

AGENDA

WORCESTER COUNTY COMMISSIONERS

Worcester County Government Center, Room 1101, One West Market Street, Snow Hill, Maryland 21863

September 17, 2019

- | | <u>Item #</u> |
|--|-----------------|
| 9:00 AM - Vote to Meet In Closed Session in Commissioners' Conference Room - Room 1103
Government Center, One West Market Street, Snow Hill, Maryland | |
| 9:01 - Closed Session: Discussion regarding hiring a Deputy Director of Economic Development, a Recreation Program Manager III for Recreation and Parks, a Plant Operator Trainee for the Water and Wastewater Division, and Promotion of a Mosquito Control Foreman Trainee for Public Works; discussing an Offer to Purchase the former Liquor Control Warehouse in Snow Hill; a receiving legal advice from Counsel; and performing administrative functions | |
| 10:00 - Call to Order, Prayer (Arlene Page), Pledge of Allegiance | |
| 10:01 - Report on Closed Session; Review and Approval of Minutes | |
| 10:10 - Chief Administrative Officer: Administrative Matters | 1-17 |
| (Tax Credit for Berlin Community Improvement Association; Technical Assistance Grant for Maryland Public Access and Water Trails - Pocomoke River Water Trail; Berlin Little League World Series; Pending Board Appointments; MDE Request for Air Quality Monitoring Station at Newtown Park; Bid Specifications for Hydraulic Crawler Excavator; Award of Bids for Recycling Containers, Service Truck with Crane and Hoist, and Two Dump Trucks; Roadway Line Striping Services; Purchase of Two Pumps for Ocean Pines Pump Station V; Purchase of West Ocean City Service Area Electrical Panels; Mystic Harbour Effluent Disposal Project Change Order No. 3; Amendment to Newark Water Tower Antenna Mounting Space Lease with Verizon Wireless; Disposition of Barrett Road - Proposed Annexation in Berlin; Award of Bid for Demolition of Structures - Nuisance Abatement Order 18-3 - Stockton Road; Community Development Block Grant Application for Newark Spray Irrigation Project; and potentially other administrative matters) | |
| 10:20 - | |
| 10:30 - Public Hearing - Rezoning Case No. 418 - Moore Boat, LLC - 9.4 acres located at the Southerly Terminus of North Piney Point Road - from E-1 Estate to I-1 Light Industrial District | 18 |
| 10:40 - | |
| 10:50 - | |
| 11:00 - Legislative Session - Proposed Revisions to Bill 19-3 (Zoning - Boarding and Lodging Rentals) | 19 |
| - Consider Text Amendment Application - Full Time Occupancy in Campground Subdivisions | 20 |
| 11:10 - | |
| 11:20 - Chief Administrative Officer: Administrative Matters | 1-17, continued |
| 11:30 - | |
| 11:40 - | |
| 11:50 - | |
| 12:00 - Questions from the Press; County Commissioner's Remarks | |
| Lunch | |
| 1:00 PM - Chief Administrative Officer: Administrative Matters (If Necessary) | |
| 1:10 - | |
| 1:20 - | |
| 1:30 - | |

AGENDAS ARE SUBJECT TO CHANGE UNTIL THE TIME OF CONVENING

Hearing Assistance Units Available - see Kelly Shannahan, Asst. CAO.

Please be thoughtful and considerate of others.

Turn off your cell phones & pagers during the meeting!

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Minutes of the County Commissioners of Worcester County, Maryland

September 3, 2019

Diana Purnell, President
Joseph M. Mitrecic, Vice President
Anthony W. Bertino, Jr.
Madison J. Bunting, Jr.
James C. Church
Theodore J. Elder
Joshua C. Nordstrom

Following a motion by Commissioner Bertino, seconded by Commissioner Nordstrom, with Commissioners Elder and Mitrecic absent from the vote, the Commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Conference Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1), (4), (7), and (8) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions, permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Harold L. Higgins, Assistant Chief Administrative Officer Kelly Shannahan, County Attorney Maureen Howarth, Public Information Officer Kim Moses, Human Resources Director Stacey Norton, and Recreation and Parks Director Tom Perlozzo. Topics discussed and actions taken included: rehiring Joseph Fuchsluger as a Plant Operator III for the Water and Wastewater Division of Public Works; reviewing a leave of absence request; reviewing pending litigation; discussing a business organization to expand or remain in the State; receiving legal advice from counsel; and performing administrative functions, including: receiving the FY19 monthly financial update.

Following a motion by Commissioner Mitrecic, seconded by Commissioner Nordstrom, the Commissioners unanimously voted to adjourn their closed session at 9:34 a.m.

After the closed session, the Commissioners reconvened in open session at 10:00 a.m. Commissioner Purnell called the meeting to order, and following a morning prayer by Arlene Page and pledge of allegiance, announced the topics discussed during the morning closed session.

The Commissioners reviewed and approved the August 20, 2019 closed session minutes as presented and open session minutes as amended.

The Commissioners observed a moment of silence to honor Guy R. Ayres, III, longtime Ocean City Solicitor who passed away August 31, 2019, and to pray for Hurricane Dorian victims.

The Commissioners presented a proclamation recognizing September as Suicide Prevention Month to Health Department Planning, Quality and Core Services Director Jennifer

LaMade, Jesse Klump Memorial Fund Board President Kim Klump and Secretary Ron Pilling, and Susan Schwarten of the Governor's Commission on Suicide Prevention, which highlights special events that will take place during September, as part of the public awareness campaign, including the *Out of Darkness* Walk to Prevent Suicide on September 21, 2019 at Caroline Street on the Boardwalk in Ocean City. To learn the warning signs and risk factors for suicide, please visit <http://worchesterhealth.org>.

The Commissioners presented a proclamation recognizing September as Worcester Goes Purple as part of National Recovery Month to Debbie Smullen, the Worcester Goes Purple event coordinator for the Board of Education (BOE), and team partners from the BOE, Atlantic General Hospital, Worcester County Health Department, Worcester County Warriors Against Opioid Addiction, and Senator Mary Beth Carozza's office. Ms. Smullen thanked the Commissioners and area partners for working together to continue to increase community awareness about opioid addiction, and she invited the public to take part in the board walk on September 7, 2019.

Pursuant to the recommendation of Housing Program Administrator Jo Ellen Bynum and upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the Notice to Public of Intent to Request Release of Funds on or about September 20, 2019 from the Maryland Department of Housing and Community Development (DHCD) to release Community Development Block Grant (CDBG) funds of \$769,368 to rehabilitate 18 homes owned by low to moderate income families through the Worcester County Housing Rehabilitation Program. Ms. Bynum advised that the County has prepared an Environmental Review Record identifying the 2020 Worcester County Housing Rehabilitation Project as Categorically Excluded under the National Environmental Policy Act of 1969, making the County eligible to apply to the State for the release of this reserved grant funding.

Pursuant to the written request of Superintendent of Schools Louis H. Taylor and upon a motion by Commissioner Bertino, the Commissioners unanimously approved inter-category budget transfers from Instructional Salaries (\$825,343) and Operation of Plant (\$129,511) to offset overages in Administration (\$113,617), Instructional Support (\$144,695), Special Education (\$403,031) and Student Transportation (\$293,511) for the fiscal year ending June 30, 2019 to address increased instructional software, special education, transportation and maintenance costs experienced in FY19.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously requested to receive a copy of the FY20 BOE detailed, line-by-line budget for their review.

Pursuant to the request of Local Management Board (LMB) Director Jessica Sexauer and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the highest-scoring proposals to local vendors to implement the following programs: Telamon Corporation (35.4 out of 42 points) at a cost of \$150,000 for Worcester Education, Employment and Empowerment (WE3) program targeting disconnected youth ages 16-24 who are not working and not in school; Worcester County Health Department (39 out of 42 points) at a cost of \$149,993 for Building Bridges to Stable Families to help reduce the impact of incarceration on

children, parents, and families; and Worcester Youth and Family (32.5 out of 42 points) at a cost of \$150,000 for Worcester Connects, a mentor program targeting 6th to 12th grade students who are truant and/or have been bullied.

The Commissioners reviewed a memo from Chief Administrative Officer Harold Higgins regarding a possible unrestricted grant increase to the Town of Pocomoke City based on 10% of table games revenues received by Worcester County from the Ocean Downs Casino, as requested by Commissioner Nordstrom. Upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to table this request until FY21 budget deliberations.

Pursuant to the recommendation of Public Works Deputy Director John Ross in response to a request by Steen Associates, Inc. President Marvin Steen and upon a motion by Commissioner Bertino, the Commissioners unanimously approved an extension of the Small Project Agreement for Construction of Water and Sewer Utilities at Triple Crown Estates from October 1, 2019 to October 1, 2020. Mr. Ross advised that Steen Associates only recently began constructing the subdivision, and it is clear that construction will not be completed by the original deadline. He advised that staff has no concerns with extending the agreement.

Pursuant to the request of Mr. Ross and upon a motion by Commissioner Elder, the Commissioners unanimously agreed to waive the standard bid process and accept the proposal from Core & Main of Montross, Virginia at a total cost of \$193,875 for a bulkhead of 480 new 5/8" meter registers, one new 1 1/2" meter register, and 755 meter repair/upgrade packages. Mr. Ross explained that the batteries within the automated reading meters purchased between 2000 and 2007 last only 15 to 20 years and must be replaced. In response to a question by Commissioner Bertino, Mr. Ross advised that Core & Main is the sole source provider of this equipment.

The Commissioners conducted a public hearing to receive public comment on the proposal originally submitted by Attorney Mark Cropper on behalf of Last Stop Boardwalk, LLC (Phil Houck), owner of the property to relocate an approximate 490-foot section of the Kitts Branch Tax Ditch, as a part of a proposed development of the property located on the northwestern corner of Ocean Gateway and North Main Street in Berlin and more specifically identified on Tax Map 25 as Parcel 460, Lot 1. Environmental Programs Director Bob Mitchell summarized the history of the request, noting that at their February 19, 2019 meeting the Commissioners unanimously accepted the proposal from J. W. Salm Engineering, Inc. for engineering services, and Mr. Salm had worked with the Kitts Branch Board of Viewers, County staff, and Mr. Houck's engineer to address all of the concerns and issues that had been identified, those recommendations were incorporated into the proposal, and the Kitts Branch Board of Viewers recently completed their review and gave the proposal a favorable recommendation, subject to the conditions included in their report, with the owner to pay the estimated cost of \$90,000 to complete all drainage improvements.

Commissioner Purnell opened the floor to receive public comments.

Attorney Pete Cosby, representing Last Stop Boardwalk, LLC, advised that the Kitts Branch Board of Viewers report is comprehensive, and noted that his client agrees with the

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conditions therein.

There being no further public comment, Commissioner Purnell closed the public hearing.

Upon a motion by Commissioner Church, the Commissioners unanimously approved the relocation as requested, subject to the applicants meeting the conditions included in the report from the Kitts Branch Board of Viewers.

President Purnell thanked the volunteer Board of Viewers for their time, including members Robert Shockley, David Bradford, Lee Gillis, John Ross, and Alan Hudson.

Pursuant to the request of Mr. Ross and upon a motion by Commissioner Elder, the Commissioners unanimously awarded the sole bid to replace the Riddle Farm Wastewater Treatment Plant (WWTP) flow equalization tank to Chesapeake Turf, LLC of Salisbury, Maryland under Option 2 (Stainless Steel Tank) at a total lump sum price of \$414,330.00. In response to a question by Commissioner Bertino, Mr. Ross stated that the design engineer and County staff agreed that the additional life of the stainless steel tank more than justifies the \$46,230 cost difference for this product rather than replacing it with a glass-lined steel tank, which will have a shorter life expectancy. Funding for the project will be derived from the 2019 County bond (\$25,000) and a short-term intergovernmental loan in anticipation that the balance will be reimbursed by the sale of equivalent dwelling units (EDUs) in the service area.

Mr. Ross reviewed bids for the purchase of pipe for the Roads Division of Public Works. Upon a motion by Commissioner Bertino, the Commissioners unanimously awarded the best bid for the provision of riveted galvanized steel corrugated metal pipe and HDPE double-wall plastic pipe for use within the Roads Division of Public Works to Ferguson Waterworks of Salisbury, Maryland at a total cost of \$32,684.40. While the bid from Lane Enterprise of Bealton, Virginia was slightly lower, by \$409.29, the Commissioners determined that the bid from the local vendor was the best bid.

The Commissioners conducted a public hearing to receive public comment on an application submitted by Attorney Hugh Cropper, IV on behalf of Evergreen Village, LLC to establish a Residential Planned Community (RPC) floating zone on the 94.7-acre property (currently zoned R-1 Rural Residential and RP Resource Protection Districts) formerly known as Pine Shore Golf North. The property, which is located on the northwesterly side of Beauchamp Road, north of MD Rt. 589 (Racetrack Road), and more specifically identified on Tax Map 15 as Parcels 127 and 259, is proposed for development as a 90-lot, single-family-dwelling subdivision, with no commercial uses. Parcel 127 abuts the River Run subdivision, and Parcel 259 abuts the St. John Neumann Catholic Church property. Staff members present at the hearing were Development Review and Permitting (DRP) Director Ed Tudor and Zoning Administrator Jennifer Keener. County Attorney Maureen Howarth informed the public of the procedure in the RPC hearing. She then swore in the four individuals who planned to give testimony during the hearing.

Ms. Keener stated that 90.4 acres are located within the R-1 Rural Residential District, with the remaining 4.3 acres in the rear of the property located in the RP Resource Protection District, noting that Parcel 127 is within an Existing Developed Areas (EDA) land use category and is consistent with uses outlined in the Comprehensive Plan. She advised that, while Parcel

259 is within the Agricultural land use category, this property was utilized as a commercial golf course for many years, and the conversion of the golf course into a residential subdivision will not result in the loss of agricultural production, nor would it be incompatible with the surrounding neighborhood. As justification for their recommendation to rezone the property to R-1 Rural Residential District, the Planning Commission found that Windmill Creek would have been a more accurate boundary between the Existing Developed Area and the Agricultural land use categories. She stated that proposed open space totals approximately 57.18 acres, consisting of 46.07 acres of uplands and 11.11 acres of non-tidal wetlands and ponds. Within this total, three acres of active recreation and 15 acres of passive recreation are proposed. The remaining open space is proposed to remain in its natural state. Ms. Keener further stated that the Step I RPC plan indicates that there will be one point of access to the project from Beauchamp Road, with no adverse impact on traffic and transportation patterns, and will be served by public water and sewer from the Ocean Pines and River Run Sanitary Service Areas (SSA), respectively. Therefore, the Planning Commission gave a favorable recommendation to the request to establish the RPC floating zone for Evergreen Village.

Commissioner Purnell opened the floor to receive public comment.

Mr. Cropper concurred with staff's findings and asked the Commissioners to accept these findings as his testimony as well.

Bob Hand, land planner and project engineer, testified that the proposed project is predominantly located in an EDA and suited for infill development around Ocean Pines. He reviewed project plans to develop a 90-lot, single-family subdivision in one phase, with no commercial uses, and highlighted the project's consistency with the Comprehensive Plan and Zoning Ordinance.

Rodney Carpenter, civil engineer and water and sewer design engineer, testified that the existing well on the property will be decommissioned and capped off. He stated that the proposed project is feasible from an engineering and technical point of view, noting that adequate public water and sewer facilities exist to serve this project as confirmed by a recent Water and Sewerage Plan amendment. He further stated that project plans meet or exceed all stormwater management requirements.

Chris McCabe, environmental consultant and owner of Coastal Compliance Solutions, testified that the petitioned area includes several ponds that were nontidal wetlands, several of which are proposed to be enlarged and several others to be filled in to accommodate road construction. He noted that the property includes a forest conservation easement, and concluded that this project satisfies all requirements to protect key environmental features and meets stormwater requirements by discharging into the wetlands on this property.

Sheila Zimmer, representing St. John Neumann Catholic Church, requested that the developer adhere to his verbal agreement to plant a natural buffer between the church property and the proposed subdivision. Mr. McCabe confirmed that the project will include the planting of red cedars or white pines, which are native species, as buffers.

There being no further public comment, Commissioner Purnell closed the public hearing.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously adopted the Planning Commission's Findings of Fact and approved the RPC.

The Commissioners recessed for five minutes.

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Pursuant to the recommendation of Emergency Services Director Billy Birch and upon a motion by Commissioner Bertino, the Commissioners unanimously authorized Commission President Purnell to sign the Sixth Amendment to System Purchase Agreement between the County Commissioners (Buyer) and Harris Corporation (Seller) to provide an 800 MHZ P25 Radio System Migration (Agreement). Those in attendance at the meeting included Emergency Services Assistant Director James Hamilton and representatives from Harris Corporation, Jim Magee and Scott Targeman, and Adam Nelson with Federal Engineering (FE), the County's consultant on this project. Mr. Birch stated that this amendment removes work from the contract that has been completed by County staff, provides a credit for said work, and provides for the installation of an in-building amplification system to address in-building coverage concerns within the Newark Fire Station, as required within the System Purchase Agreement. He further noted that this sixth amendment does not constitute a final acceptance or a final payment agreement.

Pursuant to the request of Public Works Deputy Director John Ross and upon a motion by Commissioner Mitrecic, the Commissioners unanimously awarded the low bid to Chesapeake Paving & Sealing, Inc. of Salisbury, Maryland for County-wide blacktop surfacing of roughly 11.45 miles of roads requiring approximately 12,471 tons of bituminous concrete at a fixed price of \$73.50 per ton, and also including Option 1 (trim shoulders) at a fixed price of \$25,000 and Option 2 (fill shoulders) at a fixed price of \$25,000 for a total estimated cost of \$966,618.50.

Pursuant to the recommendation of Mr. Ross and upon a motion by Commissioner Bertino, the Commissioners unanimously approved bid specifications to purchase 17 vehicles, as approved in the FY20 County Operating Budget as follows: on standard sedan for Development Review and Permitting; one compact 4x2 cargo van for Information Technology; two SUV full-size 4x4 with police packages and three SUV full-size 4x2 with police packages for the Sheriff's Office; one, one-ton 4x2 full-size cargo van for the County Jail; one 3/4-ton 4x4 full-size crew cab pickup truck for the Fire Marshal's Office; one 3/4-ton 4x4 full-size pickup truck with snow plow for the Department of Public Works (DPW) Maintenance Division; one 1 1/2-ton 4x4 crew cab truck chassis with dump body and snow plow for the DPW Roads Division; and one 1 1/2-ton 4x2 crew cab truck chassis with dump body, three 3/4-ton 4x4 full-size pickup trucks, and two 1/2-ton 4-x full-size pickup trucks for the DPW Water and Wastewater Division. In response to a question by Commissioner Mitrecic, Fleet Management Superintendent Derrick Babcock confirmed that bid specifications for the police vehicles paint color is blue velvet metallic.

Pursuant to the request of Mr. Ross and upon a motion by Commissioner Bunting, the Commissioners unanimously agreed to schedule a public hearing on October 15, 2019 to receive public comment on the proposal to accept Arcadia Circle in the Arcadia subdivision into the County Roads Inventory.

Mr. Ross reviewed the results of the recent online auction of County surplus property on GovDeals.com and stated that the County earned \$79,133.79 through the auction, with \$300 to be refunded to the Solid Waste Enterprise Fund and \$13,710.77 to be refunded to the Water and Wastewater Enterprise Fund, with the balance to the County's General Fund.

Environmental Programs Director Bob Mitchell presented the Commissioners with a proposed list of local priorities for U.S. Army Corps of Engineers projects, which was developed in response to a recent request from Senator Ben Cardin's office seeking the County's top funding priority projects in the upcoming federal budget process. Upon a motion by Commissioner Mitrecic, the Commissioners unanimously approved the list as presented, which includes the following projects: inlet navigation improvement project to deepen the channel in the Ocean City Inlet, with plans to be completed in 2020 and work to start in 2021; scour hole study, undertaken in 2017, with options to be developed in 2019 and public review in summer 2020 to address a scour hole estimated to be at least 50 feet deep near Homer Gudelsky Park that is threatening shoreline stability; long-term sand management plan for the Assateague Island restoration project to repair and stabilize island erosion caused by the jetties at the Ocean City Inlet; continued navigation maintenance dredging for the Ocean City Inlet; and projects that have no program association at this time, which include correction of the eroded portion of the northern tip of Assateague Island, reshaping jetties off the northern tip of Assateague and installing a return to prevent or lessen future erosion, and beneficial use of dredged material to supply resiliency projects and possibly restore and replenish created islands in Assawoman and Sinepuxent Bays.

Pursuant to the recommendation of Recreation and Parks Director Tom Perlozzo and upon a motion by Commissioner Mitrecic, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition to adopt Resolution No. 19-28 designating a portion of the West Ocean City (WOC) Harbor for County use or County joint ventures. Mr. Perlozzo stated that there is space at the WOC Harbor to the west of the Governor's Dock, between said Dock and the recreational boat ramp (directly in front of the public restrooms) that is not in use, does not meet the definition of the commercial section of the Harbor as defined in Section CG 4-405 of the County Code nor does said space meet the definition of the "recreational section" defined as "That portion of the West Ocean City Harbor wherein the County Commissioners have installed a boat ramp and shall constitute an area as from time to time determined by the County Commissioners by resolution." He concluded that CG 4-405(c)(1) states "that the County Commissioners may reserve portions thereof for other public purposes as may be from time to time determined by the Commissioners." Thus, the Commissioners have the ability to reserve space for other purposes by resolution, and Resolution No. 19-28 designates the space, which is approximately 64 feet in length running along the bulkhead from the Worcester County boat ramp to the area known as the Governor's Dock on the north side of the Harbor, which shall be reserved for use by the County or County joint ventures.

Commissioner Bunting stated that he has been opposed to this County lease or County joint venture area from the beginning since it takes this area away from public use and since the Commissioners have never previously permitted commercial uses at County boat ramps, and for those reasons he could not support Resolution No. 19-28.

Pursuant to the request of Mr. Perlozzo and upon a motion by Commissioner Mitrecic, the Commissioners voted 5-2, with Commissioners Bertino and Bunting voting in opposition to schedule a public hearing on October 1, 2019 to receive objections on a proposal to enter into a license agreement with Thrive Engineering, LLC (Licensee), to grant a license to the licensee for

space to dock the sailing vessel, Alyosha, at the WOC harbor in the County joint venture area that is approximately 64 feet in length and running along the bulkhead from the Worcester County boat ramp to the Governor's Dock for five years beginning on October 1, 2019 and ending on September 30, 2024, with a possible one-year renewal by mutual consent, with a minimum annual rental fee of \$8,500.00; the County would receive the first \$8,500 generated by selling advertising on each sail, with any additional revenues to be split 50/50 by the County and Mr. Butz; provisions for area use and clean up; only the vessel indicated within the document may be docked at the slip; all insurance must be up to date with provisions specified by the County; exclusive rights for the County to sell advertising on the indicated sails; and a non-Compete clause for any termination or early termination as it relates to sponsor revenues.

In response to a notice from the U.S. Army Corps of Engineers (COE) entitled "Atlantic Coast of Maryland Shoreline Protection Project Draft Findings of No Significant Impacts and Environmental Assessment: Offshore Shoals in Federal Waters as Sand Sources," and upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign a letter to the COE strongly requesting dredging activities be avoided in the vicinity of Shoal B to protect vital bass grounds, due to the negative effect on the sportfishing industry in Worcester County.

Upon a motion by Commissioner Mitrecic, the Commissioners unanimously authorized Commission President Purnell to sign a letter to Governor Larry Hogan opposing a request they received from the Dorchester County Council requesting that the State stop the conversion of the Eastern Correctional Institution's (ECI) energy source from woody biomass to natural gas. Commissioner Mitrecic further explained that this response was in support of Somerset County Government, which has been working diligently to encourage the extension of a natural gas pipeline for decades which, if successful, may eventually be extended to the Pocomoke City area to the benefit of the residents and businesses in that area and because without anchors, such as the University of Maryland Eastern Shore (UMES) and ECI, the natural gas extension project may not be viable.

Commissioner Mitrecic requested scheduling of a letter from the Ocean City Mayor and Council requesting State legislation to authorize the collection of room tax and food tax within the corporate limits of the town to be permitted to be transferred from the County to the Town of Ocean City for discussion at a future meeting.

Commissioner Bertino requested staff update the Commissioners on the status of constructing a second gate in the Commissioners Meeting Room.

Commissioner Elder requested County staff look into installing additional lights in the Northern Worcester Athletic Complex in the vicinity of the Pop Warner football fields and the parking lot.

The Commissioners answered questions from the press, after which they adjourned to meet again on September 17, 2019.



OFFICE OF THE TREASURER

Worcester County

GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1105

P.O. Box 248


SNOW HILL, MARYLAND

21863

TEL: 410-632-0686
FAX: 410-632-3003

PHILLIP G. THOMPSON, CPA
FINANCE OFFICER

JENNIFER C. SWANTON, CPA
ASSISTANT FINANCE OFFICER

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Phillip G. Thompson, Finance Officer 
RE: Tax Credit – Berlin Community Improvement Association
DATE: September 6, 2019

I would like to request the County Commissioners authorize a 100% county tax credit for the Berlin Community Improvement Association, Inc. pursuant to Section 9-325 of the Tax Property Code. Included with this request is a copy of the letter from the Association requesting the credit. This credit will apply to fiscal year 2020 for accounts 03-034542 and 03-034534. The amount of County taxes to be credited will be \$3,500.84.

If you have any questions or require any other follow-up, please do not hesitate to contact me.

B.C.I.A.
Berlin Community Improvement Association
P.O. Box 175
Berlin Maryland 21811

August 20, 2019

Worcester County Commissioners
1 West Market Street
Room 1103
Snow Hill, Maryland 21863

Dear County Commissioners,

This letter is to request a 100% tax credit for Berlin Community Association Property (B.C.I.A) for accounts 03-034542 & 03-034534 located on Flower Street in Berlin, Maryland. This property and buildings were at one time the Flower Street Elementary School. It has served the surrounding communities as meeting place for educational social, social and recreational activities on a non-profit basis.

With this in mind, the B.C.I.A. requests that the property and building be given a 100% tax credit for the tax year.

Thank you in advance for your consideration. Please feel free to contact us with any questions or request for additional information.

<u>Tax ID</u>	<u>Co Asmt</u>	<u>2019 County Tax Credit</u>
03034542	187,900	1,587.76
03-034534	226,400	1,913.08

3,500.84 TOTAL County

(K. Choisser 9-6-19

Sincerely,

David Lockwood

David Lockwood Jr.
Chairman

Mary White
Mary White
Treasurer

**DETACH AND KEEP THIS PORTION
ADJUSTED REAL ESTATE TAX
Principal Residence or Commercial**

Worcester County
Office of the Treasurer

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	LEVY PERIOD	LIBER/FOLIO	CHARGES	ASSESSMENT	RATE	AMOUNT
03034534	2019	07/01/19 - 06/30/20	314 / 458	State Real Property	226,400	.112000	253.57
				County Real Property	226,400	.845000	1,913.08
				Berlin Tax	226,400	.800000	1,811.20
				Berlin Credit	-226,400	.800000	-1,811.20
TOTAL TAXES							2,166.65

MAP	GRID	PARCEL	BILL #	BILL DATE	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	TAX SALE
0301	0014	D841	9697	07/01/19			

CONSTANT YIELD RATE INFORMATION
COUNTY RATE - CONSTANT YIELD = DIFFERENCE
\$0.845 - \$0.8231 = \$.0219

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

PROPERTY DESCRIPTION
127' X 388' E SIDE FLOWER ST FLOWER ST SCHOOL PROP

**ENCLOSE THIS PORTION WITH
MAIL WITH FULL PAYMENT**

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 248
SNOW HILL, MD 21863-0248

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISCANT	PAY THIS AMOUNT
03034534	2019	9697	07/01/2019	Jul	-9.56	2,157.09
				Aug	0.00	2,166.65
				Sep	0.00	2,166.65
				Oct	10.84	2,177.49
				Nov	21.67	2,188.32
				Dec	32.50	2,199.15
				Jan	54.17	2,220.82
				Feb	75.84	2,242.49
MAIL WITH FULL ANNUAL PAYMENT						

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	LEVY PERIOD	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	TAX SALE
03034534	2019	9697	07/01/2019	07/01/19 - 06/30/20			

127' X 388'
E SIDE FLOWER ST
FLOWER ST SCHOOL PROP

Payment Enclosed

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

02402082019800009697400002157097

**ENCLOSE THIS PORTION WITH
MAIL WITH SECOND SEMI-ANNUAL PAYMENT**

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 248
SNOW HILL, MD 21863-0248

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISCANT	PAY THIS AMOUNT
03034534	2019	9697	07/01/2019	Jul		1,078.54
				Aug		1,083.32
				Sep		1,083.32
				Oct		1,083.32
				Nov		1,083.32
				Dec		1,083.32
MAIL WITH SECOND SEMI-ANNUAL PAYMENT						

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	LEVY PERIOD	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	TAX SALE
03034534	2019	9697	07/01/2019	07/01/19 - 06/30/20			

127' X 388'
E SIDE FLOWER ST
FLOWER ST SCHOOL PROP

Payment Enclosed

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

02402082019800009697400001078542

**ENCLOSE THIS PORTION WITH
MAIL WITH FIRST SEMI-ANNUAL PAYMENT**

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 248
SNOW HILL, MD 21863-0248

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISCANT	PAY THIS AMOUNT
03034534	2019	9697	07/01/2019	Jul		1,078.55
				Aug		1,083.33
				Sep		1,083.33
				Oct	10.84	1,094.17
				Nov	21.67	1,105.00
				Dec	32.50	1,115.83
MAIL WITH FIRST SEMI-ANNUAL PAYMENT						

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	LEVY PERIOD	IF CHECKED CALL (410) 632-0686 EXT. 3	PRIOR YEAR TAXES DUE	TAX SALE
03034534	2019	9697	07/01/2019	07/01/19 - 06/30/20			

127' X 388'
E SIDE FLOWER ST
FLOWER ST SCHOOL PROP

Payment Enclosed

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

02402082019800009697400001078559

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Account Identifier:		District - 03 Account Number - 034534							
Owner Information									
Owner Name:		BERLIN COMMUNITY IMPROVEMENT ASSOC INC			Use:		COMMERCIAL		
Mailing Address:		C/O MRS EMMA BRIDDELL 524 FLOWER STREET BERLIN MD 21811-1324			Principal Residence:		NO		
					Deed Reference:		/00314/ 00458		
Location & Structure Information									
Premises Address:		130 FLOWER ST BERLIN 21811-0000			Legal Description:		127' X 388' E SIDE FLOWER ST FLOWER ST SCHOOL PROP		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0301	0014	0841		0000				2020	Plat Ref:
Special Tax Areas:				Town:		BERLIN			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1970		7,200 SF				1.1300 AC			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
		CLASSROOM							
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2017		07/01/2019		07/01/2020	
Land:		81,500		81,500					
Improvements		144,900		144,900					
Total:		226,400		226,400		226,400			
Preferential Land:		0							
Transfer Information									
Seller: THE COUNTY COMMISSIONERS OF WORCES				Date: 06/30/1971			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: FWH /00314/ 00458			Deed2:		
Seller:				Date:			Price:		
Type:				Deed1:			Deed2:		
Seller:				Date:			Price:		
Type:				Deed1:			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2019		07/01/2020			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00		0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				
					4				

**DETACH AND KEEP THIS PORTION
ADJUSTED REAL ESTATE TAX
Principal Residence or Commercial**

Worcester County
Office of the Treasurer

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	LEVY PERIOD	LIBER/FOLIO	CHARGES	ASSESSMENT	RATE	AMOUNT
03034542	2019	07/01/19 - 06/30/20	314 / 458	State Real Property	187,900	.112000	210.45
MAP	GRID	PARCEL	BILL #	BILL DATE	IF CHECKED CALL (410) 632-0686 EXT. 3		
0301	0013	0843	9698	07/01/19			
CONSTANT YIELD RATE INFORMATION					PRIOR YEAR TAXES DUE		
COUNTY RATE - CONSTANT YIELD = DIFFERENCE \$0.845 - \$0.8231 = \$.0219					TAX SALE		

TOTAL TAXES 1,798.21

PROPERTY DESCRIPTION:
125' X 388' X 50' X
318' E SIDE FLOWER ST
BERLIN

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

**ENCLOSE THIS PORTION WITH
MAIL WITH FULL PAYMENT**

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 248
SNOW HILL, MD 21863-0248

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISCINT.	PAY THIS AMOUNT
03034542	2019	9698	07/01/2019	Jul	-7.94	1,790.27
125' X 388' X 50' X 318' E SIDE FLOWER ST BERLIN				Aug	0.00	1,798.21
				Sep	0.00	1,798.21
				Oct	8.99	1,807.20
				Nov	17.98	1,816.19
				Dec	26.98	1,825.19
				Jan	44.96	1,843.17
				Feb	62.93	1,861.14
				MAIL WITH FULL ANNUAL PAYMENT		

Payment Enclosed

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

02402082019800009698200001790278

**ENCLOSE THIS PORTION WITH
MAIL WITH SECOND SEMI-ANNUAL PAYMENT**

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 248
SNOW HILL, MD 21863-0248

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISCINT.	PAY THIS AMOUNT
03034542	2019	9698	07/01/2019	Jul		895.13
125' X 388' X 50' X 318' E SIDE FLOWER ST BERLIN				Aug		899.10
				Sep		899.10
				Oct		899.10
				Nov		899.10
				Dec		899.10
				MAIL WITH SECOND SEMI-ANNUAL PAYMENT		

Payment Enclosed

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

02402082019800009698200000895136

**ENCLOSE THIS PORTION WITH
MAIL WITH FIRST SEMI-ANNUAL PAYMENT**

MAKE CHECK PAYABLE TO WORCESTER COUNTY
P.O. BOX 248
SNOW HILL, MD 21863-0248

(410) 632-0686 Ext. 3
www.co.worcester.md.us

PROPERTY ID	BILL YEAR	BILL #	BILL DATE	IF PAID IN	DISCINT.	PAY THIS AMOUNT
03034542	2019	9698	07/01/2019	Jul		895.14
125' X 388' X 50' X 318' E SIDE FLOWER ST BERLIN				Aug		899.11
				Sep		899.11
				Oct	8.99	908.10
				Nov	17.98	917.09
				Dec	26.98	926.09
				MAIL WITH FIRST SEMI-ANNUAL PAYMENT		

Payment Enclosed

BERLIN COMMUNITY
IMPROVEMENT ASSOC INC
C/O MRS EMMA BRIDDELL
524 FLOWER STREET
BERLIN, MD 21811-1324

02402082019800009698200000895144

Real Property Data Search

Search Result for WORCESTER COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Account Identifier:		District - 03 Account Number - 034542							
Owner Information									
Owner Name:		BERLIN COMMUNITY IMPROVEMENT ASSOC INC			Use:		COMMERCIAL		
Mailing Address:		C/O MRS EMMA BRIDDELL 524 FLOWER STREET BERLIN MD 21811-1324			Principal Residence:		NO		
					Deed Reference:		/00314/ 00458		
Location & Structure Information									
Premises Address:		130 FLOWER ST BERLIN 21811-0000			Legal Description:		125' X 388' X 50' X 318' E SIDE FLOWER ST BERLIN		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0301	0013	0843		0000				2020	Plat Ref:
Special Tax Areas:				Town:		BERLIN			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1970		5,550 SF				1.4800 AC			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
		CLUB HOUSE							
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2017		07/01/2019		07/01/2020	
Land:		99,000		99,000					
Improvements		88,900		88,900					
Total:		187,900		187,900		187,900			
Preferential Land:		0							
Transfer Information									
Seller: THE COUNTY COMMISSIONERS OF WORCES				Date: 06/30/1971		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: FWH /00314/ 00458		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2019		07/01/2020			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00		0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				

6

DRAFT

RESOLUTION NO. 19 - ____

**RESOLUTION AUTHORIZING A 100% TAX CREDIT
FOR REAL AND TANGIBLE PERSONAL PROPERTY
OWNED BY THE BERLIN COMMUNITY
IMPROVEMENT ASSOCIATION, INC.**

BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that pursuant to Section 9-325 of the Tax-Property Article of the Annotated Code of Maryland that there is hereby granted a tax credit of 100% for real and personal property owned by the Berlin Community Improvement Association, Inc. for such property which was exclusively for non-profit activities of that Association for the July 1, 2019 tax year.

PASSED AND ADOPTED this ____ day of _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

TEL: 410-632-3110
FAX: 410-632-3158
E-MAIL: tourism@co.worcester.md.us



2




DEPARTMENT OF
TOURISM

Worcester County

104 WEST MARKET STREET
SNOW HILL, MARYLAND
21863

September 10, 2019

To: Harold Higgins, CAO

From: Lisa Challenger, Director 

Re: Request for Technical Assistance Grant from Maryland Department of Natural Resources

We are requesting a Technical Assistance Grant for the Maryland Public Access, Water Trails, and Recreation Planning program of the MD DNR.

The grant will allow us to develop a comprehensive water trail on the Pocomoke River and for the production of a water trails map and guide that will tie together water access sites, towns, historic sites and recreational amenities.

The grant time frame will span FY2020-FY2022.

The Maryland DNR will provide most of their assistance through technical support with cash assistance of approximately \$8-10,000. The expected cost to the county will be approximately \$2500. This would help cover printing costs of the map and can easily come from our printing budget in FY2021.

Please let me know if you have any questions

LC:TB

CC: Kelly Shannahan, ACAO
Tom Perlozzo, Recreation and Parks
Ed Tudor, Development Review and Permitting

la

**PUBLIC ACCESS AND WATER TRAILS
TECHNICAL ASSISTANCE APPLICATION**

(DNR use only)
Application # _____
Date Received: _____
Fiscal Year: _____

Maryland Public Access, Water Trails & Recreation Planning Program
Attn: Lisa Gutierrez, Director
Maryland DNR – Chesapeake and Coastal Service
580 Taylor Avenue, Suite E-2, Annapolis, MD 21401
Phone: 410-260-8778

(PLEASE PRINT OR TYPE)

APPLICATION AND PROJECT INFORMATION:

Project Name: Pocomoke River Water Trail

Applicant Name: Worcester County

Local Contact Name: Lisa Challenger, Director, Worcester County Tourism

Address: 104 West Market Street, Snow Hill, MD 21863

Phone# 410-632-3110 Fax# _____

E-mail: lchallenger@co.worcester.md.us

PROJECT DESCRIPTION: *Provide a brief description of the project. Include location, an estimated timeframe for the project, current property ownership, expected users, and a list of primary project partners.*

Worcester County Tourism is requesting technical assistance to identify access sites and develop a water trail, along the Pocomoke River. The County also requests assistance to oversee coordination with other jurisdictions along the river corridor and for production of a water trails map and guide that will promote and tie-together various water access sites, waterfront towns and amenities as well as other recreational, natural resource or cultural resources and historical facilities.

Most of the existing water access sites along the Pocomoke River are publicly-owned and managed. Primary partners in creation of the water trail include: the Worcester County Dept. of Parks and Recreation, Maryland Department of Natural Resources, Somerset County, The Nature Conservancy and others to be determined. The basic timeframe for this project will span the State Fiscal years 2020 through 2022.

II. PROJECT OBJECTIVES: *Briefly explain what type of assistance is needed and what has been done thus far. Describe the anticipated benefits of this project and any potential connections or proximity to other public water access sites, water or land trails, and recreation, transportation or community facilities.*

The types of assistance most needed for this project include: project coordination and planning, technical and design expertise for data collection, mapping, layout, and editing and production assistance.

Anticipated benefits of this project include: Promotion of existing public water access sites and creation of a regional water trail along the Pocomoke River; Promotion of outdoor recreation opportunities in Worcester County; Creation of linkages between protected lands, recreation areas, cultural resources and other amenities; Creation of a map/guide that will highlight public water access sites and paddling routes; and Compilation of information on recreational, cultural, historical and natural resources along the Pocomoke River.

Creation of the water trail will help to promote outdoor recreation, environmental stewardship, boating safety, healthy lifestyles, tourism and economic development. In addition, the water trail will provide a platform by which state and local governments, businesses and non-profit partners can encourage the public to preserve and protect the natural values of the river, enhance water quality, and encourage preservation and protection of cultural resources along the river.

III. POTENTIAL FUNDING AND MANAGEMENT OPTIONS: *List any other existing or potential sources of funding and/or technical assistance and briefly describe how the site or project will be managed in the future.*

The Pocomoke River is a designated State Scenic River and falls under the jurisdiction of the State of Maryland. Most of the existing public water access sites along the Pocomoke River are owned and managed by local or state governments and/or agencies.

IV. PROJECT CHALLENGES: *List any known challenges or obstacles that would have to be addressed for this project to move forward.*

Creation of a regional water trail involves extensive coordination and communication between all entities involved. Gaps in existing access would have to be addressed and potential for new access sites explored.

V. ADDITIONAL INFORMATION: *(optional)*

Creation of a Pocomoke River Water Trail was identified as a regional, recreational trail priority during meetings leading up to creation of the Maryland Land Preservation, Parks and Recreation Plan (LPPRP). Maryland DNR is already working with Somerset County to incorporate their existing water access sites into a water trail along the Lower Pocomoke River.

VI. PLEASE INCLUDE THE FOLLOWING ATTACHMENTS:

Map – *Attach a map of the general area of the project. Highlight the main area of focus and note the jurisdictions (i.e. County, Municipal, etc.) impacted by this project.*

Photos – *If applicable, attach photos of the area where water access is proposed and its environs if possible.*

Project Support – *Attach any articles or letters of support from partners in local government or other organizations. (Note: Applications from private organizations must include a letter of support from an appropriate local government agency.)*

VII. STATEMENT OF INTENT AND SIGNATURES

I (We) formally request assistance from the Maryland Department of Natural Resource.
I (We) grant permission for the Department's personnel to access the property to conduct inspections, surveys and to collect data associated with this request.

I (We) confirm that the information provided in this application is accurate as of the date below and that this request for technical assistance has been willingly submitted by the organization or jurisdiction named below.

Signature, Title

Date

Return this application with an original signature and any attachments to:

**The Maryland Public Access, Water Trails & Recreation Planning Program
Attn: Lisa Gutierrez, Director
Maryland DNR – Chesapeake and Coastal Service
580 Taylor Avenue, Suite E-2
Annapolis, MD 21401
Phone: (410) 260-8778; E-mail: lisa.gutierrez@maryland.gov**

DO NOT WRITE BELOW THIS LINE – DNR USE ONLY

I certify that this application for technical assistance was received by the Maryland DNR Public Access, Water Trails and Recreation Planning Program on the date indicated below.

Lisa A. Gutierrez, Director
Public Access, Water Trails and Recreation Planning Program

Date

Estimated start date: _____

TEL: 410-632-1194
FAX: 410-632-3131
E-MAIL: admin@co.worcester.md.us
WEB: www.co.worcester.md.us



3

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
MADISON J. BUNTING, JR.
JAMES C. CHURCH
THEODORE J. ELDER
JOSHUA C. NORDSTROM

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

September 11, 2019

TO: Worcester County Commissioners
FROM: Karen Hammer, Office Assistant IV
SUBJECT: Pending Board Appointments - Terms Beginning January 1, 2019

Attached, please find copies of the Board Summary sheets for all County Boards or Commissions (6) which have current or upcoming vacancies (8 total). They are as follows: Housing Review Board (1), Local Development Council For The Ocean Downs Casino (1), Property Tax Assessment Appeal Board (1), (3 nominees due to Governor), Social Services Advisory Board (1), Solid Waste Advisory Committee (3), and Water and Sewer Advisory Council for the West Ocean City Service Area (1). I have circled the members whose terms have expired on each of these boards.

Please note that the Worcester County Property Tax Assessment Appeal Board still requires one nomination for the alternate position as Mr. Flater has resigned. Mr. John Glorioso has resigned from the Housing Review Board (Church). The Solid Waste Advisory Committee has three positions available for nominations, Bob Augustine (Church) and Jamey Latchum (Town of Berlin), have both resigned and James Rosenberg (Bertino). James Rosenberg also served on the Local Development Council For The Ocean Downs Casino (Bertino) as a resident member from Ocean Pines. The Social Services Advisory Board has one position available due to the resignation of Maria Campione-Lawrence (Mitrecic). Mr. Andrew Del Corro no longer lives in West Ocean City and has therefore resigned from the Water and Sewer Advisory Council for the West Ocean City Service Area (Church).

Most of these Boards and Commissions specify that current members' terms expired on December 31st. Current members will continue to serve beyond their term until they are either reappointed or a replacement is named. Please consider these reappointments or new appointments during September.

Pending Board Appointments - By Commissioner

- District 1 - Nordstrom** All District Appointments Received. Thank you!
- District 2 - Purnell** All District Appointments Received. Thank you!
- District 3 - Church**
- p. 3 - Housing Review Board (John Glorioso) - 3-year
 - p. 8 - Solid Waste Advisory Board - (Bob Augustine)- 4yr.
 - p. 9 - Water and Sewer Advisory Council for the West Ocean City Service Area (Andrew Del Corro) - 4-year
- District 4 - Elder** All District Appointments Received. Thank you!
- District 5 - Bertino**
- p. 4 - Local Development Council For The Ocean Downs Casino (James Rosenberg) - 4-year
 - p. 8 - Solid Waste Advisory Committee (James Rosenberg) -4-year
- District 6 - Bunting** All District Appointments Received. Thank you!
- District 7 - Mitrecic** p. 6 - Social Services Advisory Board - (Maria Campione-Lawrence)- 3yr.

All Commissioners

- p. 5 - (1) Property Tax Assessment Appeal Board (Gary M. Flater - alternate-Snow Hill has resigned)
 - Must submit 3 nominees to the Governor for his consideration in making the appointment - 5-year
 - Currently waiting for the Governor's approval for the nomination of Ms. Martha Bennett.
- p. 8 - Solid Waste Advisory Board - Jamey Latchum (Town of Berlin)- 4yr.

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: \$50 per meeting (policy)

Meetings: As Needed

Special Provisions: Immediate removal by Commissioners for failure to attend meetings.

Staff Support: Development Review & Permitting Department
Jo Ellen Bynum, Housing Program Administrator - 410-632-1200, x 1171

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Terms(s)</u>
C. D. Hall	D-1, Lockfaw	Pocomoke	10-13-16, 16-19
Debbie Hileman	D-6, Bunting	Ocean Pines	10-13-16, 16-19
John Glorioso	D-3, Church	Ocean Pines	*06-11-14-17, 17-20
Scott Tingle	D-4, Elder	Snow Hill	14-17, 17-20
Donna Dillon	D-5, Bertino	Ocean Pines	08-11-14-17, 17-20
Sharon Teagle	D-2, Purnell	Ocean Pines	00-12-15-18, 18-21
Jake Mitrecic	D-7, Mitrecic	Ocean City	15-18, 18-21

Prior Members:

Phyllis Mitchell	Albert Bogdon (02-06)
William Lynch	Jamie Rice (03-07)
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)	
Larry Duffy (90-00)	
Patricia McMullen (00-02)	
William Merrill (90-01)	
Debbie Rogers (92-02)	
Wardie Jarvis, Jr. (96-03)	

* = Appointed to fill an unexpired term

**LOCAL DEVELOPMENT COUNCIL
FOR THE OCEAN DOWNS CASINO**

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
Maureen Howarth, 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>
Mary Beth Carozza		Maryland Senator	14-18, 18-22
Wayne A. Hartman		Maryland Delegate	18-22
Charles Otto		Maryland Delegate	14-18, 18-22
Roxane Rounds	Dist. 2 - Purnell	Resident - Berlin	*14-15, 15-19
Michael Donnelly	Dist. 7 - Mitrecic	Resident - Ocean City	*16-19
Mark Wittmyer	At-Large	Business - Ocean Pines	15-19
Mayor Charlie Dorman	Dist. 4 - Elder	Resident - Snow Hill	12-16, 16-20
Rod Murray °	Dist. 6 - Bunting	Resident - Ocean Pines	*09-12-16, 16-20
Mayor Rick Meehan °	At-Large	Business - Ocean City	*09-12-16, 16-20
Mayor Gee Williams °	Dist. 3 - Church	Resident - Berlin	09-13-17, 17-21
Jim Rosenberg °	Dist. 5 - Bertino	Resident - Ocean Pines	09-13-17, 17-21
David Massey °	At-Large	Business - Ocean Pines	09-13-17, 17-21
Bobbi Sample	Ocean Downs Casino	Ocean Downs Casino	17-indefinite
Cam Bunting °	At-Large	Business - Berlin	*09-10-14-18, 18-22
Matt Gordon	Dist. 1 - Nordstrom	Resident - Pocomoke	19-22

Prior Members:

Since 2009

J. Lowell Stoltzfus ° (09-10)	Todd Ferrante ° (09-16)
Mark Wittmyer ° (09-11)	Joe Cavilla (12-17)
John Salm ° (09-12)	James N. Mathias, Jr. ° (09-18)
Mike Pruitt ° (09-12)	Ron Taylor ° (09-14)
Norman H. Conway ° (09-14)	
Michael McDermott (10-14)	
Diana Purnell ° (09-14)	
Linda Dearing (11-15)	

* = Appointed to fill an unexpired term/initial terms staggered
° = Charter Member

PROPERTY TAX ASSESSMENT APPEAL BOARD

Reference: Annotated Code of Maryland, Tax-Property Article, §TP 3-102

Appointed by: Governor (From list of 3 nominees submitted by County Commissioners)
 - Nominees must each fill out a resume to be submitted to Governor
 - Nominations to be submitted 3 months before expiration of term

Function: Regulatory
 - Decides on appeals concerning: real property values and assessments, personal property valued by the supervisors, credits for various individuals and groups as established by State law, value of agricultural easements, rejection of applications for property tax exemptions.

Number/Term: 3 regular members, 1 alternate/5-year terms
 Terms Expire June 1st

Compensation: \$15 per hour (maximum \$90 per day), plus travel expenses

Meetings: As Necessary

Special Provisions: Chairman to be designated by Governor

Staff Contact: Department of Assessments & Taxation- Janet Rogers (410-632-1196)
 Ext:112

Current Members:

Gary M. Flater (Alternate)	Snow-Hill	13-18	Resigned
Arlene C. Page	Bishopville	18-23	
Steven W. Rakow	Ocean Pines	*19-23	
Martha Bennett	Berlin	19-23	

C) = Chairman

Prior Members: Since 1972

- | | |
|-----------------------------|----------------------------------|
| Wilford Showell | Delores W. Groves (96-99) |
| E. Carmel Wilson | Mary Yenny (98-03) |
| Daniel Trimper, III | Walter F. Powers (01-04) |
| William Smith | Grace C. Purnell (96-04) |
| William Marshall, Jr. | George H. Henderson, Jr. (97-06) |
| Richard G. Stone | Joseph A. Calogero (04-09) |
| Milton Laws | Joan Vetare (04-12) |
| W. Earl Timmons | Howard G. Jenkins (03-18) |
| Hugh Cropper | Robert D. Rose (*06-17) |
| Lloyd Lewis | Larry Fry (*10-14 alt)(14-18) |
| Ann Granados | |
| John Spurling | |
| Robert N. McIntyre | |
| William H. Mitchell (96-98) | |

* = Appointed to fill an unexpired term

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>
Maria Campione-Lawren	D-7, Mitrecic	Ocean City	16-19
Nancy Howard	D-2, Purnell	Ocean City	(09-16), 17-20
Cathy Gallagher	D-5, Bertino	Ocean Pines	*13-14-17, 17-20
Faith Coleman	D-4, Elder	Snow Hill	15-18, 18-21
Harry Hammond	D-6, Bunting	Bishopville	15-18, 18-21
Diana Purnell	ex officio - Commissioner		14-18, 18-22
Wayne Ayer	D-1, Nordstrom	Pocomoke City	*19-21
Voncelia Brown	D-3, Church	Berlin	16-19, 19-22
Mary White	At-Large	Berlin	*17-19, 19-22

* = Appointed to fill an unexpired term

SOCIAL SERVICES BOARD
(Continued)

Prior Members: (Since 1972)

James Dryden	Naomi Washington (01-02)
Sheldon Chandler	Lehman Tomlin, Jr. (01-02)
Richard Bunting	Jeanne Lynch (00-02)
Anthony Purnell	Michael Reilly (00-03)
Richard Martin	Oliver Waters, Sr. (97-03)
Edward Hill	Charles Hinz (02-04)
John Davis	Prentiss Miles (94-06)
Thomas Shockley	Lakeshia Townsend (03-06)
Michael Delano	Betty May (02-06)
Rev. James Seymour	Robert "BJ" Corbin (01-06)
Pauline Robertson	William Decoligny (03-06)
Josephine Anderson	Grace Smearman (99-07)
Wendell White	Ann Almand (04-07)
Steven Cress	Norma Polk-Miles (06-08)
Odetta C. Perdue	Anthony Bowen (96-08)
Raymond Redden	Jeanette Tressler (06-09)
Hinson Finney	Rev. Ronnie White (08-10)
Ira Hancock	Belle Redden (09-11)
Robert Ward	E. Nadine Miller (07-11)
Elsie Bowen	Mary Yenney (06-13)
Faye Thornes	Dr. Nancy Dorman (07-13)
Frederick Fletcher	Susan Canfora (11-13)
Rev. Thomas Wall	Judy Boggs (02-14)
Richard Bundick	Jeff Kelchner (06-15)
Carmen Shrouck	Laura McDermott (11-15)
Maude Love	Emma Klein (08-15)
Reginald T. Hancock	Wes McCabe (13-16)
Elsie Briddell	Nancy Howard (09-16)
Juanita Merrill	Judy Stinebiser (13-16)
Raymond R. Jarvis, III	Arlette Bright (11-17)
Edward O. Thomas	Tracey Cottman (15-17)
Theo Hauck	Ronnie White (18-19)
Marie Doughty	
James Taylor	
K. Bennett Bozman	
Wilson Duncan	
Connie Quillin	
Lela Hopson	
Dorothy Holzworth	
Doris Jarvis	
Eugene Birckett	
Eric Rauch	
Oliver Waters, Sr.	
Floyd F. Bassett, Jr.	
Warner Wilson	
Mance McCall	
Louise Matthews	
Geraldine Thweat (92-98)	
Darryl Hagy (95-98)	
Richard Bunting (96-99)	
John E. Bloxom (98-00)	
Katie Briddell (87-90, 93-00)	
Thomas J. Wall, Sr. (95-01)	
Mike Pennington (98-01)	
Desire Becketts (98-01)	

* = Appointed to fill an unexpired term

Updated: August 6, 2019
Printed: September 11, 2019

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SOLID WASTE ADVISORY COMMITTEE

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: \$50 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 - Mike Mitchell - (410-632-3177)
Solid Waste - Recycling Coordinator - Mike McClung - (410-632-3177)
Department of Public Works - John Tustin - (410-632-5623)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Mike Poole	D-6, Bunting	Bishopville	11-15, 15-19
Michael Pruitt	Town of Snow Hill		*15, 15-19
Bob Augustine	D-3, Church	Berlin	16-20 <i>Resigned</i>
Granville Jones	D-7, Mitreic	Berlin	*15-16, 16-20
George Tasker	Town of Pocomoke City		*15-16, 16-20
Rodney Bailey	D-2, Purnell	Berlin	*19-21
Jamey Latchum	Town of Berlin		*17, 17-21 <i>Resigned</i>
Steve Brown	Town of Ocean City		*10-13-17, 17-21
George Linvill	D-1, Nordstrom	Pocomoke	14-18, 18-22
James Rosenberg	D-5, Bertino	Ocean Pines	*06-10-14-18, 18-22
George Dix	D-4, Elder	Snow Hill	*10-10-14-18, 18-22

Prior Members: (Since 1994)

Ron Cascio (94-96)	Richard Malone (94-01)	John C. Dorman (07-10)
Roger Vacovsky, Jr. (94-96)	William McDermott (98-03)	Robert Hawkins (94-11)
Lila Hackim (95-97)	Fred Joyner (99-03)	Victor Beard (97-11)
Raymond Jackson (94-97)	Hugh McFadden (98-05)	Mike Gibbons (09-14)
William Turner (94-97)	Dale Pruitt (97-05)	Hank Westfall (00-14)
Vernon "Corey" Davis, Jr. (96-98)	Frederick Stiehl (05-06)	Marion Butler, Sr. (00-14)
Robert Mangum (94-98)	Eric Mullins (03-07)	Robert Clarke (11-15)
Richard Rau (94-96)	Mayor Tom Cardinale (05-08)	Bob Donnelly (11-15)
Jim Doughty (96-99)	William Breedlove (02-09)	Howard Sribnick (10-16)
Jack Peacock (94-00)	Lester D. Shockley (03-10)	Dave Wheaton (14-16)
Hale Harrison (94-00)	Woody Shockley (01-10)	Wendell Purnell (97-18)

* = 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: Expense allowance for meeting attendance as authorized in the budget

Meetings: Monthly

Special Provisions: Must be residents/ratepayers of West Ocean City Service Area

Staff Support: Department of Public Works - Water and Wastewater Division
John Ross - (410-641-5251)

Current Members:

<u>Member's Name</u>	<u>Resides/Ratepayer of</u>	<u>Terms (Years)</u>
Deborah Maphis	West Ocean City	95-99-03-07-11-15, 15-19
Gail Fowler	West Ocean City	99-03-07-11-15, 15-19
Andrew Delcorro	West Ocean City	*14-16, 16-20
Todd Ferrante	West Ocean City	13-17, 17-21
Keith Swanton	West Ocean City	13-17, 17-21

Prior Members: (Since 1993)

- Eleanor Kelly^c (93-96)
- 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

TEL: 410-632-1194
FAX: 410-632-3131
E-MAIL: admin@co.worcester.md.us
WEB: www.co.worcester.md.us



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HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
MADISON J. BUNTING, JR.
JAMES C. CHURCH
THEODORE J. ELDER
JOSHUA C. NORDSTROM

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

September 11, 2019

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
SUBJECT: Berlin Junior Little League World Championship

As you will recall, on August 8, 2019 the County Commissioners were contacted by the Berlin Little League with the exciting news that they had earned a spot in the Junior Little League World Championship in Taylor, Michigan. In order to assist with their travel expenses, the Commissioners would like to provide a local grant to Berlin Little League in the amount of \$2,000. Please present this to the Commissioners to decide on the contribution so that Budget Officer Kathy Whited can process the payment.

If you should have any questions or concerns with regard to this matter, please feel free to contact me.

TEL: 410-632-1194
FAX: 410-632-3131
E-MAIL: admin@co.worcester.md.us
WEB: www.co.worcester.md.us



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HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
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MADISON J. BUNTING, JR.
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OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

September 10, 2019

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*
SUBJECT: Air Quality Monitoring Station - MDE Request

The Maryland Department of Environment (MDE) recently contacted Recreation and Parks Director Tom Perlozzo to request permission to install an Air Quality Monitoring station for CAFO's (Concentrated Animal Feeding Operations) at Newtown Park in Pocomoke. Please see the attached photo of a similar station that MDE installed in Cockeysville, Maryland. I have spoken with Tom regarding this request and while we all want to be team players with the state, we are both concerned that the installation of an air quality monitoring station at Newtown Park would detract from the appearance of the park and may hinder future operations and use of the park. Given that MDE is "still evaluating a number of other potential locations for our Lower Eastern Shore (LES) CAFO Monitoring Project," I suggest that the Commissioners respectfully decline the request and perhaps offer our assistance in helping them to locate a more suitable location in the Pocomoke City area.

If you should have any questions or concerns with regard to this matter, please feel free to contact me.

Tom Perlozzo

COUNTY COMMISSIONER

From: David Krask -MDE- <david.krask@maryland.gov>
Sent: Thursday, August 1, 2019 11:11 AM
To: Tom Perlozzo
Cc: Ryan Auvil -MDE-
Subject: Tuesday meeting follow-up
Attachments: MDE License Agreement - fully executed.pdf

Tom-

Thanks so much for taking the time to meet with Ryan and I on Tuesday. As promised, I have attached an example of the type of access agreement we typically enter into when a property owner agrees to host one of our monitoring sites. The attached example is with Baltimore County. As mentioned in our meeting, MDE is also willing to negotiate a reasonable rental fee if that is something that you wish to consider.

At this point in time we are still evaluating a number of other potential locations for our Lower Eastern Shore (LES) CAFO Monitoring Project and will need to consult with our management team and Project partners before a final decision on locations is made. It would be helpful, however, if you could confirm your willingness to participate in this important project. If you are aware of any additional entities we need to contact to gain approval, we would appreciate you bringing it to our attention.

We remain willing to come at meet with you again if you so desire. Additional information about the LES Project can be found here:

<https://mde.maryland.gov/programs/Air/AirQualityMonitoring/Pages/Lower-Eastern-Shore-Monitoring-Project.aspx> ;

If you have any questions or require further information, please do not hesitate to contact me (see contact information on signature line below) or Ryan Auvil (ryan.auvil@maryland.gov 410-537-3961).

Best Regards,
Dave

--
David J. Krask, Program Manager
Maryland Department of the Environment
ARA/Air Monitoring Program
1800 Washington Blvd.
Baltimore, Md. 21230-1720
Phone: 410.537.3756
Fax: 410.537.4243
Email: david.krask@maryland.gov

MARYLAND DEPARTMENT of the ENVIRONMENT

RYAN AUVIL

SECTION HEAD

FIELD OPERATIONS

AMBIENT AIR MONITORING DIVISION

rauvil@mde.state.md.us

MDE

1800 Washington Blvd., Ste. 730 Phone: 410-537-3961
Baltimore MD 21230-1720 Fax: 410-537-4243

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

LICENSE AGREEMENT
TO ENTER, USE, AND OCCUPY PROPERTY

This License Agreement to Enter, Use, and Occupy Property ("Agreement") is made and entered into by and between the Maryland Department of the Environment ("Department") and Baltimore County, Maryland, a body corporate and politic ("Owner") regarding the access to real property located in the State of Maryland at:

Location: **Cockeysville Skatepark**
 301 Galloway Avenue
 Cockeysville, Maryland 21030

County: **Baltimore ("Property")**
 (See map of Property identified as Exhibit A, which is attached hereto and incorporated herein)

In consideration of the following mutual considerations, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Whenever stated herein, "Department" includes the Department's employees, representatives, and authorized agents, and any contractors, engineers, consultants, and experts employed, hired, or engaged by the Department.

2. Whenever stated herein, "Owner" includes the Owner's employees, representatives, and authorized agents.

3. **OWNERSHIP OF THE PROPERTY.** The Owner represents and warrants that it is the holder of title to the Property, has control over the Property, and has authority to enter into this Agreement and grant the Department the right to enter upon, use, occupy, and perform all activities on the Property that are set forth in this Agreement.

4. **AIR MONITORING LOCATION.** The Environmental Protection Agency ("EPA") has established National Ambient Air Quality Standards for pollutants shown to threaten human health and welfare. Pursuant to 40 Code of Federal Regulations ("CFR") Parts 50 and 58, each State is required to establish an air monitoring network to measure for these pollutants. To meet this requirement the Department has chosen and EPA Region III has approved the Property for the monitoring location. The parties hereto agree that the monitoring equipment and shelter will be located on the Property.

5. **NON-EXCLUSIVE, REVOCABLE LICENSE.** The Owner hereby grants to the Department, and the Department hereby accepts a non-exclusive, revocable license to enter, use, and occupy the Property for the sole purpose of constructing, operating, and maintaining in accordance with this Agreement a monitoring site ("Site") as described in the attached Exhibit B, "Siting Criteria and Details," which is attached hereto and incorporated herein. The parties hereto shall have 24-hour access to the Site.

6. **CONDITION OF THE PROPERTY.** The Department hereby accepts the Property in "As Is/Where Is" condition and as complying with all obligations with respect to the

condition, order, and repair thereof. The Owner makes no representation or warranty with respect to the condition or state of the land or its fitness or availability for any particular use, and the Owner shall not be liable for any latent or patent defect thereon.

7. **MONITORING ACTIVITIES AND IMPROVEMENTS.** The license granted by the Owner is for the Department to conduct monitoring activities set forth in this Agreement and to make the following improvements at its sole cost and expense:

- a. install a shelter and monitor probe;
- b. install a gated fence with a lock around the shelter and monitor probe;
- c. pick up and install filters on a weekly basis;
- d. take photographs and make site sketches, and use on the Property such equipment and vehicles as are necessary to perform the activities described above.

8. **DEPARTMENT'S RESPONSIBILITIES FOR THE SITE.** The Department shall have the following responsibilities for the Site:

- a. Department owns and is responsible for the monitoring equipment and the Site.
- b. Department shall pay for installing an overhead or underground power line at the Site from an existing power source that will feed into an electric meter dedicated to the Site, including trenching of electricity from the closest supply to the shelter and any additional supply hook ups. Department shall obtain all requisite approvals from Miss Utility and shall pay for its own electricity at the Site.
- c. Department shall pay for cutting down and removing two trees located at the Site, specifically identified as Tree #1 and Tree #2 on Exhibit A.
- d. Department shall own and pay for installing a gated fence with a lock around the shelter and monitor probe at the Site.
- e. Department shall obtain all approvals, permits, and utility upgrades necessary for Site operation.
- f. Department shall be financially responsible, at its sole expense, for the upkeep of the monitoring station, including routine operations, inspection, and maintenance.
- g. Department is responsible for any closure, removal, and relocation of the station, if necessary.

9. **NOTICE OF ACTIVITIES.** The parties hereto agree that scheduling of all activities may be made verbally or by other means of contact for times mutually agreed upon by the parties. Notices and scheduling arrangements pursuant to this Agreement can be made through the following means:

- a. Written and Verbal Notices to the Owner:

Via U.S. mail: George Klunk, Chief
Property Management
12200 Long Green Pike
Glen Arm, MD 21057

Via hand delivery: (same as above)
Via e-mail: gklunk@baltimorecountymd.gov
Via facsimile: 410-887-5915
Via telephone: 410-887-3861

b. Written and Verbal Notices to the Department:

Via U.S. mail: Ryan Auvil
Air Monitoring Program
Maryland Department of the Environment
1800 Washington Boulevard
Suite 110
Baltimore, MD 21230

OR

Chris Smith
Air Monitoring Program
Maryland Department of the Environment
1800 Washington Boulevard
Suite 730
Baltimore, MD 21230

Via hand delivery: (same as above)
Via e-mail: ryan.auvil@maryland.gov OR chris.smith@maryland.gov
Via facsimile: 410-537-4243
Via telephone: 410-537-3961 (Ryan Auvil) OR 410-537-3719 (Chris Smith)

10. **COMPLETION OF WORK.** Upon the Department's completion of the monitoring activities at the Property, the Department shall restore all affected surface areas of the Property to the original condition existing before the commencement of the activities, or as close thereto as is reasonably possible, with the exception of the replanting of trees.

11. **COMPLIANCE WITH LAWS.** The Department shall comply with all applicable laws, regulations, rules, and orders with respect to its use of and its activities to be conducted on the Property pursuant to this Agreement, including, without limitation those relating to health, safety, noise, environmental protection, waste disposal and water and air quality.

12. **PERFORMANCE OF ACTIVITIES.** The Department will use its best efforts to perform all activities at reasonable times of the day and in a manner which minimizes interference with, inconvenience to, or disruption of the Owner's activities at the Property.

13. **DUTY OF CARE BY THE OWNER.** The Owner may use the Property to an extent not inconsistent with this Agreement or the Department's activities. The Owner and its agents, employees, invitees, licensees, and tenants shall not hinder or interfere with the Department's activities conducted on the Property and shall not damage or tamper with any equipment or other property used in connection with the activities. The Owner will not have any responsibility for security of the Site.

14. **DUTY OF CARE BY THE DEPARTMENT.** The Department and its respective employees, agents, and invitees assume the risk of loss or damage to the monitoring equipment, fencing, power lines, and any vehicles or personal property used, stored or parked by the Department on the Property, and shall be solely responsible for the security and protection of the same during the term of this Agreement.

15. **NEGATION OF RELATIONSHIPS.** Nothing contained in this Agreement shall be construed to create, either expressly or by implication, any relationship of agency, partnership, or joint venture between the Department and the Owner. Neither the Department nor the Owner is authorized to act on behalf of the other in any manner related to the subject matter of this Agreement and neither shall be liable for acts, errors, or omissions of the other entered into, committed or performed with respect to or in the performance of this Agreement.

16. **LIABILITY AND INSURANCE.** The Department and the Owner agree that with respect to any claim or action arising out of the work performed under or pursuant to this Agreement, each entity shall only be liable for payment of that portion of any and all liability, costs, expenses, demands, settlements or judgments resulting from the negligent actions or omissions of its own agents, officers, and employees, as stated in this Paragraph 16.

The Department represents that it is a State agency subject to the provisions of the Maryland Tort Claims Act, Annotated Code of Maryland, State Government Article, Title 12, Subtitle 1 ("Maryland Tort Claims Act") and is covered by insurance to the extent of the State's waiver of sovereign immunity, limited to insurance coverage under Title 9 of the State Finance and Procurement Article. It is expressly understood, however, that the Department's liability is contingent upon the extent that and at such time as the Maryland General Assembly appropriates funds for the payment of any liability arising under this Paragraph 16 and is limited to the extent of insurance coverage under Title 9 of the State Finance and Procurement Article. Nothing in this Paragraph 16 shall be construed to require the Department to seek an appropriation from the Maryland General Assembly for the purpose of discharging any liability under this Paragraph 16 and nothing in this Paragraph 16 shall enlarge or alter the conditions of the Department's waiver of sovereign immunity as set forth in the Maryland Tort Claims Act.

The Department acknowledges and agrees that any contractor or subcontractor doing excavation, construction, installation, or maintenance work requiring the same at the Property on behalf of the Department shall provide an insurance certificate with "Baltimore County, Maryland" listed as an additional insured. An insurance certificate shall be sent to the Owner in accordance with the Notice provisions of Paragraph 9 of this Agreement.

The Owner represents that it is a body corporate and politic subject to the provisions of the Local Government Tort Claims Act, Annotated Code of Maryland, Courts and Judicial Proceedings Article, Title 5, Subtitle 3 ("Local Government Tort Claims Act"). It is expressly understood, however, that the Owner's obligations as set forth in this Paragraph 16 shall be limited to the limits of liability imposed by the Local Government Tort Claims Act, as amended from time to time.

In any action or claim for negligence arising out of any installation or operation performed under or pursuant to this Agreement, the Department and the Owner shall each assume the defense of itself, its own officers, agents or employees in accordance with the Maryland Tort Claims Act and the Local Government Tort Claims Act, respectively.

17. **SALE OF OWNER'S PROPERTY.** The Owner shall give the Department thirty (30) days advance written notice by U.S. mail, hand-delivery, e-mail, or facsimile of any proposed sale, lease, or other transfer of the Property.

18. **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of Maryland.

19. **ENTIRE AGREEMENT.** This Agreement shall constitute the entire agreement of the parties and any prior understandings or representations of any kind shall not be binding upon any party except to the extent incorporated in this Agreement.

20. **MODIFICATION.** No change in, addition to, or waiver of any of the provisions of this Agreement shall be binding upon any party unless it is established in writing and signed by each party.

21. **HEADINGS.** All heading of the sections and paragraphs of this Agreement have been inserted for convenience of reference only, are not to be considered a part of this Agreement, and shall in no way affect the interpretation of any of the provisions of this Agreement.

22. **SEVERABILITY.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the rest of this Agreement shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

23. **EFFECTIVE DATE.** This Agreement shall be deemed effective as of the date the last party signs this Agreement.

24. **TERM OF LICENSE.** The right of access granted pursuant to this Agreement shall commence on the Effective Date and shall continue until terminated in accordance with Paragraph 25 of this Agreement.

25. **TERMINATION.** This Agreement may be terminated at any time by either party, for any reason whatsoever, at its sole discretion, upon thirty (30) days advance written notice by U.S. mail, hand-delivery, e-mail, or facsimile to the other party to this Agreement.

26. **COUNTERPARTS.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, together, shall be deemed to constitute one and the same Agreement. The transmission of a signed counterpart of this Agreement by facsimile or by portable document file ("PDF") shall have the same force and effect as delivery of an original signed counterpart of this Agreement, and shall constitute valid and effective delivery for all purposes.

27. **NO TRANSFER OF INTEREST.** It is the express intent of the parties hereto that no interest in real property is being conveyed, transferred, exchanged, leased, mortgaged or hypothecated by this Agreement. It is the sole intent of the parties hereto that the Owner is granting a mere license to the Department under the terms and conditions of this Agreement.

IN WITNESS WHEREOF, the parties, acting through their duly authorized representatives have executed this Agreement on the latest date listed below.

Margaret M. Saunders
Date

[Signature]
BALTIMORE COUNTY, MARYLAND
Fred Homan, Administrative Officer

REVIEWED AND APPROVED:
[Signature]
By: George Klunk, Chief
Property Management

APPROVED FOR FORM AND LEGAL SUFFICIENCY:
*(Subject to execution by the duly authorized County Administrative Official and County Council, if indicated)
[Signature]
NANCY C. WEST
Assistant County Attorney
*Approval of Legal Form and Sufficiency does not convey approval or disapproval of the substantive nature of this transaction or the review of any due diligence or related documentation for the transaction. Approval is based upon departmental use of form typeset document. All modifications require re-approval.

18 July 2017
Date

STATE OF MARYLAND, MARYLAND
DEPARTMENT OF THE ENVIRONMENT
[Signature]
Angelo Bianca, Deputy Director
Air and Radiation Management Administration

Approved as to form and legal sufficiency this
18th day of July 2017.
Ellen Cahill
Ellen Cahill
Assistant Attorney General
7/13/17

8



EXHIBIT
A

Padonia International School and Cockeysville Skate Park Vicinity

Aerial photography from 2014. The cadastral information on this plot was compiled from existing deed information, and is not to be considered authoritative, map created by the Baltimore County Property Management, January, 2017.



Table 7-2 Summary of Probe and Monitoring Path Siting Criteria

Pollutant	Scale (maximum monitoring path length, meters)	Height from ground to probe, inlet or 80% of monitoring path ¹ (meters)	Horizontal and vertical distance from supporting structures ² to probe, inlet or 90% of monitoring path ¹ (meters)	Distance from trees to probe, inlet or 90% of monitoring path ¹ (meters)	Distance from roadways to probe, inlet or monitoring path ¹ (meters)
SO ₂ ^{3,4,5,6}	Middle (300 m) Neighborhood Urban, and Regional (1 km).	2-15	> 1	> 10	N/A
CO ^{4,5,7}	Micro, Middle (300 m), Neighborhood (1 km).	3 ± 1/2: 2-15	> 1	> 10	2-10; see Table 7-3 of this section for middle and neighborhood scales.
NO ₂ , O ₃ ^{3,4,5}	Middle (300 m) Neighborhood, Urban, and Regional (1 km).	2-15	> 1	> 10	See Table 7-3 of this section for all scales.
Ozone precursors (for PAMS) ^{3,4,5}	Neighborhood and Urban (1 km)	2-15	> 1	> 10	
PM, Pb ^{3,4,5,6,8}	Micro: Middle, Neighborhood, Urban and Regional.	2-7 (micro); 2-7 (middle PM10-2.5); 2-15 (all other scales).	> 2 (all scales, horizontal distance only).	> 10 (all scales).	2-10 (micro); see Figure 7.3 of this section for all other scales

N/A—Not applicable.

¹ Monitoring path for open path analyzers is applicable only to middle or neighborhood scale CO monitoring and all applicable scales for monitoring SO₂, O₃, O₃ precursors, and NO₂.

² When probe is located on a rooftop, this separation distance is in reference to walls, pumpsets, or penthouses located on roof.

³ Should be >20 meters from the dripline of tree(s) and must be 10 meters from the dripline when the tree(s) act as an obstruction.

⁴ Distance from sampler, probe, or 90% of monitoring path to obstacle, such as a building, must be at least twice the height the obstacle protrudes above the sampler, probe, or monitoring path. Sites not meeting this criterion may be classified as middle scale (see text).

⁵ Must have unrestricted airflow 270 degrees around the probe or sampler; 180 degrees if the probe is on the side of a building.

⁶ The probe, sampler, or monitoring path should be away from minor sources, such as furnace or incineration flues. The separation distance is dependent on the height of the minor source's emission point (such as a flue), the type of fuel or waste burned, and the quality of the fuel (sulfur, ash, or lead content). This criterion is designed to avoid undue influences from minor sources.

⁷ For microscale CO monitoring sites, the probe must be >10 meters from a street intersection and preferably at a midblock location.

⁸ Collocated monitors must be within 4 meters of each other and at least 2 meters apart for flow rates > 200 liters/min and at least 1 meter for flow rates < 200 liters/min.

Table 7-3 Minimum Separation Distance Between Roadways and Sampling Probes or Monitoring Paths at Neighborhood and Urban Scales for O₃, Oxides of Nitrogen (NO, NO₂, NO_x, NO_y) and CO

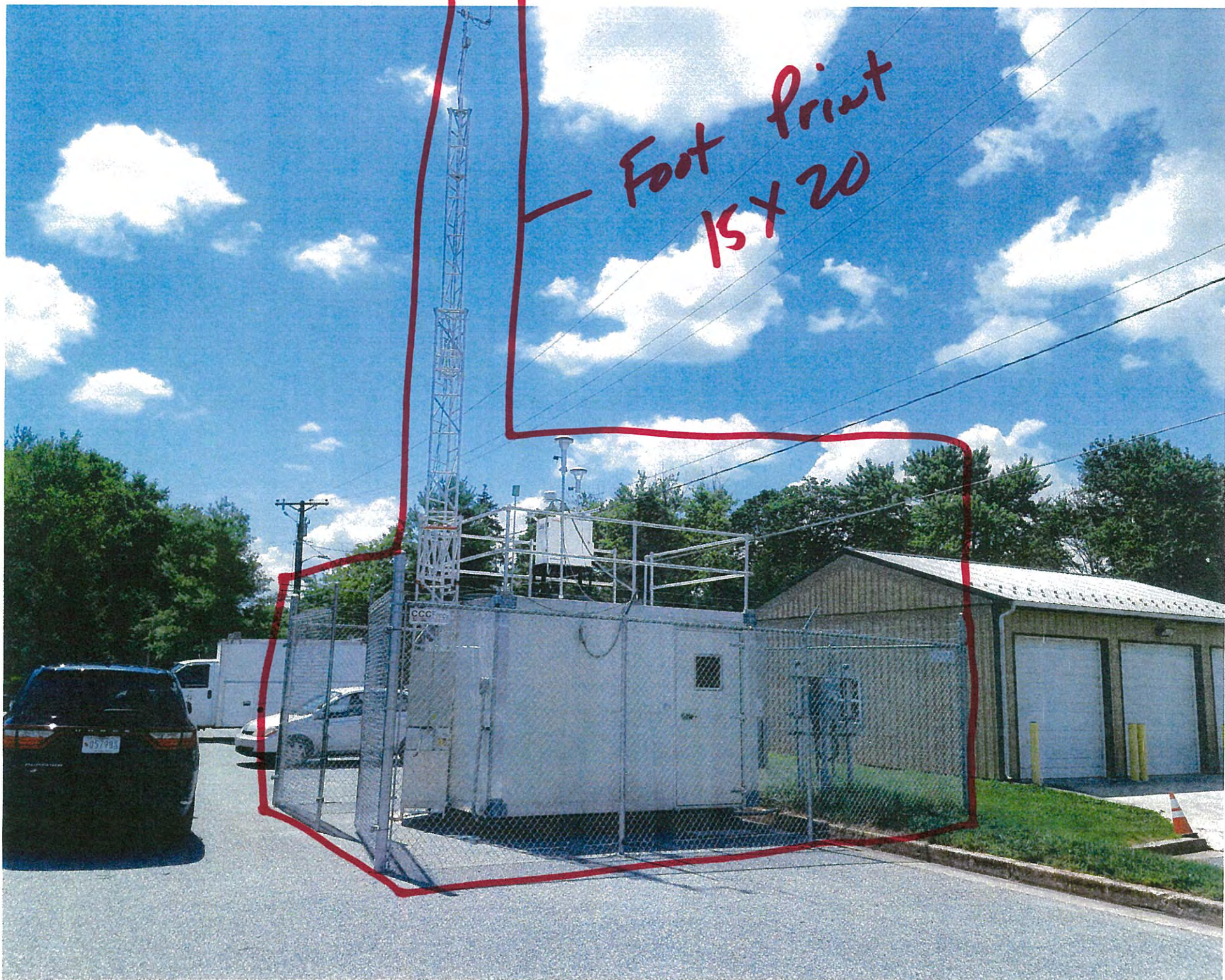
Roadway ave. daily traffic vehicles per day	O ₃ and Oxides of N Neighborhood & Urban ¹ (meters)	O ₃ and Oxides of N Neighborhood & Urban ^{1,2} (meters)	CO Neighborhood (meters)
≤ 1,000	10	10	
10,000	10	20	
≤ 10,000			10
15,000	20	30	25
20,000	30	40	45
30,000			80
40,000	50	60	115
50,000			135
≥ 60,000			150
70,000	100	100	
≥ 110,000	250	250	

¹ Distance from the edge of the nearest traffic lane. The distance for intermediate traffic counts should be interpolated from the table values based on the actual traffic count.

² Applicable for ozone monitors whose placement has not already been approved as of December 18, 2006.



10



Foot print
15 x 20

Google Maps Newtown Park



Imagery ©2019 Google, Imagery ©2019 Commonwealth of Virginia, Maxar Technologies, U.S. Geological Survey, USDA Farm 200 ft Service Agency, Map data ©2019



Newtown Park

4.6 ★★★★★ (29)



6

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Public Works Director *JHT*
DATE: September 9, 2019
SUBJECT: Request to bid for One (1) Hydraulic Crawler Excavator,
Current Model Year

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET
MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

The Department of Public Works is requesting authorization to solicit bids for the lease of One (1) Hydraulic Crawler Excavator, current model year, to be utilized by the Solid Waste Division.

Attached for your review are the required Notice to Bidders, Bid Specifications, Bid Form and Vendor's List. Funds for this equipment were approved in the FY2019-2020 budget as a re-occurring lease, account 680.7002.9010

Should you have any questions, please feel free to contact me.

Attachments

cc: Mike Mitchell

DRAFT

NOTICE TO BIDDERS

Purchase of One (1) Hydraulic Crawler Excavator, Current Model Year Worcester County, Maryland

The Worcester County Commissioners are currently accepting bids for the purchase of one (1) new current production model **One (1) Hydraulic Crawler Excavator, Current Model Year** for the Department of Public Works - Solid Waste Division. Bid specification packages and bid forms are available from the office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863-1072. **Sealed bids will be accepted until 1:00 PM, Monday, October 21, 2019**, in the office of the County Commissioners at the above address. Envelopes shall be marked **“One (1) Hydraulic Crawler Excavator, Current Model Year”** in the lower left-hand corner. After opening, bids will be forwarded to the Public Works Department for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with county contracts, or any other factors they deem appropriate. All inquiries shall be directed to Michael Mitchell, Solid Waste Superintendent, at (410) 632-3177.

Citizens and Government Working Together

GENERAL - Specifications -

Hydraulic Crawler Excavator

The equipment called for in this specification shall be a **Hydraulic Crawler Excavator** to be used by the Worcester County Public Works Dept. - Solid Waste Division. It shall be the standard product of machine and all its components and assure its performance. Any and all parts or attachments not specifically mentioned but necessary to furnish complete equipment shall be furnished by the successful bidder and they shall conform in strength, quality of material and workmanship to what is usually provided by good engineering practice indicated in these specifications. **Hydraulic Crawler Excavator** shall be the current model in production at time of bid.

WEIGHT & CLASS

Standard machine operating weight shall not be less than 79,000 pounds.

ENGINE

6 - cylinder, turbo-charged diesel
Minimum **430 cubic inch displacement**
Minimum **270 SAE net horsepower**
Replaceable wet cylinder liners
Pressurized cooling system
Pressurized lubrication system
Engine coolant heater
Precleaner
Lockable engine side-shields
24 volt electrical system, with minimum 50 AMP alternator
Dual batteries, 160 minimum reserve
Auto - idle system

HYDRAULIC SYSTEM

Open center hydraulic system
Variable displacement axial piston pumps
140 GPM flow (70 GPM per pump)

SWING MECHANISM

360 degree swing with adjustable swing speed, 0 – 8.7 RPM
Swing torque must be a minimum of 100,000 FT. LBS.
Simultaneous swing and propel functions
Hydraulically released automatic equipment, multiple disk swing brake
In-cab swing bearing lubrication point

UNDERCARRIAGE

Minimum **16'2"** undercarriage length

Rollers to be of excavator type

Minimum **31"** track shoes

Minimum **48 shoes per track**

Minimum **drawbar pull 65,000 lb**

CAB

Fully enclosed, isolation mounted

Opening type windows with tinted safety glass & Sun Shades

Roof hatch

Dome light

Floor mats

Defroster fan

Heater

Centralized monitoring with audible alarm

Positive position hand throttle with fuel economy position

Controls, two lever and two pedal

Front Wipers with Washer

Lower Windshield Wiper with Washer

Air Conditioning

AM/FM Radio w/Bluetooth capability

Fan

Windshield Sun Visors

Lights on Cab & Boom

Back-up camera for safety with 360° view

BOOM and ARM

Internally reinforced, tapered box construction

Automatic Lubrication System

Stick Length: **Minimum - 12' 10"**

Stick Digging Force: **Minimum - 31,000 lbs.**

Lifting Capacity - **20' over front, ground level - Minimum - 30,000 lbs.**

Digging Depth: **Minimum - 26'**

Dumping Height: **Minimum - 24'**

Heavy duty cleanup bucket w/hydraulic thumb, w/minimum width of 36" at bucket contact, and a 60" grading bucket.

Hyd. Pin grabber coupler supplied with all pins necessary

Bucket Digging Force: **Minimum - 44,000 lbs.**

ADDITIONAL STANDARD EQUIPMENT

Adjustable suspension seat with 3" safety belt shall be heated and cooled
Back-up alarm
Air cleaner restriction indicator
Engine alternator charge indicator
Engine coolant temperature indicator
Engine oil pressure indicator
Hydraulic oil filter restriction indicator
Engine coolant gauge
Fuel gauge
Hour meter
Under hood muffler with vertical exhaust
Toolbox
Hinged engine cover with bolt in service platforms
Heavy Duty Bottom Guard
Complete Vandalism Guard Package
Product link w/7yr. annual subscription included
Machine shall have an Autolube system

OSHA COMPLIANCE

The machine must meet Tier IV emission controls, sound and Federal OSHA standards.

MANUALS

Machine shall be supplied with a parts CD

SERVICE

Machine shall be designed to simplify and minimize requirement for routine maintenance. Bidders shall be required to prepare an estimate of hourly lubrication and maintenance and demonstrate relative ease of performing manufacturers' recommended routine maintenance requirements to include CSA for 7 yrs/8,000hrs, including all filters.

WARRANTY

The vendor shall supply the county with two (2) copies of the Manufacturer's warranty at the time of delivery. Warranty shall be full machine warranty for seven (7) years, or 8,000 hours on total machine, including travel time and mileage and a list shall be supplied by seller of components covered. If machine is inoperable for more than 2 days, successful bidder must supply the county with a machine of equal specifications until repairs are made to county machine.

Seven (7) Year Warranty and Parts Availability Warranty

All requirements as stated for parts availability warranty are to remain in effect for Seven (7) year period. Full machine warranty for a Seven (7) year period, or 8,000 hrs.

BUY-BACK AGREEMENT

Worcester County warrants that the equipment sold back to the contractor will be in operating condition at the time of repurchase. The term 'operating' means that the equipment will be performing its intended function in landfill operation. The warranty will terminate at the time of repurchase. The machine will have no more than 8,000 hours on it at time of repurchase.

ADJUSTED COST AND FIVE YEAR REPURCHASE PROGRAM

The county will determine an adjusted bid by considering depreciation when analyzing bids. Accordingly, an award of contract under these specifications may be made on basis of the lowest adjusted bid to be determined as follows:

Each bidder shall submit a price bid for equipment proposed pursuant to these specifications, together with the price at which he will agree to buy back said equipment at any time within a period of seven (7) years from the date of delivery. ***Each bidder shall submit a repurchase price based on repurchase at the end of one (1), two (2), three (3), four (4) and five (5) years.*** Such repurchase shall be deducted from the price for the equipment and the result will be considered the adjusted bid.

The county reserves the right to sell the equipment back to the contractor at any time during the seven (7) year period at the purchase price stated in the bid, or to make no resale whatsoever.

The county warrants the equipment sold back to the contractor will be in operating condition at the time of repurchase.

The contractor shall be excused from performance under the contract only if prevented directly or indirectly by fire, flood, strike, act of God, war, or act of Government.

The price or prices quoted shall include all transportation charges fully prepaid to (address at destination).

Purchaser desires delivery to be completed within 90 days from date of award. Bidder certifies delivery will be completed in 120 days from date of award.

Awards will be made on the best value offered. Clauses requiring specific guarantees to cover parts delivery, total repairs and resale value may be included. The quality of the articles to be supplied, their conformity with the specifications, their suitability to requirements, delivery terms and guarantee clauses shall be taken into consideration.

The purchaser reserves the right to reject any or all bids, waive any informality in bids and accept in whole or in such bid or bids as may be deemed in the best interest of the purchaser.

APPROVED EQUALS

In all specifications where a material or article is defined by describing a proprietary product or by using the name of a vendor or manufacturer, it can be assumed that an equal can be substituted. The use of a named product is an attempt to set a particular standard of quality and type that is familiar to the County. Such references are not intended to be restrictive. However, the County shall decide if a product does in fact meet or exceed the quality of the specifications listed in the solicitation. It shall be the responsibility of the vendor that claims his product is an equal to provide documentation to support such a claim.

Bid Form

I have reviewed the specifications and provisions for furnishing **One (1) Hydraulic Crawler Excavator, Current Model Year** and understand the said requirements. I hereby propose to furnish this unit as follows:

Excavator Make: _____ Model: _____

Delivered to: Department of Public Works - Solid Waste Division
7091 Central Site Lane, Newark, Maryland, 21841

Purchase with Guaranteed Buy Back at end of Seven (7) Years; or 8,000 Hours,
Seven (7) Year Warranty and Seven (7) Year Parts Availability Warranty

Acquisition Cost	\$ _____
Less Guaranteed Buy Back at end of Seven (7) Years	\$ _____
Net Adjusted Price	\$ _____
Monthly Payment for Eighty-Four (84) mo. using Lease Purchase Option	\$ _____
Interest Rate	_____

Described unit will be delivered within 90 – 120 calendar days from receipt of written order.

Successful bidder must supply County with equal machine once contract is awarded and Vendor has received OK to proceed until new machine is delivered and be responsible for all services and repairs to said machine.

BID MUST BE SIGNED TO BE VALID.

Date: _____

Signature: _____
Typed Name: _____
Title: _____
Firm: _____
Address: _____
Phone: _____

BIDDERS LIST

Alban Tractor Co. Inc.

8660 Ocean Highway
Delmar, MD 21875
410-341-3900 – Office
443-521-9098 – Cell
410-341-3693 – Fax
bsellers@albancat.com

McClung-Logan Equipment

4601 Washington Blvd.
Baltimore, MD 21227
1-540-989-3750 x6611
dbeehner@mcclunglogan.com

Elliott & Frantz, Inc.

38420 Sussex Highway
Delmar, DE 19940
1-302-846-3033
1-302-846-0763 - FAX
rwelliottfrantz@yahoo.com

JESCO

9060 Ocean Highway
Delmar, MD 21875
Chris Gregory
443-235-0614
410-546-1090
410-546-0899 - FAX
Billy.bock@jesco.us

GT Mid-Atlantic

12420 Sussex Highway, Box 338
Greenwood, DE 19950
302-349-5760
302-349-5785 - FAX
mikeyouse@gtmidatlantic.com

Midatlantic Machinery

28587 Sussex Highway
Laurel, DE 19956
Phone: 302.715.5382
Fax: 302.715.5384
don.dyott@komatsune.com



7

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: September 9, 2019
SUBJECT: Bid Recommendation: Six 20-Cubic Yard Recycling Containers for the Recycling Department

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

On Monday, August 26, 2019, bids were received and opened for the purchase of six (6) 20-Cubic Yard Recycling Containers to be utilized by the Recycling Department. Attached for your review and approval are copies of the five bids were received. Below is a summary of bids received:

Vendor	Price Per Recycling Container	Total Bid Price	Page
Wastequip	\$7,698.00	\$46,188.00	3
Thompson Fabricating Inc.	\$8,025.00	\$48,150.00	19
Bakers Waste Equipment	\$8,555.00	\$51,330.00	22
BE Equipment Inc.	\$10,369.00	\$62,214.00	23
Technology International Inc.	\$11,405.00	\$68,430.00	24
		Bid Specifications	25

After carefully reviewing the bids and specifications, it is recommended that the Commissioners approve and award the bid to Wastequip. Wastequip met all required specifications as outlined in the bid documents.

Should you have any questions, please do not hesitate to call me.

Attachments

cc: Mike Mitchell
Mike McClung

Competitive Bid Worksheet

Item: Six (6) 20-Cubic Yard Recycling Containers

Bid Deadline/Opening Date: 1:00 P.M., August 26, 2019

Bids Received by deadline = 5

<u>Vendor's Submitting Bids</u>	<u>Price per Unit</u>	<u>Total Delivered Price</u>
Thompson Fabricating Inc. P.O. Box 432 Wheatland, PA 16161	\$ <u>8,025</u>	\$ <u>48,150</u>
Bakers Waste Equipment 1808 Norwood Street SW Lenoir, NC 28645	\$ <u>8,555</u>	\$ <u>51,330</u>
Wastequip 841 Meacham Road Statesville, NC 28677	\$ <u>7,698</u>	\$ <u>46,188</u>
Technology International Inc. 1349 S. International Pkwy Lake Mary, FL 32746	\$ <u>11,405</u>	\$ <u>68,430</u>
BE Equipment Inc. 1775 Wentz Road Quakertown, PA 18951	\$ <u>10,369</u>	\$ <u>62,214</u>
_____	_____	_____
_____	_____	_____

Bid Form

I have reviewed the specifications and provisions for furnishing

Six (6) 20 Cubic YD Recycling Containers and understand the said requirements.

I hereby propose to furnish **Six (6) 20 Cubic YD Recycling Containers** as follows:

Delivered to: Department of Public Works - Solid Waste Division
7091 Central Site Lane, Newark, Maryland, 21841

Total Delivered Price Per Unit for Recycling Containers: \$ 7,698.00

Total Bid Price: \$ 46,188.00 *See attached Clarifications

Described units will be delivered within ⁶⁻⁸ ~~weeks~~ calendar days from receipt of written order.

BID MUST BE SIGNED TO BE VALID.

Date: 8/22/2019

Signature: 

Typed Name: William Houser

Title: VP-Finance, Commercial

Firm: Wastequip Manufacturing Company, LLC

Address: (Bid Location) 841 Meacham Rd.

Statesville, NC 28677

Phone: (800) 424-0422 ext 244



Marya M. Jenkins
Bid/Contract Specialist

841 Meacham Road
Statesville, NC 28677

Office 800.424.0422 Ext 244
Fax 704.878.0734
MJenkins@wastequip.com
www.wastequip.com

Bid Form

I have reviewed the specifications and provisions for furnishing
Six (6) 20 Cubic YD Recycling Containers and understand the said requirements.

I hereby propose to furnish **Six (6) 20 Cubic YD Recycling Containers** as follows:

Delivered to: Department of Public Works - Solid Waste Division
7091 Central Site Lane, Newark, Maryland, 21841

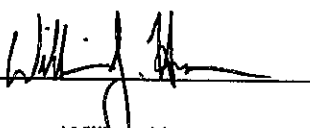
Total Delivered Price Per Unit for Recycling Containers: \$ 7,698.00

Total Bid Price: \$ 46,188.00 *See attached Clarifications

Described units will be delivered within ⁶⁻⁸ weeks ~~calendar days~~ from receipt of written order.

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Typed Name: William Houser

Title: VP-Finance, Commercial

Firm: Wastequip Manufacturing Company, LLC

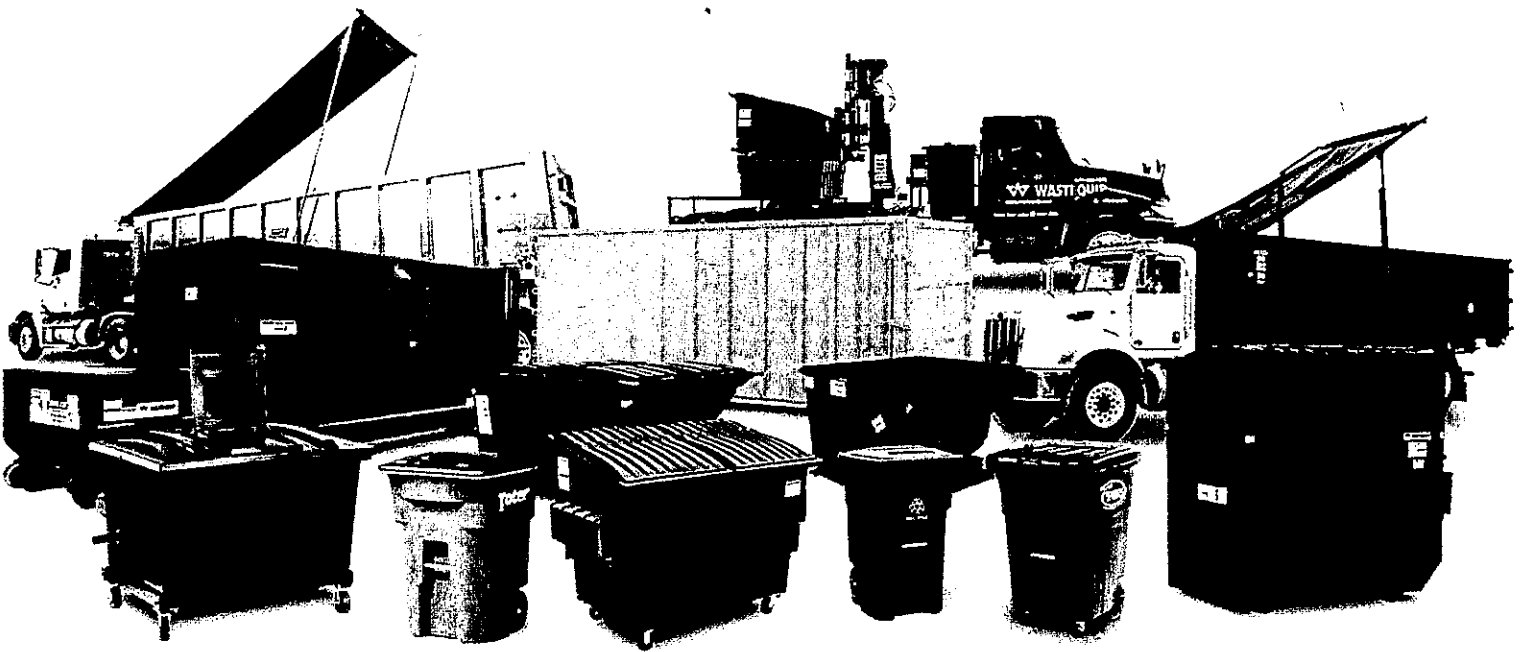
Address: (Bid Location) 841 Meacham Rd.

Statesville, NC 28677

Phone: (800) 424-0422 ext 244

Worcester County, Maryland

Wastequip Bid Response



Bid No.: Not Listed

Bid Title: (6) 20 Cubic Yard Recycling
Containers

Bid Due: August 26, 2019

Bid Opening Time: 1:00 pm.



(Corporate Headquarters)

6525 Morrison Blvd., Suite 300

Charlotte, NC 28211

877.468.9278

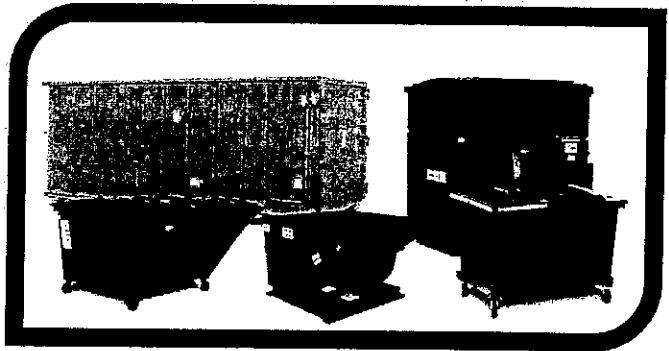
www.wastequip.com

ORIGINAL

WASTEQUIP®

Corporate Profile

Founded in 1989 by Chuck Walton, Wastequip was created to consolidate the highly fragmented and regionalized waste equipment manufacturing sector.



The vision was simple: to provide the rapidly growing base of large national haulers a one-stop shop for their most significant needs including standardized equipment, highly durable products, inventory availability, faster delivery and outstanding customer service needed to continue their growth trajectory.

To achieve this goal, the company immediately set out to establish an extensive North American manufacturing and service footprint. Over the course of the next nearly 25 years, Wastequip systematically acquired the top companies and best brands from tarping systems and vacuum trucks to hoists and carts, including Galbreath, Cusco, Accurate, Mountain Tarp, Pioneer, and finally, Toter, – the industry's premier line of plastic waste and recycling carts and containers - uniting them under the Wastequip umbrella.

Headquartered in Charlotte, N.C. with manufacturing and service facilities throughout North America, Wastequip is the leading North American manufacturer of waste handling and recycling equipment. With over 2,000 employees and 31 facilities, Wastequip has built a reputation for manufacturing expertise and product innovation. Privately held, Wastequip is the only manufacturer to offer a full line of steel and plastic products to collect, handle and transport just about any type of waste and recyclables.

Our comprehensive product line includes the top brands in their respective areas:

- **Wastequip** brand compactors, balers, steel containers and environmental containers
- **Toter** brand plastic carts and containers
- **Galbreath** brand hoists, container handlers and trailers
- Tarping systems, sold through our **Mountain Tarp** and **Pioneer** brands
- Industrial vacuum trucks and hydro excavators sold through our **Cusco** brand
- OEM and aftermarket parts sold through **Go To Parts**

Wastequip has locations throughout the U.S. and Canada, allowing us to serve many of our customers on a local level and creating economies of scale not possible with smaller manufacturers. Since many of our brand companies serve sectors in which it can be difficult and costly to ship products from remote locations, this gives us a distinct advantage over competitors with a smaller footprint.

Wastequip has strong partnerships with large national haulers, as well as many of the smaller regional and local players, and our products are currently in use in thousands of municipalities across the country. We've also developed strong fleet relationships across other market segments. Many of these customer relationships have been in place for many years, giving us a strong competitive advantage and creating a barrier to entry for other organizations.



Points of Contact for the State of Maryland

Bid Information: Marya Jenkins, Bid/Contract Specialist
841 Meacham Road
Statesville, NC 28677
Direct: 800-424-0422 Ext 244
Fax: 704-878-0734
Email: MJenkins@wastequip.com

Account Rep: Blake Wetzel, Regional Sales Manager
Direct: (215) 850-9072
Email: BWetzel@wastequip.com

P.O. Remit: Wastequip Mfg. Co., LLC
Marya M. Jenkins, Bid/Contract Specialist
841 Meacham Road
Statesville, NC 28677

Invoice Remit: Wastequip, LLC
PO Box 603008
Charlotte, NC 28260-3008
Direct: 704-366-7140



Clarifications/Exceptions for Worcester, Co., MD
Bid No.: Purchase of 20 Cubic Yard Recycling Containers
Bid Date: August 26, 2019

Bid Specifications:

Wheels: Wastequip offers 8" x 8"

Wastequip meets or exceeds all other listed product specifications.

All products meet ANSI Accredited Standards that address safety, performance and design compatibility requirements as well as compatibility dimensions for manufacturers so that containers can be safely used with refuse vehicles, and operational safety requirements.

Pricing:

Due to the volatility in the current steel market, WASTEQUIP PRICING WILL BE HELD FOR 30 DAYS AFTER BID OPENING. After which time, if fully executed contract or purchase order is not received, Wastequip reserves the right to adjust pricing to the current AMM Index rates as described in the attached Long-Term Price Modifier.

Pricing listed is based on orders placed for the specified quantities of product listed in bid documents. Orders placed for other than these stated quantities may be subject to additional freight charges.

Delivery:

Delivery: Is estimated at 6-8 Weeks or sooner After Receipt of fully executed approval drawings and order acknowledgement.

Delivery will be made to one location unless acknowledged in bid documents. Customer to off load at time of delivery. Containers will be delivered on a flatbed tractor trailer. Customer will need to provide equipment and operator to offload containers from trailer.



506 New Brooklyn Road, Williamstown, NJ,
08094

WQ-10125671

Sell To:

Contact Name Mike Mitchell
 Bill To Name Worcester County
 Bill To One W. Market St Rm 1103
 Snow Hill, MD 21863
 USA
 Email mmitchell@co.worcester.md.us
 Phone (410) 632-3177

Ship To Name Department of Public Works- Solid Waste
 Division
 Ship To 7091 Central Site Lane
 Newark, MD 21841
 USA
 Customer Job Reference Purchase of Six (6) 20 CY Recycling Containers

Quote Information

Salesperson Blake Wetzel
 Salesperson Email bwetzel@wastequip.com

Created Date 8/20/2019
 Expiration Date 9/3/2019
 Quote Number WQ-10125671
 Please Reference Quote Number on all
 Purchase Orders

Model	Product Description	Selected Option	Description	Quantity	Sales Price	Total Price
206741NE	20 Cubic Yard Standard Duty Rectangle Roll Off Container 22' Long - Floor: 7 gauge with 3" structural channels on 18" centers and 6" x 2" x 3/16" Structural Tubing Main Rails, Walls: 12 gauge with side columns on 24" centers and 3" x 4" x 11 gauge Top Rails, Primed and Painted any Standard Color	Color: Medium Green	Max (2) units per load Customer to offload at time of delivery Price includes listed items below	6.00	\$7,698.00	\$46,188.00
ROC109	Front Rollers - (Used where Front Rollers are not Standard)		Included in above unit price	6.00	\$0.00	\$0.00
ROC304	Understructures - Dempster Dino		Included in above unit price	6.00	\$0.00	\$0.00
ROC401	Recycle Roof - A Frame Roof		Included in above unit price	6.00	\$0.00	\$0.00
ROC405	Recycle Roof - 30" x 30" Sliding Poly Door Each		Included in above unit price (3) per side = (6) per unit total	36.00	\$0.00	\$0.00

Payment Terms Net 30 Days if credit has been established
 Shipping Terms FOB Destination

Subtotal \$46,188.00
 Shipping \$0.00
 Grand Total \$46,188.00



506 New Brooklyn Road, Williamstown, NJ,
08094
WQ-10125671

Special Instructions

Special Instructions 1. Pricing: Due to the volatility in the current steel market, WASTEQUIP PRICING WILL BE HELD FOR 30 DAYS AFTER BID OPENING. After which time, if fully executed contract or purchase order is not received, Wastequip reserves the right to adjust pricing to the current AMM Index rates as described in the attached Long-Term Price Modifier. Pricing listed is based on orders placed for the specified quantities of product listed in bid documents. Orders placed for other than these stated quantities may be subject to additional freight charges.

2. Delivery: Delivery: Is estimated at 6-8 Weeks After Receipt of fully executed approval drawings and order acknowledgement. Delivery will be made to one location unless acknowledged in bid documents. Customer to off load at time of delivery. Containers will be delivered on a flatbed tractor trailer. Customer will need to provide equipment and operator to offload containers from trailer.

Shipping Details

Estimated Lead Time 6-8 Weeks ARO

Additional Information

Additional Terms Our Quote is a good faith estimate, based on our understanding of your needs. Subject to our acceptance, your Order is an offer to purchase our Products and services in accordance with the Wastequip Terms & Conditions of Sale ("WQ T&C") located at: <https://www.wastequip.com/terms-conditions-of-sale>, as of the date set forth in Section 1(b) of the WQ T&C, which are made a part of this Quote. These WQ T&Cs may be updated from time to time and are available by hard copy upon request.

Additional Information Pricing is based on your anticipated Order prior to the expiration of this Quote, including product specifications, quantities and timing. Any differences to your Order may result in different pricing, freight or other costs. Due to volatility in petrochemical, steel and related Product material markets, actual prices and freight, are subject to change. We reserve the right, by providing notice to you at any time before beginning Product manufacturing, to increase the price of the Product(s) to reflect any increase in the cost to us which is due to any factor beyond our control (such as, without limitation, any increase in the costs of labor, materials, or other costs of manufacture or supply). Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume, Products and materials are subject to manufacturing and commercial variation and Wastequip's practices, and may vary from nominal sizes and materials. All prices are in US dollars; this Quote may not include all applicable taxes, brokerage fees or duties. If customer is not tax exempt, final tax calculations are subject to change.

Signatures

Accepted By: _____

Company Name: _____

Date: _____

Purchase Order: _____

Please Reference Quote Number on all Purchase Orders



Fixed Pricing and Commodity Index Price Adjustments

1. **Fixed Pricing:** The Wastequip equipment pricing contained herein shall be effective for a period of **thirty (30) days** beginning on the bid opening date or the effective date of an executed agreement between the parties, whichever is sooner. **After which, Wastequip reserves the right to review and adjust pricing to current market conditions, if necessary.** Price reviews and adjustments may only occur in the case of movements in the market price of A36 Hot Rolled Steel as reported by the American Metals Markets ("AMM"), and then, only as prescribed below.

2. **Commodity Index Price Adjustments:**
 - a. **Reviews** will occur at time of order or at the end of each calendar month. Any price adjustment will be effective at time of review.

 - b. **Triggers** to affect a price adjustment will be an increase or decrease of 5% or more of the previous five (5) week average price in the market price of A36 Hot Rolled Steel from the then current index baseline, rounded to the nearest one-half of one percent (0.005).

 - c. **Setting the Baseline**
 - i. Price Source: American Metals Markets (<http://amm.com>)
 - ii. Commodity: A36 Hot Rolled Steel
 - iii. Initial Index Baseline: **\$38.00/cwt (15- Feb-2019)**
 - iv. Trigger: Increase/Decrease of 5%
 - v. Product Price Impact: Based on # pounds of steel in container
 - vi. First Review Date: Upon Execution of Agreement, TBD
 - vii. Comparisons: On each review date, the previous five (5) week averaged price of A36 Hot Rolled Steel will be compared to the then applicable index baseline.
 - viii. Price Change Date: Any price adjustment calculated using this schedule will be effective at time of review.

 - d. **Initial Index Baseline** for purposes of the 2018 Sourcing Event shall be **\$38.00/cwt (15- Feb-2019)**. Prior to executing an agreement, pricing will be adjusted as prescribed by the triggers and formulas discussed herein, if it is warranted.



3. **Commodity Index Price Adjustment Formula:** The steel container price adjustment is equal to the weight of each respective container multiplied by the price change in the AMM, depicted by the following formula:

$$\text{Product Weight} \times [(\text{Current AMM Index} - \text{Baseline AMM Index}) \times (1 \text{ lb./}100 \text{ cwt})] = \text{Product Price Adjustment}$$

4. **Commodity Index Price Adjustment Examples:** The following examples show the calculation of the purchase price adjustment as a result of moving from a \$28.0 cwt baseline AMM Index down to \$26.6 cwt and up to \$29.4cwt AMM Index.

a. Example # 1 Decrease Assumptions: 6 yard slant container weights 900 pounds and costs \$600 when the baseline price was based on \$28.0 AMM.

i. If previous five (5) week average AMM Index moved to \$23.0/cwt (17.85% decrease > 5% Band), then:

ii. $(900 \text{ lbs.}) \times [(\$23.0 \text{ cwt} - \$28.0 \text{ cwt}) \times (1 \text{ lb./}100 \text{ cwt})] = -(\$45.00)$

iii. New Price = $\$600 - \$45 = \$555$

iv. New (future) Baseline = \$23.0/cwt

b. Example # 1 Increase Assumptions: 6 yard slant container weights 900 pounds and costs \$600 when the baseline price was based on \$28.0 AMM.

i. If previous five (5) week average AMM Index moved to \$33.0/cwt (17.85% increase > 5% Band), then:

ii. $(900 \text{ lbs.}) \times [(\$33.0 \text{ cwt} - \$28.0 \text{ cwt}) \times (1 \text{ lb. /}100 \text{ cwt})] = \45.00

iii. New Price = $\$600 + \$45 = \$645$

iv. New (future) Baseline = \$33.0/cwt

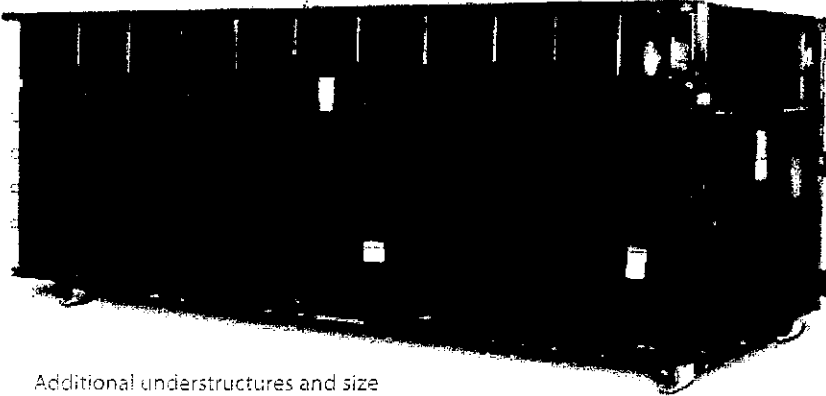
ROLL-OFF CONTAINERS NE SPECIFICATION



Tel: 877.468.9278 | sales@wastequip.com
www.wastequip.com

**Inventory available from our
New Jersey, New York and
Ohio facilities.**

Wastequip's Northeast style containers are perfect for construction, demolition, scrap metal applications and any projects requiring heavy duty containers.



Additional understructures and size configurations available.

Wastequip rectangular open top roll-off containers are built to our **Northeast specification** with 10-side posts and 4 wheels. Designed to be our most durable and heavy duty containers, these Northeast spec containers are ideal for the most demanding waste and scrap collection and hauling needs.

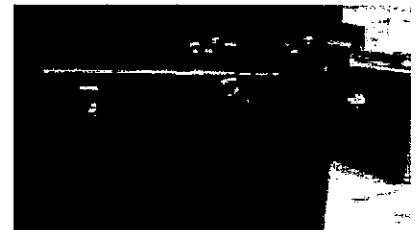
Standard inventory includes 20, 30 & 40 yard containers.

Features

- ▶ Heavy duty, greasable fully welded wheel assemblies (4 wheels)
- ▶ Greasable rail rollers
- ▶ 7 gauge rail gussets welded to floor and cross members
- ▶ Front sheet bent 90 degrees to allow for overlap on side wall adding extra strength to seam
- ▶ V-notched weep hole at the bottom of each side post allows for drainage of liquid and inhibits rust
- ▶ Rugged tarp hooks
- ▶ Available tarping systems from Mountain Tarp protect the load
- ▶ Rust inhibiting primer inside and outside
- ▶ Painted in one of several standard colors using high quality, low VOC enamel
- ▶ 1-year warranty



10 gauge front to side wall corner wraps provide added strength

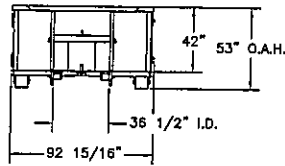


Optional ratchet style rear door closing device secures the container.

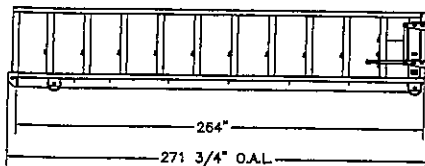
ROLL-OFF CONTAINERS - NE SPECIFICATION

	STANDARD DUTY (SD)	HEAVY DUTY (HD)	EXTRA HEAVY DUTY (XHD)
Floor plate	7 gauge	1/4"	1/4"
Sides	12 gauge	10 gauge	7 gauge
Cross members	3" channels on 18" centers	3" channels on 16" centers	3" channels on 12" centers
Hook / hook plate	1 3/4" hook with 1" hook plate	1 3/4" hook with 1" hook plate	1 3/4" hook with 1" hook plate
Wheels	Four 8" x 8" greasable wheels*	Four 8" x 8" greasable wheels*	Four 8" x 8" greasable wheels
Rails	6" x 2" x 3/16" rectangular tube main rails	6" x 2" x 1/4" rectangular tube main rails	6" x 2" x 1/4" rectangular tube main rails
Rail Roller	4" x 4 1/2"	4" x 4 1/2"	4" x 4 1/2"
Latches	Standard slam latch with heavy duty handle allows for easy door closure by a single operator	Standard slam latch with heavy duty handle allows for easy door closure by a single operator	Standard slam latch with heavy duty handle allows for easy door closure by a single operator
Hinges	Heavy duty greasable hinges with 1/2" plate and 1 3/4" O.D. x 1 1/8" I.D. round tube for 1 3/32" pin	Heavy duty greasable hinges with 1/2" plate and 1 3/4" O.D. x 1 1/8" I.D. round tube for 1 3/32" pin	Heavy duty greasable hinges with 1/2" plate and 1 3/4" O.D. x 1 1/8" I.D. round tube for 1 3/32" pin
Top Tube	4" x 3" x 1/8"	4" x 3" x 3/16"	4" x 3" x 1/4"
Dog Box	10 gauge	10 gauge	1/4"
Side Verticals	12 gauge, 10 posts per side, 4-way bend	12 gauge, 10 posts per side, 4-way bend	12 gauge, 10 posts per side, 4-way bend

20 yard

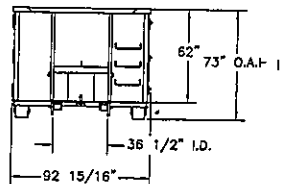


BULKHEAD VIEW

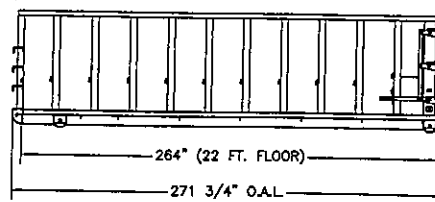


SIDE VIEW

30 yard

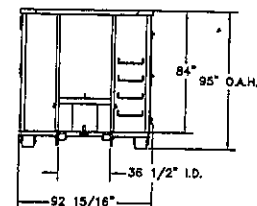


BULKHEAD VIEW

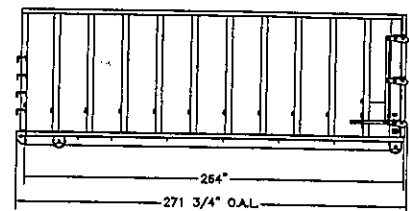


SIDE VIEW

40 yard



BULK HEAD VIEW



LOCK SIDE VIEW



Tel: 877.468.9278 | sales@wastequip.com | www.wastequip.com

Wastequip is the leading North American manufacturer of waste and recycling equipment for collecting, processing and transporting recyclables and solid or liquid waste. April 2013 © Wastequip, all rights reserved. Specifications subject to improvement without notice. Equipment displayed should be operated by properly trained personnel. Operators should become familiar with OSHA, ANSI and any other applicable standards or laws for using this equipment. Improper use, misuse, or lack of maintenance could cause injury to people and/or property. Photos used in the literature are illustrative only. We assume no liability or responsibility for proper training/operation of equipment not manufactured by Wastequip. We reserve the right to make changes at any time without notice. Information contained within this literature is intended to be the most accurate available at time of printing.

WASTEQUIP, LLC

WASTEQUIP PRODUCT LIMITED WARRANTIES, DISCLAIMERS OF WARRANTIES, LIMITATION OF LIABILITIES AND REMEDIES, AND LIMITED WARRANTY PERIODS

Wastequip warrants only Products of its manufacture, sold by Wastequip, or by a Wastequip authorized distributor, for normal and intended use and service and for specific periods against operational failure caused by proven defective material or workmanship. Wastequip's obligations under this warranty are limited to the repair, replacement or credit, as hereinafter provided at its option, of such Product and/or parts and components thereof. For Products (including parts and/or components) manufactured or supplied by other parties (including but not limited to engines, motor vehicles, special equipment, accessories, tires and fittings), Wastequip shall endeavor to provide such third-party manufacturer warranties, as applicable and to the extent such warranty is transferrable or assignable. All express or implied warranties are limited to those expressly provided herein; and Wastequip makes no other warranty or other duty of its own on any Product, including those warranted by any such third party, and expressly disclaims and does not obligate itself to any warranty on any Product, unless it delivers to Buyer a separate written certificate specifically warranting the Product. Buyer's must complete a Product Warranty Registration Form, where applicable (retaining a copy for Buyer's records) and provide proof of purchase or ownership.

Specific warranty periods are listed herein. Repair or replacement does not extend the warranty beyond the original period, and repaired or replaced parts are warranted for the balance of the original warranty period for the original part. Some states do not allow limitations on how long an implied warranty lasts, the exclusion or limitation of incidental or consequential damages, and any such limitations will conform these Wastequip warranties thereto (Buyers may also have other specific rights which vary from state to state).

Wastequip does not warrant or make any representations concerning Product when the Product is not installed and/or used in strict accordance with good installation, service and maintenance practices or operating instructions. Wastequip does not warrant Product that has been altered, disassembled or re-designed; improperly installed, serviced, maintained, handled or repaired; combined with unapproved non-Wastequip products without Wastequip authorization; contaminated with or exposed to oil, grease, water (including salination), chemicals or solvents; damaged or fails to perform as a result of accident, acts of God, lack of reasonable and proper protection during storage or use, overheating, negligence, misuse, vandalism, loading or exceeding the manufacturer's rated or recommended capacity; damage from automated grasper; in contravention of specifically excluded use or any other unauthorized use other than originally intended, authorized, instructed or beyond the control of Wastequip. This warranty does not apply to replacement or normal cosmetic or mechanical wear and tear. Wastequip does not warrant any used Products, which are sold "as is" unless otherwise expressly noted by Wastequip. Further, Wastequip does not warrant any Products that have had serial numbers removed, altered or defaced. Wastequip shall have no liability for any special, punitive, incidental, liquidated or consequential damages, including but not limited to loss of profits, damages to other parts or equipment, cost of capital or interest, any claim for authorized labor charges incurred in diagnosing or replacing a defective Product, towing charges, travel costs, meals, lodging, telephone charges, fuel, storage; loss of use, loss of hydraulic oil, unauthorized repairs, or injury to person or property, to the maximum extent allowable under applicable law. If Wastequip, without separate compensation therefore, furnishes Buyer, Buyer's customer or end user with advice or other assistance concerning any Product or equipment in which the Product may be installed, the furnishing of such advice or assistance will not subject Wastequip to any liability whether in contract, tort (including negligence and strict liability) or otherwise. If any sample, model or demonstration was shown to or provided Buyer, such sample, model or demonstration merely illustrates the general type and quality of Product, and is not to be construed as a representation. If Wastequip authorizes any labor costs associated herewith, such will be solely in accordance with Wastequip established labor rates. Authorization for repairs or related work on Products other than at a Wastequip facility or authorized service center must be through prior written consent by Wastequip; failure to obtain such prior consent shall void this warranty. All claims for reimbursement must be filed with proper documentation no later than forty-five (45) days after occurrence. Travel time approved in advance by Wastequip for authorized service work is limited to two (2) hours maximum per service call.

As the exclusive remedy, in accordance with the Wastequip Terms and provided such Product is manufactured by Wastequip and deemed by Wastequip to be defective, Wastequip shall, at its sole option (i) repair or replace the defective Product, parts or component(s) thereof at our factory or elsewhere (in our discretion); (ii) provide Buyer with a credit on its account in an amount equal to the original purchase Price of the defective Product; and/or (iii) require that Buyer tender any such claims to the third party manufacturer or supplier of the Product, as applicable, upon which Wastequip may endeavor to assist Buyer or Buyer's customer in resolution. Wastequip will accept warranty claims only from the Buyer or in the event of Buyer's resale, redistribution, installation or other similar action, unless otherwise noted, from Buyer's customer, end user or third party that directly purchased the Product through a legitimate action. Wastequip reserves the right to examine all Product to determine whether or not the warranted Product qualifies for the exclusive remedy set forth in these Wastequip Terms. No benefits or remedies are available under this limited warranty while the Invoice for the Product remains outstanding.

In any action brought against Wastequip, regardless of the form or forum, Wastequip shall not be liable to Buyer, end user, customer or any third party for special, consequential, incidental, liquidated or punitive damages and, under no circumstances shall any award against Wastequip in favor of Buyer, end user, customer or any third party exceed the amount paid to Wastequip by Buyer for the Product, to the extent allowed by law. Wastequip shall not indemnify Buyer, end user, customer or any third party from potential claims by or against a third party manufacturer or supplier. Further, Wastequip shall not indemnify Buyer, Buyer's customers, end users or any third party against any claims, including but not limited to product liability claims or workers compensation claims. The parties agree that the foregoing remedy is reasonable and does not cause the Wastequip's Terms to fail of its essential purpose.

In the event of Buyer's resale, redistribution, installation or other similar action of any of the Products sold hereunder, in whatever form unless otherwise expressly notified by Wastequip, Buyer shall merely and solely pass the applicable Wastequip limited warranties herein on to Buyer's customer, end user or third party, as applicable, but make no warranty on its own binding Wastequip, third party manufacturer or supplier or any others, and shall notify such purchaser, customer, end user or third party of these Wastequip Terms and disclaimer of any Wastequip warranty, in writing or otherwise.

Buyer and Buyer's customers, end users or third parties assume all risk and liability for loss or damage resulting from the handling, use, storage, disposal or application of the Products delivered hereunder. Further, Buyer and as applicable, Buyer's customers, end users or third parties shall defend, indemnify and hold harmless Wastequip (and Wastequip's parent company, its subsidiaries, affiliates, successors or assigns and their respective directors, officers, shareholders and employees, individually and collectively "Indemnified Parties") against any and all claims, demands, judgments, loss, injury, death, damage, liability, deficiency, actions, interest, award, penalty, fine, cost or expense, including reasonable attorney and professional fees and costs, and the cost of enforcing any right to indemnification hereunder and the cost of pursuing any insurance providers arising out of or occurring in connection with the Products purchased from Wastequip and involving Buyer's and/or Buyer's customers', end users', or third parties' acts, omissions, negligence, misconduct, breach of Wastequip's Terms; or relating to a breach or non-fulfillment of any representation, warranty or covenant under this Agreement by Buyer or Buyer's personnel; or alleging or relating to any bodily injury, death of any person or damage to real or tangible personal property caused by the acts or omissions of Buyer or its personnel and/or Buyer's customers, end users, or third parties; or relating to a purchase of a Product by any person or entity purchasing directly or indirectly through Buyer and not directly relating to a claim of Limited Warranty breach; or relating to any failure by Buyer or its personnel and/or Buyer's customers, end users, or third parties to comply with any applicable laws or regulations. The right of Indemnified Parties to be indemnified and held harmless under the foregoing shall not be exclusive, but shall be in addition to any and all other rights and remedies to which Indemnified Parties may be entitled under this Agreement or otherwise.

Buyer and/or Buyer's customers, end users, or third parties agree to familiarize itself and keep informed (without reliance on Wastequip) with regards to any hazards to persons and/or property involved in handling, use, storage, disposal or application of the Products. Buyer and/or Buyer's customers, end users, or third parties shall advise its employees,

WASTEQUIP, LLC

customers, independent contractors and others who handle, use, store, dispose or apply such Products of any such hazards. Buyer and/or Buyer's customers, end users, or third parties represent and warrant that the Products sold by Wastequip will not be used in connection with any applications where failure or malfunction could create a situation in which personal injury or death is likely to, or could occur.

~~THESE LIMITED AND CONDITIONAL WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WRITTEN OR UNWRITTEN, EXPRESS OR IMPLIED REPRESENTATIONS, SPECIFICATIONS, WARRANTIES AND REMEDIES, WHETHER OR HOW MADE, OR WHICH MAY ARISE UNDER LAW OR EQUITY OR PERTAIN TO ANY COURSE OF DEALING OR CUSTOM OR USAGE OF TRADE, AND WASTEQUIP EXPRESSLY DISCLAIMS ANY EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY AND OF FITNESS FOR A PARTICULAR SPECIFIED OR INTENDED PURPOSE OR USE OF THE PRODUCT, EXCEPT THIS WARRANTY OF TITLE. THERE ARE NO WARRANTIES EXPRESSED OR IMPLIED, WHICH EXTEND BEYOND THE SEPARATE WRITTEN WARRANTY REFERENCED ON THE FACE HEREOF. YOUR PAYMENT SIXTY (60) DAYS FROM THE DATE OF AN INVOICE MAY CONSTITUTE ACCEPTANCE OF THE PRODUCT AND YOUR ACCEPTANCE OF THE PRODUCT IS CONSIDERED YOUR AGREEMENT FOR THE USE EXTENDED BY THE BUYER OR BUYER'S CUSTOMER IN THE STATE WHERE THE BUYER IS OPERATING THEREWITH. BUYER ASSUMES ALL RISK AND LIABILITY FOR LOSS, DAMAGE OR INJURY ARISING OUT OF OR RELATING TO THIS AGREEMENT, INCLUDING TO THE USE OR POSSESSION OF THE PRODUCT FOLLOWING THIS AGREEMENT. IN THE EVENT OF THE PRODUCT'S USE IN ANY STATE OR JURISDICTION, BUYER ASSUMES FULLY, EXCLUSIVELY AND ENTIRELY IN THE FOREHAND, THE RISK AND LIABILITY OF THE RESULTS OF THE DAMAGE OR INJURY SUSTAINED BY BUYER OR BUYER'S CUSTOMER, EVEN IF WASTEQUIP HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGE.~~

~~BUYER'S AND/OR BUYER'S CUSTOMERS, END USERS OR THIRD PARTIES' SOLE AND EXCLUSIVE REMEDY AGAINST WASTEQUIP SHALL BE THE REMEDY OF REPAIR OR REPLACEMENT DELIVERED HEREUNDER AS PROVIDED BY, AND WITHIN THE TIME PERIOD SPECIFIED IN WASTEQUIP'S LIMITED WARRANTY SET FORTH HEREIN. WASTEQUIP DISCLAIMS WARRANTY WARRANTIES THE SOLE REMEDY OF BUYER AND BUYER'S CUSTOMERS, END USERS OR THIRD PARTIES, AS APPLICABLE WITH RESPECT TO THE EQUIPMENT, PRODUCT OR SERVICE OF WASTEQUIP, WHETHER THE BASIS OF CONTRACT, MANUFACTURER, SALE, ALTERATION, USE, REPAIR, REPLACEMENT, TOLERANCE, INCLUDING NEGLIGENCE AND STRICT LIABILITY, OR OTHERWISE, IN UNDERSTANDING ANY OTHER REMEDY OR REMEDY IN ANY STATE OR JURISDICTION. WASTEQUIP IS NOT LIABLE TO BUYER, BUYER'S CUSTOMER, END USER OR THIRD PARTY, WHETHER ARISING UNDER CONTRACT OR OTHERWISE, OF THE WASTEQUIP TERMS OF WHICH THIS LIMITED AND CONDITIONAL WARRANTY IS A PART, OR ARISING OUT OF SUCH TERMS OR MANUFACTURE, SALE, ALTERATION, USE, REPAIR, REPLACEMENT, TOLERANCE, INCLUDING NEGLIGENCE AND STRICT LIABILITY OR OTHERWISE, FOR LOSS OF ANTICIPATED PROFITS, LARGO SALES, ENERGY TO PERSONS OR PROPERTY, LOSS BY REASON OF PLANT SHUTDOWN, STOP OPERATION, FORCE MAJEURE OR INCREASED EXPENSE OF OPERATION, SERVICE INTERRUPTION, LOSS OF BUSINESS, REPUTATION, AND LOSS OF THIRD PARTIES OF BUYER AND BUYER'S CUSTOMERS, END USERS OR THIRD PARTIES' COST OF MONEY, LOSS OF USE OF CAPITAL OR REVENUE, OR FOR ANY SPECIAL, INCIDENTAL, PUNITIVE OR CONSEQUENTIAL LOSS OR DAMAGES OF ANY KIND, WHATSOEVER.~~

LIMITED WARRANTY PERIODS

Wastequip Manufacturing Company Products

The warranty period for all Wastequip Manufacturing Company Products manufactured and provided by Wastequip Manufacturing Company or a Wastequip Manufacturing Company authorized distributor is for a period of twelve (12) months from date of shipment from the Wastequip Manufacturing company designated shipping point, unless otherwise specifically indicated as follows:

- Self-Contained Compaction Equipment
 - 255HD, 265X, SC1 and SC2 – 3 years structural, 2 years parts, 1 year labor; all dates from date of shipment from the Wastequip designated shipping point
 - 265XP, 265 XPHT, and 265IP – 5 years structural, 2 years parts, 1 year labor; all dates from date of shipment from the Wastequip designated shipping point
 - 365XSEE – 3 years structural, 3 years parts, 1 year labor; all dates from date of shipment from the Wastequip designated shipping point
 - All Other Self-Contained Models – 3 years structural, 1 year parts and labor; all dates are from date of shipment from Wastequip designated shipping point
 - For the first 3 months, Wastequip will provide normal operating adjustments for pressure settings, limit switches, timers, relays or fuses.
- Standard Compaction Equipment with Solid State Controller
 - Precrushers, Transfer and Mini-Transfer Stations – 1 year structural, parts and labor; all dates from date of shipment from the Wastequip designated shipping point
 - All other Stationary Compactor Models – 3 year structural, 1 year parts and labor; all dates from date of shipment from the Wastequip designated shipping point
- Steel Containers – 12 months from date of shipment from the Wastequip designated shipping point.
- Vertical Baler with Solid State Controller
 - 12 months structural, parts and labor from original date of installation or fifteen (15) months from date of shipment from the Wastequip designated shipping point, whichever occurs first.
 - For the first 3 months, Wastequip will provide normal operating adjustments for pressure settings, limit switches, timers, relays or fuses.
- Vertical Compactor
 - 12 months structural, parts and labor from original date of installation or fifteen (15) months from date of shipment from the Wastequip designated shipping point, whichever occurs first.
 - For the first 3 months, Wastequip will provide normal operating adjustments for pressure settings, limit switches, timers, relays or fuses.



ADDITIONAL REMARKS SCHEDULE

AGENCY Aon Risk Services South, Inc.		NAMED INSURED HPCC Parent, Inc. & Subsidiaries	
POLICY NUMBER			
CARRIER	NAIC CODE	EFFECTIVE DATE: 04/01/2019	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: Acord 25 FORM TITLE: Certificate of Liability Insurance

CURRENT LEGAL ENTITIES

HPCC Parent, Inc.
 HPCC Intermediate, Inc.
 Patriot Container Corp.
 Patriot Container Intermediate, LLC
 Patriot Container Acquisition Corp.
 Wastequip, LLC
 Toter, LLC
 Cusco Fabricators, LLC
 WQD, LLC
 Parts Place, LLC
 Wastequip Manufacturing Company LLC
 Toter International I LLC
 Toter International II LLC
 Galbreath LLC
 Amrep Manufacturing Company, LLC

PRIOR LEGAL ENTITIES

Wastequip, Inc.
 Toter, Incorporated
 Toter, Inc.
 Cusco Fabricators, Inc.
 Galbreath, Inc.
 WQD, Inc.
 Parts Place, Inc.
 Wastequip Manufacturing Company Inc.
 Big Dumpster Acquisitions, Inc.
 Big Dumpster Holdings, Inc.
 Accurate Industries, Inc.

DBAs

Parts Place
 Go To Parts
 Wastequip Manufacturing Company
 Wastequip Manufacturing
 Galbreath
 Accurate Industries
 Accurate
 Accurate of Ohio
 Accurate of Canada
 Pioneer
 Mountain Tarp
 Wastequip Oregon
 Wastequip Tennessee
 Wastequip Indiana
 Wastequip Accurate
 Wastequip Texas
 Wastequip May Mfg Co
 May Manufacturing and Distribution Corp.
 Wastequip DBA Florida Can
 May Manufacturing
 May Fabrication
 May Fabricators
 May-Fab
 Mayfab
 Mayfab - Waste Equipment
 Wastequip/Mayfab
 May Properties
 Holt
 Holt Industries
 Holt Specialty Equipment
 Watequip Mfg Co dba Industrial Refuse Sales

**Request for Taxpayer
 Identification Number and Certification**

Give Form to the
 requester. Do not
 send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Wastequip Manufacturing Company, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ C

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
 Exempt payee code (if any) _____
 Exemption from FATCA reporting code (if any) _____
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
(Corporate Location) 6525 Morrison Boulevard, Suite 300

6 City, state, and ZIP code
Charlotte, NC 28211

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

			-						
--	--	--	---	--	--	--	--	--	--

or

Employer identification number

2	2	-	3	1	9	1	6	2	4
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  William Houser, VP-Finance, Commercial Date ▶ 06/24/2019

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Bid Form

I have reviewed the specifications and provisions for furnishing

Six (6) 20 Cubic YD Recycling Containers and understand the said requirements.

I hereby propose to furnish **Six (6) 20 Cubic YD Recycling Containers** as follows:

Delivered to: Department of Public Works - Solid Waste Division
7091 Central Site Lane, Newark, Maryland, 21841

Total Delivered Price Per Unit for Recycling Containers: \$ 8025⁰⁰

Total Bid Price: \$ 48,150⁰⁰

Described units will be delivered within 90 calendar days from receipt of written order.

BID MUST BE SIGNED TO BE VALID.

Date: 8/15/19

Signature: Ted Ohlin

Typed Name: TED OHLIN

Title: SALES REP

Firm: THOMPSON FABRICATING, INC.

Address: 60 COUNCIL AVE, PO Box 432
WHEATLAND, PA 16161

Phone: 888-318-8876



THOMPSON FABRICATING INC.
 PO BOX 432
 60 COUNCIL AVE.
 WHEATLAND, PA. 16161

Quote

Date	Quote#
8/15/2019	1298

Phone #	Fax #
724-981-8876	724-981-8664

Name / Address
WORCESTER COUNTY SOLID WASTE DIVISION C/O OFFICE OF COUNTY COMMISIONERS, ROOM ONE WEST MARKET ST SNOW HILL, MD 21863 ATTN: MICHAEL MITCHELL (410) 632-3177

Terms	Rep
COD	TO

Item	Description	Qty	Cost	Total
	(6) 31" x 31" sliding lids DEMPSTER STYLE Hook up only Primed and Painted GREEN			
Freight	SHIPPING CHARGES, 3 truckloads (2 units per truckload) DELIVERED TO: Department of Public Works- Solid Waste Division 7091 Central Site Lane Newark, MD 21841	3	1,900.00	5,700.00

Terms & Conditions

THIS QUOTE IS VALID FOR 10 DAYS

All containers have a (1) year warranty for workmanship. All warranty work must be approved by TFI. TFI will not be responsible for any damage incurred to the container/s once they leave premises, unless it was due to the original workmanship.

Terms for payment will be as stated above unless credit is approved by TFI prior to shipment. All orders from a new customer will require a 25% deposit on total order amount.

FINANCING OPTIONS AVAILABLE PLEASE CONTACT DEAN FOR MORE DETAILS.
 All Credit Card transactions over \$3,000 are subject to a 3% surcharge.

If this quote is acceptable to you & your company in regard to specifications and prices please sign/date & FAX or EMAIL back to TFI.

Subtotal	\$48,150.00
Sales Tax (6.0%)	\$0.00
Total	\$48,150.00

Signature _____



THOMPSON FABRICATING INC.
 PO BOX 432
 60 COUNCIL AVE.
 WHEATLAND, PA. 16161

Quote

Date	Quote#
8/15/2019	1298

Phone #	Fax #
724-981-8876	724-981-8664

Name / Address
WORCESTER COUNTY SOLID WASTE DIVISION C/O OFFICE OF COUNTY COMMISSIONERS, ROOM ONE WEST MARKET ST SNOW HILL, MD 21863 ATTN: MICHAEL MITCHELL (410) 632-3177

Terms	Rep
COD	TO

Item	Description	Qty	Cost	Total
Std. Rect. Roll Off	Per your specifications 20YD RECTANGULAR DEMPSTER STYLE RECYCLING CONTAINERS 22' long x 40 1/2" high x 96" wide, approx weight 6800# 3/16" floor sheets 16" centered crossmembers (3" x 4.1# channel) 6" x 2" x 1/4" tube main rails 8" x 10" Rear DINO WHEELS 12 ga. sides with FORMED BOTTOM 12 ga. 4-way bend 2 1/2" x 5 1/2" side post on 24" centers 7 ga. 3" x 7 1/2" rear corner posts 4" x 3" x 3/16" tube top rail 10 ga. bulkhead w/ 12 ga. front post & 7 ga. push plate 10 ga. tailgate to be hinged on curb side w/ 4" x 3" x 3/16" vertical supports & 10 ga. 4 - way bent crosspost Tailgate support plate on hinge side wall Uplift latch system 10 ga. hip roof w/ 24" peak in the center	6	7,075.00	42,450.00

Subtotal
Sales Tax (6.0%)
Total

Signature

21

Bid Form

I have reviewed the specifications and provisions for furnishing

Six (6) 20 Cubic YD Recycling Containers and understand the said requirements.

I hereby propose to furnish **Six (6) 20 Cubic YD Recycling Containers** as follows:

Delivered to: Department of Public Works - Solid Waste Division
7091 Central Site Lane, Newark, Maryland, 21841

Total Delivered Price Per Unit for Recycling Containers: \$ 8,555

Total Bid Price: \$ 51,330

Described units will be delivered within _____ calendar days from receipt of written order.

BID MUST BE SIGNED TO BE VALID.

Date: 8/20/19

Signature: Amber M. Bullard

Typed Name: Amber M. Bullard

Title: Inside Sales Rep

Firm: Bakers Waste Equipment

Address: 1808 Norwood St SW

Lenoir, NC 28645

Phone: 828-726-3010 fax

828-726-3001

Bid Form

I have reviewed the specifications and provisions for furnishing

Six (6) 20 Cubic YD Recycling Containers and understand the said requirements.

I hereby propose to furnish **Six (6) 20 Cubic YD Recycling Containers** as follows:

Delivered to: Department of Public Works - Solid Waste Division
7091 Central Site Lane, Newark, Maryland, 21841

Total Delivered Price Per Unit for Recycling Containers: \$ 10,369.00*

Total Bid Price: \$ 62,214.00

*Please Note: This price is Based on All Six (6)
being Ordered & Delivered at the SAME Time.

Described units will be delivered within 21 calendar days from receipt of written order.

BID MUST BE SIGNED TO BE VALID.

Date: 08/23/19

Signature: Scott H. Davis

Typed Name: Scott H. Davis

Title: President

Firm: BE Equipment, Inc.

Address: 1775 Wentz Road, PO Box 139

Quakertown, PA 18951

Phone: (215) 536-0700

Bid Form

I have reviewed the specifications and provisions for furnishing

Six (6) 20 Cubic YD Recycling Containers and understand the said requirements.

I hereby propose to furnish **Six (6) 20 Cubic YD Recycling Containers** as follows:

Delivered to: Department of Public Works - Solid Waste Division
7091 Central Site Lane, Newark, Maryland, 21841

Total Delivered Price Per Unit for Recycling Containers: \$ 11,405.00

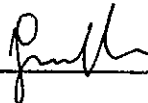
Total Bid Price: \$ 68,430.00

Described units will be delivered within 90 calendar days from receipt of written order.

*****Please see our Equipment Proposal TII/MD/0819/12115 attached.**

BID MUST BE SIGNED TO BE VALID.

Date: 08/23/2019

Signature: 

Typed Name: Naveed Habib

Title: Product & Applications Engineer

Firm: Technology International, Inc.

Address: 1349 South International Pkwy, Suite 2411,

Lake Mary, Florida 32746

Phone: 407-359-2373



COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
MADISON J. BUNTING, JR.
JAMES C. CHURCH
THEODORE J. ELDER
JOSHUA C. NORDSTROM

OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

August 7, 2019



TO: *The Daily Times Group and Ocean City Today Group*
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KS*

Please print the attached Notice to Bidders in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on August 15, 2019. Thank you.

NOTICE TO BIDDERS

Purchase of 20-Cubic Yard Recycling Containers Worcester County, Maryland

The Worcester County Commissioners are currently accepting bids for the purchase of **six (6) 20-Cubic Yard Recycling Containers** to be used throughout Worcester County by the Solid Waste Division of Public Works. Bid specification packages and bid forms are available from the Office of the County Commissioners, Room 1103 - Worcester County Government Center, One West Market Street, Snow Hill, Maryland 21863, may be obtained online at www.co.worcester.md.us or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. **Sealed bids will be accepted until 1:00 PM, Monday, August 26, 2019** in the Office of the County Commissioners at the above address, at which time they will be opened and publicly read aloud. Envelopes shall be marked "**Bid for Six (6) 20 Cubic Yard Recycling Containers**" in the lower left-hand corner. After opening, bids will be forwarded to the Department of Public Works for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Michael Mitchell, Solid Waste Superintendent, at 410-632-3177.

Bid Specifications

Bid Specifications for:

Six (6) 20 Cubic YD Recycling Containers

Floor: 3/16" - 2 pc - 22' long
Understructure 3" channel, 16 apart
Rails: 2" X 6" X 1/4 Structural Tubing
Hook: 1 1/2 Plate Burnout

Compatible w/Inside rail Dempster Understructure

Wheels: 8" OD - Rear 10" long - non-rolling
Upper wall construction: 12GA material
Top Refuse Rail: 3" X 4" X 7GA Structure Tubing
Side Post: 2 1/2" X 5 1/2" 4 way bend on 24" Centers
Rear Corner Post: 3 1/2" X 7" X 7GA

Tailgate Sheet: 10GA Material Single Gate
Vertical Tailgate Post: 3" X 4" X 7GA Structure Tubing
Tailgate Supported with Side Stiffener on Hinge Side Latch
System: Up Lift
Hinge: Two Machine Type with Grease Fittings
Roof: Formed - 12GA Peak 24" High with inside supports
6 Doors: 30" X 30" High Impact Sliding Type

Prime with Rust Inhibitive

Painted Solid Green color with Alkyld Enamel - scratch resistant

No Dividers needed

The price or prices quoted shall include all transportation charges to (address at destination).

Purchaser desires delivery to be completed within 90 days from date of award. Bidder certifies delivery will be completed in 120 days from date of award.

Awards will be made on the best value offered. Clauses requiring specific guarantees to cover parts delivery, total repairs, and resale value may be included. The quality of the articles to be supplied, their conformity with the specifications, their suitability to requirements, delivery terms and guarantee clauses shall be taken into consideration.

The purchaser reserves the right to reject any or all bids, waive any informality in bids and accept in whole or in such bid or bids as may be deemed in the best interest of the purchaser.

APPROVED EQUALS

In all specifications where a material or article is defined by describing a proprietary product or by using the name of a vendor or manufacturer, it can be assumed that an equal can be substituted. The use of a named product is an attempt to set a particular standard of quality and type that is familiar to the County. Such references are not tended to be restrictive. However, the County shall decide if a product does in fact meet or exceed the quality of the specifications listed in the solicitation. It shall be the responsibility of the vendor that claims his product is an equal to provide documentation to support such a claim.



8

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

MEMORANDUM

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: September 9, 2019
SUBJECT: FY20 Bid Recommendation – Service Truck w/ Crane/Hoist
Department of Public Works – Roads Division

DIVISIONS

Monday, August 26, 2019, bids were received and opened for the purchase of one (1) shop service truck with hydraulic crane/hoist to be utilized by the Department of Public Works, Roads Division. Attached for your review and approval are copies of the four bids received. Listed below is a pricing summary of the bids received.

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

Vendor	Make/Model	Total Delivered Price	Page
I.G. Burton & Company, Inc. Milford, DE	Ram 5500	\$115,329.00	3
Hertrich Fleet Services, Inc. Milford, DE	Ford F550	\$118,397.00	17
Bayshore Ford Truck Sales, Inc. New Castle, DE	Ford F550	\$124,969.00	26
Transwest Limon, CO	Ram 5500	\$134,988.87	27

Upon review by the Department of Public Works, Roads Division, it was determined that all four bids noted minor deviations to our specifications. These deviations exceeded our specifications and will not affect the quality or service of the vehicle; therefore, it is requested that the Commissioners approve and accept the low bid price of \$115,329.00 submitted by I.G. Burton & Company, Inc.

Funding in the amount of \$135,000 for the purchase of one shop service truck with hydraulic crane/hoist was approved in the current FY20 operating budget in account 100.1202.9010.010.

Should you have any questions, please do not hesitate to call me.

Attachments

cc: Frank J. Adkins

Competitive Bid Worksheet

Item: Purchase of Service Truck with Hydraulic Crane/Hoist

Bid Deadline/Opening Date: 1:00 P.M., Monday, August 26, 2019

Bids Received by deadline = 4

Vendor's Submitting Bids

Delivered Price

Transwest
2720 6th Street
Limon, CO 80828

\$ 134,988.⁸⁷

Bayshore Ford Truck Sales Inc.
4003 N. DuPont Highway
New Castle, DE 19720

\$ 124,969

Hertrich Fleet Services, Inc.
1427 Bay Road
Milford, DE 19963

\$ 118,397

I.G. Burton and Company, Inc.
793 Bay Road
Milford, DE 19963

\$ 115,329

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BID FORM

**Worcester County Department of Public Works – Roads Division
“FY20 - Purchase of Shop Service Truck”**

I/We have reviewed the specifications and provisions for furnishing/delivering one (1) current production model 4x4 shop service truck with hydraulic crane/hoist and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

One (1) 4x4 shop service truck with hydraulic crane/hoist (current production model):

Year 2020 Make RAM Model 5500 DPO64

Total Bid Price including delivery: \$ 115,329.⁰⁰

If there is any specification differences please make sure to note them when submitting your bid.

Delivery To: Department of Public Works – Roads Division
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: 26-28 WEEKS ARO.

BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.

Date: 8/23/2019

Signature: *Shayne Fannin*

Typed Name: Shayne FANNIN

Title: Fleet Manager

Firm: IG Burton and Company, Inc

i.g. Burton

Since 1908. You can count on us.

SHAYNE FANNIN
FLEET MANAGER

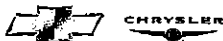
793 BAY RD.
MILFORD, DE 19963
302.265.1318

CELL **757.618.5678**
sfannin@igburton.com

FAX 302.265.1490
www.igburton.com

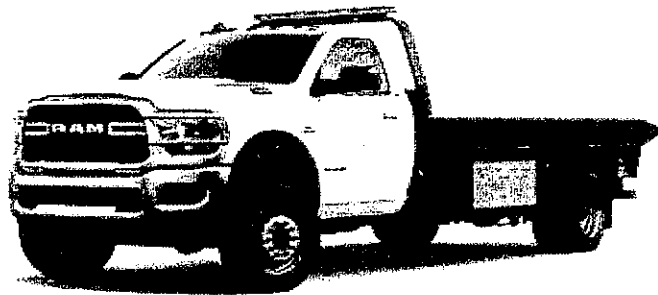
Address: 793 Bay Road
Milford DE 19963

Phone: 757-618-5678





Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB



Worcester County MD



Dealership Information

IG Burton and Company Inc.
793 Bay Road
Milford, DE 19963
Shayne Fannin
Fleet Manager
757-618-5678 Cell

Prepared By:

This document contains information considered Confidential between GM and its Clients uniquely. The information provided is not intended for public disclosure. Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided.

Data Version: 9080. Data Updated: Aug 22, 2019 9:58:00 PM PDT.



Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (Complete)

Quote Worksheet

	MSRP
Base Price	\$43,595.00
Dest Charge	\$1,695.00
Total Options	\$13,895.00
	Subtotal
	\$59,185.00
Maryland Bid Discount	(\$11,650.74)
Body as requested	\$67,180.00
Additional Front Tire and Rim	\$620.00
	Subtotal Pre-Tax Adjustments
	\$56,149.26
Less Customer Discount	(\$5.26)
	Subtotal Discount
	(\$5.26)
Trade-In	\$0.00
	Subtotal Trade-In
	\$0.00
	Taxable Price
	\$115,329.00
Sales Tax	\$0.00
	Subtotal Taxes
	\$0.00
	Subtotal Post-Tax Adjustments
	\$0.00
	Total Sales Price
	\$115,329.00

Dealer Signature / Date

Customer Signature / Date

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Data Version: 9080. Data Updated: Aug 22, 2019 9:58:00 PM PDT.



Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (✓
Complete)

Selected Model and Options

MODEL

CODE	MODEL	Invoice	MSRP
DP0L64	2019 Ram 5500 Chassis Cab Tradesman 4x4 Reg Cab 84" CA 168.5" WB	\$40,198.00	\$43,595.00

COLORS

CODE	DESCRIPTION	Invoice	MSRP
PW7	Bright White Clearcoat	\$0.00	\$0.00

CPOS PKG

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
2YA	Quick Order Package 2YA Tradesman -inc: Engine: 6.7L I6 Cummins Turbo Diesel, Transmission: 6-Speed Auto Aisin AS69RC HD, Rear Dome Lamp, Matte Black Grille Upper/Lower Appliques, Halogen Quad Headlamps, Door Sill Scuff Pads, Glove Box, Map/Courtesy Lamp, Black Wheel Flares	699.00 lbs	114.00 lbs	\$0.00	\$0.00

ADDITIONAL EQUIPMENT - PACKAGE

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
A61	Tradesman Level 1 Equipment Group -inc: Speed Sensitive Power Locks, Satin Chrome Interior Door Handles, Exterior Mirrors w/Supplemental Signals, Upgraded Door Trim Panels, Exterior Mirrors Courtesy Lamps, Exterior Mirrors w/Heating Element, Front 1-Touch Down Power Windows, Mirror Running Lights, Overhead Console, Remote Keyless Entry, Overhead Cupholder Lamp, Power Black Trailer Tow Mirrors	0.00 lbs	0.00 lbs	\$814.00	\$895.00
AHD	Heavy Duty Snow Plow Prep Group -inc: Transfer Case Skid Plate Shield, Heavy Duty Front Suspension Group, 220 Amp Alternator	0.00 lbs	0.00 lbs	\$268.00	\$295.00
AMP	Chrome Appearance Group -inc: Chrome Grille Surround, Matte Black Grille w/Chrome Accents, Bright Front Bumper	0.00 lbs	0.00 lbs	\$450.00	\$495.00
LBN	Power Take Off Prep -inc: Hard Wired Remote Start	0.00 lbs	0.00 lbs	\$268.00	\$295.00

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Data Version: 9080. Data Updated: Aug 22, 2019 9:58:00 PM PDT.



Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (Complete)

ADDITIONAL EQUIPMENT - MECHANICAL

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
AZB	Heavy Duty Front Suspension Group	0.00 lbs	0.00 lbs	Inc.	Inc.
BAJ	220 Amp Alternator	0.00 lbs	0.00 lbs	Inc.	Inc.
XEF	Transfer Case Skid Plate Shield	11.00 lbs	8.00 lbs	Inc.	Inc.
XHC	Trailer Brake Control	0.00 lbs	0.00 lbs	\$268.00	\$295.00

ADDITIONAL EQUIPMENT - INTERIOR

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
JKV	115V Auxiliary Power Outlet -inc: 400W Inverter	0.00 lbs	0.00 lbs	\$137.00	\$150.00
XAC	ParkView Rear Back-Up Camera -inc: Rear View Auto Dim Mirror w/Display	0.00 lbs	0.00 lbs	\$450.00	\$495.00
XAW	Rear Backup Alarm	0.00 lbs	0.00 lbs	\$132.00	\$145.00
XBT	Tire Pressure Information System	0.00 lbs	0.00 lbs	\$137.00	\$150.00
XF6	Voltage Monitoring Auto Idle Up System	0.00 lbs	0.00 lbs	\$137.00	\$150.00
YEP	Manufacturer's Statement of Origin	0.00 lbs	0.00 lbs	\$0.00	\$0.00

ADDITIONAL EQUIPMENT - EXTERIOR

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
LPE	Cargo & CHMSL Lamp	0.00 lbs	0.00 lbs	\$86.00	\$95.00
TBB	Full Size Spare Tire -inc: 19.5" Steel Spare Wheel	0.00 lbs	0.00 lbs	\$359.00	\$395.00

ADDITIONAL EQUIPMENT - ENTERTAINMENT

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
RSD	SiriusXM Satellite Radio -inc: 1-Year SiriusXM Radio Service, For More Info, Call 800-643-2112	0.00 lbs	0.00 lbs	Inc.	Inc.
UAA	Radio: Uconnect 3 w/5" Display -inc: 5.0" Touchscreen Display, SiriusXM Satellite Radio, 1-Year SiriusXM Radio Service, For More Info, Call 800-643-2112, GPS Antenna Input, Temperature & Compass Gauge	0.00 lbs	0.00 lbs	\$632.00	\$695.00

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Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (Complete)

TRANSMISSION

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
DF2	Transmission: 6-Speed Auto Aisin AS69RC HD -inc: Column Mount Automatic Shift Lever	0.00 lbs	0.00 lbs	\$1,456.00	\$1,600.00

AXLE RATIO

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
DMK	4.44 Axle Ratio (STD)	0.00 lbs	0.00 lbs	\$0.00	\$0.00

ENGINE

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
ETN	Engine: 6.7L I6 Cummins Turbo Diesel -inc: Selective Catalytic Reduction (Urea), Dual 730 Amp Maintenance Free Batteries, Cummins Turbo Diesel Badge, Supplemental Heater, RAM Active Air, B-20 Bio Diesel Capability, GVWR: 19,500 lbs, Clean Idle Emissions Label, Current Generation Engine Controller, Smart Diesel Exhaust Brake	0.00 lbs	0.00 lbs	\$7,048.00	\$7,745.00

PRIMARY PAINT

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
PW7	Bright White Clearcoat	0.00 lbs	0.00 lbs	\$0.00	\$0.00

TIRES

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
TUY	Tires: 225/70R19.5G FT All Position, RR Traction (STD)	0.00 lbs	0.00 lbs	\$0.00	\$0.00

SEAT TYPE

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
TXX8	Diesel Gray/Black, HD Vinyl 40/20/40 Split Bench Seat	0.00 lbs	0.00 lbs	\$0.00	\$0.00

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Data Version: 9080. Data Updated: Aug 22, 2019 9:58:00 PM PDT.



Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (Complete)

WHEELS

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
WP3	Wheels: 19.5" x 6.0" Steel (STD)	0.00 lbs	0.00 lbs	\$0.00	\$0.00

GVWR

CODE	DESCRIPTION	FRONT WEIGHT	REAR WEIGHT	Invoice	MSRP
Z0C	GVWR: 19,500 lbs	0.00 lbs	0.00 lbs	Inc.	Inc.
Options Total		710.00 lbs	122.00 lbs	\$12,642.00	\$13,895.00

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Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (✓
Complete)

Standard Equipment

Mechanical

Engine: 6.4L V8 Heavy Duty HEMI (STD)
Transmission: 6-Speed Auto Aisin AS66RC HD (STD)
4.44 Axle Ratio (STD)
GVWR: 18,000 lbs (STD)
50 State Emissions
Transmission w/Driver Selectable Mode, Sequential Shift Control and Oil Cooler
Manual Transfer Case
Part-Time Four-Wheel Drive
Engine Oil Cooler
730CCA Maintenance-Free Battery w/Run Down Protection
180 Amp Alternator
87 mph Maximum Speed
Towing Equipment -inc: Trailer Sway Control
Trailer Wiring Harness
10630lbs. Maximum Payload
HD Shock Absorbers
Front Anti-Roll Bar and Rear HD Anti-Roll Bar
Hydraulic Power-Assist Steering
52 Gal. Fuel Tank
Single Stainless Steel Exhaust
Auto Locking Hubs
Leading Link Front Suspension w/Coil Springs
Leaf Rear Suspension w/Leaf Springs
4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs
Upfitter Switches
Mechanical Limited Slip Differential

Exterior

Wheels: 19.5" x 6.0" Steel (STD)

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Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (✓
Complete)

Exterior

- Tires: 225/70R19.5G FT All Position, RR Traction (STD)
- Black Front Bumper w/2 Tow Hooks
- Black Side Windows Trim and Black Front Windshield Trim
- Black Door Handles
- Black Manual Side Mirrors w/Convex Spotter and Manual Folding
- Manual Extendable Trailer Style Mirrors
- Fixed Rear Window
- Light Tinted Glass
- Variable Intermittent Wipers
- Galvanized Steel/Aluminum Panels
- Front License Plate Bracket
- Fully Automatic Aero-Composite Daytime Running Headlamps w/Delay-Off
- Cab Clearance Lights

Entertainment

- Radio w/Seek-Scan, Clock, Aux Audio Input Jack, Radio Data System and External Memory Control
- Radio: Uconnect 3.0
- Integrated Roof Antenna
- 4 Speakers
- Streaming Audio

Interior

- 40-20-40 Bench Folding Driver Seat w/4 Way Direction Control -inc: Manual Fore/Aft and Adjustable Headrest
Driver Seat
- Manual Adjust 4-Way Driver Seat
- 40-20-40 Bench Folding Passenger Seat w/4 Way Direction Control -inc: Manual Fore/Aft and Adjustable
Headrest
- Passenger Seat
- Manual Adjust 4-Way Front Passenger Seat
- Manual Tilt Steering Column
- Gauges -inc: Speedometer, Odometer, Voltmeter, Oil Pressure, Engine Coolant Temp, Tachometer, Oil
Temperature, Transmission Fluid Temp, Engine Hour Meter and Trip Odometer

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Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (Complete)

Interior

Proximity Key For Push Button Start Only
Cruise Control w/Steering Wheel Controls
Manual Air Conditioning
Interior Trim -inc: Deluxe Sound Insulation, Metal-Look Instrument Panel Insert and Chrome/Metal-Look Interior Accents
Full Cloth Headliner
Urethane Gear Shift Knob
HD Vinyl 40/20/40 Split Bench Seat
Day-Night Rearview Mirror
Passenger Visor Vanity Mirror
2 12V DC Power Outlets
Full Vinyl/Rubber Floor Covering
USB Host Flip
Integrated Voice Command w/Bluetooth
Electronically Controlled Throttle
Instrument Panel Bin, Dashboard Storage, Driver And Passenger Door Bins
Delayed Accessory Power
Manual 1st Row Windows
Systems Monitor
Redundant Digital Speedometer
Analog Display
Manual Adjustable Front Head Restraints
Seats w/Vinyl Back Material
40/20/40 Split Bench Seat
Front Armrest w/Cupholders
Sentry Key Engine Immobilizer

Safety-Mechanical

Electronic Stability Control (ESC)
ABS And Driveline Traction Control

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Vehicle: [Fleet] 2019 Ram 5500 Chassis Cab (DP0L64) Tradesman 4x4 Reg Cab 84" CA 168.5" WB (✓
Complete)

Safety-Exterior

Side Impact Beams

Safety-Interior

Dual Stage Driver And Passenger Seat-Mounted Side Airbags

Dual Stage Driver And Passenger Front Airbags

Airbag Occupancy Sensor

Outboard Front Lap And Shoulder Safety Belts -inc: Height Adjusters and Pretensioners

WARRANTY

Basic Years: 3

Basic Miles/km: 36,000

Drivetrain Years: 5

Drivetrain Miles/km: 60,000

Corrosion Years: 5

Corrosion Miles/km: 100,000

Roadside Assistance Years: 5

Roadside Assistance Miles/km: 100,000

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DEJANA

Truck and Utility Equipment



QUOTE

New York, New England, Mid Atlantic
& Greater Philadelphia
490 Pulaski Rd Kings Park, NY 11754
Phone(631)544-9000 Fax(631)544-3501
WWW.DEJANA.COM

QUOTE #	COL000883
DATE	8/13/2019

BILL TO: I.G. BURTON TRUCK & BODY CTR

411 NORTH REHOBOTH BLVD
MILFORD DE 19963

Phone: 3024223041
Fax: (302) 422-9151
Email:

SHIP TO: I.G. BURTON TRUCK & BODY CTR

411 NORTH REHOBOTH BLVD
MILFORD DE 19963

Phone: (302) 422-3041
Fax: (302) 422-9151

SALESPERSON	REFERENCE	P.O. REQUIRED	QUOTE VALID UNTIL
DAVE SCHOENNAGEL	WORCESTER COUNTY	No	8/23/2019

MAKE:	MODEL:	YEAR:	SRW/DRW:
CAB TO AXLE:	WHEELBASE:	VIN:08/26/2019	
STOCK/ORDER NUMBER: TT	TOTAL WEIGHT (LBS) OF ALL QUOTED ITEMS: 0		

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	<p>Knapheide 6132DLR-44K: 11 ft crane body with torq-isolator crane support system. A-40 galvanneal compartments and doors, 3/16" treadplate floor and 1/8" compartment tops and backs, full-seam continuously welded. 12 gauge bottom and end panels of compartments and double panel 14 gauge outside panels. Exclusive 12 stage K-coat protection includes 12 stages of cleaning, pre-treat, electrodeposition prime coat, rinse, and curing. (6) recessed cargo tie-downs in floor - 6,000# capacity, (2) heavy duty aluminum grab handles, and LED stop/tail/turn lights, clearance lights, & backup lights. 21" work surface bumper with thru compartment, vise plate, & 2" receiver tube. (2) grip strut flex steps, (1) each side of rear tailshelf. 16" high double panel slam tailgate with center latch and flat space for tailgate graphics.</p> <p>KnapLiner: Commercial grade spray-on bed liner applied to cargo floor area, sides, compartment tops, bulkhead, tailgate, rear bumper, & front end panels</p> <p>Stellar 7621 Crane: Max 7,500lbs lifting capacity (38,000ft-lbs.), 21' hydraulic reach, planetary winch 60'/min speed, and double-acting cylinders w/integral holding valves. Filters, crane hook, snatch block, anti-two block device & hydraulic shutdown, 3/8" cable, boom support, wireless remote control (RF) with back up pendant control, PTO, hydraulic pump for crane, hydraulic reservoir with guard, and remote docking / charge station for crane remote</p>		

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
	<p>Control Panel: Power Cell, controller and (8) button switch panel in the rear crane compartment. CAN-bus system with continuous working load of 115 amps, features built in overload current protection for the system and operator safety.</p> <p>Hydraulic Air Compressor: Boss 40 CFM reciprocating hydraulic air compressor with Reelcraft 50'x1/2" hose reel and roller fairlead through the right rear compartment. FLR system and underbody air tank included with air compressor</p> <p>Welder Bracket: Welder mounting plate installed on the street side compartment top at rear</p> <p>Side Compartments: 44" high side packs and 60" high right front vertical compartment with automotive quality 3-pt T-handles</p> <p>1st Vertical Side Compartment: 7 drawer unit - 3-3" high drawers, 3-5" high drawers, and 1-7" high drawer (street side) / Gas bottle retainer (2 bottles), vented top & bottom; Full height vertical partition with 3 adjustable divider shelves (curbside)</p> <p>2nd Vertical Side Compartment: 2 adjustable divider shelves with 4 dividers (street & curbside)</p> <p>1st Horizontal Side Compartment: Bolt bin storage unit (street side) / Bolt-in divider shelf with 8 dividers (curbside)</p> <p>3rd Vertical Side Compartment: 2 adjustable divider shelves with 4 dividers each (street side) / Fixed Shelf (curbside)</p> <p>Master Locking System: Secures one entire side of compartments with a padlock in one easy motion and acts as a visual theft deterrent</p> <p>Cab Protector: with punched window</p> <p>Auxiliary Lighting: (4) LED work lights & LED compartment lights installed and wired to control panel</p> <p>Strobe system: S/T/T backup lights with integrated strobes & built in reflectivity; (2) amber LED strobe lights installed on front grille</p> <p>Outriggers: Hydraulic out / hydraulic down at curbside and hydraulic down at street side</p> <p>Backup Alarm: 97 db audible alarm</p> <p>Finish Paint: Body interior / exterior to be painted single stage to match chassis</p> <p>CSP: Install customer supplied decals & mud flaps</p>		
1	Strobe Wiring: Strobe lights wired to upfitter switches		
1	Backup Camera: OEM backup camera installed		

BID FORM

**Worcester County Department of Public Works – Roads Division
“FY20 - Purchase of Shop Service Truck”**

I/We have reviewed the specifications and provisions for furnishing/delivering one (1) current production model 4x4 shop service truck with hydraulic crane/hoist and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

One (1) 4x4 shop service truck with hydraulic crane/hoist (current production model):

Year 2020 Make FORD Model F550

Total Bid Price including delivery: \$ 118,397

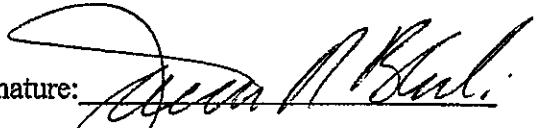
If there is any specification differences please make sure to note them when submitting your bid.
SEE ENCLOSED DETAIL

Delivery To: Department of Public Works – Roads Division
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: APPROXIMATELY JULY 1, 2020

BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.

Date: 8-22-2019

Signature: 

Typed Name: JAMES R. BUERI (JRM)

Title: DIRECTOR OF OPERATIONS

2020 CHASSIS PRODUCTION BEGINS IN NOVEMBER, 2019

SOME ITEMS IN THE DESCRIPTION COMMENTS PARAGRAPH ARE BRAND SPECIFIC ? SEE ENCLOSED LIST OF STAND FEATURES AND DESCRIPTIONS FOR FORD CHASSIS.

Firm: HERTRICH FLEET SERVICES

Address: 1427 BAY RD
MEDRD, DE. 19963

Phone: 800-698-9825
302-422-3300

2020 SUPER DUTY® CHASSIS CAB (F-350CC / F-450CC / F-550) STANDARD EQUIPMENT

The following features are standard on every 2020 SUPER DUTY® Chassis Cab vehicle:

MECHANICAL

- Brakes – Four-wheel Disc Brakes with Anti-Lock Brake System (ABS)

EXTERIOR

- Doors
 - Two (Regular Cab only)
 - Four (SuperCab/Crew Cab only)
- Front License Plate Bracket
- Fuel Tank
 - 26.5 gallon mid ship (F-350 SRW)
 - 40 gallon aft axle (F-350 DRW/F-450/F-550)
 - Diesel Exhaust Fluid (DEF) Tank Location:
 - o Aft-of-axle fuel tank is paired with the DEF tank located in the mid ship location, between the frame rails.
 - o Mid ship fuel tank is paired with the DEF tank located outside of the frame rail
 - o Dual tanks are paired with the DEF tank located outside of the frame rail
- Glass
 - Solar-tinted complete (Std. on XL)
 - Privacy (Std. on XLT and Lariat; NA front-seat windows)
- Manual Locking Hubs (4x4)
- Scuff plates – front, color-coordinated
- "Three-Blink" lane change signal
- Tow hooks – front, (two) (2)
- Trailer wiring – 7 wire harness w/relays, blunt cut and labeled
- Windshield wipers – intermittent

INTERIOR/COMFORT

- Convenience
 - Coat hooks, LH/RH color-coordinated
 - Dash top tray
 - Dome lamp – LH/RH door activated & I/P switch operated w/delay
 - Handles, grab – driver & front-passenger
 - Handles, roof ride – front-passenger (also over rear-doors on Crew Cab)
 - Map lights – dual (front and rear w/Crew Cab)
 - 12V Powerpoint, auxiliary
- Door-trim – color-coordinated molded w/grab handle & reflector
- Gauges and Meters – Fuel, Transmission Temperature, Engine Coolant Temperature, Oil Pressure (Gas engine) and Turbo (Diesel engine) Gauges; Speedometer, Odometer and Tachometer

INTERIOR/COMFORT (continued)

- Headliner – color-coordinated cloth
- Instrument panel – color-coordinated w/dual glove boxes, four (4) air registers w/positive shut-off and powerpoint
- Instrumentation Center
 - 2.3" LCD Productivity Screen in IP Cluster (standard on XL)
 - 4.2" LCD Productivity Screen in IP Cluster (standard on XLT)
 - 8.0" LCD Productivity Screen in IP Cluster (Standard on Lariat)
- Overhead Console with 6 Uptitter Switches
- Steering – power
- Steering damper

SAFETY/SECURITY

- AdvanceTrac® with RSC® (Roll Stability Control™)
- Airbags
 - Driver and Passenger frontal and side airbag/curtain
 - Passenger side airbag deactivation switch
- Child tethers (Regular Cab front-passenger and all rear-seating positions)
- Lamps – LED Roof marker/clearance
- Safety Belts
 - Belt-Minder® (front safety belt reminder) – chime and flashing warning lights on I/P if belts not buckled
 - Color-coordinated safety belts w/height adjustment (front-outboard seating positions only)
- SecuriLock® Passive Anti-Theft System (PATS); includes MyKey® owner controls feature (XLT and Lariat Only)
- SOS Post-Crash Alert System™
- Stationary Elevated Idle Control (SEIC)

FUNCTIONAL

- Alternator
 - 200 Amp (F-350 Std. on 6.2L Gas w/XL/XLT)
 - 240 Amp (F-350 Std. on 6.2L Gas w/Lariat)
 - 240 Amp (F-450/F-550 Std on 7.3L Gas w/ XL & XLT)
 - 397 AMP (F-450/F-550 Std. on 7.3L Gas w/Lariat)
- Hood release
- Horn – dual electric
- Intelligent Oil-Life Monitor® (6.7L Power Stroke® Diesel engine)
- Oil minder system (6.2L Gas engine)
- Shock absorbers – heavy-duty gas
- Springs, rear auxiliary
- Stabilizer bar – front and rear

The following features are standard on selected 2020MY SUPER DUTY® Chassis Cab vehicles:

MECHANICAL	XL	XLT	LARIAT
Engine			
6.2L 2-Valve Gas SOHC EFI NA V8 (Flex-Fuel) (F-350)	•	•	•
★ 7.3L 2V DEVCT NA PFI V8 Gas (F-450/F-550)	•	•	•
Transmission			
★ Ten-Speed Automatic Transmission with Selectable Drive Modes: Normal, Tow/Haul, Eco & Deep Sand/Snow	•	•	•
Alternator			
200 Amp (F-350 Std. on 6.2L Gas engine w/XL/XLT)	•	•	•
240 Amp (F-450/F-550 Std. on 7.3L w/ XL & XLT)	•	•	•
240 Amp (F-350 Std. on 6.2L Gas engine w/Lariat)	•	•	•
397 AMP (F-450/F-550 Std. on 7.3L w/Lariat)	•	•	•
Axle			
Monobeam front axle w/coil spring suspension (F-350 4x4, F-450 and F-550)	•	•	•
Independent Twin-I-beam front axle w/coil spring suspension (F-350 4x2)	•	•	•
Battery			
650 CCA, 72 AH (6.2L Gas engine only) (F-350 XL SRW/DRW)	•	•	•
750 CCA, 78 AH Single (6.2L Gas F-350 SRW/DRW XLT & Lariat)	•	•	•
750 CCA, 78 AH Single (7.3L Gas F-450 and F-550 XL & XLT)	•	•	•
750 CCA, 78 AH Dual (7.3L 2V DEVCT NA PFI V8 Gas F-450 and F-550 Lariat)	•	•	•
Fuel Tanks			
26.5 gallon mid ship (F-350 SRW w/68D Payload Downgrade Pkg)	•	•	•
40 gallon aft axle (F-350 SRW/F-350 DRW/F-450/F-550; NA with 68D Payload Downgrade Pkg. on F-350 SRW)	•	•	•

★ = New for this model year
• = Available

1 = Regular Cab only, 2 = SuperCab only, 3 = Crew Cab only

**2020 SUPER DUTY® CHASSIS CAB
(F-350CC / F-450CC / F-550)
STANDARD EQUIPMENT**



KEY EXTERIOR FEATURES	XL	XLT	LARIAT
Bumper - Front			
Black painted steel w/grained MIC top cover and black lower air dam	•		
Chrome w/grained MIC top cover and black lower air dam		•	•
Grille			
Black MIC	•		
Bright Chrome - two (2) bar		•	
Chrome - two (2) bar (includes additional chrome inserts)			•
Handles - Door and Tailgate			
Black	•	•	
Body-color			•
Headlamps/Taillamps/Lamps			
Quad-beam halogen jewel effect	•	•	•
* Automatic High Beam	•	•	•
Center High-Mounted Stop Lamp (CHMSL) (Standard on vehicles 10k GVWR and below)	•	•	•
Fog lamps			
LED Roof Marker/Clearance Lamps	•	•	•
Utility Lighting System (LED Side-mirror Spotlights) (see mirror descriptions below)			•
Mirrors			
Manually telescoping/folding trailer tow with manual glass	•		
Manually telescoping/folding trailer tow with power/heated glass, heated convex spotter mirror, integrated clearance lamps/turn signals		•	
Power-folding PowerScope® Telescoping Power Glass Trailer Tow Mirrors with Heat Turn Signal, High-Intensity LED Security Approach Lamps, Utility Lighting System (LED Side-mirror Spotlights)			•
Wheels (SRW)			
18" Argent Painted Steel w/painted hub covers/center ornaments (F-350)	•		
18" Sparkle Silver Painted Cast Aluminum w/bright hub covers/center ornaments (F-350)		•	
18" Bright Machined Cast Aluminum w/Magnetic Painted Pockets and bright hub covers/center ornaments (F-350)			•
Wheels (DRW)			
17" Argent Painted Steel (hub covers/center ornaments not included) (F-350)	•	•	
17" Forged Polished Aluminum w/bright hub covers/center ornaments (F-350)			•
19.5" Argent Painted Steel (F-450/F-550)	•	•	
19.5" Forged Polished Aluminum w/bright hub covers/center ornaments (F-450/F-550)			•
Windows and Glass			
1 st Row (front-seat) - Manual	•		
1 st Row (front-seat) - Power w/one-touch up/down		•	•
2 nd Row (rear-seat) - Fixed	•(2)		
2 nd Row (rear-seat) - Power		•(2,3)	•(2,3)
Rear (backlight) - Fixed	•	•	
Rear (backlight) - Power-sliding w/defrost			•
Solar-tinted glass (complete)	•		
Privacy glass (rear backlight on all cabs; 2 nd Row (rear-seat) windows on SuperCab and Crew Cab; Other glass is solar-tinted)		•	•
KEY INTERIOR/COMFORT FEATURES			
Air Conditioning			
Manual, Single Zone	•	•	
Dual-Zone Electronic Automatic Temperature Control (DEATC)			•

* = New for this model year
• = Available

1 = Regular Cab only, 2 = SuperCab only, 3 = Crew Cab only

2020 SUPER DUTY® CHASSIS CAB
(F-350CC / F-450CC / F-550)
STANDARD EQUIPMENT



KEY INTERIOR/COMFORT FEATURES (continued)	XL	XLT	LARIAT
Audio			
AM/FM stereo MP3 Player(speakers; four (4) w/ Regular Cab, six (6) w/ SuperCab and Crew Cab)	•		
AM/FM stereo MP3 player (speakers; five (5) with Regular Cab, seven (7) with SuperCab and Crew Cab)		•	
SiriusXM® Radio ¹ (speakers; adds one (1) I/P mounted center speaker on XLT only) <i>Note: Includes a 6-month prepaid subscription. Service is not available in Alaska and Hawaii.</i>		•	•
B&O Sound System by Bang & Olufsen (incl. 10 speakers and subwoofer)			•
SYNC®			
– Enhanced Voice Recognition Communications and Entertainment System			
– 911 Assist®	•		
– 4.2 LCD Center Stack screen			
– AppLink®			
– Smart-Charging USB-C port – one (1)			
SYNC® 3			
– Enhanced Voice Recognition Communications and Entertainment System			
– 8" LCD Capacitive Touchscreen in Center Stack with Swipe Capability			
– Pinch-to-Zoom capability included with available Voice-Activated Touchscreen Navigation System			
– AppLink®			
– 911 Assist®		•	•
– Apple CarPlay™ and Android auto™			
– Smart-Charging USB-C Ports – two (2)			
<i>Note: SYNC® AppLink® lets you control some of your favorite compatible mobile apps with your voice. It is compatible with select smartphone platforms. Commands may vary by phone and AppLink® software.</i>			
★ FordPass™ Connect 4G Wi-Fi Modem			
– Wi-Fi® hotspot connects up to 10 devices ²			
– Remotely start, lock and unlock vehicle ³			
– Schedule specific times to remotely start vehicle ³			
– Locate parked vehicle ³			
– Check vehicle status ³	•	•	•
<i>Note: Ford Telematics™ and Data Services Prep included for Fleet Only: FordPass™ Connect 4G Wi-Fi Modem provides data to support telematics and data services including but not limited to vehicle location, speed, idle time, fuel, vehicle diagnostics and maintenance alerts. Device enables telematics services through Ford or authorized providers. Activate at www.fleet.ford.com or call 833-FCS-FORD or 833-327-3673.</i>			
Cupholders			
Dual, instrument panel-mounted	•	•	•
Integrated w/armrest on rear seat			•(3)
Door-Trim			
Armrest, grab handle and reflector	•		
Soft armrest, grab handle, power window/lock switches and reflector; front map pockets on Regular Cab and SuperCab; front and rear map pockets on Crew Cab		•	•
Floor Covering			
Black vinyl	•		
Color-coordinated carpet and carpeted floor mats (includes rear mats on SuperCab & Crew Cab) (deleted when all-weather floor mats are ordered)		•	•
Instrumentation Center			
2.3" Productivity Screen display includes menus for Multi-function switch message center w/Ice Blue® Lighting (three (3) button message control on steering wheel)	•		
4.2 Productivity Screen display includes menus for Gauge Setup, Trip Computer, Fuel Economy and Towing/Off-Road applications five (5) button message control on steering wheel (included with the SYNC® and SYNC® Services)		•	
8.0" Productivity Screen display includes menus for Gauge Setup, Trip Computer, Fuel Economy and Towing/Off-Road applications, five (5) button message control on steering wheel (included with the SYNC® and SYNC® Services)			•
Manual door-locks and windows	•		
Overhead Console – with dual storage bin and map lights	•	•	•
Power Equipment			
Accessory Delay		•	•
Door-locks w/backlit switches		•	•
Windows w/backlit switches		•	•

¹ Subscriptions to all SiriusXM® services are sold by SiriusXM after trial period. If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates. Fees and taxes apply. To cancel you must call SiriusXM at 1-866-635-2349. See SiriusXM Customer Agreement for complete terms at www.siriusxm.com. All fees and programming subject to change. Sirius, XM and all related marks and logos are trademarks of Sirius XM Radio Inc.

² Includes a trial subscription of 3 months or 3 gigabytes – whichever comes first, Wireless Service Plan required after trial subscription ends

³ Includes Service for one year from the vehicle sale date as recorded by the dealer

★ = New for this model year

• = Available

1 = Regular Cab only, 2 = SuperCab only, 3 = Crew Cab only

**2020 SUPER DUTY® CHASSIS CAB
(F-350CC / F-450CC / F-550)
STANDARD EQUIPMENT**



KEY INTERIOR/COMFORT FEATURES (continued)	XL	XLT	LARIAT
Powerpoint and 110V/400W Outlet			
One (1) Powerpoint in front center under-seat storage		•	•
Two (2) Powerpoints in instrumentation center	•	•	•
Two (2) Powerpoints in rear side of Flow-through Console			•
110V/400W Outlet dash mounted			•
110V/150W Outlet in rear side of Flow-through Console			•
110V/150W Inverter outlet in IP			•
Rearview Mirror			
11.5" day/night	•	•	
Electrochromic self-dimming			•
Seats (Front)			
HD vinyl, 40/20/40 split bench w/center armrest, cupholder and storage	•		
Cloth, 40/20/40 split bench, 20% center under-seat storage, w/center armrest, cupholder and storage		•	
Leather seating surfaces, 40/Console/40			•
Manual lumbar support, driver's side	•	•	
Power driver & front-passenger seats 10-Way (six-way power-adjustable track, two-way power recline and two-way power lumbar)			•
Four-way adjustable driver/passenger headrests		•	•
Seats (Rear) SuperCab			
Vinyl, 60/40 fold-up bench seat	•		
Cloth, 60/40 fold-up bench seat		•	
Premium vinyl seating surfaces, 60/40 fold-up bench seat			•
Seats (Rear) Crew Cab			
60/40 bench w/flip-up/fold-down w/2 outboard head restraints and a center head restraint	•		
60/40 bench w/flip-up seats & fold-down backrests w/under-seat partitioned lockable fold-flat storage, two (2) outboard head restraints and a center head restraint		•	
60/40 bench w/flip-up seats & fold-down backrests w/under-seat partitioned lockable fold-flat storage, two (2) outboard head restraints and a center head restraint. Dual integrated cupholders in armrest			•
Vinyl	•		
Cloth		•	
Leather			•
Steering Wheel			
Urethane - Black - w/redundant audio and SYNC® controls	•	•	
Leather-Wrapped - w/redundant audio and SYNC® controls (Lariat, color-coordinated)			•
Gruise Control (steering wheel-mounted)		•	•
Manual Tilt and Telescoping steering wheel/column	•	•	•
Sun Visors			
Color-coordinated vinyl, driver w/pocket, passenger w/uncovered mirror	•		
Color-coordinated Cloth, both driver and passenger w/covered mirrors		•	
Color-coordinated Cloth; both driver and passenger w/covered illuminated visor vanity mirror			•
SAFETY/SECURITY	XL	XLT	LARIAT
AdvanceTrac® with RSC® (Roll Stability Control™)	•	•	•
Advanced Security Pack (incl. Inclinaton / Intrusion Sensors)		•	•
AutoLamp (Auto On/Off Headlamps), Rainlamp Wiper Activated Headlamps	•		•
Autolock, Auto unlock		•	•
Remote Keyless Entry		•	•
SecuriLock® Passive Anti-Theft System (PATS)		•	•
Trailer Sway Control and Hill Start Assist	•	•	•
Airbags			
Driver & Passenger side	•	•	•
Passenger-side deactivation switch	•	•	•

* = New for this model year
• = Available

1 = Regular Cab only, 2 = SuperCab only, 3 = Crew Cab only

FACTORY BUILD SHEET

CNGP530

VEHICLE ORDER CONFIRMATION

08/15/19 16:16:4

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Dealer: F2765

2020 F-SERIES SD

Page: 1 of 1

Order No: J123 Priority: L3 Ord FIN: QC707 Order Type: 5B Price Level: 01

Ord PEP: 660A Cust/Flt Name: OCEAN CITY PO Number:

RETAIL

RETAIL

F5H	F550 4X4 CHAS/C	\$43440	TELE TT MIR-PWR	
	169" WHEELBASE		17F XL DECOR PKG	220
Z1	OXFORD WHITE		LESS TPMS	
A	VNYL 40/20/40		19500# GVWR PKG	
S	MEDIUM EARTH GR		41H ENG BLK HEATER	100
660A	PREF EQUIP PKG		41P SKID PLATES	100
	.XL TRIM		425 50 STATE EMISS	NC
572	.AIR CONDITIONER	NC	43C 110V/400W OUTLT	175
	.AMFM/MP3/CLK			
99T	6.7L V8 DIESEL	9325	TOTAL BASE AND OPTIONS	58350
44G	10-SPD AUTOMATC	NC	TOTAL	58350
TGJ	225 BSW AP 19.5		*THIS IS NOT AN INVOICE*	
X8L	4.88 LTD SLIP	360		
68M	PAYLD PLUS UPGR	1155	* MORE ORDER INFO NEXT PAGE *	
90L	PWR EQUIP GROUP	915	F8=Next	

F1=Help F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S006 - MORE DATA IS AVAILABLE.

QD02818

CNGP530

VEHICLE ORDER CONFIRMATION

08/15/19 16:16:5

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Dealer: F2765

2020 F-SERIES SD

Page: 2 of 2

Order No: J123 Priority: L3 Ord FIN: QC707 Order Type: 5B Price Level: 01

Ord PEP: 660A Cust/Flt Name: OCEAN CITY PO Number:

RETAIL

RETAIL

52B	BRAKE CONTROLLER	\$270	*THIS IS NOT AN INVOICE*	
525	CRUISE CONTROL	235		
62R	TRANS PTO PROV	NC		
65Z	AFT AXLE TANK	NC		
67A	332 AMP ALTRNTR	NC		
872	RR CAM & PREP K	415		
942	DAY RUNNING LTS	45		
	SP DLR ACCT ADJ			
	SP FLT ACCT CR			
	FUEL CHARGE			
B4A	NET INV FLT OPT	NC		
	DEST AND DELIV	1595		

TOTAL BASE AND OPTIONS 58350

TOTAL 58350

F7=Prev

F1=Help F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QD02818

22

Worcester County, Maryland Service Truck with Hydraulic Crane/Hoist Description of Body and Hoist

Knapheide 6132DLR-44K: 11 ft crane body with torq-isolator crane support system. A-40 galvanneal compartments and doors, 3/16" treadplate floor and 1/8" compartment tops and backs, full-seam continuously welded. 12 gauge bottom and end panels of compartments and double panel 14 gauge outside panels. Exclusive 12 stage K-coat protection includes 12 stages of cleaning, pre-treat, electrodeposition prime coat, rinse, and curing. (6) recessed cargo tie-downs in floor – 6,000# capacity, (2) heavy duty aluminum grab handles, and LED stop/tail/turn lights, clearance lights, & backup lights. 21" work surface bumper with thru compartment, vise plate, & 2" receiver tube. (2) grip strut flex steps, (1) each side of rear tailshelf. 16" high double panel slam tailgate with center latch and flat space for tailgate graphics.

KnapLiner: Commercial grade spray-on bed liner applied to cargo floor area, sides, compartment tops, bulkhead, tailgate, rear bumper, & front end panels

Stellar 7621 Crane: Max 7,500lbs lifting capacity (38,000ft-lbs.), 21' hydraulic reach, planetary winch 60'/min speed, and double-acting cylinders w/integral holding valves. Filters, crane hook, snatch block, anti-two block device & hydraulic shutdown, 3/8" cable, boom support, wireless remote control (RF) with back up pendant control, PTO, hydraulic pump for crane, hydraulic reservoir with guard, and remote docking / charge station for crane remote

Control Panel: Power Cell, controller and (8) button switch panel in the rear crane compartment. CAN-bus system with continuous working load of 115 amps, features built in overload current protection for the system and operator safety.

Hydraulic Air Compressor: Boss 40 CFM reciprocating hydraulic air compressor with Reelcraft 50'x½" hose reel and roller fairlead

through the right rear compartment. FLR system and underbody air tank included with air compressor

Welder Bracket: Welder mounting plate installed on the street side compartment top at rear

Side Compartments: 44" high side packs and 60" high right front vertical compartment with automotive quality 3-pt T-handles

1st Vertical Side Compartment: 7 drawer unit – 3-3" high drawers, 3-5" high drawers, and 1-7" high drawer (street side) / Gas bottle retainer (2 bottles), vented top & bottom; Full height vertical partition with 3 adjustable divider shelves (curbside)

2nd Vertical Side Compartment: 2 adjustable divider shelves with 4 dividers (street & curbside)

1st Horizontal Side Compartment: Bolt bin storage unit (street side) / Bolt-in divider shelf with 8 dividers (curbside)

3rd Vertical Side Compartment: 2 adjustable divider shelves with 4 dividers each (street side) / Fixed Shelf (curbside)

Master Locking System: Secures one entire side of compartments with a padlock in one easy motion and acts as a visual theft deterrent

Cab Protector: with punched window

Auxiliary Lighting: (4) LED work lights & LED compartment lights installed and wired to control panel

Strobe system: S/T/T backup lights with integrated strobes & built in reflectivity; (2) amber LED strobe lights installed on front grille

Outriggers: Hydraulic out / hydraulic down at curbside and hydraulic down at street side

Backup Alarm: 97 db audible alarm

Finish Paint: Body interior / exterior to be painted single stage to match chassis

CSP: Install customer supplied decals & mud flaps

Strobe Wiring: Strobe lights wired to up fitter switches

Backup Camera: OEM backup camera installed

25
3 of 3

BID FORM

**Worcester County Department of Public Works – Roads Division
“FY20 - Purchase of Shop Service Truck”**

I/We have reviewed the specifications and provisions for furnishing/delivering one (1) current production model 4x4 shop service truck with hydraulic crane/hoist and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

One (1) 4x4 shop service truck with hydraulic crane/hoist (current production model):

Year 2020 Make Ford Model F-550

Total Bid Price including delivery: \$ 124,969.00

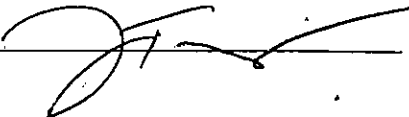
If there is any specification differences please make sure to note them when submitting your bid.

Delivery To: Department of Public Works – Roads Division
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: 250 days

BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.

Date: 8/23/19

Signature: 

Typed Name: Joe Tracy

Title: President

Firm: Bayshore Ford Truck Sales Inc

Address: 4003 N. Dupont Hwy
New Castle DE 19720

Phone: 302-656-3160

BID FORM

**Worcester County Department of Public Works – Roads Division
“FY20 - Purchase of Shop Service Truck”**

I/We have reviewed the specifications and provisions for furnishing/delivering one (1) current production model 4x4 shop service truck with hydraulic crane/hoist and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

One (1) 4x4 shop service truck with hydraulic crane/hoist (current production model):

Year 2019 Make RAM Model 5500

Total Bid Price including delivery: \$ 134,988.87

If there is any specification differences please make sure to note them when submitting your bid.

Delivery To: Department of Public Works – Roads Division
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: Late March

BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.

Date: Aug 19, 2019

Signature: 

Typed Name: Austin King

Title: Fleet Manager

Firm: Transwest

Address: 2720 6th Street
Limon, CO 80828

Phone: 719-775-2881



9

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: September 9, 2019
SUBJECT: FY20 Bid Recommendation – Dump Trucks
Department of Public Works – Roads Division

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

Monday, August 26, 2019, bids were received and opened for the purchase of two (2) new current production model dump trucks with a 10 ft. stainless steel dump body and attachments/accessories to be utilized by the Department of Public Works, Roads Division. Attached for your review and approval are copies of the three bids received. Listed below is a pricing summary of the bids received.

Vendor	Model	Total Cost Per Unit	Total Delivered Price	Page
Baylor Inc., DBA International of Delmarva, Salisbury, MD	Int. HV507	\$132,307.00	\$264,614.00	3
Western Star Trucks of Delmarva LLC, Mardela Springs, MD	Western Star 4700SB	\$132,737.00	\$265,274.00	18
Delmarva Kenworth Dover, DE	Kenworth T400	\$183,962.00	\$367,924.00	51

Upon review by the Department of Public Works, Roads Division, it was determined that all three bids noted deviations to our specifications. The International truck can accommodate only one passenger and the transmission is 200lb ft torque less than the required specifications. The Western Star met or exceeded all the required specifications; therefore, it is requested that the Commissioners approve and accept the bid price of \$265,274.00 submitted by Western Star Trucks of Delmarva, LLC.

Funding in the amount of \$145,000 for the purchase of one dump truck was approved in the current FY20 operating budget in account 100.1202.9010.010. In addition, funding for the purchase of one dump truck in the amount of \$145,000 is available in the Assigned Fund Balance.

Should you have any questions, please do not hesitate to call me.

Attachments

cc: Frank J. Adkins

Competitive Bid Worksheet

Item: Purchase of Two (2) Dump Trucks with 10-foot Dump Body

Bid Deadline/Opening Date: 1:00 P.M., Monday, August 26, 2019

Bids Received by deadline = 3

<u>Vendor's Submitting Bids</u>	<u>Total Delivered Price</u>	<u>Make - Model</u>
Western Star Trucks of Delmarva, LLC 24360 Ocean Gateway Mardela Springs, MD 21837	\$ <u>265,274</u>	<u>4700SR Western Star</u>
Baylor Inc - International of Delmarva 2407 North Salisbury Boulevard Salisbury, MD 21801	\$ <u>264,614</u>	<u>International HV 507</u>
Delmarva Kenworth 613 Clara Street Dover, DE 19904	\$ <u>367,924</u>	<u>Kenworth Model T400</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

BID FORM

Worcester County Department of Public Works – Roads Division “FY20 - Purchase of Two Dump Trucks”

I/We have reviewed the specifications and provisions for furnishing/delivering two (2) current production model dump trucks with 10 ft. stainless steel dump body and attachments/accessories and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

Two (2) dump trucks with 10 ft. stainless steel dump body and attachments/accessories (current production model):

Year 2020 Make International Model HV 507

Total Cost Per Unit: \$ 132,307.00

Total Bid Price including delivery: \$ 264,614.00

If there is any specification differences please make sure to note them when submitting your bid.

Delivery To: Department of Public Works – Roads Division
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: 9 to 10 Months from date of P.O.

BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.

Date: 8/26/2019

Signature: *Beth Brittingham*

Beth Brittingham

Typed Name: _____

Sales Manager

Title: _____

Baylor, Inc. dba

Firm: International of Delmarva

2407 N. Salisbury Blvd.

Address: _____

Salisbury, MD 21801

Phone: 410-310-9169



Gateway to the Northeast

Beth Asche Brittingham
Sales Manager

Easton Truck Center
International of Delmarva
Isuzu Trucks of Salisbury
Hino of Easton

(410) 690-3134 x1600 direct
(410) 310-9169 mobile
(410) 822-4838 fax

www.transteck.com

bbrittingham@transteck.com



Exceeds/Clarifications/Exceptions

BID REQUEST	EXCEED/EXCEPTION	FURNISHED
NOTE: ALL EXCEPTIONS ARE DUE TO CHANGING FROM AUTOMATIC TRANSMISSION TO MANUAL TRANSMISSION		
Bendix TuFlo Air Compressor 13.2 CFM Air Tank Mtg Location	EXCEEDS Clarification	Cummins 18.7 CFM Mtd under frame rails in front of rear Suspension hangers
2- 1300 CCA Batteries	EXCEEDS	2- 1900 CCA Batteries
ENGINE 315 HP@2000 rpm	EXCEEDS	330hp @ 2000 rpm
ENGINE 950lb ft torque @ 1200 rpm	EXCEEDS	1000 lb ft torque @ 1400 rpm
TRANSMISSION RTO16908LL (1600 lb torque)	EXCEPT	RTO14908LL 1400 lb Torque (due to) Engine Torque Compatibility
Aluminum Radiator	EXCEPT	Aluminum Core Radiator
STD Driveline	EXCEEDS	SPL1 Driveline
Transmission Air Cooler	EXCEPT	Not Available with Manual Transmission
Cab Interior Trim Deluxe	EXCEEDS	New Interior – Classic
Two Man Passenger Seat	EXCEPT	Single Passenger Seat Due to room needed for Manual Shifter
Wheels Painted White	EXCEEDS	Wheels Powder Coated White
Not Requested	EXCEEDS	Safety Equip, Fire Ext & Triangles
Body Model 300U	EXCEEDS	Model 403U Stainless Steel Body
3/16" Hi tensile steel floor	EXCEEDS	Stainless Steel Floor
8 Gauge body (sides and ends)	EXCEEDS	Stainless Steel sides and ends
Snow Plow Lights Heated	EXCEEDS	Round Snow Plow Lights LED & Heated
Powder Coat Paint White on Body	EXCEEDS	Not Required on Stainless Steel Body
Rust Proofing	EXCEEDS	Not Required on Stainless Steel
Cab mtd Electric "rocker" switches	EXCEEDS	Hydra Touch pad system
Not requested	EXCEEDS	HydraMax Touch Pad system includes Lines To rear for future use
Hot Shift PTO	EXCEPT	Not Avail with Manual Transmission
Exhaust aftertreatment extended warranty 60months/100,000 miles	EXCEEDS	Exhaust aftertreatment extended war 60 months/ 150,000 miles
Extended Warranty 60 months Allison Trans	EXCEPT	Extended Warranty 60 Month Unlimited Miles Manual Transmission
Not requested	EXCEEDS	Muni Silver Package, 2 yr On Command Service & Parts

NOTE: The bid was unclear if the desired trailer to be pulled utilizes air brakes. If air brake trailer, please add both of the following options and price to our bid: (discussed with Frank Adkins)

Trailer connection 4 wheel w/hand control valve and tractor protection valve +\$542.00

AND

Trailer hoses, glad hands, 4 wheel connectors, temporary mtd end of ram w/additional hose and dummy glad hands +\$523.00

RECOMMENDATIONS/SUGGESTED NEW OPTIONS AVAILABLE FOR SAFETY

Pre Trip Inspection (push button allows driver to exit cab and check all lights except backup	add \$42.00
Alarm sounds when parking brake is not set and door is opened	add \$42.00
Heated Mirrors	add \$126.00
Heated Windshield (must have heated mirrors)	add \$529.00
Snow Type Windshield Wiper Blades	add \$30.00
Cowl Tray Lid	add \$200.00
Synthetic Transmission Oil for Manual Transmission	add \$153.00
Arm Rest Driver Seat R/H Side	add \$39.00
Tilt Steering Column	add \$125.00
Provided Round LED Snow Plow Lights, Heated to revert to std non heated	deduct \$750.00
Extended Manual Adjust Clutch Warranty 4 yr/400,000 miles (not requested) add \$180.00 OR	
If 5 year/500,000 mile clutch warranty is desired, change clutch to:	
Solo Clutch 1402 Ceramic 14" Mechanical Pull Type Adjustment Free	add \$168.00 AND
5 year/500,000 mile Clutch Extended Warranty	add \$230.00

Clarification: Per discussion with Frank Adkins to option 90 degree exhaust turn out - option not available, bid spec includes International's exhaust turn out which directs exhaust away from unit

Prepared For:
Worcester County Commiss
Frank Adkins
Room 112
Snow Hill, MD 21863-
(410)632 - 2244
Reference ID: N/A

Presented By:
INTL OF DELMARVA
Beth Brittingham
PO BOX 2135
SALISBURY MD 218022135
410-546-1122

Thank you for the opportunity to assist you with your new truck requirements. I look forward to working together to provide you the right truck to to exceed all expectations. Attached, you will find the specifications for your review. Please look these over closely and feel free to contact me with any questions or changes. I appreciate the opportunity to earn your business.

Sincerely,
Beth Brittingham
Sales Manager
INTERNATIONAL OF DELMARVA
EASTON TRUCK CENTER
(410) 310-9169

Model Profile
2020 HV507 SFA (HV507)

AXLE CONFIG:	4X2
APPLICATION:	Construction Dump
MISSION:	Requested GVWR: 35000. Calc. GVWR: 36220 Calc. Start / Grade Ability: 46.00% / 3.63% @ 55 MPH Calc. Geared Speed: 66.7 MPH
DIMENSION:	Wheelbase: 179.00, CA: 104.00, Axle to Frame: 65.00
ENGINE, DIESEL:	{Cummins L9 330} EPA 2017, 330HP @ 2000 RPM, 1000 lb-ft Torque @ 1400 RPM, 2200 RPM Governed Speed, 330 Peak HP (Max)
TRANSMISSION, MANUAL:	{Fuller RTO(F)-14908LL} 10-Speed Manual, Overdrive, Double-Lo, Air Shift
CLUTCH:	{Eaton Fuller SAS1402} Two-Plate, Stamped Angle Spring; Ceramic, 14" Diameter, 8-Spring Low Rate Damper, with 2" Spline, Mechanical Pull Type Control and with Kwik-Adjust (Manual) Feature, 1150 lb-ft Torque Capacity
AXLE, FRONT NON-DRIVING:	{Meritor MFS-14-143A} Wide Track, I-Beam Type, 14,000-lb Capacity
AXLE, REAR, SINGLE:	{Meritor RS-23-160} Single Reduction, 23,000-lb Capacity, 200 Wheel Ends Gear Ratio: 5.38
CAB:	Conventional, Day Cab
TIRE, FRONT:	(2) 11R22.5 Load Range H FUEL MAX RSA (GOODYEAR), 497 rev/mile, 75 MPH, All-Position
TIRE, REAR:	(4) 11R22.5 Load Range G G622 RSD (GOODYEAR), 497 rev/mile, 75 MPH, Drive
SUSPENSION, REAR, SINGLE:	23,500-lb Capacity, Vari-Rate Springs
FRAME REINFORCEMENT:	Outer "C" Channel, Heat Treated Alloy Steel (120,000 PSI Yield); 10.813" x 3.892" x 0.312"; (274.6mm x 98.9mm x 8.0mm); 480.0" (12192mm) Maximum OAL
PAINT:	Cab schematic 100WK Location 1: 9219, Winter White (Std) Chassis schematic N/A

Description

Base Chassis, Model HV507 SFA with 179.00 Wheelbase, 104.00 CA, and 65.00 Axle to Frame.

TOW HOOK, REAR (2)

AXLE CONFIGURATION {Navistar} 4x2

Notes

: Pricing may change if axle configuration is changed.

FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.125" x 3.580" x 0.312" (257.2mm x 90.9mm x 8.0mm); 480.0" (12192) Maximum OAL

FRAME REINFORCEMENT Outer "C" Channel, Heat Treated Alloy Steel (120,000 PSI Yield); 10.813" x 3.892" x 0.312"; (274.6mm x 98.9mm x 8.0mm); 480.0" (12192mm) Maximum OAL

BUMPER, FRONT Swept Back, Steel, Heavy Duty

FRAME EXTENSION, FRONT Integral; 20" In Front of Grille, with Outer "C" Channel Reinforcement

WHEELBASE RANGE 146" (370cm) Through and Including 195" (495cm)

AXLE, FRONT NON-DRIVING {Meritor MFS-14-143A} Wide Track, I-Beam Type, 14,000-lb Capacity

SUSPENSION, FRONT, SPRING Multileaf, Shackle Type, 14,000-lb Capacity, for Reduced Deflection Vocational Use, with Shock Absorbers

BRAKE SYSTEM, AIR Dual System for Straight Truck Applications

Includes

: BRAKE LINES Color and Size Coded Nylon

: DRAIN VALVE Twist-Type

: GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster

: PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel

: QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4

: SLACK ADJUSTERS, FRONT Automatic (with Air Cam Brakes)

: SLACK ADJUSTERS, REAR Automatic (with Air Cam Brakes)

: SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6

DRAIN VALVE {Berg} with Pull Chain, for Air Tank

AIR BRAKE ABS {Bendix AntiLock Brake System} Full Vehicle Wheel Control System (4-Channel)

AIR DRYER {Wabco System Saver 1200} with Heater

BRAKE CHAMBERS, FRONT AXLE {Bendix} 20 SqIn

BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 Spring Brake

BRAKES, FRONT, AIR CAM S-Cam; 16.5" x 5.0"; Includes 20 Sq. In. Long Stroke Brake Chambers

BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.in. Long Stroke Brake Chamber and Spring Actuated Parking Brake

AIR COMPRESSOR {Cummins} 18.7 CFM

AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab

DUST SHIELDS, FRONT BRAKE for Air Brakes

DUST SHIELDS, REAR BRAKE for Air Brakes

AIR TANK LOCATION (2) : One Mounted Under Each Frame Rail, Front of Rear Suspension, Parallel to Rail

STEERING COLUMN Stationary

STEERING WHEEL 4-Spoke; 18" Dia., Black

STEERING GEAR {Sheppard M100} Power

Description

DRIVELINE SYSTEM {Dana Spicer} SPL140, for 4x2/6x2

AFTERTREATMENT COVER Steel, Black

EXHAUST SYSTEM Single, Horizontal Aftertreatment Device, Frame Mounted Right Side Under Cab, for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab

TAIL PIPE (1) Turnback Type

EXHAUST HEIGHT 10'

MUFFLER/TAIL PIPE GUARD (1) Aluminum

ELECTRICAL SYSTEM 12-Volt, Standard Equipment

Includes

: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab

: HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel

: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever

: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light

: STARTER SWITCH Electric, Key Operated

: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector

: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature

: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever

: WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted

: WIRING, CHASSIS Color Coded and Continuously Numbered

ALTERNATOR {Delco Remy 28SI} Brush Type, 12 Volt 200 Amp. Capacity, Pad Mount, with Remote Voltage Sensor

BODY BUILDER WIRING Back of Day Cab at Left Frame or Under Sleeper, Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/Turn

ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Combined Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake Accommodation Package with Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket

BATTERY SYSTEM {Fleetrite} Maintenance-Free, (2) 12-Volt 1900CCA Total, Top Threaded Stud

2-WAY RADIO Wiring Effects; Wiring with 20 Amp Fuse Protection, Includes Ignition Wire with 5 Amp Fuse, Wire Ends Heat Shrink and Routed to Center of Header Console in Cab

RADIO AM/FM/WB/Clock/3.5MM Auxiliary Input

SPEAKERS (2) 6.5" Dual Cone Mounted in Doors

BACK-UP ALARM Electric, 102 dBA

AUXILIARY HARNESS 3.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications

TRAILER AUXILIARY FEED CIRCUIT for Electric Trailer Brake Accommodation/Air Trailer ABS; with 30 Amp Fuse and Relay, Controlled by Ignition Switch

HORN, ELECTRIC Disc Style

BATTERY BOX Steel, with Plastic Cover, 18" Wide, 2-4 Battery Capacity, Mounted Right Side Back of Cab

SWITCH, TOGGLE, FOR WORK LIGHT Lighted; on Instrument Panel and Wiring Effects for Customer Furnished Back of Cab Light

RUNNING LIGHT (2) Daytime

CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade

STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt; less Thermal Over-Crank Protection

INDICATOR, LOW COOLANT LEVEL with Audible Alarm

CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses

Description

SWITCH, AUXILIARY Switch 40 amp Circuit for Customer Use; Includes Wiring Connection at PDC and Control in Cab

TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender

HORN, AIR Black, Single Trumpet, with Lanyard Pull Cord

LOGOS EXTERIOR Model Badges

LOGOS EXTERIOR, ENGINE Badges

INSULATION, UNDER HOOD for Sound Abatement

GRILLE Stationary, Chrome

INSULATION, SPLASH PANELS for Sound Abatement

FRONT END Tilting, Fiberglass, with Three Piece Construction, for WorkStar/HV

CHASSIS COATING Corrosion Resistant E-Coat Primer Coating for Reinforced Frame Rails

PAINT SCHEMATIC, PT-1 Single Color, Design 100

Includes

: PAINT SCHEMATIC ID LETTERS "WK"

PAINT TYPE Base Coat/Clear Coat, 1-2 Tone

SURCHARGE, REAR AXLE for Meritor Rear Axles

PROMOTIONAL PACKAGE Government Silver Package

CLUTCH {Eaton Fuller SAS1402} Two-Plate, Stamped Angle Spring; Ceramic, 14" Diameter, 8-Spring Low Rate Damper, with 2" Spline, Mechanical Pull Type Control and with Kwik-Adjust (Manual) Feature, 1150 lb-ft Torque Capacity

ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection

BLOCK HEATER, ENGINE 120V/1000W, for Cummins ISB/B6.7/ISL/L9 Engines

Includes

: BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door

PTO EFFECTS, ENGINE FRONT Less PTO Unit, Includes Adapter Plate on Engine Front Mounted

ENGINE, DIESEL {Cummins L9 330} EPA 2017, 330HP @ 2000 RPM, 1000 lb-ft Torque @ 1400 RPM, 2200 RPM Governed Speed, 330 Peak HP (Max)

FAN DRIVE {Horton Drivemaster} Direct Drive Type, Two Speed with Residual Torque Device for Disengaged Fan Speed

Includes

: FAN Nylon

RADIATOR Cross Flow, Series System; 1228 SqIn Aluminum Radiator Core and 1167 SqIn Charge Air Cooler

Includes

: DEAERATION SYSTEM with Surge Tank

: HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps

: RADIATOR HOSES Premium, Rubber

AIR CLEANER Dual Element

ACCESSORY WIRING, SPECIAL for Road Speed Wire Coiled Under Instrument Panel for Customer Use, Unconditioned Manual Transmission Output Shaft Speed, Additional Body Builder Signal Conditioning may be Required to Utilize Signal

FEDERAL EMISSIONS {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2019

THROTTLE, HAND CONTROL Engine Speed Control for PTO; Electronic, Stationary Pre-Set, Two Speed Settings; Mounted on Steering Wheel

Description

EMISSION COMPLIANCE Federal, Does Not Comply with California Clean Air Idle Regulations

ENGINE CONTROL, REMOTE MOUNTED Provision for; Includes Wiring for Body Builder Installation of PTO Controls; with Ignition Switch Control for Cummins ISB/B6.7 or ISL/L9 Engines

TRANSMISSION, MANUAL {Fuller RTO(F)-14908LL} 10-Speed Manual, Overdrive, Double-Lo, Air Shift

PTO LOCATION Customer Intends to Install PTO at Rear of Transmission

AXLE, REAR, SINGLE {Meritor RS-23-160} Single Reduction, 23,000-lb Capacity, 200 Wheel Ends . Gear Ratio: 5.38

SUSPENSION, REAR, SINGLE 23,500-lb Capacity, Vari-Rate Springs

SPRINGS, REAR AUXILIARY Multileaf; 4,500-lb Capacity

LOCATION FUEL/WATER SEPARATOR Mounted Outside Left Rail, 15" Back of Cab

FUEL/WATER SEPARATOR {Racor 400 Series,} with Primer Pump, Includes Water-in-Fuel Sensor

FUEL TANK Top Draw, Non-Polished Aluminum, D-Style, 19" Tank Depth, 70 US Gal (265L), Mounted Left Side, Under Cab

DEF TANK 7 US Gal (26L) Capacity, Frame Mounted Outside Left Rail, Under Cab

CAB Conventional, Day Cab

AIR CONDITIONER with Integral Heater and Defroster

GAUGE CLUSTER Base Level; English with English Speedometer and Tachometer, for Air Brake Chassis, Includes Engine Coolant Temperature, Primary and Secondary Air Pressure, Fuel and DEF Gauges, Oil Pressure Gauge, Includes 3 Inch Monochromatic Text Display

IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster

SEAT, DRIVER {National 2000} Air Suspension, High Back with Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, with 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust

GRAB HANDLE, EXTERIOR Chrome, Towel Bar Type, with Anti-Slip Rubber Inserts, for Cab Entry Mounted Left Side at "B" Pillar

SEAT, PASSENGER {National} Non Suspension, High Back, Fixed Back, Integral Headrest, Vinyl

MIRRORS (2) C-Loop, Black Heads and Arms, 7.5" x 14" Flat Glass, Includes 7.5" x 7" Convex Mirrors, for 102" Load Width

Notes

: Mirror Dimensions are Rounded to the Nearest 0.5"

CAB INTERIOR TRIM Classic, for Day Cab

Includes

: CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger

: DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Overhead Console, Center Mounted

: SUN VISOR (2) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Toll Ticket Strap

CAB REAR SUSPENSION Air Bag Type

WINDOW, MANUAL (2) and Manual Door Locks, Left and Right Doors

INSTRUMENT PANEL Flat Panel

ACCESS, CAB Steel, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab and Extended Cab

WHEEL, SPARE, DISC {Maxion 90541} 22.5x8.25 Rims, Painted Steel, 2-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted

WHEELS, FRONT {Maxion 90541} DISC; 22.5x8.25 Rims, Painted Steel, 2-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs

Description

WHEELS, REAR {Maxion 90541} DUAL DISC; 22.5x8.25 Rims, Painted Steel, 2-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs

WHEEL SEALS, FRONT {Stemco Voyager} Oil Lubricated Wheel Bearings ILO Standard Oil Seals

PAINT IDENTITY, FRONT WHEELS Disc Front Wheels; with Vendor Applied White Powder Coat Paint

PAINT IDENTITY, REAR WHEELS Disc Rear Wheels; with Vendor Applied White Powder Coat Paint

(4) TIRE, REAR 11R22.5 Load Range G G622 RSD (GOODYEAR), 497 rev/mile, 75 MPH, Drive

(2) TIRE, FRONT 11R22.5 Load Range H FUEL MAX RSA (GOODYEAR), 497 rev/mile, 75 MPH, All-Position

Services Section:

WARRANTY Standard for HV507, HV50B, HV607 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A

SRV CONTRACT, EXT MAJOR COMP {Navistar Prepackaged Components} To 60-Month/150,000 Miles (240,000 km), Includes Front Axle, Rear Axle, Propshaft, and Transfer Case

SRV CONTRACT, EXT CMS ENG/AFTR {Cummins} To 60-Month/150,000 Miles (240,000 km), Extended Cummins L9 Engine Coverage, Protection Plan 1 and Aftertreatment

10' 403U Stainless Steel Body w/tool box, snow plow, hydraulic system, and tarp system

Heated Snow Plow Lights (LED) provided by Godwin

<u>Description</u>	(US DOLLAR)	<u>Price</u>
Net Sales Price:		\$132,307.00

Please review these specifications closely and contact me with any questions or changes you would like to make. We are confident you will appreciate the quality and durability of the International product.

Sincerely,
Beth Brittingham
Sales Manager
INTERNATIONAL OF DELMARVA
EASTON TRUCK CENTER

Approved by Seller:

Accepted by Purchaser:

Official Title and Date

Firm or Business Name

Authorized Signature

Authorized Signature and Date

This proposal is not binding upon the seller without Seller's Authorized Signature

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.

The limited warranties applicable to the vehicles described herein are Navistar, Inc.'s standard printed warranties which are incorporated herein by reference and to which you have been provided a copy and hereby agree to their terms and conditions.



August 19, 2019

RE: Worcester County Department Public Works – Roads Division

We propose to furnish and install, at Godwin Manufacturing, Dunn NC, the equipment, on proper chassis, as follows. Chassis, to be drop shipped to Dunn, NC, and must have a 104" usable CA. Chassis to have RTO 14908LL. Chassis must come with all proper codes for connections (such as snow plow lights).

10' 403U 30" 3/16" Stainless Steel Body and Stainless-Steel Floor
36" SS Cab protector and 8" asphalt chute set at 30"
Air tailgate
Hide-A-Step with handles and body steps
Grip strut walk rod – between standards
Stop, Tail, Turn and Strobe in rear corner post
(2) strobes in face and (2) strobes in sides of cab protector
Install (3) oval lights above pintle hitch, S,T,T and back up
PH20 Pintle hitch with D-Rings (30" from ground). This measurement to be confirmed by county/successful bidder
Adapt chassis supplied gladhands to pintle plate (if applicable)
Hydra Tarp with mesh cover
Electric brake control with 6-Pin Plug
7-pin plug and tow hooks – Spade Style
Sealed wiring harness
Front crank driven pump
820SFDA-10 P22 hoist
Hydra max touch hydraulics
14" x 36" x 84" aluminum behind cab tool box with shelf and interior light
Snow Plow lights *HTD & LED*
Reinforced front bumper and GN200 plow push frame
Good Roads 120M 10' x 36" plow
Power angle lock
Wrap around curb bumpers
Moldboards end markers
Blade shoe group
Carbide cutting edge
Rubber snow shield
Steel mud guards

Reinstall rear chassis tow hooks
Rear rubber flaps

Proposal: 3943 Version: 1 Dealer: INTL OF DELMARVA (610618 000) Status: Complete GVWR: 36220		Model: HV507 SFA (HV507) Application: Construction Dump		Axle Config: 4X2		Config Date: 10/14/2019 Price Date: 1/1/2019	
Ratings	Primary		Adjusted By		GAWR*	GVWR**	
	Feature	Rating	Feature	Rating			
	---	lbf	---	lbf	lbf	lbf	
Front Component Ratings	0002ARV	14000					
	0003AGU	14000					
	0027DTJ	14800	0738213	13220			
Front GAWR					13220		
Rear Component Ratings	0004091	23000					
	0014SAN	23500					
	0028DTJ	27780	0737213	23360			
	0014051	23000					
Rear GAWR					23000		
Overall Vehicle Limitations	0013GHW	140000					
GVWR Based on Axle Ratings***						36220	
Calculated GVWR						36220	

Show Class Descriptions

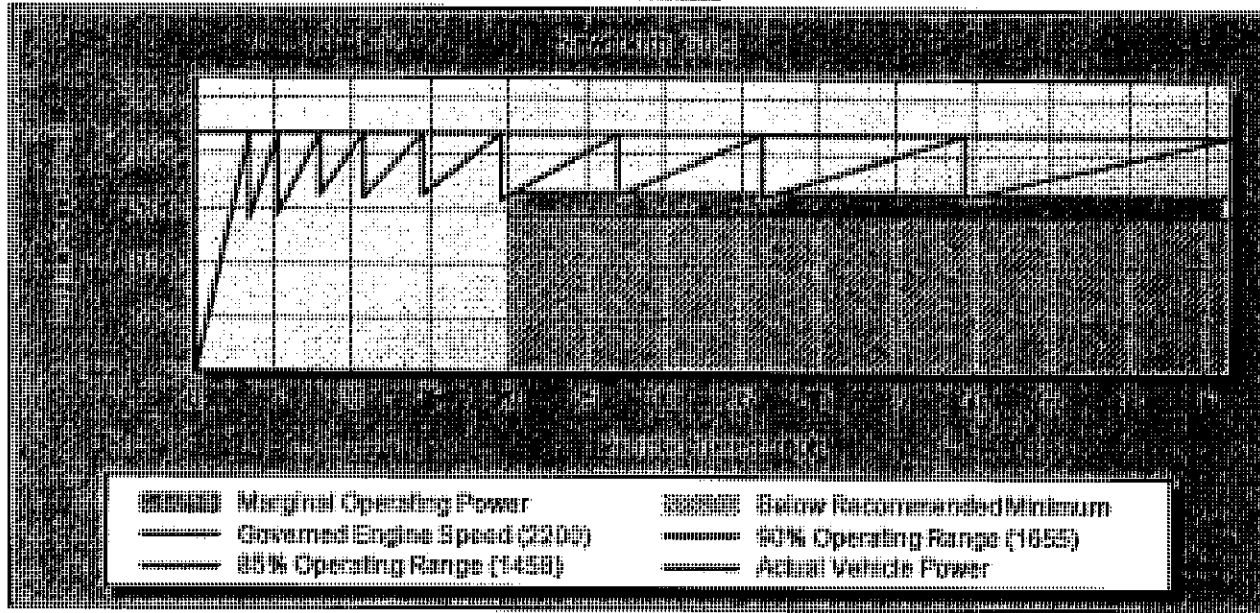
* GAWR (Gross Axle Weight Rating) is the rating capacity of an axle system which include wheels, tires, axles, brakes, springs, and suspensions.
 ** GVWR (Gross Vehicle Weight Rating) is the maximum amount that a loaded vehicle can weight.
 *** GVWR Based on Axle Ratings = Front GAWR + Rear GAWR. Overall vehicle weight limitations are not taken into account.

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Proposal: 3943 Dealer: INTL OF DELMARVA (610618 000) Status: Complete	Version: 1 GVWR: 36220	Model: HV507 SFA (HV507) Application: Construction Dump	Axle Config: 4X2	Config Date: 10/14/2019 Price Date: 1/1/2019
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Requested Start/Grade Ability: 15% / 0.5% @ 55 MPH Calculated Start/Grade Ability: 46% / 3.63% @ 55 MPH

Hide Chart



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Proposal: 3943 Version: 1 Dealer: INTL OF DELMARVA (610618 000) Status: Complete GVWR: 36220	Model: HV507 SFA (HV507) Application: Construction Dump	Axle Config: 4X2	Config Date: 10/14/2019 Price Date: 1/1/2019
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Requested Start/Grade Ability: 15% / 0.5% @ 55 MPH	Calculated Start/Grade Ability: 46% / 3.63% @ 55 MPH
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Gear	Trans Ratio	Upshift Power Avail		Govern Power Avail		Warn Msg	Peak Power Comparison		
		Veh Spd	Eng Spd	Veh Spd	Eng Spd		Gear Step (%)	85% Range (%)	90% Range (%)
		(mph)	(rpm)	(mph)	(rpm)				
1	14.56	0.0	0	3.4	2200	@	54.56	51	33
2	9.42	3.4	1423	5.2		50.96			
3	6.24	5.2	1457	7.9		34.77			
4	4.63	7.9	1632	10.7		36.18			
5	3.40	10.7	1616	14.5		34.39			
6	2.53	14.5	1637	19.5		38.25			
7	1.83	19.5	1591	27.0		34.56			
8	1.36	27.0	1635	36.3		36.00			
9	1.00	36.3	1618	49.4		35.14			
10	0.74	49.4	1628	66.7		0.00			

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BID FORM

**Worcester County Department of Public Works – Roads Division
“FY20 - Purchase of Two Dump Trucks”**

I/We have reviewed the specifications and provisions for furnishing/delivering two (2) current production model dump trucks with 10 ft. stainless steel dump body and attachments/accessories and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

Two (2) dump trucks with 10 ft. stainless steel dump body and attachments/accessories (current production model):

Year 2020 or 2021 Make Western Star Model 4700SB

Total Cost Per Unit: \$ 132,737.00

Total Bid Price including delivery: \$ 265,274

If there is any specification differences please make sure to note them when submitting your bid.

Delivery To: Department of Public Works – Roads Division
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: 210 day AOR

BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.

Date: 8/22/19

Signature: 

Typed Name: John Kay Parks, Jr.

Title: Pres

Firm: Western Star Trucks of Delmen LLC

Address: 24360 Ocean Gateway
Marble Springs MD 21837

Phone: 410-742-0400

B. The Department of Public Works shall prepare a tabulation of said bids and a recommendation to the County Commissioners at the next regular meeting of the Commissioners. In awarding the bids, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities herein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate.

7. Vehicle Specifications

The following specifications represent two (2) cabs and chassis, **current production model**, or equivalent for Worcester County Public Works- Roads Division. Trucks are to be equipped with 10 ft. stainless steel body, tool box, electric controls/central hydraulics, pintle hitch, snow plow, tarp, and attachments.

Base Chassis:

179.0" wheelbase; ✓
104.0" cab to axle; ✓
104.0" usable cab to axle; ✓
65.0" axle to frame. ✓

Frame:

120,000 PSI yield heat treated alloy steel frame rails; ✓
120,000 PSI yield frame reinforcement; ✓
Steel front swept back bumper; ✓
Frame mounted tow hooks (2) front and (2) rear; ✓
Chassis coating – corrosion resistant primer coating for reinforced frame rails in addition to standard procedures. ✓

Front Axle and Suspension:

I-Beam type with 14,000 lb. capacity; ✓
Multi-leaf front spring, shackle type with 14,000 lb. capacity; ✓
Shock absorbers; ✓
Spring pins rubber bushings, maintenance free. ✓

Rear Axle and Suspension:

23,000 lb. capacity with 200 wheel ends; ✓
Magnetic rear axle drain plug; ✓
23,500 lb. capacity vari-rate multi-leaf springs; ✓
4,500 lb. capacity auxiliary multi-leaf springs; ✓
Gear ratio: 5.38. ✓

Air Brake System:

ABS brakes; ✓
Dual system for straight truck applications; ✓
Dust shields front and rear; ✓
Air Compressor supply line, naturally aspirated; ✓
Color and size coded brakes lines; ✓
Automatic brake slack adjustors (front and rear); ✓

Air tank drain valves with pull chains for air tank; ✓
16.5" x 5.0" S-Cam front brakes, includes 20 sq. in. long stroke brake chamber; ✓
16.5" x 7.0" S-Cam rear brakes, includes 30/30 sq. in. long stroke brake chamber; ✓
Air dryer with heater located inside left rail, back of cab; ✓
Bendix Tu-Flo 550 air compressor – 13.2 CFM capacity. ✓ 18.7 CFM

*Brake system air tanks should be mounted under battery box, or within frame rails to allow as much ground clearance as possible. Should either of these locations interfere with body builder please contact Worcester County to discuss alternatives before proceeding with chassis build.

Exhaust System:

Switchback single, horizontal, aftertreatment device frame mounted outside right rail under cab, includes vertical tail pipe and guard; ✓
Muffler / tail pipe guard non-bright finish; ✓
Tail pipe (1) turnback type, non-bright, for single exhaust. ✓

Electrical System:

12 volt standard equipment; ✓
(2) Maintenance free 12 volt 1300 CCA batteries; ✓ 3 2150 CCA
Self-canceling turn signal switch; ✓
Day time running lights included with headlights (2); ✓
Headlight dimmer switch integral with turn signal lever; ✓
Headlights (2) sealed beam, round, with chrome plated bezels; ✓
Jump start stud located on positive terminal of outermost battery; ✓ on frame rail by starter
One electric horn; ✓
Back-up alarm, electric; ✓
Turn signals, front LED includes LED side marker lights, mounted on fenders; ✓
12 Volt - 200 Amp alternator; ✓
AM/FM radio; ✓
Two speed with wash and intermittent windshield wipers; ✓
Low oil pressure/high coolant temperature (light and alarm); ✓
Manual reset circuit breakers; ✓ Automatic
Trailer auxiliary feed circuit for electric trailer brake accommodation/air trailer ABS, with 30 amp fuse and relay, controlled by ignition switch; ✓
2-Way radio wiring effects – wiring with 20 amp fuse protection, includes ignition wire with 5 amp fuse, wire ends heat shrink and routed to center of header console in cab; ✓
Auxiliary harness 3.0' for auxiliary front head lights and turn signals for front plow applications; ✓
Electric trailer brakes/lights accommodation package to rear of frame, for combined trailer stop, tail, turn, marker light circuits – includes electric trailer brake accommodation package with cab connections including electric brake control, wiring, and trailer socket installed; ✓
Switch, toggle, for work light, lighted – on instrument panel and wiring effects for customer furnished back of cab light; ✓
Body builder wiring back of standard cab at left frame or under extended or crew cab at left frame ✓
– includes sealed connectors for tail/amber turn/marker/backup/accessory power/ground and sealed connector for stop/turn.

Front End:

Fiberglass tilt hood and fenders; ✓
Mud flaps; ✓
Stationary grill, chrome; ✓
Insulation under hood for sound abatement; ✓
Insulation, splash panels for sound abatement. ✓

Paint:

White; ✓
Clear coat. ✓

Engine:

Inline six cylinder wet sleeve diesel engine; ✓
Minimum: 315 HP @2000 RPM; ✓
Minimum: 950 lb. ft. torque @1200 RPM; ✓
Electric engine shutdown; ✓
Spin on type oil filter; ✓
Engine mounted water filter; ✓
Engine mounted fuel filter(s); ✓
Block heater; ✓
Electronic road speed governor; ✓
Hand control throttle; ✓
Federal emission standards; ✓
Horton drivemaster polar extreme fan drive; ✓
Air cleaner dual element. ✓

Transmission:

RTO 16908LL. ✓

Radiator:

Aluminum radiator cross flow with transmission air cooler; ✓
Deaeration system with surge tank; ✓
Premium rubber radiator hoses. ✓

Fuel Tank:

70 gallon capacity with step, mounted left side under cab; ✓ 80
DEF tank - 7 gallon. ✓ 13

Cab:

Black rubber floor covering; ✓
Conventional cab; ✓
Arm rest (2); ✓
Clearance marker lights LED, flush mounted; ✓
Tinted windows; ✓
Mirrors (2) rectangular 7.55" x 14.1" convex both sides, breakaway type with brackets and arms; ✓
Gauge cluster (engine oil pressure, water temperature, fuel, tachometer, voltmeter), English ✓
Air ride driver seat with two man passenger, vinyl with seatbelts; ✓
Air conditioner with integral heater and defroster; ✓
Single trumpet mounted air horn; ✓
Cab interior trim, deluxe; ✓
Grab handles (interior and exterior); ✓
Steps - two steps per door. ✓

Tires and Wheels:

22.5 x 8.25 hub piloted, painted steel disc wheels, front and rear - 2 hand hole, 10 stud; ✓
11R22.5 (2) Goodyear load range H, 16 ply tires, front; ✓ michelin
11R22.5 (4) Goodyear load range G, 14 ply tires, rear; ✓ michelin
Front oil lubricated wheel bearings; ✓
Wheels to be painted white. ✓

Body and Hydraulics:

- Stainless steel body; ✓
 - 10' 300U with 30" sides or equivalent; ✓
 - 36" cab protector; ✓
 - 3/16" high tensile steel floor; ✓
 - 8 gauge body (sides and ends); ✓
 - Air tailgate with dirt shedding inverted "V" on top of tailgate; ✓
 - Hide-A-Step with grab handle – passenger side; ✓
 - Adapt glad hands to pintle plate; ✓
 - Oval LED mounted on their side between frame rails on pintle plate – (2) red (1) clear; ✓
 - Dual ovals in rear corner post for (1) LED amber strobe, (1) LED red stop, tail, turn; ✓
 - Front mounted PTO. Keep frame length to bumper to a minimum; ✓
 - Bolt on rear spreader apron; ✓
 - PH20 pintle hitch mounted 30" from ground (make sure); ✓**
 - Snow plow lights to be heated; ✓
 - Electric brake control with 7-pin spade plug (make sure); ✓**
 - 6 head strobe mounted in the cab shield; ✓
 - Sealed wiring harness; ✓
 - Reinstall rear tow hooks; ✓
 - 820SFDA-10 P22 hoist or equivalent; ✓
 - 14"x 36"x 84" behind cab aluminum tool box – AERO or equal; ✓
 - Reinforced front bumper wrap; ✓
 - Snow plow push frame (GN200) adding gussets; ✓
 - Good Roads Model 120M 10' x 36" snow plow or equivalent; ✓
 - Power angle locking; ✓
 - Curb bumpers; ✓
 - Mold board end markers; ✓
 - Delete adjustable caster shoes; ✓
 - Rubber snow shield; ✓
 - All controls must be labeled and illuminated; ✓
 - Lines extended to rear of chassis for future spreader use (with connections); ✓
 - Hydra Tarp System with mesh tarp and wind deflector or equivalent; ✓
 - Rocker switch central hydraulics; ✓
 - Rear rubber flaps; ✓
 - Steel front mud guards; ✓
 - Back up alarm; ✓
 - Rust proof and undercoat body; ✓
 - Grip strut between standards; ✓
 - Steel valve body box and valves installed outside of frame rail; ✓
 - Steel oil reservoir and sight gauge installed outside of frame rail. ✓
- *Total overall height of vehicle including lights not to exceed 134". ✓

Tool Box:

- Shall be mounted behind cab; ✓
- Aero or equal and shall be approximately 14" in height and approximately 84" wide; ✓
- Height shall be from bottom of cab to bottom of rear window; ✓
- Shall be constructed of .1875 thick 5454H32 aluminum; ✓
- Tool box opening shall be at least 12" wide; ✓
- Box shall have 3/4 plywood on floor; ✓
- Box shall have 3/4 plywood shelf halfway up the box; ✓

Box shall have full height door on each side opening toward front of vehicle; ✓
Interior dome light with toggle switch; ✓
Box doors shall have automotive type seal. ✓

It is the purpose of these specifications to describe a bumper to frame type snow plow hitch designed for medium to large weight truck. Parts not specifically mentioned - which are necessary to provide a complete and operational unit shall be included in the bid and shall conform in strength and quality of material and workmanship to what is provided to the trade in general.

Two Way Power Angling Snow Plow (Good roads 120M 10 x 36 or equal):

Mouldboard shall be formed using 10 gauge Hot Rolled Steel; ✓
Minimum of 8 vertical 1/2" x 3" ribs with 2 ribs at center hinge point; ✓
2 rows of 1/2" x 3" horizontal ribs running length of mouldboard; ✓
Mouldboard shall be 10 ft. wide and 36" high; ✓
Top of mouldboard shall be channel formed; ✓
Bottom of mouldboard shall have back up angle of not less than 3 1/2" x 3 1/2" x 1/2" angle gusseted; ✓
Sheet shall extend downward below the holes for the cutting edge; ✓
Mouldboard shall be equipped with a built-in snow shield of 10 gauge steel; ✓
Cutting edge shall be 3/4" x 6" full length with carbide insert; ✓
Cutting edge shall have 11/16 square holes punched and be replaceable; ✓
Two way power angle plow to be equipped with hydraulic cylinders, for angle operation; ✓
The semi-circle angle shall be rolled down 3 1/2" x 3 1/2" x 1/2" angle with a front tube of 4" x 4" x 3/8" square tube running a minimum length of 116" along the rear of the mouldboard; ✓
Semi-circle shall be attached to the mouldboard at five points with the outside points measuring a minimum of 116"; ✓
Fully automatic trip device mounted on the semi-circle with heavy duty trunnion support sockets with grease fittings; ✓
Trip device shall consist of 2 fully enclosed trip springs with a minimum of 5/8" diameter contained in a 6" OD 10 gauge tubular housing; ✓
Recoil springs shall also be provided on the spring rod to cushion return action; ✓
Push frame members shall be 4" x 13.8 lb. ship channels and connected by means of an equalizer bar at the end with front bumper wrap reinforcement over OEM bumper or equal to include front tow hooks. Chassis dealer to supply all required wiring codes to be used by body outfitter; ✓
Drive bar ears shall be a minimum of 1 1/2" thick, 21" apart with holes drilled to accommodate 1 1/4" drive pins; ✓
Drive pins shall be 1 1/4" with painted ends and fabricated of heat-treated, hardened steel; ✓
Pin locking mechanism shall be provided to hold snow plow in a set position; ✓
Length of push frame from mouldboard attaching point to the truck hitch attaching point shall be 36" and shall allow sufficient bumper clearance at 42 degrees left and right; ✓
Mouldboard to have curb bumpers; ✓
Mouldboard end markers shall extend 28" and be of high visibility; ✓
Mouldboard shoes #62100352 Goodroads are required or equal; ✓
Driving lights shall be impact resistant polycarbonate housing, rectangular in design with a quartz halogen beam, part of fender mount; ✓
Lights shall have integrated turn signal and parking lamp; ✓
Lights to be mounted on fenders of truck and lights to be heated; ✓
Unit is to be painted Tangerine; ✓
Hydraulic lift cylinder shall be 4" bore x 10" stroke with chrome plated rod and minimum 2000 PSI working pressure; ✓
Unit to be equipped with snow shield assembly. ✓

*The **Hydraulic System** described herein is to supply power to operate the dump body hoist cylinder, snow plow, lifting cylinder, power angling, spreader spinner and auger functions. The system shall permit completely independent, yet simultaneous operation of the dump body hoist and spreader. The hydraulic system shall return fluid back to the reservoir when all circuits are "OFF".*

Hydraulic System:

Hydraulic/Hot Shift PTO with direct mount flange and P22 commercial pump; ✓
Pump inlet suction shall not exceed five (5) inches mercury vacuum at start-up and positive pressure on inlet not to exceed 5 PSI during normal operation; ✓
Main system bank control valve shall have 6 bank electric solenoid controlled valves; ✓
Spreader On and Off valve "A" will direct flow of oil to dual flow control valve, must be ✓ inside cab; ✓
Circuit to incorporate pressure compensated flow divider; ✓
Regulated flow to mid inlet, excess flow to spreader unit; ✓
Oil split to provide 6 gallons to body and plow lift; ✓
Body lift circuit, Valve "B" will direct system flow to a double acting hoist cylinder. The adjustable priority flow regulator is to be pressure compensated type with by-pass port; ✓
Valve is to be set so that a portion of system flow will be directed to body hoist cylinder so that its speed of elevation is such that it will not affect operation of spreader; ✓
Relief valve back to tank is to be incorporated in the line to the rod end of the cylinder and is to be preset to cylinder manufacturer's specifications; ✓
Plow lift circuit Valve C will direct flow to a double acting 4" x 10" lift cylinder; ✓
Plow reverse circuit Valve D will direct flow to the plow reversing cylinders; ✓
Valve will have a motor spool to allow plow lock to engage when return to neutral position; ✓
Control valve shall be mounted outside the frame rails directly behind the cab in an aluminum box. ✓
Valve shall be controlled by cab mounted electric switches within easy reach of driver. All controls are to be labeled and illuminated; ✓
Oil reservoir is to be at least 30 gallon capacity - all steel construction, and mounted to chassis frame with flanges which are welded to tank and bolted to frame; ✓
Return filter to be 50 G.P.M. minimum and contain an electric pressure sensor and bypass circuit to activate a dash warning light when element is clogged; ✓
Filter shall have a 10 micron rating; ✓
Suction line is to have an in-tank suction strainer and shall have a 125 micro rating - a 30 P.S.I. bypass and a 2" minimum port; ✓
Reservoir to be equipped with a filler breather with mesh basket and chain; ✓
Reservoir must contain a 5" level temperature indicator; ✓
Reservoir to be equipped with 3/4" magnetic drain plug located at the lowest point; ✓
One hydraulic test point must be installed permanently in the pump discharge line at a convenient point. All connections between the test points and tester shall be of quick disconnect type. All flow, pressure and temperature of simultaneous or individual functions of the entire hydraulic system must be measured from 1 point; ✓
Suction line shall enter the front side of the tank a few inches off the tank bottom; ✓
Suction line shall be a minimum of 2" I.D. and be connected through a 2" full flow ball valve directly mounted to tank; ✓
Suction line shall be equipped with replaceable strainer; ✓
Return line shall enter tank above oil level, extend to near the bottom of tank and be equipped with a replaceable automotive type 10 micron filter; ✓
Return line filter shall have a condition indicator gauge; ✓
Liquid level switch shall be provided in tank which will activate a red warning light in cab when tank level drops to 1/2 capacity; ✓

Dash mounted light to be clearly labeled; ✓
Reservoir tank to have sight gauge; ✓
Hydraulic system must totally shut down all pump flow to system when hose failure occurs; ✓
System shall be piped with high pressure hose long enough and pliable enough to ensure easy removal and installation; ✓
Hoses to be equipped with JIC swivels on each end; ✓
Lines equipped with quick couplers and dust caps shall extend to vehicle rear for spreader operation and to the front bumper for plow lift cylinder and plow reversing cylinder. ✓
Couplers on these lines shall be reversed, male-female to prevent incorrect hook-up ✓ and mounted in collector manifolds; ✓
Couplers shall be furnished as complete sets. In cases where the lines are not connected ✓ to equipment, the mating part of each coupler shall be furnished as on-vehicle ✓ equipment; ✓
Lines shall be clearly and permanently labeled at collector manifolds; ✓
Fittings shall be permanently attached on hoses with swivel joints located at ends of each hose assembly. ✓

Tarp System:

New 22 hydraulic operated tarp system with heavy duty arms; ✓
Include mesh tarp, cab control operated and wind deflector. ✓

Warranty:

Extended warranty - 60 months or 150,000 miles from delivery date to include engine, engine ✓ electronics, injectors, front axle, rear axle, propshaft, and transfer case; ✓
Extended warranty - 60 months - Allison Transmission; ✓ *No Not Allis*
Exhaust after treatment extended warranty - 60 months or 100,000 miles. ✓

Miscellaneous:

One spare disc wheel 22.5 x 8.25; ✓
Service Manual (Chassis); ✓
Operator's Manual (Chassis); ✓
Lineset Tickets (Chassis); ✓
Parts Books (Body & Hoist); ✓
Operator's Manual (Hydraulic System); ✓
Parts Manuals (Hydraulic System); ✓
Repair Manual (Hydraulic System); ✓
Parts Manual (Snow Plow); ✓
Successful body vender to complete and deliver back to successful chassis vender; ✓

If there is any specification differences please make sure to note them when submitting your bid.

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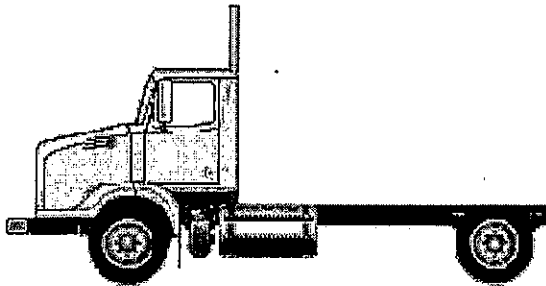
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A proposal for
Worcester County Government Center

Prepared by
WESTERN STAR TRUCKS OF DELMARVA, LLC
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Aug 22, 2019

Western Star 4700SB



Components shown may not reflect all spec'd options and are not to scale

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S P E C I F I C A T I O N P R O P O S A L

Data Code	Description	Weight Front	Weight Rear
Price Level			
PRL-20T	WESTERN STAR 4700 PRL-20T (EFF:04/30/19)		
Data Version			
DRL-014	SPECPRO21 DATA RELEASE VER 014		
Vehicle Configuration			
001-451	4700 SET-BACK FRONT AXLE CHASSIS	9,215	6,530
004-220	2020 MODEL YEAR SPECIFIED		
002-004	SET BACK AXLE - TRUCK		
019-006	TRAILER TOWING PROVISION AT END OF FRAME	10	10
003-001	LH PRIMARY STEERING LOCATION		
General Service			
AA1-003	TRUCK/TRAILER CONFIGURATION		
AA6-001	DOMICILED, USA 50 STATES (INCLUDING CALIFORNIA AND CARB OPT-IN STATES)		
A85-010	UTILITY/REPAIR/MAINTENANCE SERVICE		
A84-1GM	GOVERNMENT BUSINESS SEGMENT		
AA4-010	DIRT/SAND/ROCK COMMODITY		
AA5-002	TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS		
AB1-008	MAXIMUM 8% EXPECTED GRADE		
AB5-001	SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE		
995-1A5	WESTERN STAR VOCATIONAL WARRANTY		
A66-99D	EXPECTED FRONT AXLE(S) LOAD : 13220.0 lbs		
A68-99D	EXPECTED REAR DRIVE AXLE(S) LOAD : 23000.0 lbs		
A63-99D	EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 36220.0 lbs		

Application Version 11.1.402
 Data Version PRL-20T.014
 worcester roads 8.26.19



08/22/2019 6:30 AM

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Data Code	Description	Weight Front	Weight Rear
A70-99D	EXPECTED GROSS COMBINATION WEIGHT : 80000.0 lbs		
Truck Service			
AA3-018	FRONT PLOW/END DUMP BODY		
A88-99D	EXPECTED TRUCK BODY LENGTH : 0.0 ft		
Engine			
101-22R	CUM L9 330 HP @ 2000 RPM, 2200 GOV RPM, 1000 LB/FT @ 1400 RPM	-850	-70
Electronic Parameters			
79A-075	75 MPH ROAD SPEED LIMIT		
79B-000	CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT		
79M-001	PTO MODE BRAKE OVERRIDE - SERVICE BRAKE APPLIED		
79P-004	PTO RPM WITH CRUISE SET SWITCH - 900 RPM		
79Q-003	PTO RPM WITH CRUISE RESUME SWITCH - 800 RPM		
79S-001	PTO MODE CANCEL VEHICLE SPEED - 5 MPH		
79U-007	PTO GOVERNOR RAMP RATE - 250 RPM PER SECOND		
80G-002	PTO MINIMUM RPM - 700		
80J-002	REGEN INHIBIT SPEED THRESHOLD - 5 MPH		
80K-001	TEMPERATURE OVERRIDE BELOW 20 DEGREES AND ABOVE 70 DEGREES AMBIENT TEMPERATURE		
Engine Equipment			
99C-017	2016-2019 ONBOARD DIAGNOSTICS/2010 EPA/CARB/FINAL GHG17 CONFIGURATION		
99D-011	2008 CARB EMISSION CERTIFICATION - CLEAN IDLE (INCLUDES 6X4 INCH LABEL ON LOWER FORWARD CORNER OF DRIVER DOOR)		
13E-001	STANDARD OIL PAN		
105-001	ENGINE MOUNTED OIL CHECK AND FILL		
133-004	ONE PIECE VALVE COVER		
014-1B5	SIDE OF HOOD AIR INTAKE WITH DONALDSON HIGH CAPACITY AIR CLEANER WITH SAFETY ELEMENT, FIREWALL MOUNTED		
124-1E1	DR 12V 200 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE		



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Data Code	Description	Weight Front	Weight Rear
292-216	(3) DTNA GENUINE, AGM STARTING AND CYCLING, MIN 2190CCA, 570RC, THREADED STUD BATTERIES		
290-1AC	PASSENGER SEAT BATTERY BOX VENTED TO OUTSIDE OF CAB		
282-013	BATTERY BOX MOUNTED UNDER PASSENGER SEAT		
291-017	WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN		
289-006	PLASTIC BATTERY BOX COVER		
295-029	POSITIVE AND NEGATIVE POSTS FOR JUMPSTART LOCATED ON FRAME NEXT TO STARTER	2	
306-019	LOW VOLTAGE BATTERY DISCONNECT AT 12.3 VOLTS FOR ISOLATED CIRCUITS WITH LOCAL ALARM		
180-100	EATON ADVANTAGE 15-1/2 INCH SELF ADJUSTING CLUTCH	-5	
183-008	TORQUE LIMITING CLUTCH BRAKE		
181-002	ZERK FITTING WITH EXTENSION HOSE AT CLUTCH RELEASE BEARING		
182-005	HYDRAULIC CLUTCH CONTROL		
107-032	CUMMINS TURBOCHARGED 18.7 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE		
131-013	AIR COMPRESSOR DISCHARGE LINE		
152-041	ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM		
128-076	CUMMINS EXHAUST BRAKE INTEGRAL WITH VARIABLE GEOMETRY TURBO WITH ON/OFF DASH SWITCH	20	
016-1C2	RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE		
28F-002	ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND DASH MOUNTED REGENERATION REQUEST SWITCH		
239-026	10 FOOT 06 INCH (126 INCH+0/-5.9 INCH) EXHAUST SYSTEM HEIGHT		
237-1CR	RH CURVED VERTICAL TAILPIPE B-PILLAR MOUNTED ROUTED FROM STEP		
23U-002	13 GALLON DIESEL EXHAUST FLUID TANK	35	10
30N-003	100 PERCENT DIESEL EXHAUST FLUID FILL		



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Data Code	Description	Weight Front	Weight Rear
23Y-001	STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING		
23Z-002	NON-POLISHED ALUMINUM DIAMOND PLATE DIESEL EXHAUST FLUID TANK COVER	20	10
43X-002	LH MEDIUM DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION		
242-001	STAINLESS STEEL AFTERTREATMENT DEVICE/MUFFLER/TAIPIPE SHIELD		
273-048	HORTON 2-SPEED DRIVEMASTER ADVANTAGE POLAREXTREME FAN DRIVE		
276-001	AUTOMATIC FAN CONTROL WITHOUT DASH SWITCH, NON ENGINE MOUNTED		
110-003	CUMMINS SPIN ON FUEL FILTER		
118-008	COMBINATION FULL FLOW/BYPASS OIL FILTER		
266-017	1300 SQUARE INCH ALUMINUM RADIATOR	-20	
267-006	MOUNTING FOR FIREWALL MOUNTED SURGE TANK		
103-039	ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT		
171-007	GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT		
172-001	CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES		
270-016	RADIATOR DRAIN VALVE		
168-998	NO RADIATOR/OIL PAN GUARD	-5	
360-013	1350 ADAPTER FLANGE FOR FRONT PTO PROVISION	20	
138-011	PHILLIPS-TEMRO 1000 WATT/115 VOLT BLOCK HEATER	4	
166-998	NO OIL PREHEATER		
140-022	CHROME ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR		
134-001	ALUMINUM FLYWHEEL HOUSING		
132-004	ELECTRIC GRID AIR INTAKE WARMER		
155-058	DELCO 12V 38MT HD STARTER WITH INTEGRATED MAGNETIC SWITCH	-35	
Transmission			
342-445	EATON FULLER RTO-16908LL TRANSMISSION	70	20
Transmission Equipment			
85P-998	NO REAR PTO TRANSMISSION RANGE		
347-002	ALUMINUM CLUTCH HOUSING	-50	



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Data Code	Description	Weight Front	Weight Rear
362-1T6	CUSTOMER INSTALLED CHELSEA 489 SERIES PTO		
363-003	PTO MOUNTING, BOTTOM OF MAIN TRANSMISSION		
341-017	MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION FILL AND DRAIN, AXLE(S) FILL AND DRAIN		
345-001	PAINTED SHIFT LEVER, SOLID LINKAGE		
370-015	WATER TO OIL TRANSMISSION COOLER, IN RADIATOR END TANK		
35T-003	SYNTHETIC TRANSMISSION LUBE		
Front Axle and Equipment			
400-1A8	DETROIT DA-F-14.7-3 14,700# FF1 71.5 KPI/3.74 DROP SINGLE FRONT AXLE	-190	
402-049	MERITOR 16.5X5 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES	-10	
403-002	NON-ASBESTOS FRONT BRAKE LINING		
419-023	CONMET CAST IRON FRONT BRAKE DRUMS		
427-001	FRONT BRAKE DUST SHIELDS	5	
409-006	FRONT OIL SEALS		
408-001	VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL		
416-022	STANDARD SPINDLE NUTS FOR ALL AXLES		
405-016	MERITOR 5.5 INCH HANDED AUTOMATIC FRONT SLACK ADJUSTERS		
406-001	STANDARD KING PIN BUSHINGS		
536-012	TRW TAS-85 POWER STEERING		
539-003	POWER STEERING PUMP		
534-003	4 QUART POWER STEERING RESERVOIR	5	
40T-003	SYNTHETIC 50W FRONT AXLE LUBE		
Front Suspension			
620-010	14,600# TAPERLEAF FRONT SUSPENSION	-100	
619-005	MAINTENANCE FREE RUBBER BUSHINGS - FRONT SUSPENSION		
410-001	FRONT SHOCK ABSORBERS		
Rear Axle and Equipment			
* 420-037	RS-23-161 23,000# R-SERIES SINGLE REAR AXLE		-2,415
421-538	5.38 REAR AXLE RATIO		



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Data Code	Description	Weight Front	Weight Rear
424-001	IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING		
386-073	MXL 17T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES	-30	-30
423-020	MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES		
433-002	NON-ASBESTOS REAR BRAKE LINING		
434-012	BRAKE CAMS AND CHAMBERS ON REAR SIDE OF DRIVE AXLE(S)		
451-023	CONMET CAST IRON REAR BRAKE DRUMS		
425-002	REAR BRAKE DUST SHIELDS		5
440-006	REAR OIL SEALS		
426-1B2	BENDIX EVERSURE LONGSTROKE 1-DRIVE AXLE SPRING PARKING CHAMBERS		-20
428-003	HALDEX AUTOMATIC REAR SLACK ADJUSTERS		
41T-002	SYNTHETIC 75W-90 REAR AXLE LUBE		
Rear Suspension			
622-1DC	26,000# FLAT LEAF SPRING REAR SUSPENSION WITH HELPER AND RADIUS ROD		90
621-001	SPRING SUSPENSION - NO AXLE SPACERS		
431-001	STANDARD AXLE SEATS IN AXLE CLAMP GROUP		
623-005	FORE/AFT CONTROL RODS		
Brake System			
490-100	WABCO 4S/4M ABS		
871-001	REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES		
904-001	FIBER BRAID PARKING BRAKE HOSE		
412-001	STANDARD BRAKE SYSTEM VALVES		
432-003	RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE		
480-088	WABCO SYSTEM SAVER HP WITH INTEGRAL AIR GOVERNOR AND HEATER		
483-004	WABCO OIL COALESCING FILTER FOR AIR DRYER		
479-003	AIR DRYER MOUNTED INBOARD ON LH RAIL		
460-008	STEEL AIR BRAKE RESERVOIRS MOUNTED INSIDE RAIL		
477-004	PULL CABLES ON ALL AIR RESERVOIR(S)		



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Data Code	Description	Weight Front	Weight Rear
Trailer Connections			
914-001	AIR CONNECTIONS TO END OF FRAME WITH GLAD HANDS FOR TRUCK AND NO DUST COVERS		
296-010	PRIMARY CONNECTOR/RECEPTACLE WIRED FOR SEPARATE STOP/TURN, ABS CENTER PIN POWERED THROUGH IGNITION		
297-998	NO TRAILER CABLE RECEPTACLE		
303-025	SAE J560 7-WAY PRIMARY TRAILER CABLE RECEPTACLE MOUNTED END OF FRAME		
1AZ-998	NO TRAILER RECEPTACLE BRACKET		
Wheelbase & Frame			
545-435	4350MM (171 INCH) WHEELBASE		
546-101	11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI	110	-30
547-034	PARTIAL INNER FRAME REINFORCEMENT AT FRONT SUSPENSION	195	-5
548-803	BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW		
552-032	1650MM (65 INCH) REAR FRAME OVERHANG		
55W-006	FRAME OVERHANG RANGE: 61 INCH TO 70 INCH		
549-002	24 INCH INTEGRAL FRONT FRAME EXTENSION	122	-10
AC8-99D	CALC'D BACK OF CAB TO REAR SUSP C/L (CA): 107.99 in		
AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA): 104.99 in		
AE4-99D	CALC'D FRAME LENGTH - OVERALL : 305.91		
ZF1-99D	FRAME HEIGHT TOP FRONT UNLADEN : 39.87 in		
ZF2-99D	FRAME HEIGHT TOP FRONT LADEN : 37.32 in		
ZF3-99D	FRAME HEIGHT TOP REAR UNLADEN : 41.33 in		
ZF4-99D	FRAME HEIGHT TOP REAR LADEN : 38.59 in		
FSS-0LH	CALCULATED FRAME SPACE LH SIDE : 54.77 in		
FSS-0RH	CALCULATED FRAME SPACE RH SIDE : 181.99 in		
AM6-99D	CALC'D SPACE AVAILABLE FOR DECKPLATE : 107.69 in		
553-001	SQUARE END OF FRAME		
587-003	REAR TOW HOOKS		10



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	Data Code	Description	Weight Front	Weight Rear
N	A04-99D	REQUESTED MIN UNLADEN TOW HITCH HEIGHT : 33.0 in		
N	A05-99D	REQUESTED MAX UNLADEN TOW HITCH HEIGHT : 34.0 in		
	559-001	STANDARD WEIGHT ENGINE CROSSMEMBER		
	561-001	STANDARD CROSSMEMBER BACK OF TRANSMISSION		
	562-001	STANDARD MIDSHIP #1 CROSSMEMBER(S)		
	572-001	STANDARD REARMOST CROSSMEMBER		
	565-002	HEAVY DUTY SUSPENSION CROSSMEMBER		
	568-001	STANDARD WEIGHT REAR SUSPENSION CROSSMEMBER		

Chassis Equipment

*	556-1EE	16 INCH PAINTED STEEL BUMPER		
*	558-001	FRONT TOW HOOKS - FRAME MOUNTED	15	
	574-001	BUMPER MOUNTING FOR SINGLE LICENSE PLATE		
	586-015	FRONT ANTI-SPRAY CAB MOUNTED MUDFLAPS		
	551-007	GRADE 8 THREADED HEX HEADED FRAME FASTENERS		
	44Z-002	EXTERIOR HARNESSSES WRAPPED IN ABRASION TAPE		

Fuel Tanks

	204-154	80 GALLON/302 LITER ALUMINUM FUEL TANK - LH	10	
	218-006	25 INCH DIAMETER FUEL TANK(S)		
	215-005	PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS		
	212-007	FUEL TANK(S) FORWARD		
	664-001	PLAIN STEP FINISH		
	205-001	FUEL TANK CAP(S)		
	122-1H8	DAVCO 245 FUEL/WATER SEPARATOR WITH 12 VOLT HEAT AND WATER IN FUEL SENSOR	20	
	216-020	EQUIFLO INBOARD FUEL SYSTEM		
	202-016	HIGH TEMPERATURE REINFORCED NYLON FUEL LINE		
	221-001	FUEL COOLER		

Tires



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Data Code	Description	Weight Front	Weight Rear
093-1KK	MICHELIN X LINE ENERGY Z 11R22.5 16 PLY RADIAL FRONT TIRES	10	
094-1UY	MICHELIN X MULTI D 11R22.5 16 PLY RADIAL REAR TIRES (NORTH AMERICAN ONLY)		60
Hubs			
418-060	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS		
450-060	CONMET PRESET PLUS PREMIUM IRON REAR HUBS		
Wheels			
502-428	ACCURIDE 28828 22.5X8.25 10-HUB PILOT 6.18 INSET 2-HAND HD STEEL DISC FRONT WHEELS	26	
505-428	ACCURIDE 28828 22.5X8.25 10-HUB PILOT 2-HAND HD STEEL DISC REAR WHEELS		52
* 511-428	ACCURIDE 28828 22.5X8.25 10-HUB PILOT 2-HAND HD STEEL DISC SPARE WHEEL		83
496-011	FRONT WHEEL MOUNTING NUTS		
497-011	REAR WHEEL MOUNTING NUTS		
Cab Exterior			
829-1A8	110 INCH BBC STEEL CONVENTIONAL CAB		
82A-023	WESTERN STAR PAINTED ALUMINUM CAB SKIRT		
650-044	AIR CAB MOUNTS WITH CHECK VALVE		
705-059	RACEWAY WITHOUT MISCELLANEOUS CUSTOM CAB REQUIREMENTS		
648-002	NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE		
667-001	FRONT FENDERS		
754-001	2 INCH FENDER EXTENSIONS	5	
678-061	LH AND RH EXTENDED EXTERIOR GRAB HANDLES WITH RUBBER INSERTS AND LH AND RH INTERIOR GRAB HANDLES MOUNTED TO A POST		
646-008	STATIONARY BRIGHT FINISH GRILLE		
65X-003	CHROME HOOD MOUNTED AIR INTAKE GRILLE		
640-009	HEAVY DUTY STEEL CAB FLOOR		
644-004	FIBERGLASS HOOD		
727-096	DUAL ROUND AIR HORNS, SINGLE BASE, MOUNTED UNDER CAB		
726-001	SINGLE ELECTRIC HORN		



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Data Code	Description	Weight Front	Weight Rear
657-1AG	DOORS AND IGNITION KEYED THE SAME		
575-001	REAR LICENSE PLATE MOUNT END OF FRAME		
312-072	SINGLE RECTANGULAR SEALED BEAM HEADLIGHTS WITH BRIGHT BEZELS		
302-046	LED CHROME BULLET MARKER LIGHTS	5	
314-824	WIRING AND SWITCH FOR CUSTOMER FURNISHED SNOW PLOW LAMPS WITH DUAL CONNECTIONS AT BUMPER		
311-019	HEADLIGHTS ON WITH WIPERS, WITH DAYTIME RUNNING LIGHTS		
294-001	INTEGRAL STOP/TAIL/BACKUP LIGHTS		
300-015	STANDARD FRONT TURN SIGNAL LAMPS		
744-007	DUAL WEST COAST STAINLESS STEEL MIRRORS		
797-001	DOOR MOUNTED MIRRORS		
796-001	102 INCH EQUIPMENT WIDTH		
743-1AC	LH AND RH 8 INCH STAINLESS STEEL CONVEX MIRRORS MOUNTED BELOW PRIMARY MIRRORS		
74A-001	RH DOWN VIEW MIRROR		
729-001	STANDARD SIDE/REAR REFLECTORS		
768-046	17.5X35 INCH TINTED REAR WINDOW		
661-006	TINTED DOOR GLASS		
654-003	MANUAL DOOR WINDOW REGULATORS		
663-014	2-PIECE TINTED CURVED BONDED WINDSHIELD		
659-026	2 GALLON WINDSHIELD WASHER RESERVOIR WITH FLUID LEVEL INDICATOR, MOUNTED UNDER CAB, WITH REMOTE FILL		
Cab Interior			
707-1D4	SMOKY MOUNTAIN GRAY VINYL PREMIUM INTERIOR		
70K-005	BLACK HARD TRIM		
706-049	BASE LEFT HAND DOOR TRIM		
708-049	BASE RIGHT HAND DOOR TRIM		
772-006	BLACK MATS WITH SINGLE INSULATION		
785-007	DASH MOUNTED ASH TRAY AND LIGHTER, DRIVER SIDE		
691-001	FORWARD ROOF MOUNTED CONSOLE		
693-025	LH AND RH DOOR MAP POCKETS		
741-015	(2) COAT HOOKS ON BACKWALL OF CAB		



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Data Code	Description	Weight Front	Weight Rear
742-998	NO CUP/THERMOS HOLDER		
680-034	TWO-TONE CHARCOAL UPPER/COOL GRAY LOWER SOFT TOUCH WING DASH WITH BLACK DRIVER SIDE COSMETIC UNDER DASH COVER		
700-014	HEATER, DEFROSTER AND AIR CONDITIONER WITH CONSTANT OUTLET TEMPERATURE CONTROL		
701-016	HVAC DUCTING WITH FOAM MAIN FRESH AIR FILTER		
703-005	MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH		
170-015	STANDARD HEATER PLUMBING		
130-041	VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR		
698-001	RADIATOR MOUNTED AIR CONDITIONER CONDENSER		
702-002	BINARY CONTROL, R-134A		
739-001	CAB INSULATION		
285-033	AUTOMATIC SELF-RESET CIRCUIT BREAKERS/FUSES IN DASH POWER DISTRIBUTION BOXES AND FUSES IN AUXILIARY POWER DISTRIBUTION BOXES		
324-075	DOOR ACTIVATED DOME LIGHT, UNDER DASH LIGHT AND LH AND RH DOOR MOUNTED COURTESY LIGHTS		
655-001	CAB DOOR LATCHES WITH MANUAL DOOR LOCKS		
756-1DD	BASIC HIGH BACK AIR SUSPENSION DRIVER SEAT WITH 1 CHAMBER AIR LUMBAR, INTEGRATED CUSHION EXTENSION AND REAR CUSHION TILT		
760-038	NATIONAL 2 MAN TOOL/BATTERY BOX MID BACK NON SUSPENSION PASSENGER SEAT		
759-007	DUAL DRIVER SEAT ARMRESTS, NO PASSENGER SEAT ARMRESTS	4	
758-1AA	GRAY VINYL DRIVER SEAT COVER		
761-1AA	GRAY VINYL PASSENGER SEAT COVER		
763-006	3 POINT DRIVER AND PASSENGER AND 2 POINT CENTER FRONT SEAT BELT RETRACTORS		
532-002	ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN		
540-045	4-SPOKE 18 INCH (450MM) LEATHER WRAPPED STEERING WHEEL WITH SWITCHES		



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Data Code	Description	Weight Front	Weight Rear
765-002	DRIVER AND PASSENGER INTERIOR SUN VISORS		
Instruments & Controls			
185-002	NON-ADJUSTABLE SUSPENDED PEDALS		
106-002	ELECTRONIC FOOT ACCELERATOR		
870-002	BRIGHT ARGENT FINISH GAUGE BEZELS		
732-053	BLACK VINYL DRIVER INSTRUMENT PANEL		
734-021	BLACK VINYL CENTER INSTRUMENT PANEL		
486-001	LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM		
840-002	2 INCH PRIMARY AND SECONDARY AIR PRESSURE GAUGES		
198-002	INTAKE MOUNTED AIR RESTRICTION INDICATOR WITH GRADUATIONS		
721-001	97 DB BACKUP ALARM		3
149-015	ELECTRONIC CRUISE CONTROL WITH CONTROLS ON STEERING WHEEL SPOKES		
156-007	KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY		
811-041	ICU4ME DRIVER MESSAGE CENTER WITH GRAPHICAL DISPLAY, BLACK FACE GAUGES, DIAGNOSTICS AND DATA LINKED		
160-038	HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH		
844-001	2 INCH ELECTRIC FUEL GAUGE		
148-003	PROGRAMMABLE RPM CONTROL - ELECTRONIC ENGINE		
4C0-998	NO ADDITIONAL EXTRA SWITCH ACCUATORS		
44Y-001	CUSTOMER INTERFACE CONNECTOR LOCATED BETWEEN SEATS WITH CAPS		
48F-011	5 PREWIRED HIGH POWER BATTERY CIRCUITS (30A MAX) WIRED TO CIC		
856-001	ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE		
864-001	2 INCH TRANSMISSION OIL TEMPERATURE GAUGE		
867-004	ELECTRONIC OUTSIDE TEMPERATURE SENSOR DISPLAY IN DRIVER MESSAGE CENTER		

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Data Code	Description	Weight Front	Weight Rear
852-002	ELECTRIC ENGINE OIL PRESSURE GAUGE		
746-114	AM/FM/WB WORLD TUNER RADIO WITH AUXILIARY INPUT, J1939	10	
747-002	ROOF/OVERHEAD CONSOLE MOUNTED RADIO		
750-004	(4) RADIO SPEAKERS IN CAB		
748-026	POWER AND GROUND WIRING FOR CB RADIO IN OVERHEAD CONSOLE		
749-001	ROOF/OVERHEAD CONSOLE CB RADIO PROVISION		
752-017	MULTI-BAND AM/FM/WB/CB LH MIRROR MOUNTED ANTENNA SYSTEM		
75A-002	UHF/VHF RADIO POWER/GROUND HARNESS TO OVERHEAD INSTRUMENT PANEL		
810-042	ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITH ODOMETER		
817-001	STANDARD VEHICLE SPEED SENSOR		
812-001	ELECTRONIC 3000 RPM TACHOMETER		
813-998	NO VEHICLE PERFORMANCE MONITOR	-5	
* 162-002	IGNITION SWITCH CONTROLLED ENGINE STOP		
329-004	FOUR EXTRA SWITCHES IN DASH		
4C1-004	HARDWIRE SWITCH #1, ON/OFF LATCHING, 20 AMPS BATTERY WIRED TO CUSTOMER INTERFACE CONNECTOR		
4C2-004	HARDWIRE SWITCH #2, ON/OFF LATCHING, 20 AMPS BATTERY WIRED TO CUSTOMER INTERFACE CONNECTOR		
4C3-004	HARDWIRE SWITCH #3, ON/OFF LATCHING, 20 AMPS BATTERY WIRED TO CUSTOMER INTERFACE CONNECTOR		
4C4-004	HARDWIRE SWITCH #4, ON/OFF LATCHING, 20 AMPS BATTERY WIRED TO CUSTOMER INTERFACE CONNECTOR		
4C5-998	NO HARDWIRE SWITCH #5, ON/OFF LATCHING, WIRED TO CUSTOMER INTERFACE CONNECTOR		
4C6-998	NO HARDWIRE SWITCH #6, ON/OFF LATCHING, WIRED TO CUSTOMER INTERFACE CONNECTOR		
4C7-998	NO HARDWIRE SWITCH #7, ON/OFF LATCHING, WIRED TO CUSTOMER INTERFACE CONNECTOR		
4C8-998	NO HARDWIRE SWITCH #8, ON/OFF LATCHING, WIRED TO CUSTOMER INTERFACE CONNECTOR		

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Data Code	Description	Weight Front	Weight Rear
4C9-998	NO HARDWIRE SWITCH #9,ON/OFF LATCHING, WIRED TO CUSTOMER INTERFACE CONNECTOR		
4D0-998	NO HARDWIRE SWITCH #10,ON/OFF LATCHING,WIRED TO CUSTOMER INTERFACE CONNECTOR		
482-001	BW TRACTOR PROTECTION VALVE		
883-001	TRAILER HAND CONTROL BRAKE VALVE		
836-015	DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY		
660-008	SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY		
304-059	CAB/TRAILER MARKER LIGHT SWITCH WITH SEPARATE HEADLIGHT SWITCH WITH HDLP/MRKR INTERRUPT SWITCH ON STEERING WHEEL & DASH SW FOR CUSTOMER FURNISHED SNOWPLOW LTS		
882-004	TWO VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR		
299-039	SELF CANCELING TURN SIGNAL SWITCH, HEADLAMP HIGH/LOW AND FLASH, WASH/WIPE/INTERMITTENT		
298-036	PACIFIC INSIGHT ELECTRONIC FLASHER		
Design			
065-000	PAINT: ONE SOLID COLOR		
Color			
980-5F6	CAB COLOR A: L0006EB WHITE ELITE BC		
96J-001	CAB INTERIOR PAINTED SAME AS CAB COLOR		
986-020	BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT		
962-972	POWDER WHITE (N0006EA) FRONT WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)		
966-972	POWDER WHITE (N0006EA) REAR WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)		
96F-972	POWDER WHITE (N0006EA) SPARE WHEEL/RIM (PKWHT21, TKWHT21, W, TW)		
N 964-993	BUMPER PAINTED SAME AS CHASSIS		
Certification/Compliance			
996-001	U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS		
Secondary Factory Options			



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Data Code	Description	Weight Front	Weight Rear
998-001	CORPORATE PDI CENTER IN-SERVICE ONLY		
999-014	DEALER HAS BEEN ADVISED OF AND ACCEPTED RESPONSIBILITY FOR MODIFICATIONS DUE TO POSSIBLE PTO/CHASSIS INTERFERENCE		

Raw Performance Data

AE4-99D	CALC'D FRAME LENGTH - OVERALL : 305.91
AE8-99D	CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 104.99 in
AM6-99D	CALC'D SPACE AVAILABLE FOR DECKPLATE : 107.69 in

Sales Programs

NO SALES PROGRAMS HAVE BEEN SELECTED

TOTAL VEHICLE SUMMARY

Weight Summary

	Weight Front	Weight Rear	Total Weight
Factory Weight*	8638 lbs	4303 lbs	12941 lbs
Dealer Installed Options	0 lbs	0 lbs	0 lbs
Total Weight*	8638 lbs	4303 lbs	12941 lbs

Extended Warranty

WAI-47J	CUM 2017 L9: HD1 MD DTY 5 YEARS / 150,000 MILES / 241,500 KM EXTENDED WARRANTY. FEX APPLIES
WAX-101	CUM 2017 L9: AT3 MD DTY 5 YEARS / 100,000 MILES / 161,000 KM AFTERTREATMENT. FEX APPLIES

Dealer Installed Options

Weight Front Weight Rear

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1	GODWIN UP IT	0	0
Total Dealer Installed Options		0 lbs	0 lbs

(+) Weights shown are estimates only.
If weight is critical, contact Customer Application Engineering.

(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.



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QUOTATION

4700 SET BACK FRONT AXLE CHASSIS	
SET BACK AXLE - TRUCK	110 INCH BBC STEEL CONVENTIONAL CAB
CUM L9 330 HP @ 2000 RPM, 2200 GOV RPM, 1000 LB/FT @ 1400 RPM	4350MM (171 INCH) WHEELBASE
EATON FULLER RTO-16908LL TRANSMISSION	11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI
RS-23-161 23,000# R-SERIES SINGLE REAR AXLE	1650MM (65 INCH) REAR FRAME OVERHANG
26,000# FLAT LEAF SPRING REAR SUSPENSION WITH HELPER AND RADIUS ROD	PARTIAL INNER FRAME REINFORCEMENT AT FRONT SUSPENSION
DETROIT DA-F-14.7-3 14,700# FF1 71.5 KPI/3.74 DROP SINGLE FRONT AXLE	BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW
14,600# TAPERLEAF FRONT SUSPENSION	

	TOTAL # OF UNITS (2)	PER UNIT	TOTAL
VEHICLE PRICE		\$ 79,118	\$ 158,236
EXTENDED WARRANTY		\$ 2,530	\$ 5,060
DEALER INSTALLED OPTIONS		\$ 51,089	\$ 102,178
CUSTOMER PRICE BEFORE TAX		\$ 132,737	\$ 265,474

BALANCE DUE (LOCAL CURRENCY) \$ 132,737 \$ 265,474

COMMENTS: Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.
 APPROVAL: Please indicate your acceptance of this quotation by signing below: Customer: X _____ Date: ___ / ___ / ___.

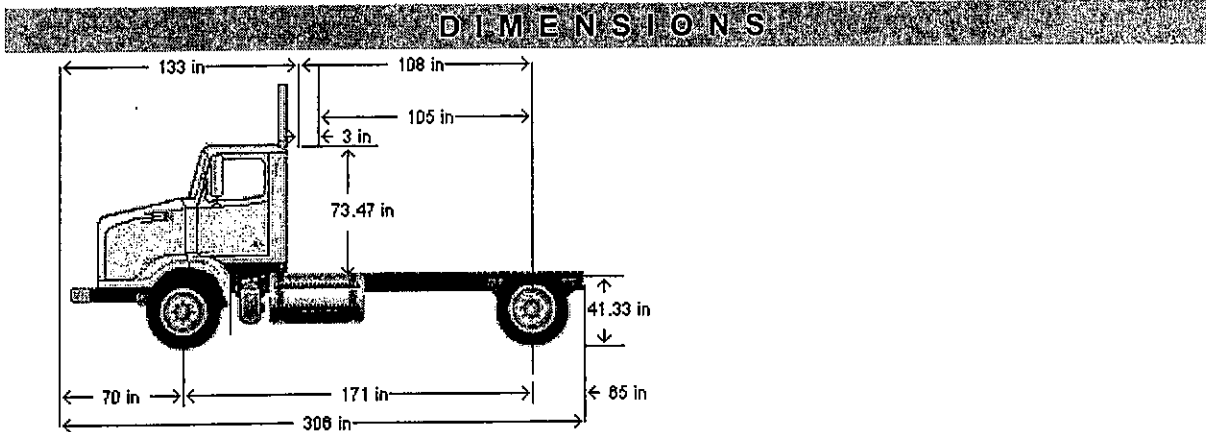
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VEHICLE SPECIFICATIONS SUMMARY - DIMENSIONS

Model	4700SB
Wheelbase (545)	4350MM (171 INCH) WHEELBASE
Rear Frame Overhang (552)	1650MM (65 INCH) REAR FRAME OVERHANG
Fifth Wheel (578)	NO FIFTH WHEEL
Mounting Location (577)	NO FIFTH WHEEL LOCATION
Maximum Forward Position (in)	0
Maximum Rearward Position (in)	0
Amount of Slide Travel (in)	0
Slide Increment (in)	0
Desired Slide Position (in)	0.0
Cab Size (829)	110 INCH BBC STEEL CONVENTIONAL CAB
Sleeper (682)	NO SLEEPER BOX/SLEEPERCAB
Exhaust System (016)	RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE

TABLE SUMMARY - DIMENSIONS



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Dimensions	Inches
Bumper to Back of Cab (BBC)	133.2
Bumper to Centerline of Front Axle (BA)	69.9
Min. Cab to Body Clearance (CB)	3.0
Back of Cab to Centerline of Rear Axle(s) (CA)	108.0
Effective Back of Cab to Centerline of Rear Axle(s) (Effective CA)	105.0
Back of Cab Protusions (Exhaust/Intake) (CP)	3.0
Back of Cab Protusions (Side Extenders/Trim Tab) (CP)	0.0
Back of Cab Protusions (CNG Tank)	0.0
Back of Cab Clearance (CL)	3.0
Back of Cab to End of Frame	173.0
Cab Height (CH)	73.5
Wheelbase (WB)	171.3
Frame Overhang (OH)	65.0
Overall Length (OAL)	306.2
Rear Axle Spacing	0.0
Matan Frame Height at Centerline of Rear Axle	41.3

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.

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GVWR

VEHICLE SPECIFICATIONS SUMMARY - GVWR

Model	4700SB
Cab Size (829).....	110 INCH BBC STEEL CONVENTIONAL CAB
Expected Front Axle(s) Load (lbs).....	13220.0
Expected Pusher Axle(s) Load (lbs).....	0.0
Expected Rear Axle(s) Load (lbs).....	23000.0
Expected Tag Axle(s) Load (lbs).....	0.0
Expected GVW (lbs).....	36220
Expected GCW (lbs).....	80000.0
Front Axle (400).....	DETROIT DA-F-14.7-3 14,700# FF1 71.5 KPI/3.74 DROP SINGLE FRONT AXLE
Front Suspension (620).....	14,600# TAPERLEAF FRONT SUSPENSION
Front Hubs (418).....	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS
Front Disc Wheels (502).....	ACCURIDE 28828 22.5X8.25 10-HUB PILOT 6.18 INSET 2-HAND HD STEEL DISC FRONT WHEELS
Front Tires (093).....	MICHELIN X LINE ENERGY Z 11R22.5 16 PLY RADIAL FRONT TIRES
Front Brakes (402).....	MERITOR 16.5X5 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES
Steering Gear (536).....	TRW TAS-85 POWER STEERING
Rear Axle (420).....	RS-23-160 23,000# R-SERIES SINGLE REAR AXLE
Rear Suspension (622).....	26,000# FLAT LEAF SPRING REAR SUSPENSION WITH HELPER AND RADIUS ROD
Rear Hubs (450).....	CONMET PRESET PLUS PREMIUM IRON REAR HUBS
Rear Disc Wheels (505).....	ACCURIDE 28828 22.5X8.25 10-HUB PILOT 2-HAND HD STEEL DISC REAR WHEELS
Rear Tires (094).....	MICHELIN X MULTI D 11R22.5 16 PLY RADIAL REAR TIRES (NORTH AMERICAN ONLY)
Rear Brakes (423).....	MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES
Pusher / Tag Axle (443).....	NO PUSHER OR TAG AXLE
Pusher / Tag Suspension (626).....	NO PUSHER OR TAG SUSPENSION
Pusher / Tag Hubs (449).....	NO PUSHER OR TAG HUBS
Pusher/Tag Disc Wheels (509).....	NO PUSHER/TAG DISC WHEELS
Pusher / Tag Tires (095).....	NO PUSHER/TAG TIRES
Pusher / Tag Brakes (456).....	NO PUSHER/TAG BRAKES

TABLE SUMMARY - GVWR



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	Front	Rear
Axle Component Weight Ratings		
Axles	14700	23000
Suspension	14600	26000
Hubs	14700	26000
Brakes	14700	23000
Wheels	16000	32000
Tires	13220	24020
Power Steering	18000	N/A
GAWR (per axle)	13220	23000
GAWR (per axle system)	13220	23000
Expected Load (per axle system)	13220	23000
Vehicle GVWR Summary		
Calculated GVWR	36220	
Expected GVWR	36220	
<small>All weights displayed in pounds</small>		

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.



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FRAME RBM

VEHICLE SPECIFICATIONS SUMMARY - FRAME RBM

Wheelbase (545).....4350MM (171 INCH) WHEELBASE
 Frame Rails (546)..... 11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI(546)
 Yield Strength (psi) 120000
 Section Modulus (per rail) (cu in) 16.979
 RBM (per rail) (lbf-in) 2037600
 Inner Frame Reinforcement (547)..... PARTIAL INNER FRAME REINFORCEMENT AT FRONT SUSPENSION
 Outer Frame Reinforcement (548) ..BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW

TABLE SUMMARY - FRAME RBM

Item	Description / Value
Wheelbase	4350MM (171 INCH) WHEELBASE
Frame	11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI
Inner Frame Reinforcement	PARTIAL INNER FRAME REINFORCEMENT AT FRONT SUSPENSION
Outer Frame Reinforcement	BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW
Yield Strength (psi)	120000
Section Modulus - per rail (cu. in.)	16.98
Frame RBM per rail (lbf in)	2037600

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.





August 19, 2019

RE: Worcester County Department Public Works – Roads Division

We propose to furnish and install, at Godwin Manufacturing, Dunn NC, the equipment, on proper chassis, as follows. Chassis, to be drop shipped to Dunn, NC, and must have a 104" usable CA. Chassis to have RTO 16908LL. Chassis must come with all proper codes for connections (such as snow plow lights).

10' 403U 30" 3/16" Stainless Steel Body and Stainless-Steel Floor
36" SS Cab protector and 8" asphalt chute set at 30"
Air tailgate
Hide-A-Step with handles and body steps
Grip strut walk rod – between standards
Stop, Tail, Turn and Strobe in rear corner post
(2) strobes in face and (2) strobes in sides of cab protector
Install (3) oval lights above pintle hitch, S,T,T and back up
PH20 Pintle hitch with D-Rings (30" from ground). This measurement to be confirmed by county/successful bidder
Adapt chassis supplied gladhands to pintle plate (if applicable)
Hydra Tarp with mesh cover
Electric brake control with 6-Pin Plug
7-pin plug and tow hooks – Spade Style
Sealed wiring harness
Front crank driven pump
820SFDA-10 P22 hoist
Hydra max touch hydraulics
14" x 36" x 84" aluminum behind cab tool box with shelf and interior light
Snow Plow lights
Reinforced front bumper and GN200 plow push frame
Good Roads 120M 10' x 36" plow
Power angle lock
Wrap around curb bumpers
Moldboards end markers
Blade shoe group
Carbide cutting edge
Rubber snow shield
Steel mud guards

Reinstall rear chassis tow hooks
Rear rubber flaps

For the sum of **Fifty-One Thousand Eighty-Nine Dollars No Cents (\$51,089.00)** per
each unit

Completion approximately 90 days after receipt of chassis

Price is F.O.B. your location

Thank you,

Allan Mielke
410-820-7710
Fax 410-820-9514

BID FORM

**Worcester County Department of Public Works – Roads Division
“FY20 - Purchase of Two Dump Trucks”**

I/We have reviewed the specifications and provisions for furnishing/delivering two (2) current production model dump trucks with 10 ft. stainless steel dump body and attachments/accessories and understand said requirements as stated herein. I/We hereby propose to furnish and deliver the following:

Two (2) dump trucks with 10 ft. stainless steel dump body and attachments/accessories (current production model):

Year 2020 Make Kenworth Model T400

Total Cost Per Unit: \$ \$183,962.00

Total Bid Price including delivery: \$ \$367,924.00

If there is any specification differences please make sure to note them when submitting your bid.

Delivery To: Department of Public Works – Roads Division
5764 Worcester Highway, Snow Hill, MD 21863

Described unit will be delivered by: April 1, 2020

BID MUST BE SIGNED AND SPECIFICATIONS MUST BE ATTACHED TO BE CONSIDERED.

Date: 26 August, 2019

Signature: 

Typed Name: Richard Weyandt

Title: Vice President

Firm: Delmarva Kenworth

Address: 613 Clara Street

Dover, De. 19904

Phone: 1(302)674-2300



10

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: September 9, 2019
SUBJECT: Roadway Line Striping

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

.....
The Maryland Department of Transportation – State Highway Administration has provided roadway line striping for the County since the year 2000 and always provided excellent and timely service at an average cost of roughly .06 cents per foot. A letter was sent dated January 31, 2019 requesting the State Highway Administration to once again perform our FY19 roadway line striping. On May 8, 2019, we received notification that the paint truck was down and that the parts were on backorder which pushed back our schedule for line striping. On June 24, 2019, we were notified that they would hopefully begin line striping in July 2019. During the month of July SHA completed 16 of the 33 roads on the list. We received notification on August 7, 2019 that SHA had other roads to complete as well as ours and that they would contact us when they would be back to finish. As of this date, the balance of the FY19 road striping list has not been completed and have received no notification from SHA as to when they will be back.

After reviewing the attached state contract, it is recommended that Alpha Space Control be awarded the contract for existing and future roadway striping due to the inability of SHA to complete our road striping in a timely manner. The balance to be completed for the FY19 striping schedule is approximately 302,154 feet at .072 cents per foot totaling \$21,755.08. The FY20 striping schedule totals 350,528 feet at .072 cents per foot equaling \$25,238.02. This price is guaranteed through December 31, 2019 through the current State contract.

Funding in the amount of \$35,000 was approved in both the FY19 and FY20 budget in the General Fund Account 100.1202.6110.400 for a total of \$70,000.00.

Should you have any questions regarding this matter I will be happy to discuss them with you.

Attachment

cc: Frank Adkins

\$ 2,378,750.00



Maryland Department of Transportation
State Highway Administration

CONTRACT PROVISIONS
PROPOSAL FORM PACKET — STATE LIVING WAGE

CONTRACT NO. 492D71419
1 of 44

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
PROPOSAL FORM

Proposal by: Alpha Space Control Co., Inc.
Name

1580 GABLER Rd.
Address (Street and/or P.O. Box)

CHAMBERSBURG PA 17201
City State Zip

717 263-0182 717 263-1193
A.C. Phone No. A.C. Fax No.

to furnish and deliver all materials and to do and perform all work, in conformance with the Standard Specifications, revisions thereto, General Provisions and the Special Provisions in this contract for Retracing and New Roadway Line Striping Various Locations in Carroll, Frederick and Howard Counties, Maryland, for which Invitation for Bids will be received until 12:00 o'clock noon on Thursday, April 20, 2017, this work being situated as follows:

To the State Highway Administration
BID BOX in Bldg. 4
7450 Traffic Drive
Hanover, Maryland 21076

In response to the advertisement by the Administration, inviting bids for the work in conformance with the Contract Documents, now on file in the office of the Administration. I/We hereby certify that I/we am/are the only person, or persons, interested in this bid proposal as principals, and that an examination has been made of the work site, the Specifications, the Plans, and Invitation for Bids, including the Special Provisions contained herein. I/We propose to furnish all necessary machinery, equipment, tools, labor and other means of construction, and to furnish all materials required to complete the project at the following unit price or lump sum price.

1
of
4



**Maryland State Highway Administration
Contract**

Date of Opening : April 20, 2017

Contract ID : 492D71419

Projects : 492D71419

Counties : DISTRICT 7

Apparent Low Bidder: V251582700

ALPHA SPACE CONTROL CO., INC.



04/27

AASHTOWare Project

Maryland State Highway Administration

Contract Schedule

Page 1 of 2

Contract ID: 492D71419

Project(s): 492D71419

Apparent Low Bidder: V251582700

ALPHA SPACE CONTROL CO., INC.

SECTION 0001

492D71419

\$2,378,750.00

Alt Set ID:

Alt Mbr ID:

Quantity

Unit Price

Bid Amount

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
1001	114280 REMOVAL OF EXISTING PAVEMENT LINE MARKINGS, ANY WIDTH	1,500,000.000 LF	0.20		300,000.00	
5001	585405 5 INCH WHITE LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS (90 MIL)	500,000.000 LF	0.52		260,000.00	
5002	585407 5 INCH YELLOW LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS (90 MIL)	500,000.000 LF	0.52		260,000.00	
5003	585408 10 INCH WHITE LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS (90 MIL)	100,000.000 LF	0.90		90,000.00	
5004	585431 5 INCH YELLOW PAVEMENT MARKING PAINT LINES	150,000.000 LF	0.0720		10,800.00	
5005	585433 5 INCH WHITE PAVEMENT MARKING PAINT LINES	150,000.000 LF	0.0720		10,800.00	
5006	585435 10 INCH WHITE PAVEMENT MARKING PAINT LINES	35,000.000 LF	0.13		4,550.00	
5007	585437 10 INCH YELLOW PAVEMENT MARKING PAINT LINES	20,000.000 LF	0.13		2,600.00	
5008	599300 5 INCH WHITE THERMOPLASTIC (40 MIL)	3,000,000.000 LF	0.2150		645,000.00	

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04/27

AASHTOWare Project

Maryland State Highway Administration

Contract Schedule

Page 2 of 2

Contract ID: 492D71419

Project(s): 492D71419

Apparent Low Bidder: V251582700

ALPHA SPACE CONTROL CO., INC.

SECTION 0001

492D71419

\$2,378,750.00

Alt Set ID:

Alt Mbr ID:

Quantity

Unit Price

Bid Amount

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
5009	599305 5 INCH YELLOW THERMOPLASTIC (40 MIL)	3,000,000.000 LF	0.2150		645,000.00	
5010	599310 10 INCH WHITE THERMOPLASTIC (40 MIL)	500,000.000 LF	0.30		150,000.00	
Total Bid:						\$2,378,750.00



11

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET
MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director of Public Works *JHT*
DATE: September 9, 2019
SUBJECT: Ocean Pines Pump Station V

.....
The Water and Wastewater Division is continuing to complete improvements to the Ocean Pines Pump Stations. The 2019/20 budget included \$45,000 in account number 555.8004.9010.090 to complete improvements at Pump Station V.

As with other stations throughout the County, we are standardizing on the manufacturer of pumps used for maintenance purposes and have been using Flygt Pumps in both new and upgraded stations throughout the county. Attached is a proposal from the local Flygt pump supplier for the two new pumps for Station V in Ocean Pines in the amount of \$27,407.

We are requesting permission from the County Commissioners to waive the formal bidding process for these pumps and purchase them directly from the local supplier.

If you have any questions, please do not hesitate to contact me.

cc: John S. Ross, P.E. Deputy Director
Jessica R. Wilson, CPA Enterprise Fund Controller

SHERWOOD-LOGAN & ASSOCIATES, INC.

2140 Renard Court
Annapolis, MD 21401
Office Phone: (410) 841-6810

8/15/19

Attn: Jeff Tingle
Collections System Supervisor
Worcester County DPW
1000 Shore Lane
Berlin, MD 21811

RE: Worcester County/Ocean Pines PS V – Flygt submersible pump proposal R1

Mr. Tingle,

Sherwood-Logan & Associates is pleased to provide you with the following Flygt submersible pump scope of supply & pricing as per your request;

- Quantity Two (2) – Flygt NP3127.060 SH with 249 impeller & 11HP/460V/3 phase motor per the attached data sheets. Each pump to include the following accessories;
 - 50' submersible cable
 - FLS
 - 3" CI discharge connection
 - Intermediate guidebar bracket for 4" discharge pipe
 - Upper guidebar bracket
 - MiniCas Module for leakage & temperature monitoring
 - Factory Testing

TOTAL PRICE per the scope of supply above including estimated freight: \$27,407.00

Notes/Comments:

- Delivery: 10 - 12 weeks ARO
- Each pump is drilled for a flush valve. If not used, port is closed by a gasketed cover plate
- Factory authorized start-up services have been excluded
- Freight is included
- Pump has 3" outlet & 3" discharge connection

Exclusions: lifting chain, davit crane, hoist, bolts, fasteners, ancillary hardware not specified above, XP rating, controls/control panel & installation.

Please feel free to contact me at the number below if you have any questions or require additional information & thank you the opportunity, we're grateful for your business.

Sincerely,

John Logan

John Logan
2140 Renard Court
Annapolis, MD 21401 Phone:
410.841.6810 ext. 326
logan.j@sherwoodlogan.com



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Marcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: September 9, 2019
SUBJECT: West Ocean City Service Area
Electrical Panel Purchase

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

.....
The 2019/20 budget for the West Ocean City Service Area included \$180,000 in account number 580.9010.090 to upgrade the final four (4) wastewater pump station monitoring systems and bring them into our SCADA program where they can be continuously monitored by the system operators. In addition, we are proposing to relocate the station electrical/control cabinets above-grade, reducing the need for confined space entry as it now exists.

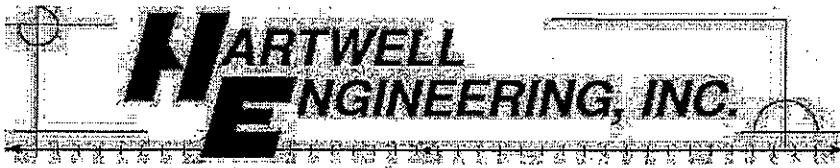
As a first step in this process, we have developed a standard SCADA electrical panel that we have been using in Ocean Pines for several years as well as in the most recently completed pump stations at Showell School, Riddle Farm and Frontier Town. We intend to incorporate the panel design into the West Ocean City improvements. Once the panels have been fabricated, construction contracts will be bid for installation of the panels and for completion of general improvements at the stations.

Attached is a proposal from Hartwell Engineering, Inc. (Hartwell) for supplying the panel for the West Ocean City Stations for a cost of \$32,700 per station for a total expense of \$130,800 for the 4 stations. Hartwell has supplied this same SCADA panel for all of the recent and pending pump station improvements in Ocean Pines. Since there are no buildings at the West Ocean City Pump Stations, this equipment will be mounted with the other station electrical components in a NEMA 3R external enclosure. *

We are requesting the Commissioners waive the formal bidding process and approve the purchase of these panels.

If you have any questions, please feel free to contact me.

cc: Jessica R. Wilson, CPA, Enterprise Fund Controller
John S. Ross, P.E. Deputy Director



196 Log Canoe Circle
Stevensville, Maryland 21666
Phone 443.249.3111

September 12, 2018

RE: Worcester County, Department of Public Works – West Ocean City Pump Station 4 Panel Fabrication

Scope of Work

The following is our scope of work for the fabrication of a SCADA (Pump Station Control Panel) for Worcester County, Department of Public Works.

1. Hartwell Engineering will provide all services required for the fabrication of the Pump Control Panel similar to the attached drawings

The control panel consists of the following:

- a. NEMA 3R Painted Steel Enclosure with Backpanel and Side Panel
 - b. PLC, OIT Display, and Radio to be provided by the County and installed by Hartwell.
 - c. Flowmeter Transmitter and Chart Recorder to be provided by the County and installed by Hartwell.
 - d. Ethernet Switch, TVSS, Relays, Pilot Devices, and other components as shown on the Drawings.
 - e. Two Variable Frequency Drives
 - f. Two Bypass Full Voltage Non-Reversing Starts
 - g. Low Voltage Panelboard with TVSS
 - h. Heater, Fans and Grille.
 - i. ISR Relays and connections.
 - j. Nameplates, Wiring, Terminal Blocks, Miscellaneous as shown on the Drawings
 - k. Development of Panel Drawings in AutoCAD format
2. Hartwell Engineering will fabricate the control panel in accordance with the above referenced drawings and UL508.
 3. Hartwell Engineering will perform factory testing of the panel upon completion of fabrication. Testing will be limited to wire verification and power. PLC, OIT, and Radio testing is included to demonstrate operation of the system. Control Logic is provided by others.
 4. Hartwell Engineering will deliver the control panel to Ocean Pines WWTP upon completion.
 5. Estimated completion and delivery of the control panel is 6 weeks after receipt of purchase order.

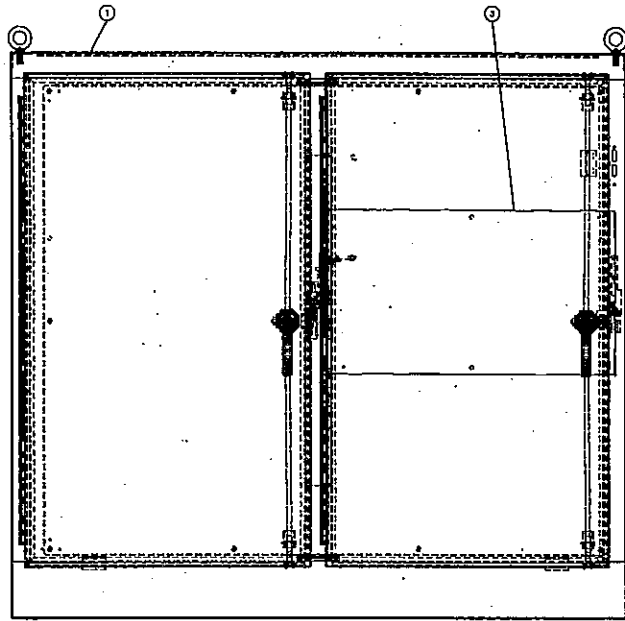
Costs

Cost for the fabrication of the control panel with the County providing the PLC, OIT, and Radio as described herein is: **\$ 32,700.00**

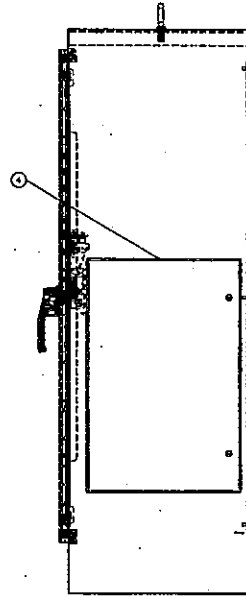
HARTWELL ENGINEERING, INC.

Tim L. Hartwell, P.E.
President

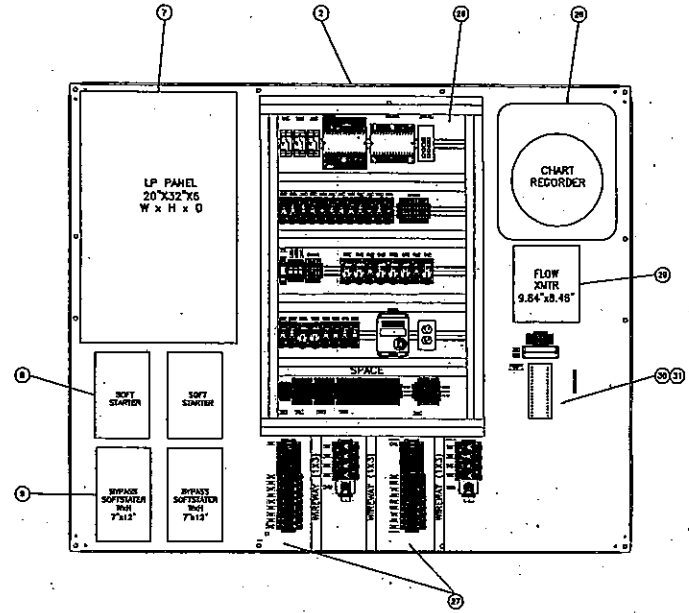
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FRONT VIEW



SIDE VIEW



INTERIOR VIEW

PANEL NAME	DRAWING DESCRIPTION	DRAWING NO.	REVISION	DATE	DESCRIPTION	DRAWN BY	APPROVED BY
	ENCLOSURE LAYOUT	XXX-1	1	08/10/18	APPROVED FOR SUBMITAL	LS	TJH
		SHEET NO.	01	OF	02		
		PROJECT NO.	XXX-XXX				
		SCALE	1:18				

HARTWELL ENGINEERING, INC.
 ENGINEERS • INTEGRATORS
 196 LOG CIRCLE
 STEVENSVILLE, MARYLAND 21666
 (410) 249-3111

3

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BILL OF MATERIAL				
ITEM	QTY	DESCRIPTION	CATALOG NUMBER	MANUFACTURER
ENCLOSURE				
1	1	ENCLOSURE, NEMA 4X, w/BACKPLATE	A72XM7824SSN4	HOFFMAN
2	1	BACKPLATE	A72PM78	HOFFMAN
3	1	INTERNAL BACKPLATE	A40P24	HOFFMAN
4	1	SIDE PANEL	CSD3020BSS	HOFFMAN
5				
6				
POWER				
7	1	LP PANEL 240V 3PH, 125A MCB	NF430LIC	SQUARE D
8	2	SOFT START	ATS48D47Y	SQUARE D
9	2	BYPASS SOFT STARTER	T36EN13L7	SQUARE D
10	--			
11	--			
12	--			
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MISCELLANEOUS				
26	1	RTU		
27	1	PUMP CONTROLS		
28	1	CHART RECORDER	DR4500	HONEYWELL
29	1	FLOW TRANSMITTER		
30	1	INTRINSICALLY SAFE BARRIER		
31	1	INTRINSICALLY SAFE RELAY		
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*A/R - QUANTITY AS REQUIRED

NAMEPLATE NOTES:

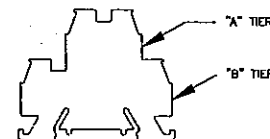
- EXTERIOR ENCLOSURE NAMEPLATES TO HAVE 1/2" LETTERING, WITH BEVELED EDGES AND BLACK BACKGROUND WITH WHITE LETTERS.
- ALL EXTERIOR NAMEPLATES TO HAVE 1/4" LETTERING, WITH BEVELED EDGES AND BLACK BACKGROUND WITH WHITE LETTERS.
- ATTACH ALL FRONT PANEL NAMEPLATES WITH PERMANENT ADHESIVE AND STAINLESS STEEL SCREWS.
- ALL INTERIOR NAMEPLATES TO HAVE 1/8" LETTERING, ATTACHED NEAR THE DEVICE WITH PERMANENT ADHESIVE.

UL LISTED:

HARTWELL ENGINEERING INC. FACTORY NO. 898461-001
CONTROL PANEL WILL BE FABRICATED WITH UL-508A
LISTING AS A COMPLETED ASSEMBLY.

UL LISTED INDUSTRIAL CONTROL PANEL

SERIAL NUMBER: _____



TERMINAL BLOCKS (2 TIER)

BLACK - 120VAC LINE
 BLUE - DC CONTROL WIRING (+)
 BLUE/BLACK - DC (-)
 GREEN - GROUND
 RED - AC CONTROL WIRING
 WHITE - 120VAC NEUTRAL
 YELLOW - EXTERNAL ENERGIZED CIRCUITS
 ANALOG - GREY, BLACK(-), RED(+)
 POWER - #12 AWG
 CONTROL - #16 AWG
 SIGNAL - #18 AWG TSP

LEGEND

- TERMINAL BLOCKS (1 TIER)
- TERMINAL BLOCKS (2 TIER)
- SURGE SUPPRESSOR
- ISR BARRIERS
- ITEM IDENTIFICATION
- RELAY TERMINAL
- TERMINAL BLOCKS (2 TIER) w/GROUND

PANEL NAME	DRAWING DESCRIPTION	DRAWING NO.	REVISION	DATE	DESCRIPTION	DRAWN BY	APPROVED BY
	PARTS AND MATERIALS	XXX-2	1	08/10/18	APPROVED FOR SUBMITTAL	LS	TLH
		SHEET NO.	02	OF	02		
		PROJECT NO.	XXX-XXX				
		SCALE	N/A				

HARTWELL ENGINEERING, INC.
 ENGINEERS • INTEGRATORS
 196 LOG CANGE CIRCLE
 STEVENSVILLE, MARYLAND 21666
 (443) 249-3111



13

RECEIVED
SEP 11 2019
Worcester County Admin

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: September 10, 2019
SUBJECT: Mystic Harbour Effluent Disposal Project
Change Order Number 3

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET
MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

Attached for approval is Change Order Number 3 from Somerset Well Drilling for the Mystic Harbour Effluent Disposal Project. This represents the final change order for the project and reflects the adjustment of the project quantities as-constructed. This change order represents a net reduction of \$32,032.99 in the project cost.

The following summarizes the cost for the work:

Original Bid Price	\$687,988.00
Change Order Number 1	17,598.42
Change Order Number 2 (time extension only)	---
Change Order Number 3	(32,032.99)
Final Contract Amount	\$673,546.43

All work on the project has now been completed.

If you have any questions, please feel free to contact me.

cc: Jessica R. Wilson, CPA, Enterprise Fund Controller
John S. Ross, P.E. Deputy Director

Change Order

No. 3

Date of Issuance: 9/9/19

Effective Date: 4/18/19

Project: Mystic Harbor Effluent Disposal	Owner: Worcester County	Owner's Contract No.: 0085B030
Contract: Mystic Harbor Effluent Disposal		Date of Contract:
Contractor: Somerset Well Drilling Company, Inc.		Engineer's Project No.: 0085B030

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Adjustment of Quantities of Bid Items to reflect Actual Quantities used to Complete the Work.

Attachments (list documents supporting change):

Balancing Change Order Worksheet.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$687,988.00

[Increase] ~~[Decrease]~~ from previously approved Change Orders No. 0 to No. 1:

\$17,598.42

Contract Price prior to this Change Order:

\$705,586.42

~~[Increase]~~ [Decrease] of this Change Order:

\$32,032.99

Contract Price incorporating this Change Order:

\$673,546.43

Original Contract Times:

Working days

Calendar days

Substantial completion (days or date): 9/3/18

Ready for final payment (days or date): 10/3/18

[Increase] ~~[Decrease]~~ from previously approved Change Orders No. 1 to No. 2:

Substantial completion (days): 205

Ready for final payment (days): 205

Contract Times prior to this Change Order:

Substantial completion (days or date): 4/18/19

Ready for final payment (days or date): 5/18/19

~~[Increase]~~ ~~[Decrease]~~ of this Change Order:

Substantial completion (days or date): 0

Ready for final payment (days or date): 0

Contract Times with all approved Change Orders:

Substantial completion (days or date): 4/18/19

Ready for final payment (days or date): 5/18/19

RECOMMENDED:

By: John M. Say, CADBF
Engineer (Authorized Signature)

Date: 9/10/19

Approved by Funding Agency (if applicable):

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 9/9/19

Date: _____

ATTACHMENT A

Change Order No. 3

Mystic Harbor Effluent Disposal, Worcester County, Maryland - DBF #0085B030

September 9, 2019

Item No.	Description	Units	Est. Qty.	As-Bid		Actual		Variance	
				Unit Price	Total Price	Units	Extension	Units	Extension
1	Mobilization, Bonds and Insurance 5%	LS	1	\$34,813.00	\$34,813.00	1	\$34,813.00	0	\$0.00
AD-1	Furnish and Install Effluent Tri Plex Pump Station Complete	LS	1	\$184,203.00	\$184,203.00	1	\$184,203.00	0	\$0.00
3	Furnish and install forcemain 6"	LF	1525	\$70.26	\$107,146.50	1198	\$84,171.48	-327	-\$22,975.02
4	Furnish and install forcemain 8"	LF	18	\$127.62	\$2,297.16	27	\$3,445.74	9	\$1,148.58
5	Furnish and install forcemain 12"	LF	20	\$60.95	\$1,219.00	11	\$670.45	-9	-\$548.55
6	Furnish and install Ductile Iron Forcemain Between Mystic Harbor tank and pump station including bypass	LF	50	\$208.00	\$10,400.00	45	\$9,360.00	-5	-\$1,040.00
7	Furnish and Install Forcemain by directional Bore	LF	212	\$85.82	\$18,193.84	212	\$18,193.84	0	\$0.00
8	Furnish and Install Flow Meter Vault 6"	EA	1	\$19,495.00	\$19,495.00	1	\$19,495.00	0	\$0.00
9	Furnish and Install Flow Meter Vault 8"	EA	1	\$23,670.00	\$23,670.00	1	\$23,670.00	0	\$0.00
10	Furnish and Install Automated Valve Vault	LS	1	\$28,268.00	\$28,268.00	1	\$28,268.00	0	\$0.00
11	Clean and Perform CCTV Inspection of the Pond Connector Pipe	LF	350	\$20.00	\$7,000.00	215	\$4,300.00	-135	-\$2,700.00
12	Furnish and Install all Materials and Labor for EL pond Weir	LS	1	\$23,000.00	\$23,000.00	1	\$23,000.00	0	\$0.00
13	Furnish and Install all Materials and Labor Outfall at the EL pond	LS	1	\$7,000.00	\$7,000.00	1	\$7,000.00	0	\$0.00
14	Furnish and Install Plug Valves 6"	EA	8	\$1,725.00	\$13,800.00	12	\$20,700.00	4	\$6,900.00
15	Furnish and Install all Electrical Equipment and programming	LS	1	\$171,000.00	\$171,000.00	1	\$171,000.00	0	\$0.00
16	Furnish and Install all Materials and Labor Provide piping mods and cleaning to Castaways tank	LS	1	\$16,475.00	\$16,475.00	1	\$16,475.00	0	\$0.00
Contingencies:									
17	Misc Excavation & Backfill for test pitting	CY	75	\$34.50	\$2,587.50	75	\$2,587.50	0	\$0.00
18	Furnish and install Backfill	CY	400	\$23.00	\$9,200.00		\$0.00	-400	-\$9,200.00
19	Excavation Below Subgrade & Gravel Refill	CY	60	\$34.50	\$2,070.00		\$0.00	-60	-\$2,070.00
20	Furnish Replace Misc Concrete	CY	10	\$115.00	\$1,150.00		\$0.00	-10	-\$1,150.00
21	Furnish and Install Additional Fittings not Shown on Plans	LBS	1000	\$5.00	\$5,000.00	535	\$2,675.00	-465	-\$2,325.00
Change Order:									
CO1	Five items: Tree removal, Electrical power for ESP Panel, Sump Pump Electrical, 10" ADS replacement, Weir structure changes	LS	1	\$17,598.42	\$17,598.42	0.9509902	\$16,735.92	-0.0490098	-\$862.50
Total of Original Contact Amount Plus CO #1					\$705,586.42		\$670,763.93		-\$34,822.49
Additional Work:									
	Fence removal and reinstall at WWTP Entrance	LS	1			1	\$945.00	0	\$945.00
	Paving in Green Turtle Parking Lot	LS	1			1	\$1,837.50	0	\$1,837.50
					\$705,586.42		\$673,546.43		-\$32,039.99
Net Change to the Contract									-\$32,039.99

3

ATTACHMENT A

Change Order No. 3

Mystic Harbor Effluent Disposal, Worcester County, Maryland - DBF #0085B030

September 9, 2019

Item No.	Description	Units	Est. Qty.	As-Bid		Actual		Variance	
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Contingencies:									
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20	Furnish Replace Misc Concrete	CY	10	\$115.00	\$1,150.00		\$0.00	-10	-\$1,150.00
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	Paving in Green Turtle Parking Lot	LS	1			1	\$1,837.50	0	\$1,837.50
					\$705,586.42		\$673,546.43		-\$32,039.99
Net Change to the Contract									-\$32,039.99

H

Anderson Fence Company, Inc.
 30200 Rehobeth Road
 Marion Station, MD 21838-2214
 410-623-3061

Invoice

Date	Invoice #
1/30/2019	45645

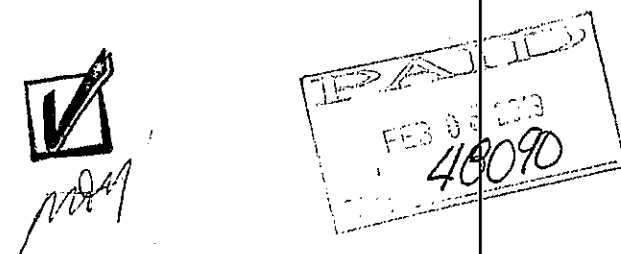
Bill To

Somerset Well Drilling
 PO Box 67
 Westover, MD 21871

Ship To

9624 Stephen Decatur Highway
 Berlin, MD

P.O. No.	Contact	Terms	Due Date
	Brett Mariner	Due on receipt	1/30/2019

Description	Amount
Repair and replace chain link fence and gate	900.00
	
Total	\$900.00
Payments/Credits	\$0.00
Balance Due	\$900.00

THANK YOU FOR YOUR BUSINESS

INVOICE

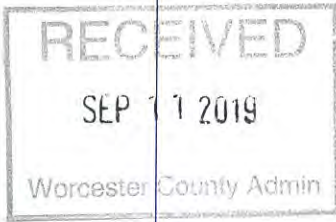
Morris McNeil paving Contractor LLC
521 friendship village dr Harrington de
19952

DATE 7/40/19

INVOICE #:

Bill To: Somerset well drilling co inc
P. O Box 67
Westover Md 21871

DESCRIPTION	AMOUNT
Repair broken asphalt Greene Turtle parking lot	
TOTAL	\$1,750.00



14

Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director of Public Works *JHT*
DATE: September 9, 2019
SUBJECT: Newark Water Tower - First Amendment to Antenna Mounting Space Lease Agreement - Verizon Wireless

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

.....
Attached is the First Amendment to the Antenna Mounting Space Lease Agreement with Verizon Wireless for mounting antennas to the Newark Water Tower. Verizon Wireless is proposing a modification to the method that the antennas are attached to the water tower to avoid welding on the tank bowl. Staff had raised a concern for damage to the tank coating if welding had occurred on the tank bowl.

This document addresses the welding concern and has been reviewed by the County Attorney. It is presented for approval.

If you have any questions, please do not hesitate to contact me.

Attachment

cc: John S. Ross, P.E. Deputy Director
Jessica R. Wilson, CPA Enterprise Fund Controller

Lessee Site Name: Newark

**FIRST AMENDMENT TO ANTENNA
MOUNTING SPACE LEASE AGREEMENT**

THIS FIRST AMENDMENT TO ANTENNA MOUNTING SPACE LEASE AGREEMENT (this “**First Amendment**”) made this ____ day of _____, 2019, between the COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND (“**Lessor**”), and CELLCO PARTNERSHIP, a Delaware general partnership, d/b/a Verizon Wireless (“**Lessee**”).

EXPLANATORY STATEMENT

A. Pursuant to an Antenna Mounting Space Lease Agreement dated July 16, 2018 (the “**Original Agreement**”), Lessee agreed to lease from Lessor certain space at Lessor’s property and on Lessor’s water tank known as the Newark Water Tank located at Mill Street, Newark, Worcester County, Maryland.

B. Lessee has determined that it is necessary to relocate certain portions of the Premises (as defined in the Original Agreement), and thus Lessor and Lessee have agreed to amend the Original Agreement in accordance with the terms and conditions of this First Amendment.

NOW, THEREFORE, WITNESSETH, that Lessor and Lessee, in consideration of the foregoing Explanatory Statement and the mutual covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

1. **Explanatory Statement; Defined Terms.** The Explanatory Statement of this First Amendment forms an integral part hereof. The use of initially capitalized terms in this First Amendment shall have the meaning ascribed to them in the Original Agreement unless the context requires otherwise.
2. **Exhibit A Replacement.** To reflect the relocation of the Premises, each of Exhibit A-1, Exhibit A-2 and Exhibit A-3 attached to the Original Agreement is hereby deleted in its entirety and replaced with Exhibit A-1, Exhibit A-2 and Exhibit A-3 attached to this First Amendment and incorporated herein.
3. **Panel Antenna Rad Center.** The parties acknowledge and agree that due to the relocation of portions of the Premises as contemplated by this First Amendment, the rad center of Lessee’s panel antennas identified in Exhibit B of the Original Agreement is no longer accurate, and thus the parenthetical in the second bullet point on Exhibit B of the Original Agreement is hereby deleted and replaced with the following “(approximately 123’-0” rad center)”.
4. **No Other Amendments.** In all other respects, the Original Agreement shall remain in full force and effect and binding on the each of Lessor and Lessee and each of their respective successors and assigns, except as amended herein.

Lessee Site Name: Newark

5. **Representations.** Each party hereto hereby represents to the other that it has the power to execute this First Amendment and that the execution and delivery of this First Amendment (a) has been authorized by all proper action, (b) has been executed by a duly authorized representative of such party, and (c) constitutes the valid and binding obligation of such party.

IN WITNESS WHEREOF, the duly authorized representatives of the parties hereto have executed this First Amendment as of the date first above written.

Lessor:
COUNTY COMMISSIONERS OF WORCESTER
COUNTY, MARYLAND

WITNESS

By: _____
Name: Diana Purnell
Title: President

Date: _____

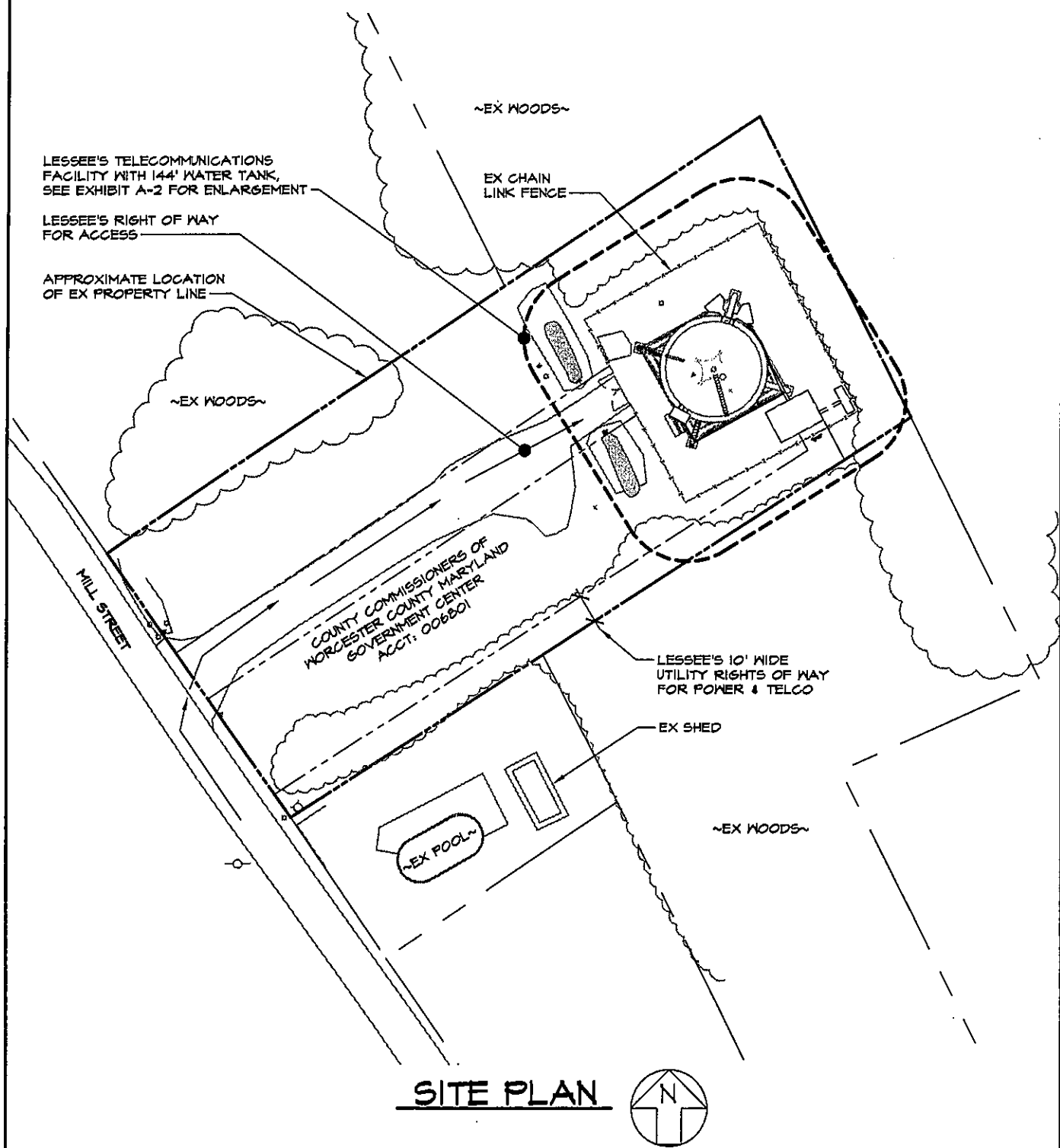
Lessee:
CELLCO PARTNERSHIP d/b/a Verizon Wireless

WITNESS

By: _____
Thomas O'Malley
Director – Network Field Engineering

Date: _____

EXHIBIT A-1

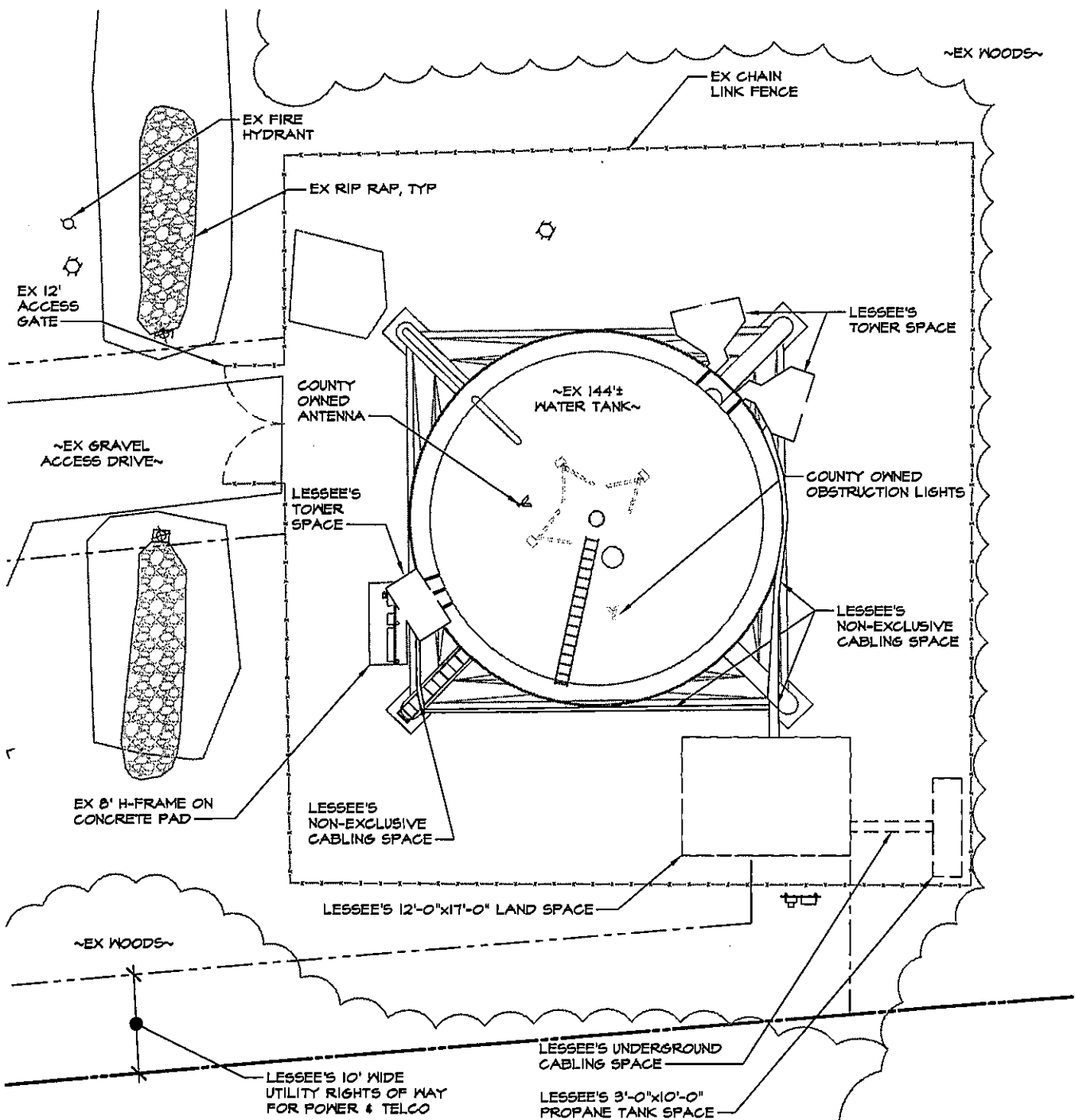


MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C East Joppa Road, Suite 505
Towson, Maryland 21286
(410) 821-1690
Fax (410) 821-1748

NEWARK
MILL STREET
NEWARK, MARYLAND 21841
WORCESTER COUNTY

SCALE: AS NOTED	DATE: 09/05/19	DRAWN BY: CJS	DESIGN BY: BES	REVIEW BY: BES	JOB NO.: 10427.2212
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EXHIBIT A-2



COMPOUND LAYOUT



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

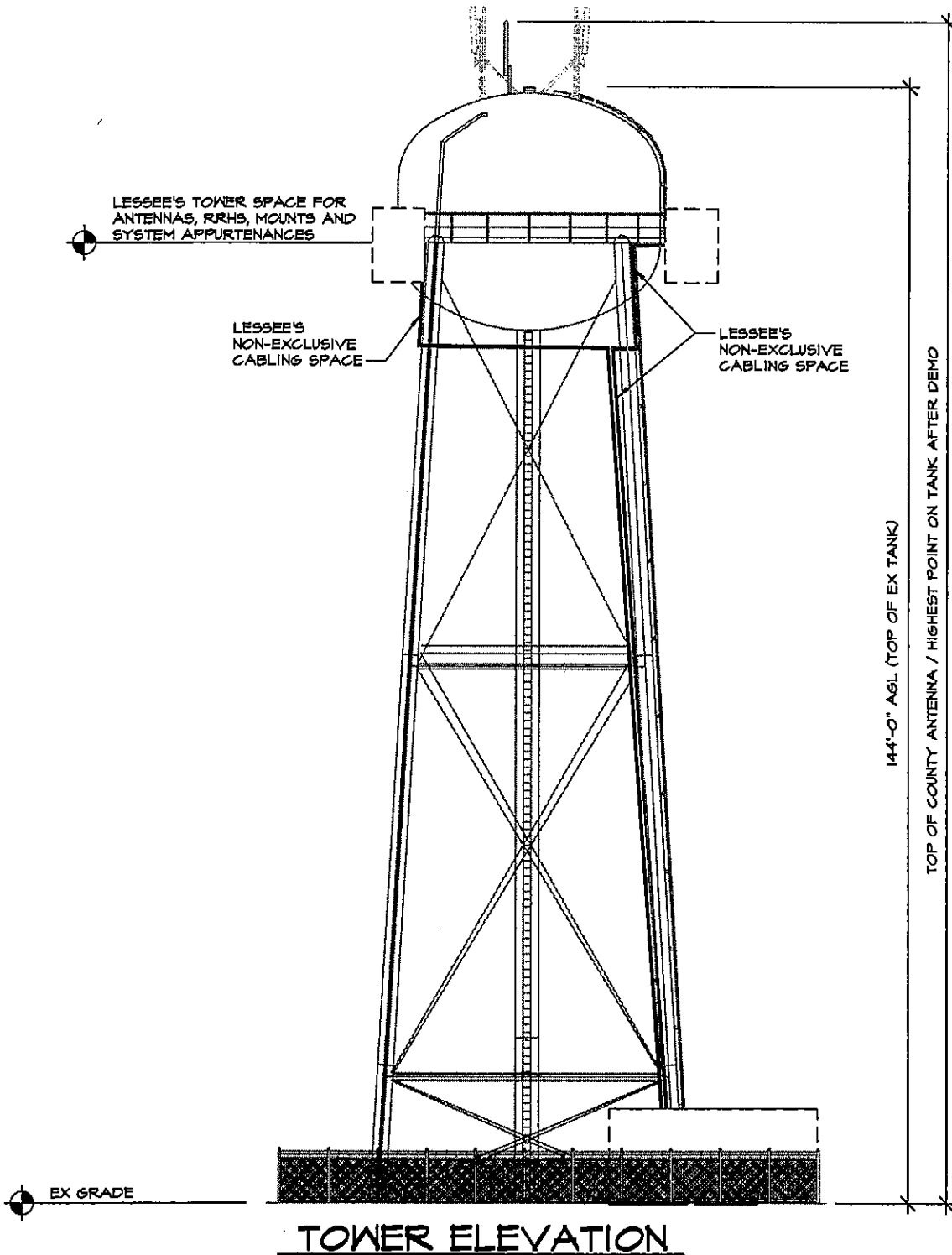
1220-C East Joppa Road, Suite 505
Towson, Maryland 21286
(410) 821-1690
Fax (410) 821-1748

NEWARK

**MILL STREET
NEWARK, MARYLAND 21841
WORCESTER COUNTY**

SCALE: AS NOTED	DATE: 09/05/19	DRAWN BY: CJS	DESIGN BY: BES	REVIEW BY: BES	JOB NO.: 10427.2212
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EXHIBIT A-3



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

1220-C East Joppa Road, Suite 505
Towson, Maryland 21286
(410) 821-1690
Fax (410) 821-1748

NEWARK
MILL STREET
NEWARK, MARYLAND 21841
WORCESTER COUNTY

SCALE: AS NOTED	DATE: 09/05/19	DRAWN BY: CJS	DESIGN BY: BES	REVIEW BY: BES	JOB NO.: 10427.2212
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6



15

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

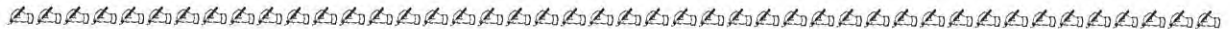
GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410-632-1200 / FAX: 410-632-3008
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director of Development Review and Permitting *EAT*
DATE: September 11, 2019
RE: Proposed Annexation - Town of Berlin

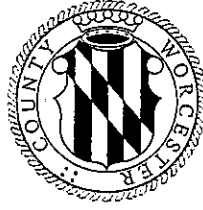


At the August 6, 2019, Commissioners' meeting the Commissioners reviewed the proposed annexation of the I.G. Burton auto dealership on the northerly side of Maryland Route 346 identified on Worcester County Tax Map 25, Parcel 395 and Parcel 86 Lots 3 through 13. The Commissioners were concerned about how Barrett Road which bisects the subject properties would be handled. The Commissioners stated their concurrence with the proposed rezoning upon the annexation was contingent upon the Town of Berlin's acknowledgment that Barrett Road would be annexed and be maintained by the Town of Berlin. You, County Attorney Maureen Howarth and I met with representatives from the Town of Berlin and I.G. Burton on August 29, 2019. The result of said meeting was that I.G. Burton agreed that as a part of their annexation agreement with the Town of Berlin, I.G. Burton will take ownership of Barrett Road and create the turnaround at the terminus of the County road. The process Ms. Howarth and I suggest taking is that the County does not quit claim Barrett Road to I.G. Burton until the annexation agreement is approved, signed and passes Berlin's 45 day referendum period. Based on Berlin's procedural scheduling, we do not believe this would occur until November. The Town of Berlin did not want to take ownership of a road that is essentially on private property and used by customers visting that private business.

Should you require additional information or have any question, please do not hesitate to contact me.

EAT/phw

Attachments



OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
MADISON J. BUNTING, JR.
JAMES C. CHURCH
THEODORE J. ELDER
JOSHUA C. NORDSTROM

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195
August 7, 2019

Mayor Wm. Gee Williams
Mayor and Council of Berlin
10 William Street
Berlin, Maryland 21811

RE: Annexation of IG Burton Property in Berlin

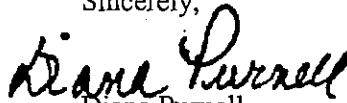
Dear Mayor Williams:

Please be advised that at our meeting of August 6, 2019, the Worcester County Commissioners reviewed the proposed annexation of the I.G. Burton auto dealership property (formerly Barrett Chevrolet) which is a roughly 6.1 acre property located on the northerly side of Maryland Route 346 (Old Ocean City Road) and the southerly side of US Route 50 (Ocean Gateway) as identified on Worcester County Tax Map 25 as Parcel 395 and Lots 3 through 13 of Parcel 86. We understand that you are proposing to rezone the subject properties from C-2 General Commercial District under County Zoning to B-2 Shopping District under the Town of Berlin's Zoning.

During our discussion of this matter, the County Commissioners expressed concern that it was not clear that Barrett Road, which bisects the subject properties to provide access to Old Ocean City Road, would be incorporated into the Town of Berlin as part of this annexation. Concurrence of the County Commissioners with regard to the proposed rezoning upon annexation is contingent upon your acknowledgment that Barrett Road is included as part of the annexation and would be maintained by the Town of Berlin upon annexation as is the case with all other roads within the corporate limits of the Town of Berlin. So after careful consideration of your proposal and subject to the inclusion of Barrett Road into the corporate limits of the Town of Berlin, the County Commissioners concur with the proposed rezoning upon annexation of these parcels.

Thank you for providing us with an opportunity to review and comment on this proposed annexation. If you should have any questions or concerns, please feel free to contact either me or Harold L. Higgins, Chief Administrative Officer, at this office.

Sincerely,


Diana Purnell
President

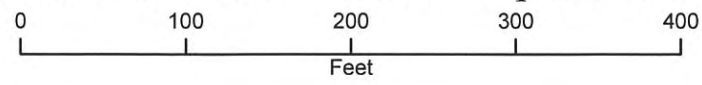
DP/KS

cc: Edward A. Tudor, Director of Development Review & Permitting
Bob Mitchell, Environmental Programs Director
Maureen Howarth, County Attorney
CC500/Berlin.Annexation-2019



PROPOSED ANNEXATION - TOWN OF BERLIN
Tax Map 25, Parcel 395 and Parcel 86, Lots 3-13
 DEPARTMENT OF DEVELOPMENT REVIEW & PERMITTING

Technical Services Division - September 2019





16

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
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: September 10, 2019
RE: Demo Bids - Nuisance Abatement Order 18-3 - 5492 and 5496 Stockton Road

Bids were opened for the above referenced work on Monday, August 26, 2019 at 1:00 p.m. A total of four bids were received from the following and were for the amounts indicated:

		Page
Harry White House Movers	\$26,500	3
Beauchamp Construction	\$31,890	4
Absolute Demolition	\$33,744	5
Bennett Construction	\$40,941	6

Bid Specifications
- page 7

The low bid received from Harry White House Movers did not include the name, license number and contact information for a Maryland Licensed Material Inspection Contractor as required. With this omission, I consider the bid incomplete. The second lowest bidder, Beauchamp Construction, took exception to any well closure in their bid. While they were the only one to do so, I do not believe any costs associated with such a closure would exceed the difference to the next lowest bid. I therefore recommend award for the demolition contract to the second lowest price bid from Beauchamp Construction. I have attached herewith copies of each of the four bids for your information.

As always, I will be available to discuss the matter with you and the County Commissioners at your convenience.

Attachments

cc: Bill Bradshaw, Building Administrator
Lisa Wilkens, Zoning Inspector

Competitive Bid Worksheet

Item: Demolition of 5492 and 5496 Stockton Road - Stockton, MD

Bid Deadline/Opening Date: 1:00 P.M., August 26, 2019

Bids Received by deadline = 4

Vendor's Submitting Bids

Total Lump Sum Bid

Absolute Demolition

P.O. Box 662
Ocean City, MD 21843

\$ 33,774

Beauchamp Construction

P.O. Box 389 - 900 Clarke Avenue
Pocomoke, MD 21851

\$ 31,890

Harry White House Movers

2623 Brantley Road
Pocomoke, MD 21851

\$ 26,500

Bennett Construction, Inc.

515 South Camden Avenue
Fruitland, MD 21826

\$ 40,941

House Movers
(NAME OF COMPANY)

submits this proposal for the following project:

Building/Structure Demolition for:

Location: 5492 and 5496 Stockton Road, Stockton, Maryland 21864

A. Proposal Pricing

Lump Sum Scope of Work – Inspections, Demolition, Disposal, Restoration

\$ 26,500.-

List Exceptions to the Scope of Work Excludes Asbestos Removal

B. Addendum Acknowledgement

Addendum # _____ - Signature Harry White

C. Maryland Licensed Material Inspection Contractor

Company Name: _____

Company Contact: _____

MD License: _____

Phone Number: _____

D. Bid must be signed to be considered

Date 8-26-19

Signature: Harry White

Name: Harry White

Company: House Movers

Address: 2423 Brantley Rd Rossmore City

Telephone: 410-726-5622

MD License: 5250385

Beauchamp Construction :
(NAME OF COMPANY)

submits this proposal for the following project:

Building/Structure Demolition for:

Location: 5492 and 5496 Stockton Road, Stockton, Maryland 21864

A. Proposal Pricing

Lump Sum Scope of Work – Inspections, Demolition, Disposal, Restoration

\$ 31,890

List Exceptions to the Scope of Work Well closure, removal of cedar tree

B. Addendum Acknowledgement

Addendum # _____ - Signature _____

C. Maryland Licensed Material Inspection Contractor

Company Name: Fishers Environmental

Company Contact: Lance Fisher

MD License: M21-22-075

Phone Number: 443-359-5192

D. Bid must be signed to be considered

Date 8-22-19

Signature: Kimberly Beauchamp

Name: Kimberly Beauchamp

Company: Beauchamp Construction

Address: 900 Clarke Avenue, P.O. Box 389, Pocomoke, MD 21851

Telephone: 410-957-1100

MD License: 6931

Absolute Demolition :
(NAME OF COMPANY)

submits this proposal for the following project:

Building/Structure Demolition for:

Location: 5492 and 5496 Stockton Road, Stockton, Maryland 21864

A. Proposal Pricing

Lump Sum Scope of Work – Inspections, Demolition, Disposal, Restoration

List Exceptions to the Scope of Work

\$ 31,774.00
Thirty One Thousand Seven Hundred and Seventy Four
Removal & Abatement of ANY hazardous
materials discovered.

B. Addendum Acknowledgement

Addendum # _____ - Signature

B. J. T.

C. Maryland Licensed Material Inspection Contractor

Company Name: HE Consulting

Company Contact: Phillip Hawk

MD License: on file

Phone Number: (202) 207-5737

D. Bid must be signed to be considered

Date: 8/22/19

Signature: _____

Name: Absolute Demolition

Company: _____

Address: PO Box 662 Ox. MD. 21843

Telephone: 410-289-9900

MD License: _____

on file

BENNETT CONSTRUCTION :

(NAME OF COMPANY)

submits this proposal for the following project:

Building/Structure Demolition for:

Location: 5492 and 5496 Stockton Road, Stockton, Maryland 21864

A. Proposal Pricing

Lump Sum Scope of Work – Inspections, Demolition, Disposal, Restoration

\$ 40,941.00

List Exceptions to the Scope of Work _____

B. Addendum Acknowledgement

Addendum # N/A - Signature [Signature]

C. Maryland Licensed Material Inspection Contractor

Company Name: HE CONSULTING

Company Contact: MICHAEL HAWN

MD License: 18031511

Phone Number: 202-207-5737

D. Bid must be signed to be considered

Date 08-23-2019

Signature: [Signature]

Name: BRUCE GIORDANO

Company: BENNETT CONSTRUCTION, INC.

Address: 515 S. CAMDEN AVE FRUITLAND, MD 21826

Telephone: (410) 749-3116

MD License: 22A79A27

TEL: 410-632-1194
FAX: 410-632-3131
E-MAIL: admin@co.worcester.md.us
WEB: www.co.worcester.md.us



OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
MADISON J. BUNTING, JR.
JAMES C. CHURCH
THEODORE J. ELDER
JOSHUA C. NORDSTROM

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

August 7, 2019



TO: *The Daily Times Group and Ocean City Today Group*
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*

Please print the attached Notice to Bidders in *The Daily Times/Worcester County Times/Ocean Pines Independent and Ocean City Digest/Ocean City Today* on August 15, 2019. Thank you.

NOTICE TO BIDDERS

Demolition and Disposal of Structures at 5492 and 5496 Stockton Road in Stockton, Worcester County, Maryland

The Worcester County Commissioners are currently accepting bids for the demolition and disposal of structures located at 5492 and 5496 Stockton Road, Stockton, Maryland 21864. Bid specification packages and bid forms may be picked up from the Office of the County Commissioners, Worcester County Government Center, One West Market Street - Room 1103, Snow Hill, Maryland 21863, obtained online at www.co.worcester.md.us or by calling the Commissioners' Office at 410-632-1194 to request a package by mail. Any questions must be submitted in writing to the Department of Development Review & Permitting, Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863, by 1:00 PM EST on Monday, August 19, 2019. **Sealed bids will be accepted until 1:00 PM EST, Monday, August 26, 2019** in the Office of the County Commissioners, Worcester County Government Center, One West Market Street - Room 1103, Snow Hill, Maryland 21863, at which time they will be opened and publicly read aloud. Envelopes shall be marked "**Bid for Demolition of 5492 and 5496 Stockton Road**" in the lower left-hand corner. After opening, bids will be forwarded to the Department of Development Review & Permitting for tabulation, review and recommendation to the County Commissioners for their consideration at a future meeting. In awarding the bid, the Commissioners reserve the right to reject any and all bids, waive formalities, informalities and technicalities therein, and to take whatever bid they determine to be in the best interest of the County considering lowest or best bid, quality of goods and work, time of delivery or completion, responsibility of bidders being considered, previous experience of bidders with County contracts, or any other factors they deem appropriate. All inquiries shall be directed to Edward A. Tudor, Director, Development Review & Permitting, at the above address or by email to etudor@co.worcester.md.us. Email correspondence is encouraged.

Worcester County Maryland
Request For Proposal
Building/Structure Demolition

Location of Work: 5492 and 5496 Stockton Road, Stockton, Maryland 21864

Worcester County Contract: Nuisance Abatement Order #18-3

Proposal Due: August 26, 2019

1. Description of Work

- a. The structures at the above location will be demolished and completely removed from the property. The structures are not occupied and have been declared by the Commissioners of Worcester County to be a public nuisance. The demolition includes the removal of the entire structures and their contents, proper disposal of all material and debris, the cutting and disposal of all vegetation to allow access, and the restoration of the site.

2. Scope of Work

a. Hazardous Materials Survey

- i. Conduct a hazardous materials survey of the structure and property. The survey must be conducted by an approved vendor, licensed by the State of Maryland. Results of the survey are to be provided to Worcester County prior to demolition activities.
- ii. Removal of any asbestos or other hazardous substances identified in the survey shall be completed by a licensed contractor in accordance with State and Federal Regulations.
- iii. The cost of any identified hazardous material may be considered a change order to the original cost of the contract. Prior approval of the change order must be completed, in writing, with Worcester County. Any

hazardous material removal in excess of \$10,000 requires at least three proposals from licensed contractors.

b. Rodents, Pests and Animals

- i. Inspect the structure and contents to the extent possible for rodents, pests and animals prior to any site demolition.
- ii. Extract any Rodent, Pests or Animals by appropriate means prior to demolition activities.

c. Work areas, Adjacent Properties and Access

- i. Establish safe work areas for demolition operations.
- ii. Secure agreements with adjacent property owners if necessary to carry out the demolition.
- iii. Establish loading and hauling routes with State and County agencies and conduct traffic control if required.
- iv. Post and barricade work area to assure safety. The contractor shall provide, erect and maintain at all times suitable barricades, fences, signs or other adequate protection (including danger lights, area lights, signals, watchmen) as may be necessary to ensure site safety.
- v. The Contractor shall supply sanitary facilities for site use by workers. All facilities shall be maintained and comply with local State health standards.

d. Permits

- i. Secure all necessary permits or certificates required to complete the demolition in accordance with Federal, State and Local jurisdictions.
- ii. Permits include – but not limited to:
 1. Worcester County Demolition Permit in cooperation with the County. (No fee will be required.)
 2. Worcester County Sediment and Erosion Control if area disturbed for demolition exceeds 5000 Square feet.

3. Maryland Department of Environment Notification of Intent to Demolish (800-633-6101).

e. Utility Services

- i. Coordinate the safe removal of all utilities that serve the structure, including electric, phone, cable television, sewer and water by the appropriate utility company.
- ii. Secure and maintain an updated Miss Utility ticket.
- iii. All utilities and piping to be cut off and capped before entering the building to be completed prior to demolition.

f. Demolition

- i. Demolish designated structure/s, including all foundations, footings, slab, below and above grade components and related appurtenances. Crush and fill septic tanks identified onsite by County personnel.
- ii. Execute all demolition work in a safe, orderly manner. Barricade site and cover as necessary to protect all pedestrians, workmen and adjacent properties. Control dusting associated with the demolition.
- iii. Avoid encroachment on adjacent properties. Contact all adjacent property owners prior to demolition. If encroachment is required to safely execute work, complete agreement in writing with adjacent owners and provide to County prior to site demolition work. The demolition contractor shall repair any damage to adjoining properties, buildings, vehicles, buildings, landscaping, soils, etc. resulting from the demolition or demolition operations.
- iv. Provide, if necessary, erosion and sediment control measures.
- v. In the case of wells present, County Environmental Programs will identify for closure to be provided by a licensed well installation contractor.

g. Restoration of Site

- i. Backfill any excavated and below exterior grade area as a result of the demolition.

- ii. Provide and place clean AASHTO A-2-4 backfill material as required to level site.
- iii. Areas damaged and disturbed by the demolition shall be re-seeded with appropriate ground cover and covered with straw. Backfill shall be stabilized.

h. Disposal

- i. All demolition material, branches, vegetation, trash and debris shall become the property of the Contractor and be promptly removed from site. Contractors shall not be permitted to bury, store, stage or allow debris to accumulate at site. Any salvage operation is not permitted to continue at site beyond building demolition.
- ii. Transport demolition waste materials from the site and dispose of at a legal offsite disposal area. Provide documentation of disposal in a legal landfill or recycler. Documentation of proper disposal will be required to release final payment of funds.
- iii. On completion of the demolition, the property and adjacent areas shall be neat and clean to the satisfaction of the Project Manager, County and State inspectors.

3. Schedule of Work

- a. Work will proceed when released by Worcester County. Proposals shall include contractor's first available date for work at site.
- b. All work shall be scheduled between the hours of 7:00 am and 8:00 pm on weekdays and 9:00 am to 8:00 pm weekends.

4. Proposal Requirements

- a. Pricing shall be proposed as lump sum for the entire project. Hazardous material investigation shall be included with the lump sum proposal. Actual hazardous material abatement costs shall be identified and submitted as a change order for approval by the Commissioners of Worcester County Maryland, if required.
- b. A separate contract with Worcester County may be required prior to the completion of this work.
- c. Proof of Insurance is required to be provided and accepted by Worcester County.

- d. The proposals will be evaluated and awarded based on best overall value. Worcester County reserves the option to reject any and all proposals.
- e. By submitting a proposal, the Contractor acknowledges that they have investigated the work and all conditions affecting the work, including but not limited to physical conditions of the site, access to water, electric and other utilities, the character and quantity of all surface and subsurface materials or obstacles to be encountered. Failure to adequately investigate the work will not relieve the responsibility to successfully perform the work.
- f. Discrepancies and incomplete information requests shall be submitted to Worcester County by the contractor prior to the proposal due date.
- g. Contractors must be licensed in the State of Maryland to perform the services requested. Contractors may be required to provide proof of experience and references at the request of Worcester County.
- h. Payment shall be governed by the award amount. Worcester County will not pay for incomplete work. 10% retention will be held until final disposal documentation and final release of liens is provided to Worcester County.
- i. Proposals are requested by 1:00 pm Friday August 23, 2019 provided to Worcester County Administration, One West Market Street – Room 1103, Snow Hill, Md. 21863. Proposals shall be submitted in a sealed envelope which must be marked in the lower left hand corner as follows: Bid for Demolition 5492 and 5496 Stockton Road. Proposals must include any exceptions pertaining to this scope of work. Complete and return the attached bid form by the proposal due date.



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Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: John H. Tustin, P.E., Director *JHT*
DATE: September 16, 2019
SUBJECT: Newark Sanitary Service Area
Application for Supplemental Funding

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

**FLEET
MANAGEMENT**
TEL: 410-632-5675
FAX: 410-632-1753

**WATER AND
WASTEWATER**
TEL: 410-641-5251
FAX: 410-641-5185

Attached is an application for funding for the Newark Spray Irrigation Project. This application is for \$300,000 in supplemental funding from the State of Maryland Community Development Block Grant Program.

We are requesting approval from the County Commissioners to formally apply for these funds and authorize the application be signed by Commissioner President Purnell.

If you have any questions, please feel free to contact me.

Attachment

cc: Jessica R. Wilson, CPA, Enterprise Fund Controller
John S. Ross, P.E. Deputy Director

The Commissioners met with Mr. Tustin to review the three bids for the proposed Newark spray irrigation project, with the lowest bid at \$2,315,130. Mr. Tustin stated that all of the bids submitted exceeded the available project funding and the engineer's estimate by 44%, making the project unaffordable as currently designed. He reviewed the items identified as costs exceeding the engineer's estimate and suggested a revised design, which included the following: avoiding the railroad right-of-way; revising the pump station screening; redesigning the berm for winter storage; and considering a center pivot unit for spraying rather than fixed sprinklers. He recommended redesigning the project for rebidding in fall 2019.

In response to a question by Commissioner Elder, Mr. Tustin stated that the County has total funding of roughly \$2 million available for the project through a United States Department of Agriculture (USDA) grant and loan, and he expects to see significant savings once they redesign and rebid the project. However, the County is under a consent order with the Maryland Department of the Environment (MDE) to complete the project. He confirmed that currently 100 residents would be responsible for shouldering all project costs over a 30-year period. Enterprise Fund Controller Jessica Wilson advised if total loan costs can be reduced to \$1.3 million that will equate to a cost of roughly \$65 per equivalent dwelling unit (EDU) per quarter.

Following some discussion and upon a motion by Commissioner Elder, the Commissioners unanimously rejected all bids for the Newark spray irrigation system and authorized staff to redesign the project as suggested, authorized an income study of the Newark Service Area to determine if additional grant funds may be secured for the project, agreed to remind ratepayers of the potential project costs once better information is available, and authorized rebidding in the fall when more contractors may be available to do the work.

STATE OF MARYLAND CDBG PROGRAM

**SFY 2020
APPLICATION**

**COMMUNITY DEVELOPMENT
SPECIAL PROJECTS**

**NEWARK SPRAY IRRIGATION PROJECT
WORCESTER COUNTY COMMISSIONERS
SEPTEMBER, 2019**

**Lawrence J. Hogan, Governor
Boyd K. Rutherford, Lt. Governor**



*Kenneth C. Holt, Secretary
Anthony Reed, Deputy Secretary*

*DHCD
Division of Neighborhood Revitalization
7800 Harkins Road
Lanham, MD 20706
301/429-7525
TTY/RELAY 711 or 1/800-735-2258*



MARYLAND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION SFY 2020	
1. Name of Jurisdiction: Worcester County, Maryland	2. County (Municipal applicants only): Worcester County, Maryland
3. Address 1 West Market Street Snow Hill, MD 21863:	4. Name of Subrecipient, Housing, Developer or Business, if applicable and their DUNS Number: N/A
5. FID Number:52-6001064 DUNS Number: 101119399	6. Name, phone number and email of jurisdiction's contact person for this application: John S. Ross, P.E., Deputy Director of Public Works
7. Project title, brief description & location (Full street address(es) and zip code of Project is required): Newark Wastewater Treatment Plant 8025 Worcester Highway Newark, MD 21841	
8. Project type: <input type="checkbox"/> Housing <input type="checkbox"/> Public Facilities <input checked="" type="checkbox"/> Infrastructure <input type="checkbox"/> Economic Development <input type="checkbox"/> Other <input type="checkbox"/> Public Services	9. National objective(s): <input checked="" type="checkbox"/> Low and moderate income benefit <input type="checkbox"/> Elimination of slum/blight
10. CDBG request: \$ <u>300,000</u> Local funds \$ <u>N/A</u> Other funds \$ <u>1,850,000</u> Total costs \$ <u>2,150,000</u>	11. U.S. Congressional District No. <u>1</u> State District No. <u>38</u> (List State legislators for <i>entire</i> district): State Senator - Mary Beth Carozza Delegate - Wayne A. Hartman
13. Required Resolution attached? <input type="checkbox"/> Yes <input type="checkbox"/> No	
14. Is Citizens Participation Plan current? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Dated: N/A If not, did you attach new plan? <input type="checkbox"/> Yes <input type="checkbox"/> No	
15. Is Anti-Displacement Plan current? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Dated: N/A If not, did you attach new plan? <input type="checkbox"/> Yes <input type="checkbox"/> No	
16. If applicable, did you complete Debarment Check on application subrecipient, developer or business? <input type="checkbox"/> Yes <input type="checkbox"/> No N/A	
17. Digital Photos and CD included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (each must be labeled)	18. Date:

PART A

PROJECT DESCRIPTION: Describe the proposed project in detail. Include location and specific activities to be undertaken.

This project is for the removal of the existing surface water discharge from the Newark Wastewater Treatment Plant and redirect the plant effluent to a new spray irrigation site.

Specific items include:

- Raising the elevation of the current wastewater treatment pond to allow storage of wastewater effluent when spraying is not allowed
- Construction of a new effluent pumping station at the site of the existing wastewater treatment plant
- Construction of approximately 6,400 linear feet of 6-inch diameter piping to convey the plant effluent to the spray site
- Construction of a spray irrigation field on a site currently owned by Worcester County.
- All design work and oversight of construction

PART B

PROJECT NEED/IMPACT: Describe the need for the proposed project. Include statistics and other documentation supporting the described need. Discuss how the project will make an impact on the described need? If existing infrastructure or facility, discuss past maintenance and improvements undertaken or deferred.

The work is being completed under an order from the Maryland Department of the Environment. The wastewater treatment plant was originally constructed in 1970 and no longer produces effluent considered acceptable for discharge to surface waters.

The selected solution to the problem is to remove the surface water discharge and redirect plant effluent to a spray irrigation site for disposal.

PART B WORKSHEET

NOTE: First time applicants must provide a copy of the most recent audit and copy of the most recent single audit.

1. As CDBG funds are "Gap" financing, did you pursue appropriate other funds from state, federal agencies and/or private sources? What other funding sources did you pursue for this project? What is the status of those requests?

The project was awarded approximately \$2.0 million from the Maryland State Revolving Loan Fund. However, only 50% of the awarded funding is in the form of principal forgiveness (grant). The other 50% is low interest loan.

Because the area served by this facility has a high percentage of residents qualified as Low to Moderate income, additional grant funding is being requested.

2. Please provide copies of award and rejection letters.

See Attachment 1

3. Please provide financial information for the applicant and, if applicable, the proposed subrecipient or developer. Specifically, provide the annual budget for the current year including all existing debt.

See Attachment 2

PART C

COMMUNITY SUPPORT AND INVOLVEMENT: Describe community involvement with developing this project and application. Attach current letters of support for this project and the CDBG funding. *NOTE: This activity is separate from the public hearing(s).*

Because this project is being required by order of the Maryland Department of the Environment, the Community Involvement was in the form of a Public Meeting on the project.

PART D

LOCAL PLANNING/GROWTH MANAGEMENT: Answer the following questions:

1. Describe how the proposed project conforms to revitalization strategies, marketing studies, economic development strategies, capital improvement plans, housing study, a comprehensive plan or other community plan. Do *not* submit copies of the entire plan(s), but reference the name and date of the plan, the section and the page. You should attach a copy of the REFERENCED portion which specifically mentions your project.
2. For economic development projects discuss any feasibility studies, economic conditions survey, financial analysis, economic impact assessment or market analysis completed in relation to the proposed activity. Provide the dates those items were completed and information on who prepared them.
3. Is your project located in a Priority Funding Area? Yes No

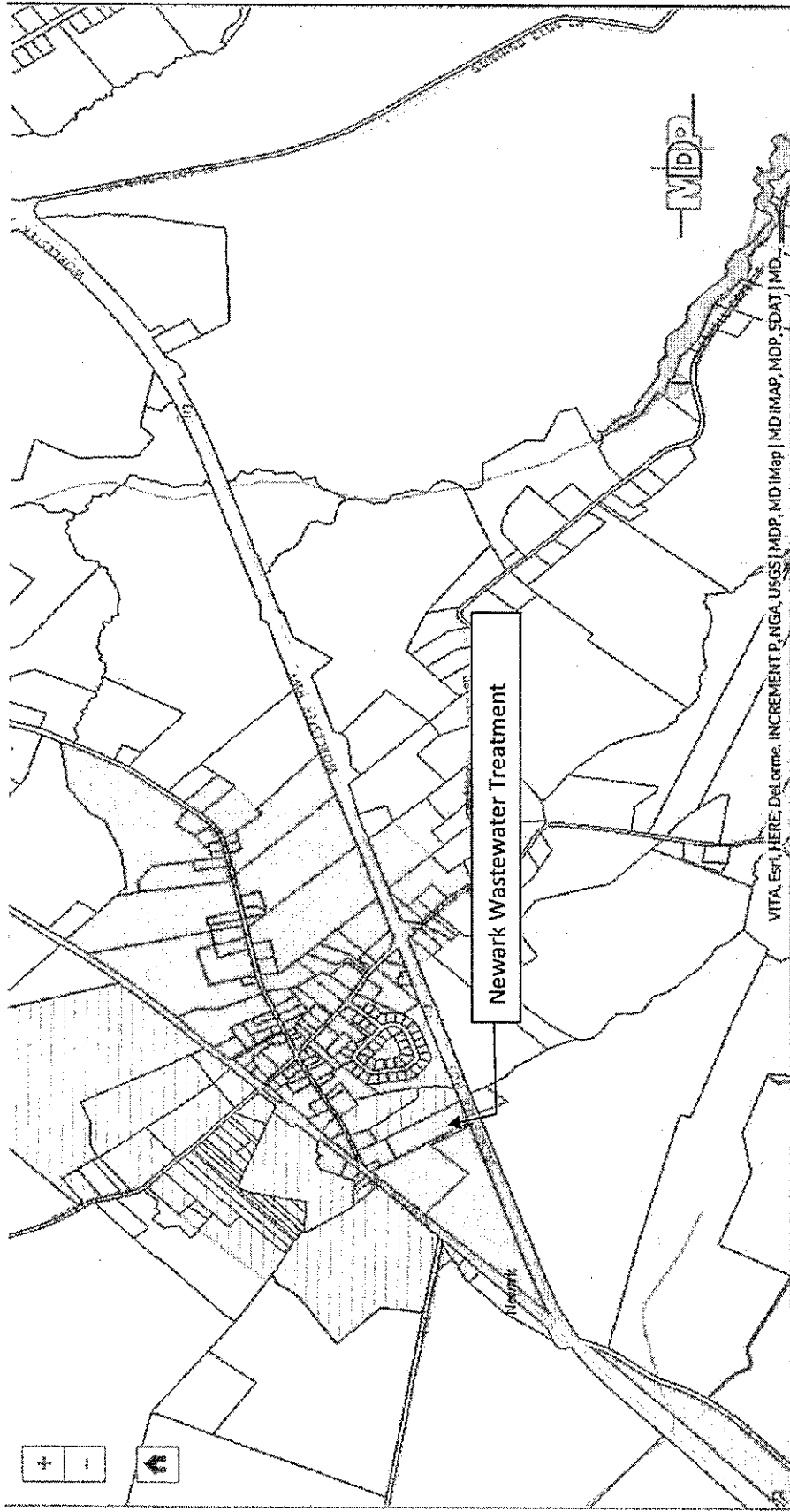
ATTACH MAP(S) OF PROJECT AREA

List Census Tract(s) and Block Groups for all projects:

1. The Comprehensive Plan for Worcester County identifies elimination of surface water discharges as a goal. Since this project eliminates the surface water discharge from the Newark Wastewater Treatment Plant, the project implements a goal listed in the comprehensive plan.
2. This project is not intended to be for economic development.
3. The following project maps are attached:

Priority Funding Area Map
Proposed Project Map

APPLICATION FOR FUNDING - NEWARK SPRAY IRRIGATION PROJECT



Newark Priority Funding Area



EXHIBIT 1
Worcester County Department of Public Works
Water and Wastewater Division

Newark Sanitary Service Area

Proposed Spray Irrigation System
September, 2019

PART E

NATIONAL OBJECTIVE:

1. Using the attached "National Objective" chart, determine which national objective will be met by the proposed project.
2. Next, fill out the appropriate worksheet (A, B, C, D or E). Insert that page behind this one in your application.
3. In the space below, describe in narrative form how the project will meet at least ONE of the national objectives.

- 1. Benefit to Low and Moderate Income Persons:**
- Area Benefit (LMA)** % Determined by survey or census (Attach Survey Approval Ltr)
- Housing (LMH)** Single Family Multi-Family
 Financial Assistance
 Water and Sewer Connections
- Limited Clientele (LMC)** Presumed
 51% of clientele are persons whose family is LMI
 Nature and location conclude area is primarily LMI
 Removal of architectural barriers
- Jobs (LMJ)** Job Creation
 Job Retention

Total estimated # of beneficiaries 220 CDBG \$ per beneficiary \$ 1,363
Total estimated # of LMI beneficiaries 121 CDBG \$ per LMI beneficiary \$ 2,479
% of LMI beneficiaries to total 55 %

- 2. Elimination of Slum and Blight:** Area Basis Spot Basis

NATIONAL OBJECTIVE CHART

Nat. Objective	Subcategory	Definition	Test	Examples
Low/Moderate Income Persons	Area Benefit (LMA)	Activity benefits all residents in an area where at least 51% of the residents are LMI	<ul style="list-style-type: none"> * Census - 51% of persons residing in the service area are LMI, determined by using the most recent data provided by State for cities or towns * Survey - applicant may do a survey of residents in the service area. The results must meet statistical reliability standards and be approved by DHCD. 	<ul style="list-style-type: none"> * water and sewer lines * neighborhood facilities * roadway improvements
Low/Moderate Income Persons	Limited Clientele (LMC)	Activity that benefits a limited number of people as long as at least 51% of those served are LMI	<ul style="list-style-type: none"> Activity must qualify under one of the following: <ul style="list-style-type: none"> * Presumed Clientele - benefit to a group presumed to be principally LMI: abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS and migrant workers; or * Require documentation on family size and income in order to show that at least 51% of the clientele are LMI; or * Be of such a nature and in such a location that it can be concluded that clients are primarily LMI 	<ul style="list-style-type: none"> * construction of senior center * services for the homeless * meals on wheels for the elderly * construction of job training facilities for the disabled * construction of Head Start Center
Low/Moderate Income Persons	Housing Activities (LMH)	Activity that is undertaken for the purpose of providing or improving permanent residential structures which, upon completion, will be occupied by LMI persons	<ul style="list-style-type: none"> * Structures with one unit must be occupied by LMI persons * If structure contains more than 1 unit, at least 51% must be LMI occupied * 2-unit structures must have at least one unit occupied by a LMI household * Rental buildings under common ownership and management located on the same or contiguous properties may be considered as a single structure 	<ul style="list-style-type: none"> * rehabilitation of owner-occupied housing * conversion of non-residential structures into permanent housing * infrastructure for new housing
Slum/Blight	Area Basis (SMA)	Activity that aids in the prevention or elimination of slums or blight in a designated area	<ul style="list-style-type: none"> * Delineated area in which the activity occurs must meet definition of slum, blighted, deteriorated or deteriorating area under state or local law; and * Substantial number of deteriorated or deteriorating buildings or public improvements in the area, and the activity must address one or more of the conditions which contributed to the deterioration of the area; and * Documentation must be maintained by recipient on the boundaries of the area and the conditions that qualified the area at the time of its designation 	<ul style="list-style-type: none"> * public facilities or improvements * elimination of safety hazards
Slum/Blight	Spot Basis (SBS)	Activity that eliminates specific conditions of blight or physical decay on a spot basis not located in a slum or blighted area	<ul style="list-style-type: none"> * Only acquisition, clearance, relocation, historic preservation and building rehabilitation activities qualify for this national objective * Rehabilitation is limited to the extent necessary to eliminate a specific condition detrimental to public health and safety <p>NOTE: Must demonstrate code enforcement actions taken by the local government</p>	<ul style="list-style-type: none"> * elimination of damaged retaining wall creating danger for pedestrians * demolition of vacant, deteriorating building
Low/Moderate Income Persons	Jobs (LMJ)	Activity that results in the creation and/or retention of jobs	<ul style="list-style-type: none"> * At least 51% of jobs must be taken by LMI persons * At least 51% of jobs must be retained by LMI persons * Permanent, full-time jobs only * LMI status is determined by income of the family 	<ul style="list-style-type: none"> * acquisition of land to construct a distribution center * extension of water and sewer service to land to be developed for a business(s) * acquisition of equipment

**Low/Moderate Income Benefit
Worksheet A
Area Basis (LMA)**

If you have determined that the proposed project will meet the national objective of benefit to low and moderate income (LMI) persons through area benefit (LMA) activities, please fill out this form and attach it to Part E of your application.

1. **Estimated Total Beneficiaries** 220 (Count by Persons)
2. **Estimated Total LMI Beneficiaries** 121 (Count by Persons)
3. **FOR THOSE WITH AN APPROVED SURVEY ONLY** – Provide race and ethnicity data for persons in the service area. The following is required for Civil Rights reporting.

Count for all estimated persons in the service area:		<i>RACE</i>	<i>Ethnicity (Hispanic or Latino)</i>
a.	Total White	<u>176</u>	<hr/>
b.	Total Black or African American	<u>18</u>	<hr/>
c.	Total Asian	<u>6</u>	<hr/>
d.	Total American Indian or Alaska Native	<hr/>	<hr/>
e.	Total Native Hawaiian or Other Pacific Islander	<hr/>	<hr/>
f.	Total American Indian or Alaska Native and White	<hr/>	<hr/>
g.	Total Asian & White	<u>6</u>	<hr/>
h.	Total Black or African American & White	<u>8</u>	<hr/>
i.	Total American Indian or Alaska Native & Black or African American	<hr/>	<hr/>
j.	Other Multi-Racial	<u>6</u>	<hr/>
	Total (number of all by <u>Race</u> must be the same as #1 above)	<u>220</u>	<hr/>

4. **Total Number of Female-Headed Households** 12

5. **Total Number of Disabled** 15

6. **Describe the proposed accomplishments of the project:**

The purpose of this project is to provide the Newark Sanitary Service Area a safe, environmentally friendly and cost effective wastewater effluent disposal system for the foreseeable future.

Low/Moderate Income Benefit

**Worksheet B
Limited Clientele (LMC)**

If you have determined that the proposed project will meet the national objective of benefit to low and moderate income (LMI) persons through limited clientele (LMC) activities, please fill out the following form and then attach it to Part E of your application.

1. Estimated Total Beneficiaries 220 (Count by Persons)
2. Estimated Total LMI Beneficiaries 176 (Count by Persons)
3. If the project benefits a group *presumed* to be low and moderate income, please identify the group:

- | | |
|---|--|
| <input type="checkbox"/> Abused Children | <input checked="" type="checkbox"/> Elderly Persons |
| <input type="checkbox"/> Battered Spouses | <input type="checkbox"/> Illiterate Adults |
| <input type="checkbox"/> Migrant Farm Workers | <input checked="" type="checkbox"/> Severely Disabled Adults |
| <input type="checkbox"/> Homeless Persons | <input type="checkbox"/> Person Living with AIDS |

4. If the project is of such a *nature* and in such a *location* that it can be concluded that the income of the persons benefitting are primarily low and moderate income, please explain why the nature and location demonstrate this:

The Newark Sanitary Service Area provides water and wastewater service to the Worcester County Developmental Center where according to their mission statement:

"The Worcester County Developmental Center is committed to empowering adults with developmental and physical disabilities to be productive, responsible, and participating members of the community by identifying, enhancing, and creating opportunities so all individuals can achieve their highest level of economic and social independence."

5. If the project requires information on family size and income, does the information demonstrate that at least 51% of the clientele served are persons from households whose income does not exceed the LMI income limits. The activity is restricted to the LMI persons. Please identify activities:

Describe the proposed accomplishments of the project:

The project will bring the Newark Wastewater Treatment Plant into compliance with current technology. While the effluent from the plant will not improve, the use of spray irrigation will allow the continued use of the plant without environmental impacts.

Removal of the surface water discharge will benefit the Newport Bay drainage area by elimination of the nutrients currently in the effluent.

**Low/Moderate Income Benefit
Worksheet C
Housing (LMH)**

If you have determined that the proposed project will meet the national objective of benefit to low and moderate income (LMI) by providing, constructing or improving permanent residential housing, please fill out this form and attach it to Part E of your application.

1. **Estimated Total Beneficiaries** Count 90 Units AND 220 Persons
2. For new construction, acquisition and/or renovation of rental units, how many units will be made available to rent? N/A
Of these, how many are to be occupied by LMI persons? _____
3. For new construction, acquisition and/or renovation of homeownership units, how many units will be made available to sell? N/A
Of these, how many are to be occupied by LMI persons? N/A
4. For housing rehabilitation, how many total units will be rehabilitated? N/A
5. For housing rehabilitation, how many total units will receive emergency repairs? N/A
6. If providing financial assistance to homebuyers, how many homebuyers will be assisted? N/A
7. Will requested funds for new housing be targeted to an area of minority concentration or a specific geographical area? Y N If yes, provide specific explanation of why this area was targeted.

8. Will program income be generated by this activity? Y N
If yes, provide Re-Use Plan as an attachment to this application. Previously approved Re-Use Plans will not be accepted

**Slum/Blight
Worksheet D**

If you have determined that the proposed project will meet the national objective of the elimination of slum/blight, please fill out this form and attach it to Part E of your application.

Check One: Slum and Blight - Area Basis **OR** Slum and Blight - Spot Basis

1. Provide property address or boundaries of blighted area. ***This activity requires a street address(s)***

2. If the project addresses slum and blight on an area basis, does the area:

Have an official designation of blight by local government? No Yes

If yes, what is the date of designation? _____

Please provide a copy with your application.

Meet a definition of slum, blighted, deteriorated or deteriorated area under State or local law? No Yes

Have a substantial percentage of deteriorated buildings? No Yes

What is the percentage? ___%

3. Does the activity address one or more of the blighting conditions? How?
Identify each type of improvement located within the area and its condition at the time the area was designated slum/blight.

4. Describe the proposed accomplishments of the project:

NOTE: If your project involves the acquisition of property as an activity to eliminate blight, than the national objective should address the intended use of the property.

**Low/Moderate Income Benefit
Worksheet E
Jobs (LMJ)**

If you have determined that the proposed project will meet the national objective of benefit to low and moderate income (LMI) persons through job creation and/or retention activities, please fill out this form and attach it and all supporting documents to Part E of your application.

1. Will this project create new jobs? NO Or will this project result in retention of existing jobs? NO
2. How many total jobs are estimated to be created? _____
Of those created, how many will be taken by LMI persons? _____
3. How many total jobs are estimated to be retained? _____
Of those jobs retained, how many are retained by LMI persons? _____

Taken By Standard

In cases where the businesses will demonstrate that at least 51% of the jobs created will be taken by LMI persons, in addition to information identified in the Policies and Procedures Manual, provide the following:

1. Provide a written commitment by the business that at least 51% of all the jobs created on a full time equivalent basis will be taken by LMI persons.
2. Provide a listing by job title of all employees at the time the application for assistance is submitted.
3. Provide a listing by job title of the permanent, full-time jobs to be created as a result of the CDBG assistance.
4. Provide evidence supporting the estimated number of jobs to be created.

Retention Standard

Retained jobs are those that would be permanently lost due to a business closing or relocating out of the area without CDBG financial assistance. In cases where the business will retain jobs that are held by persons that are at least 51% LMI, in addition to information identified in the Policies and Procedures Manual, provide the following:

1. Provide clear and objective evidence that, in the absence of the CDBG assistance, the jobs would be lost. This includes a notice provided to affected employees, a public announcement, or analysis of relevant financial records demonstrating the need for job cuts.

Worksheet E Continued

2. Provide a written commitment from the business that they will meet the standard for retained jobs involving the employment of LMI persons.

N/A

3. Provide a listing by job title of the full-time, permanent jobs to be retained as a result of the CDBG assistance.

N/A

Business Information

Please provide the following information on the business to be assisted. If more than one, please provide information for each.

1. Name of Business;
2. Ownership of Business;
3. Business Management;
4. Company History including start-up date, type of operation, progress and number of employees to date;
5. Current Location(s);
6. Product Line(s) or Service;
7. Discuss their market area(s) including geography, major customers and other Characteristics; and
8. Certificate of Good Standing from the State of Maryland if an existing business.

For projects which provide CDBG assistance as a financing measure to profit making businesses, discuss the need for financial assistance. Attach three years of historical financial statements and personal financial statement for principal owner(s) and a five year pro-forma. Explain the basis for requesting assistance (e.g., gap financing). Additional financial information may be requested.

PART F

SOURCES AND USES OF FUNDS: List each specific project activity separately (please break down the costs as far as possible). Type in the actual sources of other funding. Indicate whether funds are "L" for loan or "G" for grant. INDICATE STATUS OF FUNDS using "p" for pending, "C" for committed, "R" for received, "N" for no action. Attach commitment letters and cost estimates directly behind this page of the application. For administrative costs, indicate what portion of local contribution is cash and what portion is in-kind.

THE APPLICANT IS THE JURISDICTION. ALL PROJECTS MUST INCLUDE ADMINISTRATIVE COSTS FOR THE APPLICANT.

ACTIVITY	SOURCES OF FUNDS						TOTALS BY ACTIVITY	STATUS
	CDBG:	APPLICANT	MDE Grant:	MDE Loan:	OTHER:			
Administration			\$10,000	\$10,000			\$20,000	P
Spray Site Permitting			\$20,000	\$20,000			\$40,000	P
Engineering Design			\$60,000	\$60,000			\$120,000	P
Construction Engineering			\$25,000	\$25,000			\$50,000	P
Construction Inspection			\$60,000	\$60,000			\$120,000	P
Construction	\$300,000		\$750,000	\$750,000			\$1,800,000	P
Project Admin. (Cash)								
Project Admin. (In-Kind)								
General Admin. (Cash)								
General Admin. (In-Kind)								
TOTALS BY SOURCES OF FUNDS	\$300,000	\$	\$925,000	\$925,000	\$	\$	\$2,150,000	P

PART G

STAFFING AND PROJECT MANAGEMENT: This section will discuss the capacity of the applicant to administer the project and how CDBG funds will be used for project administration costs. Project costs for engineering, architectural services and inspections are to be identified as separate line items in Part F.

1. Identify the primary person who will administer this project. Discuss their experience with CDBG regulations and requirements as well as past grant and project implementation.

Project is to be administered by the Worcester County Department of Public Work Deputy Director, John S. Ross, P.E. Mr. Ross is a Registered Professional Engineer in Maryland with over 40 years of experience in these types of projects.

2. Identify others who will assist in the administration of this CDBG project.

Assisting Mr. Ross with this project will be the Engineering consulting firm, EA Engineering. EA Engineering is consulting engineering company with a staff of over 100 professionals with experience in these types of projects.

3. Amount of funds requested for Project Administration, if any: N/A

4. If Project Administration funds requested for staffing, please identify the following:

Person	# Hours Anticipated to Work on Project	Hourly Wage	Total Funds
Not Applicable			

5. If planning to use Project Administration funds for other expenses other than staffing, identify those expenses and estimated costs.

Expenses	Estimated Costs
CDBG funds will be used for construction expenses only	

PART H

PROJECT SCHEDULE: Using the anticipated month of grant award as the start of the activities, list all project activities and the anticipated dates for the start and end of specific activities. A CDBG grant agreement provides a 24-month implementation period so all activities to be paid for with CDBG funds must occur within this timeframe. If an activity is completed prior to application or award, indicate the actual dates.

EXAMPLE: For a Community Development application, CDBG funds are being requested for site acquisition and construction. The applicant provided the following schedule:

<u>Activity</u>	<u>Begin</u>	<u>Completion</u>
Grant Award	August 1, 2019	
Environmental Review	August 2019	October 2019
Preliminary Engineering	Completed	
Site Acquisition	November 2019	November 2019
Bidding & Selection Engineering	November 2019	December 2019
Meeting 180 Day Expenditure Requirement	January 27, 2020	January 27, 2020
Engineering	January 2020	February 2020
Bidding & Selection Construction	March 2020	April 2020
Construction	May 2020	June 2021

NOTE: *An Environmental Review is the first step for every funded grant after award date*

<u>ACTIVITY</u>	<u>BEGIN</u>	<u>COMPLETION</u>	<u>RESPONSIBLE PERSON</u>
GRANT AWARD	October 1, 2019	October 15, 2019	Applicant
ENVIRONMENTAL REVIEW	October 14, 2019	November 1, 2019	Applicant
Bid	November 15, 2019	December 15, 2019	Applicant
Contract Award	December 15, 2019	January 15, 2020	Applicant
Construction	April 15, 2020	November 15, 2020	Applicant
Begin Operations	December 15, 2020	N/A	Applicant

PART I

DAVIS BACON:

1. Do Davis-Bacon wage rates apply to the project? Yes No
2. If yes, do cost estimates reflect use of Davis-Bacon rates? Yes No
3. Use the space below to:
 - a. Discuss Davis-Bacon rates and their impact on the project; and
 - b. Explain how you calculated the rates into your cost estimates.

a. Both MDE funding and CDBG funds require the use of prevailing minimum wages. Allowance for these costs are included in the project cost estimate.

b. Cost estimates were prepared for similar projects that used Davis Bacon wages.

PART J

ACQUISITION / RELOCATION:

1. Has site control been secured? Yes No If yes, explain how: Purchased by Worcester County in 2007

2. Has an option been secured? Yes No If yes, explain how:

Not needed

3. Estimated cost of acquisition:

\$ N/A

4. Sources of funds for acquisition:

Local

5. Number of parcels to be acquired:

Residential: _____

Business _____

6. Will acquisition be done with eminent domain if needed?

Yes No

7. Is acquisition of easements required? Yes No

If yes, did applicant include costs associated with the Uniform Act? Yes No

A very small easement is needed for a portion of the pipeline. Negotiations are ongoing

8. Has anyone been forced to move from the site within the three months prior to the initial application for funds? Yes No Unknown

If yes, explain:

9. Estimated cost of relocation:

\$ 0

10. Sources of funds for relocation:

N/A

# Units in Property(s) _____	Number of Units Occupied at time of application		Number of Occupants to be Displaced	Number of Occupants to Remain	
	Owner	Tenant		Total	Temporarily Relocated
Residential					
Business					

10. Do the activities of this project trigger the one-for-one replacement housing requirements? Yes No

If yes, discuss how you plan to meet these requirements.

11. If property is to be leased, describe lease terms.

N/A

PART K

FAIR HOUSING/EQUAL OPPORTUNITY: Applicants certify that a grant will be conducted and administered in conformity with applicable federal fair housing and equal opportunity laws and regulations. Complete the following to show what steps have been taken by the jurisdiction in these areas in recent years.

1. Does the jurisdiction have written employment and personnel policies and practices with equal opportunity guidelines? Yes No

2. In the past three years, have any complaints of discrimination in employment been filed against the jurisdiction by employees regarding employment? Yes No If yes, please explain:

3. Has the jurisdiction adopted a fair housing ordinance? Yes No

4. Has the jurisdiction taken any actions to affirmatively further fair housing through activities such as land development, zoning, site selection policies or programming or needs assessment? Yes No If yes, please describe:

5. Are there fair housing advocates or agencies that work in your county? If yes, who are they? Have they informed you of either public or private issues or complaints regarding discrimination?

No

6. Are all buildings owned or occupied by the jurisdiction that are open to the public in compliance with the Americans with Disabilities Act? If not, which ones, and what are the plans to bring them into compliance?

All County buildings are ADA compliant

PART L

ENVIRONMENTAL IMPACT: Complete the following information related to your overall project to the best of your knowledge. Provide copies of letters or other information received to date from state and/or federal agencies about these issues related to your project. Schedule and budget should account for any mitigation or corrective actions to be taken.

1. Will your project involve the renovation or rehabilitation of a building that is at least 50 years old or is located in a national historic register district? Yes No
2. Will your project involve or impact an archaeological site? Yes No
3. Will your project impact any wildlife that is threatened or endangered? Yes No
4. Will your project involve the abatement or removal of asbestos from a building?
 Yes No
5. Will your project involve the abatement or removal of lead-based paint from a building?
 Yes No
6. Is your project new construction? Yes No

If you answered YES, is the proposed project located in any of the following:

- Special Flood Hazard Area – an area that is lower than the base flood elevation level and has special flood or mudflow, and/or flood related erosion hazard
- 100 Year Floodplain – an area that has a 1 in 100 or 1% probability of a flood event occurring in a given year
- Regulatory Floodway – an area beside a river or other watercourse that has certain restrictions placed on it related to discharging moving floodwaters downstream
- Coastal High Hazard Area – an area along the coast subject to high velocity wave action from storms or seismic sources
- 500 Year Floodplain – an area that has a 1 in 500 or .02% probability of a flood event occurring in a given year
- Non-Special Flood Hazard Area – an area that has a moderate to low risk of flooding

Comments: A separate environmental evaluation of the project was completed for MDE funding

STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies that it:

1. has adopted and maintains a written Citizen Participation Plan in accordance with the citizen participation requirements for the Community Development Block Grant (CDBG) Program at the Code of Federal Regulations 24 Part 570.486; and
2. held a public hearing and provided appropriate notice to ensure participation of citizens in the development the project and of this application for CDBG funding; and
3. assures that all reasonable steps have been taken to minimize the displacement of persons as a result of CDBG assisted activities identified in this application; and
4. in the event that our project does trigger displacement of persons, we will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49CFR Part 24 and it has in effect and is following a Residential Anti-Displacement and Relocation Assistance Plan required under Section 104(d) of the Housing and Community Development Act of 1974, 42 U.S.C. § 5304(d), as amended, in connection with any activity assisted with funding under the CDBG Program; and
5. will not attempt to recover any capital costs of public improvements assisted with CDBG funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than with CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds if the State certifies that it lacks CDBG funds to cover the assessment; and
6. will conduct and administer grant in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations and agrees to take action to affirmatively further fair housing; and
7. has adopted and is enforcing or will adopt if a new applicants:
 - a) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
8. will certify, to the best of the certifying official's knowledge and belief, that:
 - a) no Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a

Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement; and

- b) if any funds other than Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress with this Federal contract, grant, loan or cooperative agreement, it will complete and submit Standard Form- LLL, Disclosure Form to Report lobbying in accordance with its instructions; and
 - c) it will require that the language of paragraphs (a) and (b) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
9. will adhere to federal and state Code of Conduct or Conflict of Interest standards relative to conflict of interest restrictions and financial disclosure requirements for local elected officials and candidates; and
 10. will prevent fraud, waste and abuse of federal funds and ensure that funds are expended on activities that are reasonable and necessary;
 11. will comply with the provisions of Title I of the Housing and Community Development Act of 1974, 42 U.S.C. § 5301 et seq., as amended, Title 24 CFR Part 570, and with other applicable State and Federal laws if awarded this grant; and
 12. will ensure that, if applicable, any subrecipient, developer or business will comply with all regulations, policies and laws that govern this grant.

I declare that I am duly authorized to make these certifications on behalf of the applicant and certify that the above actions have or will be taken.

Diana Purnell, President

Typed Name and Title
Chief Elected Official

Signature

Date

ATTACHMENT 1 - Funding Award Letter from MDE



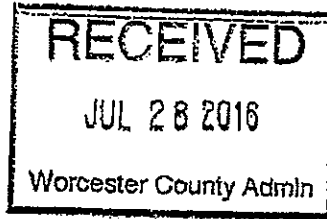
Maryland
Department of
the Environment

Info ✓

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

Ben Grumbles
Secretary



July 25, 2016

Copy: Sewer Committee ✓

The Honorable Madison J. Bunting, Jr.
President, Worcester County Commissioners
One West Market Street, Room 1103
Snow Hill, MD 21863-1195

Dear Commissioner Bunting:

Thank you for your letter regarding the funding application for the Newark Wastewater Treatment Plant (WWTP) upgrade. Based on the Maryland Department of the Environment's (MDE) review of the application, the project is eligible for funding under the Water Quality Revolving Loan Fund (WQRLF) Program. The project meets the disadvantaged community criteria, and is eligible for up to 50% of the project cost, or approximately \$1 million, as loan principal forgiveness, with the balance, or approximately \$1 million, through a low interest rate loan. Loans are currently offered at 1.2% per year fixed rate including fees, for a term of up to 30 years.

The proposed project cannot receive Bay Restoration Fund (BRF) grant funding as the WWTP is not being upgraded to Enhanced Nutrient Removal standards (less than 3 mg/l nitrogen), which is a statutory requirement for BRF grant funding.

Thank you again for your letter. If the County is interested in pursuing the WQRLF financing option, please have a member of your staff contact Ms. Terri Wilson, Director, Office of Budget and Infrastructure Financing at 410-537-4155 or by email at terria.wilson@maryland.gov.

Sincerely,

Ben Grumbles
Secretary

cc: Terri Wilson, Director, Office of Budget and Infrastructure Financing

ATTACHMENT 2 - Newark Service Area Budget

Budget Worksheet Report

Budget Year 2020

Account	Account Description	2020 Approved
Fund 550 - Newwark		
REVENUE		
Charges for Services		
5000.100	Domestic Water Service	38,550.00
5000.200	Domestic Water Usage	10,000.00
5005.100	Commercial Water Service	5,320.00
5005.200	Commercial Water Usage	6,500.00
5010.100	Domestic Sewer Service	34,600.00
5010.200	Domestic Sewer Usage	9,000.00
5015.100	Commercial Sewer Service	23,940.00
5015.200	Commercial Sewer Usage	7,000.00
	<i>Charges for Services Totals</i>	\$134,910.00
Interest & Penalties		
4710	Penalty/Fees	2,500.00
	<i>Interest & Penalties Totals</i>	\$2,500.00
Other Revenue		
5850	Other Revenue	24,000.00
	<i>Other Revenue Totals</i>	\$24,000.00
Transfers In		
5975.100	Transfers From (To) Reserve	(15,837.00)
	<i>Transfers In Totals</i>	(\$15,837.00)
	REVENUE TOTALS	\$145,573.00
EXPENSE		
Personnel Services		
6000.100	Personnel Services Salaries	3,000.00
6000.200	Personnel Services Salaries-Support Group	40,593.00
6000.300	Personnel Services Salaries-Construction	4,414.00
6000.400	Personnel Services Overtime Pay	1,000.00
6010.100	Benefits Fica & Fringe Benefits	25,924.00
6010.900	Benefits OPEB contribution	3,505.00
	<i>Personnel Services Totals</i>	\$78,436.00
Supplies & Materials		
6100.010	Administrative Expense Administrative Expenses	1,036.00
6110.060	Supplies & Equipment Chemicals	10,000.00
6110.340	Supplies & Equipment Safety Program Equipment	428.00
6150.050	Uniforms & Personal Equipment Uniforms	284.00
6200.010	Other Supplies & Materials Lab Testing	2,700.00

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Budget Worksheet Report

Budget Year 2020

Account	Account Description	2020 Approved
Fund 550 - Newark		
EXPENSE		
Supplies & Materials		
6200.030	Other Supplies & Materials Testing Supplies	2,000.00
	<i>Supplies & Materials Totals</i>	\$16,448.00
Maintenance & Services		
6500.010	Systems Maintenance Collection System Maintenance	2,000.00
6500.020	Systems Maintenance Water Plant/System Maint	8,000.00
6500.030	Systems Maintenance Wastewater Treatment Plant Maint	5,000.00
6530.100	Consulting Services Professional Fees	196.00
6540.090	Vehicle Operating Expenses Vehicle/Equip - Support Group	8,235.00
6550.020	Building Site Expenses Buildings & Grounds Maintenance	1,000.00
6550.060	Building Site Expenses Electricity	16,000.00
6550.270	Building Site Expenses Telephone	400.00
6700.500	Other Maint. & Svcs Water & Wastewater Construction	2,582.00
	<i>Maintenance & Services Totals</i>	\$43,413.00
Other Charges		
7000.060	Travel, Training & Expense Educational Training	376.00
7170.100	Benefits & Insurance Property & Liability Insurance	1,100.00
	<i>Other Charges Totals</i>	\$1,476.00
Interfund Charges		
8010.030	Interfund Treasurer's Support - Salary	1,321.00
8010.040	Interfund Treasurer's Support - Fringe	599.00
8010.050	Interfund Public Works & Admin - Benefits	1,210.00
8010.060	Interfund Public Works & Admin - Salaries	2,670.00
	<i>Interfund Charges Totals</i>	\$5,800.00
	EXPENSE TOTALS	\$145,573.00
Fund 550 - Newark Totals		
	REVENUE TOTALS	\$145,573.00
	EXPENSE TOTALS	\$145,573.00
	Fund 550 - Newark Totals	\$0.00

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**NOTICE
OF
PROPOSED CHANGE
IN ZONING**

SOUTHERLY TERMINUS OF NORTH PINEY POINT ROAD
SOUTH OF ST. MARTINS NECK ROAD

FIFTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, **Rezoning Case No. 418** has been filed by Hugh Cropper, IV, attorney, on behalf of **Moore Boat, LLC**, property owner, for an amendment to the Official Zoning Maps to change approximately 9.4 acres of land located at the southerly terminus of North Piney Point Road, to the south of St. Martins Neck Road, in the Fifth Tax District of Worcester County, Maryland, from E-1 Estate District to I-1 Light Industrial District. The Planning Commission has given a favorable recommendation to the rezoning application.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

PUBLIC HEARING
on
TUESDAY, SEPTEMBER 17, 2019
at 10:30 A.M.

in the
COUNTY COMMISSIONERS' MEETING ROOM
ROOM 1101, WORCESTER COUNTY GOVERNMENT CENTER
ONE WEST MARKET STREET, SNOW HILL, MARYLAND 21863-1072

At said public hearing, the Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 418 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 418 and the Planning Commission's recommendation which will be entered into the record of the public hearing are on file and are available for inspection at the Department of Development Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863, Monday through Friday from 8:00 am until 4:30 pm (except holidays).

Diana Purnell, President

1a



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
www.co.worcester.md.us/drp/drpindex.htm

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

Scheduled For Public Hearing
on September 17, 2019

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director *EAT*
DATE: August 12, 2019
RE: Planning Commission Findings of Fact and Recommendation
Rezoning Case No. 418
(Moore Boat, LLC, Applicant, and Hugh Cropper, IV, Attorney for the Applicants)



Attached herewith please find the Planning Commission's written Findings of Fact and Recommendation relative to Rezoning Case No. 418, seeking to rezone approximately 9.4 acres of land located at the southerly terminus of North Piney Point Road, south of St. Martins Neck Road, from E-1 Estate District to I-1 Light Industrial District. The case was reviewed by the Planning Commission at its meeting on June 6, 2019 and given a favorable recommendation.

Also attached for your use is a draft public notice for the required public hearing that must be held by the County Commissioners. An electronic copy has already been forwarded to Kelly Shannahan. 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.

EAT/phw

APPROVED
Worcester County Commissioners
Date HH 8/22/19

1b

**PLANNING COMMISSION
FINDINGS OF FACT
AND
RECOMMENDATION**

REZONING CASE NO. 418

APPLICANT:

**Moore Boat, LLC
Leighton Moore, Managing Member
12303 North Piney Point Road
Bishopville, Maryland 21843**

ATTORNEY FOR THE APPLICANT:

**Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842**

June 6, 2019

WORCESTER COUNTY PLANNING COMMISSION

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I. INTRODUCTORY DATA

- A. CASE NUMBER: Rezoning Case No. 418, filed on January 2, 2018.
- B. APPLICANT: Moore Boat, LLC
Leighton Moore, Managing Member
12303 North Piney Point Road
Bishopville, Maryland 21813
- APPLICANTS' ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
- C. TAX MAP/PARCEL: Tax Map 10 - Parcels 4, 171 and 304 - Tax District 5
- D. SIZE: The subject property is comprised of three parcels which total 9.4 acres in size.
- E. LOCATION: The petitioned area is located at the southerly terminus of North Piney Point Road, to the south of St. Martins Neck Road and on the northerly side of the St. Martins River, southeast of Bishopville.
- F. CURRENT USE OF PETITIONED AREA: The site is presently used for boat fabrication, repair, maintenance and/or storage.
- G. CURRENT ZONING CLASSIFICATION: E-1 Estate District.
- H. REQUESTED ZONING CLASSIFICATION: I-1 Light Industrial District.
- I. ZONING HISTORY: At the time zoning was first established in the 1960s the petitioned area was given an A-1 Agricultural District classification. It was given an E-1 Estate District classification in the 1992 comprehensive rezoning and that designation was retained during the 2009 comprehensive rezoning.
- J. SURROUNDING ZONING: Almost all adjoining and nearby properties to the west, north and east are also zoned E-1 Estate District. Two properties at the northerly terminus of North Piney Point Road, at the junction with St. Martins Neck Road, are zoned C-1 Neighborhood Commercial District. Holiday Harbor, a subdivision directly to the east of the petitioned area, is zoned R-1 Rural Residential District, as is the Piney Point subdivision on the southerly side of the St. Martins River/Bishopville Prong. Environmentally sensitive areas are zoned RP Resource Protection District.

- K. COMPREHENSIVE PLAN: According to the 2006 Comprehensive Plan and associated land use map, the petitioned area is within the Existing Developed Area and Agricultural Land Use Categories.
- L. WATER AND WASTEWATER: According to the response memo from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject property has designations of Water and Sewer Service Category W-6 and S-6 (No Planned Service) in the Master Water and Sewerage Plan. He states that the petitioned area is currently served by existing well and septic.
- M. ROAD ACCESS: The petitioned area currently has access to North Piney Point Road, a County-owned and -maintained roadway which terminates at a dead end at the St. Martins River. This roadway provides access to St. Martins Neck Road, which is state-owned and -maintained. The Comprehensive Plan considers St. Martins Neck Road as a two-lane County road/minor collector highway.

II. APPLICANT'S TESTIMONY BEFORE THE PLANNING COMMISSION

- A. Hugh Cropper, IV, applicant's attorney, R. D. Hand, landscape architect, Chris McCabe, environmental consultant, Frank Lynch, surveyor, and Leighton Moore, property owner, were present for the review. Mr. Cropper stated that he was requesting the change in zoning solely on the basis of a mistake in existing zoning. He stated that the Hudson family bought the property prior to 1900 and, in addition to acting as boat captains, built and repaired boats on the site for many decades. This included extensive repair work of an industrial nature. Mr. Cropper noted that the site had a marine railway to move boats into and out of the water and thus was able to service large boats.

Chris McCabe was called as the first witness. Upon questioning by Mr. Cropper, Mr. McCabe explained that when the subject property was placed within the Atlantic Coastal Bays Critical Area (ACBCA), a portion of the property was designated as Limited Development Area (LDA) while the remainder was designated as Resource Conservation Area (RCA). He stated that the State's Critical Area Commission recently approved a growth allocation request and reclassification of the RCA portion to LDA based upon a mistake in mapping in that the entire site had long been used for the boat construction and repair business. Mr. Cropper introduced as Applicant's Exhibit No. 1 a letter dated May 10, 2019 to Moore Boat LLC from Jennelle Gerthoffer, Natural Resources Administrator for the Worcester County Department of Environmental Programs, conveying the State Critical Area Commission's approval of the growth allocation. Mr. McCabe outlined the environmental enhancements that are to be made to the site, including the eradication of a dense stand of bamboo and

phragmites and their replacement with native plant material in a new 100 foot buffer, the upgrading of all existing septic systems with Best Available Technology (BAT) systems for nitrogen removal, and the upgrading of stormwater management features for the existing development and any future construction or expansion on the property. When questioned by Mr. Cropper, Mr. McCabe concurred that the E-1 Estate District classification is a mistake and the I-1 Light Industrial District zoning classification is more in keeping with the Comprehensive Plan and the existing and long time use of the property. As a related matter, Mr. Cropper noted that there is limited industrial zoning in the County, consisting mainly of the Todd Industrial Park and various lands between Bishop and Showell along the US Route 113 corridor. A copy of the staff report on the rezoning case was submitted as Applicant's Exhibit No. 2.

R. D. Hand was called as the next witness. Mr. Cropper submitted an aerial photograph of the petitioned area taken in 1989 as Applicant's Exhibit No. 3. Mr. Cropper asserted that this photo showed extensive use of the entire property for "industrial maritime" uses, including five to six rows of boats being stored on the subject properties. Exhibit No. 4 was an aerial photo taken in 1998 which showed that the uses at that time were similar to those shown in 1989. Exhibit No. 5 was an undated aerial photograph which showed similar uses but additionally showed much more intrusion into the Critical Area buffer than what is currently utilized by Mr. Moore's operation. Based upon the existing improvements shown, Mr. Barbierrri estimated that the photograph was taken in the early to mid-1980s, before a house shown on a nearby lot burned in 1987. Mr. Cropper noted that this photograph was provided by Mr. Hudson, the previous owner and operator of the ship construction and repair business. Submitted as Applicant's Exhibit No. 6 was a more recent aerial photograph from several years ago that shows much less impact, the now abandoned marine railway and more recently installed boat travel lift, as well as the on-site dredge spoil disposal area. Upon questioning by Mr. Cropper, Mr. Hand concurred that the E-1 Estate District zoning classification on the petitioned area is a mistake. He asserted that the petitioned area does not display the typical E-1 Estate District type uses such as residential development and that the long established uses of boat building and repair on the site are an industrial type use that should have been given an industrial zoning classification. Mr. Cropper stated that repairing and fabricating boats is a permitted use in the I-1 Light Industrial District. He noted that the current property owner, Mr. Moore, continues to build boats on the property as Mr. Hudson did. Mr. McCabe stated that he has reapplied for the industrial discharge permit with the Maryland Department of the Environment (MDE) that was set to expire.

Relative to the definition of the neighborhood, Mr. Cropper stated that his argument for rezoning is based on a mistake and therefore such a definition is not necessary. He noted that there had been no change to the population of the area.

With respect to the availability of public facilities, Mr. Cropper stated that there are three approved septic disposal sites on the petitioned area but boat fabrication and industrial uses do not generally require large quantities of wastewater disposal. In regard to traffic patterns, Mr. Cropper stated that there is very little traffic on North Piney Point Road and that there are no significant traffic impacts from the existing uses. Relative to compatibility with existing and proposed development, Mr. Cropper stated that the site is isolated and at the terminus of a dead end road, that it is the location of a long established boat repair and fabrication operation, and that there are scattered residences in the area. He noted that an island is located immediately to the south of the petitioned area which will provide a buffer between the petitioned area and the residential uses across the water. Mr. Cropper stated that there was a caretaker's house on the adjoining property, the development is at the end of the road, and there is commercial zoning at the junction of North Piney Point Road and St. Martins Neck Road. He noted that the property is buffered on three sides by vegetation. He again asserted that the I-1 Light Industrial District designation is a compatible zoning classification as the use has been on the property for more than 50 years and the use is one that has been recognized by everyone as being located there and is consistent with the surrounding development. He asserted that the proposed rezoning would allow the continuation of a long established use and bring the zoning into consistency with that use. As it pertained to environmental conditions, Mr. Cropper noted that the State Critical Area Commission has reviewed the proposed rezoning and project at length and determined that impacts will not be increased. In fact, the property owner will be taking steps to improve environmental conditions and water quality will improve due to the establishment of a Critical Area buffer. With regard to the Comprehensive Plan and the associated Land Use Map, Mr. Cropper stated that the petitioned area is partially within the Existing Developed Area Land Use Category and partially within the Agricultural Land Use Category. He asserted that the I-1 Light Industrial District will provide important access to the water and associated economic benefits (quasi-public access) and is consistent with the Comprehensive Plan. He noted that although the petitioned area is partially within the Agricultural Land Use Category according to the Comprehensive Plan, there is no agricultural zoning in the area. All properties are either zoned R-1 Rural Residential District, E-1 Estate District or C-1 Neighborhood Commercial District, with RP Resource Protection District in environmentally sensitive areas. Mr. Cropper asserted that a mistake was made in the comprehensive rezoning adopted on November 3, 2009 relative to the petitioned area, as there was long established boat fabrication and repair occurring on the property at that time and the use became non-conforming when the site was placed in the E-1 Estate District zoning classification. The I-1 Light Industrial District allows boat repair and fabrication as a permitted use and the change in zoning would be more desirable.

Frank Lynch was called as the next witness. He stated that he had been very familiar with the property throughout his life and had completed all of the survey work and stormwater management design for the site. He stated that he and Mr. Hand had designed a storage building for the property that will comply with the various regulations regarding zoning, Critical Area, stormwater management, etc. Mr. Cropper noted that a rezoning shall not take specific uses into account when rendering a decision.

Upon questioning by the staff as to whether the proposed rezoning and Mr. Cropper's argument was solely based on legitimizing the use that is on the site now, Mr. Cropper maintained that the use of the property for fabrication and repair waxes and wanes with the times and that the property owner may develop the property further in the future based on the uses that are permitted by the I-1 Light Industrial District if rezoned. The staff pointed out that the uses that are on the site at present are all permitted by the site's existing E-1 Estate District zoning classification, with the only portion of the site's historic use not permitted by that zoning classification being the heavy fabrication. Mr. Cropper stated that it was a good faith mistake not to have given the petitioned area an I-1 Light Industrial District zoning classification during the comprehensive rezoning because the heavy fabrication was, although reduced in scope, still part of the operation at that time. He maintained that the current property owner has built several boats on the site since he purchased the property several years ago. The Planning Commission Attorney asked the staff if the use was more appropriate in one of the agricultural zoning districts. The staff stated that heavy repair and fabrication is allowed in the A-2 Agricultural District by special exception and that the current use of the property would become a conforming special exception if the petitioned area were rezoned to A-2 Agricultural District. After this discussion, the Planning Commission acknowledged that Mr. Cropper's argument relative to the rezoning was not solely based on the current use but rather the future potential uses of the property.

III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

- A. Regarding the definition of the neighborhood: The Planning Commission found that because Mr. Cropper was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.
- B. Regarding population change: The Planning Commission concluded that there has been no significant change to the population of the vicinity surrounding the petitioned area since the comprehensive rezoning of 2009.
- C. Regarding availability of public facilities: The Planning Commission found that as

it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo (copy attached) that the subject property has designations of Water and Sewer Service Category W-6 and S-6 (No Planned Service) in the Master Water and Sewerage Plan. He stated that his department's well and septic records show the properties improved with existing individual well and septic for Parcels 304 and 171 and that Parcel 4 has an approved sewage reserve area. His response memo dated May 14, 2019 confirms these statements. John H. Tustin, P. E., Director of Public Works, stated in his memo (attached) that he had no comments. According to the Worcester County Soil Survey the primary soil types on the petitioned area have severe limitations to on-site wastewater disposal. Fire and ambulance service will be available from the Bishopville Volunteer Fire Company's main facility on Bishopville Road or the substation on St. Martins Neck Road, located a short distance to the west of the petitioned area. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or the Worcester County Sheriff's Department. The petitioned area is within the area served by the following schools: Showell Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education. In consideration of its review, the Planning Commission found that there will be no negative impacts to public facilities and services resulting from the proposed rezoning.

- D. Regarding present and future transportation patterns: The Planning Commission found that the petitioned area fronts on and currently has access to North Piney Point Road, a County-owned and maintained roadway. It dead-ends at the St. Martins River. North Piney Point Road connects to St. Martins Neck Road, a State-owned and -maintained roadway. The Comprehensive Plan classifies St. Martins Neck Road as a two-lane County road/minor collector highway and states that this roadway links MD Route 90 at its south end to MD Route 367 (Bishopville Road) and provides a secondary link from Ocean City to US Route 113, northeastern Worcester County, and the Delaware beaches. The Comprehensive Plan further states that this roadway's current configuration should be adequate for the planning period. No comments were received from the State Highway Administration relative to this application. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comment at this time. Based upon its review, the Planning Commission found that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

- E. 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: The Planning Commission found that the petitioned area has been utilized for boat repair and fabrication for many, many years and has coexisted with the residences and other land uses in the area. The Planning Commission found that the proposed rezoning will not have any adverse impacts on environmental concerns. The petitioned area is within the Atlantic Coastal Bays Critical Area and has been granted the necessary growth allocation by the State Critical Area Commission to allow potential development. The Planning Commission found that based on information submitted to the State Critical Area Commission in conjunction with the growth allocation request, environmental conditions will actually improve due to the installation of Critical Area buffers, stormwater management systems, and a nitrogen removal wastewater system. Based upon its review, the Planning Commission found that the proposed rezoning of the petitioned area from E-1 Estate District to I-1 Light Industrial District is compatible with existing and proposed development and existing environmental conditions in the area.
- F. Regarding compatibility with the Comprehensive Plan: The Planning Commission found that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Existing Developed Area and Agriculture Land Use Categories. With regard to the Existing Developed Area category the Comprehensive Plan states that it identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained, that recognizing existing development and neighborhood character is the purpose of this designation, and that appropriate zoning providing for densities and uses consistent with this character should be instituted. The Plan furthermore states that the EDAs are anticipated to remain as mapped at least until the next plan review period and that this will provide for orderly infill development within EDAs and new community-scale growth in the growth areas. The Plan also states that, not designated as growth areas, these areas should be limited to infill development and that density, height, bulk and site design standards should also be consistent with the EDA's existing character. With regard to the Agriculture Land Use category the Comprehensive Plan states that 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 and residential and other conflicting land uses, although permitted, are discouraged. The Planning

Commission found that the petitioned area has been long established as a boat repair and fabrication facility, even having a marine railway for many years. Thus, if rezoned to another classification land is not being taken out of agricultural production. Furthermore, the Planning Commission noted that there are other properties in the area that are not zoned in accordance with what is suggested by the Comprehensive Plan's Land Use Map. Based upon its review the Planning Commission found that the proposed rezoning of the petitioned area from E-1 Estate District to I-1 Light Industrial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

IV. PLANNING COMMISSION RECOMMENDATION

- A. In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there is a mistake in the existing zoning of the petitioned area. The Planning Commission found that the petitioned area is the site of a long established boat repair and fabrication operation and that, although the intensity of this operation has waxed and waned through the years, it has never ceased being utilized as such. The Planning Commission concluded that there has not been a change in the character of the neighborhood but that there is an issue with the consistency of the petitioned area's zoning classification with its long time use. Based upon its review, the Planning Commission concluded that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and gave a favorable recommendation to Rezoning Case No. 418, seeking a rezoning of the petitioned area from E-1 Estate District to I-1 Light Industrial District.

V. RELATED MATERIALS AND ATTACHMENTS

STAFF REPORT

REZONING CASE NO. 418

PROPERTY OWNER: Moore Boat, LLC
Leighton Moore, Managing Member
12303 North Piney Point Road
Bishopville, Maryland 21813

ATTORNEY: Hugh Cropper, IV
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842

TAX MAP/PARCEL INFO: Tax Map 10 - Parcels 4, 171 and 304 - Tax District 5

SIZE: The petitioned area is comprised of three parcels which total 9.4 acres. Parcel 4 is 4.47 acres, Parcel 171 is 2.01 acres and Parcel 304 is 2.92 acres.

LOCATION: The petitioned area is located on the easterly side of North Piney Point Road on the northerly side of the St. Martins River.

CURRENT USE OF PETITIONED AREA: Boat fabrication, repair, maintenance and/or storage

CURRENT ZONING CLASSIFICATION: E-1 Estate District

REQUESTED ZONING CLASSIFICATION: I-1 Light Industrial District

APPLICANT'S BASIS FOR REZONING: According to the application, the request for rezoning is based on a mistake in existing zoning.

ZONING HISTORY: At the time zoning was first established in the 1960s the petitioned area was given an A-1 Agricultural District classification. It was given an E-1 Estate District classification in the 1992 comprehensive rezoning and that designation was retained during the 2009 comprehensive rezoning.

SURROUNDING ZONING: Almost all adjoining and nearby properties to the west, north and east are also zoned E-1 Estate District. Two properties at the northerly terminus of North Piney Point Road, at the junction with St. Martins Neck Road, are zoned C-1 Neighborhood Commercial District. Holiday Harbor, a subdivision directly to the east of the petitioned area, is zoned R-1 Rural Residential District, as is the Piney Point subdivision on the southerly side of the St. Martins River/Bishopville Prong. Environmentally sensitive areas are zoned RP Resource Protection District.

COMPREHENSIVE PLAN:

According to Chapter 2 - Land Use of the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Existing Developed Area and Agricultural Land Use Categories. With regard to the Existing Developed Area category, the Comprehensive Plan states the following:

"This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. Recognizing existing development and neighborhood character is the purpose of this designation. Appropriate zoning providing for densities and uses consistent with this character should be instituted.

Surrounding areas have been mapped with one of the other land use designations as appropriate and should not be considered for rezonings by virtue of their proximity to an EDA. Further, the EDAs are anticipated to remain as mapped at least until the next plan review period. This will provide for orderly infill development within EDAs and new community-scale growth in the growth areas.

Not designated as growth areas, these areas should be limited to infill development. Density, height, bulk and site design standards should also be consistent with the EDA's existing character." (Pages 13, 14)

With regard to 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 and residential and other conflicting land uses, although permitted, are discouraged." (Page 18)

Pertinent objectives cited in Chapter 2 - Land Use state the following:

-
2. Continue the dominance of agriculture and forestry uses through the county's less developed regions.
 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.
10. Locate employment centers close to the potential labor force.
.....
15. Balance the supply of commercially zoned land with anticipated demand of year-round residents and seasonal visitors.
16. Locate major commercial and all industrial development in areas having adequate arterial road access or near such roads.
.....
19. Limit rural development to uses compatible with agriculture and forestry.
.....

(Pages 12, 13)

Please note that the Comprehensive Plan does have an Industrial Land Use Category. Areas so mapped are limited to the Pocomoke City and Showell areas. With regard to this land use category, the Comprehensive Plan states the following:

"Traditionally a limited land consumer in Worcester County, light industry is a desirable addition to the county's land use mix. Heavy industry with its environmental and transportation impacts may be compatible in selected locations. Pocomoke City has and will continue to be the focus for the county's most intense industrial uses. To balance the employment base, a light industry location should be developed in the northern county."

"Industrial uses need good road access, large sites, sufficient electricity and public water and sewer services. Rail, port facilities, and natural gas are also desired. Selective economic development efforts focused on high-way, low impact industries and their supporting infrastructure will benefit the county. Industrial uses should be located in the county's designated industrial zones/parks and within appropriate areas in the municipalities." (Page 19)

Within the same chapter, under the heading Industrial Land Demand, the Comprehensive Plan states:

"Standard practice for determining the demand for industrial land does not work well in Worcester County. This method relates industrial land demand to population. In Worcester County with its high proportion of retirees, this relationship breaks down. For this plan, past experience shows existing industrial areas will be sufficient to meet future demand." (Page 24)

In Chapter 4, Economy, pertinent objectives under the heading Industrial Development state the following:

- “1. Continue the industrial development program to retain existing industries and emphasize light industry to expand the county’s research/product-development, manufacturing, health and high-tech sectors.
 2. Maintain an inventory of suitable locations for appropriate industries to locate within the county.
 3. Locate industrial uses primarily in industrial parks.
 4. Address industrial infrastructure needs, including electrical supply, natural gas, and bandwidth improvements.
-” (Page 59)

In Chapter Six - Public Infrastructure, the Comprehensive Plan includes several objectives, including the following:

- “1. Meet existing public facility and service needs as a first priority. Health and safety shall take precedence.
 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 demand it creates.
-” (Page 70)

Chapter Seven - Transportation of the Comprehensive Plan states that “Worcester’s roadways experience morning and evening commuter peaks; however, they are dwarfed by summer resort traffic.Resort traffic causes the most noticeable congestion on US 50, US 113, US 13, MD 528, MD 589, MD 611, and MD 90.” (Page 79)

This chapter also states that “c(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 maintain road capacity. The current amount and location of commercial zoned land poses problems for the road system, particularly for US 50.” (Page 82)

In this same chapter, under the heading General Recommendations - Roadways, it states 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.
-
3. Traffic studies -- Developers should provide traffic studies to assess the effect of each major development on the LOS of nearby roadways.

4. Impacted Roads -- Roads that regularly have LOS D or below during weekly peaks are considered "impacted." Areas surrounding impacted roads should be planned for minimal development (infill existing lots). Plans and funding for improving such roads should be developed.
 5. Impacted Intersections -- Upgrade intersections that have fallen below a LOS C.
- (Page 87)

WATER AND WASTEWATER: According to the response memo dated February 28, 2018 from Robert J. Mitchell, Director of the Department of Environmental Programs (copy attached), the subject properties have a designation of Sewer Service Category S-6 (No Planned Service) in the Master Water and Sewerage Plan. He states that his department's well and septic records show the properties improved with existing individual well and septic for Parcels 304 and 171 and that Parcel 4 has an approved sewage reserve area. His response memo dated May 14, 2019 confirms these statements. John H. Tustin, P. E., Director of Public Works, or John Ross, stated in his memo (attached) that he had no comments.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are as follows:

- WdA - Woodstown sandy loam - severe limitations to on-site wastewater disposal
- HbA - Hambrook sandy loam - severe limitations to on-site wastewater disposal

EMERGENCY SERVICES: Fire and ambulance service will be available from the Bishopville Volunteer Fire Company's main facility on Bishopville Road or the substation on St. Martins Neck Road, both approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Department.

ROADWAYS AND TRANSPORTATION: The petitioned area is a part fronts on and currently has access North Piney Point Road, a County-owned and -maintained roadway. North Piney Point Road dead-ends at the St. Martins River. It connects to St. Martins Neck Road (MD Route 368). This latter roadway is state-owned and -maintained. The Comprehensive Plan classifies St. Martins Neck Road as a two-lane County road/minor collector highway and states that this roadway links MD Route 90 at its south end to MD Route 367 (Bishopville Road) and provides a secondary link from Ocean City to US Route 113, northeastern Worcester County, and the Delaware beaches. The Comprehensive Plan further states that this roadway's current configuration should be adequate for the planning period. No comments were received from the State Highway Administration District 1 with regard to this application. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comment at this time.

SCHOOLS: The petitioned area is within the area served by the following schools: Showell

Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education (WCBOE).

CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS: According to Mr. Mitchell's response memo dated May 15, 2019, the petitioned area is located within the Atlantic Coastal Bays Critical Area (ACBCA). He notes that a portion of the subject properties involved in the rezoning request were recently awarded a Growth Allocation request by the State's Critical Areas Commission so all parcels are now designated as Limited Development Area (LDA). Previously a 4.71 acre portion was classified by the ACBCA as being within the Resource Conservation Area. Mr. Mitchell states that the LDA designation allows industrial uses as long as all development standards noted in § NR 3-107(c)(1 through 10) are able to be met. He further states that for all three parcels included in the proposed rezoning, a 100 foot Critical Area Buffer has been established from the mean high water lines of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. He notes that any areas within the Buffer shall be maintained in natural vegetation and established if natural vegetation is not present throughout the Buffer and that as part of the Growth Allocation award, the buffer will be planted and managed for invasive species. Mr. Mitchell attached the comments of the Critical Area Commission and noted that Commission reiterated the maximum of 15 percent lot coverage and that the Commission had no objections to the proposed rezoning.

PLEASE NOTE THAT THE FOLLOWING HAS BEEN ADDRESSED BY THE ABOVE: According to Mr. Mitchell's memo dated February 28, 2018 (copy attached), the petitioned area is located within the Atlantic Coastal Bays Critical Area (ACBCA) and the property is designated as both Limited Development Area (LDA) and Resource Conservation Area (RCA). He states that the RCA designated area of the parcel does not allow for new commercial activities to be established and that any proposed industrial development must be located outside the RCA. Mr. Mitchell further states that according to NR 3-108(4), existing commercial, industrial, or institutional uses shall be allowed in the RCA and that under NR 3-108(5), new commercial, industrial, or institutional uses shall not be permitted in the RCA and additional land may not be zoned for those uses, unless said use falls under allowances made in NR 3-108(d) or a growth allocation is awarded. Mr. Mitchell notes that areas within the LDA portion of the two parcels (304 and 171) could allow for industrial uses if all development standards are able to be met. According to his memo, for all three parcels including the proposed rezoning, a 100 foot Critical Area Buffer will be established from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extend of tidal wetlands. Expansion of the Buffer beyond 100 feet will occur if contiguous sensitive areas, as noted in NR 3-104(c)(2) are present. Any areas within the buffer shall be maintained in natural vegetation and established if natural vegetation is not present throughout the Buffer. Mr. Mitchell further states that the only lot coverage that can occur in the 100 foot buffer, without a variance, is lot coverage that was permitted pre-Critical Area.

Mr. Mitchell additionally states that he attached the comments from the Critical Area

Commission (CAC) on this case and that they have recommended denial of the application because the requested zoning changes does not meet the requirements of the Critical Area law, including consistency with the existing Critical Area land classification (RCA). He states that the CAC's main points include:

- a. While the proposed I-1 Light Industrial District zoning could possibly be changed for portions of the parcels with LDA designation, the lot coverage limitation of 15 % would most likely preclude any expansion of the existing use on these parcels
- b. They are of the opinion that the mapping mistake for this zoning change is prohibited based on Critical Area law and regulations.
- c. The only option they see to increase the intensity of the development on these parcels is through the use of growth allocation.
- d. If the growth allocation is pursued, an amendment to the County's Critical Area program would also have to be made to allow alternative adjacency standards.

Please review the Critical Area Commission's attached letter for additional comment.

FLOOD ZONE: The FIRM map indicates that the petitioned area is primarily within Zone AE (100 Year Floodplain, Base Flood Elevation of 5 feet).

PRIORITY FUNDING AREA: The petitioned area is not within a designated Priority Funding Area.

INCORPORATED TOWNS: The site is not within one mile of the corporate limits of any town.

ADDITIONAL COMMENTS RECEIVED: Comments received from various agencies, etc. are attached and are summarized as follows:

Kathryn Gordon, Deputy Director, Economic Development: No objection to the proposed rezoning.

Edward Potetz, Director, Environmental Health, Health Department: No objection to the proposed rezoning.

Rob Clarke, Maryland Forest Service: No comments on the rezoning request.

!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! **IMPORTANT** !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

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

- 1) What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing

zoning.)

- 2) Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
- 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) Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
- 9) Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

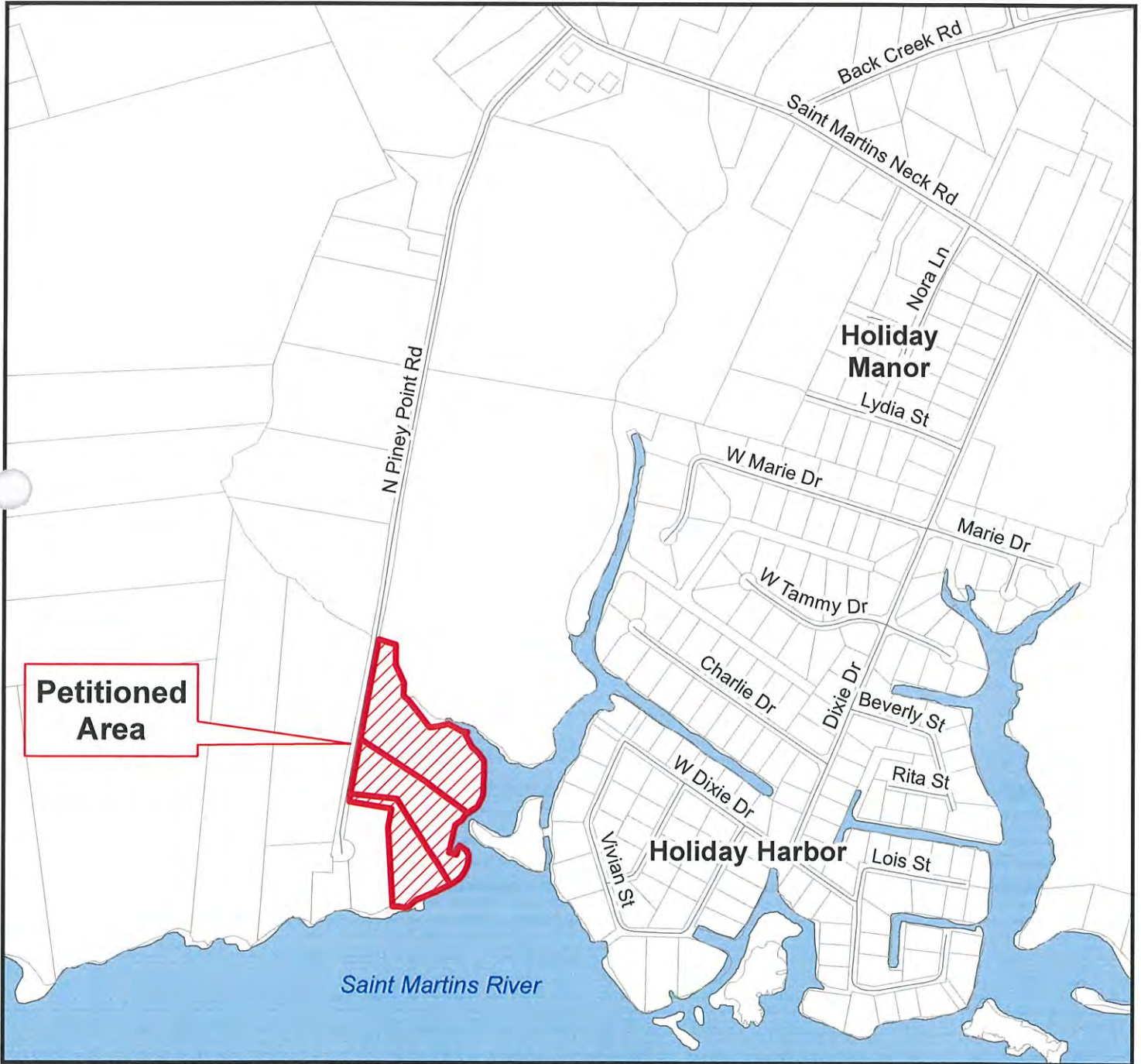


WORCESTER COUNTY, MARYLAND

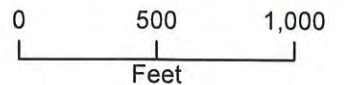


REZONING CASE NO. 418
E-1 Estatel District to I-1 Light Industrial District
Tax Map: 10, Parcels 4, 171 and 304

LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared December 2017



Source: 2015 State Assessment & Taxation Data and GIS Parcel Layer

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW



WORCESTER COUNTY, MARYLAND



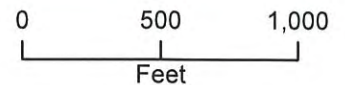
REZONING CASE NO. 418
 E-1 Estatel District to I-1 Light Industrial District
 Tax Map: 10, Parcels 4, 171 and 304

AERIAL MAP



Petitioned Area

DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared December 2017



Source: 2016 Aerial Imagery and GIS Parcell Layer

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW

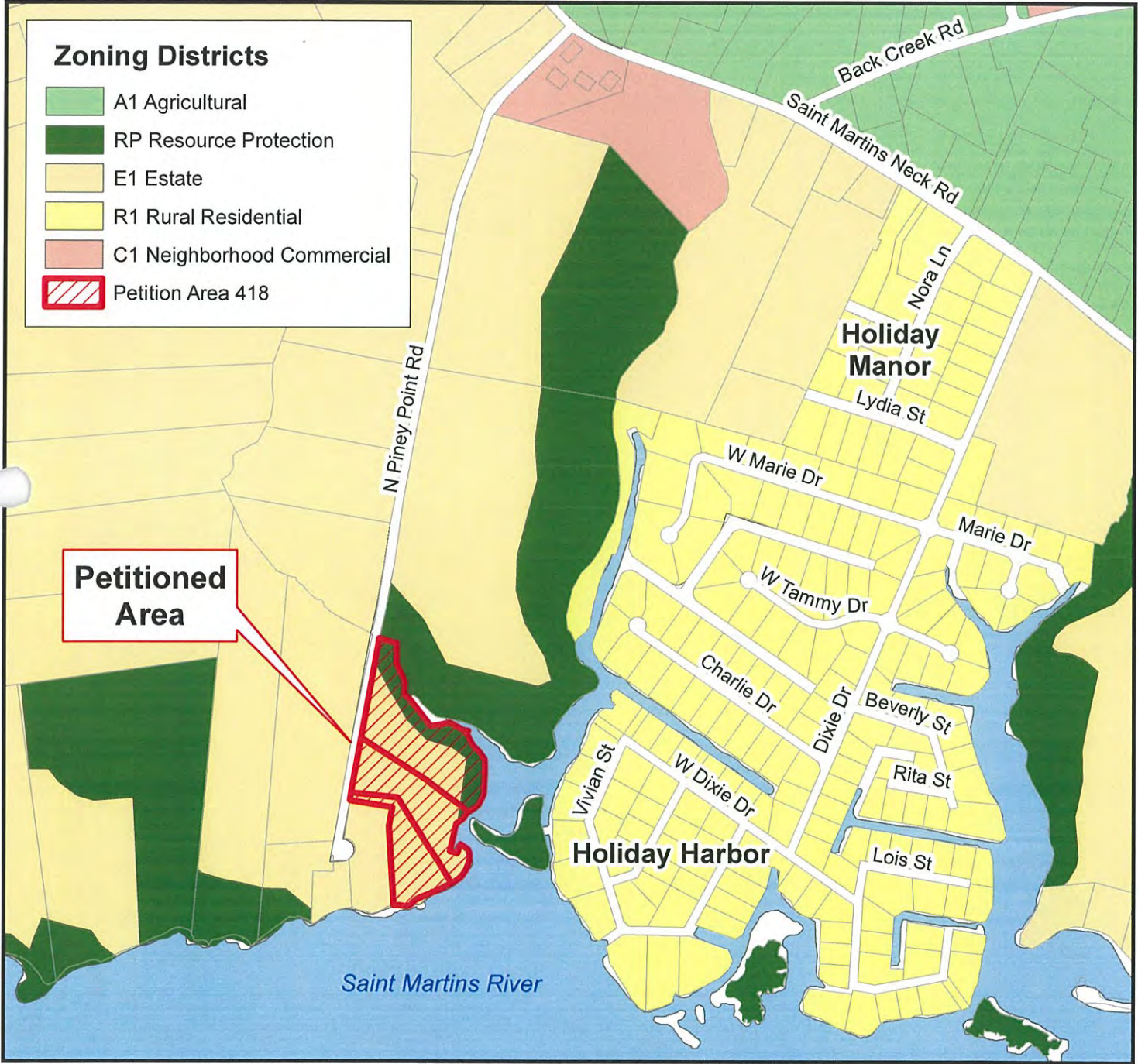


WORCESTER COUNTY, MARYLAND

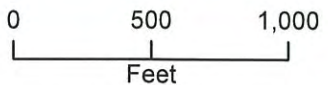


REZONING CASE NO. 418
E-1 Estatel District to I-1 Light Industrial District
Tax Map: 10, Parcels 4, 171 and 304

ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared December 2017



Source: 2006 Zoning District Map (current)
 This map is intended to be used for illustrative purposes only and is not to be used for regulatory action. Drawn By: KLH Reviewed By: PHW

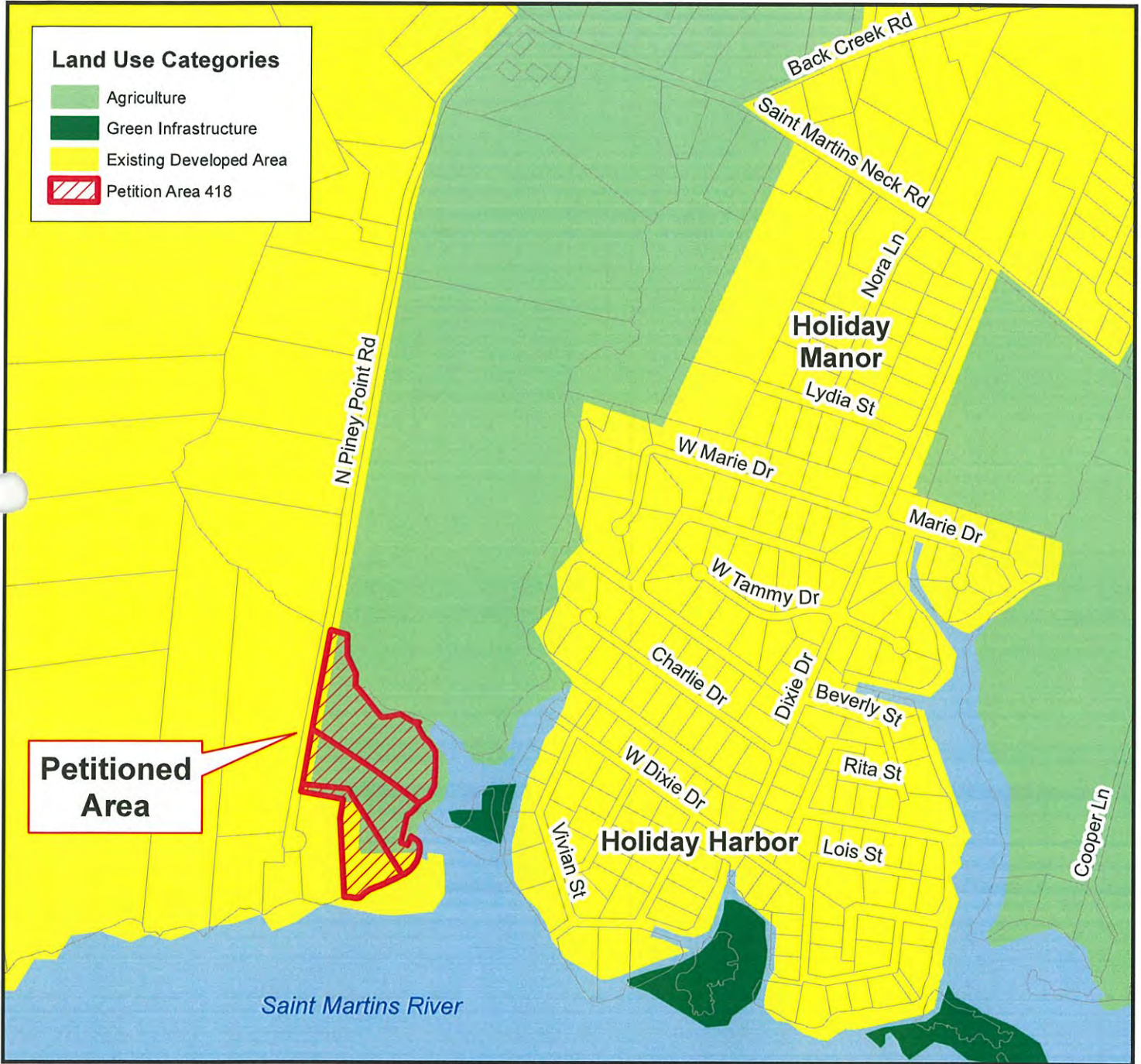


WORCESTER COUNTY, MARYLAND

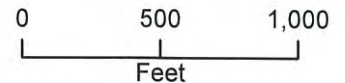


REZONING CASE NO. 418
 E-1 Estatel District to I-1 Light Industrial District
 Tax Map: 10, Parcels 4, 171 and 304

LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared December 2017



Source: 2006 Land Use Map and GIS Parcel Layer

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: PHW

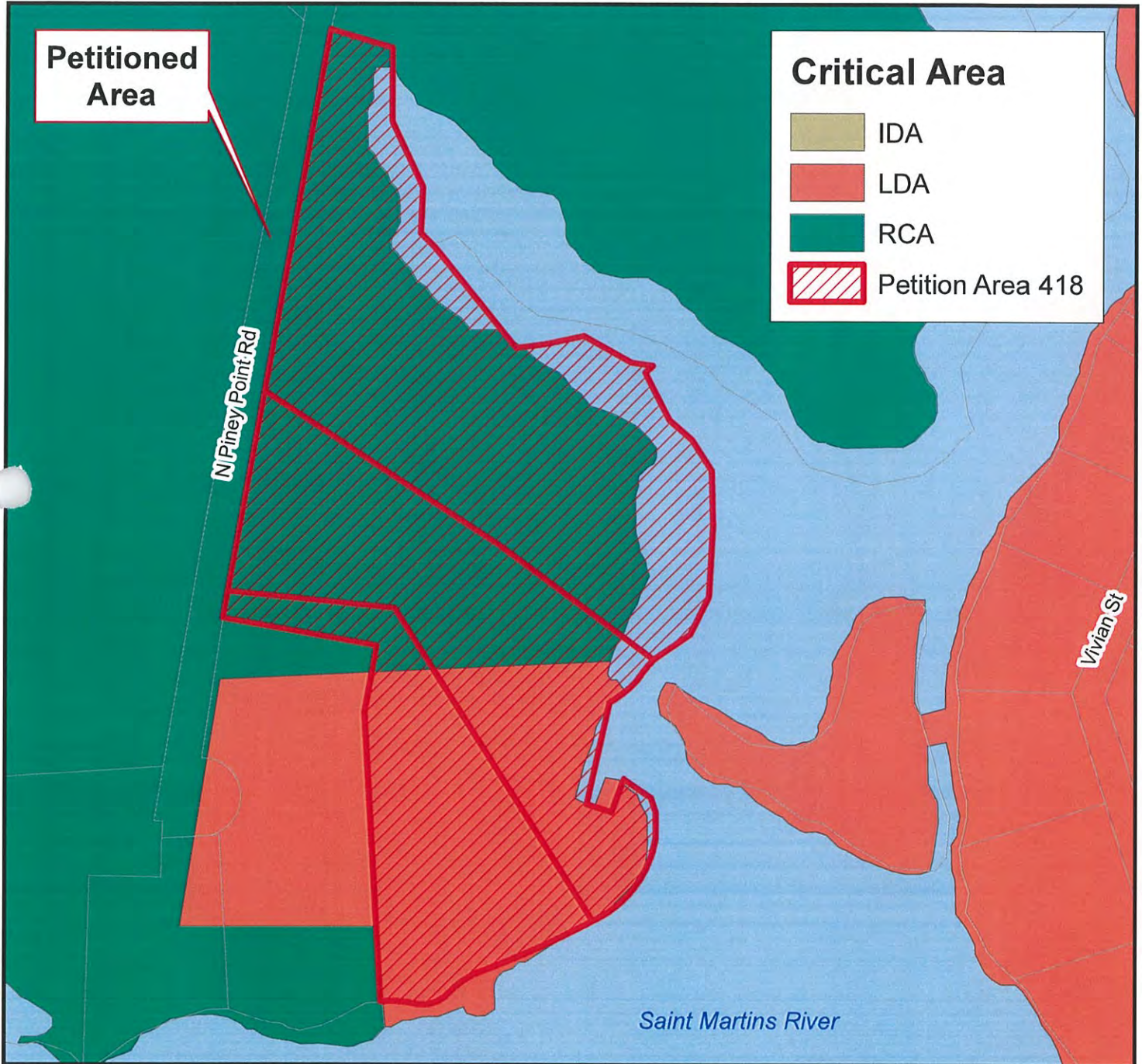


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 418
E-1 Estatel District to I-1 Light Industrial District
Tax Map: 10, Parcels 4, 171 and 304

ATLANTIC COASTAL BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
Technical Services Division - Prepared December 2017

Source: 2002 Atlantic Coastal Bay Critical Area (current)

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action. Drawn By: KLH Reviewed By: PHW

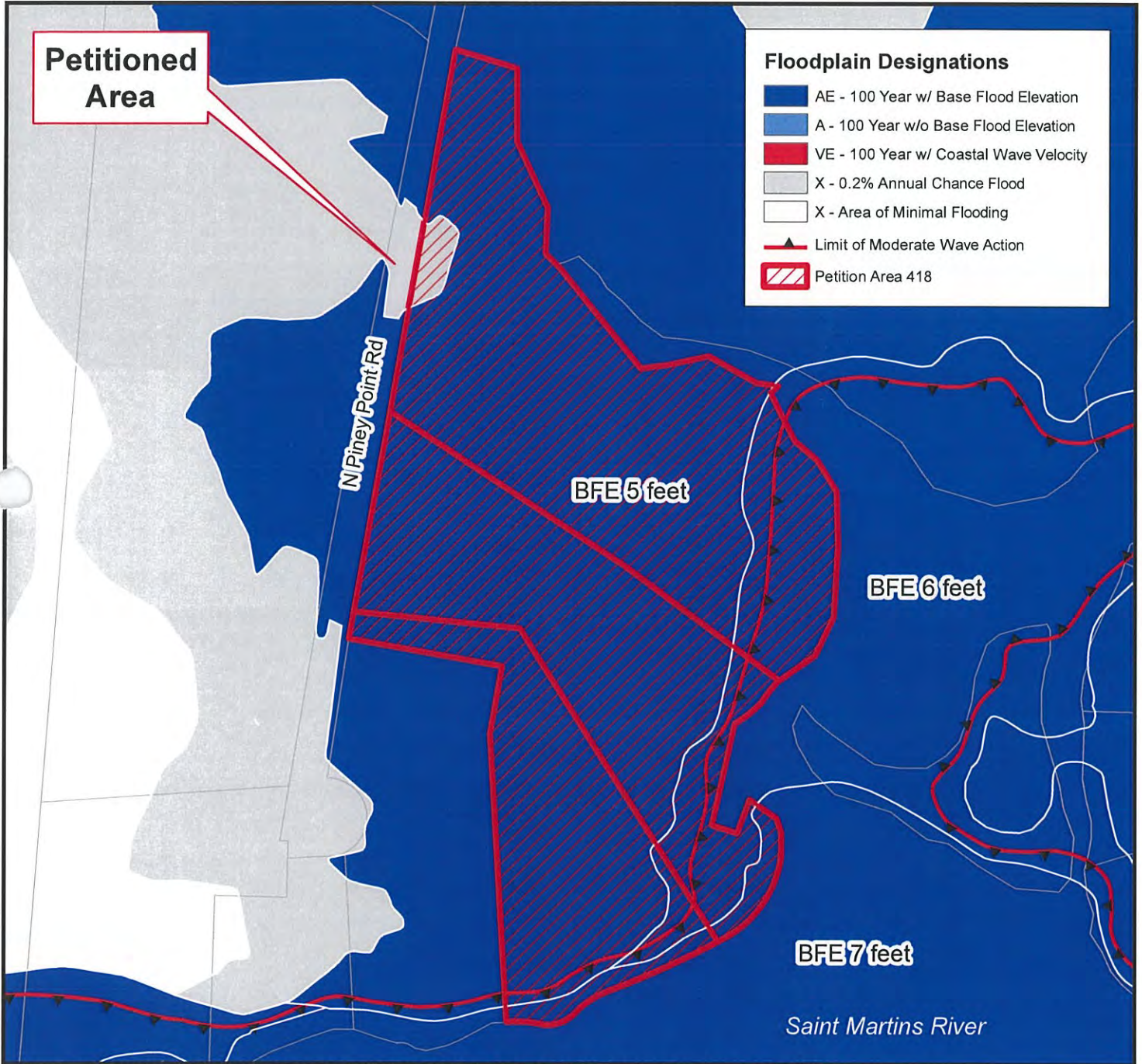


WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 418
E-1 Estatel District to I-1 Light Industrial District
Tax Map: 10, Parcels 4, 171 and 304

FLOODPLAIN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING

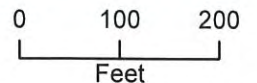
Technical Services Division - Prepared December 2017

Source: 2015 FEMA Flood Insurance Rate Maps and GIS Parcel Layer

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: PHW



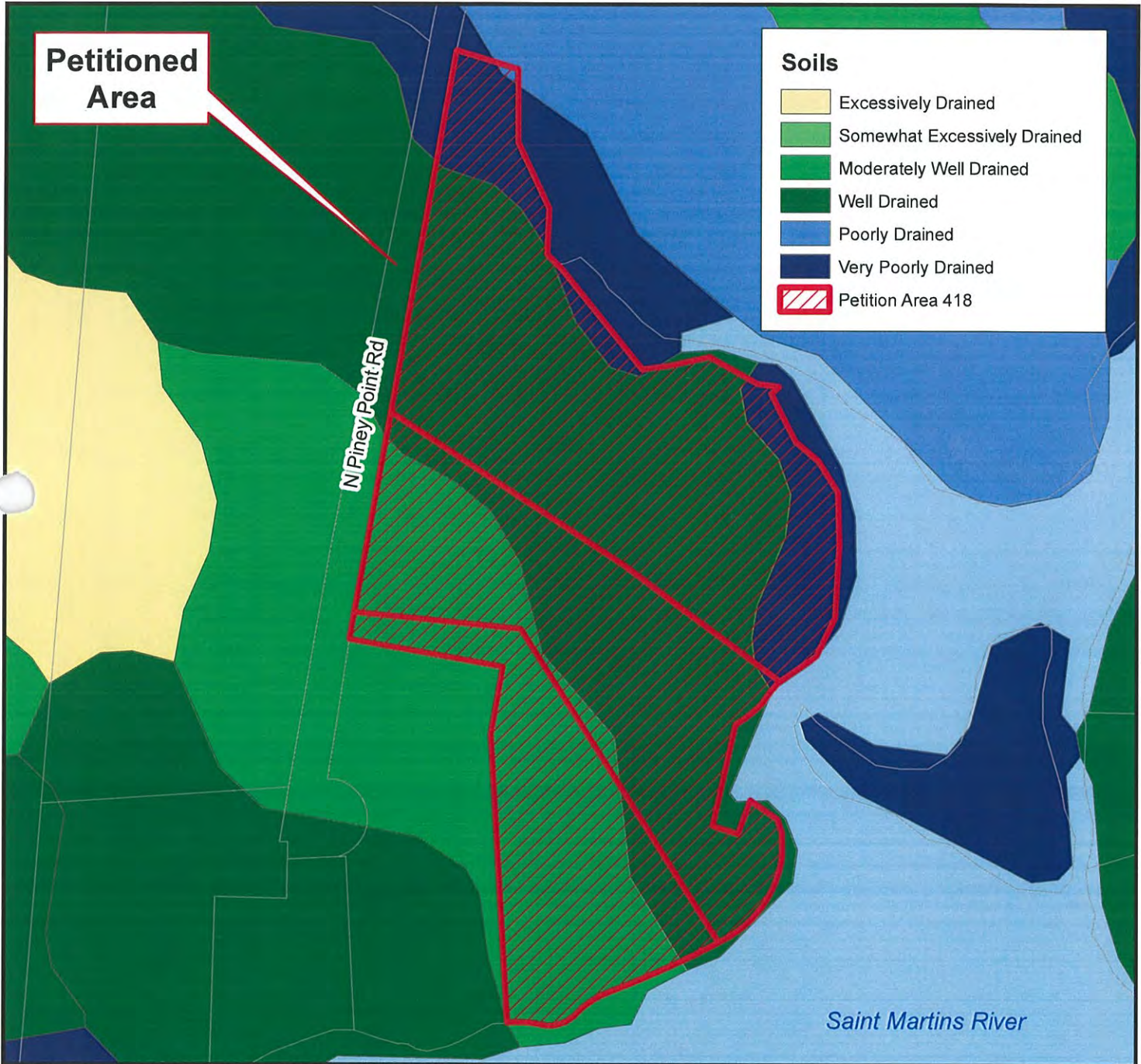


WORCESTER COUNTY, MARYLAND

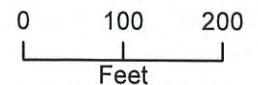


REZONING CASE NO. 418
 E-1 Estatel District to I-1 Light Industrial District
 Tax Map: 10, Parcels 4, 171 and 304

SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared December 2017



Source: 2007 Soil Survey and GIS Parcel Layer

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH

Reviewed By: PHW

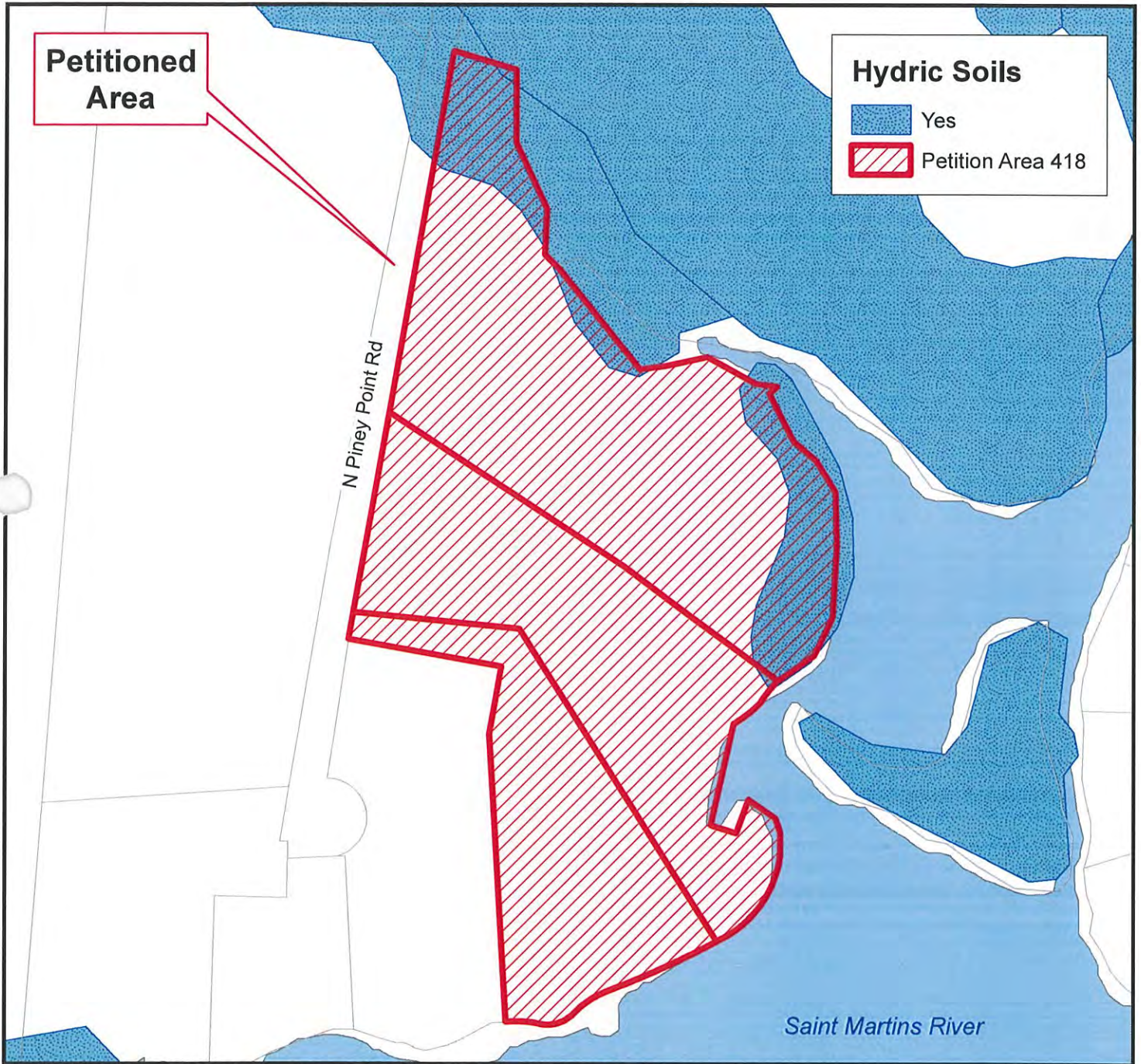


WORCESTER COUNTY, MARYLAND

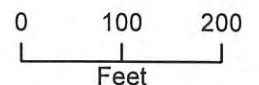


REZONING CASE NO. 418
E-1 Estatel District to I-1 Light Industrial District
Tax Map: 10, Parcels 4, 171 and 304

HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING
 Technical Services Division - Prepared December 2017



Source: 2007 Soil Survey and GIS Parcel Layer

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

Drawn By: KLH Reviewed By: PHW



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
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
 Billy Birch, Director, Worcester County Emergency Services
 Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office
 John H. Tustin, P.E., Director, Worcester County Public Works Department
 John Ross, P.E., Deputy Director, Worcester County Public Works Department
 Frank Adkins, Roads Superintendent, Worcester County Public Works Department
 Jeff McMahon, Fire Marshal, Worcester County Fire Marshal's Office
 Kathryn Gordon, Deputy Director, Economic Development
 Louis H. Taylor, Superintendent, Worcester County Board of Education
 James Meredith, District Engineer, Maryland State Highway Administration
 Lt. Earl W. Starner, Commander, Barracks V, Maryland State Police
 Rebecca L. Jones, Health Officer, Worcester County Health Department
 Rob Clarke, State Forester, Maryland Forest Services
 Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
 David Collins, Fire Chief, Bishopville Volunteer Fire Department

FROM: Phyllis H. Wimbrow, Deputy Director *phw*

DATE: March 12, 2019

RE: Rezoning Case No. 418- Moore Boat, LLC/ Hugh Cropper, IV- Approximately 9.4 acres located on the east end of North Piney Point Road

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a meeting in Summer 2019. This application seeks to rezone approximately 9.4 acres of land from E-1 Estate District to I-1 Light Industrial District. Uses allowed in the district include, but are not limited to, wholesale & service establishments, light

manufacturing and repair establishments, commercial marina and marine yards, industrial parks, bulk storage or wholesaling of fuels and other flammable liquids, and other similar uses.

This application was originally submitted in January 2018 and subsequently sent to you for comment at that time. However, the applicant's attorney, Hugh Cropper, IV, asked that the application be set aside while he sought to resolve certain issues. Mr. Cropper has now asked that the application be reactivated. Because so much time has passed, I felt it prudent to request that you review the case again and provide comment.

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which your agency is responsible. ***If no response is received by MAY 15, 2019, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.***

If you have any questions or require further information, please do not hesitate to call this office or email me at pwimbrow@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

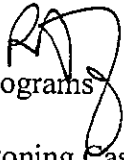


Worcester County

Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, DDRP

From: Robert J. Mitchell, LEHS 
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 418
Worcester County Tax Map 10, Parcels 4, 171, and 304
9.4 Acres E-1 Estate to I-2 Light Industrial District

Date: 5/14/19

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 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. The properties have both an Agricultural land use designation and a Existing Developed land use designation in the Land Use Map in the *Comprehensive Plan*. The existing developed portion of the three parcels is really confined to the southernmost portion along the waterfront areas where the existing structures are located on Parcels 171 and 304. The agricultural designation covers Parcel 4 in its entirety and extends through most of Parcel 304 and into the upper part of 171.
2. The subject properties have a designation of Sewer Service Category S-6 (no Planned Service) in the *Master Water and Sewerage Plan*.
3. Our well and septic records show the properties improved with existing individual well and septic for Parcels 304 and 171. Parcel 4 has an approved sewage reserve area. While there are limits, the onsite capacities should serve existing uses with some room for expansion of site uses in the future.

Citizens and Government Working Together

4. This proposed rezoning is located within the Atlantic Coastal Bays Critical Area (ACBCA). The parcels involved in this rezoning request were recently awarded a Growth Allocation request so all parcels are designated as Limited Development Area (LDA). The LDA designation does allow for industrial uses as long as all development standards as noted in NR 3-107(c)(1-10) are able to be met.
5. For all three parcels including the proposed rezoning, a 100 foot Critical Area Buffer has been established from the mean high water lines of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. Any areas within the Buffer shall be maintained in natural vegetation and established if natural vegetation is not present throughout the Buffer. As part of the Growth Allocation award, the buffer will be planted and managed for invasive species.
6. We have attached the comments from the Critical Area Commission (CAC) on this case. They have reiterated the 15% lot coverage limit and noted they have no objections to the application.
7. If you have any questions on these comments, please do not hesitate to contact me.

Attachment

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-1220 FAX: 410-632-2012

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Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman

Katherine Charbonneau
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

May 13, 2019

Ms. Jenelle Gerthoffer
Worcester County Department of Environmental Programs
One West Market Street – Room 1306
Snow Hill, Maryland 21863

Re: Moore Boat, LLC
Rezoning Application #418 (Revised)

Dear Ms. Gerthoffer:

Thank you for providing information on the proposed rezoning of approximately 9.4 acres within the Limited Development Area (LDA) from Estate District (E-1) to Light Industrial (I-1). The petitioned area is located on North Piney Point Road in Bishopville on Tax Map 10, Parcels 4, 171, and 304. Earlier this month, the Critical Area Commission approved a growth allocation request to convert 4.71 acres of Resource Conservation Area (RCA) to LDA on this property. The requested zoning change meets the requirements of the Critical Area law, including consistency with the existing Critical Area land classification of LDA; therefore, we do not have any objections to the application.

Please note that because the property is designated as LDA, it has a maximum of 15% lot coverage. If the property owner would like to increase the intensity of development on this property at a future date, growth allocation to change the designation to Intensely Developed Area (IDA) would be required, and an amendment to the County's Critical Area program would have to be made to allow alternative adjacency standards.

Please submit this letter to the Planning Commission as part of their record and notify the Commission in writing of the decision made in this case. If you have any questions or concerns, please call me at 410-260-3477.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Durant".

Kathryn Durant
Natural Resources Planner

File: WC 50-18

Phyllis Wimbrow

From: Kathryn Gordon
Sent: Wednesday, March 13, 2019 10:54 AM
To: Phyllis Wimbrow
Subject: Rezoning Cases 421 and 418

Good Morning Phyllis,

I have received and reviewed both rezoning cases referenced above and do not find anything that goes against my department's mission/plans.

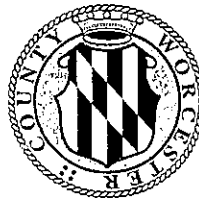
Thank you and have a wonderful day!
Kathryn

Worcester County
**ECONOMIC
DEVELOPMENT**



Kathryn Gordon
Deputy Director
Worcester County Economic Development
100 Pearl Street, Suite B
Snow Hill, Maryland 21863

P: 410.632.3112
410.632.5631
410.430.8776



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

MEMORANDUM

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: March 18, 2019
RE: Rezoning Case No. 418

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET
MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

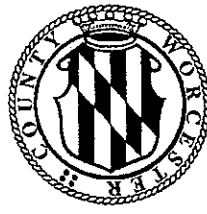
Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 418: No comments at this time.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

FJA/ll
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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

Rebecca L. Jones, RN, BSN, MSN
Health Officer

MEMORANDUM

To: Phyllis H. Wimbrow, Deputy Director <

From: Edward Potetz, Director ✍
Environmental Health

Date: March 19, 2019

Re: Rezoning Case No. 418

This office has no objection to the proposed above-referenced rezoning case.

35

Phyllis Wimbrow

From: April Mariner
Sent: Tuesday, March 12, 2019 1:54 PM
To: Phyllis Wimbrow
Subject: FW: Request for Comment #418

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

From: Rob Clarke -DNR- [<mailto:rob.clarke@maryland.gov>]
Sent: Tuesday, March 12, 2019 1:58 PM
To: April Mariner
Subject: Re: Request for Comment #418

Good Afternoon April,

I have no comments regarding this request.

Thanks,
Rob Clarke

sent from my iPad

On Mar 12, 2019, at 09:41, April Mariner <amariner@co.worcester.md.us> wrote:

Good Morning Mr. Clarke, this is a request for comment for Rezoning Case #418. It was previously submitted last year but placed on hold so we are re-requesting comments. Thank you in advance.

April L. Mariner
Office Assistant IV
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

<Agency Memo for Rezoning Case #418.pdf>

Phyllis Wimbrow

From: Hugh Cropper [hcropper@bbcmlaw.com]
Sent: Tuesday, March 05, 2019 4:06 PM
To: Phyllis Wimbrow
Cc: Jack Burbage; Leighton1@Seacrets.com; bob@rdhand.com; 'Chris McCabe'; frank lynch;
Subject: Moore Boats, LLC

Mrs. Wimbrow:

On January 2, 2018, I filed an Application for Amendment of the Official Zoning Map with respect to Worcester County Tax Map 10, Parcels 4, 171, and 304, owned by Moore Boats, LLC. I requested a rezoning of the entire property (9.34 acres) to I-1, Light Industrial District. I believe that the application has been assigned Rezoning Case No. 418. I asked that the rezoning be placed on hold, as I pursued the Growth Allocation request.

The Growth Allocation will be the subject of a public hearing on April 2, 2019 before the Worcester County Commissioners.

At this time, on behalf of Moore Boats, LLC, I would like to proceed with Rezoning Case No. 418. If you require any additional information, please let me know.

Thank you, and have a great day.

Hugh Cropper IV
Booth Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
410-213-2681-Telephone
www.bbcmlaw.com

This message may contain privileged or confidential information that is protected from disclosure. If you are not the intended recipient of this message, you may not disseminate, distribute or copy it. If you have received this message in error, please delete it and notify the sender immediately by reply email or by calling 410-213-2681. Thank you.

APPLICATION FOR AMENDMENT OF OFFICIAL ZONING MAP

(Office Use One - Please Do Not Write In This Space)

Rezoning Case No. 418

Date Received by Office of County Commissioners: _____

Date Received by Development, Review and Permitting: (Rec'd 12/4/17) 1/2/18

Date Reviewed by Planning Commission: _____

I. Application

Proposals for amendment of the Official Zoning Maps may be made only by a governmental agency or by the property owner, contract purchaser, option holder, leasee, 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. XXX Attorney for B (Insert A, B, C, D, or E)
- G. _____ Agent of _____ (Insert A, B, C, D, or E)

II. Legal Description of Property

- A. Tax Map/Zoning Map Number(s): 10
- B. Parcel Number(s): 4, 171, and 304
- C. Lot Number(s), if applicable: _____
- D. Tax District Number: 5

III. Physical Description of Property

A. Located on the East side of ^{North} Piney Point Road approximately _____ to the _____ of _____.

B. Consisting of a total of 9.4 acres of land.

P. 4 4.47 acs.
P. 171 2.01 acs.
P. 304 2.92 acs.

- 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 such other 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): E-1, Estate District
(Name and Zoning District)

- B. Acreage of zoning classification(s) in "A" above: 9.4 acres

- C. Requested zoning classification(s): I-1, Light Industrial District
(Name and Zoning District)

- D. Acreage of zoning classification(s) in "C" above: 9.4 acres

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 that 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 rezoning 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:

Please see attached

IV. 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 of 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 of 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 Applicant in Accordance with VI.A. above.

Signature: 

Printed Name of Applicant:

Hugh Cropper, IV, Attorney for Moore Boat, LLC

Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, MD 21842

Phone Number: 410-213-2681

E-Mail: hcropper@bbcmlaw.com

Date: November 30, 2017

C. Signature of Property Owner in Accordance with VI.A. above

Signature: 

Printed Name of Owner:

Moore Boat, LLC, Leighton Moore, Managing Member

Mailing Address: 12303 N. Piney Point Road, Bishopville, MD 21813

Phone Number: 410-524-4900

E-Mail: Leighton1@Seacrets.com

Date: November 30, 2017

(Please use additional pages and attach to 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 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 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 that 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 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 the 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.

**ATTACHMENT IN SUPPORT OF REZONING APPLICATION,
MOORE BOAT, LLC**

INTRODUCTION

Moore Boat, LLC, a Maryland Limited Liability Company, by its attorney, Hugh Cropper IV, respectfully submits the following in support of its Application for Amendment of Official Zoning Map:

REASONS WHY REZONING IS REQUESTED

This Application for Amendment of Official Zoning Map is based upon a mistake in the November 3, 2009 Comprehensive Rezoning.

The subject property is three (3) separate parcels, consisting of a total of 9.4 acres of land, located at the east end of North Piney Point Road, in Bishopville, Maryland.

Walter J. Hudson acquired the original waterfront parcel, over one hundred (100) years ago, on January 5, 1894. After Mr. Hudson's death, his wife, Eva Hudson, conveyed the property to their son, also Walter Hudson, on June 26, 1940. Subsequently, Walter Hudson's son and daughter-in-law, Walter J. Hudson, Jr. and Judy Hudson acquired title to the original waterfront parcel. Mr. and Mrs. Hudson acquired additional parcels, for a total of 9.4 acres.

The property remained in the Hudson family from 1894 until September 30, 2005, when it was sold.

Walter J. Hudson, Jr. was in the boat repair/maintenance/construction business. Mr. Hudson operated Hudson's Marine Railway for many, many years.

Back in the 1960's, 70's, and 80's, the business was very active. Large

boats were pulled from the St. Martins River by a frame on an actual railway, which backed down into the water. Large boats travelled to this location to be pulled out for many, many years.

Virtually the entire property was covered with the storage of boats. These boats were maintained, the bottoms were painted, engines repaired, etc.

Mr. Hudson was also in the boat building business. Mr. Hudson built numerous boats on the property. These boats ranged in size from Chincoteague scows, to sportfishing vessels.

Mr. Hudson provided heavy repairs for vessels. Mr. Hudson and his son repaired all types of boat damage, specifically fiberglass work. They replaced propellers, shafts, rudders, etc.

Mr. Hudson also had a retail business on the property. He sold bottom paint, zincs, boat parts, etc.

Boats were frequently moored at the property.

The use of the marine railway became antiquated, and Mr. Hudson purchased a travel lift. The travel lift is a large structure on tires, which lifts boats from the water with large straps. It was not unusual for Mr. Hudson to lift 50 or 60 foot vessels out of the water for maintenance and repair.

Mr. Hudson's business of pulling boats from the water, and storing them for the winter, began to suffer when Sunset Marina and Ocean City Fishing Center opened in West Ocean City, and both businesses installed travel lifts. It simply wasn't practical for large boats to travel up the St. Martin's River, when they could be pulled in West Ocean City. However, Mr. Hudson's repair and

maintenance business remained vibrant. He also continued to build boats, typically wooden vessels reinforced with fiberglass cloth and resin.

Mr. Hudson discontinued the operation in 2005 when he sold the property.

Moore Boat, LLC acquired the property on September 12, 2008, and took over the fabrication and maintenance of boats. Moore Boat, LLC constructed and repaired boats at the property. This was an active business as of November 3, 2009, the date of the Comprehensive Rezoning.

Back in 2008 – 2009, it was contemplated that the property would be developed as residential. This was the growing trend during the real estate boom, at that time. As a result, the Worcester County Commissioners mistakenly (albeit in good faith) designated the property as E-1, Estate District, which provided for two (2) acre lots.

The E-1, Estate District zoning was a mistake for several reasons. Most importantly, it created a non-conforming use. The property was being utilized for boat fabrication, repair, maintenance, and storage. This is not permitted in the E-1, Estate District.

The property is in the Critical Area, which has a one (1) per twenty (20) acre residential density. The E-1 Estate District zoning was inapplicable and inconsistent, because it provided for one (1) per two (2) acre density.

At the time (and today), there was a strong need for boat fabrication and repair facilities.

Therefore, the applicant asserts a mistake in the November 3, 2009 Comprehensive Rezoning. The property should have been zoned consistent

with the use of many, many years.

The L-1, Light Industrial zone, provides for commercial marinas and marine yards, including fueling, boat launching and recovery, dry storage of seaworthy boats and operable condition, maintenance facilities for all types of hull, deck, and interior repairs and painting and boat construction. This is precisely the use of the property for many, many years.

With respect to the Comprehensive Plan, the property is designated as Existing Developed Area ("EDA"). The EDA designation provides for in-fill development. The continuation and expansion of the existing marine yard would be consistent with the in-fill development.

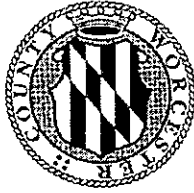
The property is appropriate for all of the uses in the L-1, Light Industrial District, including storage. Historically, paint, fuel, fiberglass resin, and other chemicals have been stored at the property for probably fifty (50) years.

Under the terms of the Comprehensive Plan, the L-1, Light Industrial District zoning is more appropriate.

Respectfully submitted,



Hugh Cropper IV
Attorney for Moore Boat, LLC



Worcester County
Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, DDRP

From: Robert J. Mitchell, LEHS
Director, Environmental Programs

Subject: EP Staff Comments on Rezoning Case No. 418
Worcester County Tax Map 10, Parcels 4, 171, and 304
9.4 Acres E-1 Estate to I-2 Light Industrial District

Date: 2/28/18

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 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. The properties have both an Agricultural land use designation and a Existing Developed land use designation in the Land Use Map in the *Comprehensive Plan*. The existing developed portion of the three parcels is really confined to the southernmost portion along the waterfront areas where the existing structures are located on Parcels 171 and 304. The agricultural designation covers Parcel 4 in its entirety and extends through most of Parcel 304 and into the upper part of 171.
2. The subject properties have a designation of Sewer Service Category S-6 (no Planned Service) in the *Master Water and Sewerage Plan*.
3. Our well and septic records show the properties improved with existing individual well and septic for Parcels 304 and 171. Parcel 4 has an approved sewage reserve area.
4. This proposed rezoning is located within the Atlantic Coastal Bays Critical Area (ACBCA). The property is designated as both Limited Development Area (LDA) and

Citizens and Government Working Together

Resource Conservation Area (RCA). The RCA designated area of the parcel does not allow for new commercial activities to be established. Any proposed industrial development must be located outside the RCA. According to NR 3-108(4), *existing* commercial, industrial, or institutional uses shall be allowed in the RCA. Under NR 3-108(5), new commercial, industrial, or institutional uses shall not be permitted in the RCA and additional land may not be zoned for those uses, unless said use falls under allowances made in NR 3-108(d) or a growth allocation is awarded.

5. Areas within the LDA portion of the two parcels (304 and 171) could allow for industrial uses if all development standards are able to be met.
6. For all three parcels including the proposed rezoning, a 100 foot Critical Area Buffer will be established from the mean high water line of tidal waters, the edge of the bank of tributary streams, and the landward extent of tidal wetlands. Expansion of the Buffer beyond 100 feet will occur if contiguous sensitive areas, as noted in NR 3-104(c)(2), are present. Any areas within the Buffer shall be maintained in natural vegetation and established if natural vegetation is not present throughout the Buffer. The only lot coverage that can occur in the 100 foot buffer, without a variance, is lot coverage that was permitted pre-Critical Area.
7. We have attached the comments from the Critical Area Commission (CAC) on this case. They have recommended denial of the application because the requested zoning change does not meet the requirements of the Critical Area law, including consistency with the existing Critical Area land classification (RCA). Their main points include:
 - a. While the proposed I-1 zoning could possibly be changed for portions of the parcels with LDA designation, the lot coverage limitation of 15% would most likely preclude any expansion of the existing use on these parcels.
 - b. They are of the opinion that the mapping mistake for this zoning change is prohibited based on Critical Area law and regulations.
 - c. The only option they see to increase the intensity of the development on these parcels is through the use of a growth allocation.
 - d. If the growth allocation is pursued, an amendment to our Critical Area program would also have to be made to allow alternative adjacency standards.

If you have any questions on these comments, please do not hesitate to contact me.

Attachment

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-1220 FAX: 410-632-2012

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman

Katherine Charbonneau
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
dnr.maryland.gov/criticalarea/

February 14, 2018

Ms. Joy Birch
Dept. of Environmental Programs
Worcester County Government
Room 1306
1 West Market St. Snow Hill, MD 21863

Re: Moore Boat, LLC
Rezoning Application #418

Dear Ms. Birch:

Thank you for providing information on the proposed rezoning of 8.2 acres within the Resource Conservation Area (RCA) and Limited Development Area (LDA) from Estate District (E-1) to Light Industrial (I-1). The petitioned area is located on North Piney Point Road in Bishopville on Tax Map 10, Parcels 4, 171 and 304. A portion of Parcels 148 and 219 are located within the Critical Area and mapped RCA. Parcel 4 is 5.5 acres entirely in the RCA; Parcels 304 and 171 are comprised of both RCA and LDA. The requested zoning change does not meet the requirements of the Critical Area law, including consistency with the existing Critical Area land classification; therefore we recommend denial of the application.

Applicant's Petition

The applicant is arguing that a mapping mistake was made in the 2009 Comprehensive Rezoning. In order to approve a zoning map amendment on the basis of mistake in the existing zoning, a local jurisdiction must determine that the change is wholly consistent with the Critical Area land classification (Natural Resources Article 8-1809(h)(2)). New commercial and industrial uses are prohibited in the RCA, unless the use is explicitly authorized under a local program amendment approved by the Critical Area Commission. The Light Industrial zone is clearly not consistent with the RCA classification as evidenced by the description of this zone in the County's zoning code as being intended to provide for business and industry, characterized by light manufacturing, warehousing and wholesale distribution and which allows commercial marinas and marine yards. COMAR 27.01.02.05 (6) states that "*additional industrial or commercial facilities may not be located in the resource conservation area unless the use is authorized by a local program.*" Therefore, the proposed rezoning may not be approved within any area of RCA.

Ms. Joy Birch
Moore Boat, LLC
February 14, 2018
Page Two

The existing use of boat fabrication, repair, and maintenance is located predominately, though not entirely, on the LDA portion of the petitioned area. While the I-1 zoning could possibly be changed for portions of the parcels with LDA designation, the lot coverage limitation of 15% would most likely preclude any expansion of this business on these parcels.

Mapping Change Through Growth Allocation

This office is of the opinion that a mapping mistake to change the petitioned parcel from Estate District to Light Industrial District in the RCA is prohibited based on the Critical Area Law and Critical Area regulations referenced above. It appears that the only option to increase the intensity of development on this property is through the use of growth allocation. If the property owner and the County want to pursue this avenue, all growth allocation standards would have to be met. An amendment to the County's Critical Area program would also have to be made to allow alternative adjacency standards.

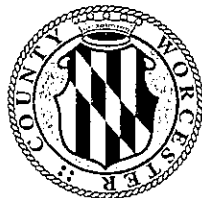
Please submit this letter to the Planning Commission as part of their record and notify the Commission in writing of the decision made in this case. You may contact me at 410-260-3482 with any questions or concerns.

Sincerely,



M. Claudia Jones
Science Advisor
WC 50-18

¹The character of the land surrounding the petitioned parcel was considered at the time of the original mapping for the Atlantic Coastal Bays Critical Area Program. Worcester County was required to designate all lands as either Intensely Developed Area (IDA), Limited Development Area (LDA) or RCA based on existing land uses and development. The IDA mapping designation applied to developed areas where residential, commercial, institutional, and/or industrial uses predominated had a density of at least four dwellings per acres, or, public sewer with a lower density, relatively little natural habitat, and were at least 20 acres in size. A Limited Development designation applied to those areas that were developed in low or moderate intensity uses and were not dominated by agriculture wetlands, forests, etc. Resource Conservation Areas were specifically defined as those areas characterized by nature-dominated environments and resource utilization activities with a density of less than one dwelling unit per 5 acres. The RCA and LDA portions of the petitioned area were correctly mapped based on the mapping criteria.



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-3244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET
MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

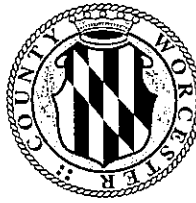
MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director, DRP
FROM: John H. Tustin, P.E., Director
DATE: January 12, 2018
SUBJECT: Rezoning Case No. 418 – N. Piney Point Road

As requested, I have had the opportunity to review the attached document from your office, dated January 8, 2018, and offer no comments on the rezoning proposal.

Should you have any questions/concerns please feel free to contact me.

Attachment



Worcester County
DEPARTMENT OF PUBLIC WORKS
6113 TIMMONS ROAD
SNOW HILL, MARYLAND 21863

MEMORANDUM

JOHN H. TUSTIN, P.E.
DIRECTOR

JOHN S. ROSS, P.E.
DEPUTY DIRECTOR

TEL: 410-632-5623
FAX: 410-632-1753

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Frank J. Adkins, Roads Superintendent (FA)
DATE: January 30, 2018
RE: Rezoning Case No. 418

DIVISIONS

MAINTENANCE
TEL: 410-632-3766
FAX: 410-632-1753

ROADS
TEL: 410-632-2244
FAX: 410-632-0020

SOLID WASTE
TEL: 410-632-3177
FAX: 410-632-3000

FLEET
MANAGEMENT
TEL: 410-632-5675
FAX: 410-632-1753

WATER AND
WASTEWATER
TEL: 410-641-5251
FAX: 410-641-5185

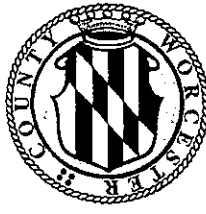
.....
Upon review of the above referenced rezoning case, I offer the following comments:

Rezoning Case 418: No comments at this time.

Should you have any questions, please do not hesitate to contact me.

cc: John H. Tustin, P.E., Director

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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

Rebecca L. Jones, RN, BSN, MSN
Health Officer

MEMORANDUM

To: Phyllis H. Wimbrow, Deputy Director

From: Edward Potetz, Director 
Environmental Health

Date: January 19, 2018

Re: Rezoning Case No. 418

This office has no objection to the proposed above-referenced rezoning case.

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Phyllis Wimbrow

From: April Mariner
Sent: Monday, January 08, 2018 12:13 PM
To: Phyllis Wimbrow
Subject: FW: Rezoning Case #418

April L. Mariner


Office Assistant III
Worcester County Development Review & Permitting
amariner@co.worcester.md.us
410-632-1200 x1172

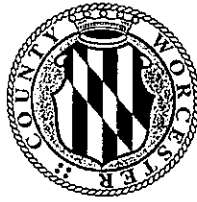
From: Rob Clarke -DNR- [<mailto:rob.clarke@maryland.gov>]
Sent: Monday, January 08, 2018 12:03 PM
To: April Mariner
Subject: Re: Rezoning Case #418

April,

Happy New Year!

have no comments on this rezoning request.

 <p>CHANGING Maryland <i>for the Better</i></p>  <p>dnr.maryland.gov</p>	<p>Rob Clarke Acting Project Manager Maryland Forest Service Department of Natural Resources 10990 Market Lane Princess Anne, MD 21853-2910 Office: 410-651-2004 Mobile: 443-235-1636 Rob.Clarke@Maryland.gov</p>
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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
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMO

TO: Robert Mitchell, Director, Worcester County Environmental Programs
Fred Webster, Director, Worcester County Emergency Services
Reggie Mason, Sheriff, Worcester County Sheriff's Office
John H. Tustin, P.E., Director, Worcester County Public Works Department
John Ross, P.E., Deputy Director, Worcester County Public Works Department
Frank Adkins, Roads Superintendent, Worcester County Public Works Department
Jeff McMahan, Fire Marshal, Worcester County Fire Marshal's Office
Merry Mears, Director, Economic Development
Louis H. Taylor, Superintendent, Worcester County Board of Education
James Meredith, District Engineer, Maryland State Highway Administration
Lt. Earl W. Starner, Commander, Barracks V, Maryland State Police
Rebecca L. Jones, Health Officer, Worcester County Health Department
Rob Clarke, State Forester, Maryland Forest Services
Nelson D. Brice, District Conservationist, Worcester County Natural Resources Conservation Service
David Collins, Fire Chief, Bishopville Volunteer Fire Department

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: January 8, 2018

RE: Rezoning Case No. 418- Moore Boat, LLC/ Hugh Cropper, IV- Approximately 9.4 acres located on the east end of North Piney Point Road

The Worcester County Planning Commission is tentatively scheduled to review the above referenced rezoning application at a meeting in Mid- 2018. This application seeks to rezone approximately 9.4 acres of land from E-1 Estate District to I-1 Light Industrial District. Uses allowed in the district include, but are not limited to, wholesale & service establishments, light

manufacturing and repair establishments, commercial marina and marine yards, industrial parks, bulk storage or wholesaling of fuels and other flammable liquids, and other similar uses.

For your reference I have attached a copy of the rezoning application and location and zoning maps showing the property petitioned for rezoning.

The Planning Commission would appreciate any comments you or your designee might offer with regard to the effect that this application and potential subsequent development of the site may have on plans, facilities, or services for which your agency is responsible. ***If no response is received by MARCH 1, 2018, the Planning Commission will have to assume that the proposed rezoning, in your opinion, will have no effect on your agency, that the application is compatible with your agency's plans, that your agency has or will have adequate facilities and resources to serve the proposed rezoning and its subsequent land uses and that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners. If I have not received your response by that date I will note same in the staff report I prepare for the Planning Commission's review.***

If you have any questions or require further information, please do not hesitate to call this office or email me at pwimbrow@co.worcester.md.us. On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

Kelly Shannahan

From: Joseph T Records Jr. <joerec2@gmail.com>
Sent: Saturday, September 14, 2019 1:33 PM
To: Kelly Shannahan; kellys@conworchester.md.us
Subject: Re: Rezoning Case No. 418

Add to
18

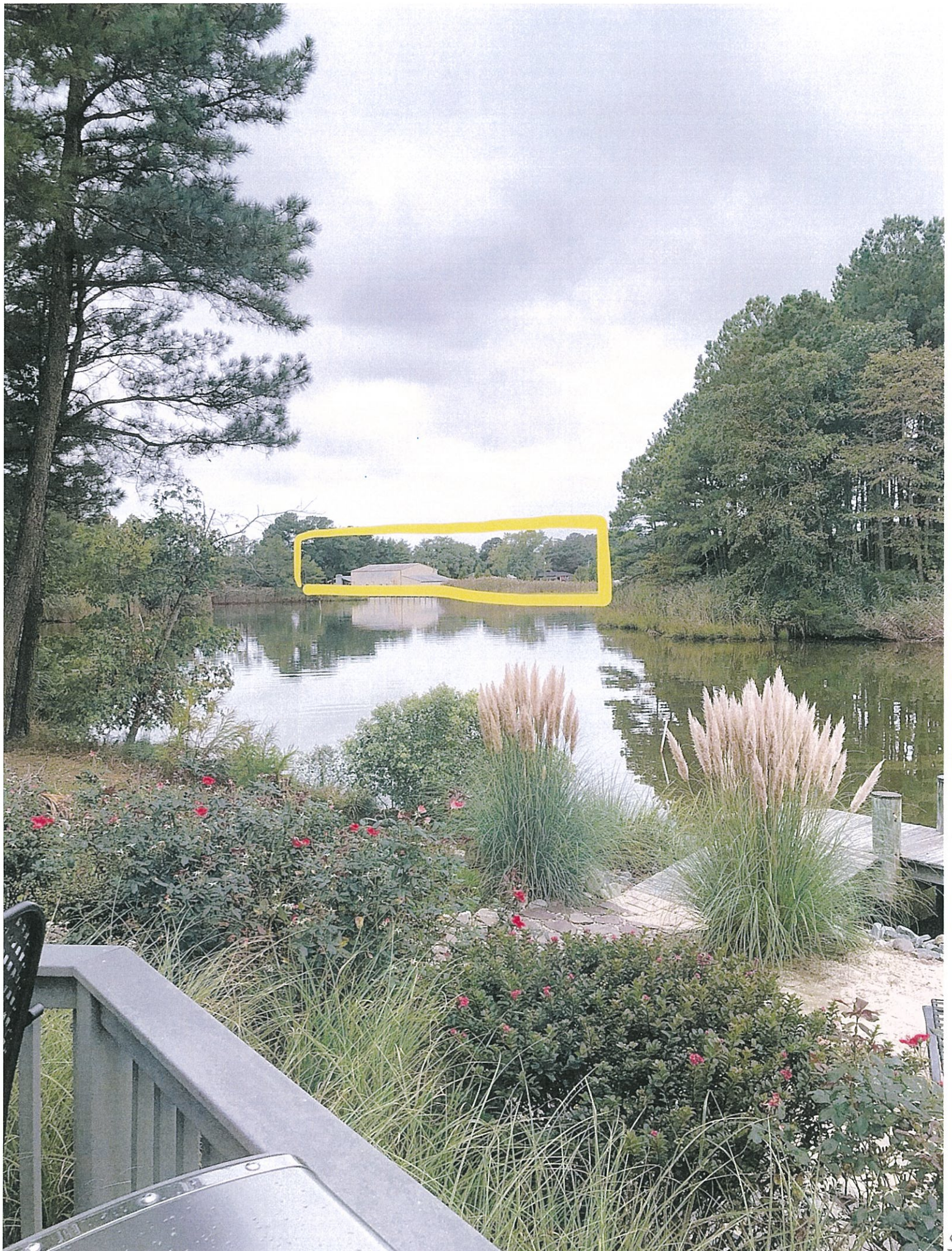
On Sat, Sep 14, 2019 at 1:28 PM Joseph T Records Jr. <joerec2@gmail.com> wrote:

Kelly, I hope this email finds it way to the hearing. Please confirm if it has been received by the correct department. I apologize my wife & I are unable to attend the hearing for Moore Boat LLC's rezoning. We strongly oppose rezoning this area to light industrial. The sight of a large warehouse & the noise pollution would do a disservice to the entire neighborhood of Holiday Harbour as well as the residents on Piney Point Rd.

Our waterfront back deck stairs directly at Moore's Boat house that has been operating at a light industrial level for years even though it is zoned estate. There is a 100g fuel tank less then 5' from the waters edge. If this is how the property is managed as "estate" I fear that if zoned light industrial it would disproportionately negatively effect our community and its property values. I have spoken with other waterfront neighbors in Holiday Harbour that unanimously share our concern.

It seems that there are plenty of other locations in the Bishopville area where a light industrial property would fit in seamlessly without driving down property values and negatively effecting its long time residents. Please accept this email as our disapproval for the rezoning case #418. Please see attached pictures of the property in question.

Sincerely
Joseph & Mariah Records
443-799-8628





19

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
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director of Development Review and Permitting *EAT*
DATE: September 10, 2019
RE: Bill 19-3 - Boarding and Lodging Rentals

This memorandum is in follow-up to the County Commissioners' public hearing for the above referenced Bill held on August 20, 2019. As you know, the County Commissioners voted 6-1 to massage the language in Bill 19-3 to address their concerns regarding the additional parking space required for rental properties, the limitation of two persons per bedroom rather than by size of the bedroom, and the restriction on the number of unrelated persons occupying a rental home and to bring a revised Bill back to the County Commissioners for their consideration and the scheduling of an additional public hearing if the changes are significant. Since the public hearing I have worked to develop revised language to address these specific issues. I am happy to provide a draft revised bill in strike and replace format for the County Commissioners' consideration. Although I believe these changes are rather simple, they did require a number of changes to the section numbers of the original bill as well as the various sections of what will be the new zoning regulations. I have tried to differentiate between the Bill section numbers and the new Zoning section numbers in my description below.

First, in order to address the parking issue I propose a revision to the new § ZS 1-351(b)(5) to require that one additional parking space be required beyond that currently required for a dwelling unit only for all short term rental structures for which a building permit application is received after the effective date of the section. My reasoning is that the short term rentals are occurring all over today without any regulation or additional parking and in many cases may not be able to provide additional parking. The proposed revision would allow them to be licensed but would also require any new structure to comply with the additional parking requirement.

See page 7

Second, to address the concerns over the limit of two persons per bedroom I have revised several different parts of the Bill. First, I created a definition of the term "bedroom." This is found on the very first page of the Bill. This definition was put together from research of other jurisdictions and my own experience in dealing with building and zoning regulations. In order to properly place this new definition in the Bill, I had to create a new Section 1 of the Bill and then renumber all of the subsequent sections of the Bill. Next, I went to the now renumbered Section 17 of the Bill that creates the new § ZS 1-351. I then revised the new §§ ZS 1-351(b)(3)A through C so that occupancy of a bedroom is based on the ratio of one occupant per 50 square feet of floor area unobstructed by other than furniture. The sum total of all occupants permitted in a short term rental is then the sum of the total of all occupants permitted in each bedroom of the structure.

See page 3

See pages 6-7

Third, in order to address the concerns over the number of unrelated persons occupying a short term rental, I revised the new § ZS 1-351(b)(3)A to say that the definition of "family or housekeeping unit" shall not apply in determining the occupancy limitations of short term rentals holding a valid rental license but rather the square footage limitations with regard to bedroom size and the total number of bedrooms.

See page 6

I believe these proposed changes adequately address the concerns I heard from the County Commissioners on August 20, 2019 and are not significant in nature. Should the County Commissioners concur, they could adopt Bill 19-3 with amendments at their meeting on September 17, 2019 or I will be glad to take additional direction for revised language to be presented at another time or participate in another public hearing if they feel the proposed amendments are substantial.

*

As always, I will be available to discuss the revised language with you and the County Commissioners at your convenience.

cc: Phyllis Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator
Phil Thompson, Finance Officer

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 19-3

BY: Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell
INTRODUCED: July 16, 2019
AMENDED:

A BILL ENTITLED

AN ACT Concerning

Zoning - Boarding and Lodging Rentals

For the purpose of amending the Zoning and Subdivision Control Article to eliminate inconsistencies in existing codes, revise definitions and to establish new regulations for short term rentals of one-and two-family dwellings.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that SUBSECTION § ZS 1-103(B) OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND BE AMENDED BY THE ADDITION OF A DEFINITION OF THE TERM "BEDROOM" TO READ AS FOLLOWS:

BEDROOM - A ROOM THAT CAN BE USED FOR SLEEPING THAT MEETS ALL OF THE FOLLOWING CRITERIA:

- (1) CONTAINS A MINIMUM OF SEVENTY SQUARE FEET OF CONDITIONED SPACE UNOBSTRUCTED OTHER THAN BY FURNITURE AND NOT INCLUDING CLOSETS;
- (2) IS LOCATED ALONG AN EXTERIOR WALL OF THE STRUCTURE IN WHICH IT IS CONTAINED;
- (3) HAS AN ENTRY DOOR AND A CLOSET;
- (4) DOES NOT PROVIDE ACCESS TO ANOTHER ROOM OTHER THAN A BATHROOM OR A CLOSET;
- (5) HAS AN EMERGENCY MEANS OF ESCAPE AND RESCUE MEETING THE REQUIREMENTS OF THE COUNTY BUILDING CODE ADOPTED PURSUANT TO § BR 1-201 OF THE BUILDING REGULATIONS ARTICLE WHEN CONTAINED IN A BUILDING FOR WHICH A BUILDING PERMIT WAS ISSUED ON OR AFTER JULY 1, 1992; AND
- (6) IS NOT ALL OR ANY PART OF A HALLWAY, BATHROOM, KITCHEN, LIVING ROOM, FAMILY ROOM, DINING ROOM, DEN, HOME THEATER/MEDIA ROOM, BREAKFAST ROOM OR NOOK, PANTRY, LAUNDRY ROOM, SUNROOM, RECREATION ROOM, EXERCISE ROOM OR ANY OTHER SIMILAR USE.

Section 2. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the existing definitions of "boarding or lodging house" and "country inn" as contained in Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed.

Section 23. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the existing definition of "transient" as contained in Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

TRANSIENT — When referring to a person, a person occupying or intending to occupy all or any portion of a structure for lodging on a temporary basis not to exceed twenty-eight consecutive days.

Section 34. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the existing definition of "boarder or lodger" as contained in Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and replaced by the new terms "lodger" and "roomer or boarder" to read as follows:

LODGER — A person who receives sleeping accommodations, which may also include meals, for compensation in all or any portion of any dwelling unit for twenty-eight consecutive days or less.

ROOMER or BOARDER — A person who receives sleeping accommodations, which may also include meals, for compensation in all or any portion of any dwelling unit for more than twenty-eight consecutive days and who is not part of the resident family.

Section 45. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-103(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a definition of the term "short term rental" to read as follows:

SHORT TERM RENTAL (STR) — All or a portion of any dwelling unit or all of an accessory apartment that is rented to a lodger for sleeping accommodations on a basis not to exceed twenty-eight consecutive days. Short term rentals do not include bed-and-breakfast establishments. See § ZS 1-351 hereof.

Section 56. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-105(c) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new subsection § ZS 1-105(c)(7) to read as follows:

(7) Short term rentals, subject to the provisions of § ZS 1-351 hereof.

Section 67. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-202(c)(26) and ZS 1-202(c)(27) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-202(c)(28) through ZS 1-202(c)(46) be renumbered as Subsections §§ ZS 1-202(c)(26) through ZS 1-202(c)(44) respectively.

Section 78. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-203(c)(4) and ZS 1-203(c)(5) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-203(c)(6) through ZS 1-203(c)(22) be renumbered as Subsections §§ ZS 1-203(c)(4) through ZS 1-203(c)(20) respectively.

Section 89. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-203(d) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new Subsection § ZS 1-203(d)(11) to read as follows:

- (11) The keeping of not more than two roomers or boarders.

Section 910. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-204(c)(11) and ZS 1-204(c)(12) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-204(c)(13) through ZS 1-204(c)(22) be renumbered as Subsections §§ ZS 1-204(c)(11) through ZS 1-204(c)(20) respectively.

Section 1011. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-204(e) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new Subsection § ZS 1-204(e)(12) to read as follows:

- (12) The keeping of not more than two roomers or boarders.

Section 1112. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-208(c)(1) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-208(c)(2) through ZS 1-208(c)(18) be renumbered as Subsections §§ ZS 1-208(c)(1) through ZS 1-208(c)(17) respectively.

Section 1213. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-215(d) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the addition of a new Subsection § ZS 1-215(d)(8) to read as follows:

- (8) The keeping of not more than two roomers or boarders.

Section 1314. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-340(b)(1) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (1) No bed-and-breakfast facility shall contain more than twenty guest sleeping rooms. Only designated rooms shall be used for sleeping.

Section 1415. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-340(b)(7) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (7) No guest shall be permitted in a bed in a bed-and-breakfast facility for more than twenty-eight consecutive nights.

Section 1516. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsections §§ ZS 1-340(b)(9) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and Subsections §§ ZS 1-340(b)(10) and ZS 1-340(b)(11) be renumbered as Subsections §§ ZS 1-340(b)(9) and ZS 1-340(b)(10) respectively.

Section 1617. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Section § ZS 1-351 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

§ ZS 1-351. Short term rentals.

- (a) Generally. It is the intent of these regulations to maintain the neighborhood character where short term rentals take place and protect the health, safety and general welfare of the permanent residents and the lodgers while allowing this form of renting to exist.
- (b) Requirements.
 - (1) Any dwelling unit or portion thereof that is offered as short term rentals must conform to the provisions of this Title.
 - (2) Any property used or planned to be used for short term rentals shall be limited to a single rental contract for any overnight period regardless of the number of available sleeping rooms in the principal dwelling unit or accessory apartment.

(3) Occupancy.

A. ~~Where the entire dwelling unit or accessory apartment is being offered for rent, occupancy shall be limited to a maximum of one family or housekeeping unit as defined in § ZS 1-103(b) hereof.~~ THE DEFINITION OF "FAMILY OR HOUSEKEEPING UNIT" AS CONTAINED IN § ZS 1-103 HEREOF SHALL NOT APPLY IN DETERMINING THE OCCUPANCY LIMITATIONS FOR SHORT TERM RENTALS HOLDING A VALID RENTAL LICENSE PURSUANT TO § TR 2-105 OF THE TAXATION AND REVENUE ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND BUT RATHER SHALL BE DETERMINED AS FOLLOWS:

- 1. EVERY BEDROOM, AS DEFINED IN § ZS 1-103 HEREOF, OCCUPIED BY MORE THAN ONE PERSON SHALL CONTAIN NOT LESS THAN FIFTY SQUARE FEET OF FLOOR AREA UNOBSTRUCTED OTHER THAN BY FURNITURE FOR EACH OCCUPANT.

2. THE TOTAL NUMBER OF OCCUPANTS PERMITTED IN ANY SHORT TERM RENTAL UNIT SHALL NOT EXCEED THE SUM TOTAL OF ALL OCCUPANTS PERMITTED IN EACH BEDROOM OF THE STRUCTURE.

~~B. Where a portion of the principal dwelling is being offered for rent, occupancy shall consist of a maximum of two sleeping rooms that may accommodate up to two lodgers per room not including children under the age of twelve but in no case a greater number of lodgers than may be permitted by the zoning district regulations.~~

€ B. Accessory apartments shall only be rented in their entirety and shall be SUBJECT TO THE OCCUPANCY LIMITATIONS AS CONTAINED IN SUBSECTION (B)(3)A. ABOVE. ~~limited to a maximum of one family or housekeeping unit as defined in § ZS 1-103(b) herein.~~ Accessory apartments shall also be subject to the provisions of § ZS 1-338 hereof.

(4) No modifications shall be made to the dwelling unit which shall change the functionality, appearance or principal design of the structure as an individual dwelling unit.

(5) One additional off-street parking space beyond that required by the provisions of § ZS 1-320(a) ~~for the existing permitted structure(s)~~ shall be provided for all short term rental properties STRUCTURES FOR WHICH A BUILDING PERMIT APPLICATION IS RECEIVED AFTER THE EFFECTIVE DATE OF THIS SECTION.

(6) The property owner shall maintain a record of the names of all lodgers, including their address, phone number and email address as applicable, as well as the dates of lodging. Such record shall be provided to the County upon request.

(7) The property owner or their authorized agent shall make the dwelling unit available for inspection during reasonable hours upon request by the County in order to verify compliance with the provisions of this Title.

(8) On-premises signage shall be permitted in accordance with the provisions of § ZS 1-324.

(9) The hosting of functions and events, including but not limited to wedding ceremonies, wedding receptions, family reunions, birthday and anniversary celebrations, corporate and employee appreciation parties and other similar gatherings of persons other than the authorized lodgers, shall be prohibited in association with any short term rentals, regardless of whether or not any form of compensation or barter has been paid or received by any individual or firm for the event.

(10) The County Commissioners by Resolution may establish additional standards or require additional information as deemed necessary to enforce the provisions of this Title.

Section 1718. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect January 1, 2020.

PASSED this _____ day of _____, 2019.

ATTEST:

COUNTY COMMISSIONERS OF
WORCESTER COUNTY, MARYLAND

Harold L. Higgins
Chief Administrative Officer

Diana Purnell, President

Joseph M. Mitrecic, Vice President

Anthony W. Bertino, Jr.

Madison J. Bunting, Jr.

James C. Church

Theodore J. Elder

Joshua C. Nordstrom

The Commissioners met in legislative session.

The Commissioners conducted public hearings on four separate bills related to the proposed Countywide Rental Licensing Program as follows: Bill 19-3 (Zoning - Boarding and Lodging Rentals), Bill 19-4 (Taxation and Revenue - Rental Licenses), Bill 19-5 (Taxation and Revenue - Hotel Rental Tax), and Bill 19-6 (Taxation and Revenue - Mobile and Manufactured Home Park Licenses). Mr. Tudor reviewed the history behind and general overview of each bill. Mr. Tudor stated that Bill 19-3 is the only bill that involves zoning and thus was reviewed by the Planning Commission, which gave the bill a favorable recommendation.

The Commissioners conducted a public hearing to receive public comment on Bill 19-3 (Zoning - Boarding and Lodging Rentals), which was introduced by Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom, and Purnell on July 16, 2019. Mr. Tudor stated that this bill eliminates inconsistencies in existing codes, revises definitions, and creates a new Section ZS 1-351 to regulate short-term rentals of residential dwellings. Furthermore, it aligns all inconsistencies in the zoning ordinance, definitions, and, specifically as requested by the Commissioners at their work session, the language was revised to require one additional parking space beyond that currently required for a residential structure when it is used for short-term rental. He then provided a general overview of the bill. A brief synopsis of the specific changes is as follows:

Section 1 repeals the definitions of "Boarding and Lodging House" and "Country Inn." Section 2 changes the definition of "Transient" in the Zoning and Subdivision Control Article from one who occupies a structure for 30 days to one who does so for 28 days. Section 3 repeals the definition of "Boarder or Lodger" and replaces it with a new definition for the term "Lodger" to be a person who receives sleeping accommodations for 28 consecutive days or less and a new definition of the term "Roomer or Boarder" to be a person who receives sleeping accommodations for more than 28 consecutive days. Section 4 creates a new definition for the term "Short Term Rental (STR)" to describe all or a portion of a dwelling unit or accessory apartment rented to a lodger on a basis of not more than 28 consecutive days. Section 5 adds "short term rentals (STR)" to the list of uses permitted in all zoning districts and would only apply to those properties having a dwelling unit. Section 6 eliminates "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the A-2 Agricultural District by special exception but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. Section 7 eliminates "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the E-1 Estate District by special exception but leaves "bed and breakfast establishments." Section 8 adds the keeping of not more than two roomers or boarders as an accessory use in the E-1 Estate District, just as it is in other zoning districts that allow dwelling units. Section 9 removes "boarding house" and "country inns" from the allowable uses in the V-1 Village District but leaves "bed and breakfast establishments." Section 10 adds the keeping of not more than two roomers or boarders as an accessory use in the V-1 Village District just as it is in other zoning districts that allow dwelling units. Section 11 removes "boarding and lodging houses" as a permitted use in the R-4 General Residential District since the keeping of four roomers or boarders is already allowed as an accessory use. Section 12 adds the keeping of not

more than two roomers or boarders as an accessory use in the RP Resource Protection District just as it is in other zoning districts that allow dwelling units. Section 13 raises the number of allowable rooms in a "bed and breakfast establishment" from six to 20 rooms since the current use of "conversion of historic or architecturally significant dwelling to an inn" has no limitation on the number of rooms and "country inns" have a limitation of 20 rooms, all of which are currently allowed in many cases in the same zoning district as "bed and breakfast establishments". Section 14 increases the number of permissible nights' stay in a "bed and breakfast establishment" from 14 to 28 nights to be consistent with the new definitions of "transient," "lodger," and "short term rental." Section 15 deletes the current prohibition on having more than two nonresident employees in or about the "bed and breakfast establishment," as the current limitation is an unenforceable, arbitrary limitation.

Section 16 is an entirely new section to be added to the Zoning and Subdivision Control Article to regulate "short term rentals (STR)" which are currently not regulated, and among its many provisions include the following: a limitation on the number of rental contracts to one for any overnight period of any property regardless of the number of sleeping rooms; a limitation on the number of families or housekeeping units (a group of not more than five persons not related by blood or marriage) to one where an entire dwelling or accessory apartment is available for rent; a limitation on the number of sleeping rooms available to rent to two where a portion of a dwelling unit or accessory apartment is available for rent and a limitation on the number of persons per room to two, not including children under the age of 12; a requirement that accessory apartments only be rented in their entirety and limited to one family or housekeeping unit; restrictions on modifications to the dwelling unit that change its functionality, appearance or principle design as an individual dwelling unit; a requirement to maintain a record of all lodgers; a requirement to make the dwelling unit available for inspection during reasonable hours; a prohibition on the use of the property to host functions and events, including but not limited to weddings and their receptions, family reunions, birthday and anniversary celebrations or other similar gatherings for persons other than the authorized lodgers; permits the County Commissioners to establish by resolution additional standards or require any additional information deemed necessary to enforce the provisions of the title; a requirement for all short-term rental properties to provide one additional off-street parking space beyond that required for a single-family dwelling; and permits on premises signage in accordance with the provisions of the Zoning and Subdivision Control Article.

Mr. Tudor responded to questions and concerns raised by Commissioner Bertino. With regard to limiting the number of sleeping rooms available to two adults instead of basing limitations on square footage, Mr. Tudor stated that those provisions only apply to the renting of a room not the entire house, as it is based on the assumption that the property owner is occupying the residence. Thus the proposed occupancy limits are aimed at maintaining the character of the neighborhood. With regard to requiring that accessory apartments only be rented in their entirety to one family or housekeeping unit, Mr. Tudor confirmed that this reflects the current law; however, County inspections would be strictly complaint driven. With regard to a prohibition on the use of the property to host functions and events, Mr. Tudor stated that, while renters could certainly host a party or special event during the short-term rental, the party or special event could not be the primary purpose for said rental, such as a wedding or reunion venue.

Commissioner Nordstrom applauded Mr. Tudor for his efforts to prepare the draft bill. In response to a question by Commissioner Nordstrom, Mr. Tudor stated that this bill would not affect students or those who rent summer housing while working in the resort, as the bill only applies to short-term rentals for 28 days or less, while most student workers rent for the entire summer.

Commissioner Purnell opened the floor to receive public comment.

Joe Wilson, President of the Coastal Association of Realtors (CAR), stated that licensing boarding and lodging rentals in itself is a good thing. However, the CAR opposes this legislation as drafted and directed the Commissioners to a letter from CAR recommending changes to the bill to address the concerns related to the following: 28 days being considered a short-term rental; occupancy limitations, inspections, the prohibition on functions and events, non-transferable rental licenses, unclear enforcement, and unfair off-street parking standards, as such requirements would limit the rental income of such properties and scare away potential buyers. He stated that limiting the number of renters to two related adults impacts fair housing by denying unrelated families and friends the opportunity to share vacation expenses by renting lodging together. He requested the Commissioners postpone adopting the legislation before them today and to instead make significant revisions to Bill 19-3 prior to adopting it. In conclusion, he stated that each person has the choice on where to vacation, and CAR wants the County to adopt legislation that will help vacationers choose Worcester County.

Rico DeMattia, real estate agent in Pocomoke, urged the Commissioners to adopt legislation that allows for proper oversight but is not so heavily regulated that it deters investment in the real estate market in the County.

Louis Lazzaro of Ocean Pines advised that he purchased a 2,148-square-foot home in Ocean Pines and made improvements to create a five-bedroom home that sleeps 15. He stated that occupancy restrictions would greatly diminish the earning potential of his rental home. Therefore, he urged the Commissioners to remove the occupancy limits before adopting Bill 19-3.

Alexander Pilla of Bishopville, with Shamrock Realty Group, stated that the legislation as proposed is not user friendly for property owners, particularly out-of-state property owners, which may lead to a perception that it is difficult to rent in Worcester County, thereby deterring homebuyers who rely on rental income to afford the mortgage. He urged the Commissioners to take a step back from adopting this legislation.

There being no further public comments, Commissioner Purnell closed the public hearing.

Commissioner Nordstrom stated that there is a lot to like in Bill 19-3, but that the Commissioners should not take action on this bill until they can address the concerns raised by the public. Commissioner Church concurred, noting that there is too much ambiguity in the bill, and the Commissioners should postpone adopting this legislation and allow outside input from agencies, such as the Chambers of Commerce, to revise the bill.

A motion by Commissioner Nordstrom to table Bill 19-3 for further consideration failed 2-5, with Commissioners Church and Nordstrom voting in favor and Commissioners Bertino, Bunting, Elder, Mitrecic, and Purnell voting in opposition.

Commissioners Bertino and Elder both expressed opposition to the current occupancy limits. Commissioner Elder expressed further concerns about the parking limitations and

occupancy limits, noting that it is not the County's job to regulate who's who in the bedroom. Commissioner Bunting disagreed, noting that occupancy limits protect the character of a neighborhood, and removing those limitations would place a burden on public infrastructure, specifically parking and existing water and sewer flow calculations. Commissioner Mitrecic stated that similar rental requirements already exist in the Town of Ocean City, and the County needs to do the same to level the playing field for all.

Following further discussion, a motion by Commissioner Mitrecic to adopt Bill 19-3 as presented failed 3-4, with Commissioners Bunting, Mitrecic, and Purnell voting in favor and Commissioners Bertino, Church, Elder, and Nordstrom voting in opposition.

Following additional discussion and upon a motion by Commissioner Bertino, the Commissioners voted 6-1, with Commissioner Bunting voting in opposition to massage the language in Bill 19-3 to address their concerns regarding the additional parking space required for rental properties, the limitation of two persons per bedroom rather than by size of the bedroom, and the restriction on the number of unrelated persons occupying a rental home, bring a revised bill back to the Commissioners for their future consideration, and schedule an additional public hearing if changes are significant.



OFFICE OF THE
COUNTY COMMISSIONERS

HAROLD L. HIGGINS, CPA
CHIEF ADMINISTRATIVE OFFICER
MAUREEN F.L. HOWARTH
COUNTY ATTORNEY

COMMISSIONERS
DIANA PURNELL, PRESIDENT
JOSEPH M. MITRECIC, VICE PRESIDENT
ANTHONY W. BERTINO, JR.
MADISON J. BUNTING, JR.
JAMES C. CHURCH
THEODORE J. ELDER
JOSHUA C. NORDSTROM

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND
21863-1195

July 16, 2019



FAXED
7/16/19 @ 3:54pm

TO: *The Daily Times* Group and *Ocean City Today* Group
FROM: Kelly Shannahan, Assistant Chief Administrative Officer *KL*

Please print the attached Notice of Introduction of Bill 19-3 in *The Daily Times/Worcester County Times/Ocean Pines Independent* and *Ocean City Digest/Ocean City Today* on August 1, 2019 and August 15, 2019. Thank you.

NOTICE OF INTRODUCTION OF BILL 19-3 WORCESTER COUNTY COMMISSIONERS

Take Notice that **Bill 19-3 (Zoning - Boarding and Lodging Rentals)** was introduced by Commissioners Bertino, Bunting, Church, Elder, Mitrecic, Nordstrom and Purnell on July 16, 2019.

A fair summary of the bill is as follows:

§ ZS 1-103(b). (Repeals the definitions of "Boarding and Lodging House" and "Country Inn" to prepare for other changes in definitions in subsequent sections of the Bill and to condense the numerous other definitions in the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland for types of lodging facilities into a more succinct format.)

§ ZS 1-103(b). (Repeals and reenacts the definition of "Transient" in the Zoning and Subdivision Control Article from one who occupies a structure for 30 days to one who does so for 28 days since short-term rentals are typically for weekly stays and not on a monthly basis.)

§ ZS 1-103(b). (Repeals and reenacts the definition of "Boarder or Lodger" and replaces it with a new definition for the term "Lodger" to be a person who receives sleeping accommodations for 28 consecutive days or less and a new definition of the term "Roomer or Boarder" to be a person who receives sleeping accommodations for more than 28 consecutive days.)

§ ZS 1-103(b). (Creates a new definition for the term "Short Term Rental (STR)" to describe all or a portion of a dwelling unit or accessory apartment rented to a lodger on a basis of not more than 28 consecutive days. It excludes from this definition "bed and breakfast establishments" which are already regulated by Section § ZS 1-340 of the Zoning and Subdivision Control Article.)

§ ZS 1-105(c)(7). (Adds "short term rentals (STR)" to the list of uses permitted in all zoning districts. This would only apply to those properties having a dwelling unit.)

§ ZS 1-202(c)(26) and (27). (Repeals "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the A-2 Agricultural District by special exception but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. This streamlines the Zoning and Subdivision Control Article to use a single term, "bed and breakfast establishments," instead of multiple descriptions of very similar uses.)

§ ZS 1-203(c)(4) and (5). (Repeals "conversion of a historic or architecturally significant dwelling to an inn" and "country inns" from the uses allowed in the E-1 Estate District by special exception but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. This streamlines the Zoning and Subdivision Control Article to use a single term, "bed and breakfast establishments," instead of multiple descriptions of very similar uses.)

§ ZS 1-203(d)(11). (Adds the keeping of not more than two roomers or boarders as an accessory use in the E-1 Estate District, just as it is in other zoning districts that allow dwelling units.)

§ ZS 1-204(c)(11) and (12). (Repeals "boarding house" and "country inns" from the allowable uses in the V-1 Village District but leaves "bed and breakfast establishments," which becomes the standard for the aforementioned uses. This streamlines the Zoning and Subdivision Control Article to use a single term, "bed and breakfast establishments," instead of multiple descriptions of very similar uses.)

§ ZS 1-204(e)(12). (Adds the keeping of not more than two roomers or boarders as an accessory use in the V-1 Village District just as it is in other zoning districts that allow dwelling units.)

§ ZS 1-208(c)(1). (Repeals "boarding and lodging houses" as a permitted use in the R-4 General Residential District since the keeping of four roomers or boarders is already allowed as an accessory use.)

§ ZS 1-215(d)(8). (Adds the keeping of not more than two roomers or boarders as an accessory use in the RP Resource Protection District just as it is in other zoning districts that allow dwelling units.)

§ ZS 1-340(b)(1). (Repeals and reenacts this section regarding bed and breakfast establishments to raise the number of allowable rooms in a "bed and breakfast establishment" from six to 20 rooms. The current use of "conversion of historic or architecturally significant dwelling to an inn" has no limitation on the number of rooms and "country inns" have a limitation of 20 rooms, all of which are currently allowed in many cases in the same zoning district as "bed and breakfast establishments." Differing room numbers for essentially the same use causes confusion in the interpretation and application of the Zoning and Subdivision Control Article.)

§ ZS 1-340(b)(7). (Repeals and reenacts this section to increase the number of permissible nights' stay in a "bed and breakfast establishment" from 14 to 28 nights to be consistent with the new definition of "transient," "lodger," and "short term rental.")

§ ZS 1-340(b)(9). (Repeals the current prohibition on having more than two non-resident employees in or about the "bed and breakfast establishment." The current limitation is an unenforceable, arbitrary limitation.)

§ ZS 1-351. (Adds this entirely new section to the Zoning and Subdivision Control Article to regulate "short term rentals (STR)" with the intent of maintaining the neighborhood character where short term rentals take place and protect the health, safety and general welfare of the permanent residents and the lodgers while allowing this form of renting to exist; establishes requirements for short-term rentals, including: a limitation on the number of rental contracts to one for any overnight period of any property regardless of the number of sleeping rooms; a limitation on the number of families or housekeeping units to one where an entire dwelling or accessory apartment is available for rent; a limitation on the number of sleeping rooms available to rent to two where a portion of a dwelling unit or accessory apartment is available for rent and a limitation on the number of persons per room to two, not including children under the age of 12; a requirement that accessory apartments only be rented in their entirety and limited to one family or housekeeping unit; restrictions on modifications to the dwelling unit that change its functionality, appearance or principle design as an individual dwelling unit; a requirement to provide one additional off-street parking space for short-term rentals; a requirement to maintain a record of all lodgers; a requirement to make the dwelling unit available for inspection during reasonable hours; on-premises signs shall be permitted in accordance with the provisions of section ZS 1-324; a prohibition on the use of the property to host functions and events, including but not limited to weddings and their receptions, family reunions, birthday and anniversary celebrations or other similar gatherings for persons other than the authorized lodgers; and permits the County Commissioners to establish by Resolution additional standards or require any additional information deemed necessary to enforce the provisions of the Title.)

A Public Hearing

will be held on Bill 19-3 at the Commissioners' Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland, on **Tuesday, August 20, 2019 at 11:00 a.m.**

This is only a fair summary of the bill. A full copy of the bill is posted on the Legislative Bulletin Board in the main hall of the Worcester County Government Center outside Room 1103, is available for public inspection in Room 1103 of the Worcester County Government Center and is available on the County Website at www.co.worcester.md.us .

THE WORCESTER COUNTY COMMISSIONERS



20

DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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MEMORANDUM

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TO: Harold L. Higgins, Chief Administrative Officer
FROM: Edward A. Tudor, Director
DATE: September 9, 2019
RE: Text Amendment Application - § ZS 1-318 -
Campground Subdivisions - Occupancy

As you are well aware, for most of this year the Department has been processing and reviewing a text amendment application originally submitted by Hugh Cropper, IV on January 2, 2019 relative to campground subdivision occupancy in general but particularly as it relates to White Horse Park. The original text amendment application sought to revise § ZS 1-318 by the renumbering of existing subsections (d)(1)K through (d)(1)Q and the addition of a new subsection (d)(1)K which would have allowed the Board of Zoning Appeals to authorize by special exception up to 25 percent of the units or sites in a campground subdivision to be occupied year round by persons 55 years of age and older. After many delays this proposed amendment was reviewed by the Planning Commission on May 2, 2009 but no action was taken with regard to a recommendation. Mr. Cropper subsequently revised his application to once again renumber the aforementioned sections and replace his previous language for a new subsection (d)(1)K to now affect White Horse Park residents only by making those who have lived there full time since June 2018 grandfathered legally existing nonconformities. This revised language was reviewed by the Planning Commission at its meeting on September 5, 2019 and given a unanimous unfavorable recommendation.

Attached herewith is a memorandum from Phyllis H. Wimbrow, Deputy Director, that more fully outlines the Planning Commission's recommendation as well as a copy of the entire text amendment application file.

As is the case with all text amendment applications, the staff has prepared a draft bill to incorporate Mr. Cropper's proposed language. A copy is attached herewith and an electronic version has been delivered to your office as well should one of the County Commissioners wish to introduce the proposed amendment at the upcoming legislative session. However, this by no means should be viewed as any type of support for the proposal. In fact, I cannot stress strongly enough that the staff is in complete and total opposition to the language as proposed for a litany of reasons, all of which are thoroughly spelled out in all of the staff memos to the Planning Commission in the attached text amendment file.

P.60

As always, I will be available to discuss the matter with you and the County Commissioners at their upcoming legislative session.

Attachments

cc: Phyllis H. Wimbrow, Deputy Director
Jennifer Keener, Zoning Administrator



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MEMORANDUM

TO: Edward A. Tudor, Director
FROM: Phyllis H. Wimbrow, Deputy Director *PfHw*
DATE: September 6, 2019
RE: Planning Commission Recommendation - Text Amendment Application - § ZS 1-318(d) - Campground Subdivisions - Occupancy

The purpose of this memo is to forward the Planning Commission's comments and recommendation regarding a text amendment application submitted by Hugh Cropper, IV on behalf of Sally Connolly and Susan Naplachowski relative to occupancy of units in campground subdivisions. As you are aware, § ZS 1-318(d)(1)J currently requires that units or sites in a campground subdivision shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile. This subsection furthermore stipulates that between September 30 of each year and April 1 of the succeeding year, units or sites shall not be occupied for more than 30 consecutive days or an aggregate of 60 days and that any condominium declaration or declaration of restrictions of a homeowners' association shall include language providing for such limited occupancy.

Mr. Cropper's original application sought to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. While a staff report was prepared for this original application (copy attached) and the Planning Commission reviewed the application, no action was taken in formulating a recommendation to the County Commissioners on that original application. Mr. Cropper subsequently submitted a **REVISED** text amendment application relative to occupancy in the White Horse Park campground subdivision. Mr. Cropper's transmittal of the revised text amendment language does not specifically state which section he seeks to amend but I assume he is still seeking to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K. The revised text amendment language reads as follows:

Property owners in White Horse Park who have resided there full time (continuously) since June of 2018 shall be considered grandfathered (i.e., legally existing nonconformities) and shall be permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or 3) the unit is sold.

The revised application was, as is our typical practice, distributed to various appropriate staff members to solicit comments and a staff report prepared (copy attached). As you know, the DRP staff is united in concluding that the revised text amendment application is inappropriate because it sought to give grandfathered status to uses that never received any form of approval and were and are illegal. According to § ZS 1-126, only plans approvals can be grandfathered. Therefore, occupancy is not a provision that can be grandfathered. The DRP staff all agree that because the current permanent occupancy of units in White Horse Park is unlawful and was unlawful at the time they were occupied on a permanent basis, their permanent occupancy therefore cannot be considered a “legally existing nonconformity” as suggested by Mr. Cropper. Only “uses of structures...which were lawful when established but which are prohibited or restricted under the terms of this Title” as established by § ZS 1-122(a) can be considered a legally existing nonconformity. You yourself put it succinctly by saying that in order for something to be a nonconformity, it must have been legal at some point in the first place and year-round occupancy of units in White Horse Park has never been a legal use. As for the three qualifying conditions, the staff concludes that “discontinuance of full-time residency” is undefined and difficult to track, as is death of the property owners, and that year-round residents are not necessarily property owners. Sale of properties is not something that the DRP staff regularly concerns itself with and is another qualifier that is difficult to track. The staff is also concerned whether there is a complete and currently maintained list of full-time residents as of June 2018 that can be utilized as a baseline for this amendment and whether the proposed amendment would also be applicable to full-time resident renters. The staff had the same concerns with respect to tracking and enforcement actions relative to this proposed revised text amendment as we did the original request, noting that we would be relying heavily upon the White Horse Park Board of Directors to enforce these provisions. The staff is also particularly concerned about setting undesirable precedents by changing the Zoning Code. Once made, those changes can too easily be extended to other projects, if only because once put into the Zoning Code, the change then has the appearance of legitimacy. Additionally, we also are concerned about controlling full-time occupancy of additional units in White Horse Park. While the staff has some empathy for full-time residents who find themselves in a bind, we cannot endorse changing the zoning regulations in any way to permit full-time residency. Campground subdivisions were never designed for or intended for full-time residency and it was and is the property owners’ responsibility to educate themselves about what the County’s regulations are before they bought units with intentions of residing there full-time. While it was and is inappropriate for any realtor, campground subdivision staff person, etc. to have told any prospective or existing property owner that full-time residency was okay, the burden for actually determining whether it was legal falls upon the property owner.

Robert Mitchell, Environmental Programs Director, submitted comments and they are included in the attached staff report. Mr. Mitchell states that approved Equivalent Dwelling Unit (EDUs) flows contained in the Master Water and Sewerage Plan for White Horse Park are based

on the seasonal nature of the community, and that year-round occupancy would necessitate acquisition of additional sanitary capacity by the White Horse Park community (or the applicants), as the capacity increase was not contemplated in the original and succeeding water and sewer service commitments by the utility providers. He also states that acquisition of additional capacity from the Ocean Pines Service Area for White Horse Park would be problematic and would need to be taken from other properties in the planning area that have existing well and/or septic systems that need connection to the public system. The additional capacity demands on plants that are at capacity risks existing sanitary infrastructure and poses a risk to public safety and the environment with potential sewer overflows and plant overloads. He further notes that White Horse Park has a master meter and is billed as a group unit and that installation of additional meters, monitoring, and acquiring additional sanitary capacity are issues that must be addressed. Mr. Mitchell states that in order to protect a service area's existing ratepayers from costs unrelated to provision of service to them, the County has a ratepayer protection policy which stipulates that parties conducting expansions of an existing service areas shall bear responsibility for all costs associated with sanitary system expansion. The task of assigning responsibility for costs involved in acquiring additional capacity, metering and monitoring will fall to the utility provider (Ocean Pines Sanitary Service Area) and the County staff. He concludes that in accordance with the ratepayer protection policy, accountability for the costs of expansion could be placed on the text amendment applicants and persons living year-round in White Horse Park, as they are the parties responsible for the expansion, not the Homeowners Association. Mr. Mitchell states that approximately 54 EDUs for water and sewer at a cost of \$15,218 per EDU would be required to permit approximately 80 units in White Horse Park to be occupied year-round, for a total cost of \$821,772. Quarterly rates would be assessed at \$195 per quarter (\$780 yearly) plus consumption for those year-round units. Finally, Mr. Mitchell states that the Ocean Pines Sanitary Service Area does not have the sanitary capacity to serve an application of this quantity at this time. Capacity would need to be taken from other properties in the planning area that have existing well and/or septic systems for which capacity has been reserved for future connection to the public system.

Frank Adkins, County Roads Superintendent, commented via e-mail (copy attached) that he had no comment at this time.

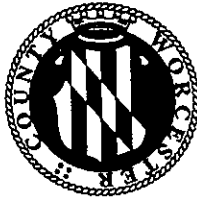
The Planning Commission reviewed the revised text amendment application at its meeting on September 5, 2019. The Planning Commission concurred with the staff that the proposed text amendment is inappropriate due to a number of reasons. The Planning Commission concluded that various terms such as "discontinuance of full-time residency" are rather vague, that the ability to effectively enforce the occupancy limitations is very questionable at best, and that an illegal use cannot be made legal through the use of grandfathering. The Planning Commission concluded that a campground subdivision is not designed nor ever intended to be utilized for full-time residency. Following the discussion the Planning Commission gave a unanimous unfavorable recommendation to the revised text amendment application as submitted by the applicant.

The Planning Commission notes that the staff report suggested that rather than process a text amendment in an attempt to legitimize the occupancy violation and to phase out the full-time residents, there is perhaps another mechanism that could be considered to achieve the same

result. The Planning Commission agrees with the staff that if there is any desire at all for accommodating some type of phase-out provision for the full-time residents, it should be done through a formal consent agreement with the County Commissioners and not as a part of the Zoning Code where it could set a dangerous precedent for other similar uses. Such a formal consent agreement would be at the sole discretion of the County Commissioners.

Should you have any questions or require additional information, please do not hesitate to contact me.

STAFF REPORT AND
ALL ATTACHMENTS
FOR REVISED
APPLICATION



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MEMORANDUM

TO: Worcester County Planning Commission
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: August 22, 2019
RE: Text Amendment Application - § ZS 1-318 -
Campground Subdivisions - Occupancy

As you are aware, on behalf of Sally Connolly and Susan Naplachowski Hugh Cropper, IV submitted a text amendment application seeking to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. This text amendment as originally submitted by Mr. Cropper sought to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K to read as follows:

- K. The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

While the Planning Commission has reviewed the text amendment, no action has been taken in formulating a recommendation to the County Commissioners. Mr. Cropper has now submitted a **REVISED** text amendment application relative to occupancy in the White Horse Park campground subdivision. Mr. Cropper's transmittal of the revised text amendment language does not specifically state which section he seeks to be amended but I assume he is still seeking to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K. The revised text amendment language reads as follows:

Property owners in White Horse Park who have resided there full time (continuously) since June of 2018 shall be considered grandfathered (i.e., legally existing nonconformities) and shall be permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or 3) the unit is sold.

In order to garner comments from appropriate staff persons, I forwarded the revised text amendment application to Ed Tudor, Director; Jennifer Keener, Zoning Administrator; Maureen Howarth, County Attorney and Planning Commission Attorney; Robert Mitchell, Environmental Programs Director; John Tustin, Public Works Director; John Ross, Public Works Deputy Director; Frank Adkins, Roads Supervisor; and Jeff McMahan, Fire Marshall, for their review and comment. Mr. Tudor, Mrs. Keener, Mr. Mitchell and Mr. Adkins responded and their comments are attached.

As noted by Mrs. Keener, the proposed text amendment seeks to allow the phasing out of the currently unlawful existing year-round occupancy of units within the White Horse Park campground subdivision. She states that, in essence, the proposed amendment acknowledges that violations to the limitations on seasonal use of the campground property have occurred and requests that those persons in violation be allowed to remain as full time residents until the earliest of one of three circumstances occurs: 1) discontinuance of full time residency; 2) death of the property owner; or 3) sale of the unit. Mrs. Keener expresses concern that the terms "full-time" and "continuously" are not defined in the amendment nor are they established by definitions in § ZS 1-103(b) of the Zoning Code. She asserts that the proposed amendment should instead refer to use of the property as the primary dwelling/residence. Mr. Tudor also is concerned about the vagueness of these terms. Mrs. Keener notes that the term "grandfathered" is defined by the Zoning Code and only applies to plan approvals per § ZS 1-126; thus occupancy is not a provision that can be grandfathered. Mr. Tudor makes the same assertions in his comments and states that the year-round occupancy of units in White Horse Park was illegal all along and never constituted an approval of any sort. He states that such occupancy is not "grandfathered" nor can it be. The DRP staff all agree that because the current permanent occupancy of units in White Horse Park is unlawful and was unlawful at the time they were occupied on a permanent basis, their permanent occupancy therefore cannot be considered a "legally existing nonconformity" as suggested by Mr. Cropper. As stated by Mr. Tudor and Mrs. Keener, only "uses of structures....which were lawful when established but which are prohibited or restricted under the terms of this Title" as established by § ZS 1-122(a) can be considered a legally existing nonconformity. Mr. Tudor puts it succinctly by saying that in order for something to be a nonconformity, it must have been legal at some point in the first place and year-round occupancy of units in White Horse Park has never been a legal use. As for the three qualifying conditions, Mr. Tudor maintains that "discontinuance of full-time residency" is undefined and difficult to track, as is death of the property owners. He also notes that year-round residents are not necessarily property owners. He asserts that sale of properties is not something that the DRP staff regularly concerns itself with and is another qualifier that is difficult to track. Mrs. Keener also expresses concerns about whether there is a complete and currently maintained list of full-time residents as of June 2018 that can be utilized as a baseline for this amendment and whether the proposed amendment would also be applicable to.

full-time resident renters. Mrs. Keener states that she has the same concerns with respect to tracking and enforcement actions relative to this proposed revised text amendment as she did the original request, noting that the staff would be relying heavily upon the White Horse Park Board of Directors to enforce these provisions, as DRP does not have the staff available to regularly check the Maryland Department of Assessments and Taxation records for principal residency status, the Land Records for property transfers, or the newspapers for obituaries. Mrs. Keener states that rather than process a text amendment in an attempt to legitimize the occupancy violation and to phase out the full-time residents, there is perhaps another mechanism that could be considered to achieve the same result. Mr. Tudor agrees that the Zoning Code is not the place to try to fix the compliance problems at White Horse Park and suggests that if there is any desire at all for accommodating some type of phase-out provision for the full-time residents, it should be done through a formal consent agreement with the County Commissioners and not as a part of the Zoning Code where it could set a dangerous precedent for other similar uses. Mr. Tudor notes that such a formal consent agreement would be at the sole discretion of the County Commissioners.

I concur wholeheartedly with the comments of both Mr. Tudor and Mrs. Keener. I myself am particularly concerned about setting undesirable precedents by changing the Zoning Code. Once made, those changes can too easily be extended to other projects, if only because once put into the Zoning Code, the change then has the appearance of legitimacy. I also am very concerned about controlling full-time occupancy of additional units in White Horse Park. I received a call earlier this week from a property owner in the development, questioning when the Planning Commission would act on the text amendment application. This gentleman told me that when he retires in Spring 2020, he intends to move to his unit in White Horse Park full-time. When I questioned him as to whether he would do so even though it was illegal, he stated yes and implied that nothing could be done about it. My concern is, how many more people intend to do so? While I have some empathy for full-time residents who find themselves in a bind, I cannot endorse changing the zoning regulations in any way to permit full-time residency. Campground subdivisions were never designed for or intended for full-time residency and it was and is the property owners' responsibility to educate themselves about what the County's regulations are before they bought units with intentions of residing there full-time. While it was and is inappropriate for any realtor, campground subdivision staff person, etc. to have told any prospective or existing property owner that full-time residency was okay, the burden for actually determining whether it was legal falls upon the property owner. It is my opinion that all campgrounds should be shut down for a certain segment of the year to ensure that there is no full-time residency. As White Horse Park has demonstrated, the County cannot otherwise rely upon the campgrounds to police themselves and enforce the pertinent regulations.

Robert Mitchell, Environmental Programs Director, submitted comments and they are attached. Mr. Mitchell's comments are quite lengthy and detailed and should be thoroughly reviewed but they can be summarized as follows:

1. Approved Equivalent Dwelling Unit (EDUs) flows contained in the Master Water and Sewerage Plan for White Horse Park are based on the seasonal nature of the

community. Year-round occupancy would necessitate acquisition of additional sanitary capacity by the White Horse Park community (or the applicants), as the capacity increase was not contemplated in the original and succeeding water and sewer service commitments by the utility providers.

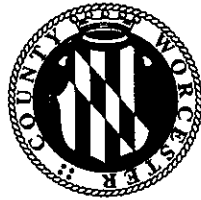
2. Acquisition of additional capacity from the Ocean Pines Service Area for White Horse Park would be problematic and would need to be taken from other properties in the planning area that have existing well and/or septic systems that need connection to the public system. The additional capacity demands on plants that are at capacity risks existing sanitary infrastructure and poses a risk to public safety and the environment with potential sewer overflows and plant overloads.
3. White Horse Park has a master meter and is billed as a group unit. Installation of additional meters, monitoring, and acquiring additional sanitary capacity are issues that must be addressed.
4. In order to protect a service area's existing ratepayers from costs unrelated to provision of service to them, the County has a ratepayer protection policy which stipulates that parties conducting expansions of an existing service areas shall bear responsibility for all costs associated with sanitary system expansion. The task of assigning responsibility for costs involved in acquiring additional capacity, metering and monitoring will fall to the utility provider (Ocean Pines Sanitary Service Area) and the County staff. In accordance with the ratepayer protection policy, accountability for the costs of expansion could be placed on the text amendment applicants and persons living year-round in White Horse Park, as they are the parties responsible for the expansion, not the Homeowners Association.
5. Approximately 54 EDUs for water and sewer at a cost of \$15,218 per EDU would be required to permit approximately 80 units in White Horse Park to be occupied year-round, for a total cost of \$821,772. Quarterly rates would be assessed at \$195 per quarter (\$780 yearly) plus consumption for those year-round units.
6. The Ocean Pines Sanitary Service Area does not have the sanitary capacity to serve an application of this quantity at this time. Capacity would need to be taken from other properties in the planning area that have existing well and/or septic systems for which capacity has been reserved for future connection to the public system.

Frank Adkins, County Roads Superintendent, commented via e-mail (copy attached) that he had no comment at this time.

Please note that Mr. Tudor states that it is imperative that the Planning Commission promptly reach and transmit a recommendation to the County Commissioners on the proposed amendment, as the application has been under review for several months and postponed at least once. He notes that a new season of limited occupancy begins on September 30th.

Should you have any questions or require additional information, please do not hesitate to contact me.

cc: Edward A. Tudor
Maureen Howarth
Jennifer Keener
Robert Mitchell
John Tustin
John Ross
Frank Adkins
Jeff McMahon



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MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Edward A. Tudor, Director *EAT.*
DATE: August 12, 2019
RE: Revised White Horse Park Text Amendment Application

This memorandum is in follow-up to your request for comments on the above referenced text amendment. The revised language submitted by Hugh Cropper, IV, attempts to legalize and then phase out the year-round or full-time occupancy of units in White Horse Park. While I fully understand the intent of the revised language, I still have a number of comments and concerns, just as I did with the prior version.

First and foremost, I do not know how you can propose to simply declare an illegal use "grandfathered" and then consider it as a "legally existing nonconformity." One only needs to look at the definition of "grandfathering" in the Zoning Ordinance to see the disconnect. "Grandfathering" is defined as follows: "A provision whereby certain types of **approvals** remain valid despite changes to regulations which would negate or limit those approvals. See § ZS 1-126." (Emphasis added) In this case, the year-round occupancy of units in the park was never approved, much less legal. In fact, the year-round occupancy was illegal all along and never constituted an approval of any sort. Clearly, the occupancy is not "grandfathered" nor can it be. Furthermore, the year-round occupancy is not a nonconformity either. The meaning of the term "nonconformity" is clearly stated in § ZS 1-122 where it states in part: "Unless otherwise specifically provided in this Title, within the districts and under the provisions established by this Title and amendments hereto, **there may exist lots, structures, uses of land and uses of structures and land in combination which were lawful when established but which are prohibited or restricted under the terms of this Title or future amendment.**" (Emphasis added) In order for something to be a nonconformity, it must have been legal at some point in the first place. Full-time occupancy of units was never a legal use. Therefore, the full-time occupancy of units in White Horse Park cannot be a "legally existing nonconformity" but rather is a violation of the Zoning Ordinance.

Secondly, the revised language refers to full-time occupancy in order to qualify who can remain in the park year-round and for how long but never defines what "full-time" even means. It also reaches back a year to some unknown day in June 2018 as the starting point of

“full-time occupancy.” Does full-time occupancy means every day since June 2018, one day a week, one day a month or some other period? If this is an attempt to assist those folks who claim to be longtime residents of the park, why are we going back only a little over a year and not ten or twenty years as some have claimed? Regardless of how far back we reach, how does one prove they were a full-time resident on that day? Again, just what does full-time mean?

Third, the revised language proposes that certain qualifying properties can continue to be occupied full-time until certain conditions are met. Again, while I understand the intent, as worded I believe it is fraught with problems. For example, the first qualifier is that the property owners “discontinue” their full-time residency. What constitutes “discontinuing” full-time residency? If you do not stay on the property for some unknown and undefined period of time? Who could ever keep track of such a provision? It obviously has not worked to date. The second qualifier is the death of the “property owner.” How is the staff supposed to monitor and track this? Such a provision is totally outside the realm of what information is available to the staff. Additionally, this condition presupposes that all of the full-time residents are property owners. What if none of the full-time residents in a unit are the actual property owners? It is entirely possible that a property could be titled in the name of a trust or in the name of a relative or even an single spouse. Take, for example, a property titled in the name of a son or daughter and the parents reside there full-time with lifetime rights. Does that mean the parents do not even qualify to be covered by this proposed amendment? If they do qualify and the child predeceases the parents, do we kick the parents off the property? Likewise, do we kick the surviving spouse off the property if the spouse to whom the property is titled dies? What about any long-term renters? As worded, they are not covered and would have to leave immediately. One may argue that these types of situations do not exist or would never happen but the opportunities for problems are present. The third and last qualifier is the sale of the unit. Again, this creates another difficult situation to track and administer. The staff has no easy way to check who may have sold a unit at any one time other than to check the Assessments and Taxation records on a regular basis. Typically, zoning regulations do not concern themselves with ownership of a property for that very reason. Zoning regulations are concerned with land and its use, not who owns it. The park management has demonstrated that they are not able to enforce such residency limitations in the past. Clearly, we would not want to put them in charge of such a responsibility going forward. In addition, it appears that at least in some cases the occupancy limitation was not clearly conveyed to a buyer or it was and the buyer chose to ignore the information.

It is painfully obvious that we have a compliance problem at White Horse Park with full-time occupancy. In my opinion, the Zoning Ordinance is not the place to try to fix it. We just cannot “declare” a violation a “legal nonconformity” when it is not. If there is any taste at all for accommodating some type of phase-out provision of the full-time residents, it should be done through a formal consent agreement with the County Commissioners and not as part of the Zoning Ordinance, where it could set a dangerous precedent for other similar uses. The conditions of such a formal consent agreement would be at the sole discretion of the County Commissioners and they are certainly not obliged to even consider such a suggestion. In any event, I believe it is imperative that the Planning Commission promptly reach and transmit a recommendation to the County Commissioners on this proposed amendment. I do not believe it is fair to the large crowds of interested parties that have attended the two Planning Commission meetings relative to this matter for this to drag on any longer. Continual postponements are only making a bad situation worse, especially as we rapidly approach September 30th, which starts another season of limited occupancy.

As always, I will be available to discuss the matter in greater depth if need be when it is reviewed by the Planning Commission.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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ZONING DIVISION
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CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Phyllis Wimbrow, Deputy Director
From: Jennifer K. Keener, AICP, Zoning Administrator *JKK*
Date: August 8, 2019
Re: Campground subdivisions – occupancy request - REVISED

I have reviewed the proposed text amendment which is proposed in order to allow the phasing out of the currently unlawful existing year round occupancy of the White Horse Park campground subdivision. The proposed language states the following:

“Property owners in White Horse Park who have resided there full time (continuously) since June of 2018 shall be considered grandfathered (i.e., legally existing nonconformities) and shall be permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or (3), the unit is sold.”

In essence, the proposed amendment acknowledges that violations have occurred to the limitations on seasonal use of the campground property, and requests that those persons in violation be allowed to remain as full time residents until one of three circumstances occur.

I have concerns with respect to the language that is utilized within the amendment. They are as follows:

1. The terms “full-time” and “continuously” have not been defined in the amendment, nor are they established in the definitions of the Zoning Code in §ZS 1-103(b). Rather, the amendment should refer to the use of the property as a primary dwelling/ residence.
2. The term “grandfathered” is a defined term, which only applies to plan approvals per §ZS 1-126. Occupancy is not a provision that can be grandfathered.

3. As the current permanent occupancy of these units is currently unlawful, and was unlawful at the time that they were occupied on a permanent basis, it cannot therefore be considered a legally existing nonconformity. Only “uses of structures...which were lawful when established but which are prohibited or restricted under the terms of this Title” as established by §ZS 1-122(a) can be considered a legally existing nonconformity.
4. Is there a currently maintained list of full-time residents as of June of 2018 that can be utilized as a baseline for this amendment?
5. The amendment refers only to property owners who are full time occupants as being subject to this bill. Are any of the currently active full-time residents renters?

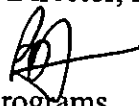
Overall, I still have the same concerns with respect to the tracking and enforcement actions as I did with the previous request. We would be relying heavily upon the Board of Directors to enforce these provisions, as we do not have the staff to regularly check the Maryland Department of Assessments and Taxation records for principal residency status, the Land Records for property transfers, or the newspapers for obituaries. Rather than process a text amendment in an attempt to legitimize the occupancy violation and to phase out the full-time residents, perhaps there is another mechanism that could be considered to achieve the same result?



Worcester County
Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, Development, Review and Permitting

From: Robert J. Mitchell, LEHS 
Director, Environmental Programs

Subject: **Zoning Text Amendment Application**
Campground Subdivisions – Occupancy
Comments on Revised Text Amendment

Date: 8/21/19

Thank you for providing the above referenced text amendment package for my review and comment. The revised zoning text amendment would permit year round occupancy for White Horse Park residents who have resided there full time (continuously) since June of 2018 shall be considered grandfathered (i.e legally existing non-conformities), and shall be permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or (3) the unit is sold.

This proposal comes from an expressed need of some of the current park residents to live in the park year-round due to an extreme hardship to temporarily relocate in the winter months. As new campground subdivisions are prohibited, this revised amendment would only apply to the parks existing at the time that provision was added to the Worcester County Zoning Ordinance and this specific revision includes only the While Horse Park campground subdivision.

While I do believe it is the right of such residents to request such an amendment, there are justifiable reasons for us to note why this proposed occupancy extension could create other issues that would be detrimental to the community residents and their utility provider.

The park was originally provided service from Maryland Marine Utilities, which was succeeded by the Worcester County Sanitary Commission. Ultimately, Worcester County took over service when the County abolished the Sanitary Commission in 1993 and assumed all operational and contractual obligations. Our current water and sewer budget and rates resolution (Resolution No. 18-14) has White Horse Park billed at a quarterly water and sewer flat rate of \$138 per lot for 465 lots. By comparison, the Ocean Pines minimum quarterly charge is

Citizens and Government Working Together

\$170/quarter plus \$20 debt service with additional charges for consumption based on metered water usage.

The original Master Water and Sewerage Plan (The Plan) amendment for the community was in 1974 and it was for 350 campsites at 140 gpd/site with contract service from Maryland Marine Utilities for water and sewer. Through the years this office has reviewed the sanitary adequacy components of various development proposals from the park's owners, including the last expansion to the current configuration. During the review of those expansion and development proposals, allowances were made on flows per campsite that took into account the seasonal nature of the community. Those allowances, while not fully agreeing with the original request, did reduce the flow per campsite to enable the expansion for additions above 350 sites. An additional determination related to flow arrangements and commitments of service to developments like this was included under Bill No. 94-16, which authorizes charges less than a full Equivalent Dwelling Unit (EDU) per lot and contract service charges under the Public Works Article.

Applicants for this proposed text amendment that would permit an extension of occupancy for existing, year-round residents within the White Horse Park community should contemplate the following items:

1. The White Horse Park community (or the applicants) would be responsible for acquiring additional sanitary capacity to cover this year-round occupancy for those specific residents. This capacity increase was not contemplated in the original and succeeding water and sewer service commitments by the utility providers.
2. Acquiring additional capacity from the Ocean Pines Service Area for White Horse Park community would be problematic. The Ocean Pines capacity would need to be taken from other properties in the planning area that have existing well and/or septic systems that need connection to the public system. These additional capacity demands on plants that are at capacity risks existing sanitary infrastructure and presents a risk to public safety and the environment with potential sewer overflows and plant overloads.
3. The park has a master meter and is billed as a group unit. Installation of additional meters, monitoring, and acquiring additional sanitary capacity would be issues that do not appear to be addressed in the amendment text or reasoning provided by the applicant.
4. We do have a ratepayer protection policy included in The Plan where parties conducting expansions of an existing service area shall bear responsibility for all costs associated with sanitary system expansion to accommodate such development. The purpose of this policy is to protect the service area's existing ratepayers from costs unrelated to provision of service to them. The task of assigning responsibility for costs involved in acquiring additional capacity, metering, and monitoring would fall to the utility provider (Ocean Pines Sanitary Service Area) and the County staff. Following this policy could place accountability on the applicants as they are the parties responsible for expansions, not the HOA's for these communities.

5. While a number was not officially provided, it is assumed that eighty (80) properties could potentially fit in this category based on discussions on this amendment. While this is not a number provided by the applicant, it is a figure that we are using to estimate the financial implications of this text amendment for the applicants. Assuming that this or a similar number of year-round (continuous) residents can be tracked and monitored with an additional assumption that there could be a change in billing accomplished to reflect this intensified occupancy, would require the following:
- a. One (1) EDU per full-time dwelling for the estimated eighty (80) dwellings that would fit this category.
 - b. This would require the purchase of 54 EDU for water and sewer at a cost of \$15,218 per EDU for a total of \$821,772.
 - c. Quarterly rates will be assessed at \$195/quarter (\$780 yearly cost) plus consumption for those dwellings in that category.
 - d. Ocean Pines Sanitary Service Area does not have the sanitary capacity to serve an application of this quantity at this time. Capacity would need to be taken from other properties in the planning area that have existing well and/or septic systems that we have reserved capacity for future connection to the public system.

Many, if not all of the items discussed above would be included in our comments to the Board of Zoning Appeals in deciding whether special exemptions should be granted if this text amendment were approved. I would refer to the findings required for a special exception under § ZS 1-116 (c)(3)A, specifically determinations made by the Board on an application's potential for a detrimental impact on ground or surface water quality and the potential to overburden public services and facilities. An argument could additionally be made that an overburden of public services could also extended to financial burdens on the service area as well. By approving this amendment as presented, we would be forced to request the Board examine these items in any future applications for special exception. As of this date, there are no changes with respect to the above items that would alleviate any potential capacity determinations for extended occupancy.

As always, I will be available to discuss the proposed amendment further with the Planning Commission when it is scheduled for discussion.

cc: David Bradford, Deputy Director
John Tustin, Director, Public Works
John Ross, Deputy Director, Public Works
Jessica Wilson, Enterprise Fund Controller
PC Comments File

Phyllis Wimbrow

From: Frank Adkins
Sent: Wednesday, August 07, 2019 6:59 AM
To: Phyllis Wimbrow; Ed Tudor; Jennifer Keener; Maureen L. Howarth; Robert Mitchell; John Tustin; John Ross; Jeff McMahon
Subject: RE: REVISED Text Amendment Application - Campground Subdivision Occupancy - White Horse Park

No comments at this time.

Frank J. Adkins
Roads Superintendent
Worcester County DPW - Roads Division
5764 Worcester Highway
Snow Hill, MD 21863
Phone: 410-632-2244
Fax: 410-632-0020
Email: fadkins@co.worcester.md.us

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

From: Phyllis Wimbrow <pwimbrow@co.worcester.md.us>
Sent: Wednesday, July 31, 2019 10:08 AM
To: Ed Tudor <etudor@co.worcester.md.us>; Jennifer Keener <jkkeener@co.worcester.md.us>;
Maureen L. Howarth <mhowarth@co.worcester.md.us>; Robert Mitchell
<bmitchell@co.worcester.md.us>; John Tustin <jtustin@co.worcester.md.us>; John Ross
<jross@co.worcester.md.us>; Frank Adkins <fadkins@co.worcester.md.us>; Jeff McMahon
<jmcmahon@co.worcester.md.us>
Subject: REVISED Text Amendment Application - Campground Subdivision Occupancy - White Horse Park

Good morning everyone,

Hugh Cropper has submitted revised text amendment language with regard to the occupancy of units in campground subdivisions. Please review the revised language and provide me with your written comments no later than August 21, 2019. I anticipate scheduling this application for review by the Planning Commission at either its September 5th or October 3rd meeting.

Thank you for your anticipated cooperation.

Phyllis H. Wimbrow
Deputy Director
Worcester County Development
Review and Permitting
1 West Market Street, Room 1201
Snow Hill, Maryland 21863
(410) 632-1200, ext. 1110

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

From: wcg-xerox@co.worcester.md.us [<mailto:wcg-xerox@co.worcester.md.us>]



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Edward A. Tudor, Director
Jennifer K. Keener, Zoning Administrator
Maureen Howarth, County Attorney
Robert Mitchell, Environmental Programs Director
John Tustin, Public Works Director
John Ross, Public Works Deputy Director
Frank Adkins, Roads Supervisor
Jeff McMahan, Fire Marshal

FROM: Phyllis H. Wimbrow, Deputy Director

DATE: July 31, 2019

RE: **REVISED** Text Amendment Application - Campground Subdivisions - Occupancy

As you are aware, a text amendment application was submitted by Hugh Cropper, IV on behalf of Sally Connolly and Susan Naplachowski seeking to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. Specifically, the text amendment as originally submitted by Mr. Cropper sought to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K to read as follows:

- K. The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

While the Planning Commission has reviewed the text amendment, no action has been taken in formulating a recommendation to the County Commissioners. Mr. Cropper has now submitted a REVISED text amendment application relative to occupancy in the White Horse Park campground subdivision. Mr. Cropper's transmittal of the revised text amendment language does not specifically state which section he seeks to be amended but I assume he is still seeking to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K. The revised text amendment language reads as follows:

Property owners in White Horse Park who have resided there full time (continuously) since June of 2018 shall be considered grandfathered (i.e., legally existing nonconformities) and shall be permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or 3) the unit is sold.

I anticipate scheduling this text amendment for consideration by the Planning Commission at either its September or October 2019 meeting. So that I may incorporate them into the staff report, please submit your comments to me **no later than August 21, 2019.**

Should you have any questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

attachment

Phyllis Wimbrow

From: Hugh Cropper [hcropper@bbcmlaw.com]
Sent: Tuesday, July 30, 2019 3:02 PM
To: Phyllis Wimbrow
Cc: Susan Naplachowski; sconolly12000@yahoo.com; Ed Tudor; Jennifer Keener
Subject: White Horse Park
Attachments: MX-3550N_20190730_150729.pdf

Phyllis:

Good afternoon. On behalf of my clients Susan Naplachowski and Sally Connolly, residents of White Horse Park, I would like to revise my Text Amendment application. I would like to substitute the attached language, instead of my prior version.

I think this language represents an excellent compromise. Nothing will be approved permanently. I do not believe that it will require any additional EDU's. Everything will remain the same as it is now, except as the current residents leave, the number of year round residents will be reduced.

Eventually, all of the year round residents will be phased out.

I think this protects the intent of the Code, while protecting the current residents who have demonstrated a substantial hardship.

I hope the Staff will give this proposal its usual kind consideration. Thank you.

I am prepared to proceed to the Planning Commission in either September or October, whatever is most convenient for you and the Staff.

Thanks again.

Hugh Cropper IV
Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
410-213-2681-Telephone
www.bbcmlaw.com

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PROPOSED TEXT AMENDMENT

Property owners in White Horse Park who have resided there full time (continuously) since June of 2018 shall be considered grandfathered (i.e. legally existing non-conformities), and shall be permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or (3) the unit is sold.

STAFF REPORT AND
ALL ATTACHMENTS FOR
ORIGINAL
APPLICATION



DEPARTMENT OF
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Worcester County

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ZONING DIVISION
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MEMORANDUM

TO: Worcester County Planning Commission
FROM: Phyllis H. Wimbrow, Deputy Director *PHW*
DATE: March 27, 2019
RE: Text Amendment Application - § ZS 1-318(d)(1) -
Campground Subdivisions - Occupancy

The attached text amendment application was submitted by Hugh Cropper, IV, attorney, on behalf of Sally Connolly and Susan Naplachowski seeking to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. Specifically, the text amendment as submitted by Mr. Cropper sought to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K to read as follows:

K. The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

At present, two campground subdivisions exist: White Horse Park and Assateague Pointe. No new campground subdivisions are permitted. Section § ZS 1-318(d)(1) J of the Zoning and Subdivision Control Article currently states the following:

J. Units or sites in a campground subdivision shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile. Between September 30 of each year and April 1 of the succeeding year, units or sites shall not be occupied for more than thirty consecutive days or an aggregate of

sixty days. Any condominium declaration or declaration of restrictions of a homeowners' association shall include language providing for such limited occupancy.

In order to garner comments from appropriate staff persons, I forwarded the text amendment application to Ed Tudor, Director; Jennifer Keener, Zoning Administrator; Maureen Howarth, County Attorney and Planning Commission Attorney; Robert Mitchell, Environmental Programs Director; John Tustin, Public Works Director; John Ross, Public Works Deputy Director; Frank Adkins, Roads Supervisor; and Jeff McMahan, Fire Marshall, for their review and comment. Their responses are attached, as is the application, a previous memo to Mr. Cropper from the DRP staff, and various e-mail correspondence.

The comments of the DRP staff (Mr. Tudor, Mrs. Keener and myself) remain the same as outlined in our memo to Mr. Cropper dated January 9, 2019 (copy attached). We have a number of concerns with the text amendment application as submitted. First and foremost, what has been proposed is as unenforceable as what the current law stipulates, if not more so. The County has struggled with enforcement of the current seasonal occupancy provisions due to the complex method for allowing part-time winter occupancy as well as a lack of staff to be able to actively and effectively regulate it. The way the current law is written essentially requires 24/7 surveillance to effectively enforce it from October 1st to March 31st and this is not feasible. The proposed amendment only further complicates the matter. To add a provision that up to 25 percent of the units can be occupied on a year-round basis by persons of at least 55 years of age would escalate the monitoring and enforcement issues dramatically. Now the staff would be responsible for verifying the age of residents and visitors as well as how long they are staying. It would also create a "first come, first served" type of situation. The first 25 percent of lot owners that are granted the special exception get to stay year-round and the others just have to wait until someone gives one up. Trying to keep track of all of the various factors of both those staying year-round and those seasonally would be extremely difficult and consume much time and resources that could probably be put to better use elsewhere.

Equally important to the DRP staff, however, is the fact that these facilities are *campground* subdivisions (emphasis added). By their very nature they are intended for seasonal or temporary use only. They are not intended nor are they designed for full-time residences. Compared to residential subdivisions which are intended for year-round use, campground subdivisions have much smaller lots, reduced yard setbacks, substandard roads, etc. that are all reflective of the supposed seasonal and temporary nature of such development but are not adequate to serve year-round residences. The staff does not believe that any percentage of units within a campground subdivision should be used for year-round occupancy. Similarly, the staff has long believed that the only way to truly enforce seasonal occupancy of any type of campground is to require that it be totally shut down for a portion of the year.

The DRP staff notes that there are two campground subdivisions within Worcester County, namely Assateague Pointe and White Horse Park. Campground subdivisions allow a variety of unit types and while White Horse Park has many manufactured and modular homes, this

campground also has and permits recreational vehicles, recreational park trailers and cabins on approximately 465 sites. Assateague Pointe consists of 529 sites with manufactured homes or park trailers. The definitions provided for these types of units under § ZS 1-318(a) clearly state that they are only designed to provide for seasonal or temporary living quarters. Recreational vehicles are not intended to be, nor should they be, used for year-round occupancy. Cabins, recreational park trailers and recreational vehicles are also limited in size to no more than 400 square feet in area. This is a *minimum of 100 square feet below* the gross floor area required for a single-family dwelling (emphasis added). In essence, we would be permitting tiny homes to be occupied on a full time basis. If this amendment were to proceed, additional revisions may need to be made to definitions or other subsections to ensure consistency.

The DRP staff does not believe that the amendment should focus on the age of the individuals in the unit. To do so requires that the DRP Department be made responsible for obtaining proof of age for all occupants, not only at the time of application but for any future changes in occupancy (whether via sale, rental, marriage, death, divorce, etc.). Important questions become how would the Department verify that there are no additional occupants beyond those persons for which we are being provided identification and would such documentation be provided to the Department to confirm continued compliance with the special exception annually. Additionally, because the draft language is written such that the special exception would run with the unit or campsite, not with the individual occupants, despite the fact that it is based on the age of the occupants, in the event that a unit approved under this special exception is sold or a new renter occupies the space, the County would need to be notified to verify the age of the occupants. DRP is not generally notified of sales of property.

There are additional difficulties involved in tracking these units based upon age and occupancy. Since this is a first come, first serve situation for the 25% of campsite owners/ renters that could be permitted year-round occupancy, the DRP Department would be responsible for tracking the approvals that have been granted, which units they were granted to, as well as the individuals that were allowed to occupy/reside in the space and their respective ages. We would also have to clearly document whose approvals have expired to be able to know when additional approvals may be requested so that the percentage is not exceeded. If approved, our office will be overwhelmed with complaints from neighbors who knew that they had to obtain approval but their neighbor hadn't, allegations of occupancy under age, or those that want to have year-round occupancy but cannot because the campground is at capacity. Our office does not have the resources to inspect every home every day to verify the existing occupancy regulations for campground subdivisions, much less to add this level of data tracking.

While the DRP staff recognizes that this text amendment pertains only to campground subdivisions at the present time, if it were to be approved it would set a precedent. Efforts may very well then be made to permit the same type of year-round occupancy in other forms of campgrounds.

The DRP staff agrees that a case can certainly be made that the County needs affordable, small scale housing to accommodate a segment of the population such as Mr. Cropper describes,

as well as others, but it should be done by planning from the start for an appropriate subdivision and not by trying to modify the requirements of a *campground* (emphasis added).

Robert Mitchell, Environmental Programs Director, states in his memo (copy attached) that there are justifiable reasons to note why the proposed occupancy extension could create other issues that would be detrimental to the community residents and to the utility provider. He states that the County's current water and sewer budget and rates resolution has White Horse Park billed at a quarterly water and sewer flat rate of \$134 per lot for 465 lots. By comparison, the Ocean Pines minimum quarterly charge is \$170 per lot with additional charges for consumption based on metered water usage. He asserts that analyses of sanitary adequacy components over the years which have enabled expansion of the number of lots have always been based on seasonal occupancy of White Horse Park. Mr. Mitchell states that the White Horse Park community (or the applicants) would be responsible for acquiring additional sanitary capacity to cover the proposed year-round occupancy of up to 25 percent of their residents which was not contemplated in the original and succeeding water and sewer service commitments by the utility providers. Mr. Mitchell furthermore states that acquiring additional capacity from the Ocean Pines Service Area for White Horse Park and Assateague Pointe for the Assateague Pointe community would be problematic. The Assateague Pointe capacity is fully committed and connected while the Ocean Pines capacity would need to be taken from other properties in the planning area that have existing well and/or septic systems that need connection to the public system. Putting additional demands on plants that are at capacity risks existing sanitary infrastructure and presents a risk to public safety and the environment with potential sewer overflows and plant overloads. Additionally, Mr. Mitchell notes that White Horse Park has a master meter and is billed as a group unit. Installation of additional meters, monitoring, and acquiring additional sanitary capacity are issues that do not appear to be addressed in the application submitted by Mr. Cropper or his clients. Mr. Mitchell states that the County has a ratepayer protection policy where parties conducting expansions of an existing service area shall bear responsibility for all costs associated with sanitary system expansion to accommodate such development. He notes that the purpose of this policy is to protect the service area's existing ratepayers from costs unrelated to provision of service to them. He asserts that the County would be forced to explore assigning responsibility for costs involved in acquiring additional capacity, metering, and monitoring and that following this policy could place accountability on the applicants as they are the parties responsible for expansions, not the HOAs for these communities. Mr. Mitchell closes his comments by noting that, given that the Board of Zoning Appeals must examine a special exception application's potential for detrimental impact on ground or surface water quality and the potential to overburden public services and facilities, he would be forced to request that the Board of Zoning Appeals examine these items in any future applications for special exception.

Jeff McMahan, Fire Marshal, states in his memo (copy attached) that his office does not have an issue with the way the text amendment is written. He states that his concern would be with the type of "unit" (housing) that would be installed for future units and/or replacement units. He notes that in other campgrounds in the County there are "newer cabins" which meet the single family manufactured home requirement but since they are still "readily movable" they are not considered permanent housing and therefore have been exempt by DRP from fire sprinklers. Mr.

McMahon states that if replacement units or new units within a 55 plus designated campground would require permanent fixed units, therefore requiring residential fire sprinklers, the Fire Marshal's Office has no further comment.

Frank Adkins, County Roads Superintendent, commented via e-mail (copy attached) that in response to an assertion that the roads within White Horse Park were not adequate to withstand full-time residents during a previous meeting between various staff and Mr. Cropper about the proposed amendment, he had maintained that he felt that if the roads were safe during the peak season, he felt they were also safe during the off season. Mr. Adkins stated that he still feels this is a legitimate thought.

John Tustin, Public Works Director, stated via e-mail (copy attached) that his comments mirror Mr. Adkins' on the adequacy of the road network in White Horse Park. He noted that one bill for water/sewer is sent to the White Horse Park Homeowners' Association as no units in the park are individually metered and all water/sewer lines within the community are owned and maintained by that homeowners' association.

John Ross, Public Works Deputy Director, stated via e-mail (copy attached) that the issue with water and wastewater is that White Horse Park is billed at a flat rate of \$134 per lot per quarter which he is sure accounts for owners not being full time. He also noted that the Water and Wastewater Division does not maintain the water and sewer lines in the community at present and that these conditions raise several questions. His questions include the following: 1) If these units become year-round residences, would they need to be assigned a stand-alone water/wastewater equivalent dwelling unit (EDU) and therefore would additional EDUs need to be purchased?; 2) Are enough EDUs available to convert these homes to regular residential customers?; 3) Should lots that are occupied year-round be charged as a standard residential customer because they use water and generate wastewater like a regular customer?; 4) Should water meters be installed to bill the lots individually (and fairly)?; 5) How would the County install meters on water lines that are not owned by Worcester County?; and 6) In that a homeowner in Ocean Pines pays \$170 per lot per quarter plus \$37 per EDU plus usage, how would a full-time homeowner in White Horse Park differ?

As you can see, there are many, many issues and concerns that must be adequately and appropriately addressed. It is far more than just a simple matter of letting a few residents live year-round in a campground subdivision.

Should you have any questions or require additional information, please do not hesitate to contact me.

cc: Edward A. Tudor
Maureen Howarth
Jennifer Keener
Robert Mitchell
John Tustin



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
www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Edward A. Tudor, Director *EAT*
DATE: March 1, 2019
RE: Text Amendment Application - Campground Subdivisions - Occupancy

Per your request I have reviewed the above referenced text amendment application submitted by Mr. Hugh Cropper, IV on behalf of his clients Sally Connolly and Susan Naplachowski seeking to amend the provisions of the Zoning and Subdivision Control Article relative to the occupancy restrictions for campground subdivisions. As you know, currently the units or sites in a campground subdivision are regulated by Section § ZS 1-318(d)(1) which reads as follows:

Units or sites in a campground subdivision shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile. Between September 30 of each year and April 1 of the succeeding year, units or sites shall not be occupied for more than thirty consecutive days or an aggregate of sixty days. Any condominium declaration or declaration of restrictions of a homeowners' association shall include language providing for such limited occupancy.

Mr. Cropper is proposing the addition of a new Subsection § ZS 1-318(d)(1)K which would read as follows:

The Board of Zoning Appeals may authorize, by special exception, year-round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

First, the current occupancy restrictions, which have been in the Code since the 1992 edition, have proven to be extremely difficult, if not nearly impossible, to enforce. Without assigning an inspector to monitor the two campground subdivisions on a daily basis and having that individual try to establish who is occupying units or sites on what days and determine if they are exceeding the consecutive or aggregate limitations, there is currently no way to

accurately enforce the provision. In my opinion, Mr. Cropper's proposed amendment takes this current messy situation to a whole new level of difficulty. As proposed, we would have a subset of units, up to 25 percent of the total, that could be occupied on a year-round basis subject to the granting of a special exception but limited to residents 55 years of age and older. Now not only would we have to attempt to monitor the number of days that 75 percent of the sites are occupied but we would also have to monitor the age of the individuals occupying the other 25 percent of the sites. It also create a first come, first served type of situation. The first 25 percent of the lot owners that apply for the special exception get to stay year-round and the others just have to wait until somebody dies or moves out. De we create a waiting list for special exception applicants for those that don't make the first 25 percent? Do we go knocking on doors and checking driver's licenses or birth certificates of occupants when someone complains that there is a unit occupied year-round with an individual who is less than 55 years old?

Secondly, there are a number of other issues beyond the zoning limitations on occupancy that come into play. You only need to look at the title for the two parks in the County that are affected. They are called *campground* (emphasis added) subdivisions for a reason. They were never designed or intended for year-round occupancy by any number of the units or sites. As the title clearly states, they are *campgrounds* (emphasis added). There are a number of types of units located in these campgrounds, many of which are not designed or permitted for year-round occupancy, nor should they used for year-round occupancy. Water and sewer infrastructure, road widths and construction standards, open space requirements, and setbacks for structures are not designed for a year-round subdivision. This amendment as proposed would allow 116 year-round units in White Horse Park and another 132 in Assateague Point, neither of which is designed to the standards required for a typical subdivision intended for year-round occupancy.

There is certainly a case to be made that we need affordable, small scale housing to accommodate the segment of the population Mr. Cropper describes but it should be done by planning from the start for an appropriate subdivision and not trying to modify the requirements of a *campground* (emphasis added). In my opinion, simply put, the amendment as proposed takes the current train wreck and adds a few airplane crashes for good measure.

As always, I will be available to discuss the matter in greater depth if need be when it is reviewed by the Planning Commission.

Phyllis Wimbrow

From: Jennifer Keener
Sent: Wednesday, February 20, 2019 11:52 AM
To: Phyllis Wimbrow
Subject: RE: Scanned from DRP-XeroxB8065

Since there were no changes to the text amendment as it was originally submitted, I have no further comments to add to those that I provided for the January 9, 2019 joint memo from DRP.

Jennifer K. Keener, AICP
Zoning Administrator
One West Market Street, Room 1201
Snow Hill, MD 21863
(410) 632-1200, extension 1123
jkkeener@co.worcester.md.us

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

From: Phyllis Wimbrow
Sent: Thursday, February 14, 2019 3:33 PM
To: Maureen L. Howarth; Ed Tudor; Jennifer Keener; Jeff McMahon; Robert Mitchell; John Tustin; John Ross; Frank Adkins
Subject: FW: Scanned from DRP-XeroxB8065

Hugh Cropper has asked to proceed with the text amendment application for the campground subdivision occupancy. Attached is my memo requesting your formal written comments and the application. A hard copy will be delivered to you tomorrow.

Please let me know if you have any questions.

Phyllis H. Wimbrow
Deputy Director
Worcester County Development
Review and Permitting

~~1 West Market Street, Room 1201~~
Snow Hill, Maryland 21863
(410) 632-1200, ext. 1110

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

From: wcg-xerox@co.worcester.md.us [<mailto:wcg-xerox@co.worcester.md.us>]
Sent: Thursday, February 14, 2019 3:39 PM
To: Phyllis Wimbrow
Subject: Scanned from DRP-XeroxB8065

Please open the attached document. It was sent to you using a Xerox multifunction printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: Wor Co Development Review and Permitting
Device Name: DRP-XeroxB8065



Worcester County
Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, Development, Review and Permitting

From: Robert J. Mitchell, LEHS *RJM*
Director, Environmental Programs

Subject: Zoning Text Amendment Application
Campground Subdivisions - Occupancy

Date: 3/19/19

Thank you for providing the above referenced text amendment package for my review and comment. Specifically, the amendment seeks to permit by special exception year-round occupancy of not more than 25% of the units within a campground subdivision by persons at least 55 years of age. This proposal comes from an expressed need of some of the older park residents to live in the park year-round as it has become an extreme hardship for those residents to temporarily relocate in the winter months. As new campground subdivisions are prohibited, this amendment would only apply to the parks existing at the time that provision was added to the Worcester County Zoning Ordinance.

While I do believe it is the right of such residents to request such an amendment, there are justifiable reasons for us to note why this proposed occupancy extension could create other issues that would be detrimental to the community residents and the utility provider.

The park was originally provided service from Maryland Marine Utilities, which was succeeded by the Worcester County Sanitary Commission. Ultimately, Worcester County took over service when the County succeeded the Sanitary Commission in 1993 and assumed all obligations. Our current water and sewer budget and rates resolution (Resolution No. 18-14) has White Horse Park billed at a quarterly water and sewer flat rate of \$134 per lot for 465 lots. By comparison, the Ocean Pines minimum quarterly charge is \$170/quarter with additional charges for consumption based on metered water usage.

The original Master Water and Sewerage Plan (The Plan) amendment for the community was in 1974 and it was for 350 campsites at 140 gpd/site with contract service from Maryland Marine Utilities for water and sewer. Through the years this office has reviewed the sanitary adequacy components of various development proposals from the park's owners, including the last

Citizens and Government Working Together

expansion to the current configuration. During the review of those expansion and development proposals, allowances were made on flows per campsite that took into account the seasonal nature of the community. Those allowances, while not fully agreeing with the original request, did reduce the flow per campsite to enable the expansion for additions above 350 sites. An additional determination related to flow arrangements and commitments of service to developments like this was included under Bill No. 94-16, which authorizes charges less than a full Equivalent Dwelling Unit (EDU) per lot and contract service charges under the Public Works Article.

An extension of occupancy for approved Worcester County campground subdivisions should contemplate the following items:

1. The White Horse Park community (or the applicants) would be responsible for acquiring additional sanitary capacity to cover this year-round occupancy of up to 25% of their residents which was not contemplated in the original and succeeding water and sewer service commitments by the utility providers.
2. Acquiring additional capacity from the Ocean Pines Service Area for White Horse Park and Assateague Pointe for the Assateague Point communities will be problematic. The Assateague Pointe capacity is fully committed and connected, while the Ocean Pines capacity would need to be taken from other properties in the planning area that have existing well and/or septic systems that need connection to the public system. Putting additional demands on plants that are at capacity risks existing sanitary infrastructure and presents a risk to public safety and the environment with potential sewer overflows and plant overloads.
3. The park has a master meter and is billed as a group unit. Installation of additional meters, monitoring, and acquiring additional sanitary capacity would be issues that do not appear to be addressed in the amendment text or reasoning provided by the applicant.
4. ~~We do have a ratepayer protection policy included in The Plan where parties conducting~~ expansions of an existing service area shall bear responsibility for all costs associated with sanitary system expansion to accommodate such development. The purpose of this policy is to protect the service area's existing ratepayers from costs unrelated to provision of service to them. The County would be forced to explore assigning responsibility for costs involved in acquiring additional capacity, metering, and monitoring. Following this policy could place accountability on the applicants as they are the parties responsible for expansions, not the HOA's for these communities.

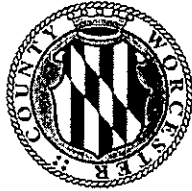
Many, if not all of the items discussed above would be included in our comments to the Board of Zoning Appeals in deciding whether special exemptions should be granted if this text amendment were approved. I would refer to the findings required for a special exception under § ZS 1-116 (c)(3)A, specifically determinations made by the Board on an application's potential for a detrimental impact on ground or surface water quality and the potential to overburden public services and facilities. By approving this amendment as presented, we would be forced to request the Board examine these items in any future applications for special exception. As of

Citizens and Government Working Together

this date, there are no changes with respect to the above items that would alleviate any potential capacity determinations for extended occupancy.

As always, I will be available to discuss the proposed amendment further with the Planning Commission when it is scheduled for discussion.

cc: David Bradford, Deputy Director
John Tustin, Director, Public Works
John Ross, Deputy Director, Public Works
Jessica Wilson, Enterprise Fund Controller
PC Comments File




OFFICE OF THE FIRE MARSHAL
Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1302
SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-5666
FAX: 410-632-5664
www.wcfmo.org

Jeffrey A. McMahon
Fire Marshal
Matthew W. Owens
Chief Deputy Fire Marshal

March 22, 2019

TO: Phyllis H. Wimbrow, Deputy Director
FROM: Jeff McMahon, Fire Marshal 
RE: Text Amendment Application for Campground Subdivisions

In regard to the text amendment application for campground subdivisions and the occupancy thereof, I offer the following comments:

The Fire Marshal's Office does not have an issue with the way the text amendment is written.

The FMO concern would be with the type of "unit" (housing) that would be installed for future units and/or replacement units. In other campgrounds in the County there are "newer cabins" which meet the single family manufactured home requirement, but since they are still "readily movable" they are not considered permanent housing and therefore have been exempt by DRP from fire sprinklers.

If replacement of units or new units within a 55+ designated campground would require permanent fixed units, therefore requiring residential fire sprinklers the Fire Marshal's Office has no further comment.

Phyllis Wimbrow

From: John Ross
Sent: Monday, March 18, 2019 3:37 PM
To: John Tustin; Phyllis Wimbrow
Subject: RE: Text Amendment Application - Campground Subdivisions - Year-Round Occupancy

The issue with water and wastewater is that the park is billed at a flat rate of \$134/lot per quarter which I am sure accounts for owners not being full time. Currently the Water and Wastewater Division does not maintain the water and sewer lines within the community. These conditions raise several questions:

If these units become year-round residences, would they need to be assigned a stand-alone water/wastewater EDU and therefore would additional EDUs need to be purchased?

Are enough EDUs available to convert these homes to regular residential customers?

Should lots that are occupied year-round be charged as a standard residential customer because they use water and generate wastewater like a regular customer?

Should water meters be installed to bill the lots individually (and fairly)?

How would we install meters on waterlines that are not owned by Worcester County?

The homeowner in Ocean Pines pays \$170 per quarter minimum plus \$37 per EDU plus usage. How would a full time homeowner differ if they were in White Horse Park?

John S. Ross, P.E. Deputy Director of Public Works
1000 Shore Lane
Ocean Pines, MD 21811
(410)641-5251 X-2412
(410)641-5185 (fax)
(443-783-0032 (cell))

From: John Tustin
Sent: Monday, March 18, 2019 1:39 PM
To: Phyllis Wimbrow; John Ross
Subject: RE: Text Amendment Application - Campground Subdivisions - Year-Round Occupancy

My comments mirror Franks on the adequacy of the road network in WH Park . .

JR will address the master meter billing issues for any full time residents and the fairness to all . currently I believe we send 1 bill to the HOA as no units in the park are individually metered and all water /sewer line within the community are owned and maintained by the HOA .

John H.Tustin P.E.
Director, Worcester County DPW
6113 Timmons Road
Snow Hill , Md 21863
Office 410-632-5623
Fax 410-632-1753

From: Phyllis Wimbrow <pwimbrow@co.worcester.md.us>
Sent: Monday, March 18, 2019 1:18 PM
To: Robert Mitchell <rbmitchell@co.worcester.md.us>; Jeff McMahon <jmcmahon@co.worcester.md.us>; John Tustin

<jtustin@co.worcester.md.us>; John Ross <jross@co.worcester.md.us>

Subject: Text Amendment Application - Campground Subdivisions - Year-Round Occupancy

Please don't forget that I need your written comments about the above referenced text amendment no later than Wednesday, March 20th, so that I may incorporate them into the staff report that will be given to the Planning Commission.

Thank you.

Phyllis H. Wimbrow
Deputy Director
Worcester County Development
Review and Permitting
1 West Market Street, Room 1201
Snow Hill, Maryland 21863
(410) 632-1200, ext. 1110

Phyllis Wimbrow

From: Frank Adkins
Sent: Wednesday, February 20, 2019 8:45 AM
To: Phyllis Wimbrow
Cc: John Tustin; Lisa Lawrence
Subject: FW: Scanned from DRP-XeroxB8065
Attachments: Scanned from DRP-XeroxB8065.pdf

Phyllis,

In our meeting with Hugh Cropper regarding this issue, I had only 1 comment. It was stated that the roads within White Horse Park were not safe enough to withstand full time residents. My comment was " if the roads are safe during the peak season, why aren't they safe during the off season"? I still feel that this is a legitimate question/thought.

That's the only thought/comment I have on this issue at this time.

Frank J. Adkins
Roads Superintendent
Worcester County DPW - Roads Division
5764 Worcester Highway
Snow Hill, MD 21863
Phone: 410-632-2244
Fax: 410-632-0020
Email: fadkins@co.worcester.md.us

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

From: Phyllis Wimbrow <pwimbrow@co.worcester.md.us>
Sent: Thursday, February 14, 2019 3:33 PM
To: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>; Jennifer Keener <jikkeener@co.worcester.md.us>; Jeff McMahon <jmcmahon@co.worcester.md.us>; Robert Mitchell <bmitchell@co.worcester.md.us>; John Tustin <jtustin@co.worcester.md.us>; John Ross <jross@co.worcester.md.us>; Frank Adkins <fadkins@co.worcester.md.us>
Subject: FW: Scanned from DRP-XeroxB8065

Hugh Cropper has asked to proceed with the text amendment application for the campground subdivision occupancy. Attached is my memo requesting your formal written comments and the application. A hard copy will be delivered to you tomorrow.

Please let me know if you have any questions.

Phyllis H. Wimbrow
Deputy Director
Worcester County Development
Review and Permitting
1 West Market Street, Room 1201

Snow Hill, Maryland 21863
(410) 632-1200, ext. 1110

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

From: wcg-xerox@co.worcester.md.us [mailto:wcg-xerox@co.worcester.md.us]

Sent: Thursday, February 14, 2019 3:39 PM

To: Phyllis Wimbrow

Subject: Scanned from DRP-XeroxB8065

Please open the attached document. It was sent to you using a Xerox multifunction printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: Wor Co Development Review and Permitting

Device Name: DRP-XeroxB8065



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER

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www.co.worcester.md.us/drp/drpindex.htm

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Edward A. Tudor, Director
Jennifer K. Keener, Zoning Administrator
Maureen Howarth, County Attorney
Robert Mitchell, Environmental Programs Director
John Tustin, Public Works Director
John Ross, Public Works Deputy Director
Frank Adkins, Roads Supervisor
Jeff McMahon, Fire Marshal

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: February 14, 2019

RE: Text Amendment Application - Campground Subdivisions - Occupancy

As you are aware, the attached text amendment application was submitted by Hugh Cropper, IV on behalf of Sally Connolly and Susan Naplachowski seeking to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. Specifically, the text amendment as originally submitted by Mr. Cropper sought to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K to read as follows:

- K. The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

As is DRP's customary practice, on January 4, 2019 I sent the application out to various County staff members seeking comment prior to preparing a staff report for the Planning Commission's review of the application. The County Administration asked that I send the application to additional staff members and schedule a meeting with Mr. Cropper and the staff to discuss the application. This meeting was scheduled for January 9, 2019. Prior to that meeting I prepared a memo on behalf of the DRP staff detailing our concerns about the proposed text amendment and comments were also received from Mr. Mitchell and Mr. Tustin. The comments were given to Mr. Cropper at the meeting on January 9, 2019. At that time Mr. Cropper stated that

he recognized that the County had concerns about year-round occupancy of campground subdivisions and asked to set the application aside until he notified me otherwise. Via e-mail today Mr. Cropper has advised me that he wishes to proceed with the application as originally submitted. Therefore, I am requesting that you submit your formal written comments to me at your earliest convenience.

I anticipate scheduling this text amendment for consideration by the Planning Commission at its April 4, 2019 meeting. So that I may incorporate them into the staff report, please submit your comments to me no later than March 20, 2019.

Should you have any questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

attachment

Worcester County Commissioners
Government Office Building
One West Market Street, Room 1103
Snow Hill, Maryland 21863

Please Type or
Print in Ink

PETITION FOR AMENDMENT OF OFFICIAL TEXT
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE

(Office Use Only - Please Do Not Write In This Space)

Date Received by Office of the County Commissioners: _____

Date Received by Development Review and Permitting: 1/2/19

Date Reviewed by Planning Commission: _____

I. Application - Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

A. Resident of Worcester County. XXX

B. Taxpayer of Worcester County. XXX

C. Governmental Agency _____

(Name of Agency)

II. Proposed Change to Text of the Zoning and Subdivision Control Article.

A. Section Number: Please See Attached

B. Page Number: Please See Attached

C. Proposed revised text, addition or deletion:

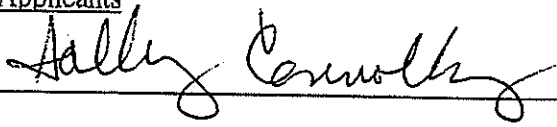
Please See Attached

III. Reasons for Requesting Text Change:

A. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

Please See Attached

IV. Signature of Applicants

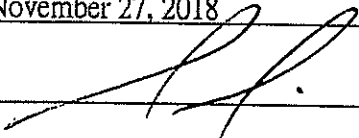
Signature: 

Printed Name of Applicant: Sally Connolly

Mailing Address: 11647 Beauchamp Road, Box 91, Berlin, MD 21811

Phone Number: 301-385-3119 E-Mail: sconnolly12000@yahoo.com

Date: November 27, 2018

Signature: 


Printed Name of Applicant: Susan Naplachowski

Mailing Address: 11647 Beauchamp Road, Unit 132, Berlin, MD 21811

Phone Number: 410-935-0158 E-Mail: suenap@outlook.com

Date: November 27, 2018

Signature of Attorney

Signature: 

Printed Name of Attorney: Hugh Cropper IV

Mailing Address: 9923 Stephen Decatur Hwy., D-2, Ocean City, Maryland 21842

Phone Number: 410-213-2681 E-Mail: hcropper@bbcmlaw.com

Date: November 27, 2018

V. General Information Relating to the Text Change Request.

- A. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- B. Procedure for Text Amendments - Text amendments shall be passed by the County Commissioners of Worcester County as Public Local Laws according to legally required procedures, with the following additional requirements. Any proposed amendment shall first be referred to the Planning Commission for recommendation. The Planning Commission shall make a recommendation within a reasonable time after receipt of the proposed amendment. After receipt of the recommendation of the Planning Commission, the County Commissioners shall hold at least one public hearing in relation to the proposed amendment, at which parties and interested citizens shall have any opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing and the nature of the proposed amendment shall be published in an official paper or a paper of general circulation in Worcester County. In the event no County Commissioner is willing to introduce the proposed amendment as a bill, it need not be considered.

ATTACHMENT TO PETITION FOR AMENDMENT
OF OFFICIAL TEXT

New Section ZS1-318(d)(1)K to be inserted as follows:

The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of 55 years of age, provided such permitted units or sites shall not exceed twenty five percent of the total.

***Renumber the remainder of the Statute**

REASONS FOR REQUESTING TEXT CHANGE

Although the proposed text change would apply to campground subdivisions throughout Worcester County, this proposed text change is to address the situation at White Horse Park. The applicants point out that there are very few campground subdivisions in Worcester County and "new campground subdivisions are prohibited." See, Section ZS1-318(d).

White Horse Park was originally developed in the early 1980's. The property is zoned A-2, Agricultural District. There are approximately 465 units.

Based upon information and belief, and by Resolution No. 92-11, which was passed in 1993, units or sites in a campground subdivision shall be occupied only on a seasonal basis.

Unfortunately, White Horse Park is an older campground, and it serves the needs of many older residents in the community. There are approximately thirty residents in the community that are age 70, or older, and it is an extreme hardship for these residents to move out in the winter months.

The applicants have fashioned a text amendment which would permit a certain percentage of the units to be occupied on a year round basis, as a retirement residence. A retirement residence is defined as a unit occupied by persons, the youngest of whom are 55 years of age.

Such units would be permitted by special exception from the Board of Zoning Appeals. This would act as a safety value to make certain that the year round privilege was not being abused.

The number of units that could qualify would be limited to twenty-five percent. This would ensure that there would not be an over burdening of the infrastructure.

There are many elderly residents in this community on a fixed income. The proposed text amendment would address the hardship of these unit owners.

Respectfully submitted,



Hugh Cropper IV,

Attorney for the Applicants

Phyllis Wimbrow

From: Phyllis Wimbrow
Sent: Thursday, February 14, 2019 2:22 PM
To: 'Hugh Cropper'
Cc: Ed Tudor (ddrp@co.worcester.md.us); Maureen L. Howarth; Jennifer Keener; Robert Mitchell; Jeff McMahon
Subject: RE: White Horse Park Text Amendment

Good afternoon Mr. Cropper,

I take it you want to proceed with the application as you specifically submitted it; rather than make any revisions. If I am incorrect, please let me know.

I will send it out for comment to various parties and let you know when it will be scheduled before the Planning Commission. I seriously doubt it will be the March 7th meeting because of the need to prepare the staff report after the comments are received. Therefore, it will probably be scheduled for the April 4th meeting.

Phyllis H. Wimbrow
Deputy Director
Worcester County Development
Review and Permitting
1 West Market Street, Room 1201
Snow Hill, Maryland 21863
(410) 632-1200, ext. 1110

From: Hugh Cropper [<mailto:hcropper@bbcmlaw.com>]
Sent: Thursday, February 14, 2019 2:12 PM
To: Phyllis Wimbrow
Cc: Jennifer Keener; Ed Tudor; suenap@outlook.com
Subject: White Horse Park

Mrs. Wimbrow:

I want to thank you for all of your help regarding my proposed Text Amendment for White Horse Park. I would like to proceed to the Planning Commission, at your earliest convenience. Please let me know if you need anything else.

Thanks again, and if I can provide any additional information, please do not hesitate to contact me.

Hugh Cropper IV
Booth Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
410-213-2681-Telephone
www.bbcmlaw.com

Phyllis Wimbrow

From: Jeff McMahon
Sent: Wednesday, January 16, 2019 12:33 PM
To: Phyllis Wimbrow
Cc: Maureen L. Howarth
Subject: RE: campground subdivisions

Phyllis,

Below are my draft comments. Is this email sufficient or do you need the comments on official FMO Letterhead?

In response for comments regarding the Text Amendment for special exception for year round occupancy of individual units or sites in a campground subdivision as a retirement residence, occupied by a person 55 years of age or older and not to exceed 25 percent of said campground units or sites I offer the following comments:

If this text amendment is going to apply to other campground subdivisions like Castaways, Frontier Town, Fort Whaley, Island Resort and Bahi, to name a few, and the structure which the individual (over 55 years of age) will reside is beyond a portable/movable trailer/camper/structure then consistency would need to apply. As you are probably aware in Castaways, Frontier Town, and Fort Whaley they have recently built/installed cabins(Structures) that were listed a "readily movable" and therefore were exempt from the "residential sprinkler" requirement. I worry these could be sold or leased long term and therefore would not be for tentative (seasonal) occupation. Over the past several years White Horse Park has built/installed dwellings/structures which had to be equipped with residential sprinklers. Some of these "Campgrounds" have small mobile homes or trailers with additions attached to them which have been that way for many years (Bahi). A few years ago we dealt with the enclosure of some of these "lean to" additions and the safety aspect of proper egress.

This office is not against the amendment, but would like a better clarification of the following:

Infrastructure of the campground to included emergency apparatus access (planning), fire protection such as hydrants (or dry hydrants) and most importantly, residential sprinklers (all new units used for sleeping). 25 percent of White Horse Park is over 100 units or sites.

Finally some type of written description as to who will enforce the new regulations and what agency has the enforcement or policing authority and what penalties would apply.

Jeff



Jeffrey A. McMahon, CFI, CFPS
Fire Marshal, Worcester County Fire Marshal
Phone: (410) 632-5666 Ext. 1
Mobile: (443) 783-0070
Fax: (410) 632-5664
Email: jmcMahon@co.worcester.md.us
Website: <http://co.worcester.md.us/departments/firemarshal>
Address: 1 West Market St - Room 1302 - Snow Hill, MD 21863

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Worcester County
Department of Environmental Programs

Memorandum

To: Phyllis Wimbrow, Deputy Director, Development, Review and Permitting

From: Robert J. Mitchell, LEHS *RJM*
Director, Environmental Programs

Subject: **Zoning Text Amendment Application**
Campground Subdivisions - Occupancy

Date: 1/15/19

Thank you for providing the above referenced text amendment package for my review and comment. Specifically, the amendment seeks to permit by special exception year-round occupancy of not more than 25% of the units within a campground subdivision by persons at least 55 years of age. This proposal comes from an expressed need of some of the older park residents to live in the park year-round as it has become an extreme hardship for those residents to temporarily relocate in the winter months. As new campground subdivisions are prohibited, this amendment would only apply to the parks existing at the time that provision was added to the Worcester County Zoning Ordinance.

While I do believe it is the right of such residents to request such an amendment, there are justifiable reasons for us to note why this proposed occupancy extension could create other issues that would be detrimental to the community residents and the utility provider.

The park was originally provided service from Maryland Marine Utilities, which was succeeded by the Worcester County Sanitary Commission. Ultimately, Worcester County took over service when the County succeeded the Sanitary Commission in 1993 and assumed all obligations. Our current water and sewer budget and rates resolution (Resolution No. 18-14) has White Horse Park billed at a quarterly water and sewer flat rate of \$134 per lot for 465 lots. By comparison, the Ocean Pines minimum quarterly charge is \$170/quarter with additional charges for consumption based on metered water usage.

The original Master Water and Sewerage Plan (The Plan) amendment for the community was in 1974 and it was for 350 campsites at 140 gpd/site with contract service from Maryland Marine Utilities for water and sewer. Through the years this office has reviewed the sanitary adequacy components of various development proposals from the park's owners, including the last

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expansion to the current configuration. During the review of those expansion and development proposals, allowances were made on flows per campsite that took into account the seasonal nature of the community. Those allowances, while not fully agreeing with the original request, did reduce the flow per campsite to enable the expansion for additions above 350 sites. An additional determination related to flow arrangements and commitments of service to developments like this was included under Bill No. 94-16, which authorizes charges less than a full EDU per lot and contract service charges under the Public Works Article.

An extension of occupancy for approved Worcester County campground subdivisions should contemplate the following items:

1. The White Horse Park community (or the applicants) would be responsible for acquiring additional sanitary capacity to cover this year-round occupancy of up to 25% of their residents which was not contemplated in the original and succeeding water and sewer service commitments by the utility providers.
2. Acquiring additional capacity from the Ocean Pines Service Area for White Horse Park and Assateague Pointe for the Assateague Point communities will be problematic. The Assateague Pointe capacity is fully committed and connected, while the Ocean Pines capacity would need to be taken from other properties in the planning area that have existing well and/or septic systems that need connection to the public system. Putting additional demands on plants that are at capacity risks existing sanitary infrastructure and presents a risk to public safety and the environment with potential sewer overflows and plant overloads.
3. The park has a master meter and is billed as a group unit. Installation of additional meters, monitoring, acquiring additional sanitary capacity are all issues that do not appear to be addressed in the amendment text or reasoning.
4. We do have a ratepayer protection policy included in The Plan where parties conducting expansions of an existing service area shall bear responsibility for all costs associated with sanitary system expansion to accommodate such development. The purpose of this policy is to protect the service area's existing ratepayers from costs unrelated to provision of service to them. The County would be forced to explore assigning responsibility for costs involved in acquiring additional capacity, metering, and monitoring. Following this policy could place accountability on the applicants as they are the parties responsible for expansions, not the HOA's for these communities.

Many, if not all of the items discussed above would be included in our comments to the Board of Zoning Appeals in deciding whether special exemptions should be granted if this text amendment were approved. I would refer to the findings required for a special exception under § ZS 1-116 (c)(3)A, specifically determinations made by the Board on an application's potential for detrimental effect on ground or surface water quality and the potential to overburden public services and facilities. By approving this amendment as presented, we would be forced to request the Board examine these items in any future applications for special exception. As of this date, there are no changes with respect to the above items that would alleviate any potential capacity determinations for extended occupancy.

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As always, I will be available to discuss the proposed amendment further with the Planning Commission when it is scheduled for discussion.

cc: Maureen Howarth, County Attorney
David Bradford, Deputy Director
John Tustin, Director, Public Works
John Ross, Deputy Director, Public Works
Jessica Wilson, Enterprise Fund Controller
PC Comments File

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863-1249
TEL: 410-632-1220 FAX: 410-632-2012

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DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Hugh Cropper, IV
FROM: Edward A. Tudor, Director
Phyllis H. Wimbrow, Deputy Director
Jennifer K. Keener, Zoning Administrator
DATE: January 9, 2019
RE: Text Amendment Application - Campground Subdivisions - Occupancy

We have reviewed the above referenced text amendment application which you submitted seeking to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. Specifically, the text amendment you submitted seeks to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K to read as follows:

- K. The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

From a practical standpoint, the staff has a significant number of concerns with the text amendment application as submitted. First and foremost, what you are proposing is as unenforceable as what the current law stipulates, if not more so. At present § ZS 1-318(d)(1)J states that "units or sites in a campground subdivisions shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile" and that " between September 30 of each year and April 1 of the succeeding year, units or sites shall not be occupied for more than thirty consecutive days or an aggregate of sixty days." As you know, the County has struggled with enforcement of the current seasonal occupancy provisions for campground subdivisions. This is due

to the complex method for allowing part-time winter occupancy as well as a lack of staff to be able to actively and effectively regulate it. Based on admissions from residents in White Horse Park who have resided or currently reside there on a year round basis, it is clear that enforcement of the occupancy regulations has not been able to be accomplished. In order to effectively enforce this current regulation the County would have to have a staff person on site checking each unit in the campground subdivision daily from October 1 and March 31 and keeping track of who goes in and out and when, who is staying, who is not in residence. Without adequate staff, this 24/7 surveillance is next to impossible. In our opinion, your proposed amendment only further complicates the matter. To add a provision that up to 25 percent of the units can be occupied on a year-round basis by persons of at least 55 years age would escalate the monitoring and enforcement issues dramatically. Now the staff would also be responsible for verifying the age of residents and visitors as well as how long they're staying, etc. It would also create a first come, first served type of situation. The first 25% of the lot owners that apply for the special exception get to stay year round and the others just have to wait until somebody dies or otherwise gives one up. We would still have to enforce the current restrictions on the other 75% as well. Trying to keep track of all of that would be extremely difficult and consume much time and resources that could probably be put to better use elsewhere.

Equally important, however, is the fact that these facilities are *campground* subdivisions (emphasis added). By their very nature they are intended for seasonal or temporary use only. They are not intended nor are they designed for full-time residences. Compared to residential subdivisions which are intended for year-round use, campground subdivisions have much smaller lots, reduced yard setbacks, substandard roads, etc. that are all reflective of the supposed seasonal and temporary nature of such developments but are not adequate to serve year-round residences. The staff does not believe that any percentage of units within a campground subdivision should be used as year-round residences.

There are two campground subdivisions within Worcester County, namely Assateague Pointe and White Horse Park. Campground subdivisions allow a variety of unit types and while White Horse Park has many manufactured and modular homes, this campground also has and permits recreational vehicles, recreational park trailers and cabins on approximately 465 sites. Assateague Pointe consists of 529 sites with manufactured homes or park trailers. The definitions provided for these types of units under § ZS 1-318(a) clearly state that they are only designed to provide for seasonal or temporary living quarters. Recreational vehicles are not intended to be, nor should they be, used for year-round occupancy. Cabins, recreational park trailers and recreational vehicles are also limited in size to no more than 400 square feet in area. This is a *minimum* of 100 square feet below the gross floor area required for a single-family dwelling. In essence, we would be permitting tiny homes to be occupied on a full time basis. If this amendment were to proceed, additional revisions may need to be made to definitions or other subsections to ensure consistency.

Overall, the amendment should not focus on the age of the individuals in the unit. To do so requires that the Department be made responsible for obtaining proof of age for all occupants, not only at the time of application but for any future changes in occupancy (whether via sale, rental, marriage, death, divorce, etc.). How would the Department verify that there are no additional occupants beyond those persons for which we are being provided identification? Would such documentation be provided to the Department to confirm continued compliance with the special exception annually?

Based on the draft language, the special exception would run with the unit or campsite, not with the individual occupants, despite the fact that it is based on the age of the occupants. In the event that a unit approved under this special exception is sold or a new renter occupies the space, how would the County be notified?

The concern stated in the application is that there are many elderly residents on a fixed income for whom relocating would be an issue. The same argument could be made for those of a lower income bracket as well. So if year round occupancy is desired, why limit it based upon a condition such as age?

A clear definition would need to be provided for "occupy" or "occupying" as applied to this section. At what threshold is someone an occupant and not a visitor who must meet the age limit? Is this approval limited to those 55 and older who would use these units as a primary dwelling or could it be a second home without having to abide by the time restrictions that would still be in effect during the winter months? While the latter does not seem to be the intent behind the legislation, it could certainly be used in that manner.

A likely argument will be that as a special exception, the Board of Zoning Appeals would have continuing jurisdiction. However, practically speaking, the County will still be put into the situation of having to prove: 1. That a tenant is in fact occupying/residing in the unit more than the current part-time method allows without obtaining a special exception; or 2. That a change in occupancy has occurred that would result in noncompliance of a unit that had obtained a special exception. To further complicate matters, § ZS 1-116(c)(3)E. states that if a special exception that has been implemented is abandoned or ceased for a period of twelve consecutive months, the approval shall be considered abandoned and shall terminate. One could argue that an occupant who obtained a special exception could temporarily vacate the unit, or rent or sell to someone else who doesn't meet the age threshold, but the special exception could still be maintained as long as the age condition was met before the expiration of the twelve months.

There are additional difficulties involved in tracking these units based upon age and occupancy. Since this is a first come, first serve situation for the 25% of campsite owners/ renters that could be permitted year round occupancy, the Department would be responsible for tracking the

approvals that have been granted, which units they were granted to, as well as the individuals that were allowed to occupy/reside in the space and their respective ages. We would also have to clearly document whose approvals have expired to be able to know when additional approvals may be requested so that the percentage is not exceeded. If approved, our office will be overwhelmed with complaints from neighbors who knew that they had to obtain approval but their neighbor hadn't, allegations of occupancy under age, or those that want to have year round occupancy but cannot because the campground is at capacity. Our office does not have the resources to inspect every home every day to verify the existing occupancy regulations for campground subdivisions, much less to add this level of data tracking.

There are also likely issues related to the provision of sewer and/or water services, roads, and other public services and the adequacy of same to serve year-round occupants. Additionally, there are probably fire safety issues. The text amendment has been forwarded to those appropriate agencies for their response.

While we recognize that this text amendment pertains only to campground subdivisions at the present time, if it were to be approved it would set a precedent. Efforts may then be made to permit the same type of year-round occupancy in other forms of campgrounds.

As you can see, there are many concerns, issues and questions that must be adequately addressed before this text amendment application can proceed to the Planning Commission.

If you have any questions or require additional information, please do not hesitate to ask.

Phyllis Wimbrow

From: Robert Mitchell
Sent: Wednesday, January 09, 2019 6:05 AM
To: John Tustin
Cc: Phyllis Wimbrow; Ed Tudor; Jennifer Keener; Maureen L. Howarth; John Ros s
Subject: Re: Text Amendment Application - Campground Subdivisions - Occupancy

We have training and Dave has the selsey pre-bid on-site today. So there we cannot attend.

There are flow issues with both this community and the assateague pointe community that gives pause to allowing the year round occupancy. The flow agreement and commitments made to white horse took into account the seasonal nature of the campground. The movement toward a different occupancy situation for up to a quarter of the community creates serious capacity issues that we would have issues meeting. The assateague plant is fully committed and to allow more from ocean pines means taking it from other septic properties that will eventually connect. This change in occupancy would need additional capacity commitments that simply are not there. JT mentioned metering and who would pay for that if the community boards opposed this? There are significant costs involved even if the capacity could be secured.

I wish you well on the meeting and sorry we cannot attend.

Sent from my iPhone

On Jan 8, 2019, at 12:53 PM, John Tustin <jtustin@co.worcester.md.us> wrote:

Not for me but you can brief me on the happenings

Concerns these are really HOA issues

Waterlines are private , will they be putting in meters, and then reading the meters to charge the full timers more for consumption than the seasonal residents .

We currently have a master meter and charge a flat rate

JR jump in with concerns

Roads are private, built to who knows what standard will they remain private yes !

How will the HOA be equitable to all homeowners for the services/fees that they pay if 25% are full time ?

John H.Tustin P.E.
Director, Worcester County DPW
6113 Timmons Road
Snow Hill , Md 21863
Office 410-632-5623
Fax 410-632-1753

From: Phyllis Wimbrow <pwimbrow@co.worcester.md.us>
Sent: Tuesday, January 8, 2019 9:51 AM
To: Hugh Cropper <hcropper@bbcmllaw.com>; Ed Tudor <etudor@co.worcester.md.us>
Cc: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Jennifer Keener <jkkeener@co.worcester.md.us>; Robert Mitchell <bmitchell@co.worcester.md.us>; John Tustin

<jtustin@co.worcester.md.us>

Subject: RE: Text Amendment Application - Campground Subdivisions - Occupancy

How does 11:00 a.m. work for everyone?

Phyllis

From: Hugh Cropper [mailto:hcropper@bbcmlaw.com]

Sent: Tuesday, January 08, 2019 9:43 AM

To: Ed Tudor; Phyllis Wimbrow

Cc: Maureen L. Howarth; Jennifer Keener; Robert Mitchell; John Tustin

Subject: RE: Text Amendment Application - Campground Subdivisions - Occupancy

Hugh can do a meeting before the TRC on Wednesday (1/9), so before or after lunch works best. Of course, he needs to have time for lunch prior to TRC! LOL

Tammy

Hugh Cropper IV
Booth Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
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From: Ed Tudor [mailto:etudor@co.worcester.md.us]

Sent: Monday, January 07, 2019 12:56 PM

To: Phyllis Wimbrow <pwimbrow@co.worcester.md.us>; Hugh Cropper <hcropper@bbcmlaw.com>

Cc: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Jennifer Keener

<jkkeener@co.worcester.md.us>; Robert Mitchell <bmitchell@co.worcester.md.us>; John Tustin

<jtustin@co.worcester.md.us>

Subject: RE: Text Amendment Application - Campground Subdivisions - Occupancy

I can make it before.

From: Phyllis Wimbrow

Sent: Monday, January 7, 2019 12:53 PM

To: Hugh Cropper <hcropper@bbcmlaw.com>

Cc: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>;

Jennifer Keener <jkkeener@co.worcester.md.us>; Robert Mitchell <bmitchell@co.worcester.md.us>;

John Tustin <jtustin@co.worcester.md.us>

Subject: RE: Text Amendment Application - Campground Subdivisions - Occupancy

Would before TRC work?

From: Hugh Cropper [mailto:hcropper@bbcmlaw.com]

Sent: Monday, January 07, 2019 12:21 PM

To: Phyllis Wimbrow
Cc: Maureen L. Howarth; Ed Tudor; Jennifer Keener; Robert Mitchell; John Tustin
Subject: RE: Text Amendment Application - Campground Subdivisions - Occupancy

Phyllis:

I have another meeting back in West Ocean City at 2:30 (ish) after TRC on Wednesday. Would another day work for everyone?

Thanks.

Hugh Cropper IV
Booth Booth Cropper & Marriner, P.C.
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From: Phyllis Wimbrow [<mailto:pwimbrow@co.worcester.md.us>]
Sent: Monday, January 07, 2019 9:43 AM
To: Hugh Cropper <hcropper@bbcmlaw.com>
Cc: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>; Jennifer Keener <jkkeener@co.worcester.md.us>; Robert Mitchell <bmitchell@co.worcester.md.us>; John Tustin <jtustin@co.worcester.md.us>
Subject: Text Amendment Application - Campground Subdivisions - Occupancy

Good morning Hugh,

The staff would like to meet with you to discuss the above referenced text amendment application. Jennifer told me that you will be here on Wednesday, January 9, 2019 for the TRC meeting. Would it be possible to meet with us immediately following the TRC?

Please let me know so that I can inform the other staff persons.

Thank you.

Phyllis H. Wimbrow
Deputy Director
Worcester County Development
Review and Permitting
1 West Market Street, Room 1201
Snow Hill, Maryland 21863
(410) 632-1200, ext. 1110

www.bbcmllaw.com

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From: Phyllis Wimbrow [<mailto:pwimbrow@co.worcester.md.us>]

Sent: Monday, January 07, 2019 9:43 AM

To: Hugh Cropper <hcropper@bbcmllaw.com>

Cc: Maureen L. Howarth <mhowarth@co.worcester.md.us>; Ed Tudor <etudor@co.worcester.md.us>; Jennifer Keener <jkkeener@co.worcester.md.us>; Robert Mitchell <bmitchell@co.worcester.md.us>; John Tustin <jtustin@co.worcester.md.us>

Subject: Text Amendment Application - Campground Subdivisions - Occupancy

Good morning Hugh,

The staff would like to meet with you to discuss the above referenced text amendment application. Jennifer told me that you will be here on Wednesday, January 9, 2019 for the TRC meeting. Would it be possible to meet with us immediately following the TRC?

Please let me know so that I can inform the other staff persons.

Thank you.

Phyllis H. Wimbrow
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DEPARTMENT OF
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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICE DIVISION

MEMORANDUM

TO: Edward A. Tudor, Director
Jennifer K. Keener, Zoning Administrator
Maureen Howarth, County Attorney
Robert Mitchell, Environmental Programs Director

FROM: Phyllis H. Wimbrow, Deputy Director *PHW*

DATE: January 4, 2019

RE: Text Amendment Application - Campground Subdivisions - Occupancy

The attached text amendment application has been submitted by Hugh Cropper, IV on behalf of Susan Naplachowski and seeks to amend the Zoning and Subdivision Control Article to permit by special exception year-round occupancy of no more than 25 percent of the units within a campground subdivision by persons at least 55 years of age. Specifically, the text amendment as submitted by Mr. Cropper seeks to renumber existing § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and to insert a new § ZS 1-318(d)(1)K to read as follows:

- K. The Board of Zoning Appeals may authorize, by special exception, year round occupancy of individual units or sites in a campground subdivision as a retirement residence, where the youngest person occupying the residence shall be a minimum of fifty-five years of age, provided such permitted units or sites shall not exceed twenty-five percent of the total.

I anticipate scheduling this text amendment for consideration by the Planning Commission at its February 7, 2019 meeting. - So that I may incorporate them into the staff report, please submit your comments to me no later than January 25, 2017.

Should you have any questions or require additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

attachment

A BILL ENTITLED

DRAFT

AN ACT Concerning

Zoning - Campground Subdivisions

For the purpose of amending the Zoning and Subdivision Control Article to alter occupancy limitations for certain units in a certain existing campground subdivision.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that existing Subtitle § ZS 1-318(d)(1)K through § ZS 1-318(d)(1)Q be renumbered as § ZS 1-318(d)(1)L through § ZS 1-318(d)(1)R and a new § ZS 1-318(d)(1)K be enacted to read as follows:

- K. Property owners in White Horse Park who have resided there full time (continuously) since June of 2018 shall be considered grandfathered (i.e., legally existing nonconformities) and shall be permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or 3) the unit is sold.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

Current Code

- (3) Buildings within the industrial park shall be set back no less than thirty-five feet from all adjacent roadways.
 - (4) Parking shall be concentrated along the rear and sides of the buildings and shall be kept to a minimum in front of the buildings in accordance with the standards set forth in the "Design Guidelines and Standards for Commercial Uses."
 - (5) Loading docks and rail sidings shall generally be located on the rear or sides of buildings.
 - (6) In addition to compliance with the provisions of Subsection (a)(1) hereof, the developer of the industrial park shall impose reasonable controls on the architecture and construction of facilities within the development.
 - (7) Stormwater management, drainage facilities and other facilities serving the development shall be designed to serve the build-out conditions of the industrial park.
- (c) Additional powers of the Planning Commission. In addition to the standards and provisions contained elsewhere in this Title, the Planning Commission shall have the following powers and responsibilities:
- (1) The development standards specified in Subsections (a) and (b) hereof may be modified or waived by the Planning Commission where it is deemed that strict compliance would cause undue hardship on the applicant.
 - (2) In granting site plan approval under § ZS 1-325 hereof, the Planning Commission may attach such additional conditions or make such modification to the project as it deems necessary to ensure full compliance with the provisions and intent of this Title.
 - (3) If the project is to involve subdivision, no building permit shall be issued nor construction begun until the project has fully complied with the provisions of Title 2, Subdivision Regulations. The Planning Commission may accept the submission required under § ZS 1-325 hereof in lieu of the sketch plan submission provided for in Title 2, Subdivision Regulations.

§ ZS 1-318. Campgrounds.

(a) Definitions. For the purposes of this section, the following definitions shall strictly apply:

CABIN — A structure built on a permanent foundation or attached to a permanent chassis and which meets all of the following criteria:

- (1) Is designed to provide seasonal or temporary living quarters for camping and which may be connected to utilities.
- (2) Does not exceed a total of four hundred square feet in gross floor area, including all additions, when set up for occupancy.
- (3) Plumbing fixtures and kitchen facilities may be provided.

CAMPGROUND SUBDIVISION — A group of campsite lots, parcels or units which have been subdivided in accordance with the provisions of this section and Title 2, Subdivision Regulations, and which are intended and designed to be occupied by recreational vehicles, park trailers or manufactured homes, as defined in this section.

CAMPSITE — A space within a campground used exclusively for camping purposes. Campsites shall be occupied on a temporary or seasonal basis only.

COOPERATIVE CAMPGROUND — A campground wherein the property in its entirety is under collective ownership by a corporation whose shareholders participate in the benefits of said collective ownership and shares of the corporation are owned, entitling an owner or owners to occupancy of a portion of real estate owned by the corporation. Cooperative campgrounds are intended and designed to be occupied by recreational vehicles, recreational park trailers or cabins, as defined in this section. A cooperative campground shall furthermore mean one established pursuant to Subtitle 6B of Title 5 of the Corporations and Associations Article of the Annotated Code of Maryland, as amended from time to time and which is known as the "Maryland Cooperative Housing Corporation Act."

LICENSED VEHICLE — A vehicle having a current registration and displaying current license plates pursuant to the Transportation Article of the Annotated Code of Maryland.

MANUFACTURED HOME — A factory-built structure which is manufactured or constructed after June 15, 1976, under authority of 42 U.S.C. § 5403, Federal Manufactured Home Construction and Safety Standards Act of 1974, as may be amended from time to time, and designed to be used as a single-family residential dwelling with or without a permanent foundation and which is not constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent location and which does not have any wheels or axles permanently attached to its body or frame. The placing of a manufactured home on a permanent foundation or the construction of additions, porches and the like shall not change the classification of such manufactured home. Recreational trailers and vehicles and modular homes are not considered as manufactured homes. For the purposes of this section, a manufactured home cannot exceed seven hundred fifty square feet in gross floor area, including any additions thereto.

MEMBERSHIP CAMPGROUND — A parcel of land improved or intended to be improved with campsites, and may also include bathrooms, showers, swimming pools, tennis courts, recreational buildings, camp stores and other amenities for the use only of the members of a nonstock corporation whose bylaws, rules and regulations give those members and the members of other membership campgrounds that are participants in a reciprocal-use program a nonexclusive right or license to use but do not assign a specific and fixed number of days or weeks when the members may use the campsites and related facilities. Such campgrounds shall be for transient use only, and no campsite shall be occupied as a place of primary residence or domicile. In addition, no campsite shall be permanently assigned to any member or user.

MOBILE HOME — A detached residential or business unit manufactured prior to June 15, 1976, and not required to be constructed in accordance with the Federal

Manufactured Home Construction and Safety Standards Act of 1974 and which contains not less than five hundred square feet of gross floor area in the original manufactured unit and was designed and intended for repeated or periodic transportation in one or more sections on the highway on a chassis which is permanent or designed to be permanent and arriving at the site where it is to be occupied complete and ready for occupancy except for minor and incidental unpacking and assembly of sections, location on jacks or other foundations, connection to utilities and the like. The placing of a mobile home on a permanent foundation or the construction of additions, porches and the like shall not change the classification of such mobile home. Recreational trailers and vehicles and modular homes are not considered as mobile homes.

RECREATIONAL PARK TRAILER — A vehicular unit capable of obtaining a state motor vehicle license and which meets all of the following criteria:

- (1) Is built on a single chassis permanently mounted on wheels.
- (2) Is designed to provide seasonal or temporary living quarters which may be connected to utilities necessary for installed fixtures and appliances.
- (3) Does not exceed a total of four hundred square feet in gross floor area when set up for occupancy.

RECREATIONAL VEHICLE — A vehicle initially designed as temporary living quarters for recreational camping or travel use which either has its own mode of power or is mounted on or drawn by another vehicle. "Recreational vehicles" include:

- (1) TRAVEL TRAILER — A licensed vehicle, mounted on wheels, of such size or weight as not to require special highway movement permits when drawn by a motorized vehicle, initially designed and constructed to provide temporary living quarters for recreational, camping or travel use. This definition does not preclude telescoping additions, as long as a unit meets roadway requirements.
- (2) TRUCK CAMPER — A portable enclosure, designed to be loaded onto or affixed to the bed or chassis of a truck which is a licensed vehicle, initially designed and constructed to provide temporary living quarters for recreational, camping or travel use.
- (3) CAMPER TRAILER — A licensed vehicle mounted on wheels, constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the campsite and initially designed and constructed to provide temporary living quarters for recreational camping or travel use.
- (4) MOTOR HOME — A licensed vehicle which has its own mode of power and which is designed and constructed as temporary living quarters for recreational, camping or travel use.

RENTAL CAMPGROUND — A lot used or intended to be used for six or more occupied tents or recreational vehicles on campsites, in which campsites are not subdivided, sold or offered for dedication. The definition of "rental campground" shall not include sales lots for unoccupied recreational vehicles.

TENT — A temporary shelter composed primarily of natural or synthetic fabric or film.

- (b) Limitations. No recreational vehicle shall be parked overnight on any public road, public park, public boat landing or other public place, except in an emergency or in areas specified for such use.
- (c) Rental campgrounds and membership campgrounds.
- (1) All rental and membership campgrounds shall conform to the following provisions:
- A. Every special exception application for a rental campground or membership campground shall be accompanied by a conceptual site plan as required in § ZS 1-116 hereof. The Board of Zoning Appeals shall review the application for special exception in regard to the proposed use and general layout only. Once the special exception and use has been approved by the Board of Zoning Appeals, the application shall be subject to site plan review and approval by the Planning Commission in accordance with the provisions of § ZS 1-325 hereof. The site plan submitted for review by the Planning Commission must be in conformance with the special exception approval granted by the Board of Zoning Appeals and the general layout considered by that Board and also address any conditions imposed by the Board.
- B. Minimum lot requirements for rental campgrounds and membership campgrounds shall be: lot area, twenty-five acres; lot width, four hundred feet; front yard setback, two hundred feet; and each side yard setback and rear yard setback, one hundred feet. Perimeter property lines shall be permanently marked in the field to indicate the limit of the campground area. Screening along perimeter property lines shall be provided in accordance with an approved site plan. No campsite shall be located in any required yard, less than two hundred feet from any existing dwelling or public road or less than one thousand feet from the district line of any R District. With the approval of the Board of Zoning Appeals as a variance, the one-thousand-foot setback may be reduced to not less than five hundred feet, provided that the setback area contains screening in accordance with the provisions of § ZS 1-322 hereof. Where possible, those areas contained in the one-hundred-year floodplain should not be utilized for permanent structures but can be utilized for campsites, open space or recreational areas.
- C. Required yards referred to in Subsection (c)(1)B hereof shall be screened as approved by the Planning Commission and in accordance with the provisions of § ZS 1-322 hereof.
- D. There shall be at least two but not greater than two and one-half off-street parking spaces for each campsite, two of which must be located on the campsite. Required parking spaces shall not be used for tenting areas or the placement of a recreational vehicle. If not provided on the campsite, any additional required parking shall be provided in common parking areas located within six hundred feet of the campsite. At least one bicycle rack shall be provided at each amenity area, bathhouse, store or other facility which is commercial in nature.

- (6) Up to twenty-five percent of the campsites in either a rental or membership campground may be occupied by recreational park trailers or cabins. Such units must be owned by the campground owner. Ownership of recreational park trailers or cabins by an individual tenant is prohibited and such units may only be occupied on a temporary basis and not as a place of primary residence or domicile.
- (7) No recreational vehicle, recreational park trailer or cabin shall exceed one story nor shall it exceed seventeen feet in height. The Board of Zoning Appeals shall have no power to grant variances to the maximum height or number of stories. Furthermore, no such structure shall contain any living space below or any attic space or loft above the first-floor elevation.
- (8) Additions to recreational vehicles, recreational park trailers and cabins are prohibited in rental or membership campgrounds.
- (9) No accessory buildings are permitted on individual campsites in rental or membership campgrounds.
- (10) Structures or buildings which serve as an amenity or are incidental and accessory to the operation of the campground in general may not exceed two stories or forty-five feet in height.
- (11) The temporary location or placement of a tent or recreational vehicle on a campsite in a rental or membership campground shall not require the issuance of a building permit or zoning certificate. The location of a recreational park trailer or cabin on a campsite in a rental or membership campground or the elevation of a recreational vehicle on a permanent foundation shall require the issuance of a building permit and zoning certificate.

(d) Campground subdivisions.

- (1) New campground subdivisions are prohibited. The following provisions shall apply to campground subdivisions in existence prior to the adoption date of this Title.
 - A. Minimum lot requirements shall be: lot area, twenty-five acres minimum and one hundred acres maximum; maximum density, ten campsites per gross acre; lot width, eight hundred feet; and front yard setback, each side yard setback and rear yard setback, one hundred feet; provided that no campsite shall be located in any required setback, less than two hundred feet from any existing dwelling or public road or less than one thousand feet from the district line of any R District. With the approval of the Board of Zoning Appeals, the one-thousand-foot setback may be reduced to not less than two hundred fifty feet, provided that the setback area is screened in accordance with § ZS 1-322 hereof. The one-thousand-foot setback shall not apply to any campground adjacent to an R District for which all permits have been issued and construction has commenced at the time of the zoning of the area to an R

- District, provided that, in such case, the two-hundred-fifty-foot minimum setback referred to above shall apply.
- B. Each campsite shall be so designed that a rectangle of fifty feet in width and sixty feet in depth can be located within the campsite boundary lines. Each campsite shall have a minimum of twenty-five feet of frontage on a roadway. Minimum setbacks for each campsite shall be: front yard, ten feet; left side yard, seven feet; right side yard, three feet; and rear yard, five feet; provided, however, that the provisions of this subsection requiring a fifty-by-sixty-foot rectangle shall not apply to any campground subdivision which has received preliminary plat approval from the Planning Commission prior to April 25, 1989.
- C. Campsites shall be occupied only by recreational vehicles, recreational park trailers, manufactured homes, or modular homes meeting the requirements and definitions of the Maryland Industrialized Buildings and Mobile Homes Act, as amended from time to time, and permanently attached to a metal chassis, any of which must be capable of connection to individual campsite sewer, water and electrical hookups. No more than one recreational vehicle, recreational park trailer, manufactured home or modular home as provided for herein shall occupy any one campsite at any one time. Tents are not permitted in campground subdivisions. **[Amended 1-20-2010 by Bill No. 10-7]**
- D. No recreational vehicle, recreational park trailer or cabin shall exceed one story nor shall it exceed seventeen feet in height. Furthermore, no such structure shall contain any living space below or any attic space or loft above the first-floor elevation.
- E. One detached accessory building, not to exceed eight feet by ten feet in size, may be located on each campsite in a campground subdivision. Accessory buildings may not be located in the front yard setback but are not subject to other setback requirements but shall be separated by not less than six feet from any other recreational vehicle, recreational park trailer, cabin or other structure on the same lot or any other lot. No accessory building may be used for human habitation or sleeping quarters. No accessory building may contain plumbing or plumbing fixtures.
- F. Required yards referred to in Subsection (d)(1)A hereof shall be wooded, densely landscaped, screened by earth or any combination thereof approved by the Planning Commission.
- G. There shall be at least two off-street parking spaces but no more than two and one-half parking spaces for each campsite. At least two of the parking spaces must be provided on the campsite. Any additional parking may be provided in common parking areas located within six hundred feet of the campsite.

- H. No retail business or merchandising, other than amenities which are purely incidental and subordinate to the operation of the campground and intended only for its occupants, shall be permitted.
- I. Structures or buildings which serve as an amenity or are incidental and accessory to the operation of the campground in general may not exceed two stories or forty-five feet in height.
- J. Units or sites in a campground subdivision shall be occupied only on a seasonal basis and shall not be occupied as a place of primary residence or domicile. Between September 30 of each year and April 1 of the succeeding year, units or sites shall not be occupied for more than thirty consecutive days or an aggregate of sixty days. Any condominium declaration or declaration of restrictions of a homeowners' association shall include language providing for such limited occupancy.
- K. All campground subdivisions shall be subject to subdivision review and approval as required by Title 2, Subdivision Regulations.
- L. Each campground subdivision shall comply with all pertinent regulations of the Maryland Department of the Environment and Environmental Programs Division as well as other state and County requirements prescribed by law or regulations for such use and shall be required to provide water and sewer utility hookups to each individual campsite.
- M. Campground subdivisions shall provide the following facilities:
1. An adequate potable water supply to each campsite, as approved by the Environmental Programs Division.
 2. An adequate sewer connection to each campsite, as approved by the Environmental Programs Division.
 3. Adequate and safe electrical services to each campsite in accordance with the requirements of the National Electric Code, current edition, and the Worcester County Floodplain Management Law,² as determined by the Department.
 4. A refuse collection, management and disposal system.
 5. The sewer system shall be connected to a public system and a public treatment plant or to a privately owned public utility system which complies with the requirements of the Worcester County Shared Facilities Law.³

2. Editor's Note: See § BR 2-301 et seq. of the Building Regulations Article of the Code of Public Local Laws of Worcester County, Maryland.

3. Editor's Note: See § PW 5-101 et seq. of the Public Works Article of the Code of Public Local Laws of Worcester County, Maryland.

- N. All roads and incidental drainage shall comply and be constructed in accordance with County road specifications for private campground subdivisions, as adopted by the County Commissioners. Collector roads and minor roads shall be determined by the Planning Commission. Drainage shall be provided in accordance with the provisions of the County road specifications for private campground subdivisions. Adequate easements or rights-of-way for utilities shall be provided. All roads in campground subdivisions shall be private and shall not be accepted by the County Commissioners for maintenance.

- O. Every campground subdivision shall have not less than twenty-five percent of its total area devoted to open space and/or recreation as a common area.
 - P. All campground subdivisions shall establish a system of management and maintenance for the common areas and commonly owned improvements as may be required in conjunction with subdivision approval by the Planning Commission.
 - Q. Placement of a recreational park trailer, cabin or accessory structure on a campsite in a campground subdivision shall require the issuance of a building permit and zoning certificate. The temporary placement on a campsite of a recreational vehicle bearing current valid registration or license plates shall not require the issuance of a building permit or zoning certificate. Placement of a recreational vehicle on a campsite in such a manner that its placement is not intended to be temporary or transient shall require the issuance of a building permit and zoning certificate.
- (2) Prior to the occupancy or use of any lot or unit in a campground subdivision, a zoning certificate certifying that all of the requirements of Subsection (d)(1) hereof have been fully and completely complied with must be obtained from the Department. Any such zoning certificate shall be for the entire subdivision, including all lots or units within the subdivision, and may be revocable at any time as to any lot or unit in the subdivision or as to the entire subdivision upon not less than ten days' written notice, providing an opportunity to be heard, given, in the case of an individual lot or unit, to the owner or, in the case of an entire subdivision, to the authority responsible for the subdivision. Upon revocation of the zoning certificate, the lot or unit or, in the case of an entire subdivision, the subdivision may no longer be used as a campground subdivision until it is in full compliance and a new zoning certificate is issued.
- (3) The County Commissioners may, by resolution, adopt a procedure for the annual inspection of campground subdivisions to determine compliance with the provisions hereof, particularly the provisions of Subsection (d)(1)J hereof. Such systems may include licensure and fees for such inspections.

(e) Cooperative campgrounds.

- (1) No new cooperative campgrounds shall be permitted except as provided for in Subsections (e)(3) and (e)(4) hereof.
- (2) The following provisions apply to all cooperative campgrounds:
 - A. Words as used herein where defined in § 5-6B-01 of the Corporations and Associations Article of the Annotated Code of Maryland, as from time to time amended, shall be defined as therein set forth.
 - B. Cooperative campgrounds, for the purposes of this Title, shall not be considered rental campgrounds, membership campgrounds or campground subdivisions as governed by Subsections (c) and (d) hereof but shall be governed by this subsection.

Kelly Shannahan

Add to
20

From: Hugh Cropper <hcropper@bbcmlaw.com>
Sent: Monday, September 16, 2019 1:45 PM
To: Kelly Shannahan
Cc: Harold Higgins; Ed Tudor; mlockfaw@co.worcester.md.us; Diana Purnell; James Church; Ted Elder; Chip Bertino; Madison Bunting; Joshua C. Nordstrom
Subject: WHP Text Amendment
Attachments: MX-3550N_20190916_134908.pdf

Kelly:

Good afternoon. I just reviewed the Staff Report for the Text Amendment Application, Campground Subdivisions. I would like to amend my proposed Text Amendment, to address the Staff comments, in accordance with the attached.

Thank you.

Hugh Cropper IV
Booth Cropper & Marriner, P.C.
9923 Stephen Decatur Highway, D-2
Ocean City, Maryland 21842
410-213-2681-Telephone
www.bbcmlaw.com

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PROPOSED TEXT AMENDMENT

Property owners in White Horse Park who have resided there full time (continuously) since June of 2018 shall be ~~considered grandfathered (in legally existing non-conformities), and shall be~~ permitted to continue their full time occupancy until the earlier to occur: (1) the property owners discontinue their full time residency; (2) the property owners pass away; or (3) the unit is sold.