



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 / 1/30/24
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 D

SDI Approval Received? Y or N

TO BE COMPLETED BY PROGRAM:

Program Name:

Enough Initiative: Sole Source Request

Agency/Vendor Name:

Worcester County's Initiative to Preserve Families LMB

Agency/Vendor Address:

6040 Public Landing Snow Hill, Maryland 21863

Agency/Vendor Phone Number:

(410)-632-3648

Start Date/End Date:

February 16, 2026 through September 30, 2026

Dollar Amount:

\$60,000

Vendor Tax ID:

47-2672140

PCA/OBJ Code:

F102N

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 *(S/DS)*
From: Christen Barbierri, LMB Point of Contact *(CAR)*
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.

☐ 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

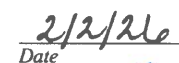
Printed Name and Title


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

A handwritten signature in blue ink, appearing to be "RM", is placed over the name Robert J. Mitchell.

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 stylized flourish extending to the right.

Robert J. Mitchell, LEHS, REHS/RS
Director

Attachments



cc: WS Amendment File (SW 2026-01)

Attachment 1

MAPS



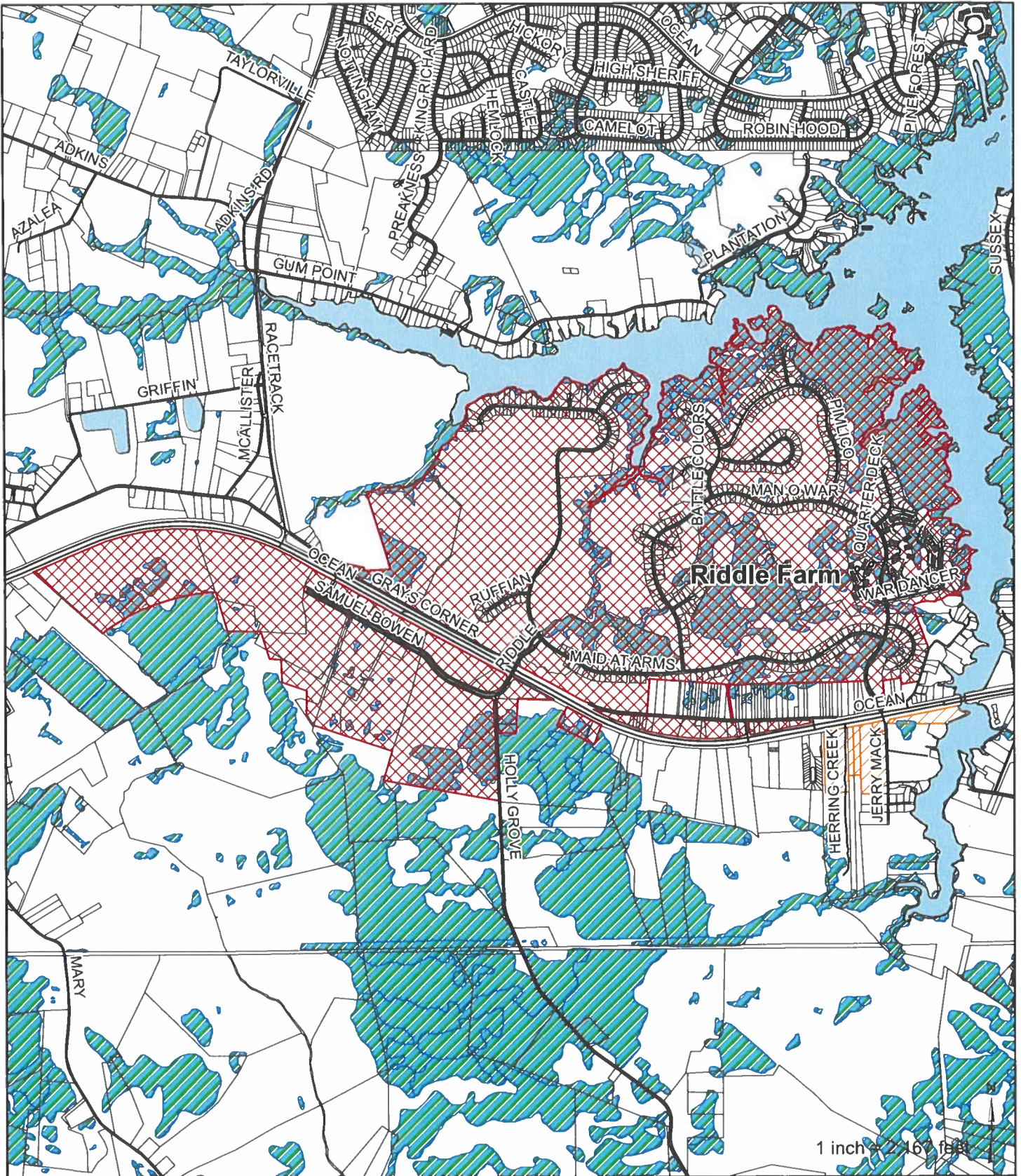
Sanitary Areas

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




Planning Area Expansion

Riddle Farm



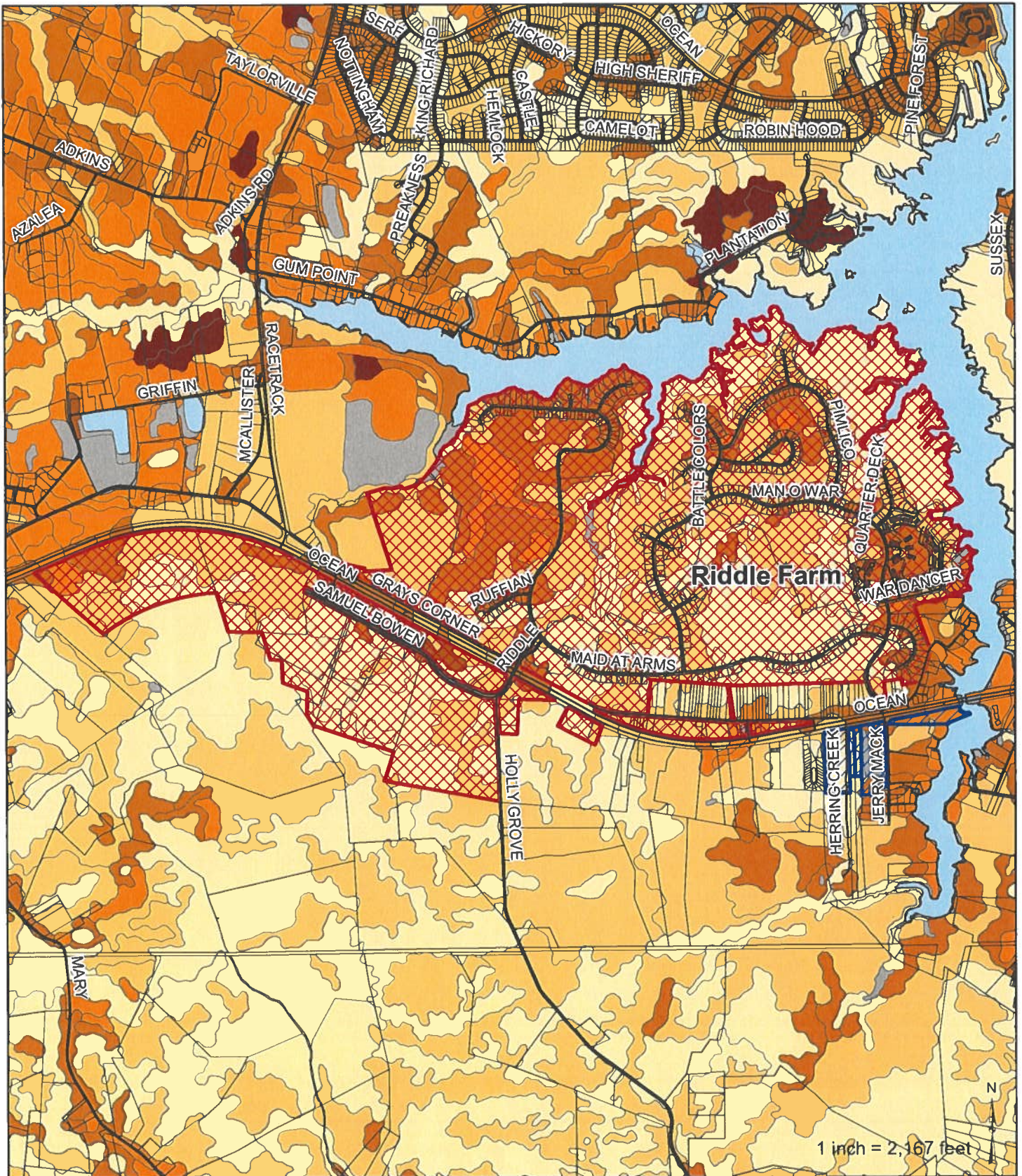


Wetland Areas

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



Planning Area Expansion Riddle Farm

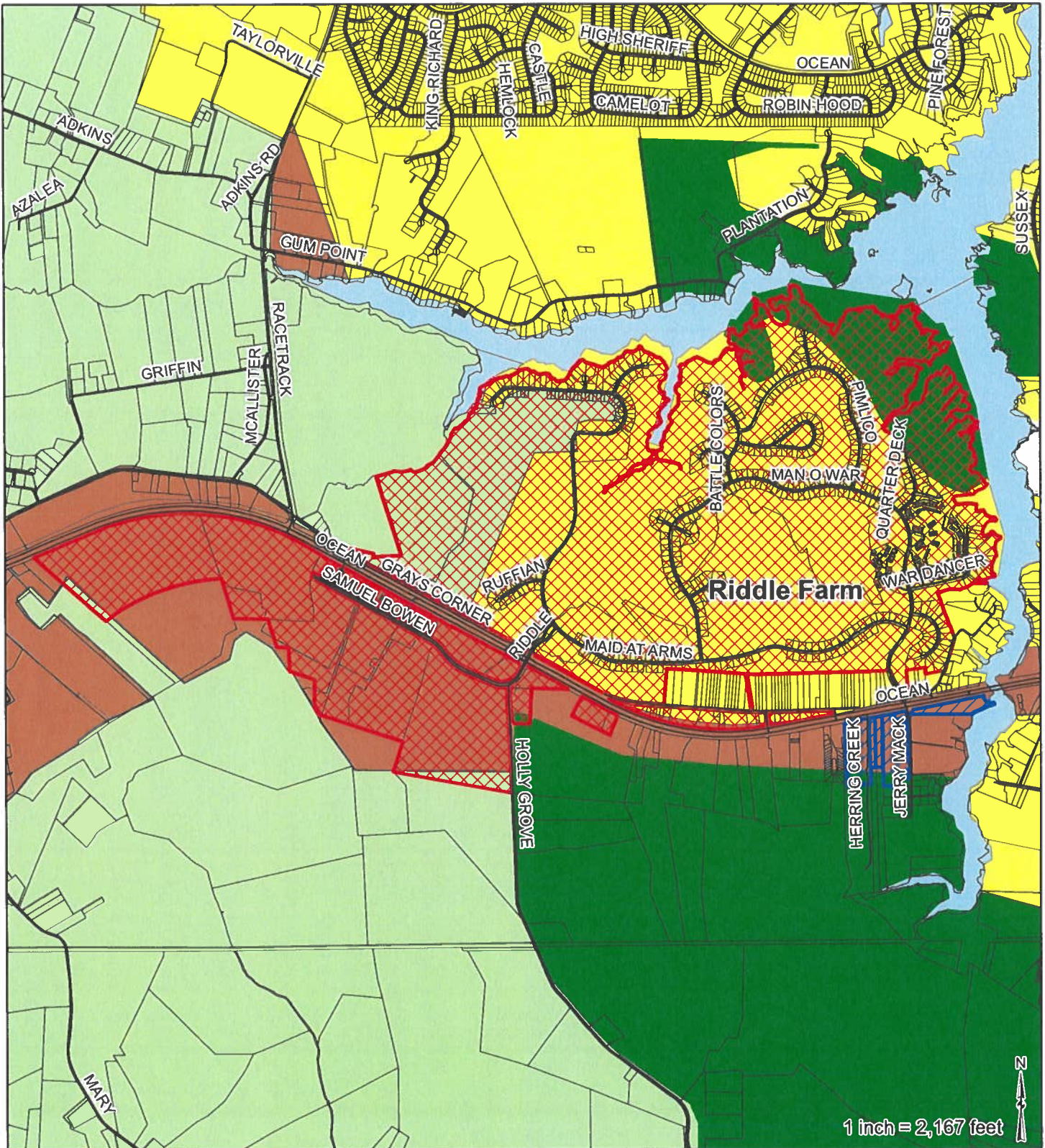


Soils

- | | |
|---|--|
|  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

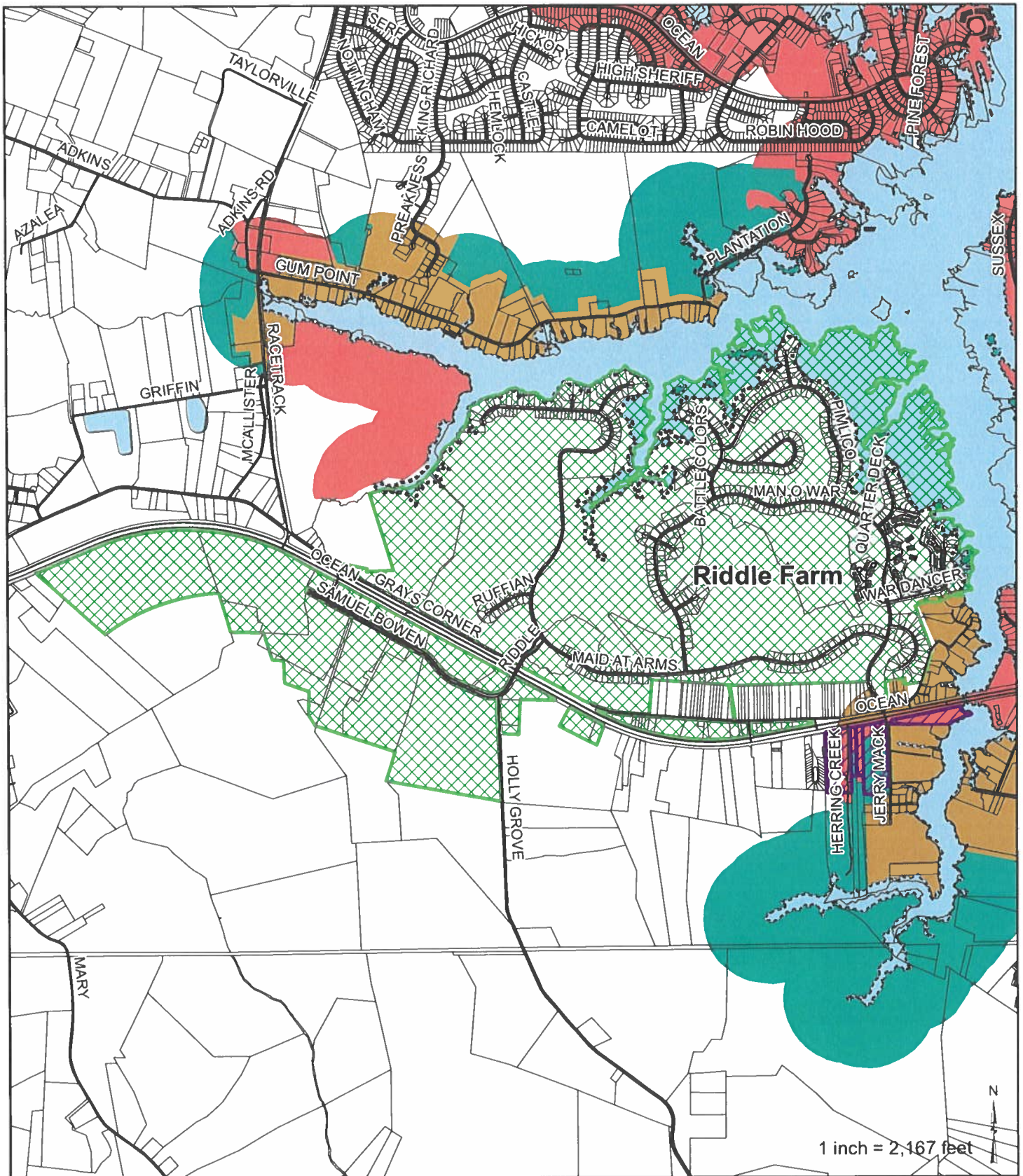


Planning Area Expansion Riddle Farm





Land Use




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





Critical Area

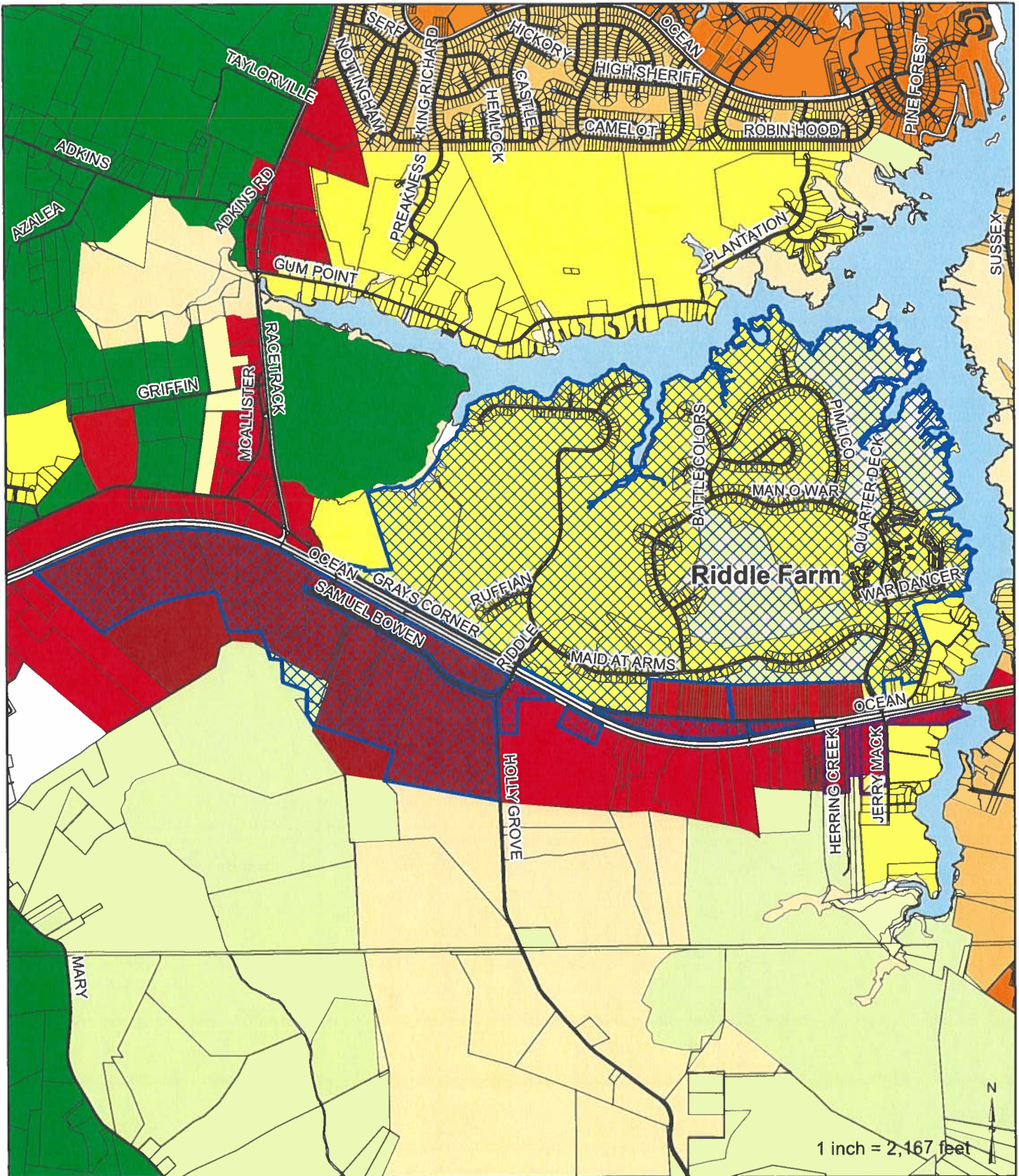
-  Riddle Farm, Existing Sewer Planning Area
-  Riddle Farm, Proposed Planning Area Expansion
-  IDA- Intensely Development Areas
-  LDA- Limited Development Areas

-  RCA- Resource Conservation Areas
-  Tidally Influenced Areas
-  Out of Program

Planning Area Expansion



Riddle Farm



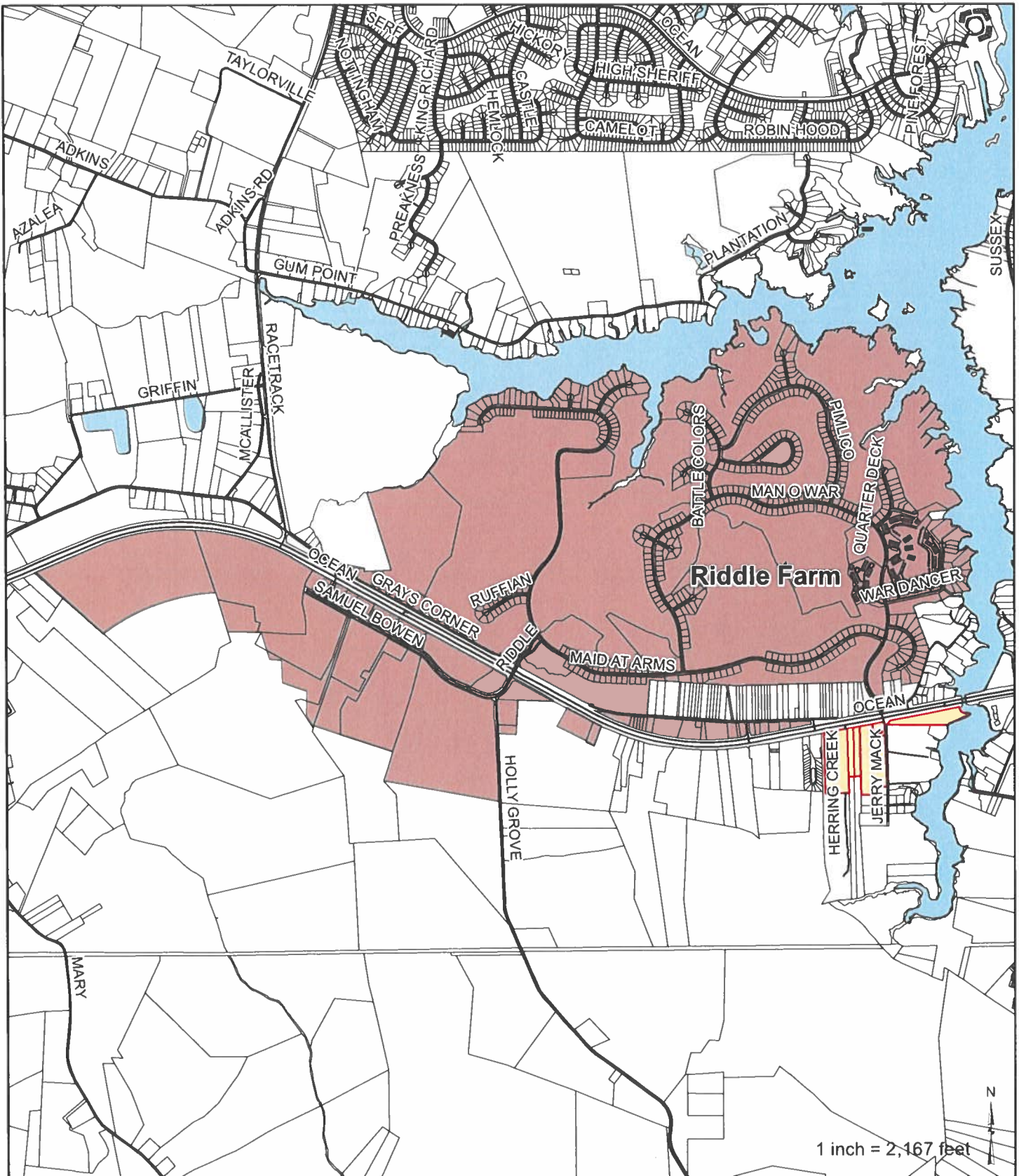
Zoning Areas

	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





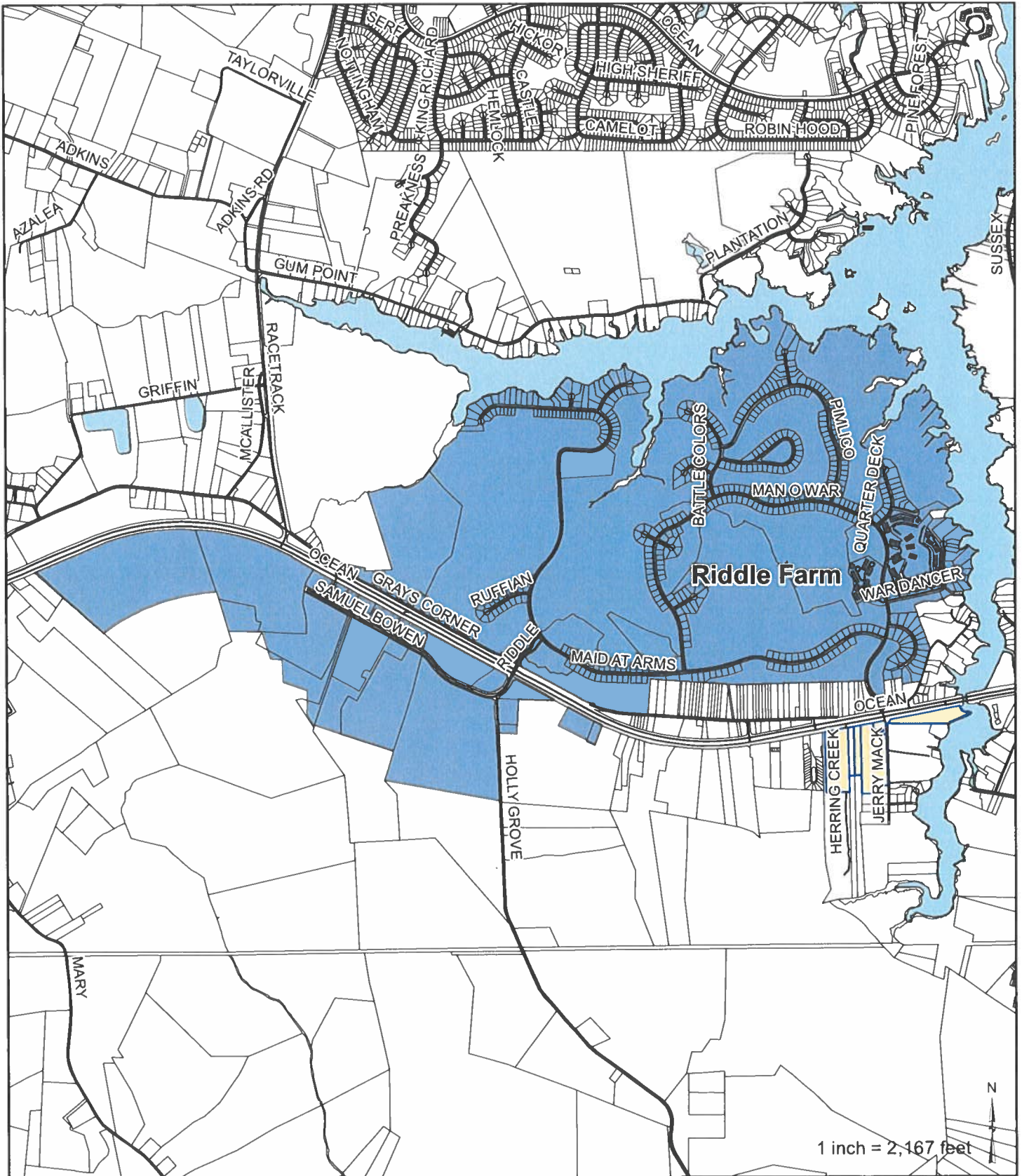
Sewer Planning Area

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



Sewer Planning Area

Riddle Farm



Sanitary Service Areas

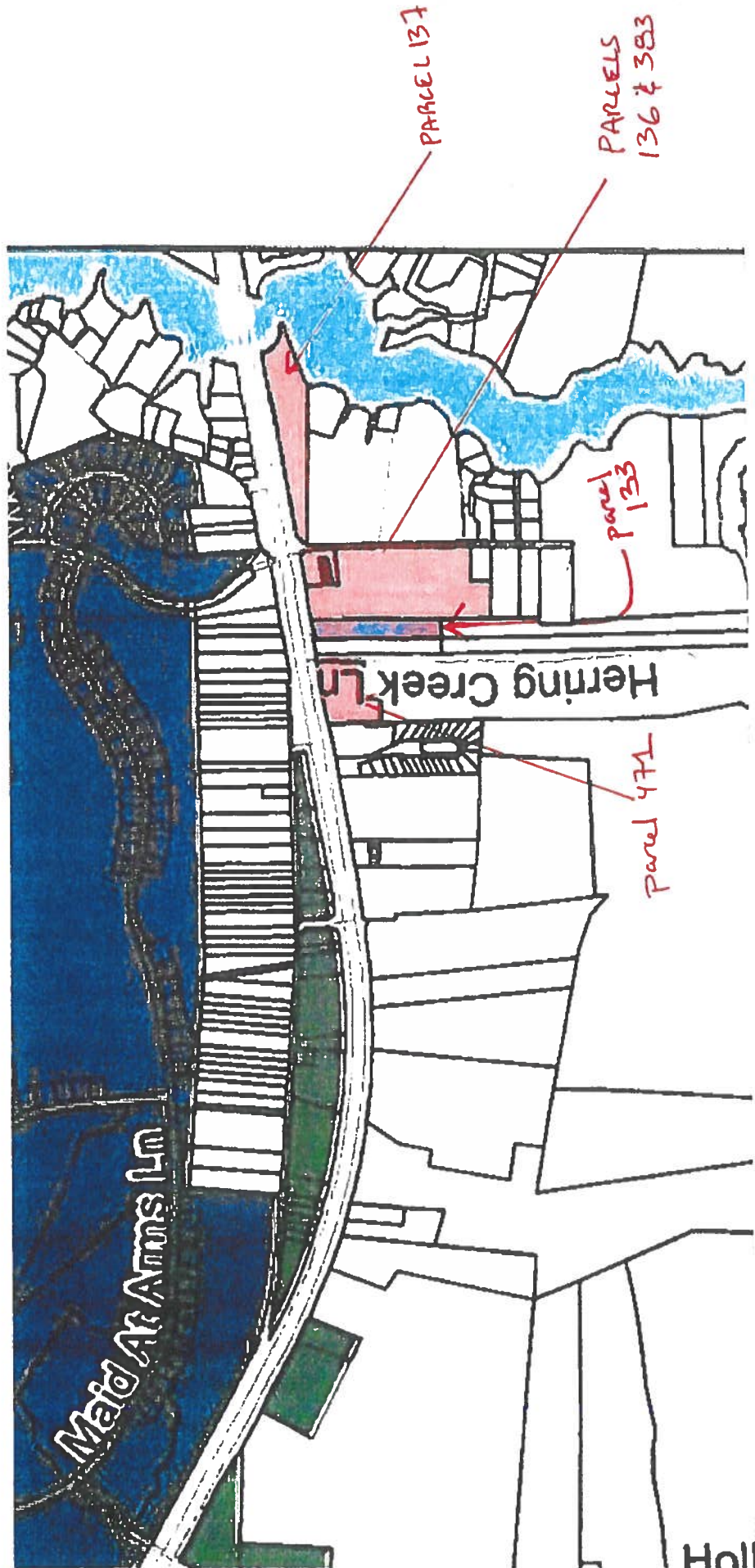
- Riddle Farm, Existing Water Sanitary Area
- Riddle Farm, Proposed Sanitary Area Expansion



Water Sanitary Service Area Riddle Farm

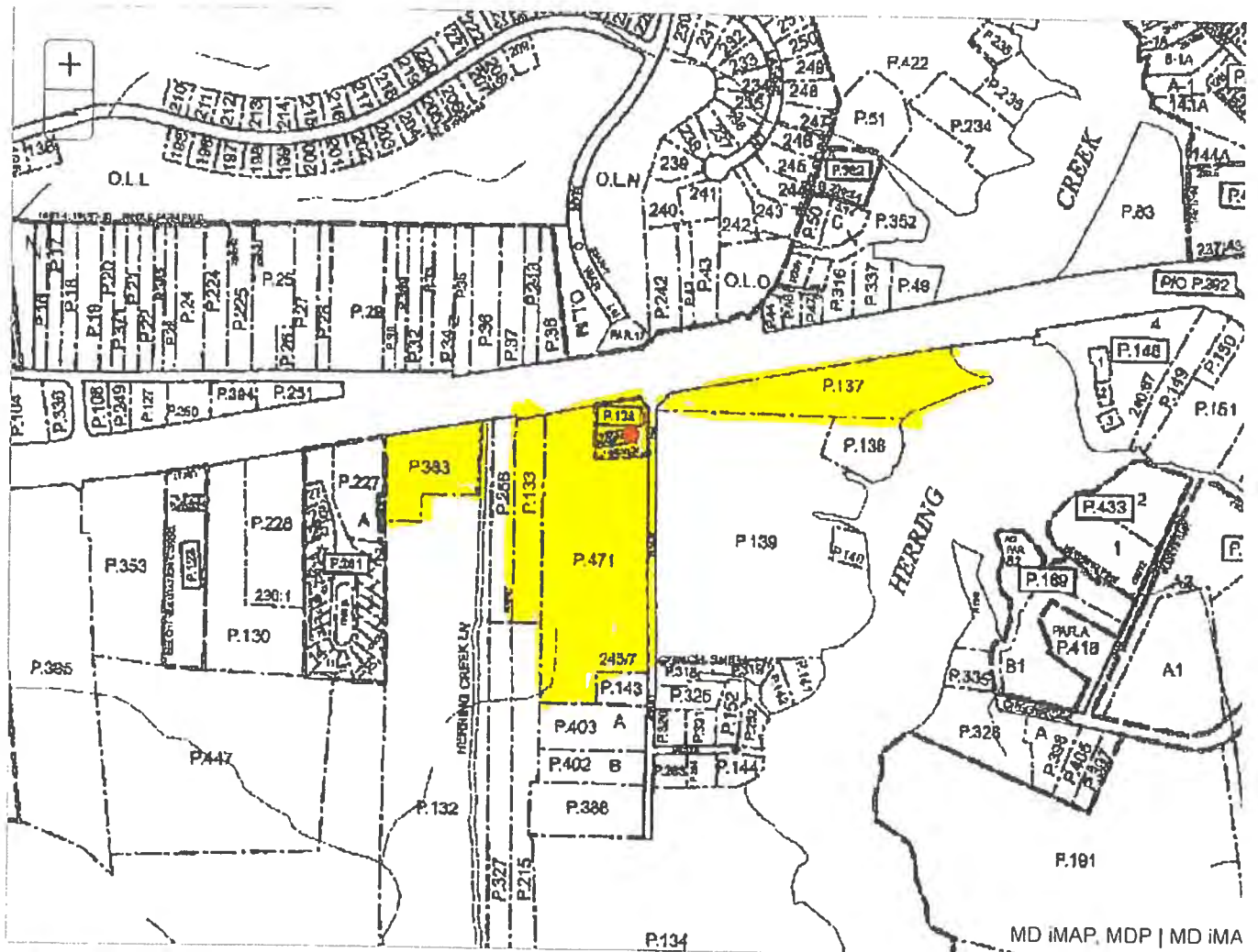
Attachment 2

APPLICANTS MAPS



PETITION AREA (WATER & SEWER)

Worcester County

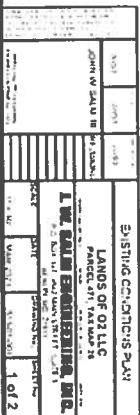
Now Search (<https://sdat.dat.maryland.gov/RealProperty>)District: **10** Account Number: **359333**

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>).

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>)



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:

Pleasant's 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.

<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Bid Total</u>
Wet Well Coating of Concrete Surface Areas includi	942.000	SF	16.96	15,976.32
Temporary Sewer Pump Around, One (1) Pump @ 150	8.000	DAY	909.87	7,278.96
Mobilization	1.000	LS	26,000.00	26,000.00
Demobilization	1.000	LS	17,950.00	17,950.00
Bid Total =====>				\$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.** Pleasant's 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



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



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 policies 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:

Brian Steg

By:

Diane Fouché

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:

Eric Newquist
 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: *Sarah V. Shaper*

Notary Seal:

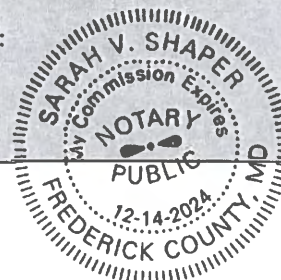


EXHIBIT "A"
SCOPE OF SERVICES

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

35	Sewer Manhole Liner Per Vertical Foot for Five (5') Diameter Manhole per Technical Requirement & Specifications (Trowel Application) Condition 3	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.

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

*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

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.

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:

County:	Worcester	Tax Map #:	49	Parcel:	43
Grid:	3	Block:	N/A	Account #	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 & Disposition Coordinator, Office of Real Estate & 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

X=1803459
Y=216519X=1805008
Y=217067MARYLAND COORDINATE SYSTEM
NAD 83/91

DONALD F. KLEIN AND JANE H. KLEIN 106253	
REC'D	FOLIO
LIBER	
TEMPORARY EASEMENT AREA 1,661 SQ. FT. OR 0.039 ACRES± SHOWN THUS:	

HOWARD O. VANSICE AND TERESA L. VANSICE 106252 PARCEL I	
REC'D	FOLIO
LIBER	
1	N 25°16'35" W 51.40'
2	N 72°45'30" E 67.35'
3	S 69°58'30" E 11.77'
4	S 21°43'29" W 54.00'
5	S 69°53'22" W 35.62'
FEE SIMPLE AREA 2,883 SQ. FT. OR 0.066 ACRES± SHOWN THUS:	
TEMPORARY EASEMENT AREA 1,727 SQ. FT. OR 0.040 ACRES± SHOWN THUS:	

FREDERICK T. PARKER JR. AND PEGGY P. PARKER 106250	
REC'D	FOLIO
LIBER	
1	N 44°11'29" E 176.27'
2	S 44°03'31" E 110.96'
3	S 69°52'52" W 146.85'
4	N 20°07'08" W 25.00'
5	S 69°52'52" W 57.02'
FEE SIMPLE AREA 10,897 SQ. FT. OR 0.250 ACRES± SHOWN THUS:	
TEMPORARY EASEMENT AREA 3,584 SQ. FT. OR 0.082 ACRES± SHOWN THUS:	

BETTY L. BEVARD AND RONALD K. BEVARD 106270	
REC'D	FOLIO
LIBER	
1	N 69°52'52" E 147.24'
2	S 44°11'29" W 287.47'
3	N 47°33'09" W 65.54'
4	N 44°48'21" E 156.79'
EXTRA LAND AREA 14,308 SQ. FT. OR 0.328 ACRES± SHOWN THUS:	

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

NOTE "A"
TEMPORARY EASEMENT TO BE USED ONLY DURING THE PERIOD OF CONSTRUCTION FOR THE PURPOSE OF FINE GRADING 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.

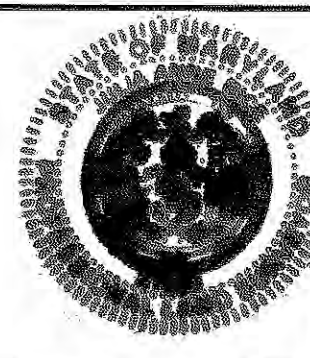
NOTE "B"
TEMPORARY EASEMENT TO BE USED ONLY DURING THE PERIOD OF CONSTRUCTION FOR THE PURPOSE OF ACCESS ROAD TIE IN AND FINE GRADING AND AT THE TERMINATION OF THE CONSTRUCTION ALL RIGHTS HEREBY ACQUIRED BY THE STATE HIGHWAY ADMINISTRATION - STATE ROADS COMMISSION SHALL THEN TERMINATE AND REVERT TO THE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

COORDINATES AND BEARINGS SHOWN HEREON ARE REFERENCED TO THE SYSTEM OF COORDINATES ESTABLISHED BY THE MARYLAND COORDINATE SYSTEM NAD83(98) AND ARE BASED ON THE FOLLOWING STATE HIGHWAY ADMINISTRATION PLATS AND SURVEYS:

DESIGNATION	NORTH	EAST	BOOK/PAGE	POINT DESCRIPTION
113-19	209807.129	179047.994	25010/24	REBAR & CAP
113-20	20491.679	17909.253	25010/25	REBAR & CAP
113-23	21325.007	179348.545	25010/28	REBAR & CAP
113-24	21703.923	179710.649	25010/29	REBAR & CAP
113-26	21474.151	180016.608	25010/31	REBAR & CAP
113-27	21530.749	180160.955	25010/32	REBAR & CAP
113-28	21664.031	180452.987	25010/33	REBAR & CAP
113-29	21736.107	180679.376	25010/34	REBAR & CAP

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE CORRECT AND ARE BASED ON THE FIELD SURVEY PERFORMED UNDER MY SUPERVISION, AND THE RECORD DESCRIPTIONS THEREOF, AND THAT THIS PLAT MEETS THE REQUIREMENTS AS CONTRACTED FOR BY THE MARYLAND DEPARTMENT OF TRANSPORTATION - STATE HIGHWAY ADMINISTRATION.

JULIA ANNE RICE
PROFESSIONAL LAND SURVEYOR
MD REG. NO. 21594
EXP. DATE 01/16/2017
DATE 2-10-2015



	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)

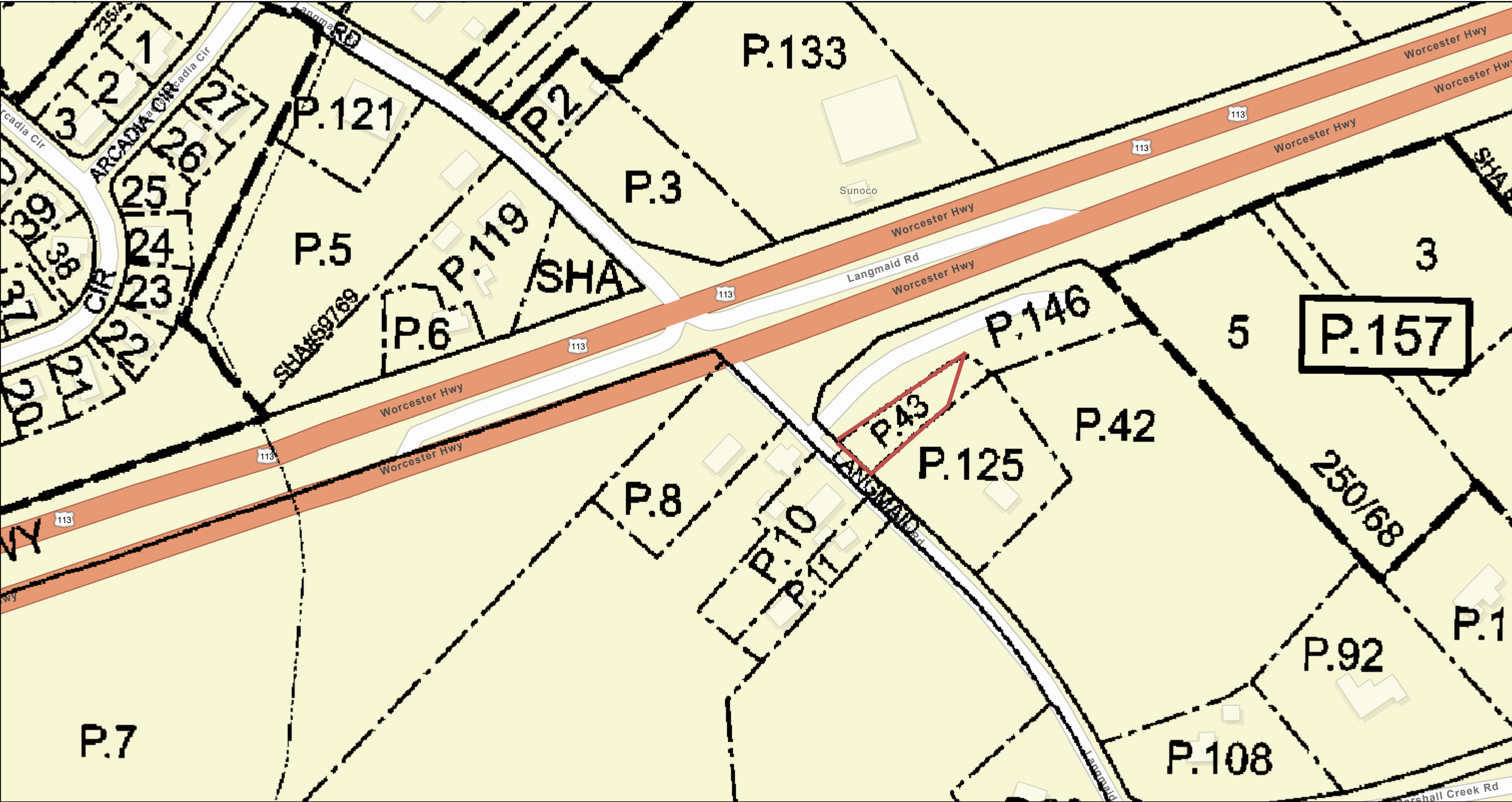
A PORTION OF THIS RIGHT OF WAY IS FOR A CONTROLLED ACCESS ARTERIAL HIGHWAY AND NO ACCESS EITHER VEHICULAR, PEDESTRIAN, OR ANIMAL WILL BE PERMITTED ACROSS THE LINE DESIGNATED "RIGHT OF WAY LINE OF THROUGH HIGHWAY" EXCEPT BY MEANS OF SUCH PUBLIC ROAD CONNECTIONS AS ARE AUTHORIZED BY LAW.

SENT TO RECORD OFFICE May 6 2015
APPROVED BY CHAIRMAN May 6 2015

BOOKS	REVISIONS	PART OF PLATS	LOCATED IN
18888 18885 25010		1836 1837 (REV. 10-18-54) 1951	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. W06365170			

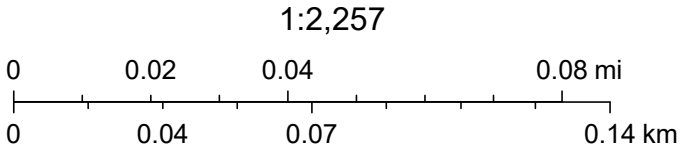
STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION STATE ROADS COMMISSION	
RIGHT OF WAY PROJECT : U.S. 113 (PHASE III) FROM NORTH OF MASSEY BRANCH TO FIVE MILE BRANCH ROAD W0636A31	
RIGHT OF WAY PROJECT NO. FEDERAL AID PROJECT NO. ISSUED February 11, 2015	
SCALE 1"=50'	
PLAT No. 59768	

X=1803820
Y=216533COMPILED BY JEE CHECKED BY JEE SERVER \DIRECTORY\FN.DGN M\SURVEY\A\WORK\M0504A Projects\US113 Plats\Working Plats\preparation\RW-P003 US113.dgn
DRAWN BY S.JONESX=1805368
Y=216101



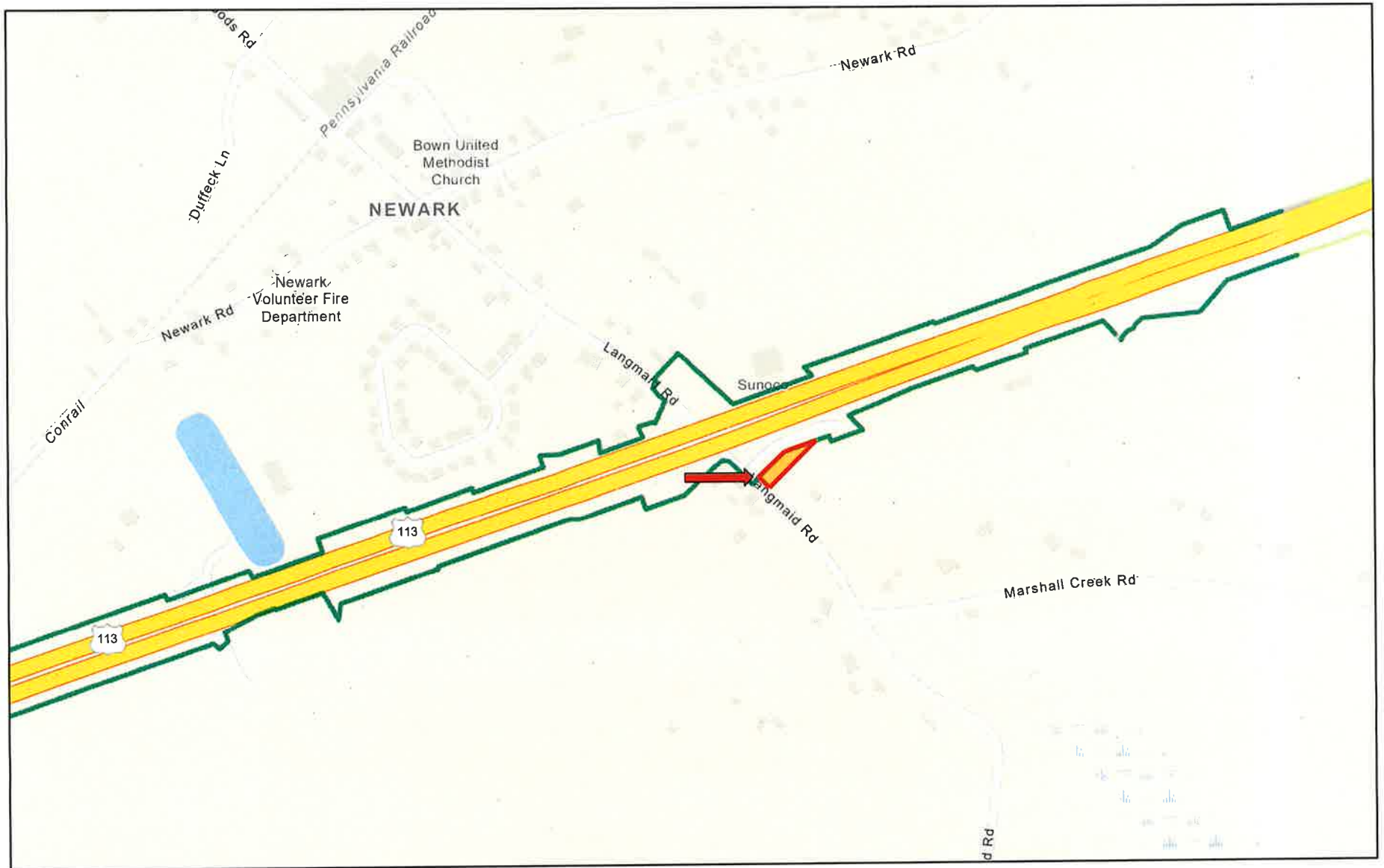
1/22/2026, 11:17:09 AM

County Boundary



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

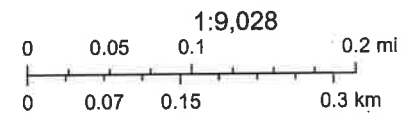
MDOT SHA Parcel Inventory - Undetermined

Right of Way

Surveyed

Marginal

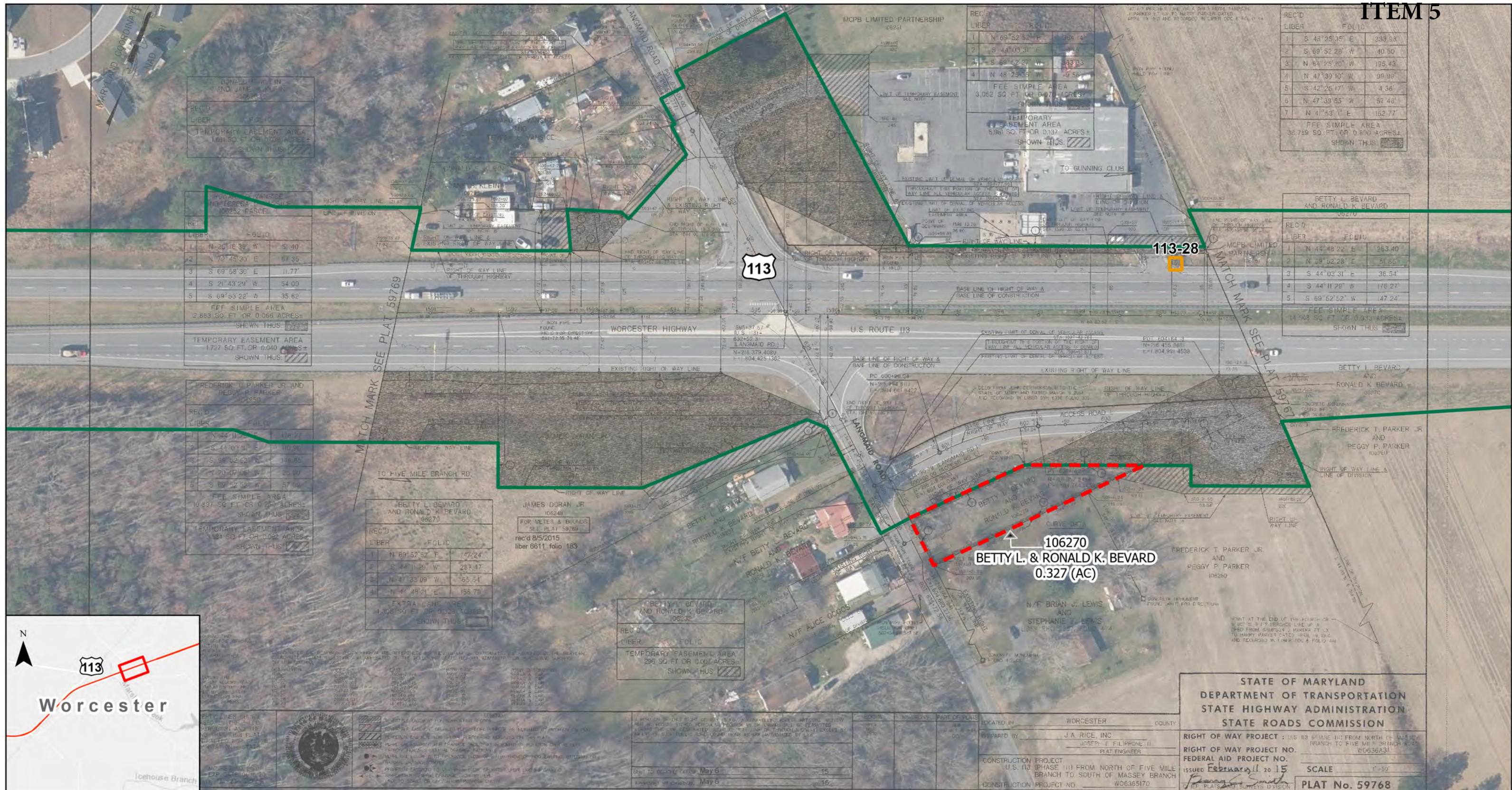
Intermediary



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



Right of Way

— Surveyed

— Intermediary

PSD Control Points

Active Points NAD
83/91

WORCESTER

Request ID: 2585

PSD Job No: 25-0103

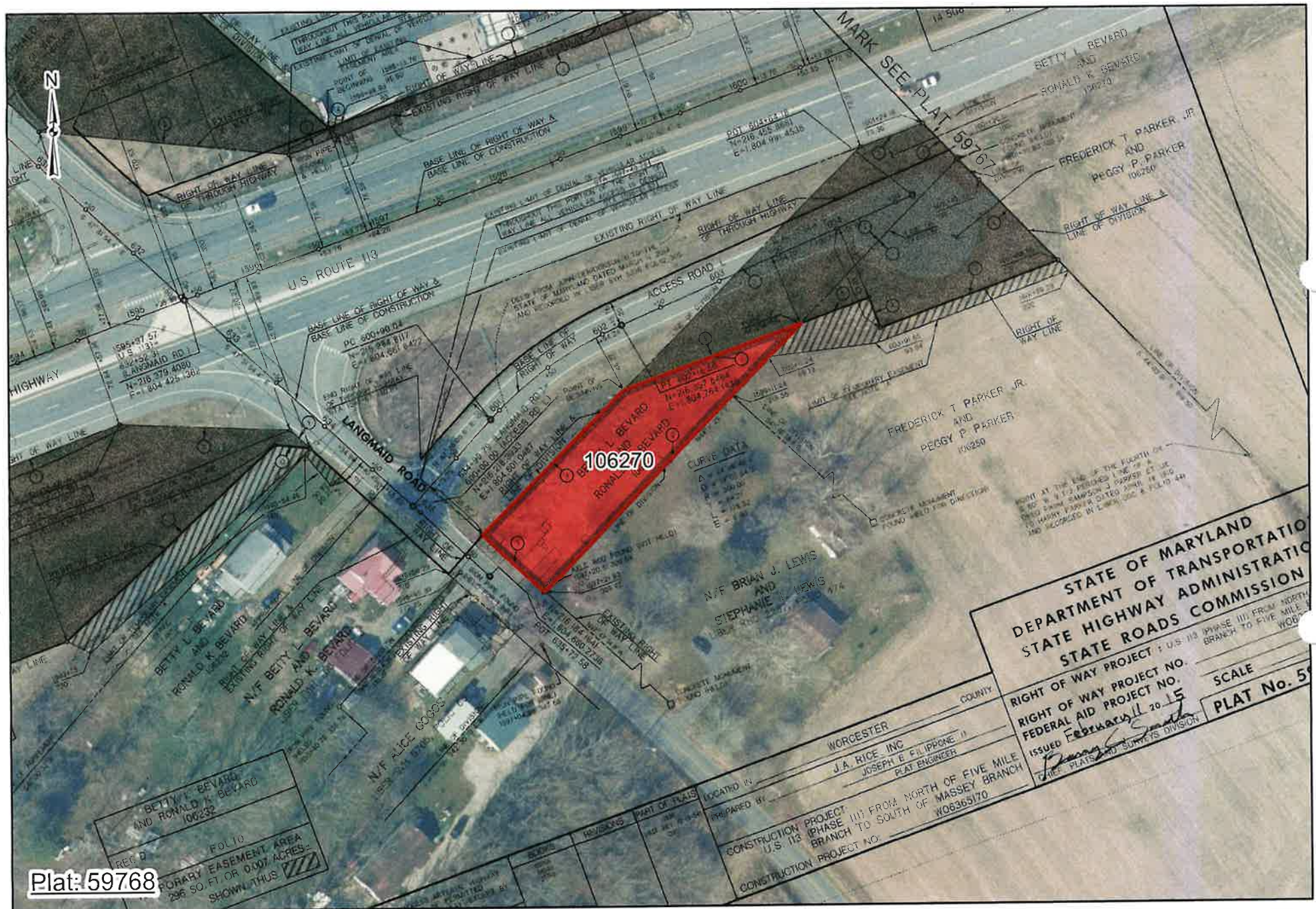
Item No: 106270

Former: BETTY L. & RONALD K. BEVARD

Pat No: 59768

Area (ac): 0.327

US 113





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

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 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 550

Price Per Person \$ 27.00

Subtotal \$ 14,850.00

3% Amusement Tax \$ 445.50

Total \$ 15,295.50

Deposit \$ _____

Total Due \$ 15,295.50

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

Payment due dates as follows:

Amusement Rides 2pm-6pm

Day of Arrival

One round of Treasure Mini Golf

Subtotal is amount due

Pavilion Reserved

*** 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>
Subtotal	\$ <u>22.00</u>
3% Amusement Tax	\$ <u>0.66</u>
Total	\$ <u>22.66</u>
Deposit	\$ <u> </u>
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 than 25 *will still be charged* for 25 passes
- Payment due before or upon arrival.
- We accept Visa, Mastercard and Discover.
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- 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

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



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
S	PB100K	PRICE BOOK LEVEL	2026A Pricebook	0	0
	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
S	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
S	013001	TYPE OF SERVICE	COMMERCIAL	0	0
S	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
S	5050B5	INITIAL REGISTRATION LOCATION	USA REGISTRATION	0	0
	5FFB1X	BRAND ORNAMENT	BULLDOG, CHROME	0	0
S	534014	LANGUAGE-PUBS/DECAL/SIGNS	ENGLISH	0	0
S	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
S	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
S	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
S	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
S	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
S	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

				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
S	8WAAAX	DRIVESHAFT INTERAXLE U-JOINT	HALF-ROUND UNIVERSAL JOINT	0	0
S	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
S	240AA2	FRONT AXLE	18000# (8200 KG) MACK FXL18 STRAIGHT SPINDLE/UNITIZED BEARINGS	325	0
S	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
S	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
S	61500A	FRONT AXLE LUBRICANT	FRONT AXLE LUBE, FAG NLGI2 GREASE	0	0
S	1KAA1X	SHOCK ABSORBERS - FRONT	DOUBLE ACTING TYPE	0	0
S	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
S	6MAA1X	WIDE TRACK AXLE OPTION	W/O WIDE TRACK AXLE	0	0
S	617003	DRIVE AXLE LUBRICANT	DRIVE AXLE LUBE, SHELL 75W90 SYNTHETIC OIL	0	0
S	01800R	CARRIER - REAR AXLE	150/151 SERIES (Tandem Mack Rear Axles up to 150,000lb GCW)	0	0
S	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
S	XYXB1X	TRANSVERSE TORQUE RODS	TRANSVERSE TORQUE ROD (REAR AXLE ONLY)	0	0
S	237037	AUX.SPRING BRAKE QTY	AUX SPRING BRAKE QTY, 4 CHAMBERS	0	20
S	253AA4	BRAKES - REAR	MERITOR "S" CAM 16.5"x7" Q+ (Total for QTY = 2)	0	-35
S	U4XC9X	BRAKE DRUMS - REAR	BRAKE, DRIVE REAR, DRUM LIGHT WEIGHT TRUTURN	0	0
S	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
S	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
S	6980C8	ANTILOCK BRAKE SYSTEM	MACK ROAD STABILITY ADV.BENDIX ABS/ATC/RSA W/YAW CNTRLW/MUD/SNOW SW; REQ-TRUCK APPL 6S6M	0	0
S	URXD1X	AIR SYSTEM VALVE VENDOR	BENDIX SWITCHES AND VALVES WHERE POSSIBLE	0	0
S	H9CA1X	TRACTION CONTROL DISABLE (CA in PC29 only)	AUTOMATIC TRACTION CONTROL (ATC) FULL DISABLE SWITCH	0	0
S	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
S	5CAAAX	BOLT ON FRONT FRAME EXTENSION	6" BOLT ON FRAME EXTENSION	155	-2
S	A0XH1X	FRONT FRAME LENGTH	FRONT FRAME LENGTH 725MM	45	-2
S	281AA5	CROSSMEMBERS	BOC AND INTERMEDIATE(S) STEEL HD BACK-TO-BACK CHANNEL	0	0
S	Q5AA1X	REAR CROSSMEMBER OPTIONS	STEEL CLOSING REAR CROSSMEMBER	-8	49
S	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
S	4ZAAAX	TRUNNION BRACKET	BASIC SOLUTION TRUNNION BRACKET, STD HEIGHT	0	0
S	4EXG1X	TOWING DEVICE, FRONT	HOOKS	0	0
	6PXD1X	TOWING DEVICE, REAR	HOOKS - FRAME MOUNTED	-6	27
S	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
S	290AA1	FUEL TANK - RH	W/O RH FUEL TANK	0	0
	R0AA1X	FUEL TANKS - BRIGHT FINISH	POLISHED ALUMINUM	0	0
S	JHXB1X	FUEL LINE MATERIAL	BRAIDED HOSE	5	3
S	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
S	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
S	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	ECCO BACK-UP ALARM 575 CONSTANT SOUND LEVEL 107 dB	0	3
	EAXB1X	DASH MOUNTED SWITCHES	TWO (2) EXTRA DASH MOUNTED ILLUMINATED SWITCHES	0	0
S	3120A2	ROOF & SIDE MARKER LIGHTS	(5) TRUCKLITE CHROME BULLET ROOF MARKER & STANDARD MARKER / DIRECTIONAL SIGNAL	0	0
S	LJXCAX	HEADLAMP BULB TYPE	HEADLAMP BULB TYPE, LED, HEATED	0	0
	LSXJ1X	DAYTIME RUNNING LIGHTS	W/OVERRIDE SWITCH, PARK BRAKE ACTIVATED	0	0
S	X2AA1X	DRL OVERRIDE SPEED THRESHOLD	DRL OVERRIDE SPEED THRESHOLD 8 KMPH (5 MPH)	0	0
S	NEXC1X	TAIL LAMPS	INCANDESCENT TAIL LAMPS	0	7
	05AGAX	WORK LIGHTS - CHASSIS MOUNTED	RH/LH LED WORK LIGHT (STEPS & GROUND) ON BOTH SIDES TRUCK	3	0

				WEIGHT (LB)	
TRAILER CONNECTIONS		DESCRIPTION		FRONT	REAR
	WGXA1X	HAND CONTROL VALVE	HAND CONTROL VALVE FOR TRAILER BRAKES W/ AIR CONNECTIONS OR SERVICE BRAKES W/O AIR CONNECTIONS	0	0
	WHXQ2X	TRAILER CONNECTIONS	TRAILER AIR BRAKE CONNECTIONS, END OF FRAME	23	23
	321031	TRAILER ELECTRICAL RECEPT	SINGLE 7 PINS STD SAE TYPE, END OF FRAME	0	0
S	3SAZ1X	TRAILER CONNECTORS HOLDER	OMIT TRAILER CONNECTORS HOLDER	3	0

				WEIGHT (LB)	
PTO		DESCRIPTION		FRONT	REAR
	TYXE1X	PTO - CONTROL	TRANSMISSION PTO SWITCH AND LIGHT WITH WIRING AND PIPING FOR LOCAL INSTALLATION	3	0
S	B83083	BODY BUILDER INTERFACE	BODY LINK III W/CAB PASS-THRU	5	5

				WEIGHT (LB)	
SPECIALTY EQUIPMENT		DESCRIPTION		FRONT	REAR
S	MCQ01Q	LANE SUPPORT SYSTEM (LSS)	WITHOUT LANE SUPPORT SYSTEM	0	0
S	2PEZ1X	DATA CAPTURE	WITHOUT DATA CAPTURE	0	0
S	1PAZ1X	SURVEILLANCE CAMERA OPTIONS (CA)	WITHOUT CAMERA	0	0

				WEIGHT (LB)	
CAB INTERIOR (A THRU G)		DESCRIPTION		FRONT	REAR
S	198048	SPEEDOMETER -&- GAUGES - UNIT(S) OF MEASURE	U.S. UNITS (PREDOMINANT)	0	0
	CCXD1X	GAUGE - PACKAGE, SECONDARY	2ND GA PKG W/ENG OIL TEMP, TRANS OIL TEMP, PYRO, BOOST PRESS	0	0
	E1AAAX	GAUGE OIL TEMP-REAR AXLE	REAR AXLE OIL TEMP GAUGE IN DID (DRIVER INFORMATION DISPLAY)	0	0
	I6AA1X	AUX.INCAB PNEUMATIC LINE	AUX. INCAB PNEUMATIC LINE CLEANOUT	0	0
S	4AXC1X	CLIMATE UNIT	ELECTRONIC CONTROLLED CLIMATE CONTROL AIR CONDITION	0	0
S	EEXA1X	CUPHOLDER	CUPHOLDER	0	0
S	I0XAHX	DOME LAMP, INTERIOR	(4) DOME LAMPS - DOOR AND SWITCH ACTIVATED	0	0
S	3XAA1X	DASH INDICATOR - LAMP BODY OUT OF POS	DASH MTD, INDICATOR BODY/HOIST UP "BODYBUILDER LAMP"	0	0
	7860E6	FIRE EXTINGUISHER	5LB (ABC RATED) MOUNTED BETWEEN DRIVER SEAT BASE AND DOOR VALVE AIMED REARWARD	9	0
S	184AA2	FLOOR COVERING	POLYURETHANE FLOOR MAT WITHOUT REMOVABLE INSERTS	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 KEYED 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
S	LXXD1X	HORN - ELECTRICAL	DUAL TONE	5	0
	152AC5	MIRRORS - EXTERIOR	BULLDOG STYLIZED MIRRORS - LH & RH HEATED & MOTORIZED AND ILLUMINATED W/INTEGRAL CONVEX MIRROR	7	0
	157037	SUN VISOR - EXTERIOR	SUN VISOR, EXTERIOR, STAINLESS STEEL (UNPAINTED)	9	0

				WEIGHT (LB)	
AERODYNAMIC DEVICES		DESCRIPTION		FRONT	REAR
S	159AA1	CAB AERODYNAMIC PACKAGES	WITHOUT CAB AERODYNAMIC DEVICES	0	0
S	MCM998	FRONT CHASSIS AERODYNAMIC PACKAGE	WITHOUT FRONT AERODYNAMIC FAIRINGS	0	0

				WEIGHT (LB)	
WHEELS & TIRES		DESCRIPTION		FRONT	REAR
	9004Y0	TIRES BRAND/TYPE - FRONT	315/80R22.5 L BRIDGESTONE M870 (20000 lbs) (Total for QTY = 4)	671	0
	5313F1	WHEELS - FRONT	22.5x9.00 ALCOA 89U64x DURA-BRIGHT POLISHED ALUMINUM, 6.94" OFFSET, 10 HAND HOLE (Total for QTY = 4)	221	0
	9013G1	TIRES BRAND/TYPE - REAR	11R24.5 H BRIDGESTONE M726 ELA (26440 lbs) (DRIVE ONLY) (Total for QTY = 8)	0	1,165
	3463Z6	WHEELS - REAR	24.5x8.25 ALCOA 98U63x POLISHED OUTER W/ DURA-BRIGHT ALUMINUM, 6.60" OFFSET, 10 HAND HOLE (Total for QTY = 8)	0	406
S	15XABX	VALVE STEMS & CAPS	STANDARD VALVE STEMS AND CAPS	0	0
	6VXA4X	SPARE WHEEL	2 SPARE WHEELS AND TIRES (SAME AS FRONT)	0	0
	MCH02H	FRONT HUB/WHEEL TRIM	FRONT HUB TRIM, 1-PIECE COVER, CHROME	3	0
	MCI02I	REAR HUB/WHEEL TRIM	REAR HUB TRIM, 1-PIECE COVER, CHROME (Total for QTY = 2)	0	9
	FIXA1X	WHEEL GUARDS - FRONT	PROTECTIVE NYLON SPACER BETWEEN DISCS WHEEL TO DRUM	3	0
	FMXA1X	WHEEL GUARDS - REAR	PROTECTIVE NYLON SPACER BETWEEN DISCS WHEEL TO DRUM	0	3
S	80AA1X	WHEEL NUT & FINISH - FRONT (CA)	WHEEL NUT BASIC FINISH, FRONT	0	0
S	3PBA1X	WHEEL NUT & FINISH - REAR (CA)	WHEEL NUT BASIC FINISH, REAR	0	0

				WEIGHT (LB)	
COMMUNICATION SYSTEMS		DESCRIPTION		FRONT	REAR
S	3YAA1X	CO-PILOT - DISPLAY FEATURES ACCESS LEVEL	CO-PILOT DISPLAY, DRIVER ACCESS LEVEL 1	0	0
S	M30060	TELEMATIC GATEWAY	TELEMATICS GATEWAY, 4G/LTE AND WLAN SYSTEM WITH DIAGNOSTIC SERVICES	0	0

				WEIGHT (LB)	
ENGINE ELECTRONICS		DESCRIPTION		FRONT	REAR
S	WOXA1X	SHUTDOWN-ENG.OIL PRESSURE	OIL PRESSURE, ENGINE SHUTDOWN	0	0
S	WMXA1X	SHUTDOWN-ENG.COOLANT TEMP	COOLANT TEMP, ENGINE SHUTDOWN	0	0
S	K5XA2X	ENG /OIL TEMP SHUTDOWN	ENGINE PROTECTION (SHUTDOWN)	0	0
	K7XH3X	LOW IDLE ENGINE RPM	IDLE CONTROL, 650 RPM	0	0
S	X0AB0X	IDLE RPM UP W/LOW VOLTAGE	INCREASE 10 MINUTE MAXIMUM TIME	0	0
S	M3CA1X	IDLE S/D ABS TAMPER CHECK	IDLE SHUTDOWN ABS TAMPER CHECK, ENABLED	0	0
S	B1ACAX	IDLE S/D WARNING TIME	30 SEC 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

				WEIGHT (LB)	
BASE WARRANTY & PURCHASED COVERAGES		DESCRIPTION		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
S	M550G7	CARRIER & AXLE HOUSING WARRANTY	STANDARD MACK HEAVY DUTY COVERAGE 60 MONTHS / 500,000 (804,672 KM)	0	0
S	M56026	AIR CONDITIONING WARRANTY	AIR CONDITIONING STANDARD COVERAGE (Sealed System Only) 12 MONTHS UNLIMITED MILEAGE	0	0
S	M57027	CHASSIS TOWING WARRANTY	STANDARD NORMAL / HEAVY DUTY CHASSIS TOWING 90 DAYS OR 5,000 MILES	0	0
S	M58028	ENGINE TOWING WARRANTY	STANDARD MACK ENGINE TOWING COVERAGE 24 MONTHS/250,000 MILES (402,000 KM)	0	0

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

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

FRONT / REAR AXLE WEIGHTS (LB)				10232	8799
TOTAL WEIGHT (LB)				19031	

PRICING SUMMARY

GRANITE 64FR

ITEM 9

Final Unit Sales Price

\$223,065.00

Deal Size (Units)

1

EXTENDED DEAL SALES PRICE

\$223,065.00

Pricing Comments

Mack Truck Sourcewell Contract# 032824-MAK

Customer Sourcewell Contract #21046

WORCESTER COUNTY COMMISSIONERS

DATE

BERGEY'S TRUCKS, INC.

DATE

MACK®



Mack Trucks
www.macktrucks.com

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 identified 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	\$1,936,565.23

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



COMMISSIONERS
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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

April 4, 2013

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

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/ Status	Journal Type	Sub Ledger	G/L Date	Description	Source	Reference	Reclassification Journal Type
1005 - Treasurer	2014-00000619 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			
G/L Date	G/L Account Number	Account Description	Description	Source	Debit Amount	Credit Amount			
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

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

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

CK 410237	16,883
411458	21,694
412822	9498
	<hr/>
	48,075

<48075> 100.1301.200.7130.020
 48075 100. 8300,075

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

<48075> 245.1300.100
 48075 245.6100.190

Snow Hill, MD 21863
Phone: (410) 632-1100 x 1215
Fax: (410) 632-2476
Email: 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
Fax: (410) 632-2476
Email: 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

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.



Re: FW: Worcester County L-GEM AO11 Update

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@worcestermid.gov>

Cc Candace Savage <csavage@worcestermid.gov>; Kimberly Reynolds <kreynolds@worcestermid.gov>; Shelby L. Mich <slmich@worcestermid.gov>; Lynn Wright <lwright@worcestermid.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

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> 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> 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.

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

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From: Lynn Wright <lwright@worcestermd.gov>

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

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

Subject: FW: Worcester County L-GEM AOI1 Update

From: sean.stewart@maryland.gov <sean.stewart@maryland.gov> **On Behalf Of** MSEC MEA - MEA-

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

To: Lynn Wright <lwright@worcestermd.gov>

Cc: Lacey Allor -MEA- <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

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.me@maryland.gov

Office: (410) 537-3414



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



Lacey Allor

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Worcester County Government

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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:

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

By: **Senator Carozza**

Introduced and read first time: February 6, 2026

Assigned to: Finance

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

(b) Each member of the Board shall be:

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

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

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

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

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

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

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

By: **Senator Carozza**

Introduced and read first time: February 6, 2026

Assigned to: Finance

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Alcoholic Beverages and Cannabis

33–102.

This title applies only in Worcester County.

33–902.

(a) There are:

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

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

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

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

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

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

(i) a hotel that:

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

2. provides services ordinarily found in hotels;

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

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

(ii) a restaurant that has:

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

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

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

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

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

(ii) has proper restroom facilities.

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

(i) shall be approved by the Board; and

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

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

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

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

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

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

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

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

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

33-1105.

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

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

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

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

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

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

(1) THE DESIGNATION OF A SPECIAL EVENT AREA;

(2) THE HOURS OF SALE;

(3) AGE VERIFICATION REQUIREMENTS;

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

(5) ADVERTISING, POSTING OF NOTICE, AND PUBLIC HEARING REQUIREMENTS FOR THE TEMPORARY TO-GO EVENT PERMIT.

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

33-1311.

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

(B) THE LICENSE ENTITLES THE LICENSE HOLDER TO ALLOW BEER, WINE, AND LIQUOR SOLD BY A HOLDER OF A TEMPORARY TO-GO EVENT PERMIT UNDER § 33-1105 OF THIS TITLE TO ENTER A DESIGNATED SPECIAL EVENT AREA DESCRIBED 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

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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Environment**[Subtitle 16. Building Energy Performance Standards.]**

[2–1601.

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

(b) (1) “Agricultural building” means a structure that is used primarily to cultivate, manufacture, process, or produce agricultural crops, raw materials, products, or commodities.

(2) “Agricultural building” includes a greenhouse.

(c) “Building” has the meaning stated in the International Building Code.

(d) “Commercial building” means a building that is subject to the commercial provisions of the International Energy Conservation Code.

(e) (1) “Covered building” means a building that:

(i) 1. Is a commercial or multifamily residential building in the State; or

2. Is owned by the State; and

(ii) Has a gross floor area of 35,000 square feet or more, excluding the parking garage area.

(2) “Covered building” does not include:

(i) A building designated as a historic property under federal, State, or local law;

(ii) A public or nonpublic elementary or secondary school building;

(iii) A hospital;

(iv) A manufacturing building; or

(v) An agricultural building.

(f) “Critical infrastructure” has the meaning stated in § 1–101 of the Public Utilities Article.

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

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

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

[2–1602.

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

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

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

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

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

(2) Regulations adopted under this section shall:

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

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

1. Building age;

2. Regional differences;

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

1 4. The use of district energy systems and biofuels by covered
2 buildings;

3 5. Crediting the generation of on-site renewable energy by
4 covered buildings toward their energy use intensity targets;

5 6. Crediting the greenhouse gas reduction impact of the
6 on-site use of biomethane;

7 7. Excluding the energy use and greenhouse gas emissions
8 related to the production of steam for sterilization in a health care facility, laboratory,
9 assisted living and nursing facility, military building, or building used in life sciences; and

10 8. Excluding the energy use and greenhouse gas emissions
11 related to the generation of emergency backup power at a health care facility, laboratory,
12 assisted living and nursing facility, military building, critical infrastructure, or building
13 used in life sciences;

14 (iii) Consider the needs of the owners of covered buildings who:

15 1. Are not responsible for the design, modification, fixtures,
16 or equipment of commercial tenants;

17 2. Do not have access to or control over building energy
18 systems that are used or controlled by commercial tenants; or

19 3. Own buildings occupied by commercial tenants who are
20 responsible for all maintenance of and repairs to the buildings;

21 (iv) Subject to paragraph (3) of this subsection, exempt from energy
22 use intensity targets a covered building that contains an area designed, built, and operated
23 as a permanent sensitive compartmented information facility and is operated by an agency
24 or contractor of:

25 1. The U.S. General Services Administration;

26 2. A. The U.S. Department of Defense;

27 B. The National Security Agency;

28 C. The U.S. Department of Homeland Security; or

29 D. Any other U.S. intelligence agency; or

30 3. The State;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Modifying an adopted building performance standards program.

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

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

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

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

Article – Housing and Community Development

4–211.

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

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

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

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

2. “COVERED BUILDING” DOES NOT INCLUDE:

A. A BUILDING DESIGNATED AS A HISTORIC PROPERTY 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

By: **Delegates Howard and Buckel**

Introduced and read first time: February 9, 2026

Assigned to: Environment and Transportation

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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Environment

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

2–1501.

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

(b) “Fund” means the Zero–Emission Vehicle **AND PROPANE–POWERED** School Bus Transition Fund.

(c) “Program” means the Zero–Emission Vehicle **AND PROPANE–POWERED** School Bus Transition Grant Program.

(d) “Zero–emission vehicle” has the meaning stated in § 23–206.4 of the Transportation Article.

2–1502.

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

2–1503.

(a) There is a Zero–Emission Vehicle **AND PROPANE–POWERED** School Bus Transition Grant Program in the State.

(b) The purpose of the Program is to provide grants to county boards of education and entities that contract with county boards to provide transportation services to:

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

(I) **ZERO–EMISSION** vehicles; **OR**

(II) **PROPANE–POWERED**;

(2) Install electric vehicle infrastructure for charging school buses that are zero–emission vehicles;

(3) Engage in planning for a transition to using school buses that are zero–emission vehicles; and

(4) Fund pilot programs to experiment with a transition to school buses that are zero–emission vehicles.

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

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

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

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

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

(e) The Department may adopt regulations to implement this section.
2-1504.

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

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

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

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

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

(e) The Fund consists of:

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

(2) Interest earnings of the Fund;

(3) Donations;

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

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

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

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

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

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

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

2–1505.

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

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

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

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

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

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

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

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

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

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

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

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

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

Article – State Finance and Procurement

6–226.

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

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

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

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

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

SENATE BILL 719

M3

6lr2034
CF HB 925

By: **Senators Love and Hester**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 9–250

Annotated Code of Maryland

(2014 Replacement Volume and 2025 Supplement)

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

Article – Environment

9–201.

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

(k) “Sewage” means[:

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

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

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

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

(2) “Sewage sludge generator” includes:

(i) The Washington Suburban Sanitary Commission; and

(ii) The Maryland Environmental Service.

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

9–230.

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

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

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

- (1) Alternative utilization methods;
- (2) Pathogen control;
- (3) Advertising requirements for public hearings and public information meetings;
- (4) Performance bonds, liability insurance, or other forms of security;
- (5) Procedures for notifying units of local government and other interested parties; and
- (6) Adequate standards for transporting sewage sludge, including requirements for enclosing or covering sewage sludge during transportation.

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

- (1) Methods for calculating loading rates that:
 - (i) Will assure nondegradation of the groundwater supply; and
 - (ii) For agricultural land, shall be limited by the nutrient requirements of crop or cover vegetation, as recommended by the Department of Agriculture;
- (2) The crops that are to be grown on land on which sewage sludge may be applied;
- (3) The nature of any nearby surface water or groundwater;
- (4) The character of any affected area;
- (5) The character of nearby existing or planned land uses and transport routes;
- (6) The nearness of the land on which sewage sludge may be applied to sensitive areas, including flood plains, wetlands, and areas of critical concern;
- (7) The definitions of:
 - (i) Sewage sludge that is unsuitable for application to agricultural land;

(ii) Agricultural land;

(iii) Marginal land; and

(iv) Compost;

(8) Acceptable cumulative loading rates, including rates for nitrogen and heavy metals;

(9) Special requirements of land used for producing tobacco; and

(10) Reasonable buffer areas to separate any home or other property from land on which sewage sludge may be applied.

(d) (1) The Department shall adopt regulations to establish a mechanism for determining annual generator's fees.

(2) The regulations shall provide for public input into the development of fee schedules.

(3) The fee schedules shall take into account:

(i) The volume of sewage sludge generated by a sewage sludge generator;

(ii) The method by which the sewage sludge is utilized;

(iii) The anticipated costs of monitoring and regulating sewage sludge utilization sites;

(iv) The anticipated needs of the State's sewage sludge regulation program; and

(v) The potential hazard of the sewage sludge generator's activities to public health, safety, or welfare or to the environment.

9-250.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CONCENTRATION OF REGULATED PFAS" MEANS THE TOTAL CONCENTRATION, AS MEASURED IN ACCORDANCE WITH MONITORING PROTOCOLS ESTABLISHED UNDER SUBSECTION (G) OF THIS SECTION, OF THE FOLLOWING 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.**

(II) THE ELEMENTS AND STRATEGIES IDENTIFIED IN A MITIGATION PLAN DEVELOPED UNDER THIS SUBSECTION MAY INCLUDE:

1. THE EXERCISE OF PRETREATMENT CONTROL AUTHORITIES IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION TO REDUCE LOADING FROM INDUSTRIAL USERS;

2. THE INSTALLATION OF TREATMENT SOLUTIONS AT POINTS OF ENTRY OR CONCENTRATION IN THE SANITARY SEWER SYSTEMS THAT CONTAIN SIGNIFICANT LEVELS OF PFOS OR PFOA; OR

3. THE INSTALLATION OF SYSTEM-SCALE TREATMENT SOLUTIONS TO REDUCE THE TOTAL CONCENTRATION OF REGULATED PFAS TO LEVELS BELOW 25 PARTS PER BILLION.

(III) IF, DURING THE MONITORING PERIOD FOR WHICH THE TOTAL CONCENTRATION OF PFAS WAS DETERMINED TO BE EQUAL TO OR GREATER THAN 25 PARTS PER BILLION, THE INDIVIDUAL SAMPLES WERE WITHIN THE MARGIN OF ERROR OR DETECTION LIMIT FOR THE LABORATORY PERFORMING THE SAMPLE ANALYSIS, THE MITIGATION PLAN SHALL INCLUDE ADDITIONAL TESTING REQUIREMENTS AND TIMELINES DEVELOPED IN CONSULTATION WITH THE DEPARTMENT.

(5) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A SEWAGE SLUDGE GENERATOR SHALL SUBMIT A MITIGATION PLAN REQUIRED UNDER THIS SUBSECTION TO THE DEPARTMENT WITHIN 6 MONTHS AFTER COMPLETION OF THE SOURCE TRACKING STUDY REQUIRED UNDER THIS SUBSECTION.

(II) A SEWAGE SLUDGE GENERATOR MAY REQUEST AND THE DEPARTMENT MAY GRANT A SINGLE EXTENSION ON THE DEVELOPMENT AND SUBMISSION OF A MITIGATION PLAN UNDER THIS SUBSECTION BASED ON:

1. EXIGENT CIRCUMSTANCES; OR

2. CONSIDERATIONS RELATED TO THE INVESTIGATION AND DESIGN OF MANAGEMENT APPROACHES OR TREATMENT OPTIONS.

(6) (I) THE DEPARTMENT SHALL REVIEW EACH MITIGATION PLAN SUBMITTED UNDER THIS SUBSECTION AND MAY APPROVE, DENY, OR SUGGEST 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

By: Delegates Allen, Behler, and Stewart

Introduced and read first time: February 4, 2026

Assigned to: Economic Matters

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) Except as provided in this section, this division does not apply to charter counties.

(b) The following provisions of this division apply to a charter county:

(1) this subtitle, including Parts II and III (Charter county – Comprehensive plans);

(2) § 1–101(l), (m), and (o) (Definitions – “Plan”, “Priority funding area”, and “Sensitive area”);

(3) § 1–201 (Visions);

(4) § 1–206 (Required education);

(5) § 1–207 (Annual report – In general);

(6) § 1–208 (Annual report – Measures and indicators);

(7) Title 1, Subtitle 3 (Consistency);

(8) Title 1, Subtitle 5 (Growth Tiers);

(9) § 4–104(c) (Limitations – Bicycle parking);

(10) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

(11) § 4–208 (Exceptions – Maryland Accessibility Code);

(12) § 4–210 (Permits and variances – Solar panels);

(13) § 4–211 (Change in zoning classification – Energy generating systems);

(14) § 4–212 (Agritourism);

(15) § 4–213 (Alcohol production);

(16) § 4–214 (Agricultural alcohol production);

(17) § 4–215 (Pollinator–friendly vegetation management);

(18) § 4–216 (Limitations – Family child care homes and large family child care homes);

(19) Title 4, Subtitle 5 (Accessory Dwelling Units);

(20) **TITLE 4, SUBTITLE 6 (MIDDLE HOUSING);**

(21) § 5–102(d) (Subdivision regulations – Burial sites);

[(21)] (22) § 5–104 (Major subdivision – Review);

[(22)] (23) Title 7, Subtitle 1 (Development Mechanisms);

[(23)] (24) Title 7, Subtitle 2 (Transfer of Development Rights);

[(24)] (25) except in Montgomery County or Prince George’s County, Title 7, Subtitle 3 (Development Rights and Responsibilities Agreements);

[(25)] (26) Title 7, Subtitle 4 (Inclusionary Zoning);

[(26)] (27) Title 7, Subtitle 5 (Housing Expansion and Affordability);

[(27)] (28) § 8–401 (Conversion of overhead facilities);

[(28)] (29) for Baltimore County only, Title 9, Subtitle 3 (Single–County Provisions – Baltimore County);

[(29)] (30) for Frederick County only, Title 9, Subtitle 10 (Single–County Provisions – Frederick County);

[(30)] (31) for Howard County only, Title 9, Subtitle 13 (Single–County Provisions – Howard County);

[(31)] (32) for Talbot County only, Title 9, Subtitle 18 (Single–County Provisions – Talbot County); and

[(32)] (33) Title 11, Subtitle 2 (Civil Penalty).

(c) This section supersedes any inconsistent provision of Division II of this article. 1–407.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Affirmatively further fair housing” has the meaning stated in § 2–401 of the Housing and Community Development Article.

(3) “Area median income” has the meaning stated in § 4–1801 of the Housing and Community Development Article.

(4) “Low–income housing” means housing that is affordable for a household with an aggregate annual income that is below 60% of the area median income.

(5) “Workforce housing” has the meaning stated in § 4–1801 of the Housing and Community Development Article.

(b) A housing element may include goals, objectives, policies, plans, and standards.

(c) A housing element shall address the need for affordable housing within the county, including:

(1) workforce housing; and

(2) low-income housing.

(d) (1) A county has a duty to affirmatively further fair housing through the county’s housing and urban development programs.

(2) The housing element of a comprehensive plan that is enacted or amended on or after January 1, 2025, shall include an assessment of fair housing to ensure that the county is affirmatively furthering fair housing.

(3) On request of a county, the Department of Planning, in consultation with the Department of Housing and Community Development, shall provide technical assistance for the purpose of developing the housing element of the comprehensive plan.

(4) This subsection does not require a county to take, or prohibit a county from taking, a specific action to affirmatively further fair housing.

(E) (1) A COUNTY HAS AN AFFIRMATIVE DUTY TO CREATE OPPORTUNITIES FOR HOUSING BY EVALUATING THE SUITABILITY OF VACANT, UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING USE.

(2) THE HOUSING ELEMENT OF A COMPREHENSIVE PLAN THAT IS ENACTED OR AMENDED ON OR AFTER JANUARY 1, 2027, SHALL INCLUDE:

(I) AN ASSESSMENT OF THE SUITABILITY OF ALL VACANT, UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING USE TO CREATE OPPORTUNITIES FOR MORE HOUSING IN AREAS SERVED BY EXISTING PUBLIC WATER AND SEWER SYSTEMS; AND

(II) RECOMMENDATIONS TO ALTER LOCAL LAWS AS NECESSARY TO AUTHORIZE HOUSING USE ON VACANT, UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND THAT IS SUITABLE FOR HOUSING USE.

(a) (1) In this section the following words have the meanings indicated.

(2) “Affirmatively further fair housing” has the meaning stated in § 2–401 of the Housing and Community Development Article.

(3) “Area median income” has the meaning stated in § 4–1801 of the Housing and Community Development Article.

(4) “Low–income housing” means housing that is affordable for a household with an aggregate annual income that is below 60% of the area median income.

(5) “Workforce housing” has the meaning stated in § 4–1801 of the Housing and Community Development Article.

(b) A housing element may include goals, objectives, policies, plans, and standards.

(c) A housing element shall address the need for affordable housing within the local jurisdiction, including:

(1) workforce housing; and

(2) low–income housing.

(d) (1) Local jurisdictions have a duty to affirmatively further fair housing through their housing and urban development programs.

(2) The housing element of a comprehensive plan that is enacted or amended on or after January 1, 2023, shall include an assessment of fair housing to ensure that the local jurisdiction is affirmatively furthering fair housing.

(3) On request of a local jurisdiction, the Department of Planning, in consultation with the Department of Housing and Community Development, shall provide technical assistance for the purpose of developing the housing element of the comprehensive plan.

(4) This subsection does not require a local jurisdiction to take, or prohibit a local jurisdiction from taking, a specific action to affirmatively further fair housing.

(E) (1) LOCAL JURISDICTIONS HAVE AN AFFIRMATIVE DUTY TO CREATE OPPORTUNITIES FOR HOUSING BY EVALUATING THE SUITABILITY OF VACANT, UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING USE.

(2) THE HOUSING ELEMENT OF A COMPREHENSIVE PLAN THAT IS ENACTED OR AMENDED ON OR AFTER JANUARY 1, 2027, SHALL INCLUDE:

(I) AN ASSESSMENT OF THE SUITABILITY OF ALL VACANT, UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING USE TO CREATE OPPORTUNITIES FOR MORE HOUSING IN AREAS SERVED BY EXISTING PUBLIC WATER AND SEWER SYSTEMS; AND

(II) RECOMMENDATIONS TO ALTER LOCAL LAWS AS NECESSARY TO AUTHORIZE HOUSING USE ON VACANT, UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND THAT IS SUITABLE FOR HOUSING USE.

SUBTITLE 6. MIDDLE HOUSING.

4-601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “COTTAGE CLUSTER” MEANS A GROUPING, INCLUDING A COMMON COURTYARD, OF AT LEAST FOUR DETACHED DWELLING UNITS PER ACRE THAT HAVE A FOOTPRINT OF LESS THAN 900 SQUARE FEET.

(C) “DWELLING UNIT” MEANS A SINGLE UNIT PROVIDING COMPLETE, INDEPENDENT LIVING FACILITIES FOR AT LEAST ONE INDIVIDUAL THAT INCLUDES PERMANENT PROVISIONS FOR SANITATION, COOKING, EATING, AND SLEEPING.

(D) “MIDDLE HOUSING” MEANS:

(1) A DUPLEX;

(2) A TRIPLEX;

(3) A QUADPLEX;

(4) A COTTAGE CLUSTER; OR

(5) A TOWN HOUSE.

(E) “TOWN HOUSE” MEANS A DWELLING UNIT THAT IS PART OF A GROUPING OF AT LEAST THREE DWELLING UNITS CONSTRUCTED IN A ROW, WHERE EACH DWELLING UNIT:

(1) IS LOCATED ON AN INDIVIDUAL LOT OR PARCEL; AND

(2) HAS AT LEAST ONE COMMON WALL WITH AN ADJACENT DWELLING UNIT.

(F) (1) “UNREASONABLE LIMITATION” INCLUDES A LIMITATION THAT PROHIBITS, EXPLICITLY OR BY EFFECT, THE DEVELOPMENT OF MIDDLE HOUSING.

(2) “UNREASONABLE LIMITATION” DOES NOT INCLUDE A LIMITATION ON THE SHORT-TERM RENTAL OF A MIDDLE HOUSING UNIT.

(G) “ZONING ADMINISTRATOR” MEANS A LOCAL GOVERNMENTAL UNIT THAT IS RESPONSIBLE FOR REVIEWING DEVELOPMENT PLANS AND PERMIT APPLICATIONS FOR CONSISTENCY WITH LOCAL ZONING ORDINANCES.

4-602.

THIS SUBTITLE APPLIES ONLY TO THE DEVELOPMENT OF MIDDLE HOUSING ON LAND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE.

4-603.

(A) IT IS THE POLICY OF THE STATE TO PROMOTE AND ENCOURAGE BUILDING MIDDLE HOUSING UNITS ON LAND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE TO MEET THE HOUSING NEEDS OF THE STATE.

(B) (1) EXCEPT AS PROVIDED IN THIS SUBTITLE AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE DOES NOT ALTER OR ABROGATE ANY ZONING POWER OR RELATED AUTHORITY GRANTED TO A LOCAL JURISDICTION UNDER THIS TITLE.

(2) LOCAL JURISDICTIONS SHALL ESTABLISH POLICIES THAT FURTHER THE INTENT OF THIS SUBTITLE.

4-604.

(A) THIS SECTION DOES NOT APPLY TO A RESTRICTION ON USE ON HISTORIC PROPERTY THAT IS LISTED IN OR DETERMINED BY THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST TO BE ELIGIBLE FOR INCLUSION IN THE MARYLAND REGISTER OF HISTORIC PROPERTIES.

(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, EACH LOCAL JURISDICTION WITH LOCAL ZONING AUTHORITY SHALL BY LOCAL LAW ALLOW, BY RIGHT, MIDDLE HOUSING ON:

(1) ANY INDIVIDUAL LOT, EXISTING BEFORE JANUARY 1, 2015, THAT:

(I) IS LOCATED IN A ZONING DISTRICT THAT ALLOWS CONSTRUCTION OF SINGLE-FAMILY DETACHED DWELLING UNITS; AND

(II) IS VACANT; AND

(2) AT LEAST 25% OF THE LOTS IN ANY NEW RESIDENTIAL SUBDIVISION WITH AT LEAST 20 LOTS FOR SINGLE-FAMILY DWELLING UNITS.

(C) (1) A LOCAL LAW ADOPTED UNDER THIS SECTION SHALL:

(I) REQUIRE FRONT, SIDE, AND REAR SETBACKS THAT ARE NOT GREATER THAN THE SETBACKS REQUIRED FOR A SINGLE-FAMILY DETACHED DWELLING UNIT IN THE SAME ZONING DISTRICT;

(II) EXEMPT MIDDLE HOUSING FROM MINIMUM LOT SIZE REQUIREMENTS;

(III) LIMIT MIDDLE HOUSING TO LOCATIONS SERVED BY PUBLIC WATER AND SEWER SYSTEMS;

(IV) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, IF THE ZONING ADMINISTRATOR DETERMINES THAT ADEQUATE ON-STREET PARKING EXISTS FOR THE PROPOSED MIDDLE HOUSING UNITS, REQUIRE NOT MORE THAN ONE OFF-STREET PARKING SPACE FOR EACH MIDDLE HOUSING UNIT;

(V) PROVIDE THAT A MIDDLE HOUSING ZONING OR BUILDING APPLICATION IS SUBJECT TO THE SAME REVIEW AND APPROVAL PROCEDURES REQUIRED FOR A COMPARABLE SINGLE-FAMILY DETACHED RESIDENTIAL USE APPLICATION; AND

(VI) REQUIRE THAT MIDDLE HOUSING MEET PUBLIC HEALTH, SAFETY, AND WELFARE STANDARDS, INCLUDING RELEVANT BUILDING CODES.

(2) A LOCAL LAW ADOPTED UNDER THIS SECTION MAY REQUIRE MIDDLE HOUSING TO MEET RELEVANT ADEQUATE PUBLIC FACILITIES 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);

(9) Title 1, Subtitle 4, Parts II and III (Home Rule Counties – Comprehensive Plans; Implementation);

(10) § 4–104(c) (Limitations – Bicycle parking);

(11) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

(12) § 4–205 (Administrative adjustments);

(13) § 4–208 (Exceptions – Maryland Accessibility Code);

(14) § 4–210 (Permits and variances – Solar panels);

(15) § 4–211 (Change in zoning classification – Energy generating systems);

(16) § 4–215 (Pollinator–friendly vegetation management);

(17) § 4–216 (Limitations – Family child care homes and large family child care homes);

(18) Title 4, Subtitle 5 (Accessory Dwelling Units);

(19) **TITLE 4, SUBTITLE 6 (MIDDLE HOUSING);**

(20) § 5–102(d) (Subdivision regulations – Burial sites);

[(20)] (21) Title 7, Subtitle 1 (Development Mechanisms);

[(21)] (22) Title 7, Subtitle 2 (Transfer of Development Rights);

[(22)] (23) Title 7, Subtitle 3 (Development Rights and Responsibilities Agreements);

[(23)] (24) Title 7, Subtitle 4 (Inclusionary Zoning);

[(24)] (25) Title 7, Subtitle 5 (Housing Expansion and Affordability); and

[(25)] (26) Title 11, Subtitle 2 (Civil Penalty).

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2027.

HOUSE BILL 905

P2, P1, Q3

6lr3147
CF SB 547

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

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

Article – State Finance and Procurement

1–101.

(a) In this Division I of this article the following words have the meanings indicated.

(b) “County” means a county of the State and, unless expressly provided otherwise, Baltimore City.

(d) “Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.

(e) “State” means:

(1) a state, possession, or territory of the United States;

(2) the District of Columbia; or

(3) the Commonwealth of Puerto Rico.

7–407.

(A) IN THIS SECTION, “UNIT” MEANS A UNIT OF STATE, COUNTY, OR MUNICIPAL GOVERNMENT.

(B) ON OR BEFORE OCTOBER 15 EACH YEAR, A UNIT OR A PERSON THAT RECEIVES FUNDING FROM THE STATE OPERATING OR CAPITAL BUDGET FOR THE MOST RECENTLY COMPLETED FISCAL YEAR SHALL REPORT TO THE COMPTROLLER THE FOLLOWING INFORMATION ON THE USE OF THE FUNDING:

(1) A DESCRIPTION OF THE PURPOSE FOR WHICH THE FUNDING WAS PROVIDED; AND

(2) THE NAME OF ANY ENTITY, CONTRACTOR, OR SUBCONTRACTOR THAT RECEIVES ANY OF THE FUNDING TO PERFORM WORK ON BEHALF OF THE UNIT OR PERSON, INCLUDING:

(I) THE ADDRESS OF THE CONTRACTOR AND ANY
SUBCONTRACTOR THE CONTRACTOR HIRES;

(II) THE NUMBER OF EMPLOYEES EACH CONTRACTOR OR
SUBCONTRACTOR EMPLOYS;

(III) THE ADDRESS WHERE THE WORK IS PERFORMED; AND

(IV) WHETHER THE CONTRACTOR OR SUBCONTRACTOR IS A
CERTIFIED MINORITY BUSINESS ENTERPRISE UNDER TITLE 14, SUBTITLE 3 OF THIS
ARTICLE.

(C) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COMPTROLLER SHALL
CONSOLIDATE AND SUMMARIZE THE INFORMATION RECEIVED UNDER SUBSECTION
(B) OF THIS SECTION AND § 10-826 OF THE TAX – GENERAL ARTICLE AND REPORT
TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE
GOVERNMENT ARTICLE, ON THE USE OF STATE FUNDING, INCLUDING A SUMMARY
BY UNIT OR PERSON THAT IDENTIFIES:

(1) THE PERCENTAGE OF OUT-OF-STATE AND IN-STATE
CONTRACTORS OR SUBCONTRACTORS;

(2) THE AVERAGE SIZE, BY EMPLOYEE, OF THE CONTRACTOR OR
SUBCONTRACTOR; AND

(3) THE PERCENTAGE OF CONTRACTORS OR SUBCONTRACTORS THAT
ARE CERTIFIED MINORITY BUSINESS ENTERPRISES UNDER TITLE 14, SUBTITLE 3
OF THIS ARTICLE.

Article – Tax – General

10-826.

(A) THIS SECTION APPLIES TO AN INDIVIDUAL OR CORPORATION THAT
RECEIVES A PAYMENT FROM A UNIT OF STATE, COUNTY, OR MUNICIPAL
GOVERNMENT FOR PROVIDING GOODS OR SERVICES TO THE UNIT AND IS REQUIRED
TO FILE A RETURN OR DECLARATION UNDER PART II OF THIS SUBTITLE.

(B) AN INDIVIDUAL OR CORPORATION SHALL INCLUDE THE FOLLOWING
INFORMATION ON THE RETURN OR DECLARATION:

(1) A DESCRIPTION OF THE GOODS OR SERVICES THE INDIVIDUAL OR
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.



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

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

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WESTON S. YOUNG, PE.
CHIEF ADMINISTRATIVE OFFICER
CANDACE I. SAVAGE, CGFM
DEPUTY CHIEF ADMINISTRATIVE OFFICER

ROSCOE R. LESLIE
COUNTY ATTORNEY

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: 11/3 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)

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 Resigned
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)

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>
<u>At-Large Members</u>		
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
<u>Ex-Officio Members</u>		
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 Lamberton (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 Lamberton	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 31st

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 Alphonsi	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 ^c	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 ^c	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 ^c	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 ^c (09-10)
Mark Wittmyer ^c (09-11)
John Salm ^c (09-12)
Mike Pruitt ^c (09-12)
Norman H. Conway ^c (09-14)
Michael McDermott (10-14)
Diana Purnell ^c (09-14)
Linda Dearing (11-15)
Todd Ferrante ^c (09-16)

Since 2009

Joe Cavilla (12-17)
James N. Mathias, Jr. ^c (09-18)
Ron Taylor ^c (09-14)
James Rosenberg (09-19)
Rod Murray ^c (*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
^c = 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

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 ^c (93-96)	Andrew Delcorro (*14-19)
John Mick ^c (93-95)	
Frank Gunion ^c (93-96)	
Carolyn Cummins (95-99)	
Roger Horth (96-04)	
Whaley Brittingham ^c (93-13)	
Ralph Giove ^c (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 (3rd 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 Termed Out
Jocelyn Briddell	At-Large	Berlin	23-26
Laura Morrison	At-Large	Pocomoke	*19-20-23-26 Resigned
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	*19-21-24-27 Resigned
Michelle Goad	D-1, Abbott	Pocomoke City	25-28 - Dismissal
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 ^c (95-97)	Marie Velong ^c (95-99)	Christine Selzer (03)
Helen Henson ^c (95-97)	Carole P. Voss (98-00)	Linda C. Busick (00-03)
Barbara Beaubien ^c (95-97)	Martha Bennett (97-00)	Gloria Bassich (98-03)
Sandy Wilkinson ^c (95-97)	Patricia Ilczuk-Lavanceau (98-99)	Carolyn Porter (01-04)
Helen Fisher ^c (95-98)	Lil Wilkinson (00-01)	Martha Pusey (97-03)
Bernard Bond ^c (95-98)	Diana Purnell ^c (95-01)	Teole Brittingham (97-04)
Jo Campbell ^c (95-98)	Colleen McGuire (99-01)	Catherine W. Stevens (02-04)
Karen Holck ^c (95-98)	Wendy Boggs McGill (00-02)	Hattie Beckwith (00-04)
Judy Boggs ^c (95-98)	Lynne Boyd (98-01)	Mary Ann Bennett (98-04)
Mary Elizabeth Fears ^c (95-98)	Barbara Trader ^c (95-02)	Rita Vaeth (03-04)
Pamela McCabe ^c (95-98)	Heather Cook (01-02)	
Teresa Hammerbacher ^c (95-98)	Vyoletus Ayres (98-03)	
Bonnie Platter (98-00)	Terri Taylor (01-03)	

* = Appointed to fill an unexpired term

^c = 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

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 valid.saffouri@maryland.gov.

Sincerely,

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 ⁽¹⁾ (Pounds/month)	Year-to-date Cumulative TN Loading ⁽²⁾ YTD (Pounds)	Monthly TP Average Concentration (mg/L)	Monthly TP Loading Rate ⁽¹⁾ (Pounds/month)	Year-to-date Cumulative TP Loading ⁽²⁾ YTD (Pounds)	Monthly TSS Average Concentration (mg/L)	Monthly TSS Loading Rate ⁽¹⁾ (Pounds/month)	Year-to-date Cumulative TSS Loading ⁽²⁾ 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) ⁽³⁾		301.385									
Annual average TN, TP and TSS concentrations, (mg/L) = Total Annual Load / (Total Annual Flow x 8.34)		3.6	<---No TN Floating Cap Limit		0.3	<---No TP Floating Cap Limit		1.6			
WASTE LOADING		POLLUTANT									
		TN		TP		TSS					
Pollutant's Total Annual Load in Effluent discharged from Facility (Pounds) ⁽⁴⁾		9068		744		4102					
Maximum Allowable Annual Loading Rate (Pounds/Year) ⁽⁵⁾		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 _N (mg/L) = 0.0	L _N (Pounds/Year) ⁽⁶⁾ = N/A	C _P (mg/L) = 0.00	L _P (Pounds/Year) ⁽⁶⁾ = N/A	TSS (mg/L) = N/A	Load Limit (Pounds/Year) = N/A				
⁽¹⁾ Monthly Loading Rate (Pounds/Month) = Total Monthly Flow (MG) x Monthly Average Concentration (mg/L) x 8.34 ⁽²⁾ Year-to-date Cumulative Load (Pounds) = Sum of Total Monthly Loadings from January to the reporting month ⁽³⁾ Total Yearly Effluent Flow = Sum of total monthly flows from January through December ⁽⁴⁾ Total Annual Load (in Pounds) = Year-to-date cumulative load for month of December											

Calculation Form for TN, TP and TSS Annual Loads

⁽⁵⁾ Maximum allowable annual loading rate is equal to the lower of the TMDL/Tributary Strategy-based or Concentration-based annual maximum loading rate limits.

⁽⁶⁾ 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
410-537-3757 (O)
[Website](#) | [Facebook](#) | [Twitter](#)

On Tue, Jun 10, 2025 at 11:40 AM Dallas Baker <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



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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).¹ 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.

¹ 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).

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.² 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>
2022	2.8 mg/L	0.32 mg/L
2023	2.2 mg/L	0.2 mg/L
2024	2.4 mg/L	0.2 mg/L

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>
March	5.31 mg/L	0.5 mg/L
April	1.83 mg/L	0.18 mg/L
May	2.13 mg/L	0.17 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.

Again, we are confident the Plant will perform well throughout the end of 2025.

² A copy of the correspondence between MDE and the County is attached as Attachment A.

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 ³	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.

³ 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

Anthony G. Brown
 Lieutenant Governor

Robert M. Summers, Ph.D.
 Secretary

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.

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



MARYLAND DEPARTMENT OF THE ENVIRONMENT
 1800 Washington Boulevard • Baltimore MD 21230
 410-537-3000 • 1-800-633-6101

Martin O'Malley
 Governor

Anthony G. Brown
 Lieutenant Governor

Robert M. Summers, Ph.D.
 Secretary

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MAY 22 2012

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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:

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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.
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The Honorable James C. Church
Page 2

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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.

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



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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THE WORCESTER COUNTY COMMISSIONERS

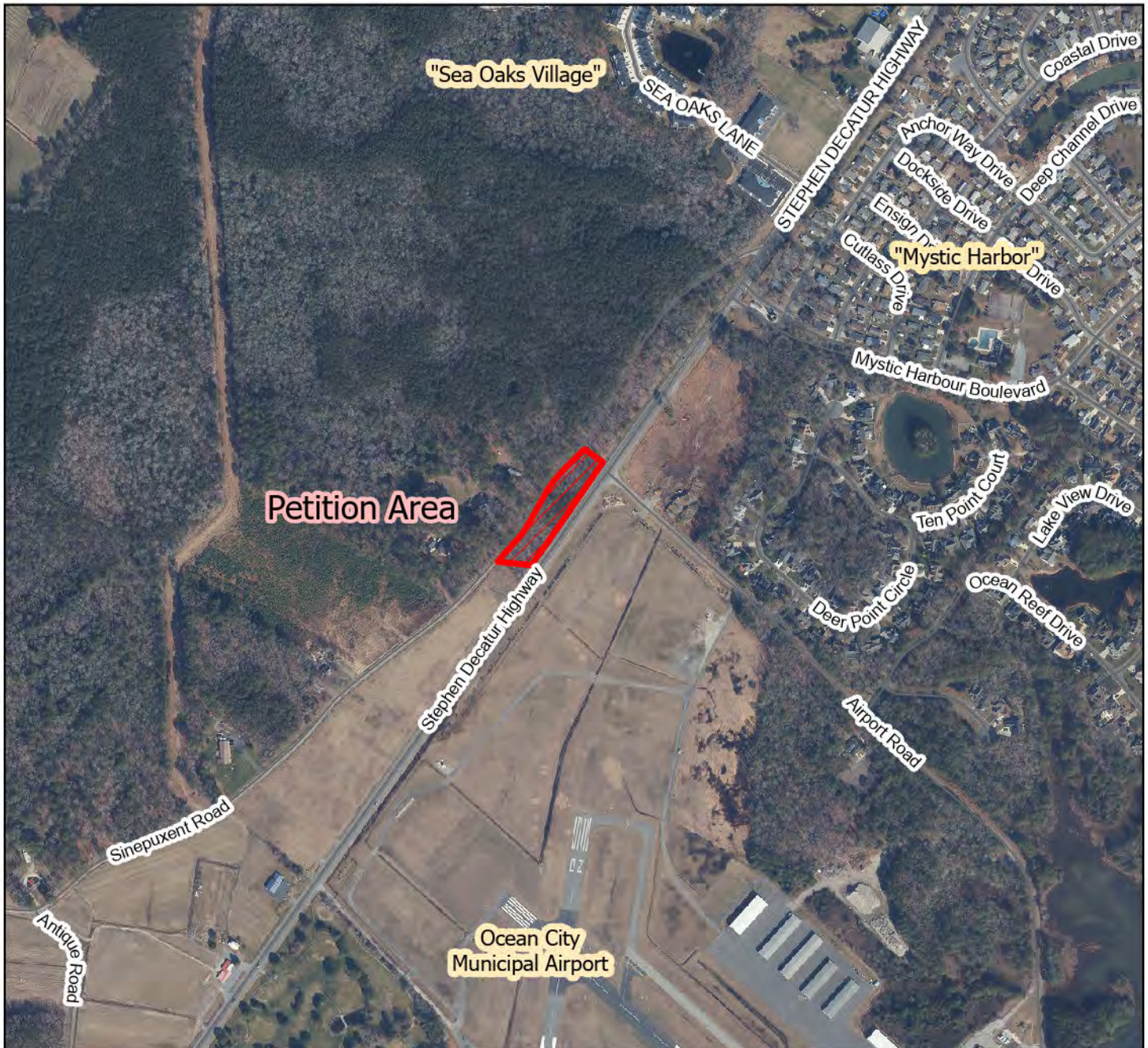
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



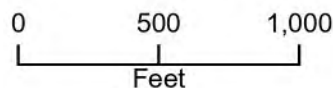
AERIAL IMAGERY



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.

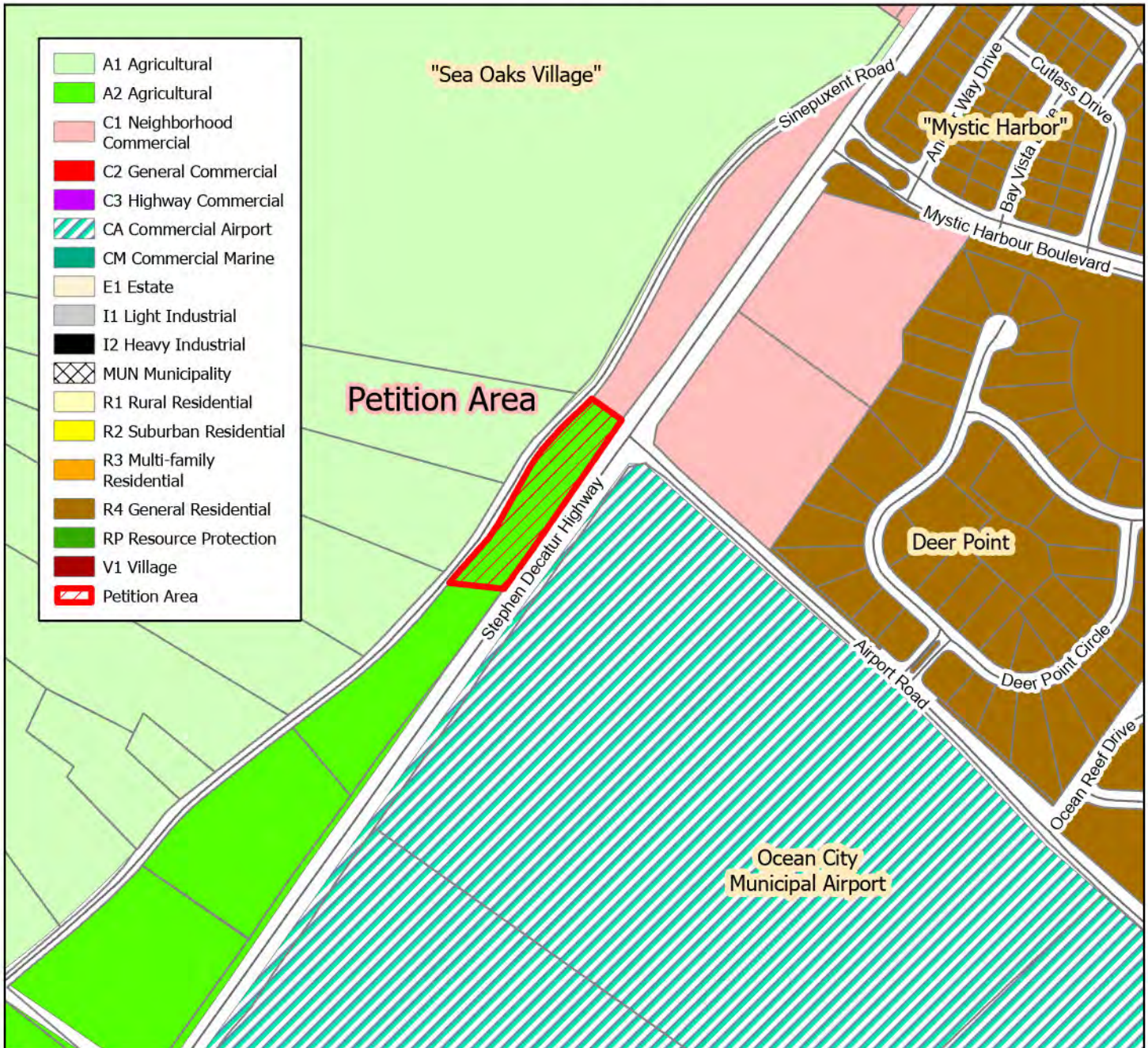
WORCESTER COUNTY, MARYLAND



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

0 250 500
Feet

Prepared By: K.L.Henry
Reviewed By: J.K. Keener

This map is intended for illustrative purposes and not for regulatory action.

AMENDED EXHIBITS

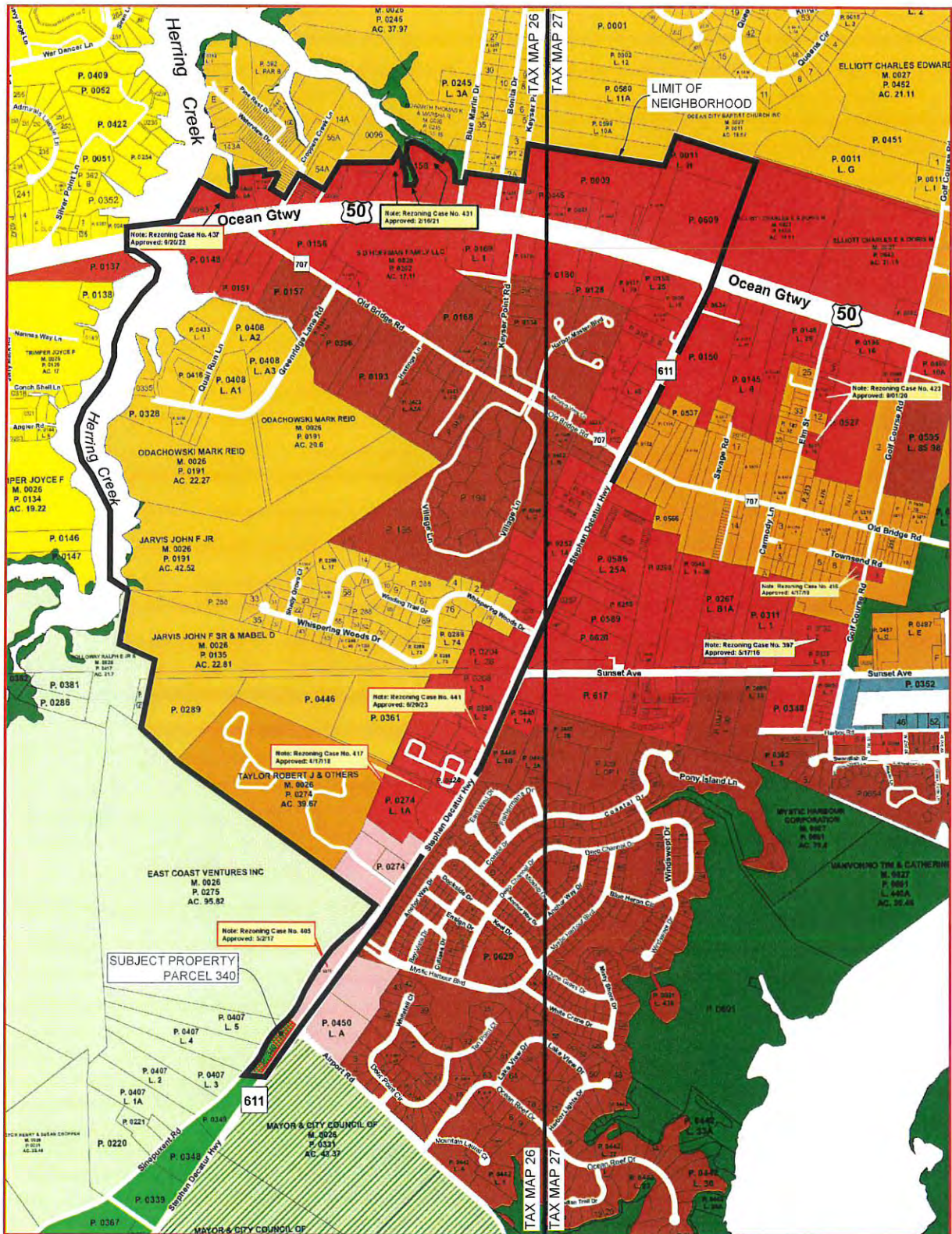
REZONING CASE NO. 452

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**



SITE DATA

PARCEL DESCRIPTION

TAX MAP 26
PARCEL 340
WORCESTER COUNTY, MARYLAND

PROPERTY OWNER

KASA HOLDINGS, LLC
4 DINGHY CT
OCEAN PINES, MD 21811

SITE AREA

PARCEL 340	1.66 AC
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RE-ZONING EXHIBIT

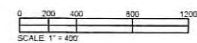
TAX MAP 26, PARCEL 340

WORCESTER COUNTY, MARYLAND



Source: Worcester County Commissioners; UPDATED: Resolution

No's.12-01,16-01 and 19-02, effective 9/6/12, 3/15/16 and 1/8/19, respectively.



SCALE 1" = 400'



NORTH

11:34:77 am: Hey, there! I'm a student at the University of California, Berkeley. I'm currently studying for my degree in Computer Science. I'm also a member of the Berkeley Student Union. I'm also a member of the Berkeley Student Union. I'm also a member of the Berkeley Student Union.

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 Commissions 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.

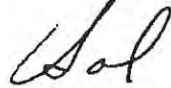
I have discussed this matter with the County Attorney and in his opinion Emergency Bill No. 83-5 effectively rezones the Ocean City Airport property from A-1 Agricultural District to AD Airport District and that no further actions, public hearings, etcetera, are required by this or any other County Department.

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,

A handwritten signature in cursive script, appearing to read "Harold W. Morris".

Harold W. Morris

Enclosure

HWM/jls

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

NO. 83-5

BY: Commissioner Bozman
INTRODUCED: July 12, 1983

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, hangers, 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.

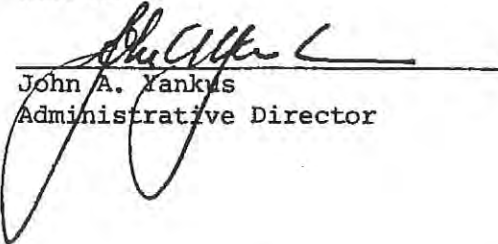
Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection 1-201(c) (37) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, is hereby REPEALED and existing Subsections (38) and (39) are renumbered 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.

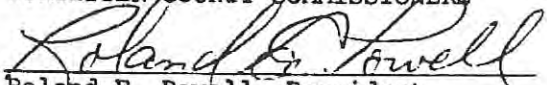
Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this act, having been determined an emergency bill will become effective on the date of its passage.

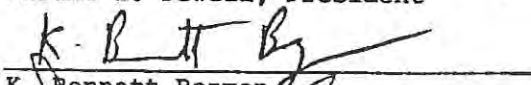
PASSED AND ENACTED this 26th day of July, 1983.

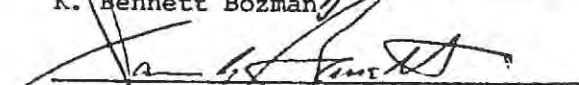
ATTEST:

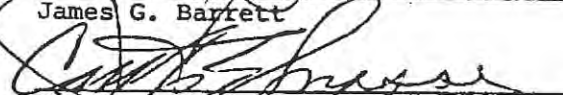

John A. Yankis
Administrative Director

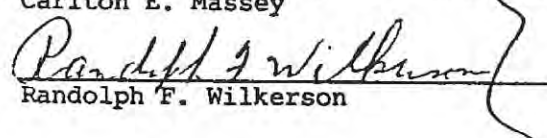
WORCESTER COUNTY COMMISSIONERS


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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A.	Copy of Written Staff Report	Pages 9 - 15
B.	Attachments to the Staff Report:	
1.	Neighborhood Exhibit, Rezoning Case No. 449	Page 16
2.	Findings of Fact, Rezoning Case No. 239	Pages 17 - 20
3.	Comments from Robert J. Mitchell, Worcester County Environmental Programs Director	Pages 21 - 22
4.	Comments from Jaime Giandomenico, Airport Manager Ocean City Municipal Airport	Pages 23 - 26
5.	Memo requesting comments	Pages 27 - 29
6.	Maps of petitioned area	Pages 30 - 35
7.	Application for Amendment of Official Zoning Map with attachments	Pages 36 - 44

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**

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.

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 construction 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.

FLOOD ZONE: The FIRM map (24047C0160H, effective July 16, 2015) indicates that the petitioned area is located outside of the floodplain in Zone X (Area of Minimal Flood Hazard).

PRIORITY FUNDING AREAS: The petitioned area is not within a designated Priority Funding Area (PFA).

INCORPORATED TOWNS: This property is approximately 2 miles from the Town of Ocean City but is located across MD Route 611 from the Ocean City Municipal Airport.

ADDITIONAL COMMENTS RECEIVED: The following agencies submitted responses (attached):

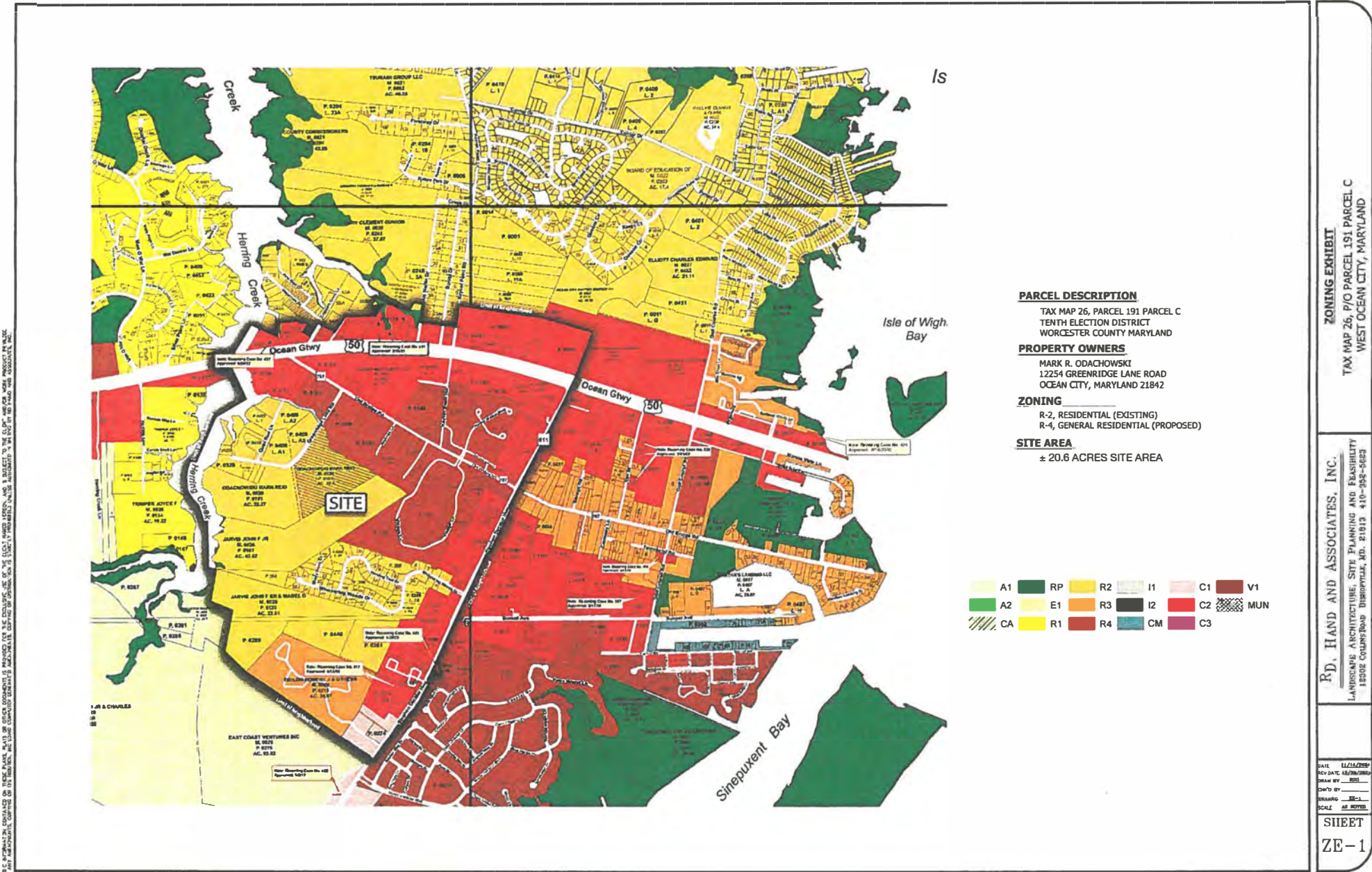
- Memo from Robert Mitchell, Director, Environmental Programs
- Letter from Jaime Giandomenico, Airport Manager, Town of Ocean City

!!**IMPORTANT**!!

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

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

SL
Re





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

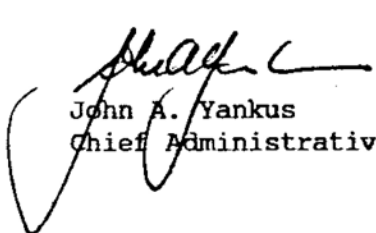
Worcester County Planning Commission
Court House Room 116
Snow Hill, Maryland 21863

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/Sinepuxent Road).

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

*

REZONING CASE NO. 239

BALTIMORE, MARYLAND

*

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.

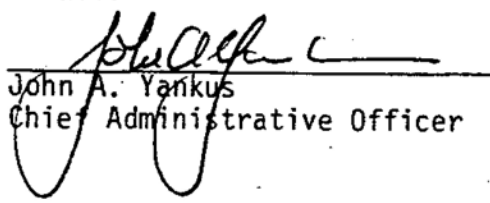
As a result of the testimony presented before the Commissioners and the findings as set forth above, the County Commissioners of Worcester County find that no substantial change has occurred in the neighborhood in which the petitioned property is located to warrant the rezoning of the petitioned area and further find that there is no mistake in the existing zoning classification of the petitioned area.

(3)

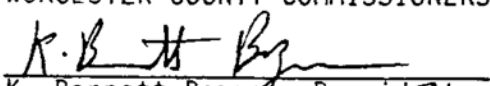
The County Commissioners conclude that the applicant has not met its burden of proof for the petitioned rezoning and hereby deny the rezoning petition of Bernard Potts, Rezoning Case No. 239.

Adopted as of September 13, 1988. Reduced to writing and signed
September 27, 1988.

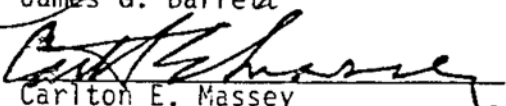
ATTEST:

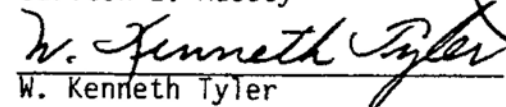

John A. Yankus
Chief Administrative Officer

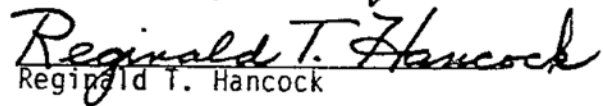
WORCESTER COUNTY COMMISSIONERS


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

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

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 relatable 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

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

The White Marlin Capital of the World

ITEM 15

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

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Secretary

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Jacob H. Mitrecic
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Larry R. Yates

CITY MANAGER

Terence J. McGean, PE

CITY CLERK

Diana L. Chavis, MMC

SEA
DALS

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](#).

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. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

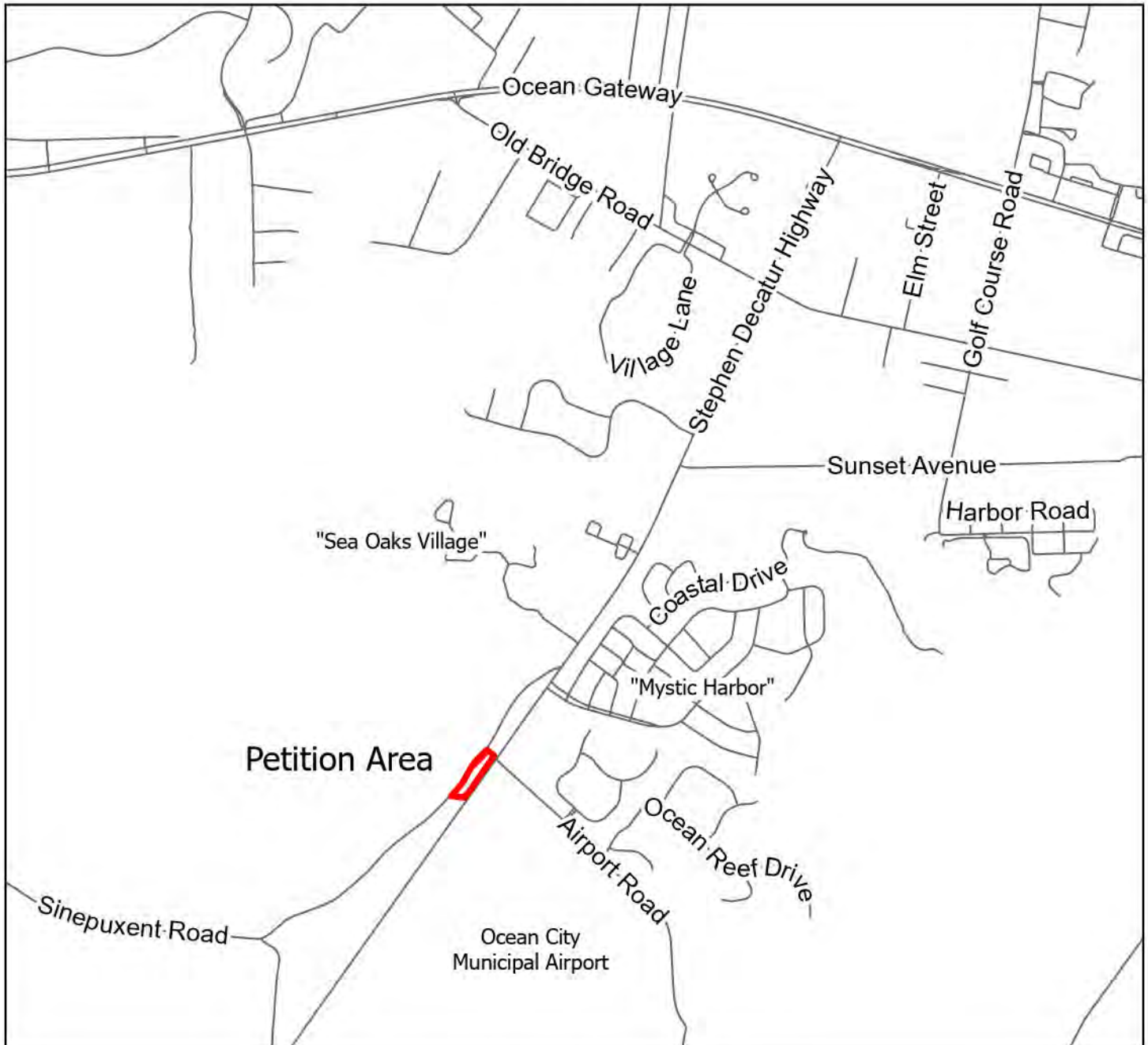
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



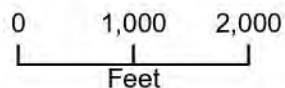
LOCATION MAP



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.

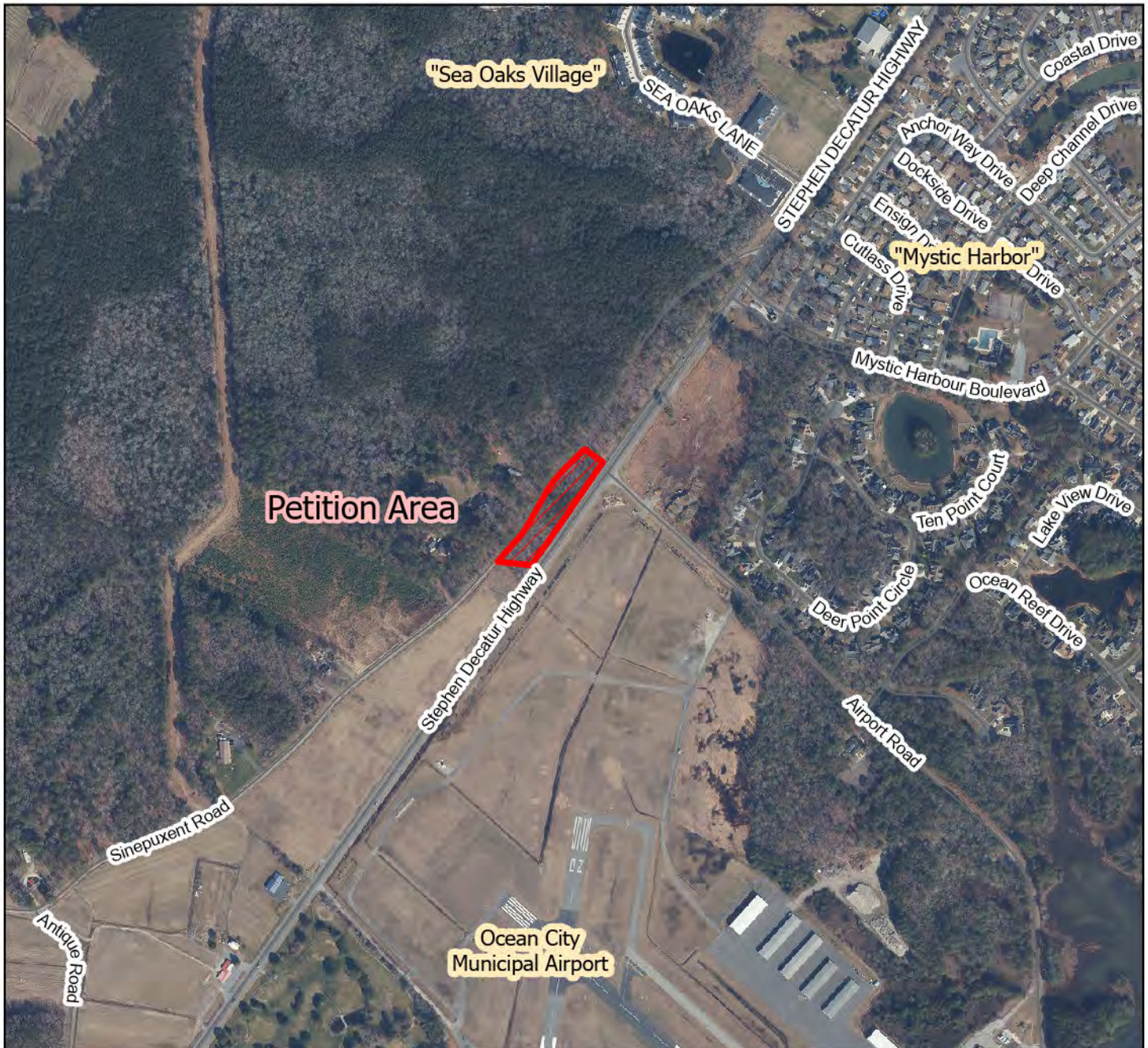
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376



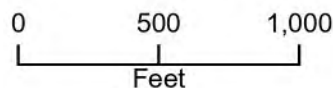
AERIAL IMAGERY



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.

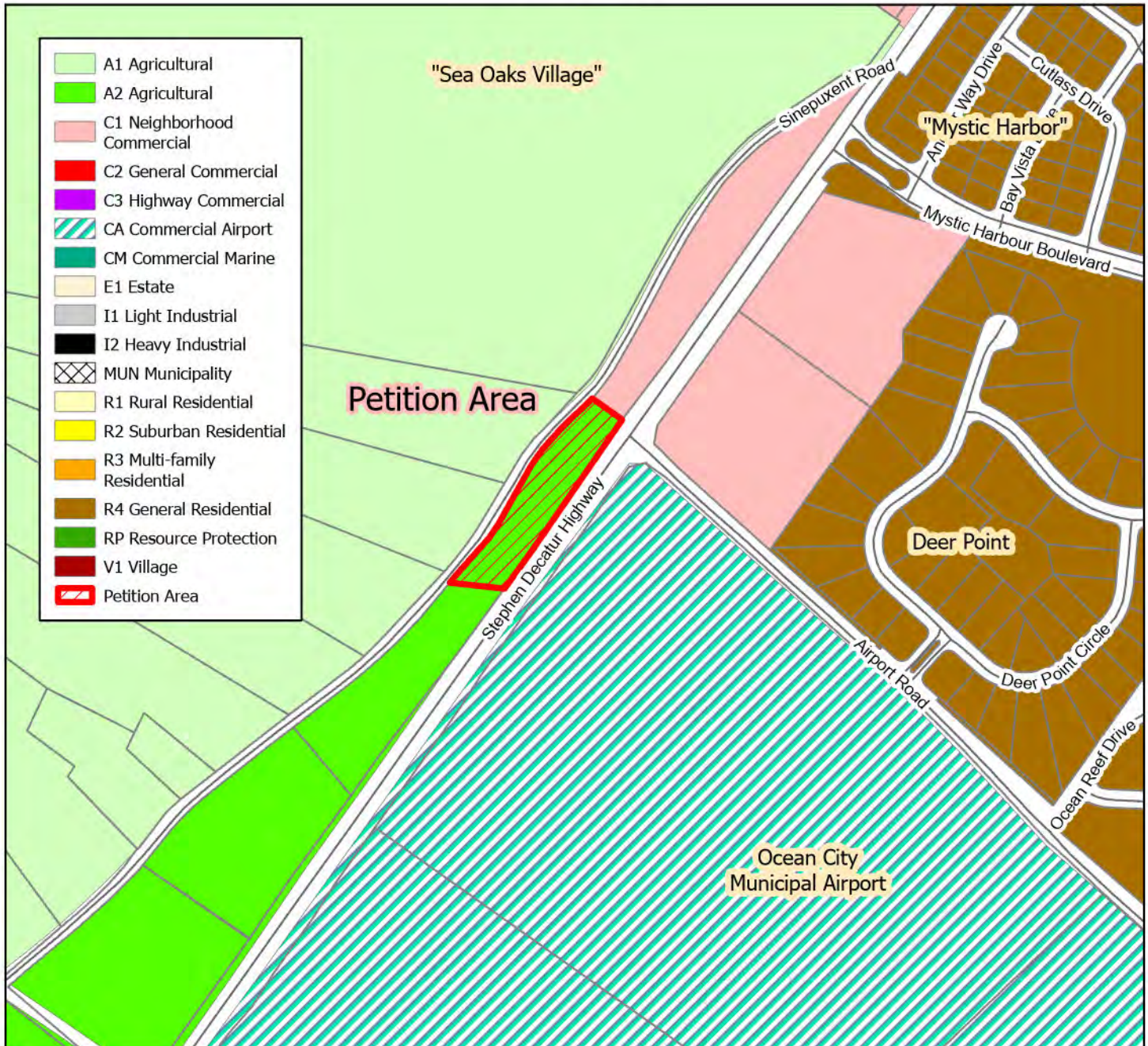
WORCESTER COUNTY, MARYLAND



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

0 250 500
Feet

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

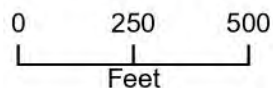


LAND USE PLAN MAP



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

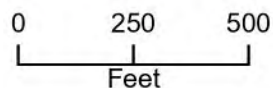


SOILS MAP



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.

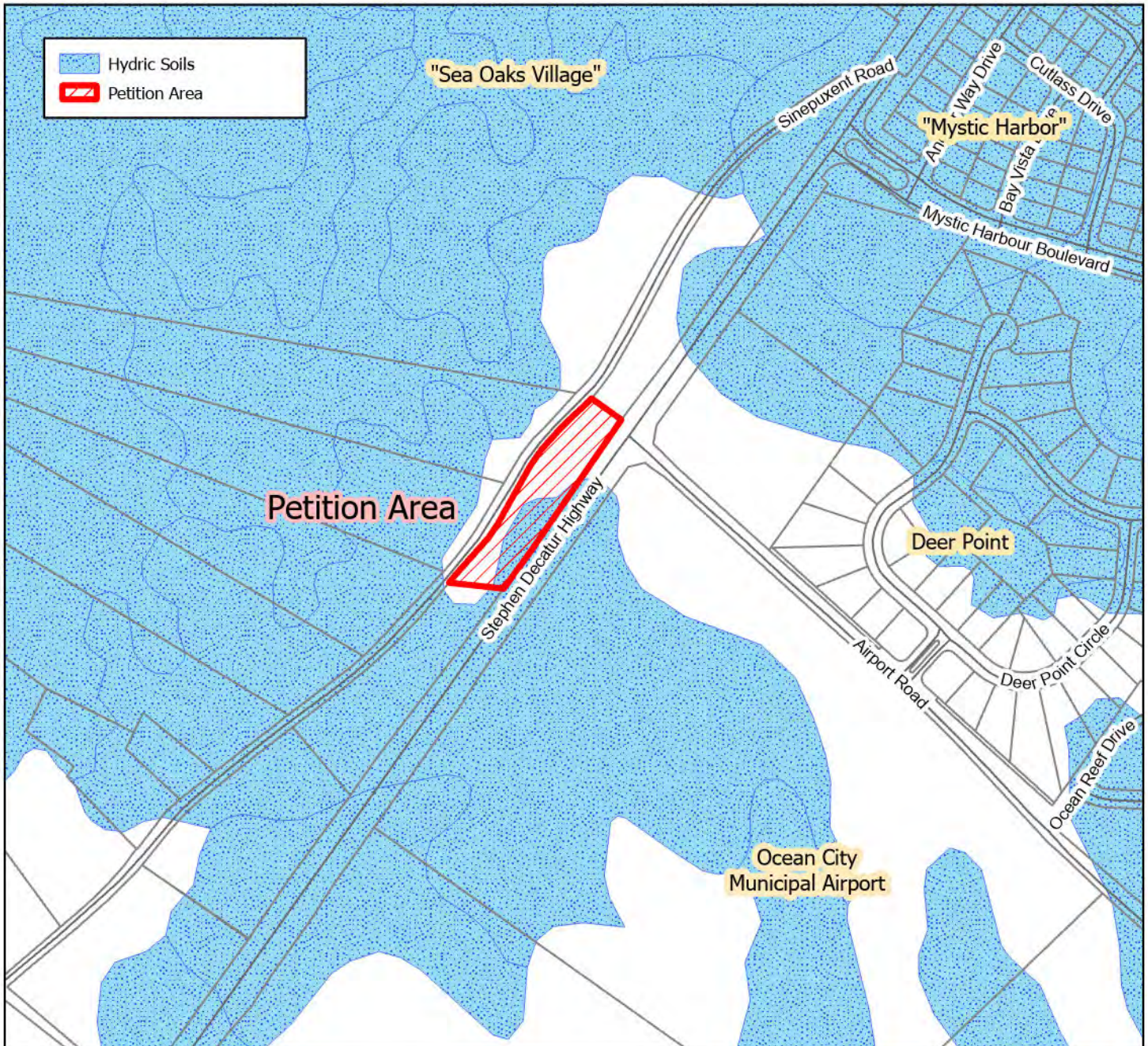
WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 452
A-2 Agricultural District to C-2 General Commercial District
Tax Map: 26, Parcel 340 - SDAT Account ID No. 2410012376

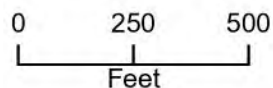


HYDRIC SOILS MAP



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

1

Revised July 5, 2016

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.

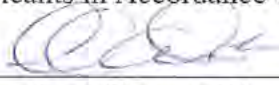
- A. Please list reasons or other information as to why the zoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:

VI. Filing Information and Required Signatures

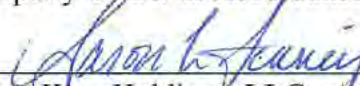
A. Every application shall contain the following information:

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

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

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

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case, including but not limited to the following matters: population change; availability of public facilities; present and future transportation patterns; compatibility with existing and proposed development and existing environmental conditions for the area including 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,



Hugh Cropper IV, Attorney for Property Owner

P. 0289

P. 0440

Approved: 6/20/23

ITEM 15 0208 L. 2

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

Stephen Decatur Hwy

East Wind Dr

P. 0445
L. 1B

ST COAST VENTURES INC

M. 0026
P. 0275
AC. 95.82

EX A

Note: Rezoning Case No. 405
Approved: 5/2/17

P. 0274

Anchor Way Dr

Dockside Dr

Ensign Dr

Bay Vista Dr

Cutlass Dr

Mystic Harbour Blvd

P. 0629

P. 0211

P. 0450
L. A

Whitetail Ct

Ten Point Ct

Lake View

P. 0407
L. 5

P. 0407
L. 4

P. 0407
L. 3

611

P. 0349

P. 0348

MAYOR & CITY COUNCIL OF

M. 0026
P. 0331
AC. 43.37

43

Mountain Laurel Ct

15-57

27



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,

A handwritten signature in cursive script, reading "Sandee Sharp".

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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V.	Attachments	
a.	Zoning Map	
b,	The Technical Review Committee Report, including the comments of Individual Committee members, the Applicant's written narrative, and §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.

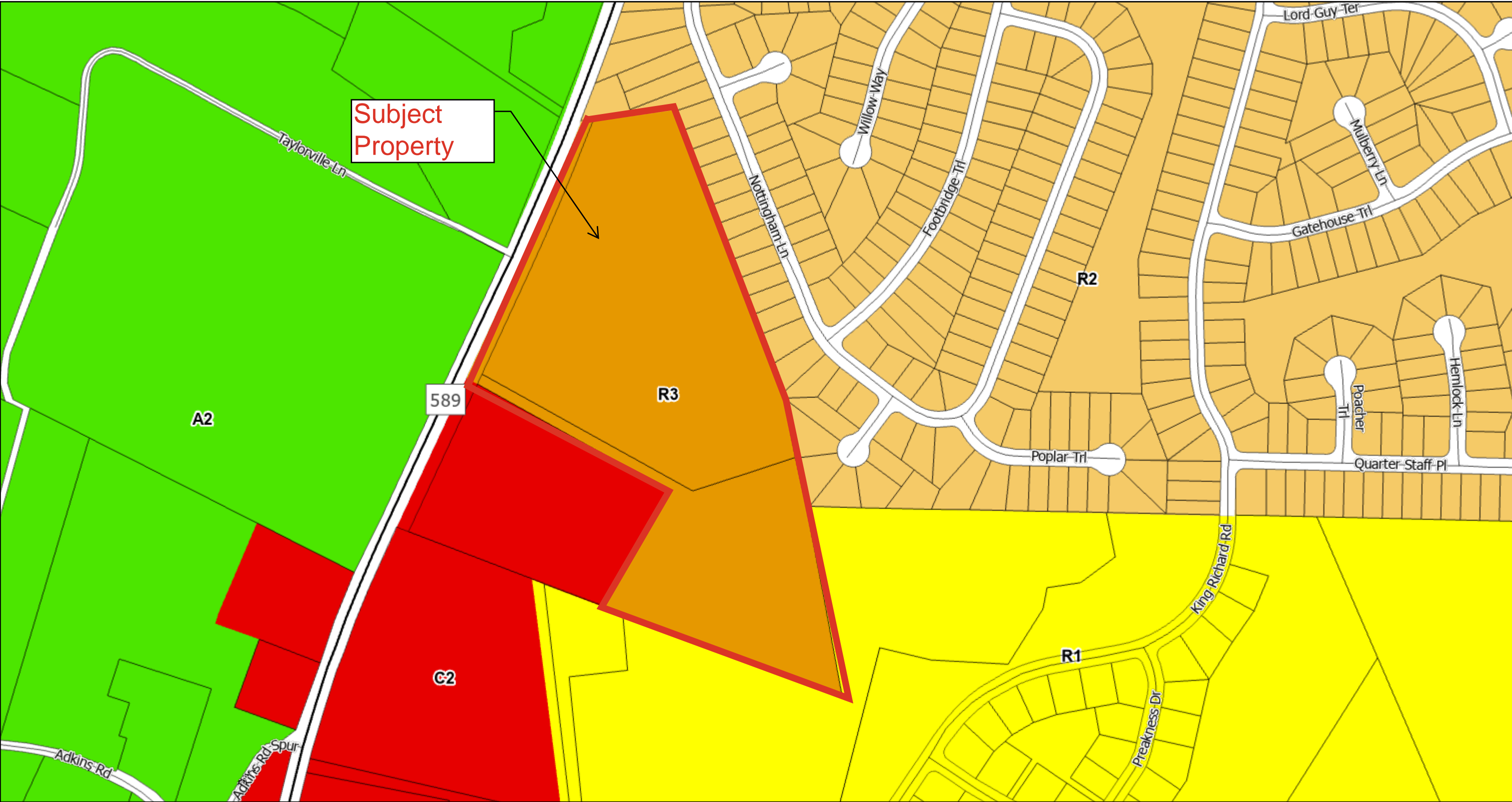
The Planning Commission finds that the project is aligned with this standard of the Residential Planned Community provisions.

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.**



12/26/2025, 2:23:45 PM

Worcester Roads

Major

Local

Property Lines

Worcester Zoning

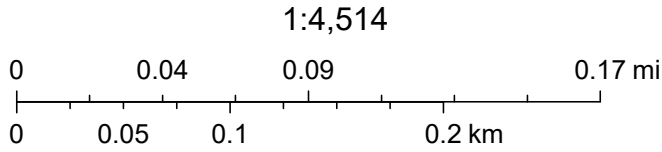
A2 - Agricultural

R1 - Rural Residential

R2 - Suburban Residential

R3 - Multi-family Residential

C2 - General Commercial



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

OWNER
Maryland Medical Owners III, LLC
5220 Hood Rd., Suite 110
Palm Beach Gardens, FL 33418
Attn: Wayne Yetman
Ph: 561-627-8730

CONSULTANT
Vista Design, Inc.
Contact: Steve Engel, R.L.A.
11634 Worcester Highway
Showell, Maryland 21862
Phone: (410) 352-3874
Fax: (410) 352-3875

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
Parcels
66 Lot 1
66 Lot B

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 22'x55'
End Units Min 22'x55'

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 ±3.45 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)

Provided
Common Open Space ±10.27 Ac
Natural Open Space ±4.91 Ac (72%)
Passive Open Space ±4.67 Ac (68%)
Active Open Space ±0.69 Ac (10%)

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/Curbing ±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) 274 Spaces (min) 2.5 per Unit (max) 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

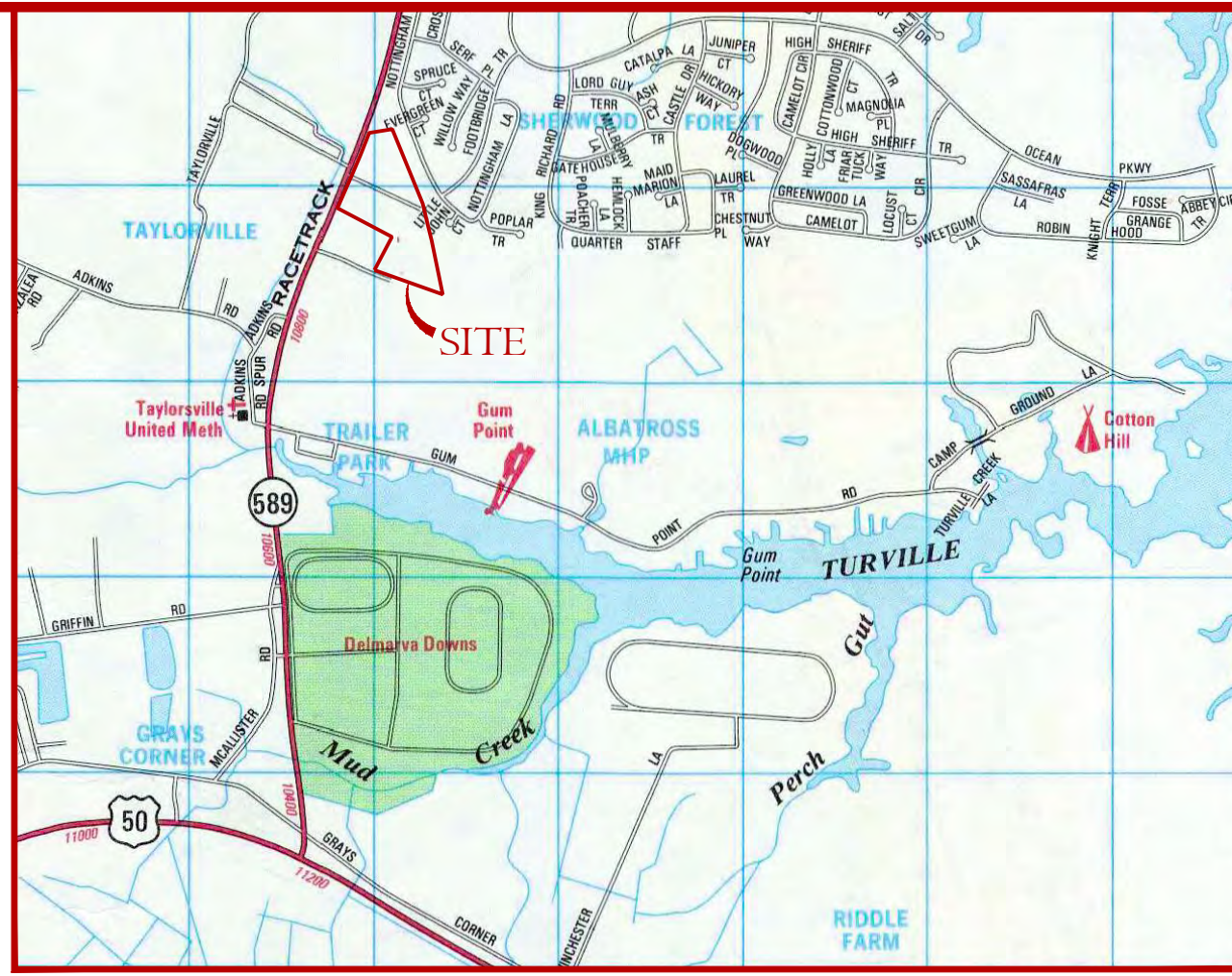
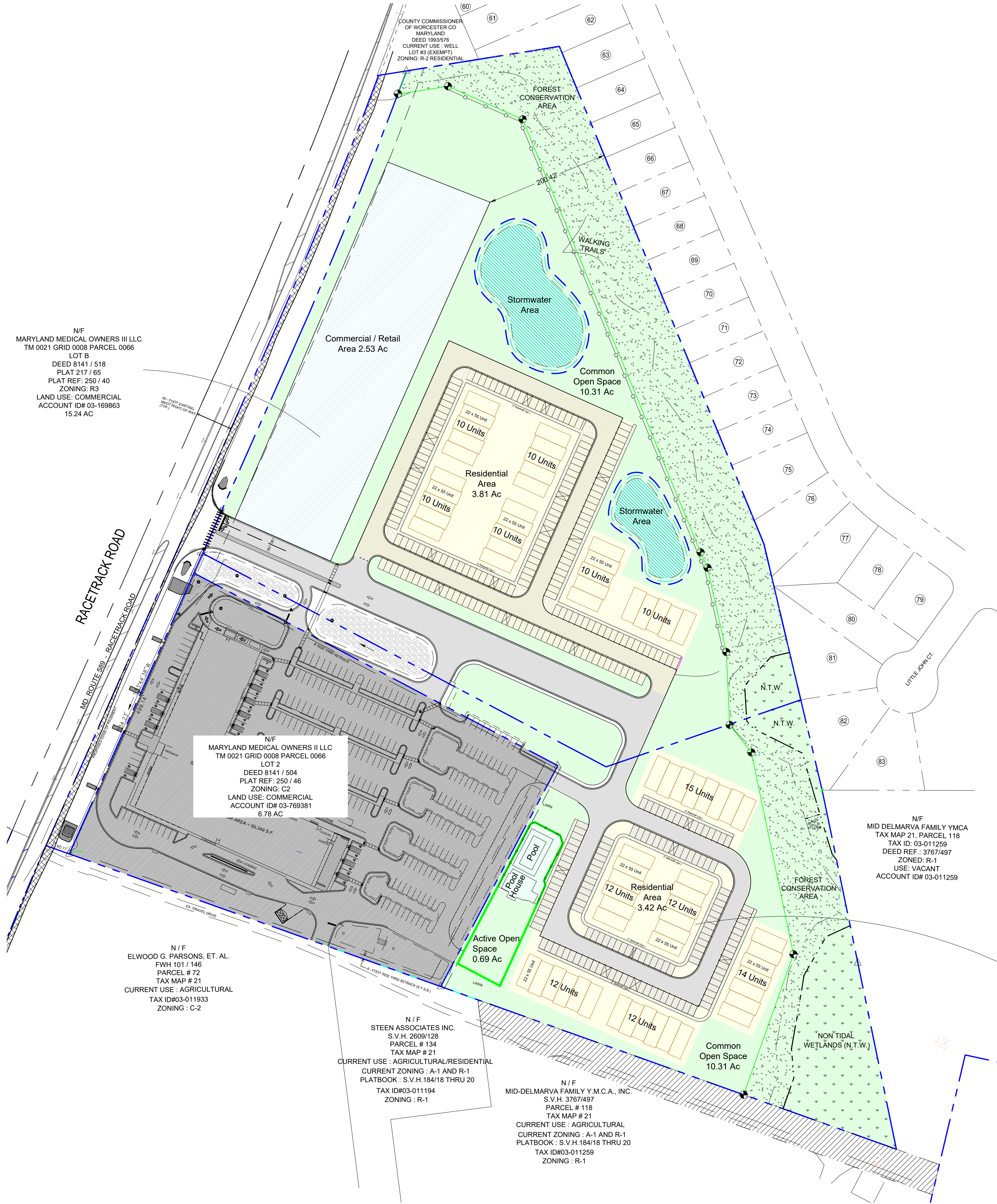
This site is subject to the Worcester County Forest Conservation Law. This site is subject to Forest Conservation Plan No. 21-13 per Record Plat SRB 250-46, Recorded July 22, 2021, in the Land Records of Worcester County, Maryland.

STORMWATER MANAGMENT 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

- 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.
- 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.
- 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.
- 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.
- The contractor assumes responsibility for any deviations from the drawings and specifications.
- The contractor shall field verify all elevations and pipe inverts prior to construction.
- The contractor shall provide necessary stakeout of the line and grade for the construction.
- 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.
- 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.**
- 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.

- 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.
- No construction shall begin until a pre-construction meeting is held between the contractor, owner, engineer & the Worcester County Permit Coordinator.
- 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.
- There are steep slopes within the limits of disturbance.
- There are no streams or stream buffers within the limits of disturbance.
- There are no highly erodible slopes within the limits of disturbance.
- There are no springs, seeps or intermittent streams within the limits of disturbance.
- 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

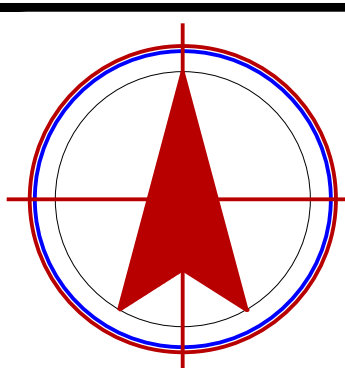
- Property Line
- Property Line To Be Abandoned
- Adjacent Property Line
- MDOT SHA Right of Way
- Existing Structures
- Existing Edge of Pavement
- Existing Curb
- Existing Paint Stripes
- Existing Utility Ease
- Existing Non-Tidal Wetlands (NTW)
- Existing Forest Conservation Area
- Proposed Treeline
- Proposed Building
- Proposed Edge of Pavement
- Proposed Subdivision Curb
- Proposed Sidewalks
- Proposed Open Space Area
- Proposed Residential Area
- Proposed Commercial Area

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 Clients 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 appurtenant.



NORTH

REVISIONS

PROJECT DATA

Project No.: 24-101
File Name: C:\01125_Concept_Kadag
ROUTE: 589
WORCESTER COUNTY, MARYLAND
Date: 1/1/25
Scale: 1" = 100'

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, Showell, MD 21862
Ph: 410-352-3874 • Fax: 410-352-3875 • www.vistadesigninc.com

Sheet No.:

I of 2



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 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:

§ZS1-207	R-3 Multi-family Residential District
§ZS1-305	Lot Requirements Generally
§ZS1-306	Access to Structures
§ZS1-312	Two-family and Multi-family Development
§ZS1-315	RPC Residential Planned Communities
§ZS1-319	Access and Traffic Circulation Requirements
§ZS1-320	Off-Street Parking Areas
§ZS1-321	Off-Street Loading Spaces
§ZS1-322	Landscaping and Buffering Requirements
§ZS1-323	Exterior Lighting
§ZS1-324	Signs
§ZS1-325	Site Plan Review
§ZS1-326	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

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

- **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

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

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

TECHNICAL REVIEW COMMITTEE COMMENTS

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

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

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.

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.



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

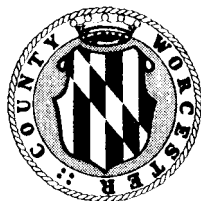
FROM: David M. Bradford, Deputy Director

SUBJECT: Stormwater/Sediment Erosion Control Plan/Permit

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.



Re: 11/12/25 TRC Meeting Agenda

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



RE: TRC Comments

From Dallas Baker <dbaker@worcestermd.gov>

Date Mon 11/3/2025 11:09 AM

To Tony Fascelli <tfascelli@worcestermd.gov>; Benjamin M. Zito <bmzito@worcestermd.gov>

Cc Kevin Lynch <klynch@worcestermd.gov>; Quinn M. Dittrich <qmdittrich@worcestermd.gov>; Ondrea Starzhevskiy <ostarzhevskiy@worcestermd.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@worcestermd.gov>

Sent: Monday, November 3, 2025 9:46 AM

To: Benjamin M. Zito <bmzito@worcestermd.gov>

Cc: Kevin Lynch <klynch@worcestermd.gov>; Dallas Baker <dbaker@worcestermd.gov>

Subject: TRC Comments

Ben,

Please see attached below Water and Wastewater Division TRC Comments for November 12th 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



RE: 11/12/25 TRC Transmittals and Materials

From Jeffrey Fritts <JFritts@mdot.maryland.gov>
Date Fri 10/17/2025 9:39 AM
To Benjamin M. Zito <bmzito@worcestermid.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
Maryland Department of Transportation
 660 West Road, Salisbury, MD 21801

From: Benjamin M. Zito <bmzito@worcestermid.gov>
Sent: Tuesday, October 14, 2025 9:16 AM
To: Kristen Tremblay <ktremblay@worcestermid.gov>; Brian M. Soper <bmsoper@worcestermid.gov>; Cathy Zirkle <czirkle@worcestermid.gov>; Dallas Baker <dbaker@worcestermid.gov>; Daniel Wilson <DWilson12@mdot.maryland.gov>; David M. Bradford <dbradford@worcestermid.gov>; David Mathers <dmathers@worcestermid.gov>; Gary Serman <gserman@worcestermid.gov>; Gary R. Pusey <grpusey@worcestermid.gov>; Jeffrey Fritts <JFritts@mdot.maryland.gov>; Jennifer Keener <jkkeener@worcestermid.gov>; Joy Birch <jbirch@worcestermid.gov>; Kevin Lynch <klynch@worcestermid.gov>; Laurie Bew <lbew@worcestermid.gov>; Lisa Lawrence <llawrence@worcestermid.gov>; Mmknight@comcast.net; Matt Owens <mowens@worcestermid.gov>; Matthew Laick <mllaick@worcestermid.gov>; Paul Miller <pmiller@worcestermid.gov>; Robert Korb Jr. <rkorb@worcestermid.gov>; Robert Mitchell <bmmitchell@worcestermid.gov>; Stuart White <swhite@worcestermid.gov>; Tony Fascelli <tfascelli@worcestermid.gov>; Kelly Henry <khenry@worcestermid.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) 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



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FIELD OFFICE LOCATIONS

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North Carolina
Ohio
Pennsylvania
South Carolina
Texas
Utah
Virginia
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 (11th 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 95th 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

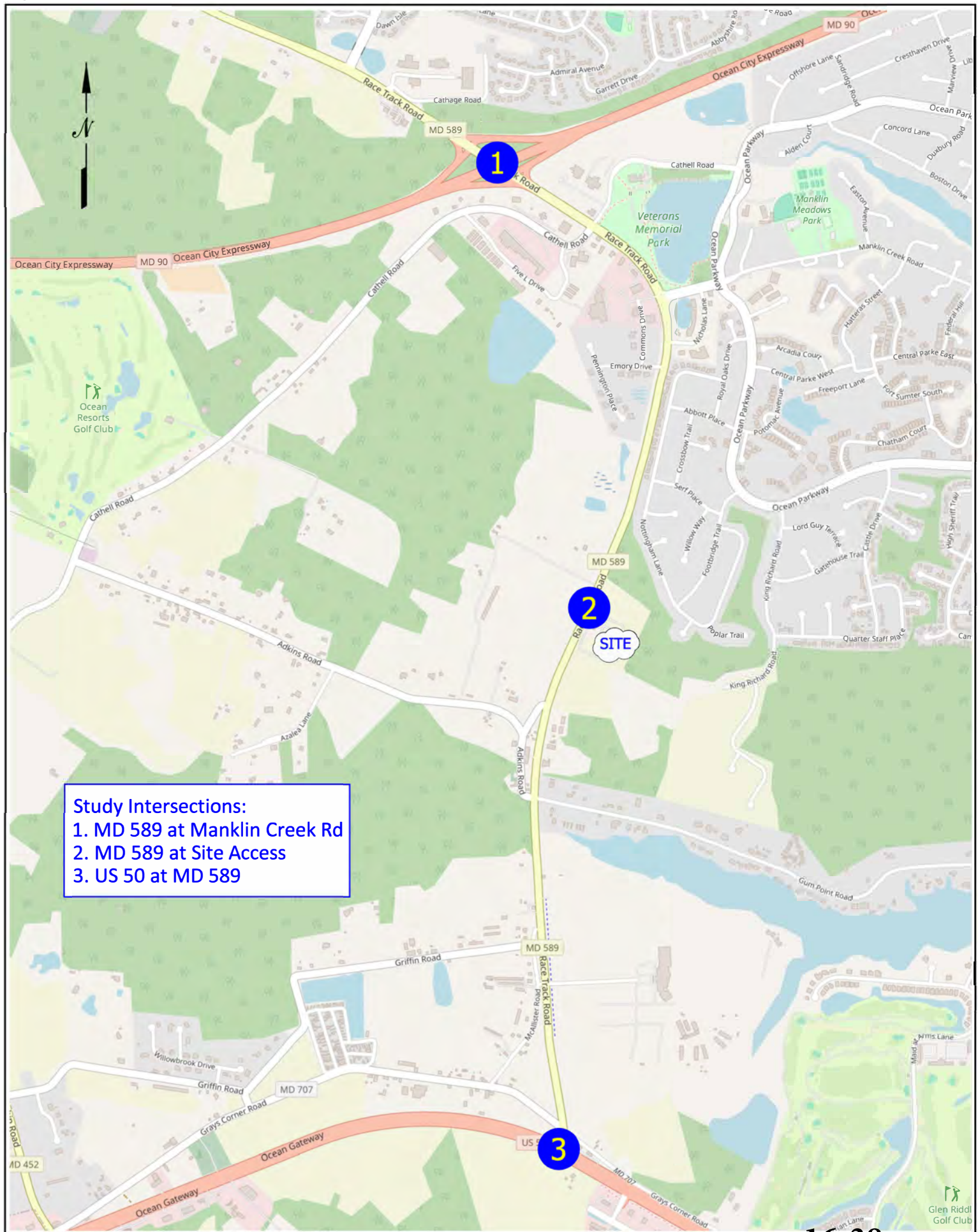


Figure 2 - Existing Lane Use and Traffic Control

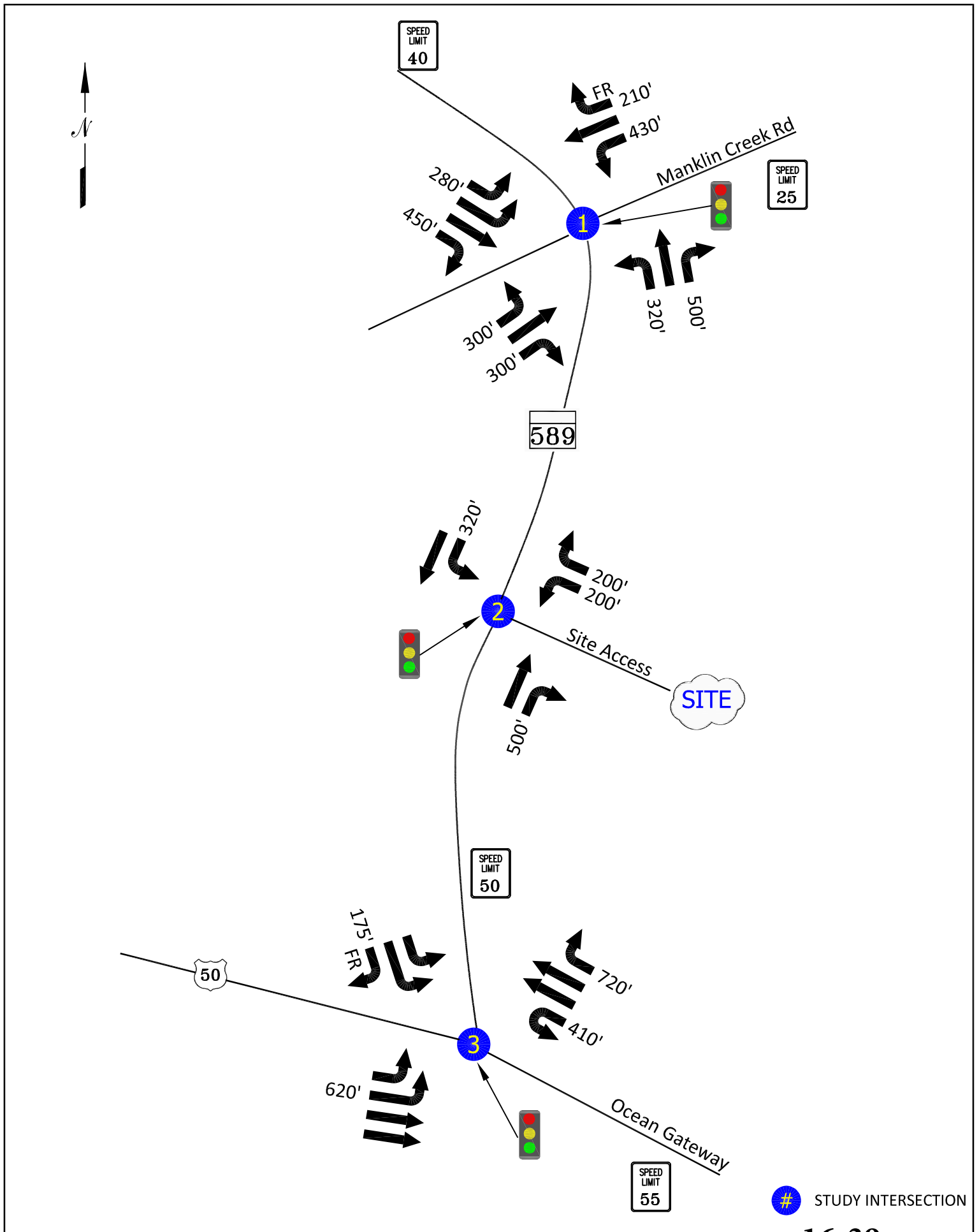


Figure 3 - 2025 Existing Peak Hour Traffic Volumes

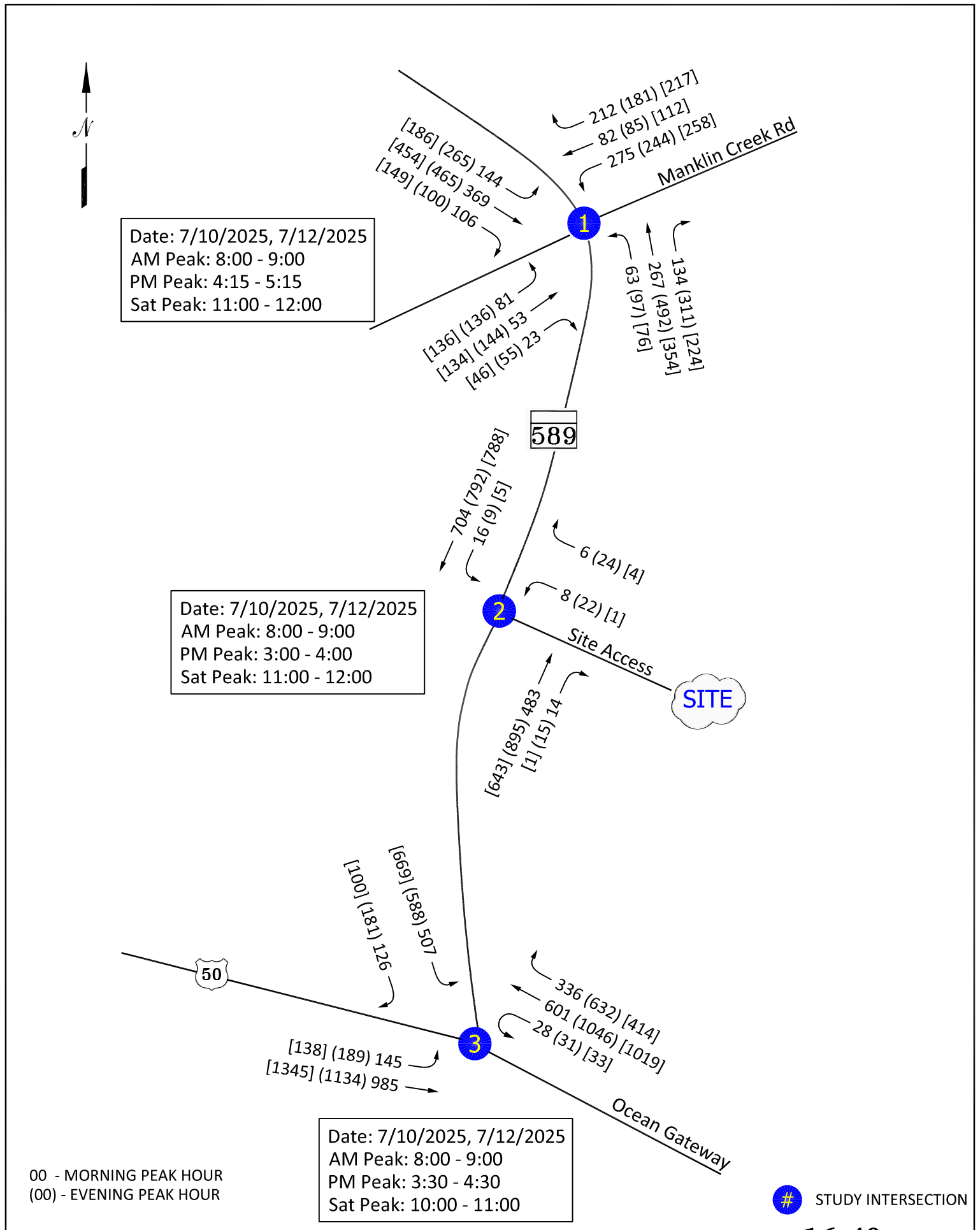


Figure 4 - Regional Traffic Growth

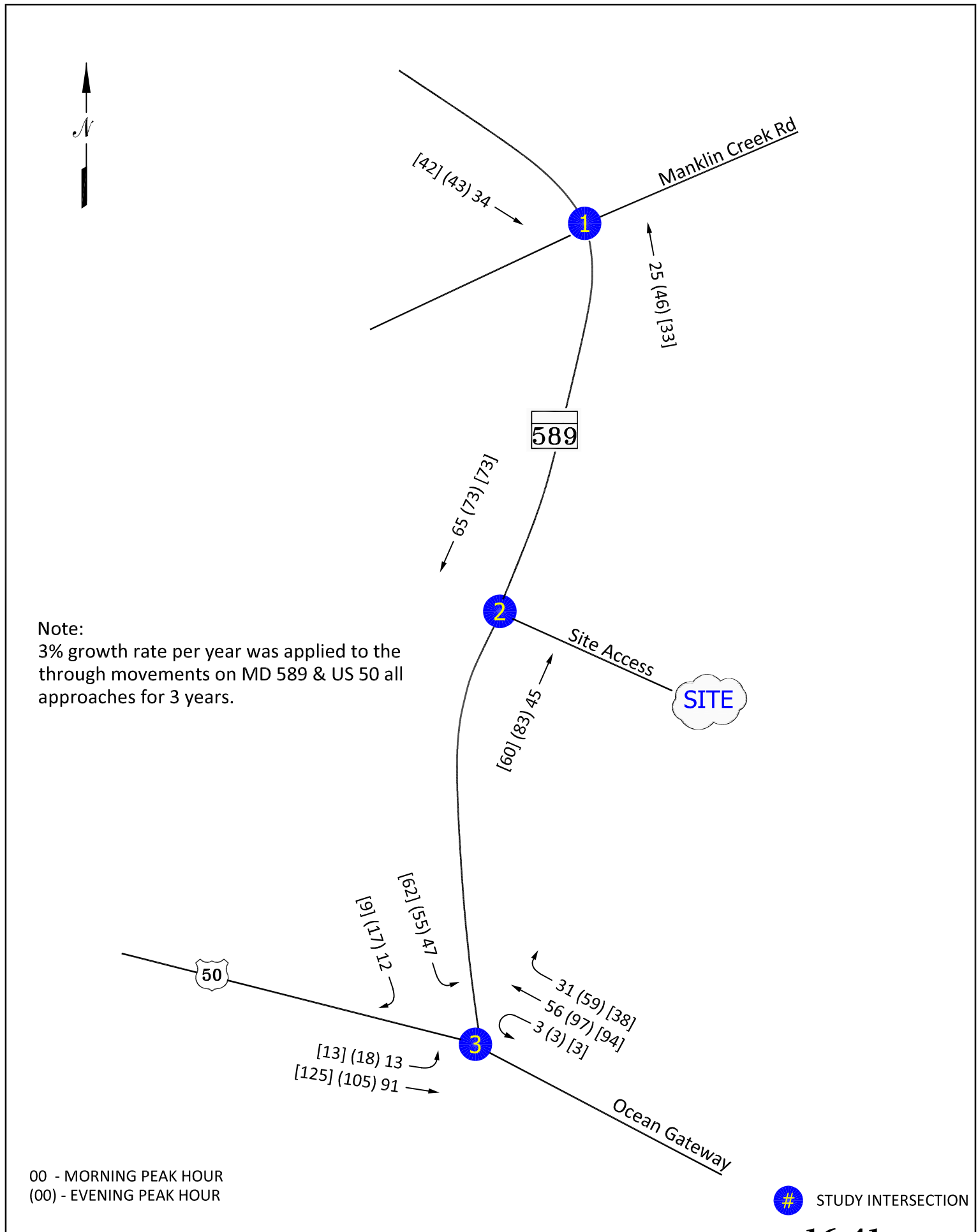


Figure 5 - 2028 Background Peak Hour Traffic Volumes

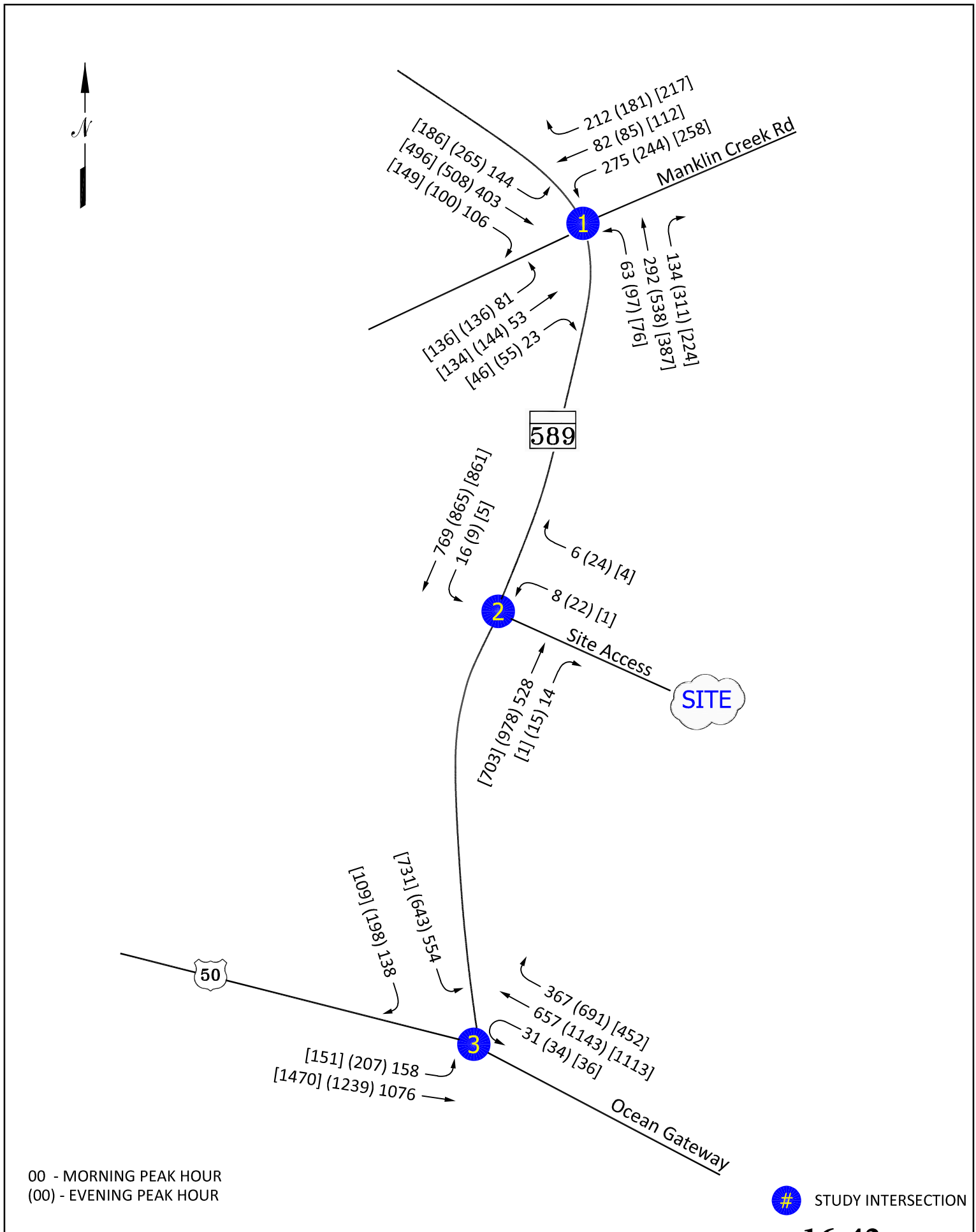


Table 1. Trip Generation Comparison for Sina Property

Land Use (Source)	Formula/Rate	Directional Distribution									
		AM Peak Hour		PM Peak Hour		SAT Peak Hour					
		In	Out	In	Out	In	Out				
Multifamily Housing, Low- Rise (ITE-220)	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										
Trip Generation for Subject Site											
Land Use	Size	AM Peak Hour			PM Peak Hour			Mid. Sat Peak Hour			Daily
		In	Out	Total	In	Out	Total	In	Out	Total	
Multifamily Housing, Low-Rise	136 Units	16	49	65	50	29	79	29	27	56	947

Figure 6 - Trip Assignment for Site

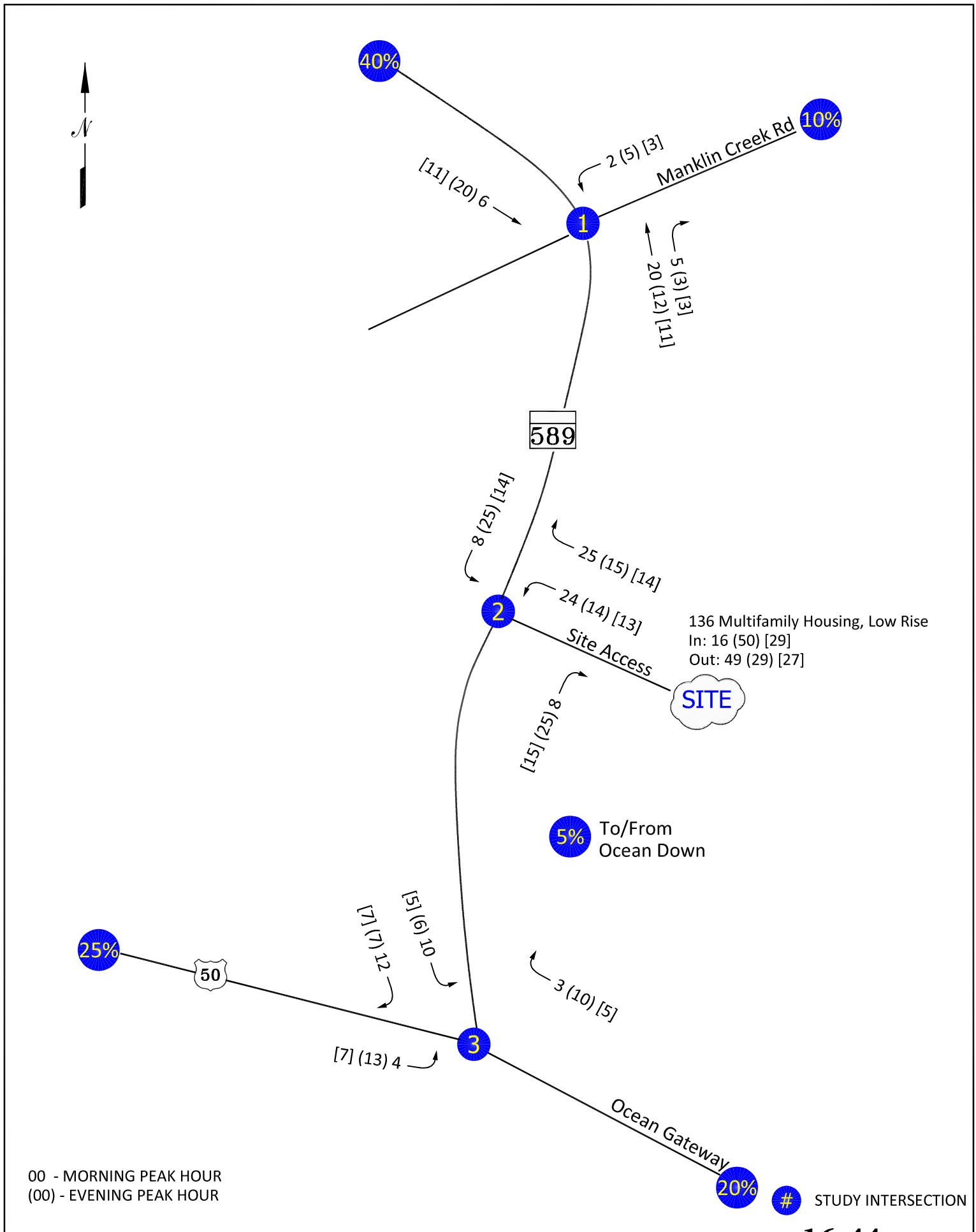
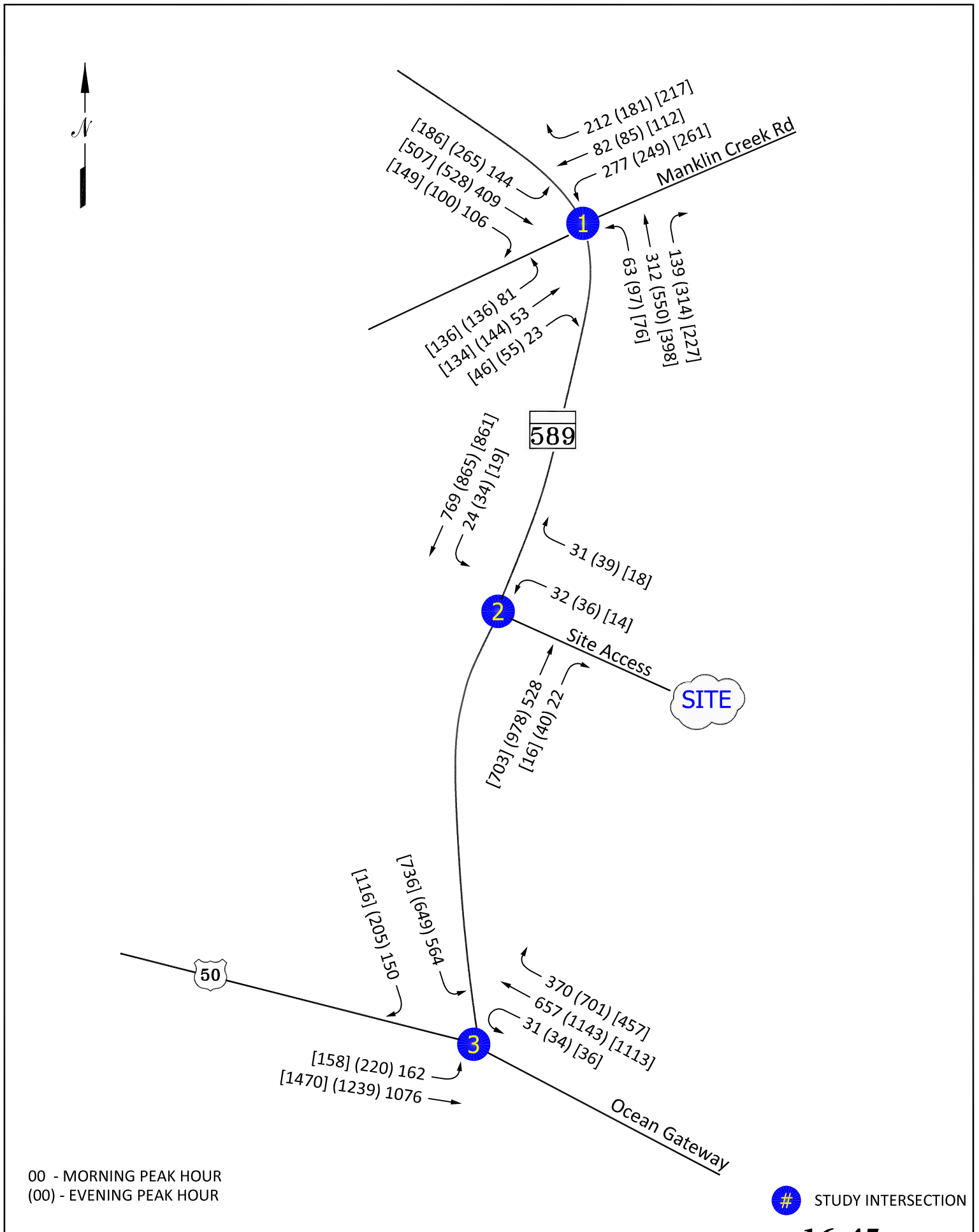


Figure 7 - 2028 Total Peak Hour Traffic Volumes



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WEBSITE
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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.

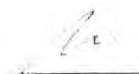
The County Commissioners further acknowledged that significant road upgrades have been completed on MD Route 589, including a signalized intersection and road improvements at the petitioned areas and the AGH medical complex as well as at McAllister Road in front of the casino. Furthermore, the County 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.

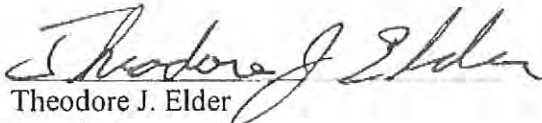
Adopted as of August 5, 2025. Reduced to writing and signed August 19, 2025.

Attest:


Worcester County Commissioners



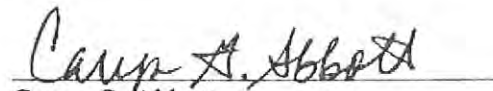
Weston S. Young
Chief Administrative Officer




Theodore J. Elder
President



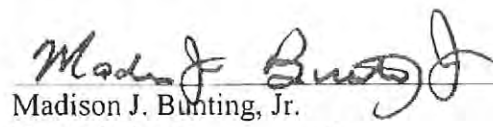
Eric J. Fiori
Vice President



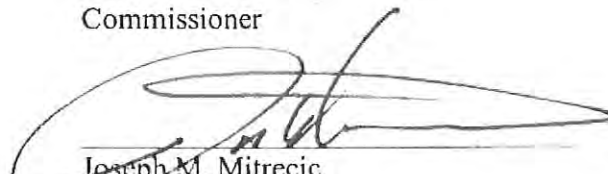
Caryn G. Abbott
Commissioner



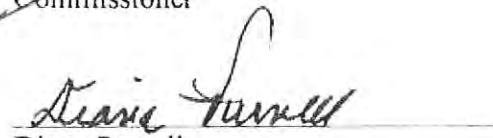
Anthony W. Bertino, Jr.
Commissioner



Madison J. Bunting, Jr.
Commissioner



Joseph M. Mitrecic
Commissioner



Diana Purnell
Commissioner