



Town Council AGENDA

Monday, April 17, 2023 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

5:00 PM Police Board.

5:30 PM: Call to Order by President Cook.

Opening remarks and Pledge of Allegiance by Rev. Davis.

Approval of Minutes.

Minutes of the April 3, 2023 meeting.

Municipal Official Items.

Items by Mayor Willey.

Appointments to the Boards and Commissions.

Items by the Town Manager.

Items by the Town Attorney.

5:35 PM PUBLIC HEARING for annexation and zoning for two parcels of land located on the north side of Port Street at Easton Point, consisting of 4.73 acres of land and 0.156 acres of land, more or less.

Resolution No. 6161, A RESOLUTION TO ANNEX TWO PARCELS OF LAND OWNED BY THE TOWN OF EASTON LOCATED ON THE NORTH SIDE OF PORT STREET AT EASTON POINT, CONSISTING OF 4.743 ACRES OF LAND AND 0.156 ACRES OF LAND, MORE OR LESS, INTO THE TOWN OF EASTON AND TO PROVIDE FOR THE TERMS AND CONDITIONS OF THE ANNEXATION."

Ordinance No. 795, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF EASTON TO APPLY THE MIXED-USE WATERFRONT (MXW) ZONING DISTRICT TO CERTAIN LOTS OR PARCELS OF LAND ANNEXED TO THE TOWN OF EASTON BY RESOLUTION NO. 6161 LOCATED TO THE NORTH OF PORT STREET AT EASTON POINT AND CONSISTING, COLLECTIVELY, OF 4.899 ACRES OF LAND, MORE OR LESS."

5:40 PM PUBLIC HEARING to discuss Resolution No. 6162.

Resolution No. 6162, "A RESOLUTION OF THE TOWN OF EASTON AMENDING THE CHARTER OF THE TOWN OF EASTON TO ALLOW AN ELECTION TO BE CANCELLED IF ALL OFFICES UP FOR ELECTION ARE UNCONTESTED."

Public Participation/Comments.

Items by Members of the Council:

Adjournment.

The public can access the meeting as follows:

<https://www.eastonmd.gov/129/Agendas-Minutes>

If you are an Easton Cable subscriber, you can view the meeting through TV-Channel 98.

Please note: There is a possibility of all or part of the meeting may be held in Closed Session.



TOWN OF EASTON

14 S. Harrison Street, P.O. Box 520
Easton, Maryland 21601
Phone: 410-822-2525
www.eastonmd.gov

MEMORANDUM

TO: Ms. Megan JM Cook, President of the Council
Members of the Town Council

cc: Donald J. Richardson
Sharon VanEmburch

FROM: Mayor Robert C. Willey *RW*

SUBJECT: Boards and Commissions

DATE: April 17, 2023

Ms. Beverly Cario has expressed an interest to serve on the Boards and Commissions. I am submitting her for confirmation to the Board of Canvassers. Ms. Cario is a town resident, has a Master's Degree in Public Administration and is available for duties in the upcoming election. The Superintendent of Elections, Carlene Phoenix and I have met with her and she is aware of the duties. Ms. Cario's appointment is for two years and will be replacing Ms. Bonnie Chase.

Mr. Tom Klein has met with Lynn Thomas and Paul Weber and has decided to apply for the vacant alternate position on the Planning and Zoning Commission. Mr. Klein serves on our Parks and Recreation Board and I feel will be an asset to the Planning and Zoning Commission. His Volunteer Interest Form is attached for your consideration.

Your confirmation for the above appointments is appreciated.

Town of Easton

Board and Commission Volunteer Interest Form

Submit Completed Form to the Mayor of the Town of Easton, Maryland for consideration

(Please Print)

Last Name Klein First Name Thomas MI H

Residence Address (Street) 29821 Hillary Ave

(Town) Easton (County) Talbot (State) MD

(Zip Code) 21601

How Long at this Residence? 4 years

Home Telephone Number () 240-204-0053

Occupation Retired

Employer Name _____

Employer Address _____

Work Telephone Number () _____

Please circle the board(s) or commission(s) you are interested in serving as a member of:

Board of Appeals Planning and Zoning Commission Historic District Commission

Housing Authority Easton Utilities Commission Park Board

Ethics Commission Waterfowl Festival Commission Board of Canvassers

Tree Board Affordable Housing Board

Other (list) _____

Please list why you would like to serve on this committee and what your qualifications are (Attach extra sheets if necessary) See Attachment

Please list any special interests which should be considered during the appointment process (Attach extra sheets if necessary) See Attachment



Applicant Signature

April 4, 2023
Date

Easton MD

Board and Commission Volunteer Application – Tom Klein

April 4, 2023

Please list why you would like to serve on this committee and what your qualifications are.

First and foremost, I truly love Easton and want to help continue to make it a great place to work and live. I believe the planning and zoning commission plays one of the most important roles in ensuring the town retains its core identity while also evolving to the future. I know there are many pressing issues currently on the table with new development requests and the comprehensive plan and I would like to assist in trying to strike the proper balance of smart growth while maintaining Easton's small town charm.

I have an extensive planning background having worked many years in strategic planning and creating several organizational strategic and operational plans. Over my career, I served on numerous task forces and committees and have excellent teamwork and collaboration skills. For the past 4 years, I have gained a strong background on Easton, including its future direction, culture, and most immediate challenges. This has come from my serving on the Board of Directors of the Easton Economic Development Corp., the Park Advisory Board and as the Chair of the Community Liaison Committee for my housing development, Easton Club East. I am a quick learner and will study up to learn the role of being a member of the planning and zoning commission, including getting up to speed on local planning and zoning laws and regulations.

Please list any special interests which should be considered during the appointment process.

Following is a brief summary of my career experience:

Tom Klein retired in 2018 after 30 years of Federal Government service. He worked in various positions at the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), including in the Director's Strategic Planning Office, as the Chief of the Leadership and Occupational Development Division, and as the Chief of Staff for the Office of Public and Governmental Affairs. At ATF, Klein created the Bureau's Leadership Institute, two five-year strategic plans, streamlined the congressional response process, and created an agency-wide health improvement program. In addition, he led/served on numerous work teams, including ones to create an ATF brand, critical incident media response plan, special agent career plan, and total quality management initiative. Klein enjoys volunteer work and currently volunteers with the St. Vincent de Paul Food Pantry, Easton's Park Advisory Board and as a member of the Board of Directors for the Easton Economic Development Corporation.

RESOLUTION NO. 6161

A RESOLUTION TO ANNEX TWO PARCELS OF LAND OWNED BY THE TOWN OF EASTON LOCATED ON THE NORTH SIDE OF PORT STREET AT EASTON POINT, CONSISTING OF 4.743 ACRES OF LAND AND 0.156 ACRES OF LAND, MORE OR LESS, INTO THE TOWN OF EASTON AND TO PROVIDE FOR THE TERMS AND CONDITIONS OF THE ANNEXATION.

Introduced by: _____

WHEREAS, the Town of Easton (the “Town”) is authorized by the provisions of §4-401 *et. seq.* of the Local Government Article of the Maryland Annotated Code (the “Code”) to expand its municipal boundaries by annexing lands adjacent to it, and wishes to annex certain parcels of land owned by the Town located on the North side of Port Street at Easton Point, consisting of 4.743 acres of land and 0.156 acres of land, more or less, which parcels are shown and depicted as “AREA OF ANNEXATION 4.743 ACRES ±” and “AREA OF ANNEXATION 0.156 AC ±” (collectively, the “Annexation Property”) on a plat titled “PROPOSED ANNEXATION OF MULTIPLE PROPERTIES TO THE TOWN OF EASTON TOWN OF EASTON, FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND”, prepared by Rauch Inc., dated June 2022 (the “Annexation Plat”), which is Exhibit “A” to this Resolution and is also described in a metes and bounds description prepared by Rauch inc. entitled “DESCRIPTION OF 4.899 ACRES OF LAND, MORE OR LESS, ANNEXATION TOWN OF EASTON THE LANDS NOW OR FORMERLY OF THE TOWN OF EASTON”, dated September 30, 2022, which is Exhibit “B” to this Resolution (“Annexation Description”).

The Town is the owner of one hundred percent (100%) of the assessed value of the real property lying within the area to be annexed and has consented to the annexation. There are no registered voters in Talbot County who reside on the Annexation Property.

The Annexation Property is adjacent to existing Town boundaries. If the Annexation Property is incorporated into the Town boundaries, no enclaves of non-Town land will be created.

Now, therefore, the Town hereby resolves:

Section 1. Modification of Town Boundaries. The corporate boundaries of the Town are hereby amended to include the addition of the Annexation Property, which is described on the Annexation Plat and Annexation Description. The plat and metes and bounds description are subject to technical review and correction by the Town prior to the public hearing to be held on this Resolution.

Section 2. Application of Town Charter; Ordinances; and Taxes. Upon the effective date of this Resolution, the provisions of the Charter and Code of the Town of Easton, and any local public laws enacted or to be enacted affecting the Town, shall be effective within the Annexation Property except to the extent that this Resolution provides otherwise. The Annexation Property shall be included in the Fourth Election Ward of the Town for purposes of municipal elections until such time as the boundaries for election wards may be modified by the Town Council.

Section 3. Annexation Plan. The Petitioner has prepared an Annexation Plan with regard to the Annexation Property (the “Plan”). The Plan is Exhibit “C” to this Resolution but is not a part hereof and the Town Council reserves the right to amend the Plan prior to the final enactment of this Resolution in the manner provided in §4-415 of the Local Government Article of the Code.

Section 4. Zoning Classification. Concurrently with the introduction of this Resolution, the Town Council has introduced Ordinance No. 795 to apply a zoning classification of Mixed-Use Waterfront (MXW) to the Annexation Property. The proposed MXW zoning classification permits land uses that are substantially different from the land uses allowed under the current Talbot County zoning classifications and/or permits development at a substantially higher density exceeding 50% of the density allowed under the current Talbot County zoning classification applicable to the Annexation

Property. In accordance with §4-416 of the Local Government Article of the Code, if Talbot County expressly approves, the Town can place the annexed land in zoning classifications that allow different land uses and/or allows a substantially higher density exceeding 50% of the density allowed under the current Talbot County zoning classification. The classification of the Annexation Property in the MXW zoning district is contingent upon the Town receiving the express consent of the County prior to the effective date of Ordinance 795.

Section 5. Incorporation of Certain Exhibits. Exhibits A, and B are incorporated into this Resolution and made a part of it.

Section 6. Public Hearing and Public Notice. The Town Council shall conduct a public hearing on this Resolution and upon Ordinance No. 795 on _____, 2023 at 5:35 p.m. Prior to the hearing, the Town Clerk shall arrange for the publication of a legally sufficient notice of the hearing in *The Star Democrat* for the Town two times at not less than weekly intervals, the date of publication of the last such notice to be at least 15 days prior to the date of the hearing. In addition, on the date of the first publication of the notice of the hearing, the Town Clerk shall notify the following persons or agencies of the hearing and shall provide them with a photocopy of the legal notice and this Resolution, including Exhibits:

- (a) the Talbot County Council;
- (b) the Talbot County Planning and Zoning Commission;
- (c) the Maryland Department of Planning; and
- (d) the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

Section 7. Registration of Boundaries. Within ten (10) days of the effective date of this Resolution, in accordance with the provisions of §4-414 of the Local Government Article of the Code, the Mayor or other Town designee, shall promptly cause a copy of the resolution with the new municipal boundaries to be sent to:

- (a) the Town Clerk;
- (b) the Clerk of the Circuit Court for Talbot County, Maryland; and
- (c) the Maryland Department of Legislative Services.

Pursuant to §4-414(b) of the Local Government Article of the Code, each such official or agency shall keep this Resolution with the new boundaries on record and make it available for public inspection during regular business hours.

Section 8. Effective Date. This Resolution shall become effective 45 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with §4-408, §4-409, or §4-410 of the Local Government Article of the Code or if a petition for referendum is filed and a majority of the votes are in favor of the annexation resolution, the date upon which the Annexation Resolution becomes effective pursuant to §4-412 of the Local Government Article of the Code. This Resolution shall be deemed “finally enacted” on the date on which the Mayor of the Town of Easton indicates his approval of this Resolution by signing it or when the Town Council overrides the Mayor's veto hereof in the manner specified in the Town Charter.

Silverstein	-
Abbatiello	-
Engle	-
Davis	-
Cook	-

I hereby certify that the above Resolution was passed by a ye and nay vote of the Town Council this _____ day of _____, 2023.

Megan J.M. Cook, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2023.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____

Robert C. Willey, Mayor

EFFECTIVE DATE: _____, 2023.

ORDINANCE NO. 795

AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF EASTON TO APPLY THE MIXED-USE WATERFRONT (MXW) ZONING DISTRICT TO CERTAIN LOTS OR PARCELS OF LAND ANNEXED TO THE TOWN OF EASTON BY RESOLUTION NO. 6161 LOCATED TO THE NORTH OF PORT STREET AT EASTON POINT AND CONSISTING, COLLECTIVELY, OF 4.899 ACRES OF LAND, MORE OR LESS

Introduced by: _____

WHEREAS, the Town of Easton (“Town”) is authorized by §§ 4-416 and 5-213 of the Local Government Article and § 4-102 of the Land Use Article of the Maryland Annotated Code (“Code”) to exercise planning and zoning jurisdiction in areas annexed by it and to enact and administer a zoning ordinance, which ordinance is Chapter 28 of the Easton Town Code; and

WHEREAS, the Town is authorized by § 4-201 of the Land Use Article of the Code to divide land within the municipal boundaries into zoning districts in a manner it deems best suited to execute the purposes of the Land Use Article; and

WHEREAS, the Town is authorized by § 4-204 of the Land Use Article of the Code to amend, supplement, modify or repeal sections of the zoning ordinance; and

WHEREAS, the Town has acted pursuant to its authority under §4-401 *et. seq.* of the Local Government Article of the Code to introduce Resolution No. 6161 (the “Resolution”) to expand its municipal boundaries by annexing lands adjacent to the present Town boundaries and owned by the Town. The area proposed for annexation is generally located on the north side of Port Street at Easton Point, consisting of 4.899 acres of land, more or less, which parcels are shown and depicted as “AREA OF ANNEXATION 4.743 ACRES ±” and “AREA OF ANNEXATION 0.156 AC ±” (collectively, the “Annexation Property”) on a plat titled “PROPOSED ANNEXATION OF MULTIPLE PROPERTIES TO THE TOWN OF EASTON TOWN OF EASTON, FIRST ELECTION DISTRICT TALBOT COUNTY,

MARYLAND”, prepared by Rauch Inc., dated June 2022 (the “Annexation Plat”), which is Exhibit “A” to this Ordinance ; and

WHEREAS, the Town Planning Commission considered the annexation and zoning requests during its public meeting on _____ and recommended that the Town annex the Annexation Property and zone such land as Mixed-Use Waterfront (MXW) for several reasons, including:

(1) The consistency of the proposed annexation and zoning with the Municipal Growth Chapter of the 2010 Town of Easton Comprehensive Plan (“Plan”), which designates the Annexation Property as “Priority 1” or “Boundary Refinement Areas”. The Plan generally characterizes these areas as “areas that are already developed in Talbot County and they are deemed appropriate for consideration for Annexation during the life of this Plan.” (Plan p. 49);

(2) The growth area has “already been developed under the rules and regulations of Talbot County. Thus, they will generally not represent new growth. There may be some opportunity for redevelopment of these sites or an intensification as a result of moving from the zoning and health department regulations (i.e. septic systems and the limitations thereof) of Talbot County to those of the Town of Easton, but generally little if anything will change” when the property changes jurisdiction (Plan p. 50). In this case, the area is proposed as a park so the majority of the previous improvements are being removed; and

(3) As noted in the Parks, Recreation, and Open Space chapter of the Plan, “[a] special type of park that is very desirable to Easton residents is a waterfront park.” (Plan p. 152). “A number of possibilities exist for the redevelopment of Easton Point if/when it should come into Town. A significant public waterfront park should be part of any such scheme.” (Plan p. 152).

WHEREAS, the Easton Town Council finds that it is in the best interest of the Town to amend the Official Zoning Map of the Town to include the Annexation Property and to establish the Mixed-Use Waterfront (MXW) zoning for the Property; and

WHEREAS, the Easton Town Council held a duly noticed public hearing on this Ordinance on Monday, _____, 2023.

Now, therefore, the Town of Easton hereby ordains as follows:

Section 1. Incorporation. The Annexation Plat attached hereto as Exhibit A is incorporated herein by reference.

Section 2. Modification of Official Zoning Map Boundaries and Designation of Zoning. The Official Zoning Map of the Town of Easton is hereby amended to add those certain parcels or tracts of land annexed pursuant to the Annexation Resolution and designated by the plat attached hereto as Exhibit A. The Property shall be assigned classification of Mixed-Use Waterfront (MXW). In accordance with Section 28-107 of the Zoning Ordinance, the amendment shall be made on the Official Zoning Map promptly after the effective date of this Ordinance by the Easton Town Council.

Section 3. County Zoning Consent. The proposed Mixed-Use Waterfront (MXW) zoning classification permits land uses that are different from the land uses allowed under the current County zoning classifications applicable to the Annexation Property and allows a density greater than 50% of the density allowed under the current Talbot County zoning classification. In accordance with §4-416 of the Local Government Article of the Code, if Talbot County expressly approves, the Town can place the annexed land in zoning classifications that allow different land uses and/or allows a density greater than 50% of the density allowed under the current Talbot County zoning classification applied to the Annexation Property. The classification of the Annexation Property in the MXW Mixed-Use Waterfront zoning district is contingent upon the

Town receiving the express consent of the County prior to the effective date of this Ordinance. By majority vote on _____, 2023, the County Council of Talbot County, Maryland adopted Resolution No. ____ for the purpose of expressly approving establishment of the municipal zoning as provided by this Ordinance.

Section 4. Survival. Except as amended herein, the remainder of the Official Zoning Map and the remaining terms of existing ordinances shall remain in full force and effect.

Section 5. Effective Date. In accordance with § 4-416 of the Local Government Article of the Code, § 4-203 of the Land Use Article of the Code and Article II, Section 9 of the Easton Town Charter, this Ordinance shall become effective upon the later of: (a) the effective date of the Resolution pursuant to which the land area that is the subject of this Ordinance is annexed to the Town of Easton, (b) ten (10) days after the Town Council's public hearing on this Ordinance, or (c) twenty (20) calendar days after approval by the Mayor or passage of this Ordinance by the Council over the Mayor's veto.

Section 6. Severability. The Easton Town Council intends that, if a court of competent jurisdiction issues a final decision holding that any part of this ordinance is invalid, the remaining provisions hereof remain in full force and effect.

Silverstein	-
Abbatiello	-
Engle	-
Davis	
Cook	-

I hereby certify that the above Ordinance was passed by a ye and nay vote of the Council this _____ day of _____, 2023.

Megan J.M. Cook, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2023.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____

Robert C. Willey, Mayor

EFFECTIVE DATE: _____, 2023.

RESOLUTION NO. 6162

A RESOLUTION OF THE TOWN OF EASTON AMENDING THE CHARTER OF THE TOWN OF EASTON TO ALLOW AN ELECTION TO BE CANCELLED IF ALL OFFICES UP FOR ELECTION ARE UNCONTESTED

INTRODUCED BY: _____

WHEREAS, pursuant to the authority of Article XI-E of the Maryland Constitution and Section 4-301 *et. seq.* of the Local Government Article of the Annotated Code of Maryland, the Town of Easton has the authority to enact amendments to the Charter of the Town of Easton;

WHEREAS, the Town Council wishes to enact a provision in the Charter to cancel an election when all offices upon for election are uncontested; and

WHEREAS, a public hearing on this charter amendment was held on _____, 2023.

NOW, THEREFORE, the Town of Easton hereby resolves as follows:

Section 1. Article V Elections of the Charter of the Town of Easton is hereby amended to add a new Section 12 to read as follows:

Sec. 12. Uncontested elections.

If all offices in an election are uncontested, then the election shall be cancelled and the Board of Canvassers shall certify the election results accordingly.

New material is in **bold** and **underlined** and material to be deleted is enclosed by double bold-faced brackets with bold strike out **[[deleted]]**.

Section 2. The Mayor shall cause a full and exact copy of the Resolution to be continuously posted on the bulletin board of the Town Office for at least forty (40) days after the adoption of this Resolution, and the Town Clerk shall further cause a fair summary of the charter amendment enacted by this Resolution to be published in the *Easton Star Democrat*, a newspaper of general circulation in the Town of Easton, or in any other newspaper of general circulation at weekly intervals in each of the weeks of____, _____, _____ and _____, 2023. The Town Clerk is hereby directed to affix to the minutes of this meeting appropriate certificates of publication and posting.

Section 3. The charter amendment enacted by this Resolution shall become effective on the fiftieth day after its adoption unless a petition requesting that the charter amendment be submitted to referendum is presented to the Town Council on or before the fortieth day after passage of this Resolution in accord with the provisions of Section 4-304 of the Local Government Article of the Annotated Code of Maryland. The Mayor and Town Clerk are hereby authorized and directed to declare this Resolution to be effective by affixing their respective signatures hereto in the space provided on the effective date hereof.

Section 4. As soon as the Charter hereby enacted becomes effective (whether as herein provided or by referendum), the Town Clerk shall cause to be delivered to the Department of Legislative Reference all the information regarding the newly enacted Charter, this Resolution and any referendum held thereon as may be required by Sections 4-109 and 4-308 of the Local Government Article of the Annotated Code of Maryland;

Silverstein -
Abbatiello -
Engle -
Davis -
Cook -

I hereby certify that the above Resolution was passed by a yea and nay vote of the
Town Council this _____ day of _____, 2023.

President

Megan J.M. Cook, Town Council

Delivered to the Mayor by me this _____ day of _____, 2023.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____

Robert C. Willey, Mayor

EFFECTIVE DATE: _____, 2023.