

## RESOLUTION

**WHEREAS**, John M. Stoltzfus (the "Applicant") made application to access community water and sewer service for proposed commercial development on 1.1 acres described in a deed recorded among the Land Records of St. Mary's County in Book No. 2373, Page 130 and located at 20744 Piney Point Road and 20915 Point Lookout Road, Callaway, Maryland, and designated as Tax Map 50, Grid 16, Parcels 117 and 259 in the 2<sup>nd</sup> Election District of St. Mary's County, Maryland (the "Property"); and

**WHEREAS**, this access necessitates amendment to the St. Mary's County Comprehensive Water and Sewerage Plan (hereinafter the "CWSP"); and

**WHEREAS**, §1.5 of the CWSP sets forth the procedures for amendment; and

**WHEREAS**, following due notice published in the March 20, 2019, and March 27, 2019, editions of *The Enterprise*, a newspaper of general circulation in St. Mary's County, the posting of the Property, and written notification to the adjoining property owners, the St. Mary's County Planning Commission (hereinafter the "Planning Commission") conducted a public hearing on April 8, 2019, to consider the Applicant's request; and

**WHEREAS**, the Planning Commission concludes that the proposed amendments meet the requirements of §9-506(A)(3) of the *Environment Article* of the Maryland Annotated Code based on the following findings:

i) Compatibility with the St. Mary's County Comprehensive Plan.

The Property lies within the Callaway Village Center which is a planned growth area. §7.4.2.A.ii calls for the provision of central water supply systems to serve existing village centers. §7.6.1.B.iii.a directs that planned sewerage service be provided to growth areas. Therefore, this proposal is consistent with the Comprehensive Plan.

ii) Planning and Zoning Issues.

The proposed connections would serve a commercial use which is approvable in the Village Center Mixed Use (VMX) zoning district. Sections 70.8.1 and 70.9.1.a of the Comprehensive Zoning Ordinance require the connection of new development to public sewer and water systems.

iii) Population Estimates.

The allocation of 5 EDUs of water and sewerage capacity will be required. The Callaway water supply system and the Marlay-Taylor Water Reclamation Facility and collection system are currently adequate to serve the proposed development.

iv) Engineering.

All construction will be in accordance with the St. Mary's County Metropolitan Commission's *Standard Specifications for Water and Sewerage Construction*.

v) Economics.

The applicant will bear all installation costs involved in connecting the subject development to existing service.

vi) State, Regional, and Municipal Plans.

Before an amendment to the CWSP is finalized, it must be reviewed by the state for compatibility with state laws and programs. The proposed amendments are consistent with applicable state laws and programs.

vii) Comments received from other agencies in the County.

Per section 1.5.3(C)(2) of the CWSP, principal Technical Evaluation Committee comments from the Health Department and the Metropolitan Commission must become part of the record to complete the application. These agencies support the provision of community sewerage service to the Property; and

**WHEREAS**, the Planning Commission finds that the requested service would promote the public health and safety, and amending the CWSP is necessary and appropriate.

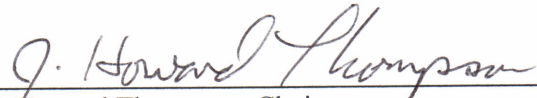
**NOW THEREFORE BE IT RESOLVED** by the St. Mary's County Planning Commission to recommend to the Commissioners of St. Mary's County that the CWSP be amended as follows: amend service area maps III-50 and IV-50 to change the service categories from W-6D and S-6D (service in 6 to 10 years, developer financed) to W-3D and S-3D (service in 3 to 5 years, developer financed) for the Property.

**BE IT FURTHER RESOLVED** by the St. Mary's County Planning Commission that this Resolution shall be effective upon its adoption.

Date of Adoption:

4/8/2019

**ST. MARY'S COUNTY PLANNING COMMISSION**

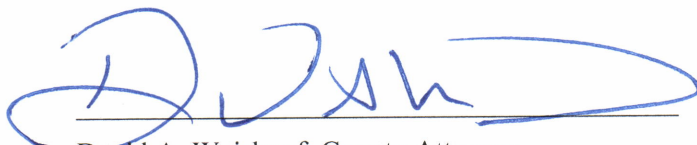
  
\_\_\_\_\_  
J. Howard Thompson, Chair

Attest:

  
\_\_\_\_\_

William Hunt, Director  
Department of Land Use and Growth Management

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
David A. Weiskopf, County Attorney