limit (Pounds/Year)                        | C <sub>N</sub> (mg/L) = 0.0 | L <sub>N</sub> (Pounds/Year) <sup>(6)</sup> = N/A | C <sub>P</sub> (mg/L) = 0.00 | L <sub>P</sub> (Pounds/Year) <sup>(6)</sup> = N/A | TSS (mg/L) = N/A | Load Limit (Pounds/Year) = N/A |

<sup>(1)</sup> Monthly Loading Rate (Pounds/Month) = Total Monthly Flow (MG) x Monthly Average Concentration (mg/L) x 8.34  
<sup>(2)</sup> Year-to-date Cumulative Load (Pounds) = Sum of Total Monthly Loadings from January to the reporting month  
<sup>(3)</sup> Total Yearly Effluent Flow = Sum of total monthly flows from January through December  
<sup>(4)</sup> Total Annual Load (in Pounds) = Year-to-date cumulative load for month of December

Calculation Form for TN, TP and TSS Annual Loads

<sup>(5)</sup> Maximum allowable annual loading rate is equal to the lower of the TMDL/Tributary Strategy-based or Concentration-based annual maximum loading rate limits.

<sup>(6)</sup> Concentration based Annual Maximum Load Limit:

- FOR TN,  $L_N = C_N \times \text{Total Yearly Effluent Flow} \times 8.34$  (Where  $C_N$  is Tributary Strategy based TN concentration of 4.0 mg/l or as specified in the permit. If not applicable, set  $C_N = 0.0$  &  $L_N = \text{N/A}$ )

- FOR TP,  $L_P = C_P \times \text{Total Yearly Effluent Flow} \times 8.34$  (Where  $C_P$  is Tributary Strategy based TP concentration of 0.3 mg/l or as specified in the permit. If not applicable, set  $C_P = 0.0$  &  $L_P = \text{N/A}$ )

**Instructions:**

1. Users can INPUT appropriate values for flow, monthly average concentration, WLA as goal or limit and concentrations in cells with **BLUE FONTS**.

2. All other cells are used for calculations. They are protected to avoid any accidental alteration.

3. If TN and TP annual load goals without limits are included in the permit, enter appropriate WLA under GOAL cell and leave LIMIT cell blank.

4. If TN and TP concentration based annual load limits are not part of the permit, enter 0.0 for  $C_N$  and  $C_P$ .  $L_N$  and  $L_P$  will be populated as N/A.

5. If TN and TP concentration based annual load limits are part of the load limit requirements, please enter the appropriate values.

**From:** [Walid Saffouri -MDE-](#)  
**To:** [Dallas Baker](#)  
**Cc:** [Weston S. Young](#); [Candace Savage](#); [Roscoe Leslie](#); [Lisa Ochsenhirt](#); [Robert Mitchell](#); [Quinn M. Dittrich](#); [Chris Clasing](#); [Tony Fascelli](#); [Sunita Boyle -MDE-](#)  
**Subject:** Re: Ocean Pines WWTP, Worcester County Request to Exclude Jan & Feb 2025 TN from BRF Calculations  
**Date:** Wednesday, June 11, 2025 12:34:19 PM  
**Attachments:** [BRF Exemption Request - Ocean Pines Worcester County- Jan and Feb 2025.pdf](#)

---

Thank you for your email and letter. We will use the same criteria provided in Secretary Summers' letter. However, we won't be able to do that until we have all the data for CY25, which usually become available around March or April 2026. Also, for the third criteria we have to use the new discharge permit, effective January 1, 2025.

Thanks  
Walid

**Walid M. Saffouri, P.E.**  
Program Administrator  
Engineering and Capital Projects  
Program  
Water and Science Administration  
Maryland Department of the  
Environment  
1800 Washington Boulevard, Room  
5105  
Baltimore, Maryland 21230  
[walid.saffouri@maryland.gov](mailto:walid.saffouri@maryland.gov)  
410-537-3757 (O)  
[Website](#) | [Facebook](#) | [Twitter](#)

On Tue, Jun 10, 2025 at 11:40 AM Dallas Baker <[dbaker@worcestermd.gov](mailto:dbaker@worcestermd.gov)> wrote:

Good morning Walid,

Please see the attached request from Worcester County to exclude January and February 2025 nitrogen values from the BRF calculations for the Ocean Pines WWTP. Due to exceptionally cold weather, the plant's ability to remove nitrogen was severely hindered. After reviewing the letter, please let me know if there are any questions.

Thank you,

*Dallas*

Dallas Baker Jr., P.E.

Director of Public Works

Worcester County

6113 Timmons Road

Snow Hill, MD 21863

O: 410-632-5623 x2300

F: 410-632-1753

[dbaker@co.worcester.md.us](mailto:dbaker@co.worcester.md.us)



TEL: 410-632-5623  
 FAX: 410-632-1753  
 WEB: co.worcester.md.us



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

DALLAS BAKER JR., P.E.  
 DIRECTOR

CHRISTOPHER CLASING, P.E.  
 DEPUTY DIRECTOR

June 10, 2025

Mr. Walid Saffouri, Program Manager  
 Maryland Department of the Environment  
 Maryland Water and Science Administration  
 Engineering and Capital Projects Program  
 1800 Washington Blvd.  
 Baltimore, MD 21230

Subject: Worcester County, Ocean Pines Sanitary Service Area  
 Exemption from the Bay Restoration Fee for 2025

Dear Mr. Saffouri:

Please consider this the formal request from Worcester County (County) to exclude nitrogen sampling events in January and February 2025 from the annual Bay Restoration Fee (BRF) calculations in 2025 for the Ocean Pines Wastewater Treatment Plant (Ocean Pines Plant or Plant). Wastewater temperatures during January and February were extremely low and caused the plant's total nitrogen (TN) discharge to be higher than typical concentration levels. Although these discharges do not represent a permit violation, they pushed the monthly average above 3 milligrams per Liter (mg/L). The cold wastewater temperatures were not only low, but they remained low for such a long period of time that they impacted several consecutive effluent sampling events. Additional details on early 2025 temperatures are provided below.

### **Introduction**

The Ocean Pines Plant was built in 1968 to serve the Ocean Pines community. In the 1990s, the County stepped in to take over the Plant because the system was in disrepair. Today, Ocean Pines is a residential community of approximately 12,000 full-time residents, 8,000 part-time residents, and 107 commercial customers. The County provides water and wastewater service to 9,345 customers in Ocean Pines, along with 611 customers in Greater Ocean Pines, and 171 customers in Ocean Downs.

The County is very proud of the Ocean Pines Plant. The Plant has enhanced nutrient removal (ENR) treatment, which benefits our customers, local water quality, and the health of the Coastal Bays. The Plant's environmental efforts are vital because the Ocean Pines residential community alone has more than nine miles of waterfront property. The County takes our

Letter to W. Saffouri  
June 10, 2025

compliance obligations very seriously, and we appreciate the Maryland Department of the Environment's (MDE's) support as we work to protect this environmentally sensitive area.

In addition, because of the commitment of our wastewater customers, the County upgraded the Plant without any federal or State funding. As a result, with a few exceptions, we have been able to provide an excellent wastewater service without charging residents the State's BRF fees. In a sense, the residents served by the Plant are already paying the equivalent of the BRF fee in their annual debt service payments for the upgrades.

Maintaining this exemption is particularly critical for Calendar Year 2025, given the other financial pressures our customers are facing (e.g., inflation, uncertain federal and State funding for local needs, federal tariffs on necessary goods). As stewards of their wastewater fees, we urge MDE to allow the County to exempt the highly unusual weather-related TN results from January and February from the 2025 BRF calculations.

### **Justification for Exclusion**

MDE has authority under Md. Code ENV. §9-1605.2(c)(1)(i)(1) and (ii) to exempt the user of a wastewater facility from paying the Bay Restoration Fee if average annual effluent TN and TP concentrations "demonstrate that the facility is achieving enhanced nutrient removal, as defined under § 9-1601(n) of this subtitle;" and if the user's wastewater facility has not received a federal or state grant for the wastewater plant.

The County believes it is appropriate to remove January and February from the 2025 BRF calculations because of the extremely low wastewater temperatures for those months. In fact, State law provides for such a consideration in the very definition of ENR in §9-1601(o)(2).<sup>1</sup> ENR is defined as "(1) An enhanced removal technology that is capable of reducing the nitrogen...concentrations in wastewater effluent to concentrations of not more than 3 milligrams per liter total nitrogen...as calculated on an annually averaged basis; or (2) If the Department has determined that the concentrations under item (1) of this subsection are not practicable for a wastewater facility, the lowest average annual wastewater effluent nitrogen...that the Department determines are practicable for that facility."

MDE has previously stated that "it is technologically not feasible to design or operate an ENR facility to remove nitrogen to the level of 3 mg/l" if the wastewater temperature drops below 12° Celsius. Average wastewater temperatures for both January and February were well below 12° Celsius, making it impossible to achieve 3 mg/L for TN. The Plant's TN results were the lowest practicable levels given the freezing temperatures. It should be noted the Plant's TP results for January and February were 0.16 mg/L and 0.3 mg/L respectively.

---

<sup>1</sup> Although Section 1601(n) is referenced in the BRF Statute, the current citation to the definition for ENR is provided at Section 1601(o). In 2022, the Maryland General Assembly added a definition for Blue Infrastructure to Section 1601(e), which then shifted the citations for the rest of the definitions thereafter (including the definition for ENR). See H.B. 653 (Chapter 237).

Letter to W. Saffouri  
June 10, 2025

There is a historical precedent for MDE granting this request. On May 21, 2012, MDE allowed the County to remove January and February of 2011 from ENR calculations because of extremely cold weather.<sup>2</sup> The current situation is identical to 2011. Here are the criteria MDE used in 2011 along with an explanation for the parallels to 2025:

***1. The plant demonstrated that it can achieve the ENR level of treatment described above based on the past three years performance. ENR level of treatment was successfully achieved in two out of the three years.***

|             | <u>TN</u>       | <u>TP</u>        |
|-------------|-----------------|------------------|
| <b>2022</b> | <b>2.8 mg/L</b> | <b>0.32 mg/L</b> |
| <b>2023</b> | <b>2.2 mg/L</b> | <b>0.2 mg/L</b>  |
| <b>2024</b> | <b>2.4 mg/L</b> | <b>0.2 mg/L</b>  |

***2. Failure to meet the ENR level of treatment in the 2011 calendar year is solely attributable to extremely cold wastewater temperature (less than 12° C) during some of the winter months. Upon the removal of January and February concentrations, during which extremely cold wastewater temperatures were recorded at the plant in calendar year 2011, the average TN concentration becomes 2.4 mg/l.***

The failure to meet ENR in January and February of 2025 is solely related to extremely cold wastewater temperatures during those months. Although we do not know the final TN annual average concentration at this time, TN concentrations for March, April, and May have returned to more historically typical values (see additional details below) and we see no reason the plant will face any significant treatment challenges through the remainder of the year. For reference, the average June – December TN concentration in 2022 was 2.51 mg/L, in 2023 it was 1.8 mg/L, and in 2024 it was 2.04 mg/L. Below is

| <u>2025</u>  | <u>TN</u>        | <u>TP</u>        |
|--------------|------------------|------------------|
| <b>March</b> | <b>5.31 mg/L</b> | <b>0.5 mg/L</b>  |
| <b>April</b> | <b>1.83 mg/L</b> | <b>0.18 mg/L</b> |
| <b>May</b>   | <b>2.13 mg/L</b> | <b>0.17 mg/L</b> |

***3. The 12 months average including the cold months was 3.7 mg/l TN, which is within the permitted cap and concentration limit of 4.0 mg/l.***

Again, we are confident the Plant will perform well throughout the end of 2025.

---

<sup>2</sup> A copy of the correspondence between MDE and the County is attached as Attachment A.

Letter to W. Saffouri  
June 10, 2025

### Additional Details on Temperatures

The design minimum operating temperature for the plant is 12°. The following table shows a comparison of wastewater temperatures and TN discharge concentrations for the past three years showing how 2025 represents an anomaly of waste temperature.

Ocean Pines Wastewater Treatment Plant  
Comparison of Wastewater Temperature and Total Nitrogen Discharge  
Concentration

|      |              | Jan   | Feb               | Mar  |
|------|--------------|-------|-------------------|------|
| 2022 | Total N      | 4.25  | 5.37              | 2.92 |
|      | Average Temp | 10.6  | 10.4 <sup>3</sup> | 13.2 |
| 2023 | Total N      | 2.49  | 2.66              | 2.55 |
|      | Average Temp | 12.4  | 12.2              | 13.4 |
| 2024 | Total N      | 3.76  | 3.21              | 2.22 |
|      | Average Temp | 11.2  | 11.2              | 13.2 |
| 2025 | Total N      | 6.71* | 11.92             | 5.71 |
|      | Average Temp | 10.1  | 9.9               | 13.1 |

Operators began adding cold tolerant bacteria to the treatment process in December, however the microbes were unable to overcome the sustained low temperatures. \*While there does not appear to be a large difference in average temps between January 2022 and January 2025, there were more days below 9° in 2025. January 2022 had 3 days below 9° and January 2025 had 14 days below 9°.

### Conclusion

The Ocean Pines Sanitary Service Area continues to maintain high quality effluent discharges and remains a model of a well operated treatment plant in an environmentally sensitive area. Based on the discussion above, we are requesting approval of the exemption to disregard the January and February results in calculating the annual average discharge concentration.

---

<sup>3</sup> The County requested and MDE denied an exemption from the 2023 BRF fees. However, unlike in the current situation, MDE found that the Plant had a brief spike in phosphorus related to supply chain issues. The calendar year 2022 situation was not solely related to cold-weather impacts to the Plant.

Letter to W. Saffouri  
June 10, 2025

If you require any additional information, please do not hesitate to call.

Sincerely,

*Dallas Baker Jr*

Dallas Baker Jr., P.E.  
Public Works Director  
Worcester County

Attachment

Cc: Weston Young, Chief Administrative Officer  
Candace Savage, Deputy Chief Administrative Officer  
Roscoe Leslie, County Attorney  
Lisa Ochsenhirt, AquaLaw Vice-President  
Bob Mitchell, Environmental Programs Director  
Quinn Dittrich, Enterprise Fund Controller  
Chris Clasing, Public Works Deputy Director  
Tony Fascelli, Water & Wastewater Superintendent



**MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
 1800 Washington Boulevard • Baltimore MD 21230  
 410-537-3000 • 1-800-633-6101

Martin O'Malley  
 Governor

Robert M. Summers, Ph.D.  
 Secretary

Anthony G. Brown  
 Lieutenant Governor

**RECEIVED**

**MAY 22 2012**

**WOR CO ADMIN**

May 21, 2012

6

The Honorable James C. Church, President  
 Office of the County Commissioners  
 Worcester County Government Center  
 One West Market Street, Room 1103  
 Snow Hill, MD 21863-1195

Dear President Church:

Thank you for your letter regarding the Bay Restoration (BRF) fee exemption for Ocean Pines Sanitary Service Area. Specifically, you are requesting that we reconsider our denial of the BRF fee exemption renewal for Ocean Pines based on § 9-1601(n)(1) of the Environment Article, and allow the exemption to continue through calendar year 2012. I appreciate the opportunity to respond to you regarding this important matter.

During calendar year 2011, the plant's total phosphorus (TP) has averaged below 0.3 mg/l. However, the total nitrogen (TN) exceeded the required 3.0 mg/l and averaged at 3.7 mg/l. To be considered as an Enhanced Nutrient Removal (ENR) facility and be exempt from paying the fee, Ocean Pines facility must demonstrate that it is capable of meeting both parameters on an annual averaged basis.

After consulting with the Department Office of the Attorney General regarding § 9-1601(n)(1) of the Environment Article, we are able to allow for the exemption renewal for the Ocean Pines Service Area based on the following criteria:

1. The plant demonstrated that it is capable of achieving the ENR level of treatment described above based on the past three years performance. ENR level of treatment was successfully achieved in two out of the recent three years (2011, 2010, and 2009).
2. Failure to meet the ENR level of treatment in the 2011 calendar year is solely attributable to extremely cold wastewater temperature (less than 12° C) during some of the winter months. Upon the removal of January and February concentrations, during which extremely cold wastewater temperatures were recorded at the plant in calendar year 2011, the average TN concentration becomes 2.4 mg/l.
3. The 12 months average including the cold months was 3.7 mg/l TN, which is within the permitted cap and concentration limit of 4.0 mg/l TN.

The Honorable James C. Church  
Page 2

Therefore, Ocean Pines Service Area is hereby exempted from paying the BRF fee through calendar year 2012. Exemptions under this category are valid for up to one year. Your exemption will expire on February 1, 2013, after which the BRF fee will resume for your facility unless an exemption renewal is requested and approved by MDE prior to this date.

Thank you again for your letter. If you would like further information, please contact me or Ms. Terri Wilson, Director of Office of Budget and Financing, at 410-537-4155 or by email at [twilson@mde.state.md.us](mailto:twilson@mde.state.md.us).

Sincerely,



Robert M. Summers, Ph.D.  
Secretary

cc: Senator James N. Mathias, Jr.  
Delegate Michael A. McDermott  
Delegate Norman H. Conway  
Terri Wilson, Director, Budget and Financing, MDE



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 1800 Washington Boulevard • Baltimore MD 21230  
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The Honorable James C. Church  
Page 2

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Sincerely,



Robert M. Summers, Ph.D.  
Secretary

cc: Senator James N. Mathias, Jr.  
Delegate Michael A. McDermott  
Delegate Norman H. Conway  
Terri Wilson, Director, Budget and Financing, MDE



Worcester County Administration
One West Market St. Room 1103 | Snow Hill MD 21863 | (410) 632-1194 | www.co.worcester.md.us

TO: The Salisbury Daily Times and OC Today Dispatch Group
FROM: Candace Savage, Deputy Chief Administrative Officer
DATE: February 6, 2026
SUBJECT: Worcester County Public Hearing Notice

Please print the below Public Hearing Notice in The Salisbury Daily Times and Ocean City Digest/OC Today Dispatch on January 22, 2026 and January 29, 2026. Thank you.

WORCESTER COUNTY
NOTICE OF PUBLIC HEARING

The Worcester County Commissioners will conduct a public hearing and will receive public comment on the following map amendment on Tuesday, February 17, 2026, at 10:30 AM in the Worcester County Government Center, Room 1101, One West Market Street, Snow Hill, Maryland:

Rezoning Case No. 452, filed by Hugh Cropper on behalf of KASA Holdings, LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 1.66 acres of land located on the westerly side of Stephen Decatur Highway (MD Route 611) and the easterly side of Sinepuxent Road, West Ocean City, Tax Map 26, Parcel 340, in the Tenth Tax District of Worcester County, Maryland, from A-2 Agricultural District to C-2 General Commercial District.

A copy of the file on Rezoning Case No. 452 and the Planning Commission's recommendation, which will be entered into record at the public hearing, are available to view online at www.co.worcester.md.us or during normal business hours at the Department of Development, Review and Permitting, One West Market Street, Room 1201, Snow Hill, MD.

THE WORCESTER COUNTY COMMISSIONERS



**APPROVED**

12/16/25 WSY

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

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Weston S. Young, Chief Administrative Officer  
From: Jennifer K. Keener, AICP, Director  
Date: December 4, 2025  
Re: Rezoning Case No. 452 – KASA Holdings, LLC, applicant, Hugh Cropper, IV, Esquire attorney for the applicant

---

I am requesting that the Worcester County Commissioners schedule the required public hearing associated with Rezoning Case No. 452. A draft public hearing notice is attached.

Mr. Cropper, on behalf of his client, has filed Rezoning Case No. 452, seeking to rezone approximately 1.66 acres of land located on the westerly side of Stephen Decatur Highway (MD Route 611) and the easterly side of Sinepuxent Road, West Ocean City, from A-2 Agricultural District to C-2 General Commercial District. The case was reviewed by the Planning Commission at its meeting on December 4, 2025, and was given a favorable recommendation (5 to 2). The Planning Commission's written Findings of Fact and Recommendation are being prepared and will be forwarded for the public hearing.

Please advise our department at your earliest convenience as to the public hearing date so that our department can ensure that the mandatory public notice of 15 days is met via posting on the site and mailings to adjoining property owners.

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

**WORCESTER COUNTY  
NOTICE OF PUBLIC HEARING**

The Worcester County Commissioners will conduct a public hearing and will receive public comment on the following map amendment on **Tuesday, \_\_\_\_\_, 2025, at \_\_\_\_ AM** in the Worcester County Government Center, Room 1101, One West Market Street, Snow Hill, Maryland:

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A copy of the file on Rezoning Case No. 452 and the Planning Commission's recommendation, which will be entered into record at the public hearing, are available to view online at [www.co.worcester.md.us](http://www.co.worcester.md.us) or during normal business hours at the Department of Development, Review and Permitting, One West Market Street, Room 1201, Snow Hill, MD.

THE WORCESTER COUNTY COMMISSIONERS

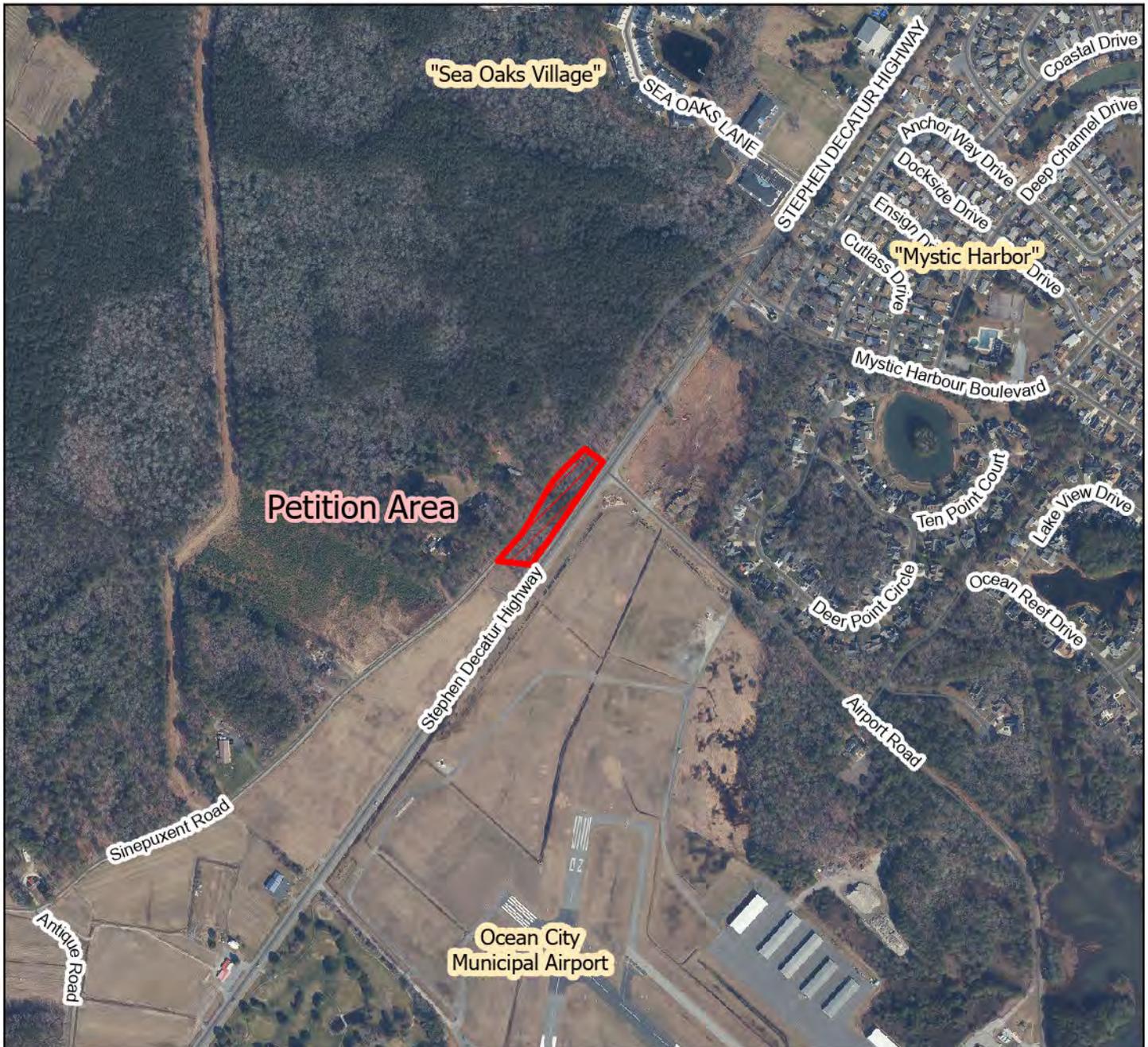
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



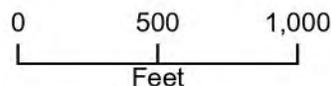
AERIAL IMAGERY



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2024 Aerial Imagery

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.

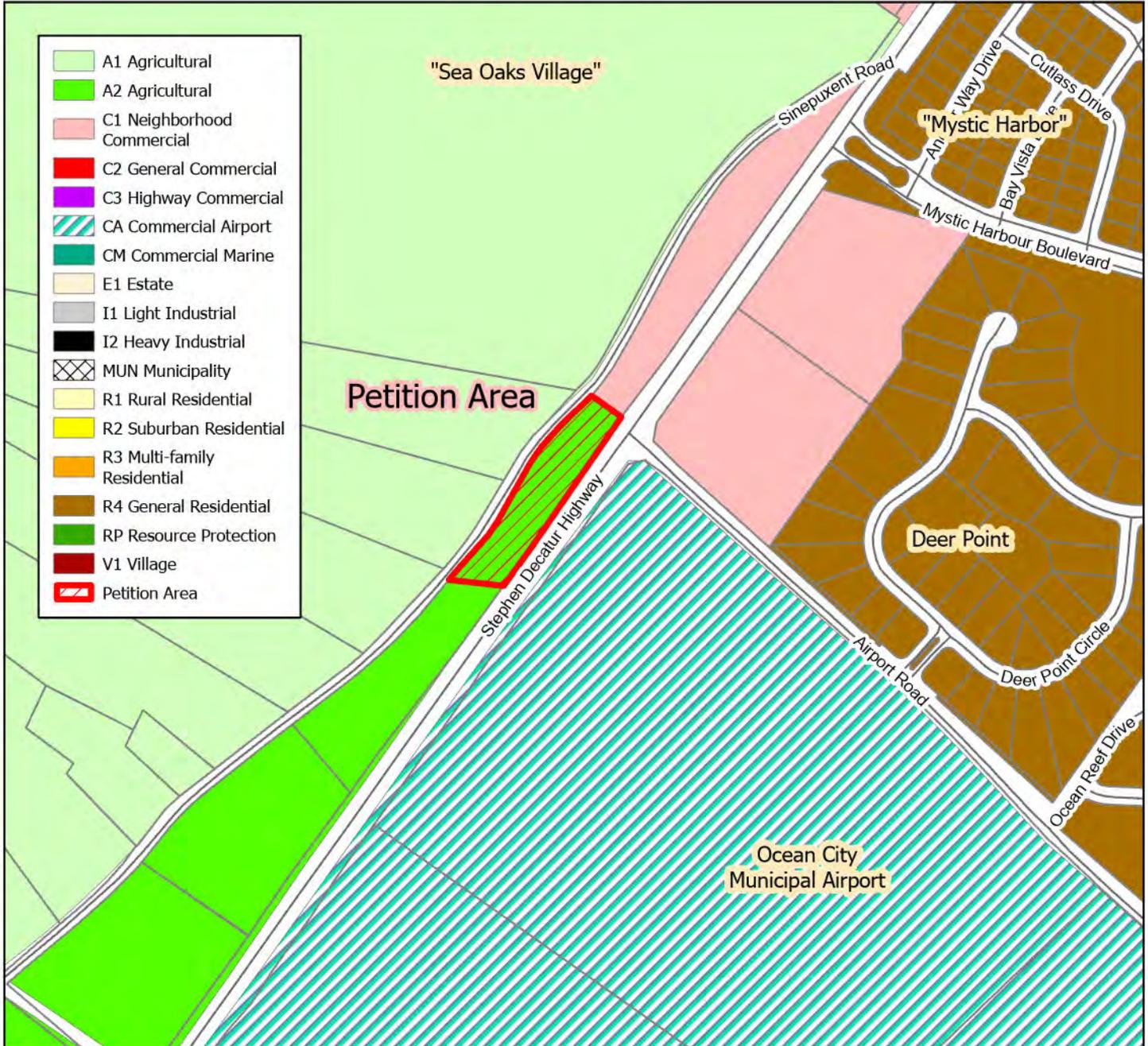
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376

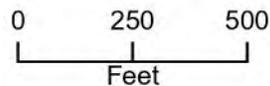


ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2009 Official Zoning Map



Prepared By: K.L.Henry  
Reviewed By: J.K. Keener

This map is intended for illustrative purposes and not for regulatory action.

**AMENDED EXHIBITS**

**REZONING CASE NO. 452**

**APPLICANT:**

**KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811**

**ATTORNEY FOR THE APPLICANT:**

**Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842**



**Changes in the character of the neighborhood since November 3, 2009:**

1. By virtue of Resolution No. 25-32 dated December 2, 2025, the Worcester County Commissioners expanded the West Ocean City Sanitary Service Area.

2. **Rezoning Case No. 449** – As a result of a public hearing on July 15, 2025, approximately 18.6 acres of land located on the south side of Maryland Route 707 (Old Bridge Road) were reclassified from R-2, Suburban Residential District, to R-4, General Residential District. This rezoning will support the expansion, or the next phase, of Salt Life Park. This expansion was consistent with the Comprehensive Plan; providing affordable and work-force housing in close proximity to employment centers.

3. Associated with Salt Life Park and the surrounding area, the Worcester County Comprehensive Water and Sewerage Plan was amended three times along Old Bridge Road to expand the Mystic Harbour Service Area. This created overlapping Service Areas in those areas, in accordance with good planning, and to accommodate future growth. It was specifically expanded at Salt Life Park, which permitted Phase II. It also permitted Salt Life Park Phase II to acquire EDU's, and some of those EDU's were acquired from the Alamo Motel property.

4. Regarding Salt Life Park Phase I, there were numerous non-conformities which have been remedied, and the Board of Zoning Appeals granted at least two variances, to permit the upgrade of Salt Life Park. This is consistent with the residential growth in the entire neighborhood.

5. **Rezoning Case No. 441** – The County Commissioners approved Rezoning Case No. 441 on June 20, 2023. This reclassified the property from C-2, General Commercial District to R-4, General Residential District. In other words, this deleted 3.29 acres of **commercial** zoning from the area. Rezoning Case No. 441 is located only a few hundred feet north of the subject property.

6. The property was subsequently approved as The Elms, Residential Planned Community, and the developer of that project recently broke ground on Phase I, which is a definite change in the character of the neighborhood. As stated, 3.29 acres of commercial zoning was deleted from the neighborhood, and replaced by multi-family townhomes.

7. **Rezoning Case No. 417** – On April 17, 2018, the County Commissioners approved Rezoning Case No. 417. This is a very important rezoning for the instant case. The property was previously zoned C-1, Neighborhood Commercial District, and despite many, many efforts, the property owners were unable to expand and upgrade their business. The County Commissioners saw fit, in accordance with good planning, to rezone the property from C-1 to C-2. The arguments in that case apply with equal force (if not more, now) to the instant property. .

8. **Sea Oaks RPC** – The approval and establishment of Sea Oaks as a Residential Planned Community, which is adjacent to the subject property on two sides, is a huge and significant change to the character of the neighborhood. At its inception, Sea Oaks was allocated zero EDU's. The property owner applied for an Amendment to the Worcester County Comprehensive Water and Sewerage Plan, and an Expansion of the Mystic Harbour Service Area. These approvals actually ended up in litigation in the Circuit Court for Worcester County, and an amicable resolution was reached with the County Commissioners. To make a long story short, the property is now allocated over 130 EDU's, and is essentially built out with approximately 130 townhomes. There was a Text Amendment to the RPC regulations with respect to the allowable commercial usage on the site. The road frontage for Sea Oaks is developed as commercial. Sea Oaks is essentially built out as a

Master Planned Community, with a mixed use of approximately 130 townhomes, and adjacent commercial.

Pursuant to the Code, Section ZS1-315(d)(2)A, in an RPC such as Sea Oaks, a maximum of twenty percent can be developed in accordance with the permitted principal and special exception uses cited in the C-2, District regulations. Therefore, although the underlying zoning is still C-1, Commercial Neighborhood District, **the actual use is as a C-2, General Commercial District.**

**9. Rezoning Case No. 405** – On May 2, 2017, the Worcester County Commissioners approved the reclassification from A-2, to C-1, Neighborhood Commercial District, for a nearby property in the neighborhood. Unfortunately, this applicant asserts that it should have been C-2, General Commercial District.

**10.** The Worcester County Commissioners recently approved a Residential Planned Community for Crepe Myrtle Court, a townhome project located on Old Bridge Road. The County Commissioners also approved private road standards recently, and since the project has the appropriate number of EDU's, construction is expected to commence shortly.

**11.** The passage of Resolution 17-19, which permitted the sale of EDU's within the Mystic Harbour Service Area, was a definitive change to the character of the neighborhood. This Resolution permitted Sea Oaks, RPC, which previously had zero EDU's. This Resolution allowed other development in the area, and also allowed for the possibility of Mystic Harbour EDU's to be allocated to the subject property (although there were no EDU's available). This all occurred subsequent to November 3, 2009.



PLANNING DEPARTMENT

## Worcester County

111 N. WASHINGTON STREET

SNOW HILL, MARYLAND 21863

301-632-1200

August 16, 1983

Mr. Jessie C. Houston, Director  
 Department of Planning & Community Development  
 P.O. Box 158  
 Ocean City, Maryland 21842

Re: Rezoning Case No. 170 - Emergency Bill No. 83-5

Dear Jessie;

I am transmitting to you herewith, a copy of Emergency Bill No. 83-5 which was adopted by the Worcester County Commissioners on July 26, 1983. The adoption of this bill by the County Commissioners culminates all required actions relative to rezoning Case No. 170 filed with the Worcester County Planning Commission on March 29, 1983 by the Ocean City Mayor and Council.

As you will recall, the County Planning Commission would not support the rezoning of the existing Airport into an M-1 Light Industrial District. The Planning Commission preferred instead, to create a new Airport Zoning District, with appropriate restrictions, for the existing Airport property. Emergency Bill No. 83.5, enclosed herewith, accomplishes the Planning Commission's recommendation in this matter by first creating a new Airport District and then reclassifying the existing Airport into the Airport District under Section 1-212 (b) delineation.

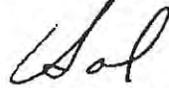
I have discussed this matter with the County Attorney and in his opinion Emergency Bill No. 83-5 effectively rezones the Ocean City Airport property from A-1 Agricultural District to AD Airport District and that no further actions, public hearings, etcetera, are required by this or any other County Department.

At this time I would like to convey to you my personal thanks and appreciation for all your time and assistance in this

Mr. Jessie C. Houston  
Page 2  
August 16, 1983

matter. If I or the Planning Commission can be of any further assistance, please do not hesitate to call.

Sincerely,



Harold W. Morris

Enclosure

HWM/jls

## COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

NO. 83-5

---

BY: Commissioner Bozman  
INTRODUCED: July 12, 1983

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## AN EMERGENCY BILL ENTITLED

AN ACT concerning

## Zoning

For the purpose of amending the Worcester County Zoning Ordinance to update the procedural and regulatory provisions thereof.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Section 1-212 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, is hereby amended to read as follows:

Section 1-212. AD airport district.

(a) Statement of intent. It is the intent hereof that the airport district provisions hereinafter defined shall apply to the Ocean City Airport as hereinafter delineated. The purpose of this district is to recognize the Ocean City Airport as a commercial operation and land use, to protect the users of the airport, and to prevent any unreasonable limitation or impairment of the use and expansion of the airport and the public investment therein.

(b) Delineation. The AD airport district shall include all that land comprising the Ocean City Airport and located on the south easterly side of Maryland Route 611 approximately two miles south of U.S. Route 50, shown as parcels 254 and 331 on zoning map 26, parcels 14, 32, 113, and 313 on zoning map 33, and parcel 5 on zoning map 34, consisting of approximately 578.5 acres of land situated in the tenth election district of Worcester County, Maryland.

(c) Permitted principal uses and structures. The following principal uses and structures shall be permitted in the AD airport district:

(1) The Ocean City Airport, including runways, taxiways, aircraft parking areas, hangars, terminal and support buildings.

(2) Buildings and structures necessary for communications, navigation or the collection and dissemination of weather and other flight information.

(3) Restaurants, lounges, and gift shops incidental and subordinate to the operation of the airport and intended primarily for the use and enjoyment of airport patrons.

(4) General offices.

(5) Signs, including all types and classifications of signs as defined and regulated in Section 1-313 hereof.

(d) Special Exceptions. The following principal uses and structures may be permitted by special exception in the AD airport district in accordance with the provisions of Subsection 1-115(c) hereof:

(1) General warehousing and storage.

(2) Any use or structure which is determined by the Board of Appeals to be of the same general character as an above permitted use and compatible with the general character and intent of the AD airport district.

(e) Accessory uses and structures. The following accessory uses and structures shall be permitted in the AD airport district:

(1) Two dwelling units or mobile homes for persons primarily engaged on the premises, provided that such dwelling be located within a principal building or such dwelling or mobile home be located such that it could be subdivided from the mail parcel and meet all of the lot requirements for a single-family dwelling or mobile home in the B-1 District.

(2) Temporary buildings and structures, subject to the provisions of Section 1-321.

(3) Generally, accessory structures and uses customarily associated with and directly incidental to the permitted principal uses and structures.

(f) Additional provisions. The following additional provisions shall apply to all uses and structures in the AD airport district:

(1) All uses and structures shall be subject to the provisions of Section 1-302.

(2) All facilities and uses shall be subject to the provisions of Section 1-325.

(g) Other regulations.

(1) The provisions of this section are in addition to the provisions of this article regarding other districts. In all cases of conflicting requirements, the provision which represents the greater restriction or higher standard shall govern.

(2) All airports shall be designed, constructed, maintained and utilized so that they shall comply with all federal and state regulations pertaining to such operations; and same shall be utilized in accordance therewith.

(3) The uses and structures permitted in the AD airport district shall be subject to the applicable regulations contained in Subtitle 1, General Provisions, and Subtitle 3, Supplementary Districts and District Regulations, of this title.

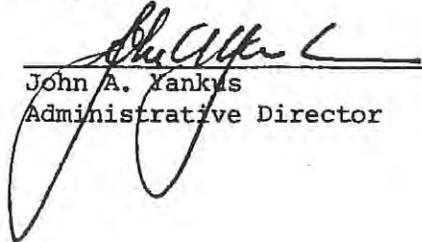
Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection 1-201(c) (37) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, is hereby REPEALED and existing Subsections (38) and (39) are renumbered as (37) and (38) respectively.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection 1-208(a) (8) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, is hereby REPEALED and existing Subsections (9) through (22) are renumbered as (8) through (21) respectively.

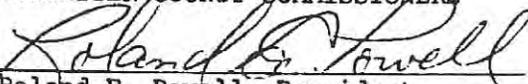
Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this act, having been determined an emergency bill will become effective on the date of its passage.

PASSED AND ENACTED this 26th day of July, 1983.

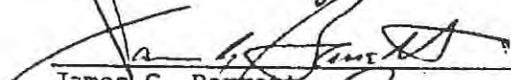
ATTEST:

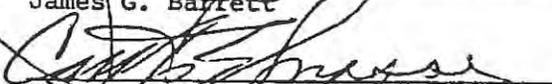
  
John A. Yankis  
Administrative Director

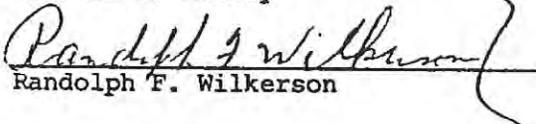
WORCESTER COUNTY COMMISSIONERS

  
Roland E. Powell, President

  
K. Bennett Bozman

  
James G. Barrett

  
Carlton E. Massey

  
Randolph F. Wilkerson

**PLANNING COMMISSION  
FINDINGS OF FACT  
AND  
RECOMMENDATION**

**REZONING CASE NO. 452**

**APPLICANT:**

**KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811**

**ATTORNEY FOR THE APPLICANT:**

**Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842**

**December 4, 2025**

**WORCESTER COUNTY PLANNING COMMISSION**

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**Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.**

I. INTRODUCTORY DATA

A. CASE NUMBER: Rezoning Case No. 452, filed September 30, 2025.

B. OWNER: KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811

ATTORNEY: Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842

C. TAX MAP/PARCEL: Tax Map 26, Parcel 340, Tax District 10

D. SIZE: The petitioned area consists of 1.66 acres.

E. LOCATION: Between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road, Ocean City, MD, across from Airport Road.

F. CURRENT USE OF PETITIONED AREA: An unimproved, wooded parcel.

G. CURRENT ZONING CLASSIFICATION: A-2 Agricultural District.

As defined in the Zoning Code, this district is intended to foster the County's agricultural heritage and uses while also accommodating compatible uses of a more commercial nature that require large tracts of land. The A-2 District may also be used for limited residential development through consolidated development rights and as a place marker for future annexations only where adjacent to existing municipalities. Furthermore, it is the intent that in this district there shall be no basis, under this Title, for recourse against the effects of any normal farming or forestry operation as permitted in this district, including but not limited to noise, odor, vibration, fumes, dust or glare.

H. REQUESTED ZONING CLASSIFICATION: C-2 General Commercial District.

As defined in the Zoning Code, this district is intended to provide for more intense commercial development serving populations of three thousand or more within an approximate ten- to twenty-minute travel time. These commercial centers generally have higher parking demand and greater visibility. Consequently, design standards and careful attention to signage, landscaping, perimeter buffers, site layout and architectural design are imperative. Commercial structures and uses must be compatible with the community and the County's character. Strip commercial forms of development are strongly discouraged.

I. APPLICANT'S BASIS FOR REZONING: The application indicates that there

was a mistake in the last Comprehensive Rezoning on November 3, 2009. While not the primary basis for the request, the applicant also alleges that there has been a substantial change in the character of the neighborhood.

J. ZONING HISTORY:

- **1964:** A-1 Agricultural District
- **1978:** A-1 Agricultural District
- **1988:** Case No. 239, requesting B-2 General Business District, denied. Findings of Fact are attached.
- **1992:** A-1 Agricultural District
- **2009:** A-2 Agricultural District

K. SURROUNDING ZONING:

- **North:** C-1 Neighborhood Commercial District
  - Formerly A-2 Agricultural District, subject to Rezoning Case No. 405 in 2017.
- **South:** A-2 Agricultural District
- **East:** A-2 Agricultural District, with a Commercial Airport overlay district
- **West:** A-1 Agricultural District

L. COMPREHENSIVE PLAN: According to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Agricultural Land Use Category. Pertinent objectives from the Plan have been highlighted in the staff report presented to the Planning Commission.

M. WATER AND WASTEWATER: According to the attached response memo from Mr. Mitchell, the subject property has a designation of a Sewer and Sewer Service Planning Category of S-3/W-3 (6 years to 10 years) in the Master Water and Sewerage Plan. The property is within the Mystic Harbour Sanitary District planning area. An amendment to the Plan would be required to attain a W-1/S-1 (Immediate to 2 years) designation for public water and sewer service. However, he notes that the Agricultural land use designation is inconsistent with the extension of public sewer. His memo notes that the property when tested had high water tables that were unacceptable for onsite septic.

N. ROAD ACCESS: The petitioned area fronts on both MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road. MD Route 611 is a state-owned and -maintained major collector highway as defined in the Comprehensive Plan. The Plan recommends that scenic and transportation corridor planning be conducted, including consideration for interparcel connectors, service roads and other access management controls. This is currently being conducted by the Maryland Department of Transportation, State Highway Administration (MDOT SHA) in coordination with Worcester County's Department of Public Works and DRP. No comments were received from MDOT SHA.

Sinepuxent Road is a County-owned and -maintained roadway, considered a

minor local road in the Comprehensive Plan. It has a 30-foot right-of-way, with approximately 19 feet of paved surface. The easterly terminus of Sinepuxent Road is located at MD Route 611, just north of the adjacent parcel. Motorists heading towards Ocean City during the summer season tend to be redirected by GPS to this roadway during times of heavy traffic on US Route 50 (Ocean Gateway). Due to the angle of the intersection, there have been discussions in the past between County Roads and MDOT SHA about a potential realignment to enhance public safety. No comments were received from the County Roads Division of the Department of Public Works.

- O. PROXIMITY TO AIRPORT: The petitioned area is located across MD Route 611 from the Ocean City Municipal Airport. This application was forwarded to the appropriate staff at the Town of Ocean City for review and comment. In his attached letter, Jaime Giandomenico, Airport Manager, stated that the town has no objection to the request, provided that the property owner executes an Avigation Easement due to the proximity of the petitioned area to the approach end of Runway 20.

II. APPLICANT’S TESTIMONY BEFORE THE PLANNING COMMISSION

Applicants: Hugh Cropper, IV, attorney; Aaron Finney, managing member, KASA Holdings, LLC; and Steve Engel, Vista Design, Inc.

Mr. Cropper explained that the parcel is approximately 1.66 acres in size and has been zoned agricultural since the inception of zoning. In 1987, Rezoning Case No. 239 was denied for a requested change in zoning to B-2 General Business District. The petitioned area is located between MD Route 611 and Sinepuxent Road. In his application, Mr. Cropper argued both a change in the character of the neighborhood and a mistake was made during the 2009 Comprehensive Rezoning.

On the argument of mistake, Mr. Cropper stated that there is limited to no on-site septic capacity in the petitioned area. In addition, Mr. Cropper filed a request for an EDU in the Mystic Harbour sanitary service area and was denied. Therefore, the owner needs to find a use that requires very little or no sewer at all. In his opinion, commercial zoning would be more appropriate. He argued that it was illogical that the petitioned area was not rezoned commercial at the same time the parcel to the north (Parcel 211, Rezoning Case No. 405) was rezoned to C-1 Neighborhood Commercial District in 2017. However, Mr. Cropper opines that it should have been C-2 General Commercial District, because the owner has been unable to develop the property under the current C-1 District regulations.

Mr. Cropper stated that the petitioned area is currently taxed as Residential on the Maryland Department of Assessments and Taxation Real Property sheet, despite the urban area. With respect to the proximity of the property to the municipal airport, the Town of Ocean City has provided a letter of no objection, subject to recording an avigation easement that limits the overall height of the development.

Regarding the change in the character of the neighborhood, Mr. Cropper stated that while

he defined the neighborhood in Exhibit B, Mr. Engel proffered that the neighborhood is much larger, consistent with Rezoning Case No. 449. Mr. Engel stated that there have been significant changes in the neighborhood, including rezoning cases that have expanded the number of residential dwelling units in the area and the assignment of Mystic Harbour EDUs to Sea Oaks RPC, all of which were not contemplated in 2009. Additionally, on December 2, 2025, the Worcester County Commissioners approved a request to extend the West Ocean City sanitary service area to Parcel 274 north of Sea Oaks, which may allow EDUs to be allocated from Mystic Harbour in the future.

Relative to consistency with the comprehensive plan and the current zoning, Mr. Engel finds a commercial district more consistent and has a poor opinion of the C-1 District in general due to the limited uses. Therefore, the C-2 District is more appropriate for the petitioned area. Mr. Cropper also stated that the 2006 comprehensive plan provided a broad brush approach to land use and that the petitioned area is in a transitional area, with Green Infrastructure to the west, and Existing Developed Area (EDA) to the northeast.

Relating to the argument of mistake, Mr. Cropper noted that if it is not a complete taking but it is a mistake, there must be consistency with the comprehensive plan. He argued that it was close to a complete taking because of the limited uses. Agricultural zoning requires five acres for agricultural structures; they could build a single-family dwelling. He stated that commercial use would be more consistent than a single-family dwelling. The zoning on Parcel 211 to the north was found to be a mistake, and if the Planning Commission agreed there, then this request is more desirable in terms of the comprehensive plan. It is an appropriate area to transition the zoning to commercial.

Relative to the Findings of Fact for Rezoning Case No. 239 (1988) when the prior rezoning to B-2 District was denied, Mr. Cropper noted that the neighborhood was more consistent with low density residential or agricultural, and it currently abuts commercial zoning on two sides. He contends that this area is nothing like what it was in 1988. Now, sewer service has been provided to the neighborhood, and recent amendments have expanded the West Ocean City sanitary service area closer to the petitioned area. In addition, the Town of Ocean City and the Worcester County Commissioners agreed to allocate an additional 170,000 gallons per day of sewer from the Town of Ocean City.

In summary, Mr. Cropper stated that the zoning of these parcels was not the subject of focus in 2009. The airport has expanded (a change in the neighborhood), the petitioned area is not appropriate for a single-family dwelling, and 95% of the A-1 District uses would be unable to be developed on the petitioned area. The expansion of sanitary service areas, the sewer allocation from the Town of Ocean City, and the multiple rezonings within the neighborhood resulting in hundreds of new residential dwelling units all support the argument for a change in the character of the neighborhood and mistake.

The Planning Commission discussed uses such as roadside stands that could be built on the petitioned area (40,000 square foot lot area) without requiring a significant building envelope. While a rezoning application cannot consider the desired use of the property,

rather all potential uses that could be feasible, Mr. Finney is interested in building an office for his business. In summary, to zone a piece of property that could not be used for 95% of the permitted uses is a mistake and second, there have been extensive changes in the character of the neighborhood. The Planning Commission discussed the estimated size of the building envelope and the setbacks for the parcel.

The Planning Commission reviewed and commented upon each of the findings. Following the discussion, a motion was made by Mrs. Knight, seconded by Mr. Church, and carried 5 to 2 with Mr. Barbierri and Mrs. Wimbrow opposed, to find the proposed amendment to rezone the petitioned area from A-2 Agricultural District to C-2 General Commercial District consistent with the Comprehensive Plan based on a change in the character of the neighborhood, but not a mistake, and forward a **favorable recommendation** to the Worcester County Commissioners.

### III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

1. Regarding the definition of the neighborhood: The Planning Commission concurred with the applicant's definition of the neighborhood, as amended to include the neighborhood in Rezoning Case No. 449 (attached).
2. Relating to population change: The Planning Commission concluded that there has been population growth in the defined neighborhood including new residential development in the Sea Oaks Village RPC (159 townhouse units) and The Elms RPC (20 townhouse units), and infill within the existing residential subdivisions of Mystic Harbour, Deer Point, Whispering Woods and Ocean Reef.
3. Relating to availability of public facilities: The Planning Commission finds that the petitioned area is unable to support on-site septic. Additionally, it has a planning designation of W-3/S-3 in the Mystic Harbour Water and Sewer Service Area. Mr. Mitchell's comments state that an amendment to the *Master Water and Sewer Plan* would be needed to attain a W-1/S-1 classification, however the land use designation is Agricultural which may need to be addressed. The Planning Commission acknowledged that the sewer service areas were expanding and could eventually support development on the petitioned area.
4. Relating to present and future transportation patterns: The Planning Commission finds that MD Route 611 (Stephen Decatur Highway) is a state-owned and -maintained major collector highway as defined in the Comprehensive Plan. The Plan recommends that scenic and transportation corridor planning be conducted, including consideration for interparcel connectors, service roads and other access management controls. This is currently being conducted by the Maryland Department of Transportation, State Highway Administration (MDOT SHA) in coordination with Worcester County's Department of Public Works and DRP. In addition, the property has frontage on Sinepuxent Road, a County-owned and -maintained roadway, considered a minor local road in the Comprehensive Plan. It has a 30-foot right-of-way, with approximately 19 feet of paved surface. The

easterly terminus of Sinepuxent Road is located at MD Route 611, just north of the adjacent parcel. Motorists heading towards Ocean City during the summer season tend to be redirected by GPS to this roadway during times of heavy traffic on US Route 50 (Ocean Gateway). Due to the angle of the intersection, there have been discussions in the past between County Roads and MDOT SHA about a potential realignment to enhance public safety. The Planning Commission concurred with the applicant's written testimony that acknowledges there are some traffic issues in the area but states that congestion will be prevented by access onto Sinepuxent Road.

5. 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: The Planning Commission found that the petitioned area serves as a transitional area between the true agricultural and green infrastructure uses to the west, and the more urban commercial and residential areas along the MD Route 611 corridor.
6. Relating to compatibility with the Comprehensive Plan: The Planning Commission found that the property is designated as Agricultural on the Land Use Map. As outlined in the Comprehensive Plan, this land use category is reserved for farming, forestry and related industries, and is generally inconsistent with the commercial zoning designation. However, the Planning Commission considered the broad-brush approach of the 2006 Comprehensive Plan, reiterating the transitional nature of the petitioned area, the small size of the parcel (1.66 acres) and the need for large contiguous acres to maintain truly traditional agricultural uses.

#### IV. PLANNING COMMISSION RECOMMENDATION

In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there has been a change in the character of the neighborhood since 2009, and that a rezoning of the petitioned area is appropriate. The applicant requests a zoning map amendment from A-2 Agricultural District to C-2 General Commercial District based on a mistake during the last comprehensive rezoning on November 3, 2009, and a change in the character of the neighborhood. Overall, the Planning Commission found that the requested zoning generally conforms to the broad-brush approach of the Worcester County Comprehensive Plan, given the transitional nature of the petitioned area between agricultural and green infrastructure areas to the west, and the more urban commercial and residential areas along MD Route 611. The Planning Commission also found that the small size of the parcel (1.66 acres) and the need for large contiguous acres to maintain truly traditional agricultural uses are not compatible with an Agricultural zoning designation. Therefore, a favorable recommendation for the rezoning has been recommended.

#### V. RELATED MATERIALS AND ATTACHMENTS

**STAFF REPORT****REZONING CASE NO. 452**

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**PROPERTY OWNER:** KASA Holdings, LLC  
c/o Aaron Finney, Managing Member  
4 Dinghy Court  
Ocean Pines, MD 21811

**ATTORNEY:** Hugh Cropper IV  
9927 Stephen Decatur Hwy, F-12  
Ocean City, Maryland 21842

**TAX MAP/PARCEL INFO:** Tax Map 26, Parcel 340, Tax District 10

**SIZE:** The petitioned area consists of 1.66 acres.

**LOCATION:** Between MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road, Ocean City, MD, across from Airport Road.

**CURRENT USE OF PETITIONED AREA:** An unimproved, wooded parcel.

**CURRENT ZONING CLASSIFICATION:** A-2 Agricultural District.

As defined in the Zoning Code, this district is intended to foster the County's agricultural heritage and uses while also accommodating compatible uses of a more commercial nature that require large tracts of land. The A-2 District may also be used for limited residential development through consolidated development rights and as a place marker for future annexations only where adjacent to existing municipalities. Furthermore, it is the intent that in this district there shall be no basis, under this Title, for recourse against the effects of any normal farming or forestry operation as permitted in this district, including but not limited to noise, odor, vibration, fumes, dust or glare.

**REQUESTED ZONING CLASSIFICATION:** C-2 General Commercial District.

As defined in the Zoning Code, this district is intended to provide for more intense commercial development serving populations of three thousand or more within an approximate ten- to twenty-minute travel time. These commercial centers generally have higher parking demand and greater visibility. Consequently, design standards and careful attention to signage, landscaping, perimeter buffers, site layout and architectural design are imperative. Commercial structures and

uses must be compatible with the community and the County's character. Strip commercial forms of development are strongly discouraged.

**APPLICANT'S BASIS FOR REZONING:** The application indicates that there was a mistake in the last Comprehensive Rezoning on November 3, 2009. While not the primary basis for the request, the applicant also alleges that there has been a substantial change in the character of the neighborhood.

**ZONING HISTORY:**

- **1964:** A-1 Agricultural District
- **1978:** A-1 Agricultural District
- **1988:** Case No. 239, requesting B-2 General Business District, denied.
- **1992:** A-1 Agricultural District
- **2009:** A-2 Agricultural District

**SURROUNDING ZONING:**

- **North:** C-1 Neighborhood Commercial District
  - Formerly A-2 Agricultural District, subject to Rezoning Case No. 405 in 2017.
- **South:** A-2 Agricultural District
- **East:** A-2 Agricultural District, with a Commercial Airport overlay district
- **West:** A-1 Agricultural District

**COMPREHENSIVE PLAN:**

The County's Comprehensive Plan was adopted by the County Commissioners on March 7, 2006, and is intended to be a general guide for future development in the County. Whether proposed rezoning is compatible with the recommendations of the Comprehensive Plan is one of the criteria that is considered in all rezoning requests, as listed in § ZS 1-113(c)(3) and as summarized at the end of this Staff Report.

**Chapter 1** of the Comprehensive Plan generalizes development along MD Route 611's corridor beginning with commercial development on the northern end, blending into residential uses to the south (Page 3).

According to **Chapter 2 – Land Use** of the Comprehensive Plan and associated land use map, the petitioned area lies within the Agricultural Land Use Category. Regarding 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. . . . Residential and other conflicting land uses, although permitted, are discouraged. . . . Also as a general

policy, the practice of not rezoning agricultural land for other uses should continue.”  
(Page 18)

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

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.
15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors.
17. Discourage highway strip development to maintain roadway capacity, safety, and character.
20. Direct new development in growth areas to planned communities.
22. Design new development’s architecture and landscaping to visually improve its surroundings.

(Pages 12 & 13)

In **Chapter 3 - Natural Resources**, pertinent objectives on page 33 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.
5. Reduce imperviousness of existing and new development.
8. Conserve resources by reducing unnecessary consumption.
9. Channel development within a particular site to any existing disturbed areas if possible.
10. Establish sufficient buffers for sensitive areas.

In **Chapter 4 – Economy**, the Plan notes that the agricultural industry, among others, “relies on the county’s natural resources and its rural and coastal character for their success” (page 58).

Pertinent objectives cited in Chapter 4 – Economy state the following:

- Provide through the land use plan sufficient land for planned growth to meet expected demand for housing, commercial and support services.
- Provide for sufficient agricultural support services.

- Review permitted land uses in the agricultural zone to ensure compatibility with agriculture as a quasi-industrial use.
- Locate commercial and service centers in major communities.
- Provide for suitable locations for commercial centers able to meet the retailing and service needs of population centers.
- Bring into balance the amount of zoned commercial locations, with the anticipated need with sufficient surplus to prevent undue land price escalation.  
(Pages 58 - 60)

“Currently, designated commercial lands far outstrip the potential demand for such lands...The supply of commercial land should be brought more in line with potential demand. Otherwise, underutilized sites/facilities and unnecessary traffic congestion will result” (page 62).

**Chapter 6 – Public Infrastructure** acknowledges the county’s policy to have developers provide all on-site infrastructure relative to new development. In addition, “infrastructure costs should be borne by those who directly benefit; developers will remain responsible for the services required by new development” (Page 70). Sewer service is identified as “one of the county’s most powerful growth management tools” (Page 74).

Pertinent objectives cited in Chapter 6 – Public Infrastructure - General state the following:

2. Permit development to occur only as rapidly as services can be provided.
3. Ensure adequate public facilities are available to new development.
4. Require new development to “pay its way” by providing adequate public facilities to meet the infrastructure demands it creates. (Page 70)

The petitioned area fronts on MD Route 611 (Stephen Decatur Highway). In **Chapter 7 – Transportation**, the Comprehensive Plan states that “[r]esort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611 and MD 90” (page 79). Additionally, the plan notes that “traffic volume and level of service should be monitored to avoid affecting this roadway. Development along the MD 611 corridor should be kept to infill for the planning period” (page 80).

The Plan further states that “[c]ommercial development will have a significant impact on future congestion levels. Commercial uses generate significant traffic, so planning for the proper amount, location and design will be critical to maintaining road capacity” (page 82).

Pertinent policies, projects and recommendations on page 85 include:

- Conduct scenic and transportation corridor planning to continue this road’s rural and coastal character particularly from MD 376 to Assateague Island.
- Study need for and implement capacity improvements from MD 376 to US 50.
- Provide for interparcel connectors, service roads and other access controls.
- Growth along the mid and southern portion of the corridor should be limited due to the sensitivity of nearby lands and the limited capacity of the area’s road system.
- Plan for widening and intersection improvements of the corridor’s northern end.

Pertinent objectives include 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.
5. Impacted Intersections – Upgrade intersections that have fallen below a LOS C.
8. Local funding sources should be explored to improve priority of impacted roadways for state funding or to provide for local 87construction of improvements.
13. Road Widening--Adequate right-of-way should be dedicated for roads anticipated for widening during the development review process.
14. Community character—New roadway designs and construction should not disrupt the character of existing communities, villages, and towns. Alternative routes and designs should be explored to maintain this important aspect of Worcester County.
15. Connectivity—Inter- and intra-development connectivity should be designed into new development to improve mobility and to avoid environmental damage.
17. Bike and Pedestrian Mobility--Bike and pedestrian mobility should be given higher priority and designed into new development.
22. Parcel Access Plan--This plan should provide a specific parcel access plan for large parcels and interparcel connections for smaller parcels for key roadways. This list should be provided to and reviewed with the State Highway Administration.

(Pages 87-89)

**WATER AND WASTEWATER:** According to the attached response memo from Mr. Mitchell, the subject property has a designation of a Sewer and Sewer Service Planning Category of S-3/W-3 (6 years to 10 years) in the Master Water and Sewerage Plan. The property is within the Mystic Harbour Sanitary District planning area. An amendment to the Plan would be required to attain a W-1/S-1 (Immediate to 2 years) designation for public water and sewer service. However, he notes that the Agricultural land use designation is inconsistent with the extension of public sewer. His memo notes that the property when tested was found high water tables that were unacceptable for onsite septic.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are Fa - Fallsington sandy loams, 0 to 2 percent slopes, Northern Tidewater Area, and KsB Klej loamy sand, 2 to 5 percent slopes. The petitioned area is poorly drained or somewhat poorly drained soils.

**EMERGENCY SERVICES:** Fire and ambulance service will be available from the Ocean City or Berlin Volunteer Fire Companies. No comments were received from either the fire company regarding this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately 7.7 miles away, and the Worcester County Sheriff’s Office in

Snow Hill, approximately 20.6 miles 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 both MD Route 611 (Stephen Decatur Highway) and Sinepuxent Road. MD Route 611 is a state-owned and -maintained major collector highway as defined in the Comprehensive Plan. The Plan recommends that scenic and transportation corridor planning be conducted, including consideration for interparcel connectors, service roads and other access management controls. This is currently being conducted by the Maryland Department of Transportation, State Highway Administration (MDOT SHA) in coordination with Worcester County's Department of Public Works and DRP. No comments were provided by MDOT SHA.

Sinepuxent Road is a County-owned and -maintained roadway, considered a minor local road in the Comprehensive Plan. It has a 30-foot right-of-way, with approximately 19 feet of paved surface. The easterly terminus of Sinepuxent Road is located at MD Route 611, just north of the adjacent parcel. Motorists heading towards Ocean City during the summer season tend to be redirected by GPS to this roadway during times of heavy traffic on US Route 50 (Ocean Gateway). Due to the angle of the intersection, there have been discussions in the past between County Roads and MDOT SHA about a potential realignment to enhance public safety.

The Comprehensive Plan states that "[t]he Sinepuxent Neck's undeveloped lands are predominately wet, forested, or in agriculture. MD 611 provides adequate access, but it can be congested in summer. MD 611 LOS is nearing the "impacted" category. The entire subwatershed other than its West Ocean City (northern) portion should not be further developed due to its traffic, environmental sensitivity, and high storm hazard vulnerability characteristics along with its value as a gateway to the parks" (page 28). No comments were provided by County Roads.

**PROXIMITY TO AIRPORT:** The petitioned area is located across MD Route 611 from the Ocean City Municipal Airport. This application was forwarded to the appropriate staff at the Town of Ocean City for review and comment. In his attached letter, Jaime Giandomenico, Airport Manager, stated that the town has no objection to the request, provided that the property owner executes an Avigation Easement due to the proximity of the petitioned area to the approach end of Runway 20.

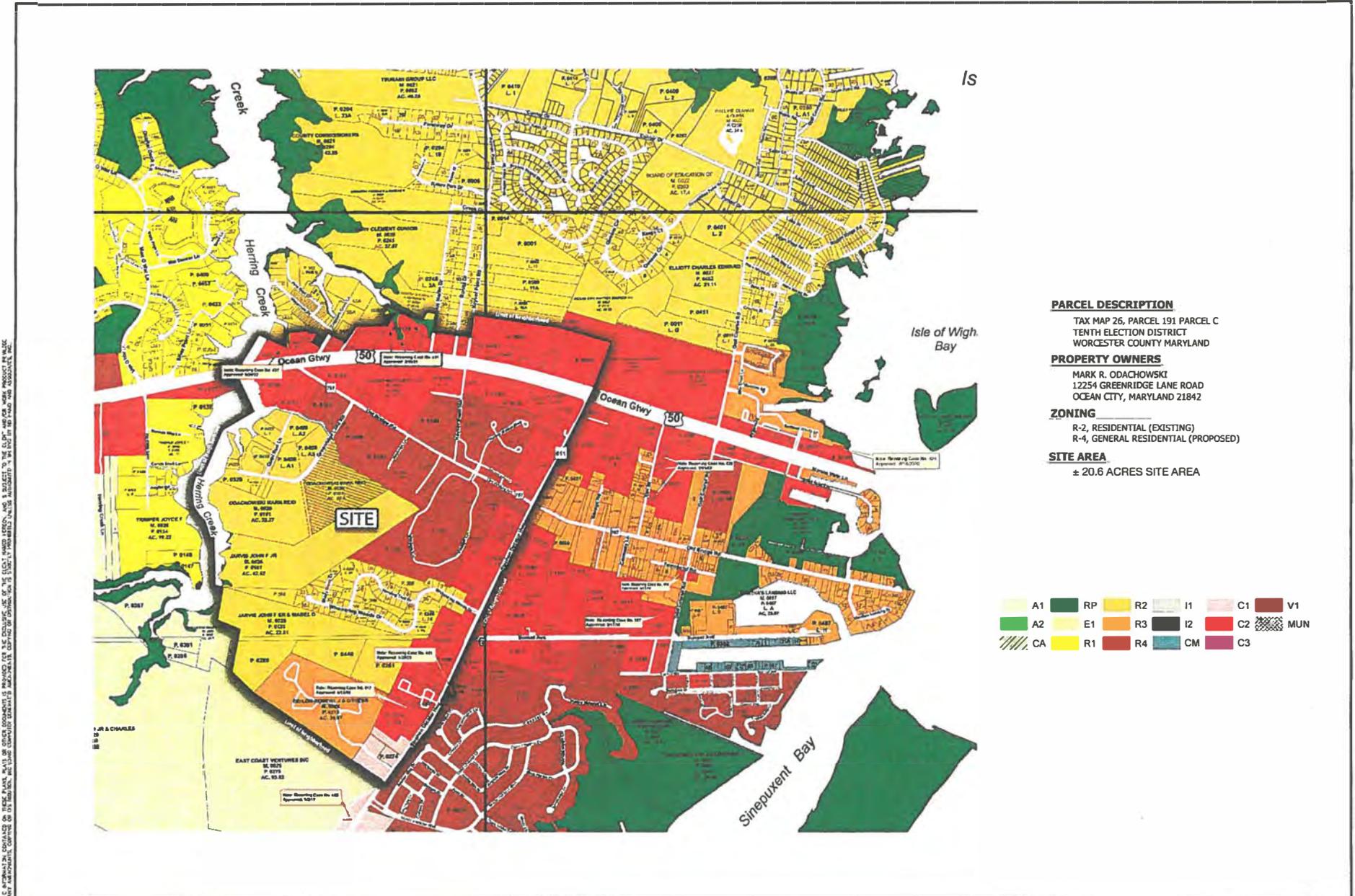
**SCHOOLS:** The petitioned area is within Zone 2 of the Worcester County Public School Zones and is served by the following schools: Ocean City Elementary (Pre-K - Grade 4), Berlin Intermediate School (Grade 5 - 6), and Stephen Decatur Middle School (Grade 7 - 8) and Stephen Decatur High School (Grade 9 - 12). No comments were received from the Worcester County Board of Education (WCBOE).

**CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS:** According to the attached memo from Mr. Mitchell, the petitioned area is not located in the Critical Area.

**FOREST CONSERVATION:** According to the attached response memo from Mr. Mitchell, The petitioned area may be required to comply with the requirements of the Forest Conservation Act at the time of development.



SL  
Re



**PARCEL DESCRIPTION**  
 TAX MAP 26, PARCEL 191 PARCEL C  
 TENTH ELECTION DISTRICT  
 WORCESTER COUNTY MARYLAND

**PROPERTY OWNERS**  
 MARK R. ODACHOWSKI  
 12254 GREENRIDGE LANE ROAD  
 OCEAN CITY, MARYLAND 21842

**ZONING**  
 R-2, RESIDENTIAL (EXISTING)  
 R-4, GENERAL RESIDENTIAL (PROPOSED)

**SITE AREA**  
 ± 20.6 ACRES SITE AREA

|    |    |    |    |    |     |
|----|----|----|----|----|-----|
| A1 | RP | R2 | I1 | C1 | V1  |
| A2 | E1 | R3 | I2 | C2 |     |
| CA | R1 | R4 | CM | C3 | MUN |

**ZONING EXHIBIT**  
 TAX MAP 26, P/O PARCEL 191 PARCEL C  
 WEST OCEAN CITY, MARYLAND

**R.D. HAND AND ASSOCIATES, INC.**  
 LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY  
 1800E COLLINS ROAD, THIRSPITZ, MD. 21153 410-958-6683

DATE: 11/15/2019  
 REV DATE: 05/08/2020  
 DRAW BY: [unclear]  
 CHECK BY: [unclear]  
 SCALE: AS SHOWN

**SHEET**  
 ZE-1



OFFICE OF THE  
COUNTY COMMISSIONERS

## Worcester County

ROOM 112 COURT HOUSE  
SNOW HILL, MARYLAND

21863  
September 14, 1988

COMMISSIONERS  
K. BENNETT BOZMAN, PRESIDENT  
JAMES G. BARRETT, VICE PRESIDENT  
REGINALD T. HANCOCK  
CARLTON E. MASSEY  
W. KENNETH TYLER

JOHN A. YANKUS  
CHIEF ADMINISTRATIVE OFFICER  
EDWARD H. HAMMOND, JR.  
COUNTY ATTORNEY

Worcester County Planning Commission  
Court House Room 116  
Snow Hill, Maryland 21863

Gentlemen:

Pursuant to the public hearing held on August 30, 1988 the Worcester County Commissioners have agreed to adopt the Findings of Fact of the Planning Commission and to disapprove Rezoning Case #239 (Potts/SinepuxentRoad).

I trust that you will notify the applicant and other interested parties of this decision.

Sincerely,

John A. Yankus  
Chief Administrative Officer

JAY:arp

cc108

IN THE MATTER OF \*  
THE REZONING APPLICATION OF \*  
BERNARD POTTS \*  
BALTIMORE, MARYLAND \*

REZONING CASE NO. 239

\*\*\*\*\*  
FINDINGS OF FACT

Subsequent to a public hearing held on August 30, 1987 and after a review of the entire record and all testimony, the Worcester County Commissioners hereby make the following findings of fact pursuant to the provisions of Section 4.05(a), Article 66B, Annotated Code of Maryland, and Section 1-112 of the Worcester County Zoning Ordinance.

In the review of Rezoning Petition No. 239, the Worcester County Commissioners find that the neighborhood of the petitioned area is that area along the easterly and westerly sides of MD Route 611 bound on the north by Sunset Avenue and on the south by Hastings Drive (commonly referred to as Snug Harbor Road).

Regarding population change; the Commissioners find that population change in the neighborhood has not been significant and that the rather slow growth rate is likely to continue, given the generally limited capabilities of the soils in the neighborhood for on-site wastewater disposal and the lack of public sewerage service in the area.

Regarding the availability of public facilities; the Commissioners find that neither public water or public sewer services are available to the petitioned area nor are such facilities planned for the petitioned area. The site would therefore require private, on-site septic and well systems as approved by the Worcester County Environmental Programs section. The Commissioners find that other public services commonly found in the neighborhood which would be available to the petitioned area include the Worcester County Sheriff's Department, the Maryland State Police Barracks, the Ocean City Volunteer Fire Department, and schools in the West Ocean City and Berlin areas. It is noted by the County Commissioners that it is stated in the Planning Commission's Recommendation that the Worcester County Soil Survey indicates that soil types found on the petitioned area display moderate to severe limitations to on-site wastewater disposal systems, thus causing concern among the County Commissioners that adequate sewage disposal service could not be provided for the petitioned area if rezoned.

Regarding present and future transportation patterns; the Commissioners find that the petitioned area is directly served by MD Route 611, which is a Collector Highway on the County's Transportation Plan, and by Sinepuxent Road, a local road having a thirty foot right-of-way. The Commissioners find that the State Highway Administration is currently making improvements to MD Route 611, including widening, and that a portion of the petitioned area is included in this project. Although the

(2)

Commissioners find that the road system is adequate to serve the petitioned area, it is the conclusion of the Commissioners that there may be limited space in which to commercially develop the site, given its shallow depth and necessary widening strips along both MD Route 611 and Sinepuxent Road.

Regarding compatibility with existing and proposed development for the area; the Commissioners find that the predominant existing land uses in the neighborhood wherein the petitioned area is located are low density, single family residential, agricultural, and those land uses associated with the Ocean City Municipal Airport, located across MD Route 611 from the petitioned area. The Commissioners find that the proposed rezoning of the petitioned area might produce future uses that would be incompatible with the present land uses in the neighborhood, particularly on the westerly side of MD Route 611.

Regarding the recommendation of the Planning Commission; the Commissioners find that the Planning Commission gave the rezoning petition an unfavorable recommendation and based upon the information and testimony presented at the Commissioners' public hearing on August 30, 1988, the Commissioners concur with the Planning Commission's recommendation on this case and accept the Planning Commission recommendation and findings as entered into the record at the public hearing.

Regarding compatibility with the County's Comprehensive Plan; the Commissioners find that the petitioned area is located in a Suburban Land Use Category. However, the Commissioners find that the Plan recommends that commercial development should be located at natural activity centers and that strip development along highways should be discouraged. The Commissioners conclude that the rezoning of the petitioned area may set a precedent whereby other parcels along the westerly side of MD Route 611 will also request commercial zoning, ultimately leading to the strip zoning and development of MD Route 611 which is contrary to the goals and objectives of the Comprehensive Plan. The Commissioners find that the proposed rezoning is not compatible with the Comprehensive Plan.

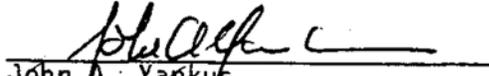
As a result of the testimony presented before the Commissioners and the findings as set forth above, the County Commissioners of Worcester County find that no substantial change has occurred in the neighborhood in which the petitioned property is located to warrant the rezoning of the petitioned area and further find that there is no mistake in the existing zoning classification of the petitioned area.

(3)

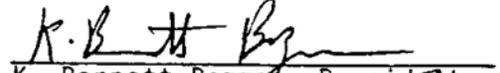
The County Commissioners conclude that the applicant has not met its burden of proof for the petitioned rezoning and hereby deny the rezoning petition of Bernard Potts, Rezoning Case No. 239.

Adopted as of September 13, 1988. Reduced to writing and signed  
*September 27, 1988.*

ATTEST:

  
John A. Yankus  
Chief Administrative Officer

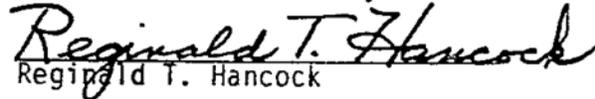
WORCESTER COUNTY COMMISSIONERS

  
K. Bennett Bozman, President

  
James G. Barrett

  
Carlton E. Massey

  
W. Kenneth Tyler

  
Reginald T. Hancock



Worcester County Department of Environmental Programs

Worcester County Government Center, 1 West Market Street, Rm 1306 | Snow Hill MD 21863

Tel: (410) 632-1220 | Fax: (410) 632-2012

## Memorandum

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**To:** Jennifer Keener, AICP  
Director, DDRP

**From:** Robert J. Mitchell, LEHS, REHS/RS  
Director, Environmental Programs

**Subject:** **EP Staff Comments on Rezoning Case No. 452**  
Reclassify approximately 1.66 Acres of  
From A-1 Agricultural District to C-2 Commercial District  
TM 26 Parcel 340

**Date:** 11/19/25

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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 both a change in the character of the neighborhood and 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 an Agricultural land use designation and in the Land Use Map in the Worcester County Comprehensive Plan (*Comprehensive Plan*). Regarding the agricultural land use designation, according to Chapter 2 - Land Use of the *Comprehensive Plan*, the *Plan* states the following:
  - a. “This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted.” (Page 18)
  - b. Some particularly relevant objectives cited in Chapter 2 - Land Use relating to this application would include:
    - i. Discourage highway strip development to maintain roadway capacity, safety, and character.
    - ii. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
    - iii. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.
2. We do not have approved onsite sewer for this property. The file notes that investigations were carried out in 1972 that indicated they encountered six (6) inch water tables, which would be unacceptable for onsite septic. Property is within the Mystic Harbour Water and Sewer planning area and is classified as W-3/S-3 for water and sewer planning designations which have a six to ten (6-10) year planning timeframe. An amendment to

## ITEM 15

the *Master Water and Sewer Plan* would need to be completed to attain a W-1/S-1 designation to receive public water and sewer. With respect to the provision of public sanitary services:

- a. The Agricultural land use designation of this property is incompatible with extensions of public sewer. To be fully consistent with the *Comprehensive Plan*, the land use map should be changed to a land use category that supports the level of development potential sewer service would bring.
  - b. Regarding a change in the character of the neighborhood, an amendment for zoning consistency was included within the *Master Water and Sewer Plan*. Under 1.1.3.B: “The inclusion of a property in the water and sewer plan does not, in and of itself, constitute a change the character of the neighborhood for rezoning purposes.”
3. We would note that property appears to be within the Airport Protection District as found in County Code Section § ZS 1-302, which carries certain conditions and required notification to the Town of Ocean City of any rezoning, variance, special exception requests.
  4. Regarding a change in the character of the neighborhood and actual development of the surrounding area, the Town has purchased multiple properties on the west and east sides of Sinepuxent Road in the immediate vicinity of this property. They have demolished homes and structures on said properties and cleared trees and vegetation in the interest of aviation safety for the airport. Commercial and residential development within the Route 611 corridor since 2009 has been limited to infill and intensification of existing developed properties, most prominently in lands north of the airport.
  5. An initial review of the property did not indicate any natural resource features that would be impacted by a change in zoning from A-2 to C-2; such as non-tidal wetlands and FIDS (Forest Interior Dwelling Species) habitat.
  6. The Forest Conservation Act and Sediment and Stormwater Management may apply at the time of development. The property is located outside the Atlantic Coastal Bays Critical Area.

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



# TOWN OF OCEAN CITY

ITEM 15

*The White Marlin Capital of the World*

November 15, 2025

Jennifer Keener, Zoning Administrator  
Worcester County  
Room 116 Court House  
One West Market Street  
Snow Hill, MD 21863

**RE: Zoning Case 452**

Dear Ms. Keener,

After Consultation with regulatory agencies and the Airport Master Plan, The Town of Ocean City has no objection to the proposed zoning change from "A-2" Agricultural District to "C-2" General Commercial District per case 452 with one provision.

The Towns' support for this zoning amendment is contingent upon the execution of an "Avigation Easement" for parcel 340, as the property in question is adjacent to the approach end of Runway 20.

The limitations placed on this parcel by the easement are clearly delineated by the language of the attached instrument, the most restrictive height limitation is approximately 60' feet. It is worth noting that the easement, once executed and recorded, becomes a permanent part of the property.

Please feel free to contact me at (443) 235-4434 if you require additional information.

Sincerely,

Jaime Giandomenico, Airport Manager  
Ocean City Municipal Airport

Cc :Hal Adkins, Public Works Director, Town of Ocean City

**MAYOR**  
Richard W. Meehan

**CITY COUNCIL**

Matthew M. James  
*President*

Anthony J. DeLuca  
*Secretary*

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Carol Proctor  
Will Savage  
Larry R. Yates

**CITY MANAGER**  
Terence J. McGean, PE

**CITY CLERK**  
Diana L. Chavis, MMC

AVIGATIONAL and HAZARD EASEMENT

WHEREAS, \_\_\_\_\_ (full name of property owner(s)), hereinafter called the Grantors, are the owners in fee of that certain parcel of land situated in the County of Worcester, State of Maryland, more particularly described as follows:

(Insert legal description of the property covered by the easement)

hereinafter called "Grantor's property", and outlined on the attached map (Exhibit 1);

NOW, THEREFORE, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, administrators, executors, successors and assigns, do hereby grant, bargain, sell, and convey unto the Mayor and City Council of the Town of Ocean City, owners and operators of Ocean City Municipal Airport, hereinafter called the Grantee, its successors and assigns, for the use and benefit of the public, an easement and right of way, appurtenant to Ocean City Municipal Airport of the unobstructed use and passage of all types of aircraft (as hereinafter defined), in and through the airspace above Grantor's property above an imaginary plane rising and extending in a generally northwesterly direction over the Grantor's property, said imaginary plane running from approximately 101 feet Mean Sea Level above Point A as shown on Exhibit 1 at a rate of one foot vertically to each 20 feet horizontally to approximately 176 feet Mean Sea Level above Point B on Exhibit 1 to an infinite height above said imaginary plane. Such airspace over Grantor's property shall also include the imaginary plane rising on either side of the imaginary plane described above at a rate of one foot vertically to seven feet horizontally to a maximum elevation of 161 feet Mean Sea Level above Points C and D on Exhibit 1. For those areas of Grantor's property outside of the two imaginary planes identified above, such airspace shall be an imaginary plane at 161 feet Mean Sea Level.

Said easement shall be appurtenant to and for the benefit of the real property now known as Ocean City Municipal Airport including any additions thereto wherever located, hereafter made by the Mayor and City Council of the Town of Ocean City, or its successors, and assigns, guests and invitees, including any and all persons, firms, corporations operating aircraft to or from the airport.

Said easement and burden, together with all things which may be alleged to be incident to or resulting from the use and enjoyment of said easement, including, but not limited to the right to cause in all airspace above or in the vicinity of the surface of Grantor's property such noise, vibrations, fumes, deposits of dust or other particulate matter, fuel particles which are incidental to the normal operation of such aircraft, fear, interference

with sleep and communication and any and all other effects that may be alleged to be incident to or caused by the operation of aircraft over or in the vicinity of Grantor's property or in landing at or taking off from, or operating at or on said Ocean City Municipal Airport is hereby granted; and Grantor's do hereby fully waive, remiss, and release any right or cause of action which they may now have or which they may have in the future against the Grantee, its successor and assigns, due to noise, vibrations, fumes, dust, fuel particles and all other effects that may be caused or may have been caused by the operation of aircraft landing at, or taking off from, or operating at or on Ocean City Municipal Airport. As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured, developed, to include, but not limited to, jet aircraft, propeller driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters and all types of aircraft or vehicles now in existence or hereafter developed, regardless of existing or future noise levels for the purpose of transporting persons or property through the air, by whoever owned or operated.

The easement and right-of-way hereby grants to the Grantee the continuing right to prevent the erection or growth upon Grantee's property of any building, structure, tree, or other object extending into the airspace above the aforesaid imaginary planes identified above, and to remove from said airspace, or at the sole option of the Grantee, as an alternative, to mark and light as obstructions to air navigation, any such building, structure, tree or other objects now upon, or which in the future may be upon Grantee's property, together with the right of ingress to, egress from, and passage over Grantor's property for the above purpose.

The Grantor's, for themselves, their heirs, administrators, successors, and assigns, do hereby agree that for and during the life of said avigational easement, they will not hereafter erect, permit the erection or growth of, or permit or suffer to remain upon Grantor's property any structure in the Runway Protection Zone (RPZ) that is an airport hazard or which might create glare or misleading lights or lead to the construction of residences, fuel handling and storage facilities, or smoke generating activities; and the Grantor's themselves, their heirs, administrators, executors, successors, and assigns, further agree they will not permit places of public assembly upon Grantor's property such as churches, schools, office buildings, shopping centers, restaurants, child care facilities, and stadiums.

AND, for the consideration hereinabove set forth, the Grantor's, for themselves, their heirs, administrators, executors, successors, and assigns, do hereby agree that for and during the life of said easement and right-of-way, they will not hereafter erect, permit the erection or growth of, or permit or suffer to remain upon Grantor's property any building, structure, tree, or other object extending into the airspace above aforesaid imaginary plane, and that they shall not hereafter use or permit or suffer the use of grantor's property in such a manner as to create electrical interference with radio communication between any installation upon said airport and aircraft, or as to make it difficult for flyers to distinguish between airport lights and others, or to permit any use of the Grantor's land that causes a discharge of fumes, dust or smoke so as to impair visibility in the vicinity of the airport or to otherwise endanger the landing, or taking off or maneuvering of aircraft.

Grantor's furthermore waive all damages and claims for damages caused by the removal / elimination of such objects or activities.

TO HAVE AND TO HOLD said easement and right-of-way, and all rights appertaining thereto unto the Grantee, it successors, and assigns, until said Ocean City Municipal Airport shall be abandoned and cease to be used for public airport purposes.

It being understood and agreed that the aforesaid covenants and agreements shall run with the land and shall be binding upon the heirs, administrators, executors, successors, and assigns of the Grantor's until said Ocean City Municipal Airport shall be abandoned and cease to be used for public aviation purposes.

IN WITNESS WHEREOF, the Grantor's have hereunto set their hands and seal this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Grantor's (seal)

ACKNOWLEDGMENT

State of \_\_\_\_\_

County of \_\_\_\_\_

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, before me, the undersigned, a Notary Public for the County and State aforesaid, came \_\_\_\_\_

Who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



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

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

MEMORANDUM

TO: Robert Mitchell, Director, Worcester County Environmental Programs  
Matt Owens, Worcester County Fire Marshal & c/o local fire departments  
Chris Shaffer, Director, Department of Emergency Services  
Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office  
Dallas Baker, P.E., Director, Worcester County Public Works Department  
Kevin Lynch, Roads Superintendent, Worcester County Public Works Department  
Melanie Pursel, Director of Tourism & Economic Development  
Annette Wallace, Superintendent, Worcester County Board of Education  
Lt. Earl W. Starner, Commander, Barracks V, Maryland State Police  
Mark Crampton, District Engineer, Maryland SHA  
Rebecca L. Jones, Health Officer, Worcester County Health Department  
Will Dyer, Project Manager, Maryland Forest Service  
Anderson Spratt, District Conservationist, Worcester County NRCS

FROM: Jennifer K. Keener, AICP, Director

DATE: October 8, 2025

RE: Rezoning Case No. 452– Tax Map 26, Parcel 340, located between Sinepuxent and Stephen Decatur Road, Kasa Holdings LLC, c/o Aaron Finney, Managing Member, Property Owners and Hugh Cropper, Attorney

\*\*\*\*\*

This application seeks to rezone approximately **1.66 acres** of land shown on Tax Map 26, Parcel 340, from **A-2 Agricultural District** to **C-2 General Commercial District**. The property is currently an unimproved, wooded parcel. For your reference I have attached a copy of the rezoning application package, location and zoning maps showing the property requested to be rezoned.

The applicant is alleging **that there has been a change in the character of the neighborhood AND a mistake was made during the 2009 Comprehensive Rezoning** as the justification for the proposed rezoning from A-2 District to C-2 District as outlined in the attached request. The Planning Commission must consider if: 1. There was a mistake made in assigning the property to an A-2 District zoning classification in 2009; and/or 2. There has been a significant change based upon a comparison of the current conditions to the neighborhood in 2009 at the time of the last Comprehensive Rezoning.

**By Wednesday, November 19, 2025**, the Planning Commission is requesting any comments, thoughts or insights that you or your designee might offer with regard to past and present conditions in the delineated neighborhood, as well as the effect that this application and potential subsequent development of the site under the proposed zoning classification may have on plans,

facilities, or services for which your agency is responsible. Your response is requested even if you determine that the proposed rezoning will have no effect on your agency, that the application is compatible with your agency's plans, and that your agency has or will have adequate facilities and resources to serve the property and its potential land uses. *If no comments are received, we will document such and assume that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners.*

### **General Zoning Information:**

**The purpose and intent of the A-2 Agricultural District** is to preserve and promote the County's agricultural heritage while also allowing certain compatible commercial and residential uses. This district is intended for agricultural operations requiring larger tracts of land, such as livestock, poultry, aquaculture, and crop production. The A-2 District also allows limited residential development through minor, rural cluster, and consolidated development rights subdivisions. Additionally, A-2 serves as a transitional designation, accommodating potential annexation areas near municipalities.

The district recognizes that normal agricultural and forestry practices—including noise, odor, vibration, dust, and other impacts—are an inherent part of its character and not grounds for recourse. Permitted uses by right include a broad range of agricultural activities, aquaculture, roadside farm stands, single-family dwellings, manufactured homes, conservation areas, and seasonal noncommercial cabins. Special provisions also allow for renewable energy systems, communication towers, landing strips, and certain entertainment uses such as Casino Entertainment Districts. For a full list of permitted and special exception uses in the A-2 District, please refer to the County Code here: [§ ZS 1-202 – A-2 Agricultural District](#).

**The purpose and intent of the C-2 General Commercial District** is to accommodate larger-scale commercial development that serves population centers of approximately 3,000 or more, typically within a 10–20 minute travel time. These commercial centers are designed to provide a wide variety of goods, services, entertainment, and employment opportunities. Because of their intensity and visibility, C-2 districts require careful attention to site design, signage, landscaping, buffers, and architecture. Strip-style commercial development is strongly discouraged.

Permitted uses by right include retail and service businesses, hotels, restaurants, nightclubs, professional offices, indoor recreation facilities, automotive and equipment sales, storage and warehousing, nursing facilities, day-care centers, public buildings, conservation areas, marinas, and renewable energy facilities. The district also permits telecommunications facilities, wind energy systems, and residential units when integrated with commercial structures.

Special exception uses may include outdoor recreation facilities, drive-in theaters, hospitals, dormitories, transportation terminals, wastewater facilities, cannabis dispensaries, and other uses deemed compatible with the district's intent. For a full list of permitted and special exception uses in the C-2 District, please refer to the County Code here: [§ ZS 1-204 – C-2 General Commercial District](#).

## ITEM 15

If you have any questions or require further information, please do not hesitate to reach me by phone at (410) 632-1200, ext. 1123 or via email at [jkeener@worcestermd.gov](mailto:jkeener@worcestermd.gov). On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

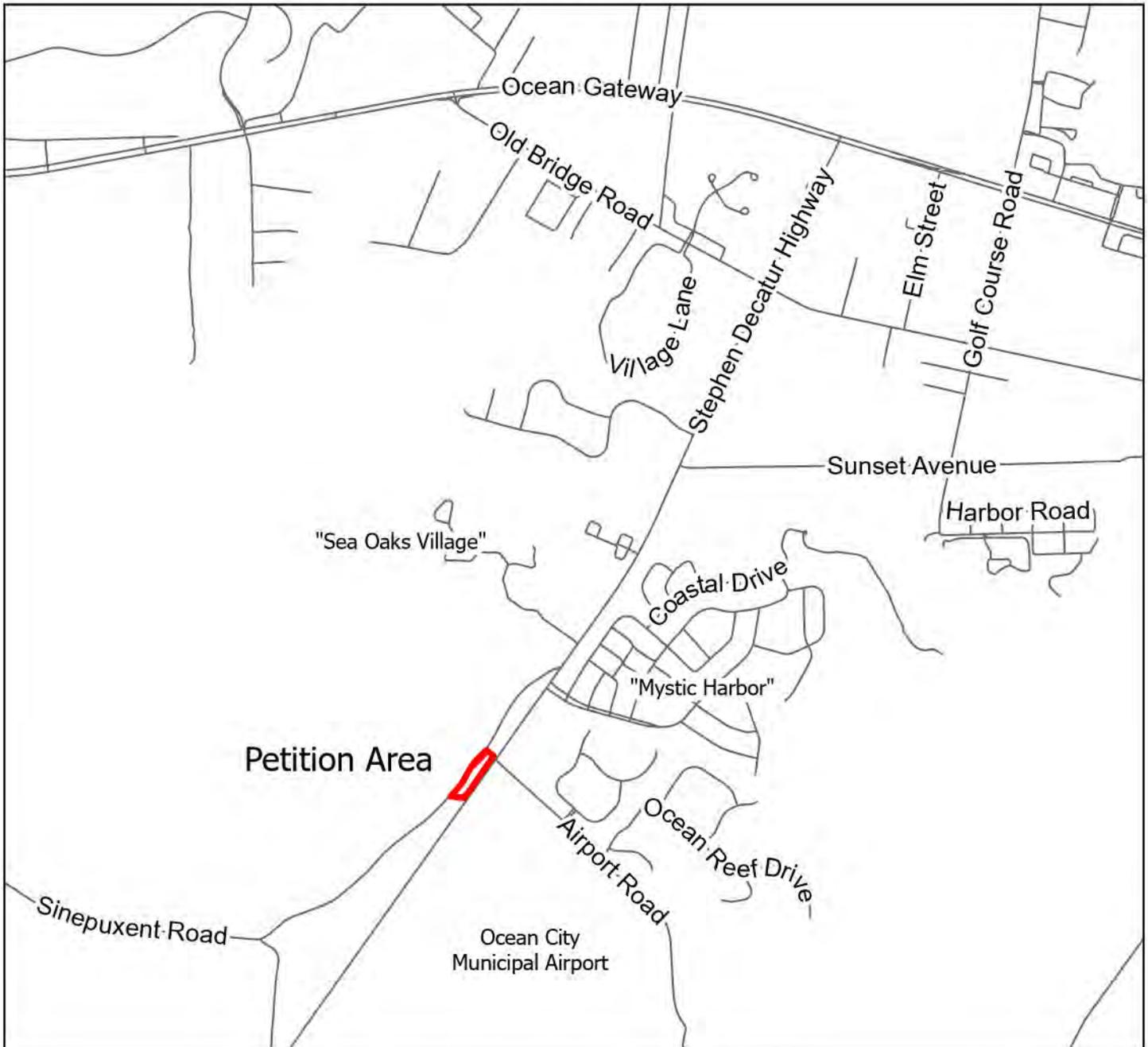
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



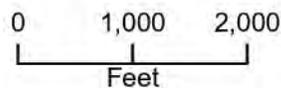
LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: County GIS Layers

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.

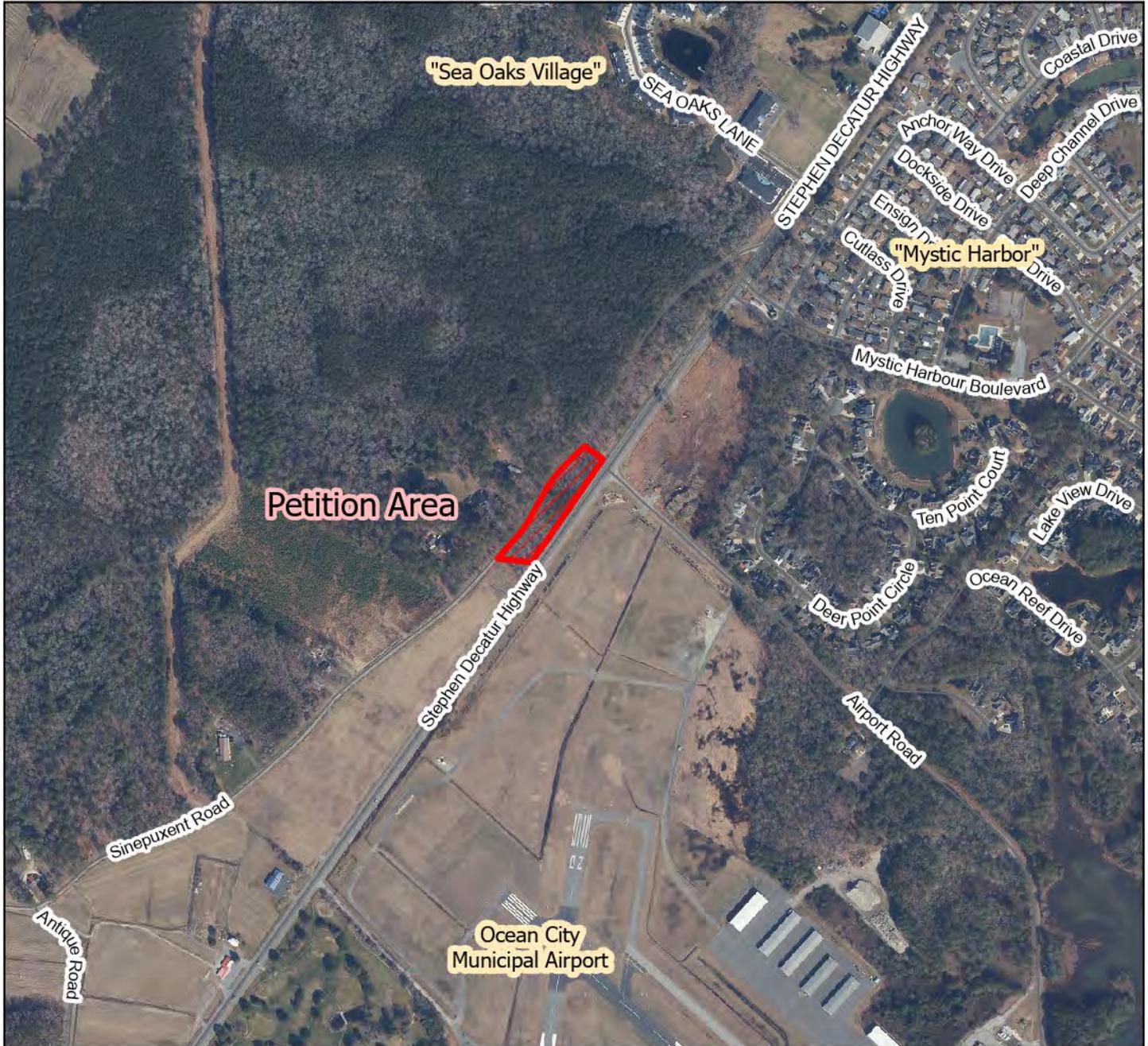
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



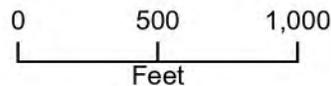
AERIAL IMAGERY



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2024 Aerial Imagery

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.

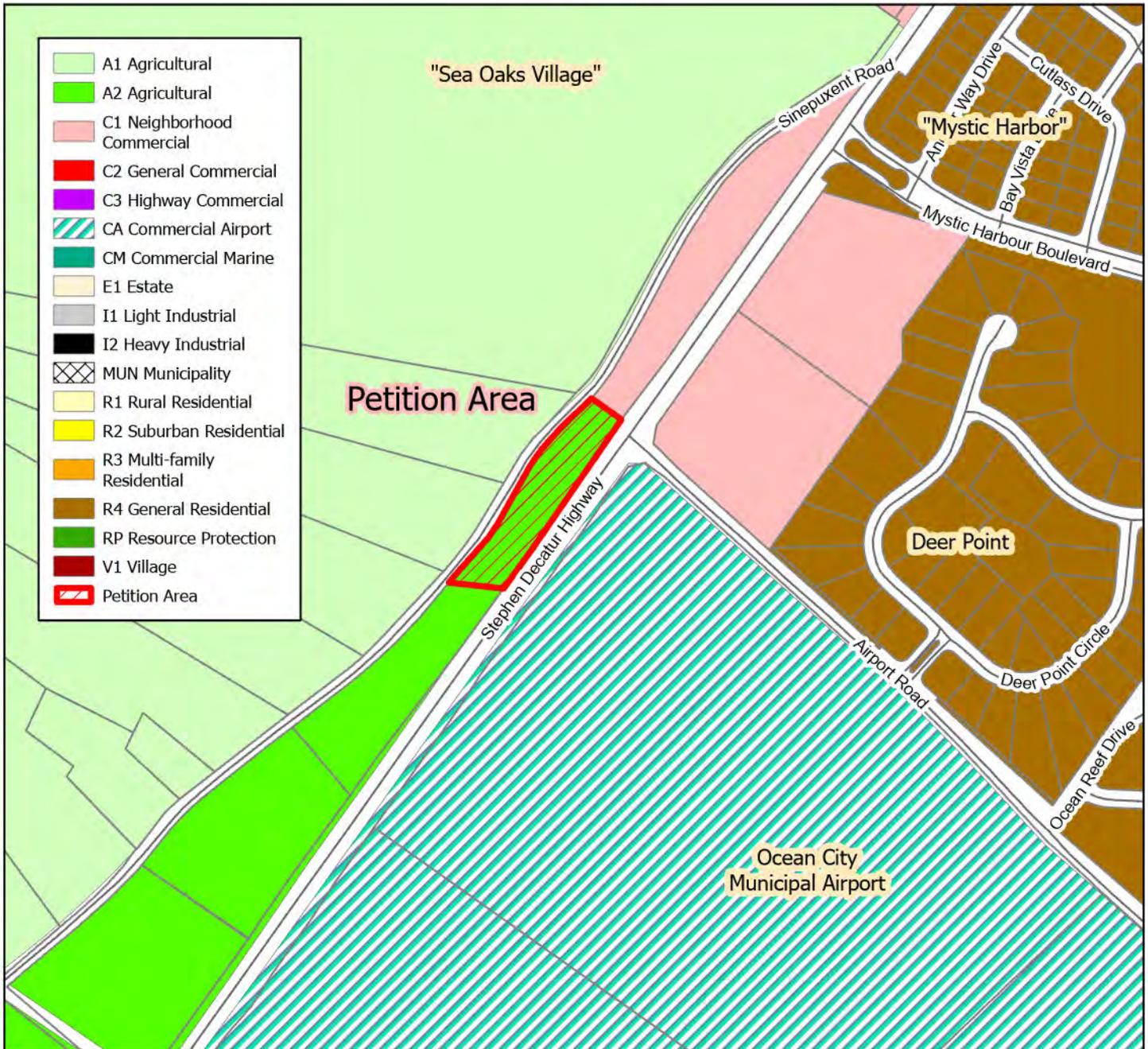
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
 A-2 Agricultural District to C-2 General Commercial District  
 Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376

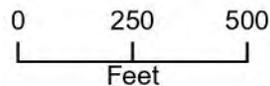


ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
 Technical Services Division

Prepared: October 2025  
 Source: 2009 Official Zoning Map



Prepared By: K.L.Henry  
 Reviewed By: J.K. Keener

This map is intended for illustrative purposes and not for regulatory action.

WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376

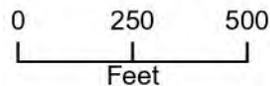


LAND USE PLAN MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2006 Official Land Use Map



Prepared By: K.L.Henry  
Reviewed By: J.K. Keener

This map is intended for illustrative purposes and not for regulatory action.

WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



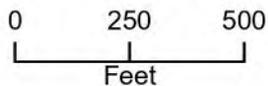
SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2007 Soil Survey

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.

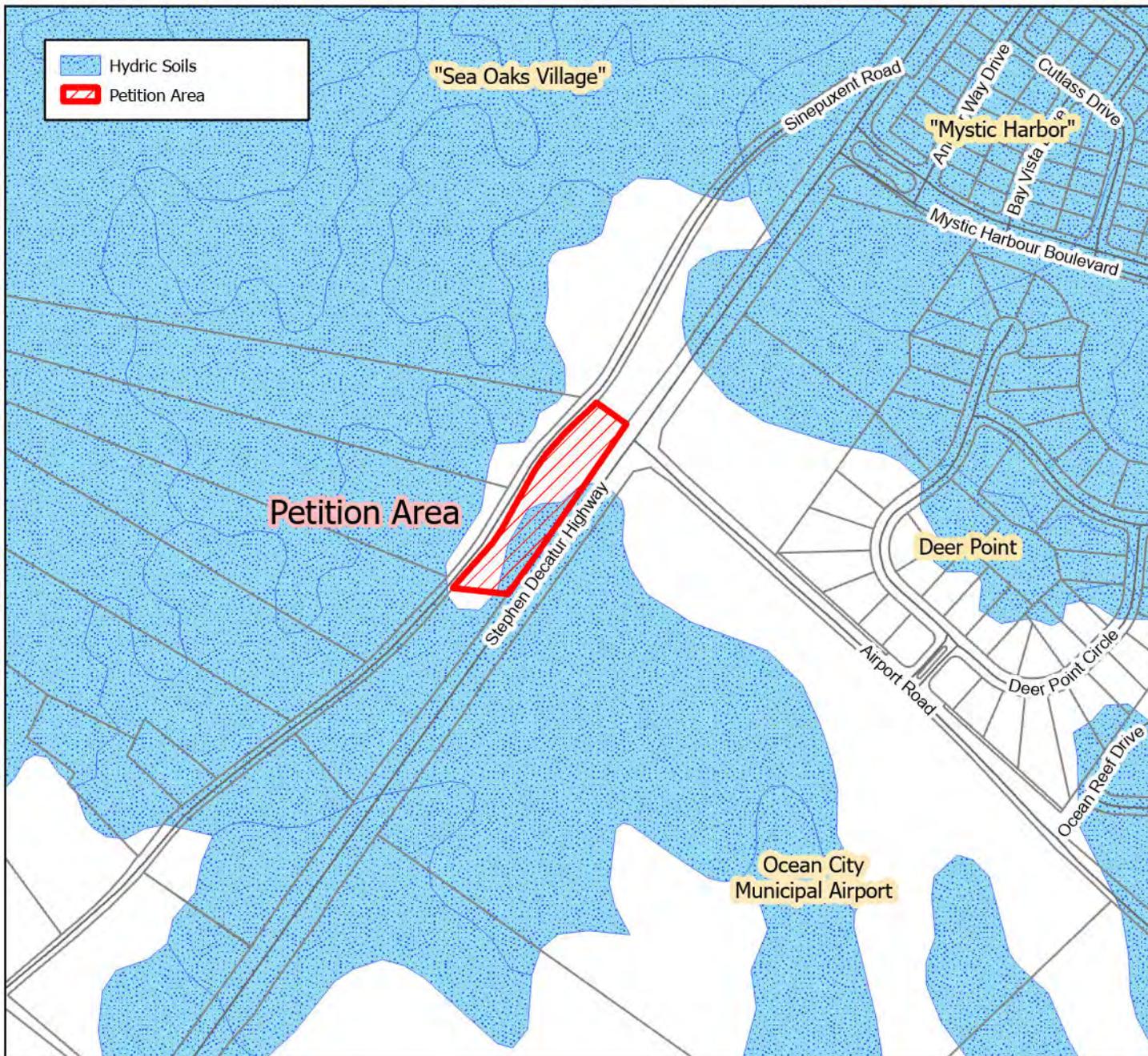
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452  
A-2 Agricultural District to C-2 General Commercial District  
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



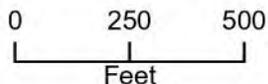
HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING  
Technical Services Division

Prepared: October 2025  
Source: 2007 Soil Survey

Prepared By: K.L.Henry  
Reviewed By: J.K. Keener



This map is intended for illustrative purposes and not for regulatory action.



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

**APPLICATION FOR AMENDMENT OF THE OFFICIAL ZONING MAP**

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

Rezoning Case No. 452

Date Received by Office of the County Commissioners \_\_\_\_\_

Date Received by Development Review and Permitting September 30, 2025

Date Reviewed by the Planning Commission December 4, 2025

I. Application: Proposals for amendments to the Official Zoning Maps may be made only by the property owner, contract purchaser, option holder, lease, 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. Attorney for X (insert A, B, C, D or E) B
- G. Agent for \_\_\_\_\_ (insert A, B, C, D or E) \_\_\_\_\_

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 26
- B. Parcel Number(s): 340
- C. Lot Number(s), if applicable: \_\_\_\_\_
- D. Tax District Number: 10

III. Physical Description of Property

- A. Located between Sinepuxent and Stephen Decatur Road.
- B. Consisting of a total of 1.666 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 other such 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): A-2, Agricultural District  
(name and zoning district)
- B. Acreage of zoning classification(s) in "A" above: 1.666
- B. Requested zoning classification(s): C-2, General Commercial District  
(name and zoning district)
- C. Acreage of zoning classification(s) in "C" above: 1.666

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 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 zoning 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:

VI. Filing Information and Required Signatures

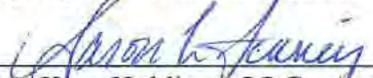
A. Every application shall contain the following information:

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 for 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 in 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 Applicants in Accordance with VI.A. above.

Signature(s):   
 Printed Name(s): Hugh Cropper IV  
 Mailing Address: 9927 Stephen Decatur Hwy, F-12, Ocean City, MD 21842  
 Phone Number: ██████████ Email: ██████████  
 Date: \_\_\_\_\_

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

Signature(s):   
 Printed Name(s): Kasa Holdings, LLC, c/o Aaron Finney, Managing Member  
 Mailing Address: 4 Dinghy Court, Ocean Pines, Maryland 21811  
 Phone Number: ██████████ Email: ██████████  
 Date: \_\_\_\_\_

D. Signature of Attorney in Accordance with VI.A. above.

Signature(s):   
 Printed Name(s): Hugh Cropper IV  
 Mailing Address: 9927 Stephen Decatur Highway, F-12, Ocean City, MD 21842  
 Phone Number: ██████████ Email: ██████████  
 Date: \_\_\_\_\_

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

VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1<sup>st</sup> to January 31<sup>st</sup>, May 1<sup>st</sup> to May 31<sup>st</sup>, and September 1<sup>st</sup> to September 30<sup>th</sup> 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 having 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 was 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 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 a 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 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.

REZONING FINDINGS OF FACT FORM

- A. Is the request for rezoning based upon a claim that there has been a change in the character of the neighborhood where the property is located since the last zoning of the property or upon a claim that there is a mistake in the existing zoning and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.**

The primary basis for this rezoning is a mistake in the November 3, 2009 Comprehensive Rezoning.

The property is shown on Exhibit A and it is currently zoned A-2, Agricultural District, although it is virtually impossible to meet any of the setbacks and/or lot area requirements of the A-2, Agricultural District. Moreover, Maryland Route 611 (Stephen Decatur Highway) is a collector highway, with an enhanced front yard setback, which consumes even more of any proposed building envelope on the property.

The property abuts CA, Commercial Airport District to the east, which is essentially a commercial zoning, permitting municipal or County airports, hangars, terminals, support buildings, and other buildings and structures such as restaurants, lounges, and gift shops as accessory uses.

The property abuts C-1, Neighborhood Commercial to the north. It is important to note that the property directly to the north was rezoned to this Commercial designation, but as of the date of this rezoning application, there has been no development on the property. This applicant would assert that that rezoning was also a mistake; and the C-2, General Commercial District would have been more appropriate for that property.

The property has substantial frontage on Maryland Route 611. It is really not appropriate for any agricultural uses.

It is really not appropriate for any residential uses. Between the road noise from Maryland Route 611, Sinepuxent Road to the rear, and being directly under the airport runway, it is hard to imagine an appropriate residential use.

Although the sliver of land is designated Agricultural in the March 7, 2006 Comprehensive Land Use Map, taken as a whole, the proposed rezoning is consistent with the Comprehensive Plan. The Comprehensive Plan designates the viability of the Ocean City Airport, and its importance to Worcester County, which is directly east of this property, among other things.

Although not the primary basis for the rezoning, there have also been substantial changes in the character of the neighborhood.

In this case, the applicant has proposed a small neighborhood, which is essentially the commercial corridor south of the intersection of Stephen Decatur Highway with Sunset Avenue, down to the southern border of the Ocean City Airport. As the map attached hereto as Exhibit B demonstrates, there have been three rezonings in this small commercial neighborhood since November 3, 2009. In addition, the Worcester County Commissioners have approved the Sea Oaks Village RPC, along with the provision of over one hundred EDU's. This small commercial corridor or neighborhood will now serve the residents of the Whispering Woods Subdivision, the Sea Oaks Village RPC, Deer Point, Ocean Reef, and the Greater Mystic Harbour Subdivision. Commercial uses are definitely needed to serve these residents.

It is also important to note that Rezoning Case No. 441, approved on June 20, 2003, actually deleted commercial zoning from the neighborhood.

The passage of Resolution 17-19, which permitted the sale of EDU's, was a definite change to the character of the neighborhood. This permitted the Sea Oaks RPC, which previously had zero EDU's. This also increased other development in the area, and allowed for the possibility of Mystic Harbour EDU's to be allocated to this property, an opportunity which did not exist as of November 3, 2009, which is evidence of a change in the character of the neighborhood.

**B. What is the definition of the neighborhood in which the subject property is located, as determined by the applicant.**

Although the primary basis for the rezoning is a mistake, the neighborhood is defined as those properties with frontage along Stephen Decatur Highway or Maryland Route 611 from the intersection of Stephen Decatur Highway and Sunset Avenue, south, to the southerly border of the Ocean City Airport.

**C. Findings of Fact as to Section 1-113(c)(3) of the Zoning Code:**

1. **Relating to population change:** The applicant asserts that there has been an increase in residential population in the area, justifying the need for additional commercial services. The property subject to Rezoning Case No. 441 has received all approvals, and has just received approval for private road standards. Construction will commence shortly on this new multi-family project. The Sea Oaks RPC contains 130 plus multi-family units, which will directly be served by this neighborhood. There have been other residential changes as well, which include infill to Mystic Harbour, Deer Point, Whispering Woods, and Ocean Reef.

2. **Relating to the availability of public facilities:** All public facilities are available to this property, and even more specifically since the passage of Resolution 17-19, public water and sewer are available (with appropriate approval from the Worcester County Commissioners).

3. **Relating to present and future transportation patterns:** The applicant recognizes that there are some traffic issues in this area, but this property is perfectly suited for a commercial development. It has direct frontage on Stephen Decatur Highway, but access can be out the rear, on Sinepuxent Road. Development in this way will prevent congestion on Stephen Decatur Highway.

4. **Relating to the compatibility with existing and proposed development and existing environmental conditions for the area:** The proposal is definitely consistent with existing and proposed development. It is directly across from a Municipal Airport. It abuts commercial zoning to the north. To the south, there is a large area owned by the Town of Ocean City, which is essentially a no build zone as the runway path for the Airport.

The property is literally sandwiched between two roads, so it is hard to imagine any impact on any state waters.

Recommendation of the Planning Commission: Hopefully, the Planning Commission will recommend this rezoning favorably.

**5. Relating to compatibility with the Comprehensive Plan:** Although designated Agricultural by the Land Use Map, taken as a whole, the applicant asserts that the proposed rezoning is consistent with the Comprehensive Plan.

Respectfully submitted,

A handwritten signature in blue ink, consisting of several loops and a final flourish.

---

Hugh Cropper IV, Attorney for Property Owner

P. 0289

P. 0440

P. 0361

Note: Rezoning Case No. 417  
Approved: 4/17/18

**TAYLOR ROBERT J & OTHERS**  
M. 0026  
P. 0274  
AC. 39.67

P. 0274  
L. 1A

P. 0424

**ST COAST VENTURES INC**  
M. 0026  
P. 0275  
AC. 95.82

**EXA**

Note: Rezoning Case No. 405  
Approved: 5/2/17

P. 0211

P. 0450  
L. A

P. 0407  
L. 5

P. 0407  
L. 4

P. 0407  
L. 3

**611**

07  
2

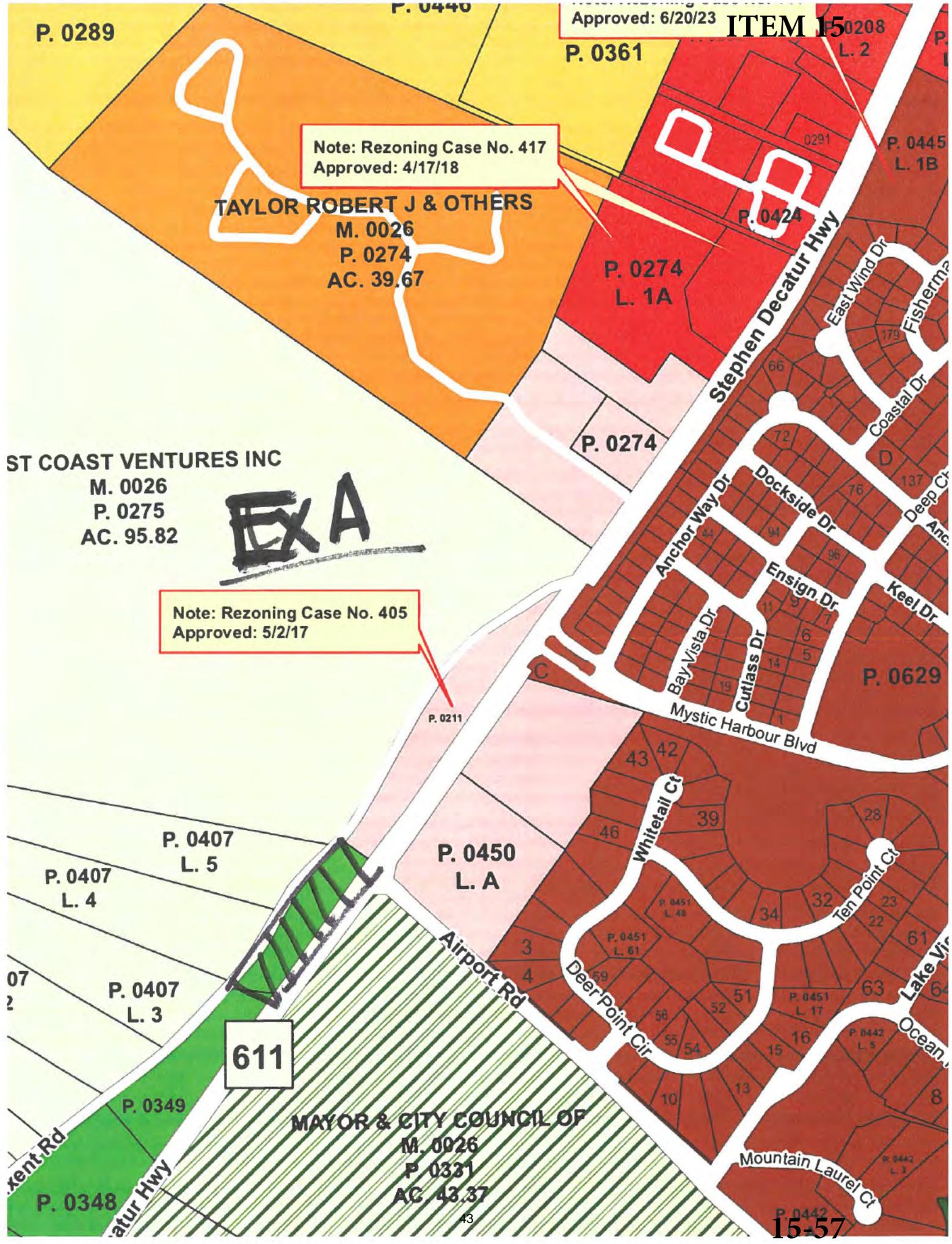
P. 0349

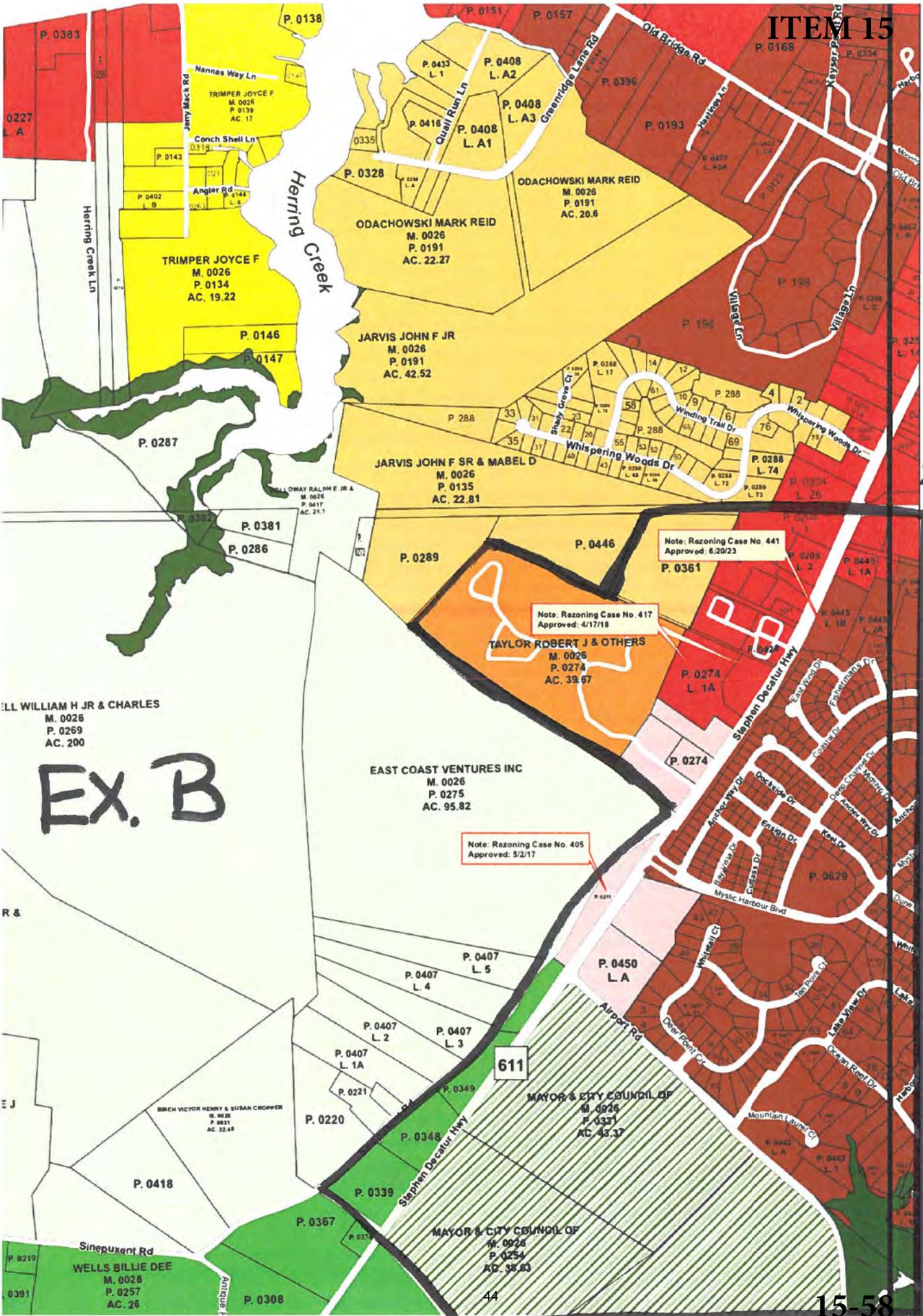
P. 0348

**MAYOR & CITY COUNCIL OF**  
M. 0026  
P. 0331  
AC. 43.37

43

P. 0442  
L. 3





27

WILLIAM H JR & CHARLES  
M. 0026  
P. 0269  
AC. 200

EX. B

611



Worcester County Administration
One West Market St. Room 1103 | Snow Hill MD 21863 | (410) 632-1194 | www.co.worcester.md.us

TO: The Salisbury Daily Times and OC Today Dispatch Group
FROM: Candace Savage, Deputy Chief Administrative Officer
DATE: February 6, 2026
SUBJECT: Worcester County Public Hearing Notice

Please print the below Public Hearing Notice in The Salisbury Daily Times and Ocean City Digest/OC Today Dispatch on January 22, 2026 and January 29, 2026. Thank you.

WORCESTER COUNTY
NOTICE OF PUBLIC HEARING

The Worcester County Commissioners will hold a public hearing and receive public comment on the following request for the establishment of a Residential Planned Community (RPC) floating zone on Tuesday, February 17, 2026, at 10:35 AM in the Worcester County Government Center, Room 1101, 1 West Market St, Snow Hill, MD:

Racetrack Village RPC, filed by MD Medical Owners III, LLC for a proposed 137-unit multi-family residential development with a commercial component, located on the east side of Racetrack Road (MD Route 589) at Taylorville Lane, Tax Map 21, Parcel 66, Lots 1 and B, in the 3rd Tax District of Worcester County, MD.

A map of the area, staff file and Planning Commission's recommendation to be entered into record at the hearing are available to view online at www.co.worcester.md.us or during normal business hours at the Dept of Development Review and Permitting, 1 West Market Street, Room 1201, Snow Hill, MD.

THE WORCESTER COUNTY COMMISSIONERS

**PUBLIC COMMENTS RECEIVED**

**RACETRACK VILLAGE**

**RESIDENTIAL PLANNED COMMUNITY**

**STEP I**

County Commissioner Public Hearing Date: February 17, 2026  
Planning Commission Meeting Date: December 4, 2025  
Technical Review Committee Meeting Date: November 12, 2025

*This letter is meant to be included in the public hearing concerning the proposed housing and retail development along Route 589. Thank you*

January 12, 2026

Dear County Commissioners,

I am writing to submit a **formal complaint** regarding the ongoing and excessive overdevelopment along the Route 589 corridor and surrounding areas. As a longtime resident of Ocean Pines since 1984, I have witnessed many changes - some positive, some negative - but the current scale, pace, and lack of a coherent development plan are simply unacceptable and deeply concerning.

The continued conversion of productive farmland and open natural spaces into dense development represents a significant loss to the county. Farmland that has sustained local food systems, rural livelihoods, and the county's character is being permanently eliminated. Natural areas that provide wildlife habitat, environmental balance, flood control, and quality of life are being fragmented or destroyed. Once lost, these resources cannot be restored.

Of particular concern is the apparent prioritization of short-term gains over sound planning and accountability. Decisions appear to have been made without sufficient consultation, impact assessment, or regard for cumulative effects. This lack of foresight has directly contributed to the issues now evident and reflects poorly on the planning and oversight process.

The scale and intensity of development have exceeded reasonable and responsible limits. This has resulted in overcrowding, excessive strain on infrastructure and resources, diminished functionality, and a clear erosion of the original purpose and character of the area. Rather than delivering meaningful progress, the continuing overdevelopment has already and will continue to compromise quality, efficiency, and livability.

These outcomes were not unavoidable. They are the result of deliberate choices that ignored warning signs and failed to apply appropriate restraint. Continued development under the current model risks further deterioration, increased public dissatisfaction, and long-term damage that may be difficult or impossible to reverse.

I strongly urge an immediate reassessment of zoning and development policies and practices. This should include a halt to further overdevelopment, a transparent review of decision-making processes, and the implementation of stricter controls to ensure future development is measured, sustainable, and aligned with clearly defined objectives.

Currently, overdevelopment has placed increasing strain on roads, infrastructure, water supplies, and public services, while eroding the rural and environmental qualities that residents value. Rather than measured growth, the county is experiencing expansion that prioritizes short-term economic gain over responsible land stewardship and long-term planning.

It is particularly troubling that these decisions appear to move forward despite clear and well-documented impacts. Adequate consideration of cumulative effects, environmental consequences, and agricultural preservation has been insufficient. This represents a serious lapse in oversight and accountability at the county level.

These outcomes are not inevitable. They are the result of policy choices that favor rapid development at the expense of farmland preservation, environmental protection, and future generations. *Continuing along this path will permanently alter the county's landscape, reduce resilience, and undermine public trust.* The current approach reflects a failure to adequately consider long-term consequences, sustainability, and the broader negative impacts that such overdevelopment inevitably creates.

I strongly urge the County Commissioners to immediately reassess current development policies and practices. This should include a pause on further overdevelopment along Route 589, a transparent review of past and ongoing decision-making processes, and the implementation of stricter controls to ensure future growth is measured, sustainable, and aligned with clearly defined long-term objectives. A transparent review process and a clear commitment to sustainable, balanced growth are urgently needed.

I expect this complaint to be acknowledged and for concrete steps to be outlined in detailing how the county intends to address these concerns. The excessive strain on infrastructure and natural resources must be treated as a priority, not an afterthought.

Sincerely,



Sandee Sharp

**WORCESTER COUNTY**  
**PLANNING COMMISSION**

**FINDINGS OF FACT**

**AND**

**RECOMMENDATION**

**RACETRACK VILLAGE**

**RESIDENTIAL PLANNED COMMUNITY**

**STEP I**

Planning Commission Meeting Date: December 4, 2025  
Technical Review Committee Meeting Date: November 12, 2025

**December 29, 2025**

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|      | b. The Technical Review Committee<br>Report, including the comments of<br>Individual Committee members, the<br>Applicant's written narrative, and<br>§ZS 1-315 |              |

**I. GENERAL INFORMATION:**

**Date of Planning Commission Review:** December 4, 2025

**Date of TRC Review:** November 12, 2025

**Approval requested: Step I Residential Planned Community – Establishment of the RPC Floating Zone – Racetrack Village**

**Project Description:** Proposed construction of 136 multi-family dwelling units and one (1) single-family dwelling unit, and a commercial/retail component. Per §ZS1-315(2)(A), a maximum of twenty percent (20%) of the total gross lot area can be devoted to commercial uses.

**Location:** Tax Map 21, Parcel 66, Lot 1, Tax District 3, R-3 Multi-family Residential District.

**Owner:** Maryland Medical Owners III, LLC  
5220 Hood Road, Suite 110  
Palm Beach Gardens, FL 33418

**Land Planner:** Vista Design, Inc.  
11634 Worcester Highway  
Showell, MD 21862

**Existing Conditions:** The majority of the 22.86-acre is either wooded or cleared, with 4.91 acres of Forest Conservation easement in the rear of the property adjacent to the Ocean Pines Community. 1.18 acres of wetlands are also located on the site. Adjacent to the site is the AGH/Tidal Health medical campus. The site is accessed from one (1) point of access from Racetrack Road (MD Rt. 589).

**Proposed Project:** The Racetrack Village RPC as shown on the Step I plan is proposed to be a residential planned community comprised of 137 multi-family units as well as a commercial/retail component. Proposed open space totals approximately 15.78 acres, with 4.67 acres of passive recreation space provided and 0.69 acres of active recreation space provided. The Step I plan indicates there will be one (1) point of access from Racetrack Road (MD. Route 589) via a shared entrance with the AGH/Tidal Health medical campus. A traffic light was recently installed at this entrance, and the applicants' written narrative states that there is adequate capacity in the existing road network to handle the proposed 137 units.

## II. COMMENTS RELATIVE TO COMPLIANCE WITH BASIC RPC REQUIREMENTS:

**Zoning:** A development is required to meet the major RPC standards when consisting of greater than 20 proposed units. RPC's are permitted in the R-3 Multi-family Residential District.

**Permitted Uses:** Single family and multi-family dwelling units are permitted uses in the R-3 District. For major RPC's, retail and services uses are permitted, but the maximum use area can only be 20% of the total gross lot area, and the uses are limited to the permitted principal and special exception uses cited in the C-2 District regulations.

**Density:** In the R-3 District, a maximum of (6) units per net acre are allowed. The total lot area is 22.86 acres. The net lot area is 22.86 acres. The total permitted density is 137 units (6 units per acre), and the applicant is proposing 137 units – thus, the proposed density is 6 units per acre.

**Maximum limitation of 70% for residential uses:** The project proposes 6.42 acres of its land area (28.1%) for residential uses including building footprints, roads, and sidewalks.

**Maximum limitation of 20% of retail and service uses:** The project proposed 2.53 acres of its land area (11.1%) for retail and service uses.

**Minimum requirement of 30% for common use open space and recreational areas:** The project proposes 10.27 acres of its land area (44.9%) for common open space.

Open space is required to have a certain amount of active and passive recreational features, as well as lands preserved in their natural state. The requirements are as follows:

- **Minimum of 50% of required open space shall be retained in its natural state:** The project is proposing 4.91 acres of the total open space in a natural state- therefore, this requirement has been met.
- **Minimum of 10% of required open space shall be for active recreation:** The project is proposing to provide 0.69 acres (10%) of open space for active recreation. A minimum of 10% is required - therefore this requirement has been met. Active recreation is defined as uses, areas or activities that are oriented towards potential competition and involving special equipment. A swimming pool and pool house have been proposed.

- **Minimum of 20% of required open space shall be for passive recreation:** The project is proposing to provide 4.67 acres (68.1%) of the total open space in passive recreation. A minimum of 20% is required - therefore this requirement has been met. Passive recreation is defined as uses, areas or activities oriented to noncompetitive activities which typically require no special equipment.

### **III. FINDINGS AND RECOMMENDATIONS OF THE PLANNING COMMISSION**

#### **1. The relationship of the RPC with the Comprehensive Plan, zoning regulations, and other established policy guidelines:**

The subject property is currently in the “Existing Developed Areas” land use category of the Comprehensive Plan. The EDA category recognizes the importance of maintaining the neighborhood character and strongly encourages mixed-use developments.

The Comprehensive Plan encourages the use of low impact development and cluster techniques to reduce overall impervious surface and maintain wildlife habitat.

Relative to consistency with the zoning regulations, the Planning Commission finds that the project site is zoned R-3 Multi-family with the R-3 District being a zoning classification in which residential planned communities are permitted. It also finds that the project as proposed complies with those requirements cited in §ZS 1-315 relative to maximum density, maximum limitation for residential uses, minimum requirement for common use open space and recreational areas, and types of permitted uses.

Furthermore, the Planning Commission finds that the submittals relative to the proposed project comply with the requirements cited in §ZS 1-315(k)(2)A1. For individual structures, there shall be no minimum lot area, setback, bulk, lot width, or road frontage requirements. Such standards shall be approved by the Planning Commission during the Step II (Master Plan) review.

#### **2. The general location of the site and its relationship to existing land uses in the immediate vicinity:**

The subject properties are located on the easterly side of MD Route 589 (Racetrack Road), adjacent to the AGH/Tidal Health medical campus. The

Planning Commission finds that this area can best be characterized as a mix of residential and commercial land uses. The neighboring developments of Ocean Pines and Triple Crown Estates consist of single-family dwellings.

The proposed development consists of multi-family units, one (1) single-family dwelling, and a commercial/retail component. Overall, the development provides a transition zone between the single-family residential uses and the commercial use at AGH/Tidal Health. The R-3 Multi-family Residential District encourages infill development and the highest allowable density. Additionally, this district is intended to accommodate diverse types of housing and ranges of affordability.

Landscape ‘screening’ will need to be provided along Racetrack Road as it is considered a collector road per ZS1-322(e)(6). “Screening” is defined as vegetation that is thickly planted and of such species that it will provide a complete visual barrier and thus obscure the use or structure from sight from adjacent properties once the vegetation reaches maturity or within five (5) years, whichever comes first. A landscaping plan will need to be provided for Step II review.

**3. The availability and adequacy of public facilities, services, and utilities to meet the needs of the RPC and the long-term implications the project would have on subsequent local development patterns and demand for public facilities and services:**

The Planning Commission finds that the properties proposed to be developed into the Racetrack Village RPC are presently zoned R-3 Multi-family. The surrounding developed lands are primarily zoned residential (R-1 Rural Residential and R-2 Suburban Residential) and commercial (C-2 General Commercial). According to the R-3 Multi-family Residential district, multi-family residential development at a density of six (6) dwelling units per net acre is permitted by zoning. Furthermore, RPC’s of the same density are permitted by that zoning district. Thus, the proposed density of six (6) dwelling units per acre is allowable under the zoning ordinance. The multi-family dwelling units are consistent with the surrounding residential and commercial developments located within this area.

Therefore, the Planning Commission concludes that the proposed Racetrack Village RPC will not have an adverse long-term implication on development patterns in the area.

All private roads within the development shall be constructed to one of the RPC road standards and must be reviewed and approved by the County Roads Division of the Department of Public Works. Should the applicant propose approved private roads, they should include the RPC Approved Private Road Standard WO 200-06 on future plans. Approved private roads will require review and approval by the County Commissioners under the provisions of §ZS 1-123 ‘Approved Private Roads.’ The applicant should ensure that the preliminary layout of the travelways as shown on the plan will be able to accommodate one of the road standards.

Parking spaces will need to be provided for the pool amenity in accordance with §ZS1-320, including ADA spaces.

Relative to certain public facilities, according to the applicants’ written narrative, the developer is requesting that the dwelling units be served by public water and sewer from the Greater Ocean Pines Sanitary Service Area, and that there are adequate EDU’s available in the service area for the development. Environmental Programs noted in their Step I TRC comments that the applicant will need to acquire the Ocean Pines sewer EDUs and have them secured before this project can receive final site plan approval.

In consideration of their review, the Planning Commission finds that there will be no negative impacts to public facilities and services resulting from the proposed RPC.

**4. The consistency of the RPC with the general design standards as contained in Subsections (j)(1) through (j)(5):**

Relative to the protection of key environmental features, the Planning Commission finds that the open space provided exceeds or meets the minimum required under the RPC regulations.

This project is subject to the Worcester County Forest Conservation Law and is subject to Forest Conservation Plan #21-13. This project has met compliance through the establishment of on-site Forest Conservation easements and off-site mitigation.

Relative to the general layout and clustering of the development, the Planning Commission finds that the proposed RPC minimizes land impacts, while maximizing contiguous open spaces.

The traffic circulation patterns promote connectivity within the proposed development, and limit access to the public road system to one commercial entrance that will be designed to meet the State Highway Administration (SHA) standards. Subsection (j)(4) of the design standards encourage limiting the number of dead-end streets. This development will not have any dead-end streets.

The Fire Marshal's Office has stated in their comments letter that the turning radius shall meet the most restrictive fire apparatus turning radius which is 33 feet inside and 55 feet outside. Approved turnarounds or cul-de-sacs shall be provided on roadways exceeding 150 feet in length.

A traffic light was recently installed at this entrance, and the applicants' written narrative states that there is adequate capacity in the existing road network to handle the proposed 136 multi-family units and the one (1) single family dwelling. A traffic study was submitted along with this application.

Overall, the Planning Commission finds that the RPC has demonstrated consistency with the general design standards contained in §ZS 1-315(j)(1) through (j)(5). **However, the County Commissioners may require additional information if they believe it is necessary, as well as the Planning Commission during their Step II Master Plan Review.**

**5. The relationship of the RPC's proposed construction schedule, including any phasing, and the demand for and timely provision of public facilities, services and utilities necessary to serve the project:**

Within the narrative, the applicant states that there are adequate EDU's in the Greater Ocean Pines Sanitary Service Area to serve the project, and that the infrastructure will be designed as to be consistent with other proposed future uses in the area. Construction of the water and sewer facilities will be undertaken by the Owner and dedicated to Worcester County when completed.

The applicant's narrative has stated that the development will most likely be developed in "one unified development," and much of the infrastructure is already in place, i.e. a signalized traffic entrance and access road.

The Planning Commission finds that the project would meet this metric.

6. **The capacity of the existing road network to provide suitable vehicular access for the RPC, the appropriateness of any existing or proposed improvements to the transportation network, the adequacy of the pedestrian and bicycle circulation, and the proposed means of connectivity of the project to surrounding residential, commercial and recreational development and uses:**

Access will be via one (1) commercial entrance onto MD Route 589. The narrative and traffic study that was provided by the applicant states that there is adequate capacity in the existing road network to serve the proposed development. The Maryland State Highway Administration (SHA), per Jeff Fritts, Regional Engineer for District 1, had no comments on the proposed RPC and stated that the project “will have no negative impact to the state roadways.”

Information regarding whether the internal roads will be public or private was not provided. Regarding pedestrian and bicycle circulation, a 5’ concrete sidewalk is proposed within the development. No sidewalk is proposed along Racetrack Road. Bicycle racks were not proposed, and three (3) bicycle racks will need to be placed within the development.

The Planning Commission finds that the access points to MD Route 589 (Racetrack Road), will not have a significantly adverse impact on traffic patterns in the area, provided they meet all standards. **However, the County Commissioners may require additional information if they believe it is necessary, as well as the Planning Commission during their Step II Master Plan Review.**

7. **The relationship of the proposed method of wastewater disposal and provision of potable water service with the goals, objectives and recommendations of the Comprehensive Plan, Comprehensive Water and Sewer Plan, and other established policy guidelines:**

The Comprehensive Plan notes that “[s]ewer service...is one of the county’s most powerful growth management tools” (Chapter 6). The Water and Wastewater Division of the Department of Public Works has no concerns with the proposal in their TRC comments. The Department of Environmental Programs stated that plumbing permits for each residence is required, but in general had no objects of concerns with the project.

Environmental Programs noted in their Step I comments that there is one (1) Ocean Pines Sanitary District sewer EDU allocated to lot B and a need for 136 to serve the proposed development. The applicant will need to acquire the additional Ocean Pines sewer EDUs and have them secured before the project can receive final site plan approval from Environmental Programs.

The Planning Commission finds that the project is aligned with this standard of the Residential Planned Community provisions.

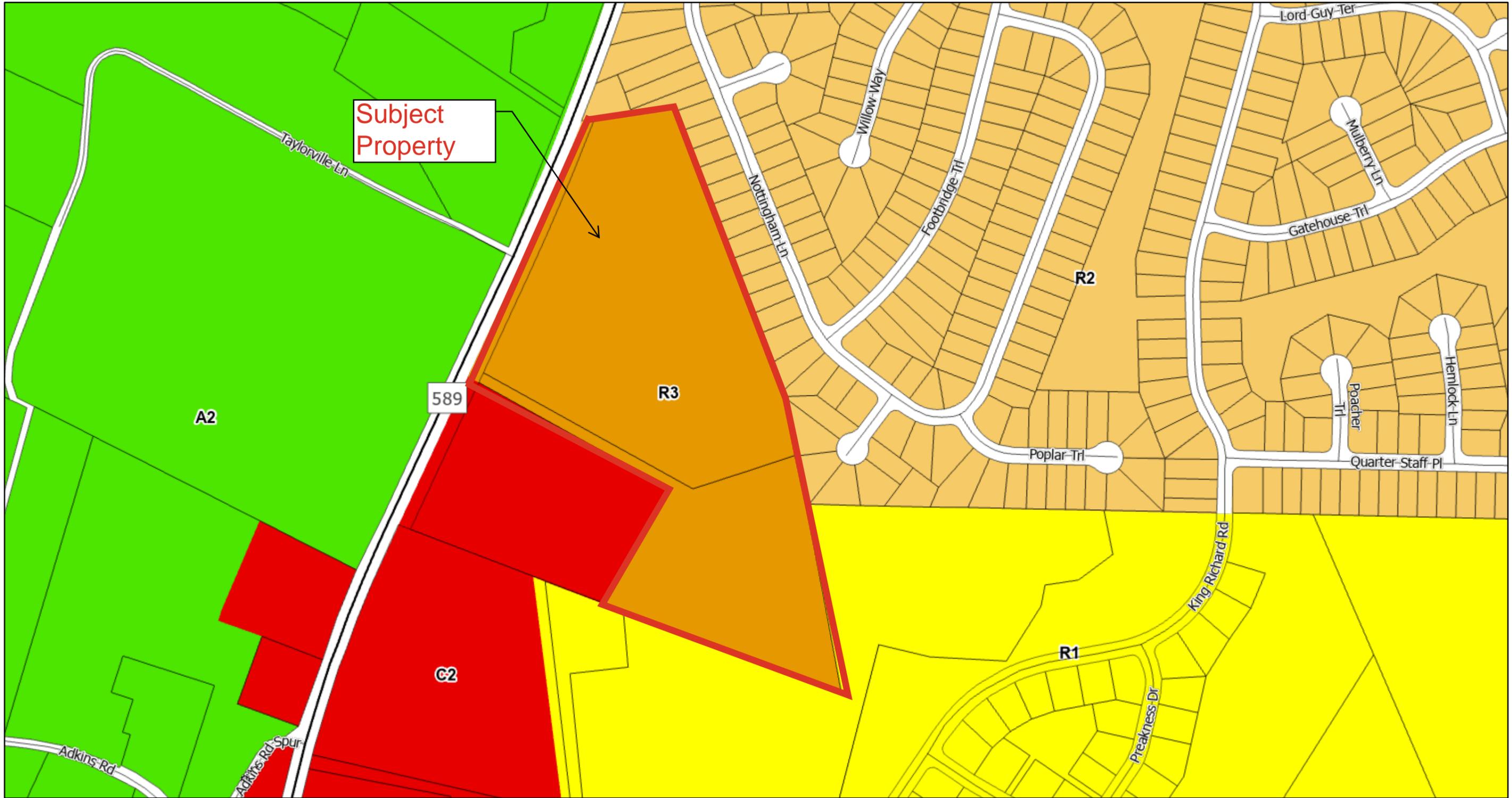
#### **IV. THE RECOMMENDATION OF THE PLANNING COMMISSION**

Based upon its findings, the Planning Commission finds that the area in which the subject property is located is currently in the “Existing Developed Areas” land use category of the Comprehensive Plan. The R-3 Multi-family District as well as the Existing Developed Area recommends infill development and higher densities to encourage a diverse range of housing types and affordability within a traditional neighborhood development while still utilizing conservation features in its design. The R-3 Multi-family District has a recommended density of six (6) units per one acre and therefore the Planning Commission concludes that the proposed Racetrack Village RPC, which has a density of six (6) units per acre, is thus in accordance with the Comprehensive Plan.

Additionally, the proposed project as submitted complies with the regulations as set forth in §ZS 1-315 relative to RPC’s. The Planning Commission notes that the proposed project maintains sensitive non-tidal wetlands and existing wooded areas to the maximum extent practicable. The Planning Commission also concludes that the project will not have an adverse impact on local traffic and transportation patterns, and that it has an adequate number of water and sewer EDU’s.

**\*Therefore, based upon its review, the Planning Commission favorably recommends that the request for establishment of the residential planned community floating zone for Racetrack Village RPC be approved.**

# Racetrack Village RPC



12/26/2025, 2:23:45 PM

Worcester Roads

Major

Local

Property Lines

Worcester Zoning

A2 - Agricultural

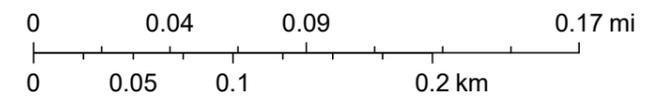
R1 - Rural Residential

R2 - Suburban Residential

R3 - Multi-family Residential

C2 - General Commercial

1:4,514



Originally, Spatial Systems Associates, Inc. Worcester County GIS. Since receiving back from SSA, Worcester County GIS and then in 2019/2020 Datamark Inc., Then back to Worcester GIS for maintenance and managing/QC., Federal Emergency Management

SITE DATA

OWNER Maryland Medical Owners II, LLC
5220 Hood Rd., Suite 110
Palm Beach Gardens, FL 33418
Attn: Wayne Yetman
Ph: 561-627-8730

Applicant Stafford Street Capital, LLC
179 Rehoboth Avenue, Suite 1081
Rehoboth Beach, DE 19971
Attn: Joel Sens

Premises Address: Racetrack Road
Berlin, MD 21811

SITE INFORMATION

Tax Map 0021
Parcels 66 Lot 1 R-3 Multi-Family Residential District
66 Lot B R-3 Multi-Family Residential District
Existing Land Use Vacant Lands
Proposed Land Use 137 Townhouse Units ±1.92 Ac
Commercial/Retail ±2.53 Ac
Major Residential Planned Community (RPC)

Site Area
Parcel 66, Lot 1 ±7.62 Ac
Parcel 66, Lot B ±15.24 Ac
Total ±22.86 Ac

Max Allowable Density 137 Units (6 Units per Acre)
Proposed Density 137 Units (6 Units per Acre)
Max Bldg. Height 4 Stories or 45'
Unit Width & Length Interior Units Min 22x55'
End Units Min 22x55'

Site Setbacks
Front 50' Along MD Route 589 (A Major Collector Highway)
Side Yard 6'
Rear Yard 30'

OPEN SPACE
Required
Common Open Space ±6.86 Ac (30% of Total Site Area)
Natural Open Space ±3.43 Ac (50% of Common Open Space)
Passive Open Space ±1.37 Ac (20% of Common Open Space)
Active Open Space ±0.69 Ac (10% of Common Open Space)

WATER & SEWER PROVIDER
Ocean Pines Sanitary & Water Service Area
Required
• One (1) EDU / Unit = 137 EDUs

NON-TIDAL WETLANDS
Non-Tidal Wetlands, Waters and Their Buffers are Present on This Site Delineated by Environmental Resources, Inc. Edward Launay, PWS No. 875, as Referenced from Recorded Plat SRB 250-40 in the Land Records of Worcester County, Maryland.

FLOOD ZONE
This property is Located Within Flood Zone X Per FEMA Map # 24047C0160H, Dated July 16, 2015

WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA LAW
This property is not located in the Atlantic Coastal Bays Critical Area (ACBCA) program boundary designated Intensely Development Area (IDA) and is non-waterfront as shown On Atlantic Coastal Bays Critical Area Program Map Sheet 21, Revised September 12, 2012

PROPOSED LAND USE
EXISTING LAND USE
Asphalt/Paving ±0.66 Ac
Stormwater Area ±0.42 Ac
Open Space ±21.78 Ac
TOTAL EXISTING ±22.86 Ac

PROPOSED LAND USE
Townhomes ±1.92 Ac
Pool House, Pool & Pool Deck ±0.14 Ac
Asphalt, Curb & Sidewalks ±4.50 Ac
Stormwater Area ±0.52 Ac
Open Space ±15.78 Ac
TOTAL PROPOSED ±22.86 Ac
TOTAL PROPOSED IMPERVIOUS ±7.08 Ac

OFF STREET PARKING REQUIREMENTS
REQUIRED
137 Units 2 per Unit (min) 2.5 per Unit (max)
274 Spaces (min) 343 Spaces (max)

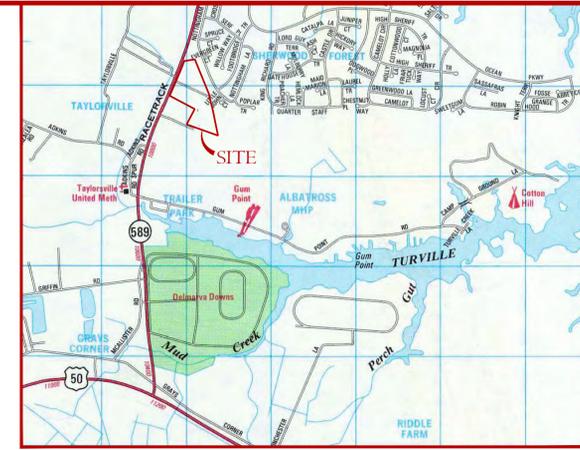
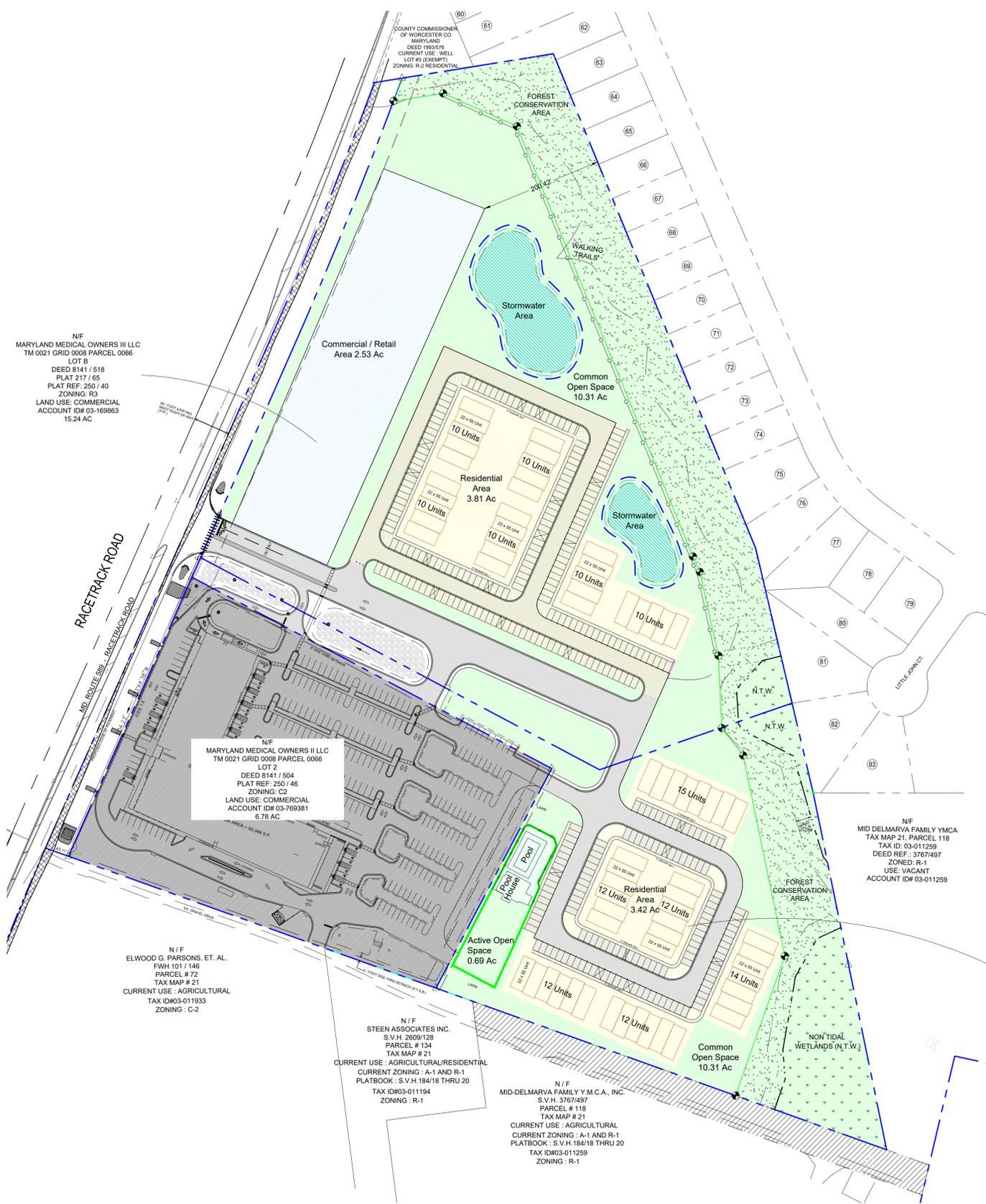
PROPOSED
2 Spaces per Unit 10' x 20' 274 Spaces
Additional Spaces Provided 10' x 20' 344 Spaces
TOTAL 618 Spaces

FOREST CONSERVATION STATEMENT
This site is subject to the Worcester County Forest Conservation Law. This site is subject to Forest Conservation Plan No. 21-13 per Record Plat SRB 250-46, Recorded July 22, 2021, in the Land Records of Worcester County, Maryland.

STORMWATER MANAGEMENT TREATMENT NARRATIVE
This project proposes to meet Stormwater Management requirements via construction of Two (2) Stormwater Management Ponds located on the property. The subject property is located in the Isle of Wight Bay Watershed, 12-Digit Isle of Wight Bay Watershed Hydraulic Code 021301030687.

RACETRACK VILLAGE

RPC STEP 1
TAX MAP 21, PARCEL 66, LOT 1 & LOT B
THIRD TAX DISTRICT, 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 to be interchangeable with the word "new" and is included in the required work.
2. The contractor shall examine a copy of said plan(s) and visit the site in order to determine, to his/her satisfaction the quantities of work required to be performed.
3. All materials and methods of construction shall conform to these drawings and specifications and to all applicable Federal, State of Maryland, and Worcester County requirements.
4. Any discrepancies between the information provided on these plans and the existing site conditions shall immediately be brought to the attention of the owner and engineer.
5. The contractor assumes responsibility for any deviations from the drawings and specifications.
6. The contractor shall verify all elevations and pipe inverts prior to construction.
7. The contractor shall provide necessary stakeout of the line and grade for the construction.
8. No information regarding depth to any temporary of permanent ground water table is provided on these drawings. The contractor shall investigate to his satisfaction the site conditions regarding depth to ground water. Generally, piping, trench and structure construction shall be executed in a de-watered state, consistent with good construction practice. All excavations for manholes and other chambers shall be continually de-watered until the back-fill operation has been completed.
9. Contractor to contact the Worcester County Department of Environmental Programs at 410-632-1220 to schedule a Pre-Construction meeting at least 48 hours prior to commencing any site work. Failure to do so may result in a "Stop Work" order.
10. The contractor shall notify the following parties, three (3) days prior to beginning any work shown on these drawings:
Wayne Yetman, Sina Companies, LLC 561-627-8730
Miss Utility 1-800-282-8555
Vista Design, Inc 410-352-3874
Worcester Soil Conservation District 410-632-3464 ext. 3

- The contractor shall be responsible for the means and methods resulting from any earth moving and/or temporary stockpiling of earth or other materials on site.
11. These drawings, the design, and construction features disclosed are proprietary to Vista Design, Inc. and shall not be altered or reused without their written permission. Copyright, latest date here on.
12. No construction shall begin until a pre-construction meeting is held between the contractor, owner, engineer & the Worcester County Permit Coordinator.
13. The contractor and owner shall provide supervision and certification of all construction of Stormwater Management practices the provide infiltration and filtering, by a Professional Engineer duly licensed in the State of Maryland.
14. There are steep slopes within the limits of disturbance.
15. There are no streams or stream buffers within the limits of disturbance.
16. There are no highly erodible slopes within the limits of disturbance.
17. There are no springs, seeps or intermittent streams within the limits of disturbance.
18. Fire Lanes shall be provided at the start of a project and shall be maintained throughout construction. Fire lanes shall be not less than 20 ft. in unobstructed width, able to withstand live loads of fire apparatus, and have a minimum of 15 ft. 6 in. of vertical clearance. Fire lane access roadways must be established prior to construction start of any structure in the project. Failure to maintain roadways throughout the project will be grounds to issue stop work orders until the roadway access is corrected.

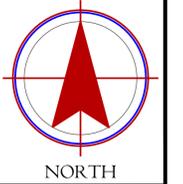
LEGEND
Property Line
Property Line To Be Abandoned
Adjacent Property Line
MDOT SHA Right of Way
Existing Structures
Existing Edge of Pavement
Existing Curb
Existing Paint Stripes
Existing Utility Ease
Existing Non-Tidal Wetlands (NTW)
Existing Forest Conservation Area
Proposed Treeline
Proposed Building
Proposed Edge of Pavement
Proposed Subdivision Curb
Proposed Sidewalks
Proposed Open Space Area
Proposed Residential Area
Proposed Commercial Area

MARYLAND MEDICAL OWNERS II LLC
TM 0021 GRID 0008 PARCEL 0066
LOT 1
DEED 8141 / 511
PLAT 217 / 65
PLAT REF: 250 / 46
ZONING: R-3
LAND USE: COMMERCIAL
ACCOUNT ID# 03-169855
AREA: 7.62 AC

SHEET INDEX
SHEET 1 COVER - RPC PLAN
SHEET 2 EXISTING CONDITIONS PLAN

NOTE:
This drawing, specifications, and work produced by Vista Design, Inc. (VDI) for this project are instruments of service for this project only, and remains the copyrighted property of VDI. Reuse or reproduction of any of the instruments of service of VDI by the Client or assignees without the written permission of VDI will be at the Client's risk and be a violation of the copyright laws of the United States of America and the respective state within which the work was completed.

NOTE:
This Drawing does not include necessary components for construction safety. All construction must be done in compliance with the occupational safety and health act of 1970 and all rules and regulations thereto apparent.



REVISIONS table with columns for description and date.

PROJECT DATA table with fields for Project No., File Name, Route, Date, and Scale.

COVER SHEET
RACETRACK VILLAGE
RPC - STEP 1

MARYLAND MEDICAL OWNERS III, LLC
RACETRACK ROAD
WORCESTER COUNTY, MD

VISTA DESIGN, INC.
Engineers • Architects • Surveyors • Landscape Architects
Land Planning Consultants • GIS Services
11634 Worcester Hwy, Shovel, MD 21862
Ph: 410-352-3874 • Fax: 410-352-3875 • www.vistadesign.com



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  
<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
BOARD OF LICENSE  
COMMISSIONERS

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE MEETING  
November 12, 2025**

**Project: Step I Concept Plan – Racetrack Village Residential Planned Community (RPC)**

Proposed 137 multi-family unit Residential Planned Community. Located at Tax Map 21, Parcel 66, Lot 1, Parcel B, Tax District 3, R-3 Multi-family Residential District. Maryland Medical Owners II, LLC, owner / Vista Design, Inc., surveyor/engineer.

**Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.**

**Prepared by:** Ben Zito, DRP Specialist

**Contact:** [bmzito@worcestermd.gov](mailto:bmzito@worcestermd.gov) or (410) 632-1200, extension 1134

**Project Specific Comments:** This project is subject to, but not limited to, the following sections of the Zoning and Subdivision Control Article:

|                 |   |
|-----------------|---|
| <b>§ZS1-207</b> | R-3 Multi-family Residential District       |
| <b>§ZS1-305</b> | Lot Requirements Generally                  |
| <b>§ZS1-306</b> | Access to Structures                        |
| <b>§ZS1-312</b> | Two-family and Multi-family Development     |
| <b>§ZS1-315</b> | RPC Residential Planned Communities         |
| <b>§ZS1-319</b> | Access and Traffic Circulation Requirements |
| <b>§ZS1-320</b> | Off-Street Parking Areas                    |
| <b>§ZS1-321</b> | Off-Street Loading Spaces                   |
| <b>§ZS1-322</b> | Landscaping and Buffering Requirements      |
| <b>§ZS1-323</b> | Exterior Lighting                           |
| <b>§ZS1-324</b> | Signs                                       |
| <b>§ZS1-325</b> | Site Plan Review                            |
| <b>§ZS1-326</b> | Classification of Highways                  |

\*The proposed project is also subject to the *Transportation Corridor Plan for Maryland Route 589* adopted by Resolution No. 98-18.

**Site Plan and General Comments:**

- 1) Please confirm on the site plan that the development will be multi-family units and not townhouses, as the narrative stated that the development will be multi-family units.
- 2) Please provide a detailed time schedule for the implementation and construction of the development, and if appropriate, a plan for phasing the construction of the residential planned community, showing the general geographical coverage of future plats or plans, their approximate sequence of submission, each of which must meet pertinent requirements either on their own or in conjunction with prior phases. <https://ecode360.com/14020791>.
- 3) In phased construction, the first phase shall include the landscaping of property perimeters, entry drives, and stormwater management ponds as well as required parking lot and building landscaping. §ZS1-322(b)(9). <https://ecode360.com/14021091>.
- 4) Please provide more details on the lot, road, and parking requirements for the Step II Master Plan submission. §ZS1-315(g). <https://ecode360.com/14020727>.
- 5) Please show the planned 40-foot MDOT right-of-way widening in the site plan and include it in the legend. The setbacks shall be located as measured from the proposed future right-of-way line as opposed to the current right-of-way line. Please refer to the *Transportation Corridor Plan for Maryland Route 589* adopted by Resolution No. 98-18.
- 6) Please provide more details on the proposed commercial/retail area in the Step II Master Plan submission. Provide details regarding access, as well as the general building and parking locations. Additionally, please provide a percentage calculation of each land use in tabular form.
- 7) Please include the Commercial/Retail area in the Proposed Land Use Table.
- 8) Please provide more details on the 344 additional parking spaces provided.
- 9) Please include the proposed pavement material in the legend.
- 10) Please clarify why the certain portions of the proposed pavement are gray while other areas have a gray and yellow-checked pattern.
- 11) Please provide three (3) bicycle racks for the residential units, and please provide three (3) bicycle racks for the amenity areas that are incidental to the residential development. §ZS1-320(a). <https://ecode360.com/14021037>. Additional bicycle racks will be needed for the commercial/retail area when more details are provided.
- 12) Please provide a landscaping plan along with the Step II Master Plan submission.
- 13) Please provide landscape screening along MD. Rt. 589. §ZS1-322(e)(6). <https://ecode360.com/14021130>. Screening is defined as vegetation that is thickly planted and of such species that it will provide a complete visual barrier and thus obscure the use or structure from sight from adjacent properties once the vegetation reaches maturity or within five years, whichever comes first. §ZS1-322(e)(1). <https://ecode360.com/14021104>.

- 14) Please provide landscaping within the parking area. Landscaping internal to parking areas shall consist of one (1) tree planted for each six (6) parking spaces. Trees shall be located in islands within the parking lot at intervals of ten contiguous parking spaces or less. Impervious surfaces shall be kept at least four (4) feet away from the tree's trunk. The trees shall be at least ten feet in height and one and one-half inches in caliper and be planted in a minimum eight-foot-by-twenty-foot landscaped area. Planting areas shall be placed at each end of a parking row. The edges of the parking area shall be curbed or buffered and the space between all parking areas. §ZS1-322(f). <https://ecode360.com/14021133>.
- 15) 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 for a nursery will be required to be provided at permit stage to accurately determine the bond amount. §ZS1-322(g). <https://ecode360.com/14021139>
- 16) Each landscaped area must be readily accessible to a water supply. Unless xeriscaping plant material and technologies are employed, all landscaped areas shall provide an automatic irrigation systems with rain sensors. Drip irrigation systems are preferred. If an automatic system is not feasible, the Planning Commission at its discretion may approve an alternate watering system to maintain the plant material. §ZS1-322(b)(7). <https://ecode360.com/14021089>.
- 17) Please provide a lighting plan for the Step II Master Plan submission.
- 18) Please show dumpster locations for the community and include fencing details for screening.
- 19) The proposed pool will need approval from the Worcester County Health Department.
- 20) An additional zoning permit for all site improvements including the landscaping, recreation areas, and signage will be required at the time of building permit submission.
- 21) In the event that short term rentals would ever be pursued, please note that a dedicated third parking space would be required.

**Next Steps for Step I Concept Plan Approval. §ZS1-315(k)(2)**

- 1) The Technical Review Committee shall write a report known as the “Technical Review Committee Report,” which will be issued to the applicant and the Planning Commission.
- 2) The Planning Commission shall then meet with the applicant to review the submission and the Technical Review Committee Report and may as a group visit the site of the proposed project. The Planning Commission shall produce findings based on the items considered under Subsections (k)(2)A1(ix)a through (k)(2)A1(ix)g hereof. The Planning Commission shall also produce a recommendation to the County Commissioners as to approval or disapproval of the residential planned community application, which may address the areas identified in the Technical Review Committee Report and such other areas of concern and such requirements as the Planning Commission may deem necessary and appropriate to advise the County Commissioners. The Planning Commission shall submit its

recommendation within ninety days after receipt of the Technical Review Committee Report, unless extended by the County Commissioners.

- 3) The County Commissioners shall consider the application and recommendation and hold a public hearing within ninety days of receipt of the Planning Commission's recommendation, unless extended by the County Commissioners. The hearing shall have the same procedural formalities as a map amendment as described in § ZS 1-113(c) hereof. Notice of such public hearing shall be as required in § ZS 1-114 hereof. The County Commissioners shall review the application, Technical Review Committee Report and Planning Commission's recommendation and shall, following the public hearing, approve or disapprove the application and, if approved, establish the residential planned community floating zone. Failure of the County Commissioners to reach a formal decision to approve or disapprove the application within six months of the public hearing shall constitute a denial of the application. In granting an approval, the County Commissioners may impose conditions which shall become a part of the approval regulating the residential planned community. In addition, the County Commissioners may require independent reports of consultants, at the expense of the developer, prior to Step I concept plan approval. Any residential planned community approved by the County Commissioners must be unconditionally accepted as approved, in writing, by the applicant requesting such use within ninety days after approval by the County Commissioners. Failure to so accept, in writing, any such residential planned community so approved by the County Commissioners shall be considered a rejection and abandonment by the applicant of the approval, and thereafter any such residential planned community so approved shall be null and void and of no effect whatsoever. Any transfers of the property shall be subject to the approved plan. Step I concept plan approval by the County Commissioners shall be considered a reclassification and subject to appeal as such.
- 4) Step I approval shall automatically expire and terminate unless the Step II approval is obtained within one year from the date of Step I approval. The County Commissioners may extend the Step I approval for a maximum of one additional year, provided the one-year extension is requested not less than sixty days prior to the expiration of the Step I approval and granted prior to expiration as well.



## Worcester County

Department of Environmental Programs  
Natural Resources Division

### Memorandum

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**To:** Worcester County Technical Review Committee

**From:** Joy S. Birch, Natural Resources Planner III 

**Subject:** November 12, 2025 - Technical Review Committee Meeting

**Date:** October 20, 2025

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- **Racetrack Village – Step I Residential Planned Community**

Proposed 137 multi-family unit Residential Planned Community. Located at Tax Map 21, Parcel 66, Lot 1, Parcel B, Tax District 03, R-3 Multi-Family Residential District. Maryland Medical Owners II, LLC, owner / Vista Design, Inc, surveyor/engineer.

This is located outside of the Atlantic Coastal and Chesapeake Bay Critical Area Program. **No Comment.**



## Worcester County

Department of Environmental Programs  
Environmental Programs Division

### Memorandum

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**To:** Technical Review Committee (TRC) for a November 12, 2025 Meeting

**From:** Environmental Programs Staff

**Subject:** **Racetrack Village– Step I Residential Planned Community  
Proposed 137 multi-family unit Residential Planned Community. Located  
at Tax Map 21, Parcel 66, Lot 1, Parcel B.**

**Date:** October 24, 2025

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Environmental Programs comments are based on the plans submitted. These comments are subject to change every time a change is made to the plans that affect water and/or sewage for this site.

1. Environmental Programs requires a \$60 fee for any Technical Review Committee projects submitted on public water & sewer. This fee will need to be submitted prior to Signature Approval being given on this project.
2. Environmental Programs notes that there is 1 Ocean Pines Sanitary District sewer EDU allocated to lot B and a need for 136 to serve the proposed development. The applicant will need to acquire the additional Ocean Pines sewer EDUs and have them secured before this project can receive final site plan approval from Environmental Programs. The narrative states that the developers have already met with representatives from the Worcester County Department of Public Works, Environmental Programs, County Attorney, etc. to discuss necessary infrastructure improvements to accommodate water and sewer to the property. Necessary infrastructure improvements and connections/extension or water and sewer will need to meet DPW requirements.
3. We note that natural gas main extensions and service conversions are currently completed in this area & gas is available for this project.
4. A plumbing permit will need to be obtained for the interior work for each unit and a separate one for the site utility work. Gas permits will be needed as well, if utilized for this project.

**Citizens and Government Working Together**

5. Plumbing Code is the 2021 International Plumbing Code (IPC) Illustrated (National).  
The Gas Code is the 2021 International Fuel Gas Code (IFGC), for natural gas.



GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1302

SNOW HILL, MARYLAND 21863-1294

TEL: 410-632-5666

FAX: 410-632-5664

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## TECHNICAL REVIEW COMMITTEE COMMENTS

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PROJECT: **Racetrack Village RPC**

TRC #: **20250441**

LOCATION: **Tax Map 21, Parcel 66, Lot 1, Parcel B**

CONTACT: **Vista Design**

MEETING DATE: **November 12, 2025**

COMMENTS BY: **Robert Korb, Jr.**

**Chief Deputy Fire Marshal**

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As you requested, this office has reviewed plans for the above project. Construction shall be in accordance with applicable Worcester County and State of Maryland fire codes. This review is based upon information contained in the submitted TRC plans only, and does not cover unsatisfactory conditions resulting from errors, omissions, or failure to clearly indicate conditions. A full plan review by this office is required prior to the issuance of a building permit. The following comments are noted from a fire protection and life safety standpoint.

### **Scope of Project:**

Site development consisting of 137 multifamily unit RPC.

### **General Comments**

1. A water supply for fire protection shall be identified indicating the following:
  - a. Water Source
  - b. Engineering study for reliability of water source
  - c. Size (in gallons) of water source
  - d. Replenishment of water supply
  - e. Diameter of in ground pipe
  - f. Number of hydrants
  - g. Location of hydrants
  - h. Roadway width and surface types
  - i. Distance from hydrant to roadway
2. If public water source, approved plans by the public works department.
3. Water source plans must be approved prior to recording of plat.

4. Fire hydrants shall be located within 3 ft. of curb line. Placement of fire hydrants shall be coordinated with this office prior to installation.
5. Obstructions shall not be placed or kept near fire hydrants, fire department inlet connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately visible and accessible.
6. All underground water mains and hydrants **shall be installed, completed, and in service** prior to construction work or as soon as combustible material accumulates, whichever comes first. A stop work order will be issued if fire hydrants are not in service prior to construction work start.
7. Fire Lanes shall be provided at the start of a project and shall be maintained throughout construction. Fire lanes shall be not less than 20 ft. in unobstructed width, able to withstand live loads of fire apparatus, and have a minimum of 13 ft. 6 in. of vertical clearance. Fire lane access roadways must be established prior to construction start of any structure in the project. Failure to maintain roadways throughout the project will be grounds to issue stop work orders until the roadway access is corrected.
8. Coordinate 9-1-1 addressing with Worcester County Department of Emergency Services (410) 632-1311.

### Specific Comments

1. The proposed homes shall be protected by an automatic sprinkler system. Plans shall be submitted and approved by this office prior to the installation of such system.
2. The turning radius shall meet the most restrictive Worcester County fire department apparatus turning radius which is 33 feet inside and 55 feet outside. Approved turnarounds or cul-de-sacs shall be provided on roadways exceeding 150 ft. in length.
3. All fire hydrant locations shall be approved by this office.
4. A complete set of building plans shall be submitted and approved prior to the start of construction.
5. No further comments at this time.



## Worcester County

Department of Environmental Programs  
Natural Resources Division

### Memorandum

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**To:** Technical Review Committee

**From:** David Mathers, Natural Resources Planner IV 

**Subject:** Forest Conservation & Stormwater Management Review

**Date:** October 23, 2025

**Date of Meeting:** November 12, 2025

**Project:** Racetrack Village RPC

**Location:** Racetrack Road, Tax Map: 21, Parcel: 66, Lot 1 & Lot B

**Owner/Developer:** Maryland Medical Owners II, LLC

**Surveyor:** Vista Design, Inc.

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**This project is subject to the Worcester County Forest Conservation Law.** This project is subject to Forest Conservation Plan #21-13. This project has met compliance with the Worcester County Forest Conservation Law through the establishment of on-site Forest Conservation Easements and off-site mitigation. Forest Conservation Easement areas are to be kept as a natural habitat area, no clearing or grading within these Conservation Easement areas is permitted, and any new structures and improvements must not encroach into the Forest Conservation Easement. Furthermore, all Forest Conservation signs must be in place around the Conservation Easements.

**This project is subject to the Worcester County Stormwater Ordinance.** Stormwater Concept Plan Plan approval is required prior to RPC step II.

All projects over one acre shall be required to file for a General Permit/Notice of Intent (NOI) for construction activity through Maryland Department of Environment. This is mandated through the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES). Any permits to be issued by Worcester County for disturbance that exceeds one acre will not be issued without NOI authorization being obtained prior to.

**Citizens and Government Working Together**



DEPARTMENT OF  
ENVIRONMENTAL PROGRAMS

**Worcester County**

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

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

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

## MEMORANDUM

DATE: January 1, 2024

TO: Applicant

FROM: David M. Bradford, Deputy Director

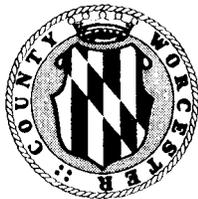
SUBJECT: Stormwater/Sediment Erosion Control Plan/Permit

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Please note, if a Stormwater plan is approved by this office and does not include phasing, the corresponding permit can only receive Stormwater Final approval once all improvements are completed and the entire site is stabilized. This includes properties which have multiple Building or Zoning permits associated with the Stormwater plans. If a Stormwater Bond is required per the permit, the bond will only be released once a Stormwater Final approval takes place.

Additionally, if pervious pavement (i.e. asphalt, concrete) is proposed as a Stormwater Best Management Practice (BMP), an engineer will be required to ensure that this BMP is installed per the approved plan and the correct sequence is detailed on approved plans. Furthermore, all site disturbance must be stabilized prior to beginning the BMP installation process to avoid any contamination or performance issues. If components of the BMP become contaminated, excavation may be required. A detail/schematic must be site specific and reflect how associated sub drains are connected to piping and also illustrate all material being used in subgrade when using this BMP.

If you have any questions, please feel free to contact the Deputy Director, David Bradford, at (410) 632-1220, ext. 1143.



WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE

Department of Development Review & Permitting  
Worcester County Government Center  
1 W. Market St., Room 1201  
Snow Hill, Maryland 21863  
410-632-1200, Ext. 1151  
pmiller@co.worcester.md.us

Project: Racetrack Village RPC

Date:11/12/2025

Tax Map: 21

Parcel: 66

Section:

Lot: 1

STANDARD COMMENTS

1. Items listed in this review are not required for Technical Review Committee approval.
2. Provide complete code review. List type of construction, use groups, height and area, occupant loads, live, dead and other structural loads.
3. Complete sealed architectural, structural, mechanical, plumbing and electrical plans are required.
4. Provide information for wind, snow, floor, roof and seismic loads.
5. Special inspections (Third party) required per IBC Chapter 17 for steel, concrete, masonry, wood, prepared fill, foundations and structural observations. **These are required in addition to the required Worcester County inspections.**
6. A Maryland Registered Architect must seal plans. This architect or architectural firm will be considered the architect of record.
7. A pre-construction meeting will be required before any work starts.
8. Provide complete accessibility code requirements and details.
9. List on construction documents all deferred submittals.
10. Truss and other shop drawings will be required prior to installation. Design professional in responsible charge shall review and approve all shop drawings.
11. Soils report required at the time of building permit application.
12. Please provide your design professional with a copy of these comments.
13. Compaction reports are due at all footings and slab inspections as well as any site work and structural fill.

**Site specific comments**

1. Current Codes: 2021 International Building Code  
2021 International Residential Code  
2021 International Energy Conservation Code  
2021 International Mechanical Code  
2020 NEC  
Maryland Accessibility Code  
2010 ADA Standards for Accessible Designs
2. FHA: Residential units are covered under FHA for ground floor units. Design residential units per FHA design guidelines. Provide an accessible route to units.
3. Architect to provide design and approve shop drawings for guardrails (walkway and stairs) prior to installation.



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

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
LIQUOR LICENSE DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

To: Ben Zito, DRP Specialist  
From: Kelly L. Henry, Technical Services Manager  
Date: October 15, 2025  
RE: TRC Meeting - November 12, 2025

\*\*\*\*\*

Community Church: I will assign either a unit address or separate street number to the new building and pavilion at the pickleball court.

Bishopville Volunteer Fire Dept.: The existing address of 10709 Bishopville Road will remain and be assigned to the new building.

Racetrack Village: The interior driveways (private lanes) or approved private or public roads will need to be named. Proposed road names should be submitted to me for review and consideration. These names may or may not require action by the County Commissioners. Once the preliminary site plan is approved, please submit a copy to me so I can start address assignments. Address assignment will not be public until final site plan approval and the receipt of building permits.

KCJ Farms, LLC: The existing address of 6220 Disharoon Road is valid for the dredge spoil site.

Titan Yachts: Question: Is Titan Yachts the only tenant on the parcel? Right now, all the buildings have an address at 13053 Old Stage Road with Units 1-4. If there is only one tenant/business on parcel then the new building will be Unit 5.



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**Re: 11/12/25 TRC Meeting Agenda**

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**From** Kevin Lynch <klynch@worcestermd.gov>  
**Date** Mon 10/27/2025 7:08 AM  
**To** Benjamin M. Zito <bmzito@worcestermd.gov>

Ben,

See below for the TRC comments for the Road's Division:

KCJ Farm - No comments at this time.

Race Track Village - No comments at this time.

Titan Yachts - Using existing entrance

Coastal Community Church - No comments at this time.

Kevin A. Lynch  
Superintendent  
Worcester County Department Of Public Works  
Roads Division  
5764 Worcester Hwy  
Snow Hill, MD 21863  
O: (410) 632-2244, ext. 2104  
C: 443-783-9731  
F: 410-632-0020



---

**From:** Benjamin M. Zito <bmzito@worcestermd.gov>

**Sent:** Friday, October 24, 2025 8:09 AM

**To:** Kristen Tremblay <ktremblay@worcestermd.gov>; Brian M. Soper <bmsoper@worcestermd.gov>; Cathy Zirkle <czirkle@worcestermd.gov>; Dallas Baker <dbaker@worcestermd.gov>; Dwilson12@sha.state.md.us <Dwilson12@sha.state.md.us>; David M. Bradford <dbradford@worcestermd.gov>; David Mathers <dmathers@worcestermd.gov>; Gary Serman <gserman@worcestermd.gov>; Gary R. Pusey <grpusey@worcestermd.gov>; jfritts@mdot.maryland.gov <jfritts@mdot.maryland.gov>; Jennifer Keener <jkkeener@worcestermd.gov>; Joy Birch <jbirch@worcestermd.gov>; Kevin Lynch <klynch@worcestermd.gov>; Laurie Bew <lbew@worcestermd.gov>; Lisa Lawrence <llawrence@worcestermd.gov>; Mmknight@comcast.net




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**RE: TRC Comments**


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**From** Dallas Baker <dbaker@worcestermid.gov>

**Date** Mon 11/3/2025 11:09 AM

**To** Tony Fascelli <tfascelli@worcestermid.gov>; Benjamin M. Zito <bmzito@worcestermid.gov>

**Cc** Kevin Lynch <klynch@worcestermid.gov>; Quinn M. Dittrich <qmdittrich@worcestermid.gov>; Ondrea Starzhevskiy <ostarzhevskiy@worcestermid.gov>

Ben,

For Racetrack Village, the developer still owes the County \$22,733.02 for the inspection escrow from their AGH project.

Dallas

---

**From:** Tony Fascelli <tfascelli@worcestermid.gov>

**Sent:** Monday, November 3, 2025 9:46 AM

**To:** Benjamin M. Zito <bmzito@worcestermid.gov>

**Cc:** Kevin Lynch <klynch@worcestermid.gov>; Dallas Baker <dbaker@worcestermid.gov>

**Subject:** TRC Comments

Ben,

Please see attached below Water and Wastewater Division TRC Comments for November 12<sup>th</sup> Meeting.

Racetrack Village RPC

1. Please verify EDU's are available with Environmental Programs.
2. Utility plans need to be submitted to Water and Wastewater office for further review, meeting approved GMB 589 study.
3. The pool and pool house will need an EDU and water meter if they are intended to have bathrooms/showers.
4. Looping of water mains where feasible upon request of Public Works.
5. Escrow's are to be paid in full prior to start of review for Water and Wastewater Division. Previous project has still not been accepted due to the escrow balance which is delaying the warranty period and bond release.

Titan Yachts

1. No comment from Water and Wastewater Division, property is to be served by Well and Septic.

Coastal Community Church

1. No comment from Water and Wastewater Division, property is to be served by Well and Septic.

If you have any questions regarding any of the comments feel free to let me know.

Thanks,

Tony Fascelli




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**RE: 11/12/25 TRC Transmittals and Materials**


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**From** Jeffrey Fritts <JFritts@mdot.maryland.gov>  
**Date** Fri 10/17/2025 9:39 AM  
**To** Benjamin M. Zito <bmzito@worcestermd.gov>

Ben,  
 For the following projects SHA has no comments, Racetrack Village, Bishopville Volunteer Fire Department, Coastal Community Church, KCJ Farms and Titan Yachts. These projects will have no negative impact to the state roadways.

Thanks,



**Jeff Fritts**  
 Access Management  
 Regional Engineer  
 410.677.4039 **office**  
 443.397.5063 **mobile**  
[Jfritts@mdot.maryland.gov](mailto:Jfritts@mdot.maryland.gov)  
**Maryland Department of Transportation**  
 660 West Road, Salisbury, MD 21801

---

**From:** Benjamin M. Zito <bmzito@worcestermd.gov>  
**Sent:** Tuesday, October 14, 2025 9:16 AM  
**To:** Kristen Tremblay <ktremblay@worcestermd.gov>; Brian M. Soper <bmsoper@worcestermd.gov>; Cathy Zirkle <czirkle@worcestermd.gov>; Dallas Baker <dbaker@worcestermd.gov>; Daniel Wilson <DWilson12@mdot.maryland.gov>; David M. Bradford <dbradford@worcestermd.gov>; David Mathers <dmathers@worcestermd.gov>; Gary Serman <gserman@worcestermd.gov>; Gary R. Pusey <grpusey@worcestermd.gov>; Jeffrey Fritts <JFritts@mdot.maryland.gov>; Jennifer Keener <jkkeener@worcestermd.gov>; Joy Birch <jbirch@worcestermd.gov>; Kevin Lynch <klynch@worcestermd.gov>; Laurie Bew <lbew@worcestermd.gov>; Lisa Lawrence <llawrence@worcestermd.gov>; Mmknight@comcast.net; Matt Owens <mowens@worcestermd.gov>; Matthew Laick <mllaick@worcestermd.gov>; Paul Miller <pmiller@worcestermd.gov>; Robert Korb Jr. <rkorb@worcestermd.gov>; Robert Mitchell <bmitchell@worcestermd.gov>; Stuart White <swhite@worcestermd.gov>; Tony Fascelli <tfascelli@worcestermd.gov>; Kelly Henry <khenry@worcestermd.gov>  
**Subject:** 11/12/25 TRC Transmittals and Materials

**Caution:** CAUTION: Suspicious? Double-check! This email is from an external source. If something seems unusual, even from someone you know, verify directly. Forward suspicious emails directly to Email Abuse ([abuse@mdot.maryland.gov](mailto:abuse@mdot.maryland.gov)) or call the MDOT Service Desk at 410-768-7181 for assistance.

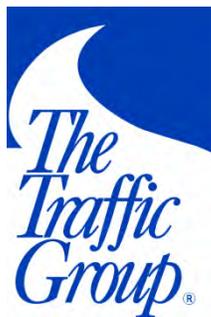
All,

Please see the attached transmittals for our 11/12/25 TRC meeting. I have dropped the site plans in the following OneDrive link. [November 12 2025 TRC Meeting](#)

Hard copies have been sent out this morning as well.

Thank you,

Ben Zito  
DRP Specialist III  
Dept. of Development, Review and Permitting  
Worcester County Government  
One West Market Street, Room 1201  
Snow Hill, MD 21863  
(410) 632-1200, ext. 1134  
[bmzito@worcesstermd.gov](mailto:bmzito@worcesstermd.gov)



**EBO/DIBE Certified**  
Howard County

**MBE Certified**  
Charles County  
Prince George's County

**MFD Certified**  
Montgomery County

**CORPORATE OFFICE**  
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West Virginia

August 4, 2025

Hugh Cropper IV  
Booth, Cropper, and Marriner, P.C.  
9927 Stephen Decatur Highway, Suite F-12  
Ocean City, MD 21842

RE: Sina Rezoning  
**SUPPLEMENTAL TRAFFIC ANALYSIS**  
Worcester County, Maryland  
Our Job No.: 2025-0114

Dear Mr. Cropper:

As a follow-up to the Planning Commission meeting held on June 5, 2025, The Traffic Group, Inc. is pleased to submit this Supplemental Traffic Analysis for Sina Property (Rezoning Case No. 447). Specifically, this document incorporates traffic analysis at additional adjacent intersections with data collected during summer 2025. We will demonstrate that with the proposed rezoning of Sina Property, the adjacent study intersections would maintain adequate levels of service in the future with the full buildout of the site.

### Study Intersections

In addition to the proposed site access at MD 589, the following intersections were identified to be included within this analysis:

- MD 589 at Manklin Creek Road
- MD 589 at US 50

These intersections represent the nearest signalized locations to the subject site. A map showing the general area of the intersections with relation to the Sina Property can be found in Figure 1.

To the north of the subject site, the intersection of MD 589 at Manklin Creek Road features one travel lane in each direction along MD 589. There is one separate northbound left turn lane and two separate southbound left turn lanes along the roadway. Separate right turn lanes are also available along both mainline approaches. Each Manklin Creek Road approach provides separate left, thru, and right turn lanes. Crosswalks span the south and east legs of the intersection. In the northeast quadrant of the intersection, there is pedestrian connectivity to a multimodal path/trail.

The site access intersection at MD 589 provides separate left and right turn lanes for all three approaches. Additional details on this intersection can be found within the main Traffic Analysis.

To the south, MD 589 terminates at US 50. US 50 contains two travel lanes in the eastbound and westbound directions. There are two separate left turn lanes along eastbound US 50 and a separate left (U-turn) and right turn lane in the westbound direction. MD 589 widens to provide two left turn lanes and one right turn lane at the intersection. Figure 2 summarizes the existing lane use.

## Traffic Volumes

Intersection turning movement counts were collected at each of the study intersections on Thursday, July 10, 2025, from 6–9 AM and 3–6 PM and Saturday, July 12, 2025, between the hours of 10 AM to 2 PM. The existing turning movement counts are summarized in Figure 3. Additional details on the turning movement counts can be found in Appendix A.

## Background Conditions

Consistent with the previous Traffic Analysis, a 3% annual growth rate was applied to all movements for a three-year period. Figure 4 summarizes the regional growth. Adding the regional growth to the existing traffic volumes results in the background traffic volumes as shown in Figure 5.

## Total Traffic Conditions

The Sina Property could be developed with up to 136 townhouse units in conjunction with this proposed rezoning. To project future trips, the Institute of Transportation Engineers (ITE) Trip Generation (11<sup>th</sup> Edition) was consulted. The details of the trip generation equations and totals can be found in Table 1.

The site trips were distributed and assigned to the road network based on the existing turning movement counts and anticipated future demand. Figure 6 summarizes the future trip assignment.

Adding the site trips to the background volumes results in the total peak hour traffic volumes as shown in Figure 7.

## Intersection Capacity Analysis

CLV analysis was undertaken at each of the study intersections to quantify the existing and projected future levels of service. The CLV analysis is summarized in Table 2.

HCM analysis was also prepared for each of the study intersections. The results can be found in Table 3.

HCM's 95<sup>th</sup> percentile queues are summarized for each intersection in Table 4. Complete capacity worksheets are contained in Appendix B.

As shown within Tables 2 and 3, adequate levels of service are currently available at each of the study intersections. In the future, when accounting for the additional traffic associated with the proposed Sina Rezoning, each of the intersections will maintain adequate levels of service during each of the three studied peak periods during the summer months using either methodology, which demonstrates a minimal site impact.

## Summary of Findings and Conclusions

This analysis incorporates summer traffic data to analyze existing and projected future levels of service at key adjacent signalized intersections. As shown within the Traffic Analysis, each intersection currently maintains an adequate level of service using either CLV or HCM methodology. In the future, when considering regional growth and the potential development of the site, each intersection is projected to maintain acceptable operations with minimal site impact.

If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Professional Certification – I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No: 79931 Expiration Date: 11/8/2026

Carl R. Wilson, Jr., P.E., PTOE, RSP  
Vice President

CRW:amr

(F:\2025\2025-0114\_Sina Rezoning\DOCS\REPORTS\Sina Rezoning\_Supplemental Traffic Analysis\_Cropper.docx)

Figure 1 - Location Map For Site And Study Intersections

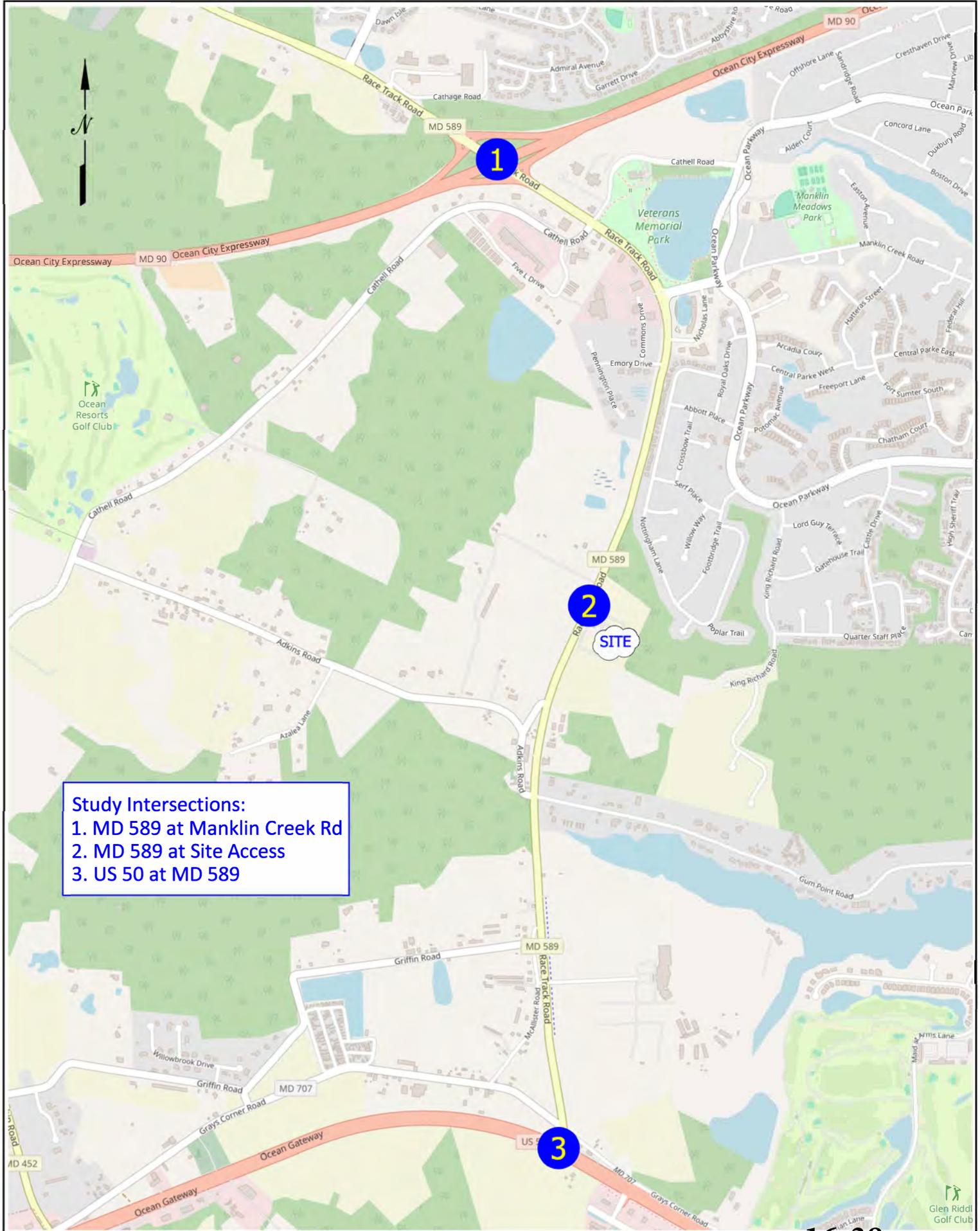


Figure 2 - Existing Lane Use and Traffic Control

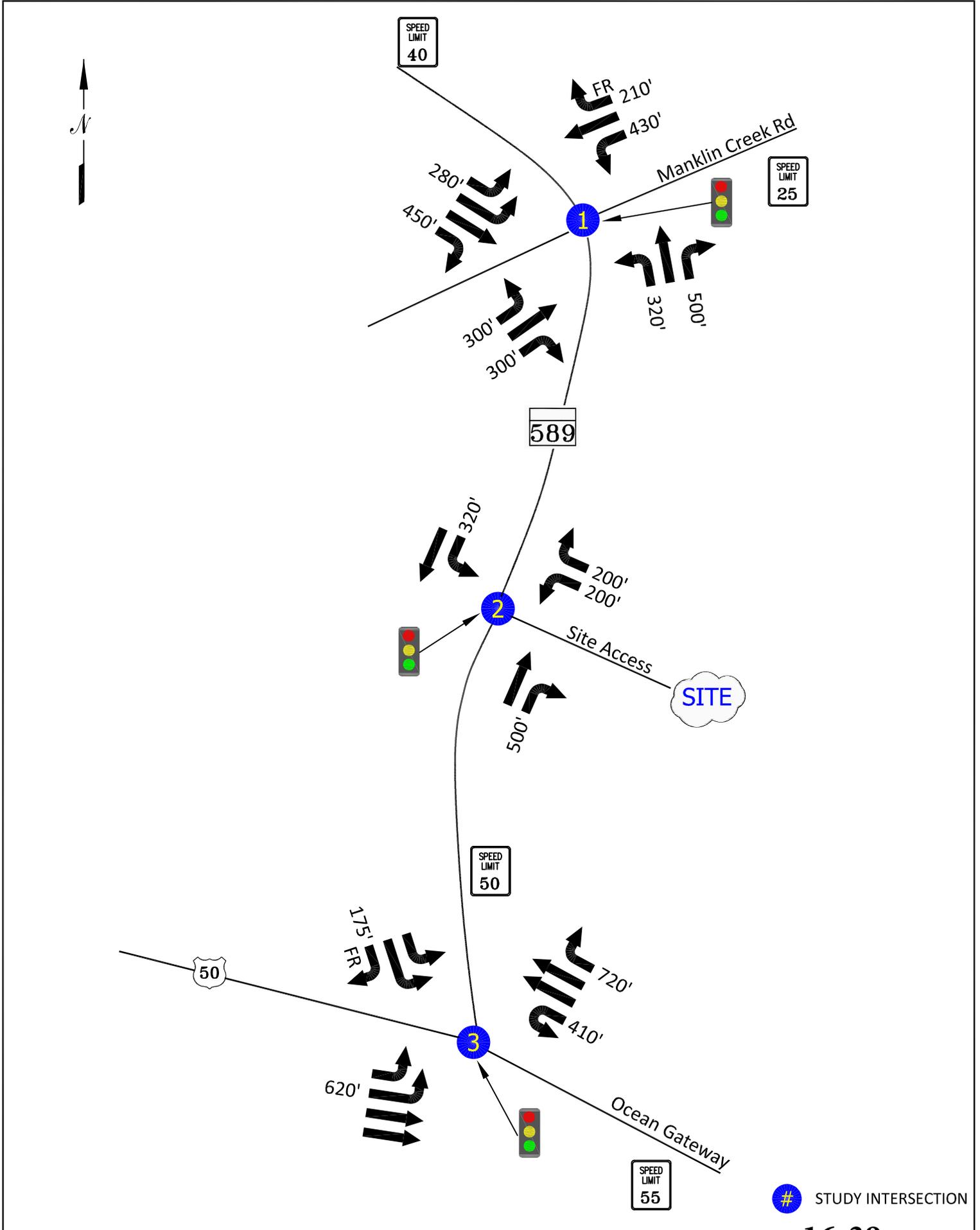


Figure 3 - 2025 Existing Peak Hour Traffic Volumes

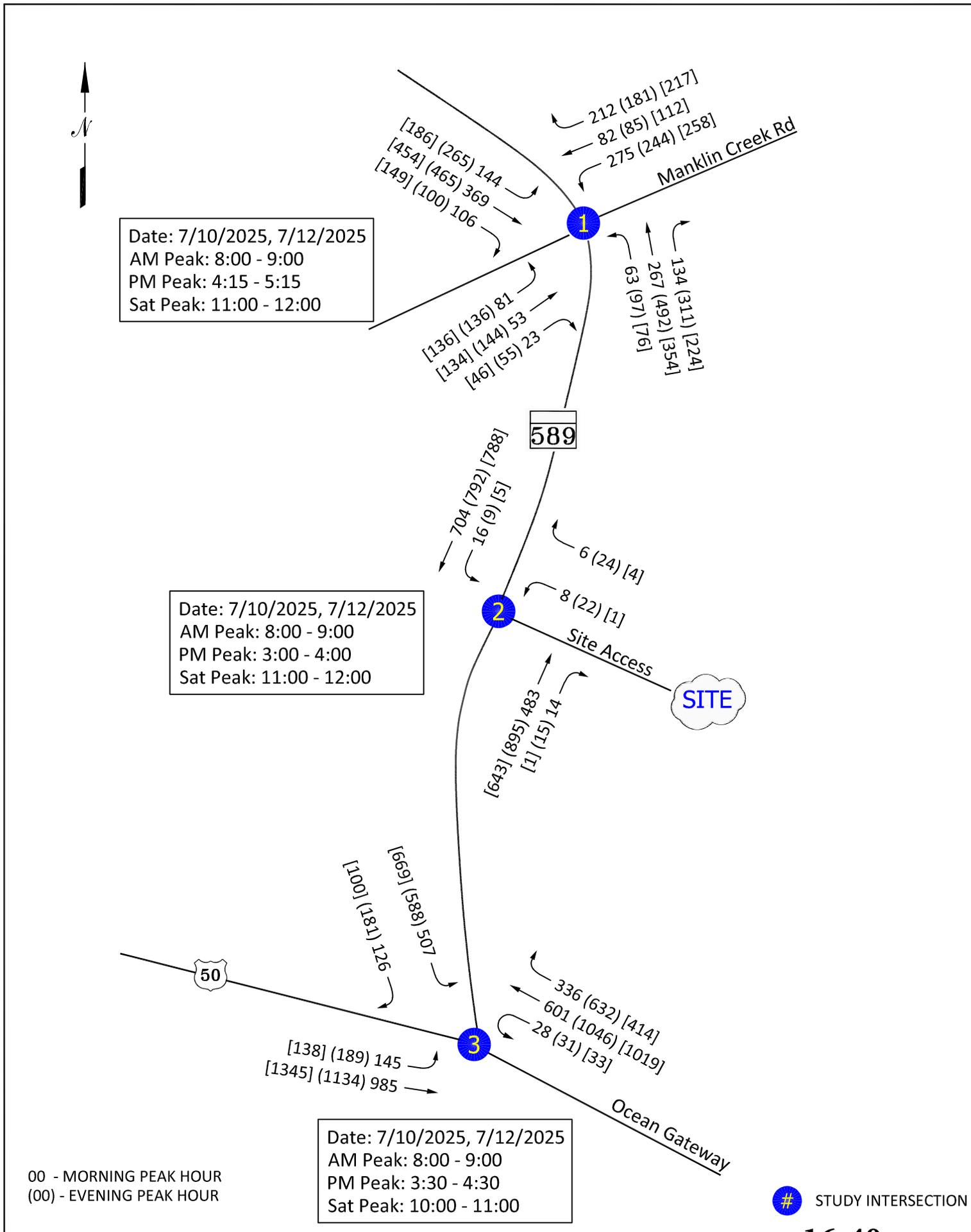


Figure 4 - Regional Traffic Growth

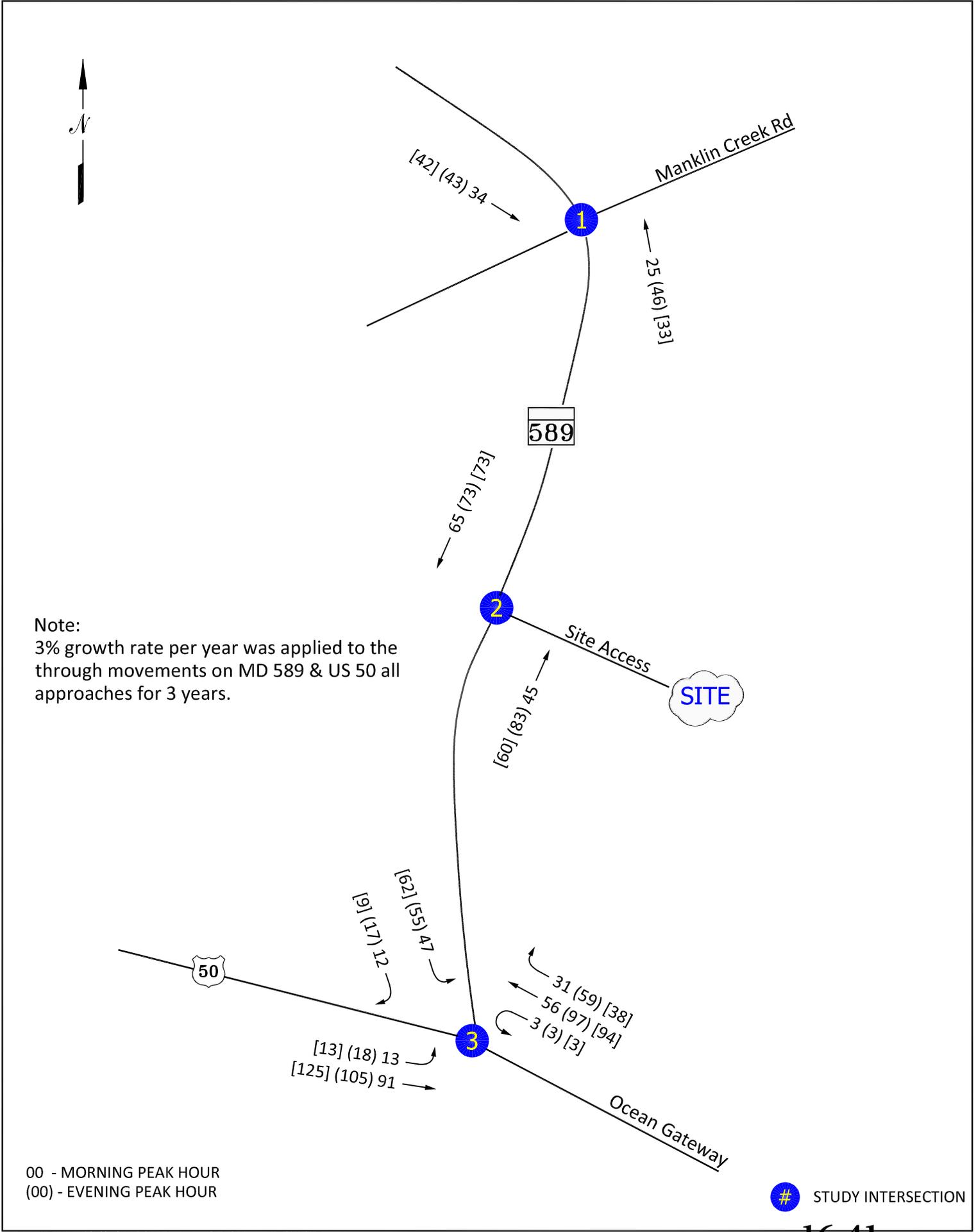
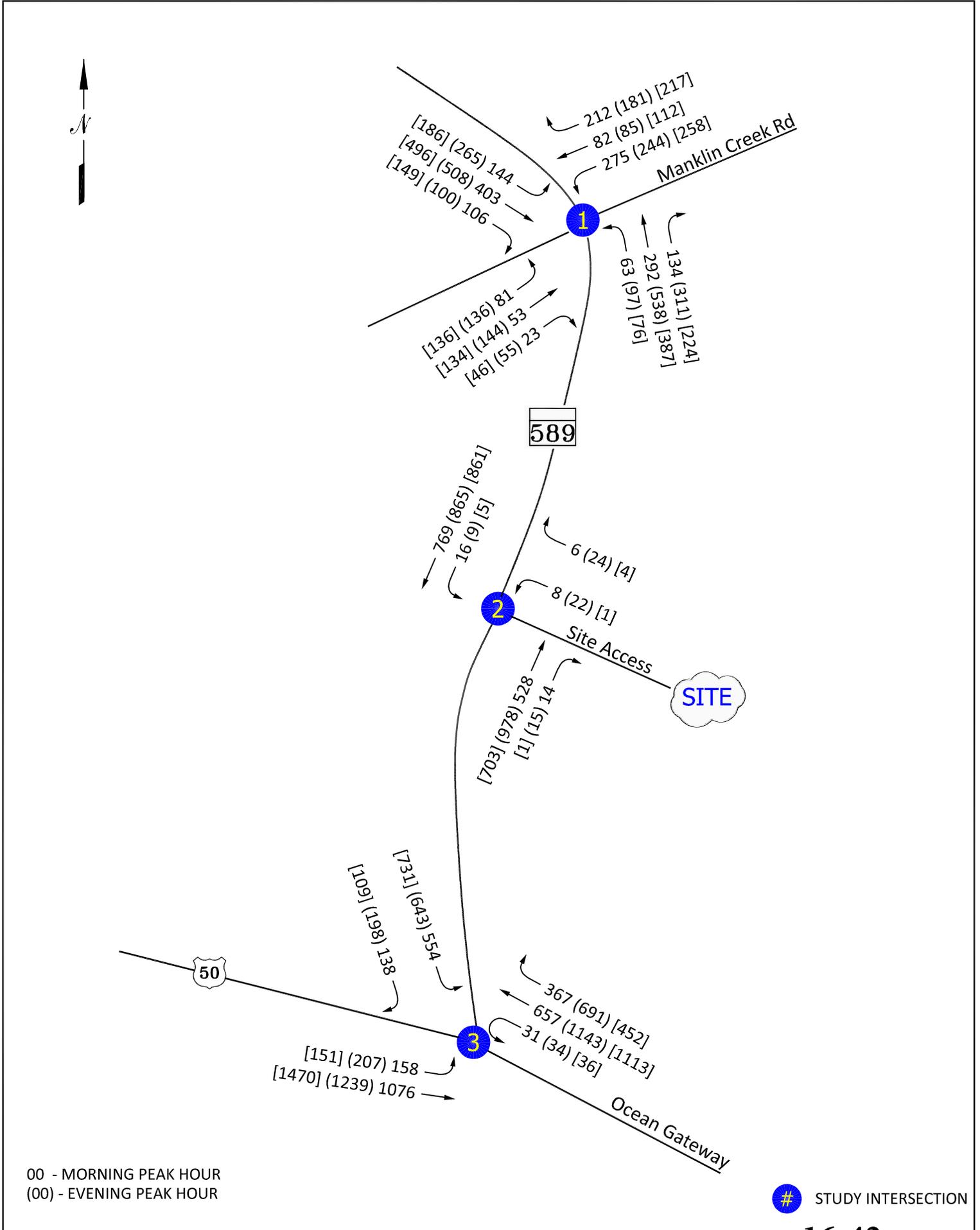


Figure 5 - 2028 Background Peak Hour Traffic Volumes



**Table 1. Trip Generation Comparison for Sina Property**

| <i>Land Use<br/>(Source)</i>                                   | <i>Formula/Rate</i>                        | <i>Directional Distribution</i> |            |                     |                     |                      |              |                           |            |              |              |
|--|--|---------------------------------|------------|---------------------|---------------------|----------------------|--------------|---------------------------|------------|--------------|--------------|
|  |  | <i>AM Peak Hour</i>             |            | <i>PM Peak Hour</i> |                     | <i>SAT Peak Hour</i> |              |                           |            |              |              |
|  |  | <i>In</i>                       | <i>Out</i> | <i>In</i>           | <i>Out</i>          | <i>In</i>            | <i>Out</i>   |                           |            |              |              |
| <b><i>Multifamily<br/>Housing, Low-<br/>Rise (ITE-220)</i></b> | AM Peak Hour Trips = 0.31 x Units + 22.85  |                                 |            |                     |                     |                      |              |                           |            |              |              |
|  | PM Peak Hour Trips = 0.43 x Units + 20.55  | 24%                             | 76%        | 63%                 | 37%                 | 51%                  | 49%          |                           |            |              |              |
|  | Sat. Midday Peak Hour Trips = 0.41 x Units |                                 |            |                     |                     |                      |              |                           |            |              |              |
|  | Daily Trips = 6.41 x Units + 75.31         |                                 |            |                     |                     |                      |              |                           |            |              |              |
| <b><i>Trip Generation for Subject Site</i></b>                 |  |                                 |            |                     |                     |                      |              |                           |            |              |              |
| <i>Land Use</i>  | <i>Size</i>                                | <i>AM Peak Hour</i>             |            |                     | <i>PM Peak Hour</i> |                      |              | <i>Mid. Sat Peak Hour</i> |            |              | <i>Daily</i> |
|  |  | <i>In</i>                       | <i>Out</i> | <i>Total</i>        | <i>In</i>           | <i>Out</i>           | <i>Total</i> | <i>In</i>                 | <i>Out</i> | <i>Total</i> |              |
| Multifamily Housing, Low-Rise                                  | 136 Units                                  | 16                              | 49         | 65                  | 50                  | 29                   | 79           | 29                        | 27         | 56           | 947          |

Figure 6 - Trip Assignment for Site

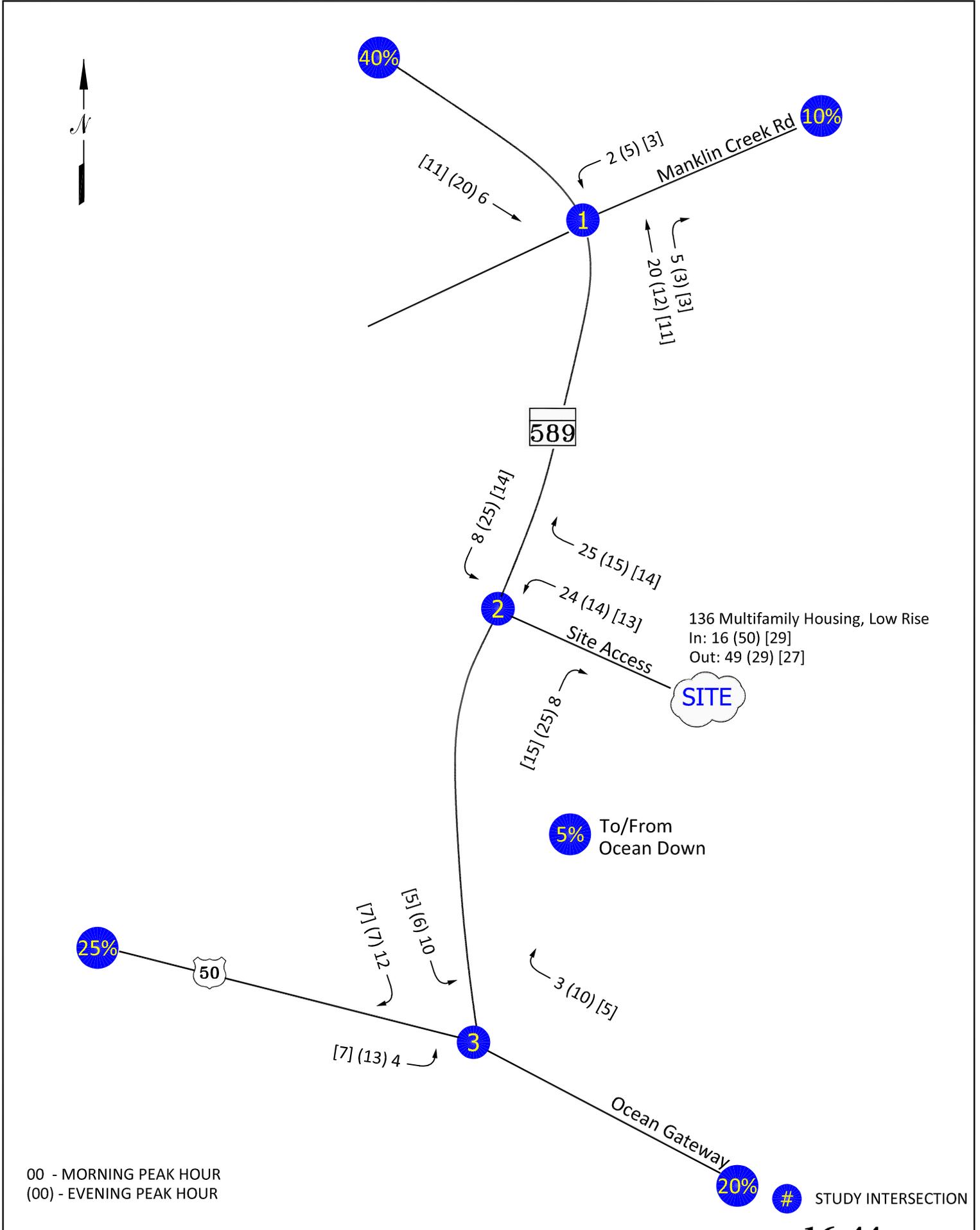
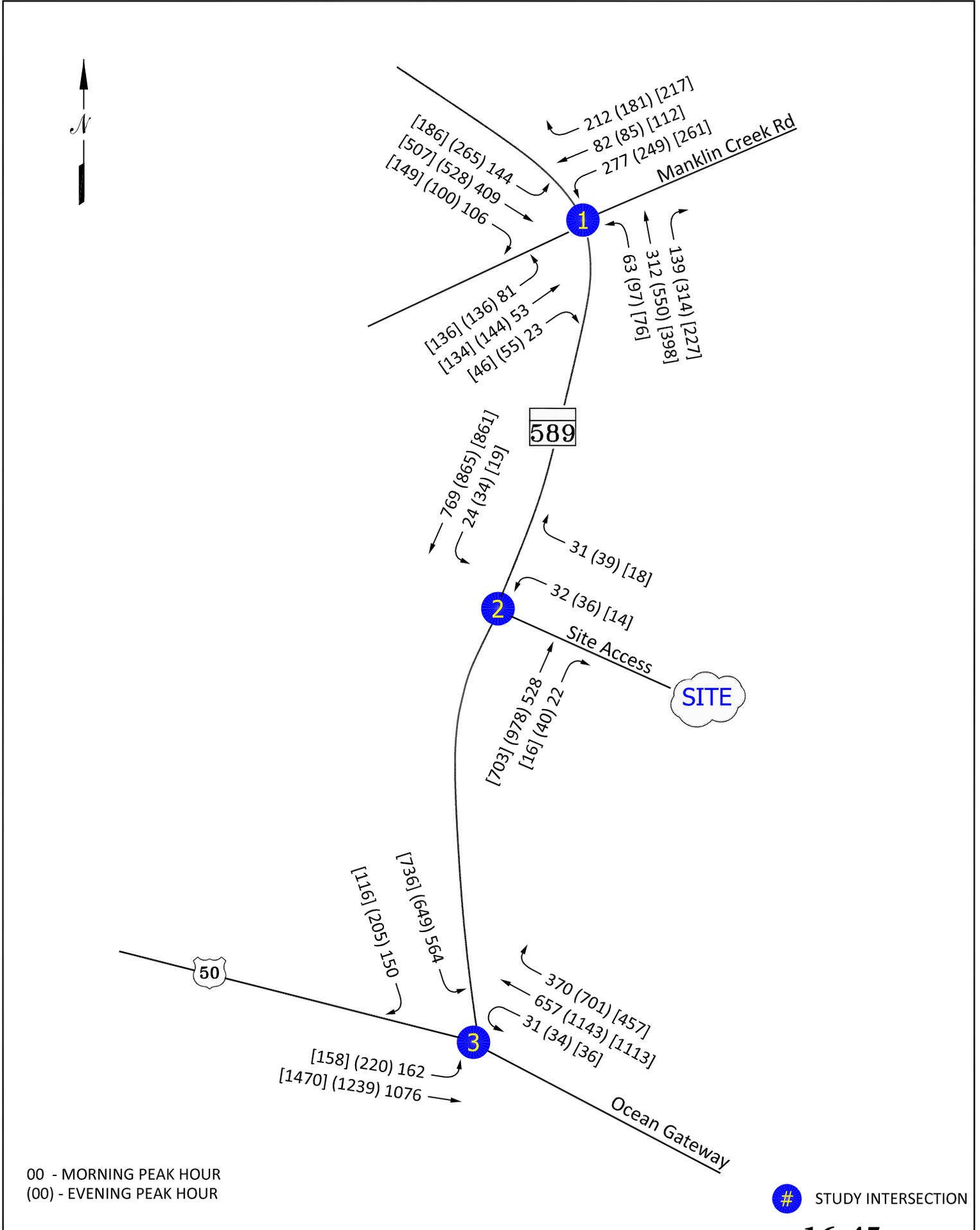


Figure 7 - 2028 Total Peak Hour Traffic Volumes



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 JENNIFER M. DINDINGER

\*ADMITTED MD &amp; DC

October 3, 2025

Jennifer K. Keener, AICP  
 Director, Department of Development  
 Review and Permitting  
 Worcester County Government Building  
 One West Market Street, Room 1201  
 Snow Hill, Maryland 21863

RE: *Maryland Medical Owners III, LLC*  
*Worcester County Tax Map 21, Parcel 66, Lot 1, Revised Parcel B*  
*22.86 acres*

Dear Ms. Keener:

On behalf of my client, referenced above, please accept this correspondence as our written statement in accordance with Section ZS1-315(k)(2)A1(ix).

**Introduction** – The above referenced properties are located on the easterly side of Racetrack Road (Maryland Route 589) at its intersection with Taylorville Lane. The property consists of two separate parcels, and the total area is approximately 22.86 acres. The property was recently rezoned to R-3, Multi-Family Residential District, pursuant to Rezoning Case No. 447.

The adjacent property (which was part of the original tract) is zoned C-2, General Commercial District, and it is improved by a medical campus associated with Atlantic General Hospital/Tidal Health.

The property owner has proposed a 137 multi-family unit development, as part of a Master Planned Community, with the potential for a Mixed-Use Development. The proposed development will utilize the traffic light at Maryland Route 589, which was specifically built to service this property.

- A. **The Residential Planned Community's conformance with the goals, objectives, and recommendations of the Comprehensive Plan, compliance with the zoning regulations and other established development policy guidelines, and with the**

**Comprehensive Plan, zoning regulations, development policy guidelines and annexation policies of any municipality within one mile of the proposed project's boundaries.**

The Petitioned Area is designated Existing Developed Area (EDA) by virtue of the current 2006 Comprehensive Plan. According to the current Comprehensive Plan (p. 13), EDA's are suitable for infill residential development. The infill residential development should recognize existing development in the area and maintain the neighborhood character. In this case, the property is adjacent to the Ocean Pines Subdivision, and the multi-family residential uses will provide a transition between the lower density residential single-family dwellings in Ocean Pines, and the more intense commercial uses along Maryland Route 589. There is an existing recorded Forest Conservation Area along the rear of the property that will buffer the proposed multi-family residential use from the Ocean Pines Subdivision.

There is a strong demand for housing in this area, and the proposed multi-family development will be close to employment centers. The Comprehensive Plan encourages residential uses near employment opportunities. Infill development is a priority in the Comprehensive Plan.

The proposed development is consistent with the R-3 Multi-Family Residential zoning. There are no municipalities within one mile.

**B. The general location of the site, a description of existing and anticipated land use in the immediate vicinity and the residential planned community's compatibility with those land uses.**

The site is located on the east side of Maryland Route 589, north of Gum Point Road, and adjacent to the Ocean Pines Subdivision. The proposed use is 137 multi-family units, on approximately 22 acres. The proposal is compatible with the single-family residential subdivision of Ocean Pines, serving as a transition zone between the single-family residential uses and the busy highway and commercial uses at Atlantic General Hospital and or Maryland Route 589.

**C. The availability and adequacy of public facilities, services and utilities to meet the needs of the residential planned community and the long-term implications the project would have on subsequent local development patterns and demand for public facilities and services.**

Environmental Programs has confirmed that there are adequate EDU's in the Greater Ocean Pines Sanitary Service Area to serve the project. The developers have already met with representatives from the Worcester County Department of Public Works, Environmental Programs, County Attorney, etc. to discuss necessary infrastructure improvements to accommodate water and sewer to the property. In fact, the infrastructure will be designed in such a manner as to be consistent with other proposed future uses in the area.

**D. The consistency of the residential planned community with the general design standards as contained in Subsections (j)(1) through (j)(5) hereof.**

The developer has already identified key environmental features, and those features will be retained by virtue of an existing Forest Conservation Easement, as well as a condition of Rezoning Case No. 447. The property is generally high, and well-drained. The property represents a clustered, mixed-use development, with pedestrian-scale development.

Because the property will connect to the traffic signal servicing Atlantic General Hospital, there will be no dead-end streets, but instead will have connectivity to the commercial component at Atlantic General Hospital, and there will be synergy between the uses.

As stated, the Forest Conservation Easement has already been recorded on the rear of the property, protecting non-tidal wetlands, and providing a buffer to the single-family lots in the Ocean Pines Subdivision.

**E. The relationship of the residential planned community's proposed construction schedule, including any phasing, and the demand for and timely provision of public facilities, services and utilities necessary to serve the project.**

Given the fact that much of the infrastructure is already in place, i.e. a signalized traffic entrance, and access road, and the configuration of the property, the property will most likely be developed as one unified development.

**F. The capacity of the existing road network to provide suitable vehicular access for the residential planned community, the appropriateness of any existing or proposed improvements to the transportation network, the adequacy of the pedestrian and bicycle circulation, and the proposed means of connectivity of the project to surrounding residential, commercial and recreational development and uses.**

In connection with recent Rezoning Case No. 447, the developer's traffic engineer testified that there was adequate capacity in the existing road network to handle the proposed 137 unit multi-family development. In fact, the intersection serving the property was already over-designed, because it was designed in connection with a two-story medical campus, which would have included four operating rooms, and a number of other ancillary uses. The original proposal for the entire property was much more intense than the proposed residential planned community. There will be connectivity to the adjoining commercial uses.

**G. The relationship of the proposed method of wastewater disposal and provision of potable water service with the goals, objectives and recommendations of the Comprehensive Plan, Comprehensive Water and Sewer Plan, and other established policy guidelines.**

The property is designated S-1 in the Greater Ocean Pines Sanitary Service Area. The provision of water and sewer to the property is set forth in the Worcester County Comprehensive Water and Sewerage Plan. Environmental Programs has confirmed that adequate EDU's exist to serve this project. As stated previously, the property owner has already been in discussions with Department of Public Works with respect to the design of the infrastructure to best serve this project, and the future needs of the surrounding community.

Thank you for your consideration.

Very truly yours,



Hugh Cropper IV

HC/tgb

CC: Wayne Yetman  
Steve Engel  
Malcolm Sina  
Rob Sina

IN THE MATTER OF \*  
 \*  
 THE REZONING APPLICATION OF \* REZONING CASE NO. 447  
 \*  
 MARYLAND MEDICAL OWNERS II, LLC \*  
 \*  
 AND \*  
 \*  
 MARYLAND MEDICAL OWNERS III, LLC\*

\*\*\*\*\*

**FINDINGS OF FACT**

Subsequent to a public hearing held on August 5, 2025, and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners’ complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 447: This case seeks to rezone petitioned areas on Tax Map 21, Parcel 66, Lot 1 and Tax Map 21, Parcel 66, Revised Parcel B, consisting of 22.86 acres. The parcels are located on the easterly side of Racetrack Road (MD Route 589), Berlin, at the intersection of Taylorville Lane. The request is to reclassify the petitioned area from C-2 General Commercial District to R-3 Multi-family Residential District. The petitioned areas are currently unimproved.

Applicant’s testimony before the County Commissioners: Mrs. Keener read the Planning Commission’s Exhibit No. 1 into the record. The County Commissioners had several questions of Mrs. Keener in regards to the Residential Planned Community (RPC) review and approval process; lighting standards for residential and commercial development; fencing; dumpster location and screening requirements; parking calculations and location; Emergency Services review; access to the Ocean Pines subdivision, and the recorded Forest Conservation Area.

Mr. Hugh Cropper, attorney for the applicant, then introduced the rezoning request, outlining the scope of the petitioned area and reiterating the RPC review and approval processes. He stated that the R-3 Multi-family Residential District classification is less impactful than the C-2 General Commercial District in every respect, including lighting,

parking, traffic, and impervious surface. He stated that multi-family residential uses will allow clustered buildings and more open space. Mr. Cropper explained the history of the 2012 rezoning from A-1 Agricultural District to C-2 General Commercial District, including the appeals and final decision that resulted in the rezoning to C-2 District. Mr. Cropper explained the changes made to the original design of the Atlantic General Hospital (AGH) outpatient facility, specifically to remove the four proposed operating rooms and scale back the building size. The intention was to have the adjacent petitioned areas provide compatible retail and service uses, including food establishments and a pharmacy, with an assisted living component. Those amenities would have been utilized by relatives or caregivers of the patients while they were in surgery. Mr. Cropper stated that the petitioned areas are designated as Existing Developed Area (EDA) on the land use map of the 2006 Comprehensive Plan. They are also in the S-1/ W-1 (Immediate to 2 years) category in the *Master Water and Sewerage Plan*.

Steve Engel, land planner and landscape architect with Vista Design, Inc., concurred with the nine changes in the character of the neighborhood that were listed in the Planning Commission's Findings of Fact. Mr. Cropper stated that they would be proffering the installation of a six-foot-tall vinyl fence (shown on the plan labeled Fence Exhibit) as a condition of approval. In addition, they would proffer that the Forest Conservation Area remain as is and shall not be removed or modified. Upon an inquiry by the Commissioners, Mr. Leslie, County Attorney, stated that the Perpetual Protection Agreement that is recorded with the easement is the strongest form of protection that the County has to ensure that it remains in place. Overall, Mr. Engel concurred with the definition of the neighborhood, the factual changes that have occurred at the AGH facility and supported the requested rezoning.

Mr. Cropper provided excerpts from the current 2006 Comprehensive Plan, as well as from the working draft copies of the proposed Comprehensive Plan, finding the rezoning consistent with both documents. He reiterated that the petitioned areas were designated Existing Developed Area (EDA) on the existing land use maps, and infill development is consistent with this classification. He noted that affordable and workforce housing were needed but was unable to define the price range that qualified as such. In response to a question, Mr. Engel confirmed that single-family dwellings in the R-1 Rural Residential District would inherently generate more traffic than commercial or multi-family residential uses but was unable to explain why. Therefore, he believes that the R-3 District is more suitable and will not increase traffic significantly on MD Route 589.

Regarding a question from Commissioner Bunting regarding calculations for setting aside Forest Conservation Area, it was indeterminable at this time whether

residential zoning would trigger the requirement to protect additional forested areas without running the calculations. Mr. Cropper stated that despite that, he was involved in the mitigation bank purchase of less than one acre that was needed to offset the on-site easement for the commercial zoning calculation.

Mr. Carl Wilson, The Traffic Group, is a Professional Engineer and traffic engineer who does traffic impact studies on a regular basis. The Traffic Group was involved with this property for a long time under Betty Tustin, and Mr. Wilson explained that they both worked on this property before she retired. He prepared a supplemental traffic analysis dated August 4, 2025, an update to Applicant's Exhibit Nos. 6 and 7. Mr. Wilson explained that they originally collected turning movement counts at the site's access point with MD Route 589 in January 2025, which was a timing issue with the rezoning submission. He has updated the traffic counts based on a regular July 2025 weekend. He explained that they did not conduct Fourth of July weekend counts, because holiday traffic is not typically representative of normal summer operations. Overall, he found that the intersection at the petitioned areas, as well as the intersections at Manklin Creek Road and US Route 50 (Ocean Gateway) were all Level of Service (LOS) A. LOS reflects critical lane volumes, and A is optimal, although D is acceptable. Other intersections along MD Route 589 operate at LOS A, B or C and are much busier than this intersection.

Within the updated traffic analysis, a density of 137 dwelling units was evaluated. Mr. Wilson stated that trip generation calculations resulted in the same LOS at all intersections, with or without the development of this site. He noted that the intersection was designed for a much more significant impact with respect to turn lanes and other features. In summary, the R-3 District uses would have much less traffic impact than the C-2 District uses. Furthermore, he explained that residential uses tend to be more level regarding trip activity, whereas commercial uses are variable. He also concluded that multi-family dwelling units will have less trips (6-7 trips per day) than single-family dwelling units (10 trips per day). Mr. Cropper stated that the applicant would proffer an additional condition of approval as requested by the Planning Commission; namely that there shall be no connection from MD Route 589 to Ocean Pines and Triple Crown Estates through the petitioned areas. Commissioner Bertino confirmed that there was no additional traffic light proposed on MD Route 589. Mr. Cropper stated that the analysis does not warrant another light, the State Highway Administration was unlikely to approve another light, and his client wouldn't want to pay for another light.

Mr. Cropper summarized his case, stating that there is no longer synergy between the existing and proposed uses in the commercial zoning district without the operating rooms at AGH. Residential is an appropriate use of land in his opinion, which is supported

by infill development under the EDA land use category, formerly Suburban Residential in a prior Comprehensive Plan.

Yvonne Field, resident of 6 Little John Court in Ocean Pines, testified that she lives on the largest lot directly behind the petitioned area. She is afraid that they will remove the Forest Conservation Area and she will lose the trees that buffer her home from any potential uses on the petitioned area. She is thankful that the County Commissioners are considering conditions of approval such as the retention of the trees and a fence. Commissioner Bunting noted that there are non-tidal wetlands and associated buffer along approximately half of her lot that could not be disturbed, as added protection to the tree buffer.

Roger Bredehorst, resident of 7 Little John Court in Ocean Pines, testified that he has resided here since the 1990's and the area has changed so much in that time. He referenced the AGH facility, with the large parking lot and lighting. He was disturbed that he didn't receive notice of the meeting as an adjoiner. Upon clarification by Mrs. Keener, Mr. Bredehorst was not identified as a contiguous property owner. Mr. Bredehorst was concerned with lighting and access to the proposed development, stating that there wasn't enough room for a multi-family residential development. He mentioned the development of the Triple Crown Estates, which connected to Ocean Pines, and thinks that it could happen here as well. Mr. Bredehorst stressed that there were significant traffic issues and backups from the Food Lion (Pennington Commons) to MD Route 90.

Upon a question from Commissioner Bertino regarding future road improvements on MD Route 589, Mr. Cropper stated that the petitioned area has already offered the required dedication strips. Commissioner Mitrecic was supportive of the rezoning; however, he was concerned that the trip generation analysis provided may not be accurate. However, the County Commissioners concurred with the applicant that there would be significantly less traffic with a residential development in the R-3 District than a shopping center in the C-2 District.

The County Commissioners' findings regarding the definition of the neighborhood: The County Commissioners concur with the applicant's definition of the neighborhood as outlined in Applicant's Exhibit No. 1, which is the same neighborhood defined in Rezoning Case Nos. 392 and 396.

The County Commissioners' findings regarding population change in the area: The County Commissioners agree with the Planning Commission and concluded that there has been population growth in the defined neighborhood by virtue of re-development and infill

of existing lots within the adjoining Ocean Pines subdivision. Additional residential development includes the expansion of the Ocean Pines subdivision with Triple Crown Estates. There is also a high transient population change with demand for needed medical services provided by Atlantic General Hospital and TidalHealth within the defined neighborhood. Overall, there is a high demand for housing in the area, especially since the significant amount of residential real estate transactions occurring during COVID, with additional people moving to the area.

The County Commissioners' findings regarding availability of public facilities: The County Commissioners agree with the Planning Commission and find that the petitioned area has been included in the Greater Ocean Pines Sanitary Service Area and is eligible for public water and sewer. In his memo, Mr. Mitchell has confirmed that adequate EDUs are available. Additionally, there are adequate outpatient medical services to serve the population.

The County Commissioners' findings regarding present and future transportation patterns: Based upon the testimony presented, the County Commissioners find that the petitioned area fronts on Racetrack Road (MD Route 589), a State-owned and -maintained major collector highway. Road upgrades have been completed on MD Route 589, including a signalized intersection at the petitioned areas and the AGH medical complex. The Commissioners reviewed the traffic study and expressed skepticism about the reliability and precision of the traffic counts that it contained. However, the Commissioners independently found that there would be less traffic with a residential development in the R-3 District than a shopping center in the C-2 District.

The County Commissioners' findings regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: Based upon the Planning Commission's findings and the testimony presented, the County Commissioners find that the petitioned area adjoins the single-family residential subdivision of Ocean Pines. The County Commissioners concurred that a Residential Planned Community would be compatible with existing and proposed development, with the petitioned area serving as a transition zone between the single-family residential uses and the busy highway and commercial uses at AGH. The County Commissioners also found that there is an existing, recorded Forest Conservation Area along the rear of the property that will buffer the lots within the Ocean Pines subdivision, which will not be removed or modified as a condition of approval, and will be further screened with a fence. That area contains non-tidal wetlands that will be protected. Overall, the petitioned areas are well-drained uplands and any run-off would be collected by on-site stormwater management.

The County Commissioners' findings regarding compatibility with the County's Comprehensive Plan: The County Commissioners find that the property is designated as an Existing Developed Area (EDA) on the Land Use Map. There is a strong demand for housing in the neighborhood, and it is located near commercial service areas that also serve as employment centers. Infill development is a priority in the Comprehensive Plan and this development will provide additional housing while keeping the character and density of the neighborhood. In 2009, the Planning Commission had concurred that residential use would be more consistent with the comprehensive plan and had recommended a residential zoning classification (R-1 District). Therefore, the proposed reclassification is consistent with the Comprehensive Plan and in keeping with its goals and objectives.

The County Commissioners' findings regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from C-2 General Commercial District to R-3 Multi-family Residential District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and generally adopt their findings of fact.

Decision of the County Commissioners: As a result of the testimony and evidence presented before the County Commissioners and the findings set forth above, the County Commissioners find there has been a change in the character of the neighborhood, and that a rezoning of the petitioned area is appropriate. The applicant requests a zoning map amendment from C-2 General Commercial District to R-3 Multi-family Residential District based on a change in the character of the neighborhood since the last comprehensive rezoning on November 3, 2009. This change is demonstrated through the nine points outlined in the testimony presented, summarized here:

1. Approval of Rezoning Case No. 396.
2. The sectional rezoning of lands to the west of the casino along McAllister Road.
3. The Comprehensive Plan amendment to redesignate the sectional rezoning parcels as Commercial Center on the Land Use Map.
4. The adoption of the Casino Entertainment District overlay zone.
5. The development of the AGH outpatient facility.
6. The installation of a traffic signal at the AGH facility and the petitioned area.
7. The installation of a traffic signal at McAllister Road.
8. The establishment of the Triple Crown Estates Residential Planned Community.
9. Several water and sewer plan amendments and sewer service area expansions in the neighborhood.

The County Commissioners further acknowledged that significant road upgrades have been completed on MD Route 589, including a signalized intersection and road improvements at the petitioned areas and the AGH medical complex as well as at McAllister Road in front of the casino. Furthermore, the County Commissioners concurred with the applicant that there would be significantly less traffic with a residential development in the R-3 District than a shopping center in the C-2 District, which is allowed today, despite their uncertainty in the accuracy of the specific trip generation calculations in the supplied traffic study. The County Commissioners found that a Residential Planned Community would be compatible with existing and proposed development, with the petitioned area serving as a transition zone between the single-family residential uses and the busy highway and commercial uses at AGH. Overall, the County Commissioners found that the requested zoning conforms to the Worcester County Comprehensive Plan, which encourages infill within established communities while preserving neighborhood character. Based upon their review, the County Commissioners conclude that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and hereby approve Rezoning Case No. 447 and thus rezone the petitioned areas, Tax Map 21, Parcel 66, Lot 1 and Tax Map 21, Parcel 66, Revised Parcel B, from C-2 General Commercial District to R-3 Multi-family Residential District with the following conditions of approval:

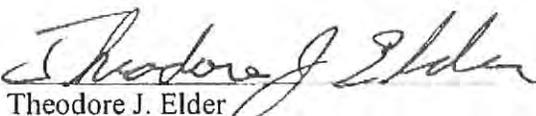
1. Install 6' tall vinyl fence as illustrated on Fence Exhibit rendering, with the homeowners or condominium association responsible for maintenance in perpetuity;
2. The recorded Forest Conservation Area, as illustrated on the plat (SRB Liber 250 Folio 40) shall not be removed or modified; and
3. There shall be no connection from MD Route 589 to Ocean Pines and Triple Crown Estates through the petitioned areas.

Adopted as of August 5, 2025. Reduced to writing and signed August 19, 2025.

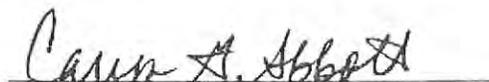
Attest:

Worcester County Commissioners

  
\_\_\_\_\_  
Weston S. Young  
Chief Administrative Officer

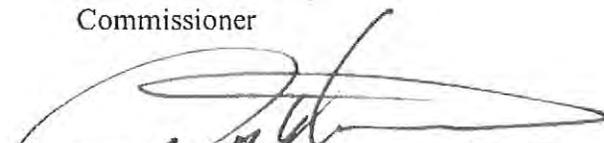
  
\_\_\_\_\_  
Theodore J. Elder  
President

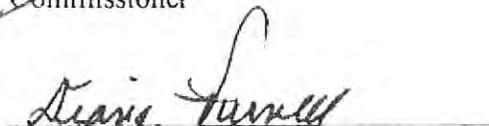
  
\_\_\_\_\_  
Eric J. Fiori  
Vice President

  
\_\_\_\_\_  
Caryn G. Abbott  
Commissioner

  
\_\_\_\_\_  
Anthony W. Bertino, Jr.  
Commissioner

  
\_\_\_\_\_  
Madison J. Bunting, Jr.  
Commissioner

  
\_\_\_\_\_  
Joseph M. Mitrecic  
Commissioner

  
\_\_\_\_\_  
Diana Purnell  
Commissioner