

**Resolution Exhibit 3**

**Town of Port Deposit  
Annexation Resolution 6-2024  
For Rock Run Road, LLC and Owens Properties**

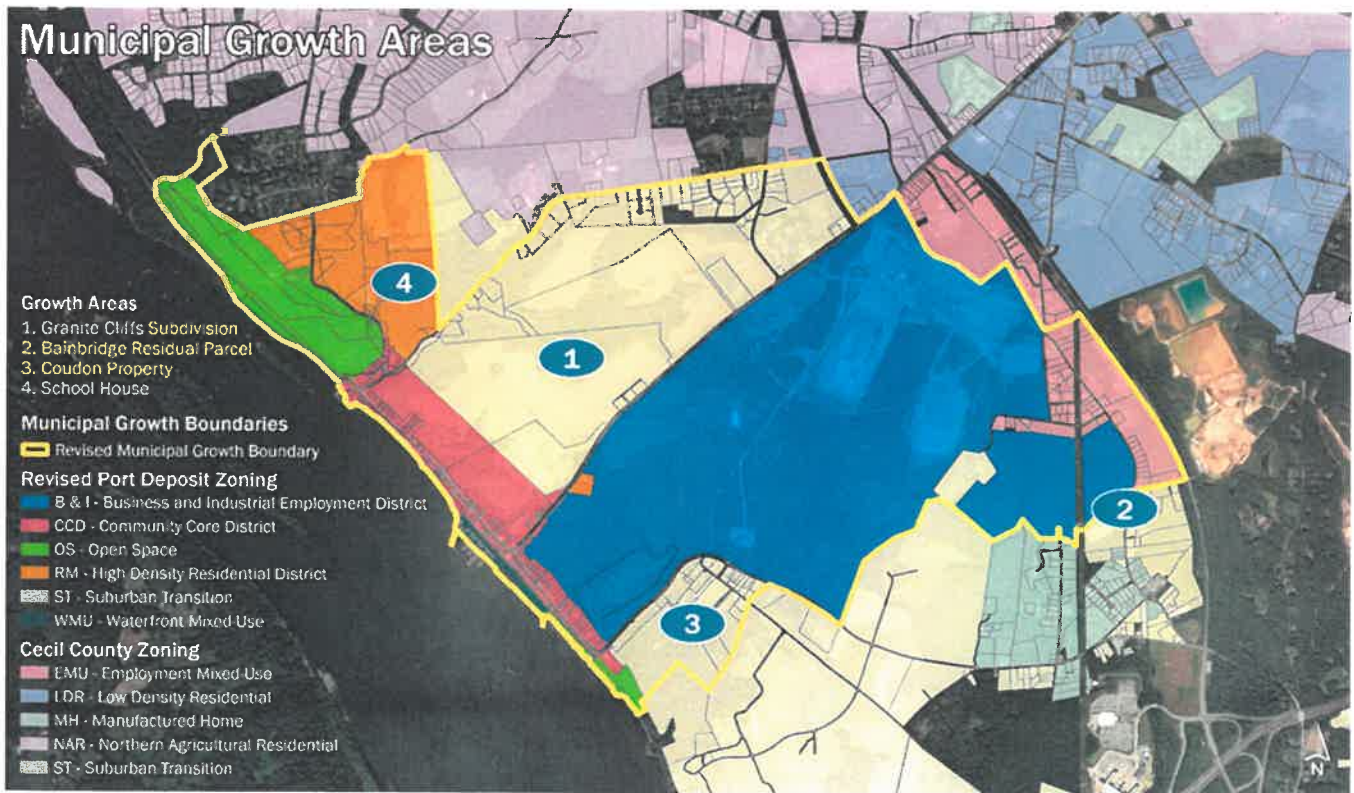
**Annexation Plan**



**Town of Port Deposit**  
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**Rock Run Road, LLC, and Owens, et al Properties**

This Annexation Plan is prepared because of an Annexation Petition submitted by Rock Run Road LLC, Joseph Moran *et al.*, (hereinafter “Petitioner”) to enlarge the corporate boundaries of the Town of Port Deposit by annexation of 44.9515 +/- acres of land consisting of multiple parcels, Tax Map 22I: Acct. No. 07-006020 - Parcel 32 – 42.8079 Acres; Acct. No. 07-055708 - Parcel 249 - .0015 Acres; Acct. No. 07-055668 – Parcel 244 – 0.1248 Acres; Acct. No. 07- 026854 – Parcel 60 - .0001 acre and .0013 acres owned and known by Rock Run Road LLC, Old Schoolhouse Drive LLC and Race Street PD LLC, *et al.*, Acct. No. 07-009437 – Parcel 0071 – 1.0035 acres known and owned by Albert Owens and Acct. No. 07-009431 – Parcel 0047 – 1.0124 acres owned by Robert Owens, *et al.*, more or less, on Old Schoolhouse Drive, in the Seventh Election District of Cecil County, and in so doing to repeal and re-enact with amendments Article II, Section 201 Records and Description of Corporate Boundaries, of the Charter of the Town of Port Deposit.

Pursuant to Local Government Article, Section 4-415 of the Annotated Code of Maryland, the Annexation Plan must be consistent with the Municipal Growth Element (“MGE”) of the comprehensive plan of the municipality. The area proposed for annexation is within Cecil County and within the Town’s growth boundary, as established in the MGE and designated as number 4 on the map in the Town’s Comprehensive Plan, adopted in November 2023.



**FIGURE 6. PROPOSED PORT DEPOSIT LAND USE/ZONING AND MUNICIPAL GROWTH BOUNDARY.**

**General Information and Description**

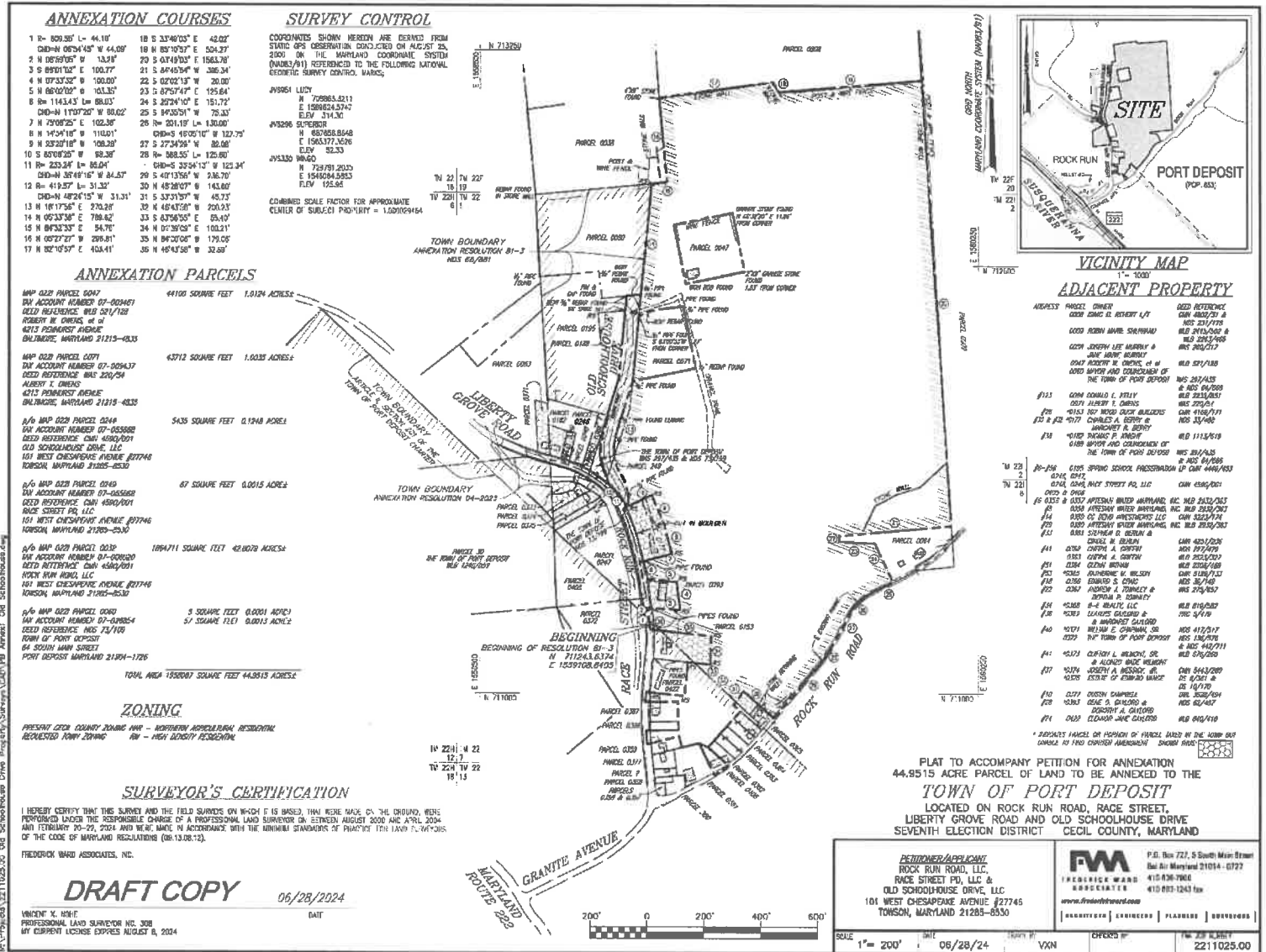
**Petitioner:**

Rock Run Road, LLC, Old Schoolhouse Drive LLC and Race Street PD LLC

Joe Moran, et al.

101 W. Chesapeake Avenue #27746

Towson, MD 21285



**Location**

The parcels of land proposed for annexation (hereinafter "Annexation Area") is contiguous to the town boundary along Old Schoolhouse Drive, east of Race Street, and properties within town limits on Race Street and Granite Avenue. The Annexation Area properties are also described as Parcel 32 – Rock Run Road LLC, 42.89 acres E/S Old Schoolhouse Drive, N of Port Deposit; Parcel 244 – Old Schoolhouse Drive LLC, .811 acres R/O/W Old Schoolhouse Drive off Liberty Grove Road; Parcel 249 – Race Street PD LLC, .1053 acres Liberty Grove Road; Parcel 71 – Albert T. Owens, 1 acre E/S Old Schoolhouse Drive, N of Port Deposit; and Parcel 47 – Robert W. Owens, et al., 1 acre E/S Old Schoolhouse Drive N. of Port Deposit.

**Background**

With Annexation Resolution 81-3 (1981), the Town of Port Deposit annexed the following properties off Old AnnexationPlan.RockRunLLC.Owens.Property.PCMtg.2024.10.24.docx

Schoolhouse Drive: Tax map 221: Parcel 195 – Spring School Preservation LP, 2.709 acres W/S Old Schoolhouse Drive, zoned RM High Density Residential, current use is apartments; Parcel 60 – 3.315 acres and Parcel 188 - .55 acres, Town of Port Deposit, W/S Old Schoolhouse Drive, zoned RM High Density Residential - Current use is Freeman Hall School and lot.

Town Counsel, Thomas McCarron, has determine that the Annexation Petition and Exhibits meet the other requirements for Annexation Petitions as set forth in the LG, §§4-401, *et seq.* of the Maryland Code, including that the property that the petition proposes to be annexed is contiguous with the Town boundary.

## **Land Use Patterns of Area Proposed to be Annexed**

### **Existing Conditions**

The proposed Annexation Area is a vacant, wooded property located on a raised area of land that rises above Race Street and Granite Avenue in a rural area on the north side of Port Deposit. The Owen’s family own two one-acre properties within the Annexation Area. The adjacent property off Old Schoolhouse Drive, annexed into town limits in 1981, is Schoolhouse Apartments, a 31-unit HUD approved affordable housing community built in 1983, and Freeman Hall School (segregated African American school) owned by the Town. Old Schoolhouse Drive is a narrow roadway that is the only access to this community and the Annexation Area.

Granite Avenue and Race Street are zoned Community Core District (CCD) for residential use with single-family homes and single-wide and double-wide manufactured homes which vary in age, size and style. The landscape is predominately wooded lots with mature trees and limited open lawn space. The two-lane rural streets, Granite Avenue, Race Street and Old Schoolhouse Drive, are narrow roadways with no shoulder, sidewalks or street lighting. There is one recreational park off Race Street on the bank of Rock Run stream with a basketball court and small playground.

Port Deposit has a secured \$1.6 million USDA and CDBG grant and loan for a stormwater drainage project on Granite Avenue and Race Street that will be completed in 2025. Drain lines will be installed under the roadway to capture and treat stormwater run off before it empties into the Susquehanna River. Cecil County Public Works Department will be simultaneously replacing old terra cotta sewer lines. The new curbing installed along each street will reduce soil erosion on the properties and new blacktop will improve the street surface.

### **Cecil County Zoning**

The Annexation Area is within the County’s Rural Conservation District as specified in the 2010 Cecil County Comprehensive Plan designated for moderate density development. The property is currently classified Northern Agricultural Residential (NAR) per Cecil County’s zoning map.

The property adjacent to the proposed Annexation Area had the same County zoning classification when it was annexed in 1981. When annexed by the Town, the property was zoned for high density residential allowing the current Schoolhouse Apartments housing development.

### **Requested Town Zoning**

The petitioner has requested that the Annexation Area be designated High Density Residential (RM) that would match the adjacent property off Old Schoolhouse Drive already within town limits. This request is substantially different from the County’s zoning classification. Under Section 4-416(b) of the Local Governments Article of the Annotated Code of Maryland, newly annexed areas within a municipality are subject to county zoning limitations for five years unless a waiver is granted by the County Council. Town officials will request Cecil County Council’s consideration of a waiver to the five-year rule on annexation as it pertains to the proposed annexation and housing development to allow the RM zoning classification.

Port Deposit has experienced zero residential growth over the past three decades, according to the U.S. Census. However, the Town is now at a pivotal moment where business and industrial development on the Bainbridge property will create an opportunity for significant population growth. The proposed annexation would help meet the housing needs of the incoming workforce and contribute to the Town's long-term vision for sustainable development.

The Town's Comprehensive Plan anticipates that residential growth opportunities will shift to four potential development areas as shown on the map on page 1. Through the plan, the Town establishes a goal of 1,000 new residents by 2030. An analysis of the new buildable acreage in each designated municipal growth area indicates that between 830 to 900 residential units could be built on the properties. The proposed residential units for the Annexed Area is approximately 187. The Town intends that any growth in these areas be consistent with current land use designations in the area albeit with flexibility for higher density provided community and environmental benefits are provided.

### **Compliance with Municipal Growth Element of Town's Comprehensive Plan**

The Annexation Area is within the Town's growth boundary, as established in the MGE and designated as number 4 on the map on page 1, in the Town's Comprehensive Plan adopted in November 2023.

### **Adequacy of Public Facilities**

This section discusses the public facilities and services that are currently existing or proposed for the area. In general, residential development for the Town will require public utilities and services already provided to the surrounding residential community. Impacts on public services and facilities will be evaluated as detailed development plans are submitted to the Town.

### **Water and Sewer**

Water service is provided by Artesian Water and sewer service is provided by Cecil County Public Works.

Approval of any and all development plans for the Annexed Area shall be conditioned upon Cecil County extending and allocating sufficient sewer capacity from its waste water treatment facilities and Artesian Water extending and allocating water service sufficient for the housing density proposed for development of the Annexed Area. Extension of sanitary sewer and water service to the Annexed Area shall be in accordance with and subject to all State, County and/or local regulations governing the allocation of public sewer and water service, as amended from time to time. All cost associated with the installation of utilities for this development will be at the sole cost and expense of the Petitioner or its successor in interest.

### **Roads**

All street improvements and new streets would need to comply with the Cecil County Road Code to the maximum extent possible. Access to the Annexed Area would be from Race Street via Old Schoolhouse Drive. The two-lane rural streets, Granite Avenue, Race Street and Old Schoolhouse Drive, are narrow roadways with no shoulder, sidewalks or street lighting. A traffic analysis would need to be conducted by the Petitioner. It is anticipated that improvements to existing streets will be required to manage the traffic generated by the new development. It is anticipated that the Petitioner will construct any new roads that serve the development to meet the Cecil County Road Code at the sole cost and expense of the Petitioner or its successor in interest. It is anticipated that there will a public works agreement between the Petitioner and the Town.

### **Transit**

There is no current or planned public transit that would be available to the Annexation Area.

**Police Services**

Police protection is provided to the Town of Port Deposit by the Cecil County Sheriff’s Office and Maryland State Police. The Town currently has a police contract with the Cecil County Sheriff’s Office which provides independent 4-hour patrol shifts by Cecil County Deputies directly within town limits. The Town anticipates no concerns in being able to extend police service to the Annexed Area.

**Fire, EMS and Rescue Services**

The Water Witch Volunteer Fire Company, Station 7 at 15 N. Main Street and Station 72 at 1 Bill Amoss Way, would provide fire and emergency service protection to the Annexed Area and would continue to do so after the annexation. The Cecil County Department of Emergency Services operates the 911 Call Center to dispatch all calls for fire, EMS and rescue services within Cecil County. Local volunteer fire companies located throughout Cecil County are dispatched through the 911 call center. Other local stations would be available to supplement service if required.

**School Services**

The Town does not own, operate or maintain a school system. Cecil County Public Schools provide public education and related resources to the citizens of Cecil County, including all citizens residing within municipalities. The Annexation Area will impact Bainbridge Elementary, Perryville Middle and Perryville High School.

As per data provided by the Cecil County Public Schools, current capacity and enrollment figures indicate adequate capacity at all three schools.

School	Capacity	Enrollment
Bainbridge Elementary	449	278
Perryville Middle	860	536
Perryville High	944	876

**Parks and Recreation and Public Libraries**

Currently, the Town of Port Deposit owns, operates and maintains the following recreational parks:

- Spot in the Rock – Race Street: basketball court, playground equipment
- Hopkins Quarry Park – north end of town is under development
- Basketball Court – N. Main Street
- Rice Tot Lot and Dog Park – N. Main Street: dog park facility, playground equipment
- Marina Park – S. Main Street: Visitor Center and Towson University Research Center for Northern Map Turtle, boat launch, playground equipment, public boat dock, picnic area, walking promenade that extends along the waterfront to Vannort Drive, and open space for entertainment.

The current Zoning Ordinance requires that a minimum of 20% of the development be maintained as open space. The Petitioner shall be required to meet the recreational facilities and open space requirements for residential development as stated in Article XIII of the Zoning Ordinance. The town anticipates recreational facilities for the development shall be maintained by the Home Owners Association if private, or an agreement reached with the Town of Port Deposit to acquire and maintain a new recreational park that would be open to the public.

The closest library to the Annexation Area is Community Connecting Us, N. Main Street, that provides library services in conjunction with the Cecil County Public Library system.

### **Stormwater Management, Floodplain and Critical Area**

The Petitioner must comply with the Cecil County Stormwater Management regulation and all stormwater management plans are reviewed and approved by the Cecil County Development Plans Review Division. Due to the location of the Annexation Area, the topography and granite composition of the cliff, the Town shall request that all stormwater management facilities be designed to a minimum of the 100-year storm, and that other stormwater management best practices be installed as needed.

At the sole cost and expense of the Petitioner or its successor in interest, development of the property shall be subject to a hydrology analysis for the proposed annexation and housing development off Old Schoolhouse Drive is to ensure that the project adequately assesses and mitigates potential stormwater and flood-related impacts on the local environment, infrastructure, and surrounding properties. The detailed analysis shall include, but not be limited to, pre- and post-development runoff scenarios for the 10-year and 100-year frequency storm events, peak discharge rates, discharge volumes, and potential erosion effects on the tributaries, evaluation of any existing stormwater infrastructure in the area, and evaluation of flood risk and water quality impacts on adjacent properties and waterways.

The Annexation Area is not within a floodplain or within the critical area; however, all stormwater run-off from the development will impact properties at the bottom of cliff and flow into the Rock Run stream on the north side of Race Street, a direct tributary of the Susquehanna River. The Town anticipates that mitigation strategies shall be implemented that reduce any negative environmental impacts from development. The development will not be approved unless it is found to be in compliance with all federal, state, county and town stormwater management regulations. All stormwater management facilities shall be installed at the sole cost and expense of the Petitioner or its successor in interest and shall be maintained by the Home Owners Association.

### **General Fiscal Considerations**

No detailed fiscal impact of the Annexation Area for road maintenance and service has been conducted by the Town. The residential properties would generate real property taxes based on the annual property tax per \$100 of the property assessment determined by the State Department of Assessments and Taxation adopted annually by the Mayor and Council. Residential properties will be included in the refuse contract and home owners would be billed for the service through the annual property tax bills.

### **Conclusion**

Pursuant to Section 4-415(a) of the Local Government Article of the Annotated Code of Maryland, an annexation plan shall be adopted by the legislative body for the area to be annexed. The Mayor and Council introduced the Annexation Resolution and Exhibits for the annexation area on September 3, 2024 and referred documents to the Planning Commission for review and recommendations. The Planning Commission public meeting is scheduled for Thursday, September 26, 2024. The Mayor and Council will review the Planning Commission recommendations, Annexation Agreement and Annexation Plan on November 5, 2024 and will set the public hearing for Tuesday, January 7, 2025. The Annexation documents will be sent to the Maryland Department of Planning and the Cecil County Planning and Zoning Department for review and comment at the public hearing. Unless a decision on the annexation is postponed, the Mayor and Council has tentatively scheduled final consideration and adoption of the Annexation Resolution for the January 21, 2025 meeting, which initiates the 45-day referendum period. Absent a referendum, the effective date will be 45 days after adoption. The Town of Port Deposit reserves the right to amend this Annexation Plan in response to information provided at the public hearing and/or information provided by the Maryland Department of Planning and Cecil County Planning and Zoning Department as part of this annexation process.

The Annexation Plan will be incorporated with Annexation Resolution 06-2024 as Exhibit 3. Town of Port Deposit Annexation Resolution 06-2024 for Rock Run Road, LLC and Owens Properties – Annexation Plan.

**Review Comments, Questions, and Recommendations**

Pursuant to Section 4-401, et seq., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland, a copy of this Annexation Plan is being provided to both the County Council of Cecil County, which currently exercises jurisdiction over the properties, and to the Maryland Department of Planning. All review comments must be received by the Town of Port Deposit no later than December 31, 2024.

See Public Hearing notice for the January 7, 2025 Council meeting. Please advise if a representative will be attending this meeting from your organization. Review comments should be addressed to: Town of Port Deposit, Attn: Vicky Rinkerman, Town Administrator, 64 S. Main Street, Port Deposit, MD 21904.