

**COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION DAY 2015-19**

RESOLUTION NO. 54-2015

Title of Bill: Approval - Critical Area Growth Allocation - Recovery Centers of America Earleville

Synopsis: A Resolution to approve the Growth Allocation request of 314 Grove Neck LLC by redesignating 40 acres of 276.589 acres of land, located at 314 Grove Neck Road, Earleville, from Resource Conservation Area (RCA) to Limited Development Area (LDA) with conditions in order to allow the development of Bracebridge Hall as a drug and alcohol abuse and treatment recovery center, to be known as the Recovery Center of America - Earleville.

Introduced by: Council President on behalf of the County Executive

Introduced and ordered posted on: October 6, 2015

Public hearing scheduled on: November 3, 2015 at: 7:00 p.m.

Scheduled for consideration: November 17, 2015

By: _____
Council Manager

Public Hearing

Notice of time and place of public hearing and title of Bill 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
{Brackets} indicate matter deleted from existing law
Underlining indicates language added to a Bill by amendment
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 191 through 215, establishes a procedure for granting a growth allocation for properties located in
15 the Chesapeake Bay critical area; and

16 **WHEREAS**, 314 Grove Neck, LLC, owner of 276.589 acres of land within the critical area and located
17 at 314 Grove Neck Road, Earleville, MD 21919, have requested that 40 acres of their property be granted a
18 growth allocation by changing its Critical Area designation from Resource Conservation Area (RCA) to
19 Limited Development Area (LDA); and

20 **WHEREAS**, the proposed growth allocation will permit the development of Bracebridge Hall facility
21 as a drug and alcohol abuse and treatment recovery center on the property (per Special Exception, Case
22 #3703); and

23 **WHEREAS**, the Technical Advisory Committee has reviewed and Planning Commission has
24 recommended approval of this application with conditions to the County Council; and

25 **NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
26 **MARYLAND**, that the application for Growth Allocation by 314 Grove Neck, LLC, for 40 of 276.589 acres be
27 re-designated from RCA to LDA with the following conditions

28 A. The understanding that the revised Growth Allocation is limited to the 49-bed facility and
29 addition to the Manor House as described in the "Supplemental Narrative and Environmental Report",

30 (therein described as "the initial phase"), only; and

31 B. The added understanding that the revised Growth Allocation, though limited per condition
32 A, includes the clearing of approximately one-half (.53) acres of trees outside of the Buffer, construction of
33 a wastewater treatment facility outside the Critical Area, and minor parking improvements; and

34 C. The understanding that the revised Growth Allocation, as described in A and B, constitute a
35 Critical Area "programming refinement" - which does not require a public hearing; and

36 D. The understanding that at such time as any "Subsequent phase(s)" may be proposed, then
37 that could possibly necessitate the applicant's going back to the pre-submission, inter-departmental
38 stormwater review (such as that performed on June 29, 2015 for the "initial phase" proposal; and

39 E. The understanding that any possible granting of the requested Growth Allocation by the
40 County Council of Cecil County is contingent upon like action by the Chesapeake and Atlantic Bays Critical
41 Areas Commission; and

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

44 **AND BE IT FURTHER RESOLVED THAT** this Act shall take effect sixty (60) calendar days after
45 enactment by the Council.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill 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.

BY: Council Manager