

**COUNTY COUNCIL OF CECIL COUNTY  
LEGISLATIVE SESSION DAY 2016-09**

**RESOLUTION NO. 18-2016**

**Title of Resolution:** Approval - Critical Area Growth Allocation - Town of Chesapeake City

**Synopsis:** A Resolution to approve the Growth Allocation request of the Town of Chesapeake City by re-designating three (3) acres of land, located off Boatyard Road in Chesapeake City, from Resource Conservation Area (RCA) to Intensely Developed Area (IDA) in order to allow the development of a new wastewater treatment facility.

**Introduced by:** Council President on behalf of the County Executive

**Introduced and ordered posted on:** May 3, 2016

**Public hearing scheduled on:** June 7, 2016 at: 7:00 p.m.

**Scheduled for consideration:** June 21, 2016

By: \_\_\_\_\_  
Council Manager

**Public Hearing**

Notice of time and place of public hearing and title of Resolution have been posted by \_\_\_\_\_ at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on \_\_\_\_\_, a public hearing was held on \_\_\_\_\_, and concluded on \_\_\_\_\_.

By: \_\_\_\_\_  
Council Manager

Explanation: CAPITALS INDICATE MATTER ADDED TO EXISTING BILL  
~~Strike through~~ indicate matter deleted from existing law  
Underlining indicates language added to a Bill by amendment  
~~Double Strike through~~ indicates language stricken out of a Bill by amendment.

1           **WHEREAS**, it is the public policy of the State of Maryland that the Chesapeake and the Atlantic  
2 Coastal Bays and their tributaries are natural resources of great significance to the State and the nation,  
3 and their beauty, their ecological value and their economic impact all reach far beyond any one local  
4 jurisdiction, pursuant to section 8-1801(a)(1) of the Natural Resources Article of the Annotated Code of  
5 Maryland; and

6           **WHEREAS**, the Chesapeake Bay Critical Area Protection Act was established as a Resource Protection  
7 Program for the Chesapeake and the Atlantic Coastal Bays and their tributaries by fostering more sensitive  
8 development activity for certain shoreline areas so as to minimize damage to water quality and natural  
9 habitats; and

10           **WHEREAS**, the State's Chesapeake Bay Critical Area Act establishes procedures through which  
11 jurisdictions are allotted a certain amount of Growth Allocation that permits changes to be made to the  
12 County's Critical Area maps in order to accommodate desirable and anticipate growth; and

13           **WHEREAS**, the Cecil County Zoning Ordinance, Article XI. Overlay Zones, Part I. Critical Area District,  
14 Section 205, establishes a procedure for granting a Growth Allocation for properties located in the Towns;  
15 and

16           **WHEREAS**, the Town of Chesapeake City has requested that three (3) acres of land within the Critical  
17 Area and located on Parcel 240, Tax Map 43, off Boatyard Road, Chesapeake City, MD 21915, be granted a  
18 Growth Allocation by changing its Critical Area designation from Resource Conservation Area (RCA) to  
19 Intensely Developed Area (IDA); and

20           **WHEREAS**, the proposed Growth Allocation will permit the development of a new wastewater  
21 treatment facility on this parcel; and

22           **WHEREAS**, the Town of Chesapeake City is in the process of upgrading its wastewater treatment  
23 facilities, which includes the consolidation of two existing wastewater treatment plants into a new single  
24 wastewater treatment plant to be located on the north side of the Chesapeake and Delaware Canal; and the  
25 new facility will have a total treatment capacity of 300,000 gpd and be capable of meeting Enhanced  
26 Nutrient Removal (ENR) standards; and the new facility will be constructed on a new parcel adjacent to the  
27 existing North Wastewater Treatment Plant to allow the existing facilities to remain in service during  
28 construction; and the North Wastewater Treatment Plant will then be demolished and retrofitted to support  
29 the new wastewater treatment plant; and the South Wastewater Treatment Plant will be demolished and

30 replaced with a new pumping station; and the new pump station force main will utilize the existing carrier  
31 pipes already in place under the canal to convey flow to the new wastewater treatment plant; and

32 **WHEREAS**, the Cecil County Planning Commission has recommended approval of this application to  
33 the County Council.

34 **NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
35 **MARYLAND**, that the application for Growth Allocation by the Town of Chesapeake City, for 3 acres be  
36 re-designated from Resource Conservation Area (RCA) to Intensely Developed Area (IDA).

37 **AND BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that this  
38 application be forwarded to the Maryland Critical Area Commission for final review and approval.

39 **AND BE IT FURTHER RESOLVED THAT** this Resolution shall take effect sixty (60) calendar days after  
40 enactment by the Council.

**CERTIFICATION**

I, HEREBY CERTIFY that the above Resolution was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

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BY: Council Manager