



Board of Zoning Appeals MEETING AGENDA

Tuesday, December 17, 2024 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

1. Call to Order

2. Approval of Minutes

- a. Approval of the Draft Decision Summary from the November 19, 2024 meeting.

3. Applications

- a. **Application:** V - 1345 / V 24 - 14
Applicant: Neoma Salvaje
Location: 61 Pleasant Alley
Tax Map 0104, Grid 00EA, Parcel 1424, Lot 2
Zoning District: R-7A
Request: Variance request pursuant to Section 2-1303.5 C of the Town of Easton Zoning Ordinance from Section 28-302.2.C.3, the minimum 8' side setback for all uses and structures in the R-7A Residential zoning district and the Planned Redevelopment Overlay District.

The Applicant is seeking approval to construct an arbor and a structure described as a shed within the established five (5) foot side setbacks as recorded on a subdivision plat dated January 7, 2016.
- b. **Application:** V - 1332 / V 24 - 12
Applicant: Easton Utilities
c/o Paul Moffett
Location: 23 Talbot Lane
Tax Map 0104, Grid 00EA, Parcel 1536 CB
Zoning District: CB
Request: Variance request pursuant to Section 2-1303.5 C of the Town of Easton Zoning

Ordinance from Section 28-1006.D.1,
the maximum 4' height for all fences,
walls and hedges above the elevation of
the surface of the ground located in any
front yard area.

The Applicant is seeking to construct a wooden fence that is 8' in height to secure a newly constructed gas regulator station. Through the approval of the requested Variance, the Applicant shall also be in compliance with the applicable requirements of the Code of Federal Regulations (CFR).

- | | | |
|----|--|---|
| c. | Application:
Applicant:
Location:

Zoning District:
Request: | V - 1339 / V 24 - 13
Interstate Sign Company
410 N. Washington Street (7-Eleven)
Tax Map 0101, Grid 0017, Parcel 0281
CB
Variance request pursuant to Section 2-1303.5 C of the Town of Easton Zoning Ordinance from Section 28-1101.7.B.1, the maximum height requirement for freestanding signs; and from Section 28-1001.7.B.2, the minimum landscape area requirements for freestanding signs. |
| d. | Application:
Applicant:

Location:

Zoning District:
Request: | SE - 1346 / SE 24 - 09
BGFY, LLC
c/o Zachary A. Smith, Esq.
8223 Elliott Road
Tax Map 0109, Grid 0000, Parcel 4582, Lot 3
CG with a PUD Overlay
Special Exception request pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, use (6) 603.1 in Table 2.1 of Section 28-201 to be utilized as a Cannabis Dispensary* in the CG - Commercial General zoning district. |
| e. | Application:
Applicant: | SE - 739 / SE 22 - 12
Stanley Dean |

Location:

46 Wayman Avenue

Tax Map 0034, Grid 0009, Parcel 0169

Zoning District:

MXW

Request:

The Special Exception request for Short-term Housing within MXW - Mixed Use Waterfront zoning district has been withdrawn from the December 17, 2024 Board of Zoning Appeals agenda.

4. Discussion Item



Town of Easton Board of Zoning Appeals

Draft Decision Summary

Tuesday, November 19, 2024 at 9:00 a.m.

Town Hall Chamber 2

14 S. Harrison Street, Easton, Maryland

Archived video of the meeting is available at:

[Town of Easton Agendas and Minutes
\(eastonmd.gov\)](http://eastonmd.gov)

Attendance:

Board Members:

Peter Cotter, Chairman
Gary Molchan, Vice Chairman
Zakary A. Krebeck

Absent:

Board Members:

Paul Weber, Alternate

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner - Long Range
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Town Planner - Current
Sharon Van Emburgh, *Esq.* Town Attorney
Aaron Cooper, *Esq.* Legal Associate
Samantha Smith, Administrative Specialist

1. Call to Order — Chairman Cotter called the meeting to order at 9:00 a.m.

2. Decision Summary Review —

Vice Chairman Molchan moved to approve the September 19, 2024 Decision Summary. Board Member Krebeck seconded the motion.

Vote	3 - 0
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

3. Applications —

a. File No.: V - 1310 / V 24 - 09
Applicant: Barrow & Sons LLC
Location: 714 Wayside Avenue, Easton, MD 21601

Tax Map 0106, Grid 00EA, Parcel 2561

Zoning: R-10A

Request: The Applicant is requesting a Variance from Section 28-303.2.C.2 of the Town of Easton Zoning Ordinance: the minimum 30' rear setback for all uses and structures in the R-10A Zoning District. The Applicant is seeking to construct a 120 square foot covered deck beyond the required thirty (30) foot rear setback.

Background: There is an existing un-covered deck that protrudes approximately six (6) feet from the façade of the house. The Town does not have a record of a permit issued for the construction of this deck.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Jerry Barrow, Barrow & Sons LLC

Flora Beth Spencer Hill, Owner

Public Comment — None

Public Comment Written:

Jarret Beyer and Nicki McKay

Chairman Cotter moved to approve the Variance request as submitted subject to the following condition:

- 1. The Applicant shall meet all code requirements, and obtain all permits deemed necessary by the Building Inspection Department for the porch.**

Board Member Krebeck seconded the motion.

<u>Vote</u>	<u>3 - 0</u>
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FOR:	3 - Cotter, Molchan, Krebeck
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AGAINST:	0
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ABSTAIN:	0
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ABSENT:	0
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b. File No.: V - 1315 / V 24 - 10

Applicant: KustomScapes & Pools LLC

Location: 29543 Meadow Gate Drive, Easton, MD 21601

Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 17

Zoning: R-10A

Request: The Applicant is requesting an after-the-fact Variance from Section 28-1007.1.17.b of the Town of Easton Zoning Ordinance: the minimum

8’ setback for any property line for swimming pools, supporting braces, pool filtration systems, or decks in the R-10A Zoning District.

Background: On April 22, 2024 an in-ground pool permit application and site plan was approved by the Town of Easton Building Inspection Division. The approved site plan for that permit shows all of the pool decking to be located at least eight (8) feet from the side and rear property lines. During an inspection of the completed construction, it was discovered that the pool was constructed beyond the required rear setback by 10”, and beyond the required side setback by 2’.

Staff Presentation:
Nicholas Johnson, Planner
Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:
Matthew Chapman, KustomScapes & Pools LLC

Public Comment — None
Public Comment Written — None

Board Member Krebeck moved to deny the 2’ side yard setback Variance request as submitted. Vice Chairman Molchan seconded the motion.

Vote	3 - 0
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

Board Member Krebeck moved to approve the 10” rear yard setback Variance request as submitted. Vice Chairman Molchan seconded the motion.

Vote	2 - 1
FOR:	2 - Molchan, Krebeck
AGAINST:	1 - Cotter
ABSTAIN:	0
ABSENT:	0

- c. **File No.:** V - 1325 / V 24 - 11
Applicant: Jennifer Benson
Location: 29557 Country Lane Way, Easton, MD 21601
Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 3
Zoning: R-10A
Request: The Applicant is requesting a Variance from the following section of the Zoning Ordinance (Ordinance): Section 28-303.2.C.1, the minimum 15’

front setback for all uses and structures in the R-10A Zoning District. Through the approval of the requested Variance, the Applicant is seeking to remediate an existing zoning violation that resulted from the construction of an outdoor kitchen and canopy structure closer to the front property line than is permitted by the Ordinance. The proposed canopy will be located nine (9) feet from the front property line, and will occupy the same footprint as the existing canopy.

Background: In 2016, a building permit was issued by the Town for an inground pool in the rear yard of the subject property. The Town also issued a permit for a six (6) foot tall fence in 2021. On the subject property there is also an existing outdoor kitchen covered by a canopy structure that violates the required front setbacks for all structures within the R-10A Zoning District. A search of the Town’s records indicates that there was no permit issued for the construction of these structures.

Staff recommends the following condition:

1. The Applicant shall obtain all permits deemed necessary by the Building Inspection Department for the existing outdoor kitchen.

Staff Presentation:

Nicholas Johnson, Planner
Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Jennifer Benson

Public Comment — None

Public Comment Written — None

Chairman Cotter moved to approve the Variance request as submitted. Board Member Krebeck seconded the motion.

<u>Vote</u>	<u>3 - 0</u>
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. Discussion Item — None

5. Adjournment — Chairman Cotter motioned to adjourn. Vice Chairman Molchan seconded. The meeting was adjourned at 9:37 a.m.



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

EXHIBIT SUMMARY for 61 PLEASANT ALLEY V - 1345 / V 24 - 14 2024-12-17

Applicant notified of hearing date: Email: 2024-12-02 – 15 days

Exhibit A: Staff Review

Easton Utilities Commission Report: 2024-12-06 – 11 days

Planning and Zoning Report: 2024-12-10 – 7 days

Appendix A: March 5, 2024 Building Inspection Notice

Appendix B: March 12, 2024 Planning and Zoning Comment Letter

Appendix C: April 26, 2024 Zoning Violation Notice #24 - 0072

Appendix D: May 28, 2024 Planning and Zoning Determination Letter

Appendix E: June 29, 2024 Zoning Violation Final Notice # 24 - 0072

Appendix F: July 22, 2024 Property Maintenance Notice #24 - 1252

Exhibit B: Variance Application

Application: 2024-11-19 – 28 days

Variance Application

Written Variance Request and Findings of Fact

Applicant Exhibit: Neighboring Properties

Deed

Proof of Payment: Email: 2024-12-02 – 15 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-12-02 – 15 days

400' Notices Distributed: 2024-12-02 – 15 days

Picture of Property Sign Posting: 2024-12-02 – 15 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-11-22 – 25 days

Advertisement run in Star Democrat: 2024-11-30 – 17 days

Star Democrat Proof

Certificate of Publication



Easton Utilities Commission

Plan Review Comments

Date: Friday, December 6, 2024

To: Sierra Clem, Nancy Pinkney

From: Kia Gibbs on behalf of Aaron Goller, PE

No. of Pages: 1

Regarding: 61 Pleasant Alley

Phase: Sketch Site Plan

SUBM: 1

Status: Rejected

Easton Utilities Commission has reviewed the above referenced plans and have provided the following comments. Please provide your corrections as listed below. Additional reviews will be required to ensure comments have been addressed. Items or documents not provided on initial submission will be subject to further review. Please contact Kia Gibbs, Admin Support at kgibbs@eucmail.com should you have any questions.

ITEM:	DRAWING /	
	PAGE	COMMENTS:
1	General	Utilities in easement. Permanent structures not permitted in easements.

Date of Hearing: December 17, 2024

3a

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: **VARIANCE 1345**

ELECTION WARD: Ward 4

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson, AICP Candidate – Town Planner
Miguel Salinas - Director of Planning and Zoning

APPLICANT: Neoma Salvaje

PURPOSE: The applicant is seeking an after-the-fact variance from §28-302.2.C.3 of the Town’s Zoning Ordinance to construct what is best described as a canopy between the primary structure and the side property line. This structure protrudes beyond the minimum five (5) foot side setbacks as established through the Planned Redevelopment District (PRD) process.

RECOMMENDATION:
Staff supports a Board **denial** of the variance request based on the staff’s draft findings.

APPLICATION INFORMATION:	
APPLICANTS: Neoma Salvaje 61 Pleasant Alley Easton MD, 21601	REPRESENTATIVE: N/A
PARCELS/ACREAGE:	
Parcel Information	Acres
Map 104, Parcel 1424, Lot 2	0.04



ACCEPTANCE DATE: November 19, 2024	LOCATION: 61 Pleasant Alley
EXISTING ZONING R-7A PRD Overlay	EXISTING LAND USE: Residential
HISTORIC DISTRICT: No	FUTURE LAND USE: Residential

CONTEXT:

Location/Site Access – The subject property is a 0.04-acre property located on Pleasant Alley which is best described as a residential street, and is zoned R-7A. The property is also located entirely within the Planned Redevelopment Overlay District (PRD).

Existing Conditions – The subject property includes a 540 square foot residential structure. There are five (5) feet wide utility easements located along the side and rear property lines (Figure 1). Easton Utilities has indicated that they have utilities located within both side yard easements and would not allow any permanent structures within these easements. There is an existing privacy fence located along the southern property line that was permitted in 2022.

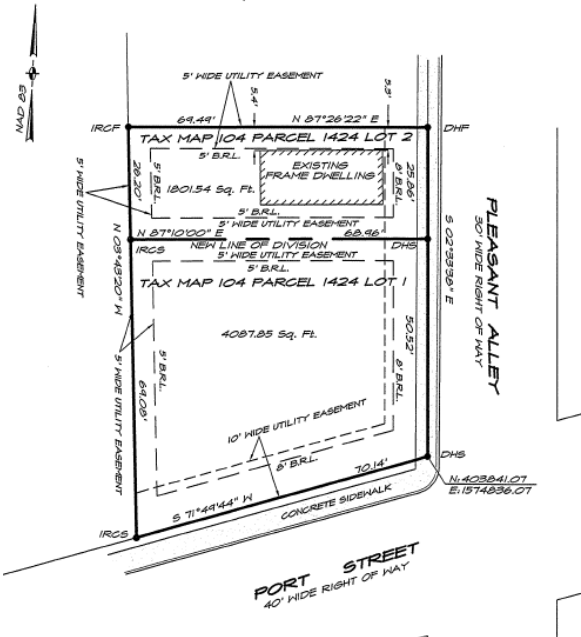


Figure 1: 2016 Plat

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use

South	Residential	R7A	Residential
North	Residential	R7A	Residential
West	Institutional ¹	R7A	Residential
East	Residential	CB	Commercial

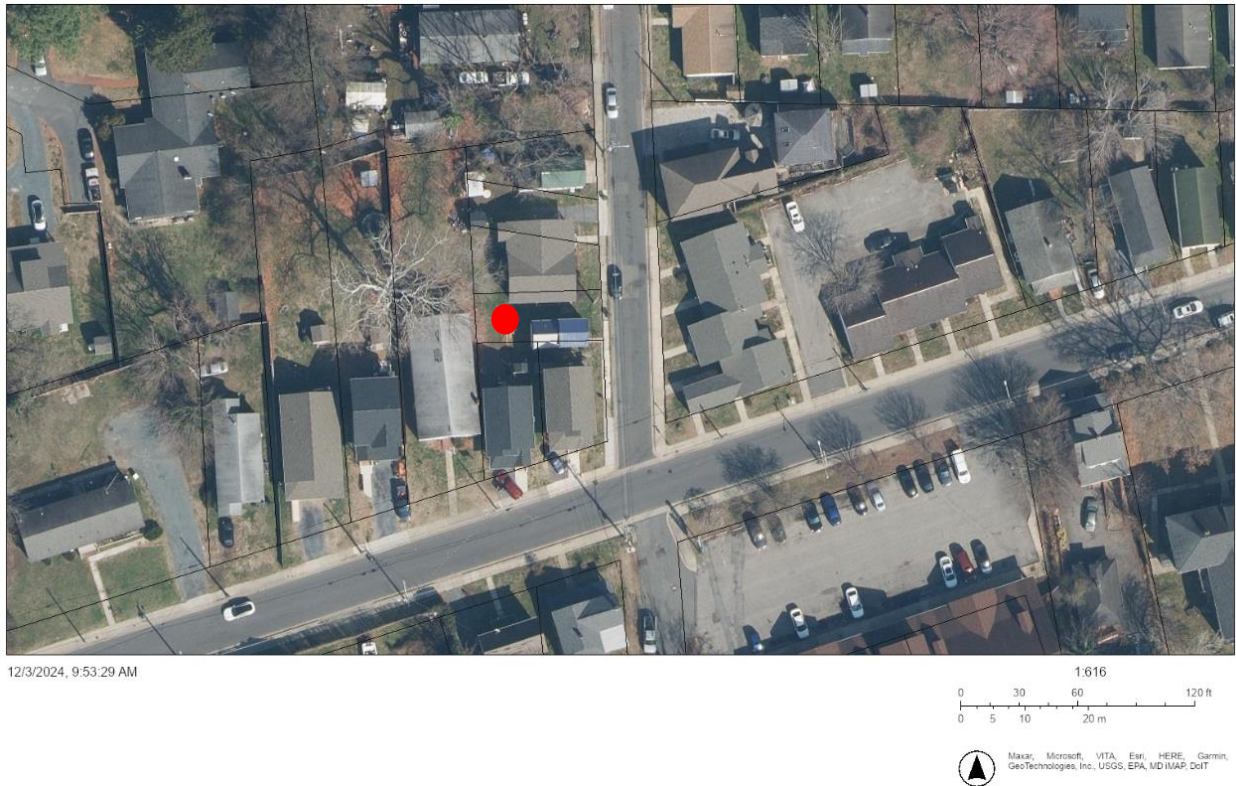


Figure 2: Vicinity Map

BACKGROUND INFORMATION: On January 5, 2024 the Building Inspection Division issued a notice to the property owner that the structures referenced in this application as well as a fence enclosing the rear yard, were constructed without applying for building a permit(s). The applicant subsequently submitted permit applications on March 6, 2024. On March 12, 2024 the Planning and Zoning Department provided written comments on the applicant's permit application for the construction of what was described by the applicant as an arbor and a shed. These comments were as follows:

- 1. The proposed structures encroach beyond the established five (5) foot side setbacks as shown on the recorded subdivision plat dated January 7, 2016. At this time, the following options are available to remedy the setback issue.*

¹ 209 Port Street operates as a day care and assembly space through the PRD Overlay

- a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
 - b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
 - c. Submit a revised site plan that conforms to the established setback requirements for this property.
2. The proposed structures are located within established utilities easements. Please reach out to Easton Utilities regarding what is permitted within these easements.

On April 26, 2024 Code Enforcement Case #24-0772 was opened stating that the applicant was in violation of Chapter 28 of the Town Code and requesting that the structures be removed. The applicant subsequently requested an official written determination on May 2, 2024 for the purposes of an appeal² which was provided to the applicant on May 28, 2024 (See Appendix D).

A final notice was sent to the property owner on June 29, 2024 by the Town's Code Enforcement Office. After the applicant failed to take corrective action, further enforcement action was taken including the issuance of three citations and the scheduling of a court date³.

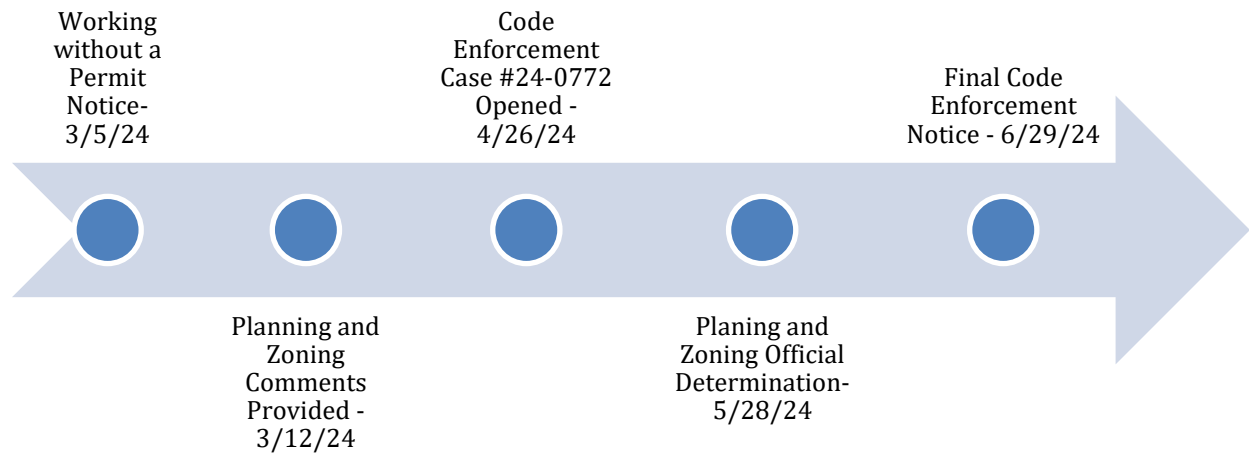


Figure 3: Timeline of Code Enforcement Action

OUTSTANDING ISSUES

1. The Canopy located on the southern side of the primary structure is not a part of this variance request but is still in violation of the setback requirements. The wooden frame supporting the roof has been cut back since the structure was originally installed.

² No appeal was filed within 30 days of the date the official determination was written as required by §28-1303.3 of the Zoning Ordinance.

³ The Court date was scheduled for December 9, 2024 but postponed once a variance request was filed.

However, the roofing material still protrudes beyond the minimum required setback. This roofing material runs from the side of the primary structure to the fence that is located on the southern property line.

2. Both structures protrude into active utility easements containing infrastructure for electric and water. Easton Utilities has indicated that they will not permit any permanent structures to be located within these easements.

PROPOSAL: The applicant is seeking an after-the-fact variance for the construction of a structure which is best described as a canopy, which protrude beyond the minimum side setback of five (5) feet as established through the PRD process. §28-1006.B allows for some architectural features such as canopies to protrude beyond a required side setback adjoining an interior lot line a distance not exceeding 1/5th of the required width of the side setback, but not to exceed three (3) feet in any case. In this instance, since the required side setbacks are five (5) feet from both interior lot lines, a canopy could not protrude beyond the required setback more than one (1) foot (1/5th of 5 feet = 1 foot) or within four (4) feet of the property line.

	Allowed	Proposed
North Canopy Setbacks	4 feet (Maximum)	0 feet

Table 1: Summary of Variance Request

POLICY ANALYSIS (VARIANCE):

- a. **Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;**

Analysis – Allowing these structures to be located directly on the property line may result in negative effects on the neighboring properties through inadequate drainage, potential fire hazard, and negatively impacting the aesthetics of the area. The structures slope from the primary structure directly to both side property lines, potentially causing drainage issues as rain water runs off these structures directly onto the neighboring property. Fire safety is also a concern as sufficient separation between residential structures limits the ability for fire to spread between properties in the event of a structure fire on any one of these properties. Five (5) foot side setbacks were established for this property through the PRD process in order to provide adequate separation of residential structures in a higher-density environment while permitting redevelopment on Parcel 1424 Lot 1 (*See Figure 1*). Allowing canopies to protrude beyond what is already permitted by §28-1006.B, undermines the intended effect of setback requirements and may result in negative externalities felt by neighboring properties.

- b. **Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.**

Analysis – This property is extremely small with a maximum width of only 26.2 feet and an area of only 1,801 square feet. The building envelope as established through the PRD process is large enough to accommodate the existing structure as well as limited development within both the rear and southern side yards. Restricting these structures from extending beyond the established setback requirements does not impose any practical difficulty on the applicant. The primary function and usability of the property remain intact without the encroachment. Furthermore, it is important to note that these conditions are a direct result of actions taken by the applicant, as both structures were installed prior to obtaining the necessary building permits. This sequence of events underscores that the applicant proceeded without adhering to proper permitting processes, thereby creating a self-imposed hardship.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **deny** Variance 1345 based on staff's draft findings.

OR

2. I move that the Board of Zoning Appeals approve Variance 1345 based on the following findings...

OR

3. I move an alternate motion.



TOWN OF EASTON

Office of Building Inspection
14 S. Harrison Street
Easton, Maryland 21601
(410) 822-2526



ACCREDITED

Case No. _____

INSPECTION NOTICE

Permit No. None

Location of Building	Number and Street <u>61 Pleasant Alley</u>	Zone	Date <u>3/5/24</u>	Time <u>9:00</u>
	Subdivision	Map	Parcel	Lot
Property or Permit Holder	Name	Tel. No.		
	Address	Email		

Remarks:

SITE VISIT

THERE WILL BE A \$200.00 FINE FOR WORKING WITHOUT A PERMIT ALONG WITH THE COST OF ANY AND ALL PERMITS NEEDED

WE HAVE NO RECORD OF FENCE AND ROOF STRUCTURE ON WEST SIDE OF HOUSE OR ANY RECORD OF ROOF STRUCTURE ON EAST SIDE OF HOUSE PLEASE REMOVE ALL ROOF STRUCTURES AND APPLY FOR FENCE PERMIT BY CLOSE OF BUSINESS 3/5/24

☐ APPROVED ☐ APPROVED W/ EXCEPTION ☒ DISAPPROVED ☐ DISAPPROVED W/ PENALTY
☐ WAIVED ☐ CANCELLED ☐ PARTIAL _____

When applicable, please call for inspection when corrections have been completed. Acceptance and approval by an inspector of this office is required and must be corrected before _____.

Signature COPY LEFT ON SITE

Printed Name _____

I hereby acknowledge receipt of this notice by my signature, which does not imply agreement or disagreement with its contents

By:

ANDY COLEMAN
Inspector



TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date: March 12, 2024
To: Neoma Salvaje
cc: Miguel Salinas, Director, Planning and Zoning
Joseph Mayer – Plan Reviewer, Planning and Zoning
Aaron Goller – Senior Engineer, Easton Utilities
Tom Diem – Code Official, Building Inspection
From: Nicholas Johnson – Town Planner
Subject: 61 Pleasant Alley – Residential Building Permit Application

I have reviewed your residential application for a building permit and have the following comment:

Planning & Zoning Comments

1. The proposed structures encroach beyond the established five (5) foot side setbacks as shown on the recorded subdivision plat dated January 7, 2016. At this time, the following options are available to remedy the setback issue.
 - a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
 - b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
 - c. Submit a revised site plan that conforms to the established setback requirements for this property.



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



April 26, 2024

Neoma Leslie Salvaje Revocable Trust
61 Pleasant Aly
Easton MD 21601

Case # 24-0772

Re: Zoning violation notice for: 61 Pleasant Alley Easton MD 21601

Dear Property Owner:

The Town of Easton Code Enforcement Department conducted an inspection of the above-mentioned property on **Friday, April 26, 2024**. The property was found to be in violation of the following codes:

SECTION 28 – 112 APPLICATION OF REGULATIONS

The regulations set by this Ordinance within each zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

- a. No building, structure, or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereinafter be erected, constructed, reconstructed, moved, or structurally altered internally or externally, unless in conformity with all the regulations herein specified for the zone in which it is located.
- **On March 5, 2024 the building department left an inspection notice about unpermitted alterations, described as a "roof structure", to a previously permitted and approved fence. As well as the addition of a separate unpermitted fence with a similar roof structure,**
- **On March 6, 2024 you submitted a permit (#2024-19077) for the unpermitted fence, that was approved, and a separate permit (#2024-19078) for the two roof structures that you've described as arbors.**
- **On March 12, 2024 Town Planner Nicholas Johnson reviewed your application and made the following comments:**
 - 1. The proposed structures encroach beyond the established five (5) foot side setbacks as shown on the recorded subdivision plat dated January 7, 2016. At this time, the following options are available to remedy the setback issue.
 - a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
 - b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
 - c. Submit a revised site plan that conforms to the established setback requirements for this property.



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



Corrective Action(s) Required:

Please remove the two roof structures that were never permitted or approved to be installed, and are in violation of the property setbacks.

A re-inspection of your property is scheduled on **Monday, May 13, 2024** to verify compliance with this notice. Failure to correct the above stated code violation(s) could result in fines under Section 1-8(B) of the Town of Easton Charter and Code.

This letter is notice that any future violations as stated above, could result in immediate fines without further notice.

You may contact me at 410-822-2525 ext 403 or newing@eastonmd.gov with any questions concerning this notice.

Sincerely,
TOWN OF EASTON

A handwritten signature in black ink, appearing to read "N. Ewing".

Nick Ewing
Code Enforcement Officer





**TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601**

May 28, 2024

Neoma Salvaje
61 Pleasant Alley
Easton, MD 21601

Dear Ms. Salvaje,

On March 5, 2024, the Building Inspection Division provided you with a notice of unpermitted alterations to the property located at 61 Pleasant Alley, including the structures referenced below, as well as a fence, without applying for a building permit(s). On March 6, 2024, in response to such notice you submitted two building permits (#2024-19077 and #2024-19078).

On March 12, 2024 the Planning and Zoning Department provided you with written comments via email regarding your residential building permit application to construct what you referenced as an arbor on the south side of your property located between the principal structure and the existing fence (and attached to both), and to construct what you referred to as a shed on the north side of the property located between the principle structure and the existing fence (and attached to both). Staff's comments were as follows:

1. The proposed structures encroach beyond the established five (5) foot side setbacks as shown on the recorded subdivision plat dated January 7, 2016. At this time, the following options are available to remedy the setback issue.
 - a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
 - b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
 - c. Submit a revised site plan that conforms to the established setback requirements for this property.
2. The proposed structures are located within established utilities easements. Please reach out to Easton Utilities regarding what is permitted within these easements.

At that time, staff determined that what was being proposed met the Zoning Ordinance's definition of structures found in §28-114 of the Town Code (Code). This section of the Code defines structures as *"building or construction materials, or a combination of those materials that are purposely assembled or joined together on or over land or water. Structure includes a temporary or permanent fixed or floating pier, piling, deck, walkway, dwelling, building, boathouse, platform, gazebo, or shelter for the purpose of marine access, navigation, working, eating, sleeping, or recreating. Among other things, structures include buildings, mobile homes, walls, billboards, poster panels and fences in excess of forty-eight (48) inches in height."*

On April 26, 2024, you received a letter from the Office of Code Enforcement which stated you were found to be in violation of Chapter 28 of the Code. The letter requested removal of the unpermitted “arbor” and “shed” that are in violation of the required setbacks.

On May 2, 2024, you submitted a request for an official written determination.

According to your residential building permit application, both the “arbor” and “shed” that were constructed without a building permit consist of ledger boards, rafters, and a roofing material. These materials were assembled together and fixed between the principal structure and the existing fences using lag bolts and flashing. Staff has determined that these structures violate the side setback requirements of five (5) feet as established through the Planned Redevelopment District (PRD) process found in §28-501 in 2015 (See Attachment 2).

Given these established side setback requirements, the construction of the structures violate §28-112.A which states that *“no building, structure, or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered internally or externally, unless in conformity with all the regulations herein specified for the zone in which it is located.”*

Staff considers the structures “canopy” structures that are attached to and supported by the fences. On March 15, 2024 staff provided via email further clarification regarding the required side setbacks for canopies. §28-1006.B allows for some architectural features such as canopies to protrude beyond a required side setback adjoining an interior side lot line a distance not exceeding $1/5^{\text{th}}$ of the required width of the side setback, but not to exceed three (3) feet in any case. In this instance, since the required side setbacks are five (5) feet from both interior lot lines, a canopy could not protrude beyond the required setback more than one (1) foot ($1/5^{\text{th}}$ of 5 feet = 1 foot). Staff also reiterated that the available options were to either apply for a setback variance, seek an amendment to the side setbacks that were established through the PRD process, or bring the structures into conformity with the setback requirements. The option to appeal a staff decision to the Board of Zoning Appeals was also relayed to you through this email.

For these reasons, staff has determined that the canopies are considered structures and violate the prescribed setback requirements as established through the PRD process. The Department’s comments to you on March 12, 2024 in response to your building permit applicant on the options that are available to remedy the setback issues still stand:

- a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
- b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
- c. Submit a revised site plan that conforms to the established setback requirements for this property.

Should you fail to comply with seeking a remedy to the setback issues, these structures must be removed.

Per §28-1303.3 of the Zoning Ordinance, appeals concerning an interpretation of the ordinance may be taken by any person aggrieved by such decision. Such appeals shall be taken within

thirty (30) days after the date of this letter by filing with the Town Planner and with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. Please be advised that the fee for the filing of the appeal is \$550.

Sincerely,

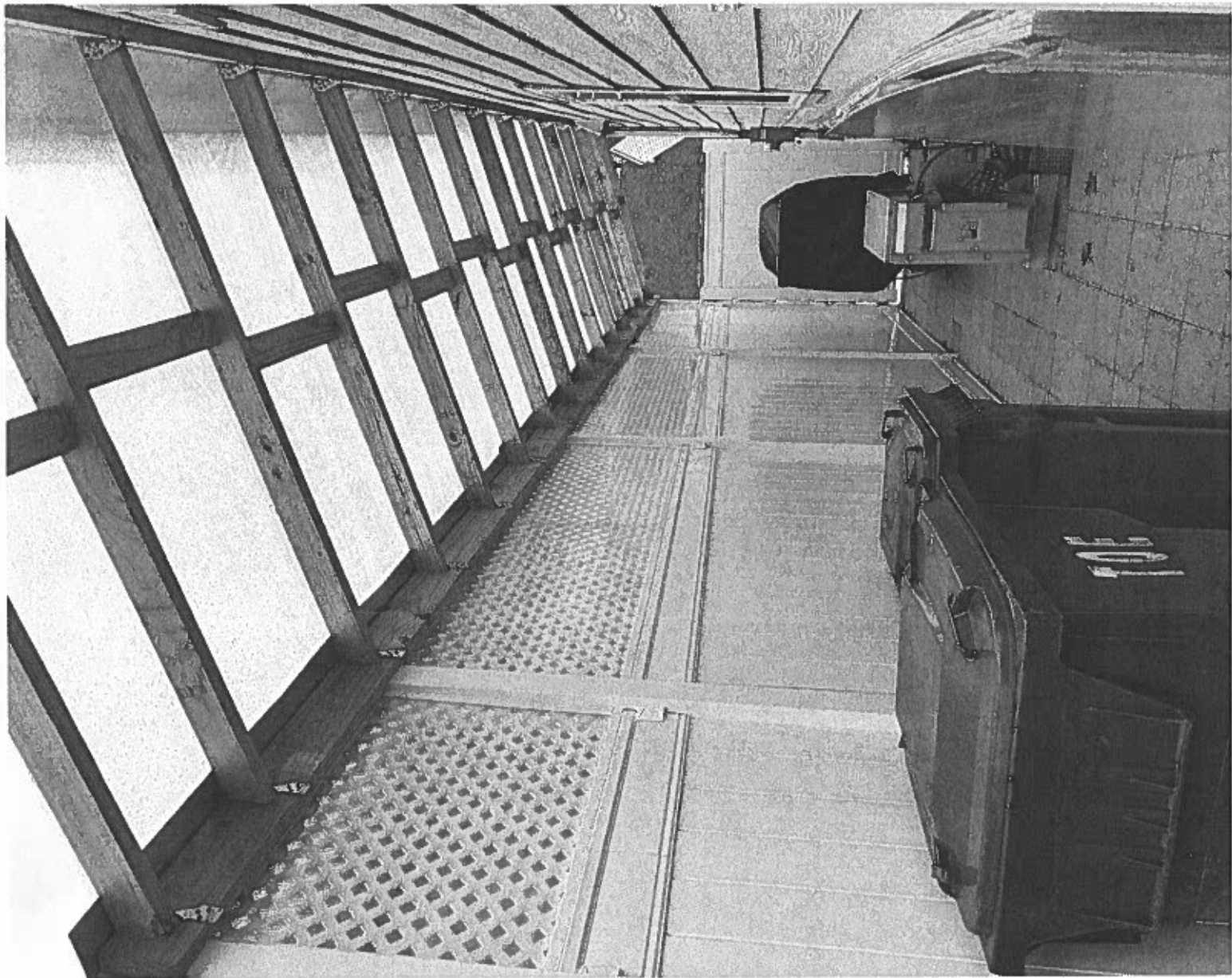
Michael “Miguel” Salinas
Director of Planning and Zoning

CC: Sharon M. VanEmburch; Ewing, Dietz, Fountain, and Kaludis
Lynn Thomas; Department of Planning and Zoning
Nicholas Johnson; Department of Planning and Zoning
Thomas Diem, Building Inspection Division
Nicholas Ewing, Office of Code Enforcement

ATTACHMENTS:

1. Photos submitted by Applicant dated March 6, 2024 and titled “Arbor on south side” and “Shed on north side”
2. Staff comments via email dated March 12, 2024
3. Staff comments via email dated March 15, 2024
4. Office of Code Enforcement letter regarding Notice of Zoning Violation, dated April 26, 2024
5. Salvaje email requesting official determination dated, May 2, 2024

Shed on north side



Arbor on south side





Nicholas Johnson <njohnson@eastonmd.gov>

61 Pleasant Application - Planning and Zoning Comments

Nicholas Johnson <njohnson@eastonmd.gov>

Tue, Mar 12, 2024 at 3:50 PM

To: "neomasalvaje@gmail.com" <neomasalvaje@gmail.com>

Cc: Miguel Salinas <msalinas@eastonmd.gov>, Joe Mayer <jmayer@eastonmd.gov>, Thomas Diem <tdiem@eastonmd.gov>, Samantha Smith <ssmith@eastonmd.gov>

Bcc: "Goller, Aaron" <agoller@eucmail.com>

Good afternoon,

Thank you for submitting a residential building application for 61 Pleasant Alley. Please see the attached comment letter regarding the proposed arbors. If you wish to apply for a setback variance (option A) please reach out to myself or Samantha Smith. If you wish to apply for a PRD amendment, (option B) please reach out to Joseph Mayer. Alternatively, please submit a revised site plan to the Planning and Zoning Department (option C).

Also, I would strongly recommend reaching out to Easton Utilities as the established utility easements may make the setback issue a mute point.

Sincerely,

--

Nicholas Johnson

Planner

Town of Easton

Planning & Zoning



P&Z Comments.pdf

225K



TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Date: March 12, 2024
To: Neoma Salvaje
cc: Miguel Salinas, Director, Planning and Zoning
Joseph Mayer – Plan Reviewer, Planning and Zoning
Aaron Goller – Senior Engineer, Easton Utilities
Tom Diem – Code Official, Building Inspection
From: Nicholas Johnson – Town Planner
Subject: 61 Pleasant Alley – Residential Building Permit Application

I have reviewed your residential application for a building permit and have the following comment:

Planning & Zoning Comments

1. The proposed structures encroach beyond the established five (5) foot side setbacks as shown on the recorded subdivision plat dated January 7, 2016. At this time, the following options are available to remedy the setback issue.
 - a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
 - b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
 - c. Submit a revised site plan that conforms to the established setback requirements for this property.



**TOWN OF EASTON
PLANNING & ZONING**
14 S Harrison Street, Easton MD 21601

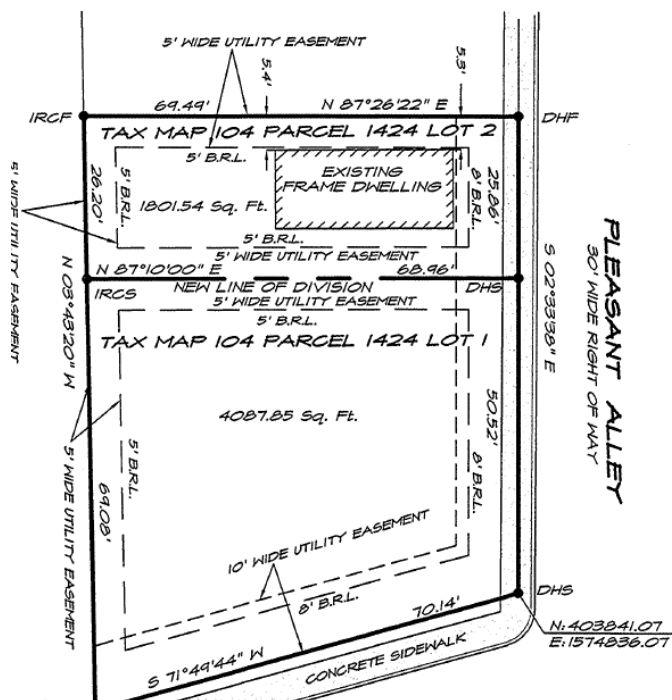


Figure 1: Approved Subdivision Plat

2. The proposed structures are located within established utilities easements. Please reach out to Easton Utilities regarding what is permitted within these easements.



Nicholas Johnson <njohnson@eastonmd.gov>

61 Pleasant Application - Planning and Zoning Comments

Nicholas Johnson <njohnson@eastonmd.gov>

Fri, Mar 15, 2024 at 11:08 AM

To: Neoma Salvaje <neomasalvaje@gmail.com>

Cc: Joe Mayer <jmayer@eastonmd.gov>, Miguel Salinas <msalinas@eastonmd.gov>, Samantha Smith <:ssmith@eastonmd.gov>, Thomas Diem <tdiem@eastonmd.gov>

Bcc: "Goller, Aaron" <agoller@eucmail.com>, Lynn Thomas <lthomas@eastonmd.gov>

Neoma,

I am not sure that we are all on the same page. Even if we consider your structures to be a canopy for zoning purposes, that would permit your structures to encroach only 1 foot past the side setback requirements based on section 28-1006.B of the Zoning Ordinance. This code allows for some architectural features such as canopies to project beyond a side setback a distance not exceeding 1/5th the required setback. In your case, the required side setbacks are both 5 feet which would allow these canopies to protrude a maximum of 1 foot past the required setbacks based on the following calculation. **5 feet * 0.2 = 1 foot**

The additional four feet would require (as previously mentioned) either a variance granted by the Board of Zoning Appeals or a PRD amendment to change the established setbacks. If you believe that I have made an error in this determination, you may appeal that decision to the Board of Zoning Appeals.

In regards to the Utilities Easements, Easton Utilities has indicated that they would not support these structures within the easement. I reached out to Easton Utilities Senior Engineer and he stated that they "would permit a fence to be constructed and flower beds in a utility easement knowing that the materials will be removed at the property owners expense if we need to work in the easement. Easton Utilities would also not reinstall any of the materials." He further stated that "Easton Utilities will still not condone the construction of permanent structures in a utility easement." Based on my conversation with Easton Utilities, it does not seem like we are on the same page with what is permitted within Utility Easements.

In summary, your options at this time are to apply and receive a setback variance, amend the established side setbacks through the PRD process, appeal my decision to the Board of Zoning Appeals, or bring the structures into conformity with the setback requirements.

Sincerely,
Nicholas Johnson

[Quoted text hidden]



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



April 26, 2024

Neoma Leslie Salvaje Revocable Trust
61 Pleasant Aly
Easton MD 21601

Case # 24-0772

Re: Zoning violation notice for: 61 Pleasant Alley Easton MD 21601

Dear Property Owner:

The Town of Easton Code Enforcement Department conducted an inspection of the above-mentioned property on **Friday, April 26, 2024**. The property was found to be in violation of the following codes:

SECTION 28 – 112 APPLICATION OF REGULATIONS

The regulations set by this Ordinance within each zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

- a. No building, structure, or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereinafter be erected, constructed, reconstructed, moved, or structurally altered internally or externally, unless in conformity with all the regulations herein specified for the zone in which it is located.
- **On March 5, 2024 the building department left an inspection notice about unpermitted alterations, described as a "roof structure", to a previously permitted and approved fence. As well as the addition of a separate unpermitted fence with a similar roof structure,**
- **On March 6, 2024 you submitted a permit (#2024-19077) for the unpermitted fence, that was approved, and a separate permit (#2024-19078) for the two roof structures that you've described as arbors.**
- **On March 12, 2024 Town Planner Nicholas Johnson reviewed your application and made the following comments:**
 - 1. The proposed structures encroach beyond the established five (5) foot side setbacks as shown on the recorded subdivision plat dated January 7, 2016. At this time, the following options are available to remedy the setback issue.
 - a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
 - b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
 - c. Submit a revised site plan that conforms to the established setback requirements for this property.



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



Corrective Action(s) Required:

Please remove the two roof structures that were never permitted or approved to be installed, and are in violation of the property setbacks.

A re-inspection of your property is scheduled on **Monday, May 13, 2024** to verify compliance with this notice. Failure to correct the above stated code violation(s) could result in fines under Section 1-8(B) of the Town of Easton Charter and Code.

This letter is notice that any future violations as stated above, could result in immediate fines without further notice.

You may contact me at 410-822-2525 ext 403 or newing@eastonmd.gov with any questions concerning this notice.

Sincerely,
TOWN OF EASTON

A handwritten signature in black ink, appearing to read "N. Ewing".

Nick Ewing
Code Enforcement Officer





Nicholas Johnson <njohnson@eastonmd.gov>

61 Pleasant Application - Planning and Zoning Comments

Neoma Salvaje <neomasalvaje@gmail.com>

Thu, May 2, 2024 at 9:13 AM

To: Nicholas Johnson <njohnson@eastonmd.gov>

Cc: "newing@eastonmd.gov" <newing@eastonmd.gov>, Joe Mayer <jmayer@eastonmd.gov>, Miguel Salinas <msalinas@eastonmd.gov>, Samantha Smith <:ssmith@eastonmd.gov>, Thomas Diem <tdiem@eastonmd.gov>

okey dokey. This is me filing a request for "an official written determination so that an appeal can be filed with the Board of Zoning Appeals".

Nicholas - In order to prepare my "case" please be prepared to provide all the information I'll be requesting in my FOIA request regarding the other properties' violating the same easement. I'm particularly interested in seeing how your office handled these same "violations" in the past (considering y'all allowed at least 3 "structures" with concrete foundations to be built and remain in this very easement - including as recently as this year I might add). Be sure to include any and all NAMES of those involved in the following projects including the town employee who owned said properties when those "violations" were allowed: 201 Port Street, 205 Port Street, and 209 Port Street. Please don't skimp on detail as I'm a professional administrator, Project Manager, and former building contractor and I can't wait to dig into the specifics.

Much obliged. I'm sure all of us are looking forward wasting a huge amount of time on this.

[Quoted text hidden]



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



June 29, 2024

Neoma Leslie Salvaje Revocable Trust
61 Pleasant Aly
Easton MD 21601

Case # 24-0772

FINAL NOTICE

Re: Zoning violation notice for: 61 Pleasant Alley Easton MD 21601

Dear Property Owner:

The Town of Easton Code Enforcement Department conducted an inspection of the above-mentioned property on **Friday, June 28, 2024**. The property was found to be in violation of the following codes:

SECTION 28 – 112 APPLICATION OF REGULATIONS

The regulations set by this Ordinance within each zone shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

- a. No building, structure, or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereinafter be erected, constructed, reconstructed, moved, or structurally altered internally or externally, unless in conformity with all the regulations herein specified for the zone in which it is located.
- **On March 12, 2024 Town Planner Nicholas Johnson reviewed your application and made the following comments:**
 - 1. The proposed structures encroach beyond the established five (5) foot side setbacks as shown on the recorded subdivision plat dated January 7, 2016. At this time, the following options are available to remedy the setback issue.
 - a. Apply for and obtain a setback variance from the Board of Zoning Appeals.
 - b. Apply for an amendment to the original Planned Redevelopment District approval that established the five (5) foot setbacks.
 - c. Submit a revised site plan that conforms to the established setback requirements for this property.
- **Michael Salinas, the director of planning and zoning, confirmed Nick Johnson's decision and made the same three options listed above as possible remedies to bring these structures into compliance in an official determination letter dated May 28, 2024.**



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



Corrective Action(s) Required:

Please remove the two roof structures that were never permitted or approved to be installed, and are in violation of the property setbacks.

A re-inspection of your property is scheduled on **Monday, July 15, 2024** to verify compliance with this notice. Failure to correct the above stated code violation(s) could result in fines under Section 1-8(B) of the Town of Easton Charter and Code.

This letter is notice that any future violations as stated above, could result in immediate fines without further notice.

You may contact me at 410-822-2525 ext 403 or newing@eastonmd.gov with any questions concerning this notice.

Sincerely,
TOWN OF EASTON

A handwritten signature in black ink, appearing to read "N. Ewing".

Nick Ewing
Code Enforcement Officer





TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



July 22, 2024

Neoma Salvaje
61 Pleasant Aly
Easton MD 21601

Case # 24-1252

Re: Property Maintenance notice for: 61 Pleasant Alley Easton MD 21601

Dear Property Owner:

The Town of Easton Code Enforcement Department conducted an inspection of the above-mentioned property on **Monday, July 22, 2024**. The property was found to be in violation of the following codes

§ 6-3.5 Permit Required.

Any owner or authorized agent who intends to construct, enlarge, alter, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by these codes, or to cause any such work to be done, shall first make application to the code official and obtain the required permit. A building permit, or application shall not be transferred from one applicant's name to another's without express written approval of the code official.

SECTION 28 – 110 LIMITS ON THE NUMBER OF ACTIVE APPLICATIONS

At no time may an applicant/property owner submit an application for any property for which another application has been submitted and is being reviewed. In order to have a different application reviewed by the Town, any applicable preceding application must either (1) expire (if approved) or (2) be formally withdrawn by the applicant. These provisions shall also apply to applications to subdivide land under the provisions of the Town's Subdivision Regulations. This provision shall not apply to applications that are complimentary, for example a site plan review and a Special Exception request.

Additionally, no application shall be accepted if there are any open or pending violations of any part of the Town Code, on the property in question. Exceptions to this prohibition may be considered if the activity associated with the application proposes to cure any such violations.

Corrective Action Required:

A portion of fence was added to your property without a permit, a permit application was submitted and has not been approved due to addition of roof structures between the top of the fence and the side of your residence. These roof structures are in violation of property setbacks and until they are removed the additional fence permit application will not be reviewed or approved.

Since the permit for this portion of fence(pictured) has not been approved it needs to be removed as well.



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



A re-inspection of your property is scheduled on **Thursday, August 15, 2024** to verify compliance with this notice. Failure to correct the above stated code violation(s) could result in fines under Section 1-8(B) of the Town of Easton Charter and Code. In addition, this letter is notice that any future violations as stated above, could result in immediate fines without further notice.

If you have any questions, please contact me at (410) 822-2525 ext. 403 or newing@eastonmd.gov.

Sincerely,
Town of Easton

A handwritten signature in black ink, appearing to read "N. Ewing".

Nick Ewing
Code Enforcement





Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

RECEIVED
NOV 19 2024
TOWN OF EASTON

Board of Zoning Appeals Application

Application Type

☒ Variance ☐ Appeal ☐ Special Exception

Property Information

Address **61 Pleasant Aly Easton MD 21601**
Tax Map **0104** Grid **00EA** Parcel **1424** Lot **2**
Deed Reference: Liber **03099** Folio **00156**
Plat Reference: Liber Folio
Existing Use **Residential**
Zoning District **Residential High Density**
Historic District Y ☐ N ☒ PRD Y ☐ N ☐

Owner

Name **Neoma Salvaje**
Mailing Address **61 Pleasant Aly Easton MD 21601**
Telephone No. **443.786.6444** Email **NeomaSalvaje@gmail.com**

Applicant or Agent

Name **Owner**
Mailing Address
Telephone No. Email

Surveyor / Engineer

Name License No. Expiration Date
Mailing Address
Telephone No. Email

Request Details

Subject to Previous BOZA Application Y ☐ N ☒

Zoning Ordinance Section **see attached**
Change From **5' side yard setback** to **0'**

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

Request to reduce the side yard setback from 5 feet to 0 feet to permit enclosure to provide covered parking for motorcycle and bicycles. Additional details in attached letter.

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date 11/12/24

Printed Name of Applicant or Agent

Neoma Salvaje

For Office Use Only

Project Number	V 24 - 14	Fee Received	\$250.00
Application Number	V - 1345	Application Notification	12/02/2024
Filing Date	11/19/2024	Property Posting Date	12/02/2024
BOZA Hearing Date	12/17/2024	Notice(s) Published	11/30/2024
If ESDR, Date	-		

Revised 2-2019

BOZA, Easton MD
Re: Variance request
Neoma Salvaje
61 Pleasant Aly,
Easton, MD 21601
Talbot County tax Map 0104, Grid 00EA, Parcel 1424
NeomaSalvaje@gmail.com
443.786.6444

11/18/24

Board of Zoning and Appeals
Town of Easton
14 S. Harrison Street
Easton, MD 21601

Dear Members of the Board of Zoning and Appeals,

I hope this letter finds you well. I am writing to formally request a variance for the property located at 61 Pleasant Alley, specifically to allow an enclosure that has been built within the required 5-foot setback of the north property line. I am seeking your approval to keep the enclosure as-is, as it serves a practical need for my family.

Variance Request:

I am requesting a variance to reduce the 5-foot side yard setback to zero/abutting on the north property line at 61 Pleasant Alley to maintain a canopy-like enclosure for outdoor storage.

Zoning Ordinance Section:

The side yard setback requirements on the Property were established through the Planned Redevelopment District process found in § 28-501 of the Zoning Ordinance. The required side yard setbacks of 5 feet were established as shown on subdivision plat dated January 7, 2016, recorded in Plat Book MAS 84, p. 5, a copy of which plat is enclosed with this letter.

Justification:

The property in question is notably small, measuring only 26 feet by 69.5 feet. As a result, the remaining usable outdoor space (not encumbered by a pathway) is restricted to just 26 feet by 30 feet. I considered the construction of a shed to store my personal items, primarily for the protection of my motorcycle and bicycles, but this option would significantly reduce the already limited backyard area. The proposed variance would accommodate an enclosure that is important not only for storage but also for the quality of life of my daughter, who would benefit from having access to a designated outdoor area.

Cell: 443.786.6444 | Work: 302.223.4044 | Email: NeomaSalvaje@gmail.com | Fax: 410.690.8188
Work: www.EleventhHouseSolutions.com | Write: 4023 Kennett Pike #50363 Wilmington, DE 19807

Further complicating the situation with the small lot size is the lack of available on-site parking. Due to the high-density building environment, parking in the area is limited and is on a first-come, first-served basis. This is particularly problematic because the adjacent business at 209 Port Street does not have dedicated parking, and as a result, frequently occupies spaces that might otherwise be available for residential use. To compound the issue, 61 and 53 Pleasant Alley are the only properties on the street without at least one off-street parking space. Granting the variance to permit the enclosure would allow me to park my motorcycle and bicycles in a protected, secure location within the enclosure, significantly improving the livability of the property for me and my family.

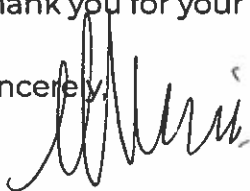
Impact on Surrounding Area:

This variance request is consistent with previous approvals granted to neighboring properties in the last three years and does not pose any adverse impact on the surrounding area. For example, the property at 201 Port Street has a porch, porch roof, two sets of stairs, and a shed on a concrete foundation that are located within the 5-foot setback, are within the EUC utility easement, and are built onto the property line. Similarly, 205 Port Street has a shed on a concrete foundation located within the same 5-foot setback and built onto the property line and within the EUC utility easement. Additionally, 209 Port Street, was permitted to remain within the east setback, with the roof and gutters extending up to (over?) the property line. These precedents demonstrate that similar variances have been granted to neighboring properties without negative consequences to the surrounding community.

In light of these factors, I respectfully request that the Board approve my variance request. This variance would significantly improve the functionality of my property and the quality of life for my family, while being consistent with the character and development patterns of the surrounding area.

Thank you for your time and consideration. I look forward to your favorable response.

Sincerely,



Neoma Salvaje
61 Pleasant Aly
Easton, MD 21601

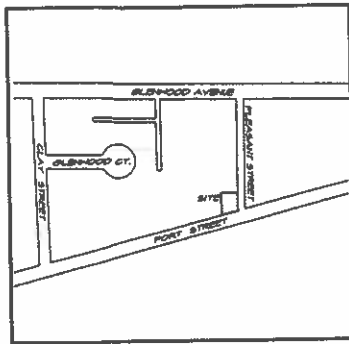
Enclosures

- Deed
- Plat for 61 Pleasant - full size
- Plat for 61 pleasant - zoomed in w pics
- Plat for 201/205 Port - full sized
- Plat for 201/205 - zoomed in w pics

o recent precedent proof
o 205/209 setback = 0'

MS 84/05

STATE OF MARYLAND
Talbot County, TO W
Recorded in the Land Record, C
Mary Ann Shortall
Mary Ann Shortall, Clerk
Circuit Court for Talbot County



VICINITY MAP
SCALE 1" = 1000'

GENERAL NOTES

OWNERS & SUBDIVIDERS: SHORE LIVING LLC
C/O TREVOR NELSON
600 HINDMILL RD
EASTON, MARYLAND 21601

PROPERTY ADDRESS: 61 PLEASANT ALLEY
EASTON, MARYLAND 21601

PROFESSIONAL LAND SURVEYOR: CHRISTOPHER D. WATERS
24310 SKIPTON-CORDOVA ROAD
CORDOVA, MARYLAND 21623

TOTAL AREA TO BE SUBDIVIDED: 5004.34 SQ. FT.
WATER SUPPLY: TOWN OF EASTON
SEWAGE DISPOSAL: TOWN OF EASTON

ZONING CLASSIFICATION: R-7A / PRD
SETBACK: (BASED ON 2013 TOWN OF EASTON DEPARTMENT OF PLANNING AND ZONING APPROVAL)
FRONT = 0 FEET
SIDE = 5 FEET
REAR = 5 FEET

CURRENT DEED REFERENCE: 2209 / 112

APPROVED:

John B. Thomas Jr. 1/21/16
DIRECTOR, TOWN OF EASTON
PLANNING & ZONING

Christopher D. Waters 1/21/16
CHAIRMAN OF PLANNING AND ZONING COMMISSION DATE

LOT 1 AND LOT 2 OF TAX MAP 104 PARCEL 1424 AS SHOWN HEREON ARE APPROVED FOR COMMUNITY WATER SUPPLY AND COMMUNITY SEWAGE AND THEIR USE IS IN ACCORDANCE WITH TALBOT COUNTY COMPREHENSIVE WATER AND SEWAGE PLAN AND MDE REGULATION 26.04.03

Charles H. Morris 1/16/16
TALBOT COUNTY APPROVING AUTHORITY DATE

ALL STREETS AND STREET WIDENINGS, PARKS AND OTHER LANDS INTENDED FOR PUBLIC USE ARE RESERVED BY THE OWNER FOR FUTURE CONVEYANCE TO THE TOWN OF EASTON.

ALL EASEMENTS SHOWN ARE HEREBY DEDICATED TO THE TOWN OF EASTON.

A UTILITIES DISTRIBUTION RIGHT-OF-WAY AND EASEMENT IS HEREBY DEDICATED TO THE TOWN OF EASTON IN AND OVER STRIPS OF LAND TEN (10) FEET WIDE ALONG THOSE BOUNDARY LINES CONTIGUOUS TO ANY STREET OR ALLEY AND FIVE (5) FEET IN WIDTH ON EACH SIDE OF SIDE LOT LINES.

THE PLANNING AND ZONING COMMISSION MAY WAIVE OR TERMINATE, UPON RESUBDIVISION, SUCH UTILITY EASEMENT WHICH HAS NOT BEEN ACCEPTED BY USE THEREOF, UPON RECEIVING APPROVAL FROM THE TOWN ENGINEER.

BUILDING PERMITS SHALL BE ISSUED ONLY IF SUFFICIENT CAPACITY IS AVAILABLE IN THE COMMUNITY WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, AND SOLID WASTE ACCEPTANCE FACILITY SERVING THE SUBDIVISION.

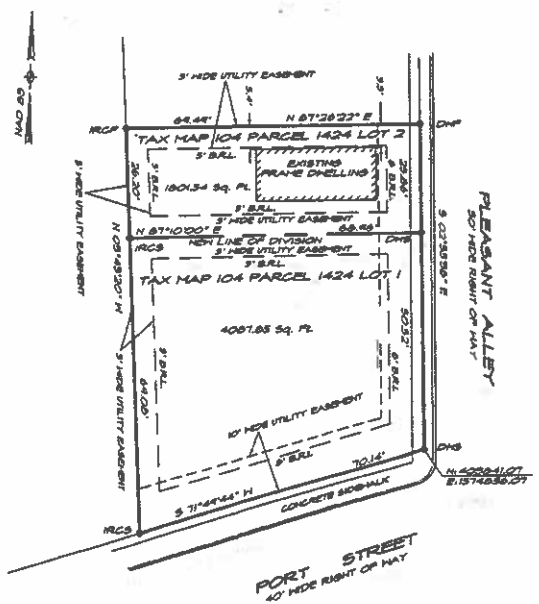
LAND SHOWN UPON THIS PLAT MAY CONTAIN NONTIDAL WETLANDS REGULATED UNDER COMAR 06.03.04; THE FEDERAL WATER POLLUTION ACT SECTION 404; OR THE RIVERS HARBOR ACT SECTION 101. DEVELOPMENT AND CONSTRUCTION WITHIN WETLANDS ARE SUBJECT TO FEDERAL AND STATE REGULATIONS AND MAY BE PROHIBITED OR RESTRICTED BY SUCH REGULATIONS.

DHS DENOTES DRILL HOLE SET

DHF DENOTES DRILL HOLE FOUND

IRCF DENOTES IRON ROD WITH SET FOUND

IRCS DENOTES IRON ROD WITH CAP SET



PURPOSE STATEMENT

THE PURPOSE OF THIS PLAT IS TO CORRECT THE ERRONEOUS LABELING OF TAX PARCEL 1424 AS TAX PARCEL 1421 AS SHOWN ON A PLAT PREVIOUSLY RECORDED IN THE LAND RECORDS OF TALBOT COUNTY IN PLAT BOOK MAS 83 PAGE 401.

OWNER CERTIFICATION

SHORE LIVING LLC, THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPTS THIS PLAN OF SUBDIVISION.

Trevor Nelson 1/13/16
TREVOR NELSON
AUTHORIZED REPRESENTATIVE DATE

THE OWNER HAS SHOWN TO AND SUBSCRIBED BEFORE ME THIS DAY OF

Joanne H. Drummer
JOANNE H. DRUMMER
Notary Public-Maryland
Queen Anne's County
My Commission Expires
June 16, 2017

SURVEYOR CERTIFICATION

I, HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF THE LANDS CONVEYED BY BLOOR HOLDING COMPANY LLC TO SHORE LIVING LLC BY DEED DATED SEPTEMBER 26, 2014 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 2209 FOLIO 112 AND THAT THE REQUIREMENTS OF THE TOWN OF EASTON SUBDIVISION REQUIREMENTS IN SO FAR AS THEY MAY CONCERN THE MAKING OF THIS PLAT AND THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH.

Christopher D. Waters 1/21/16
CHRISTOPHER D. WATERS
REGISTERED PROFESSIONAL LAND SURVEYOR No. 11032 (EXPIRES 3-10-2017)
24310 SKIPTON-CORDOVA ROAD
CORDOVA, MARYLAND 21623



FINAL SUBDIVISION PLAT
ON THE LAND OF
SHORE LIVING LLC
IN THE TOWN OF EASTON
TALBOT COUNTY, MARYLAND
TAX MAP 104 PARCEL 1424

Christopher
WATERS
Professional Land Surveying

29510 Skipton-Cordova Road
Cordova, MD 21625
(410) 819-3363 (voice & fax)
www.waterssurveying.com
Boundary, Site Plan,
Elevation Certification, Location Surveys,
Location Surveys, Subdivisions,
Storm Water Management

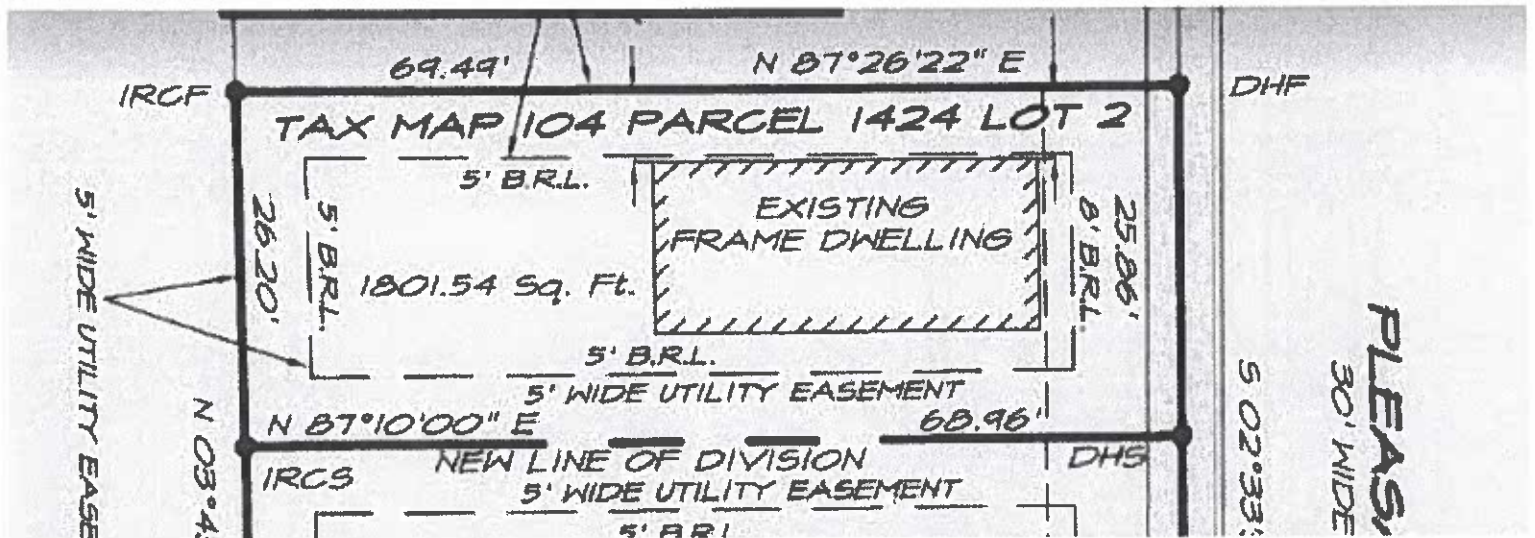
DRAWN	DESIGNED	CHECKED
CDW		CDW
DATE		
JANUARY 7, 2016		
SCALE		
1" = 20'		
JOB NO.		
14283		

MSA C2-399-1456

P214277

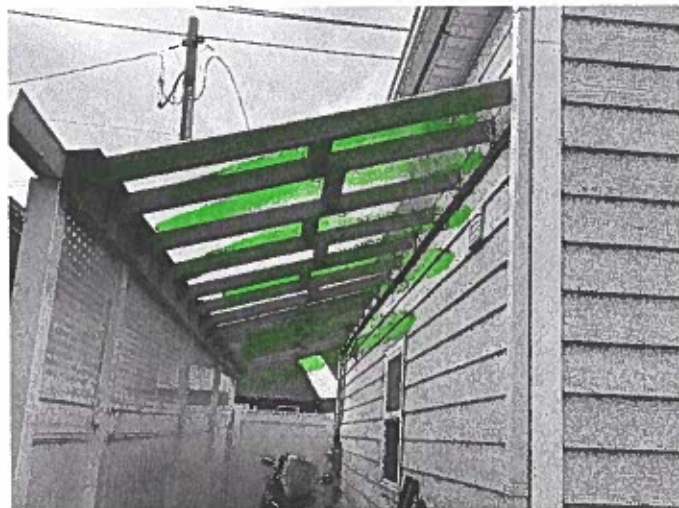
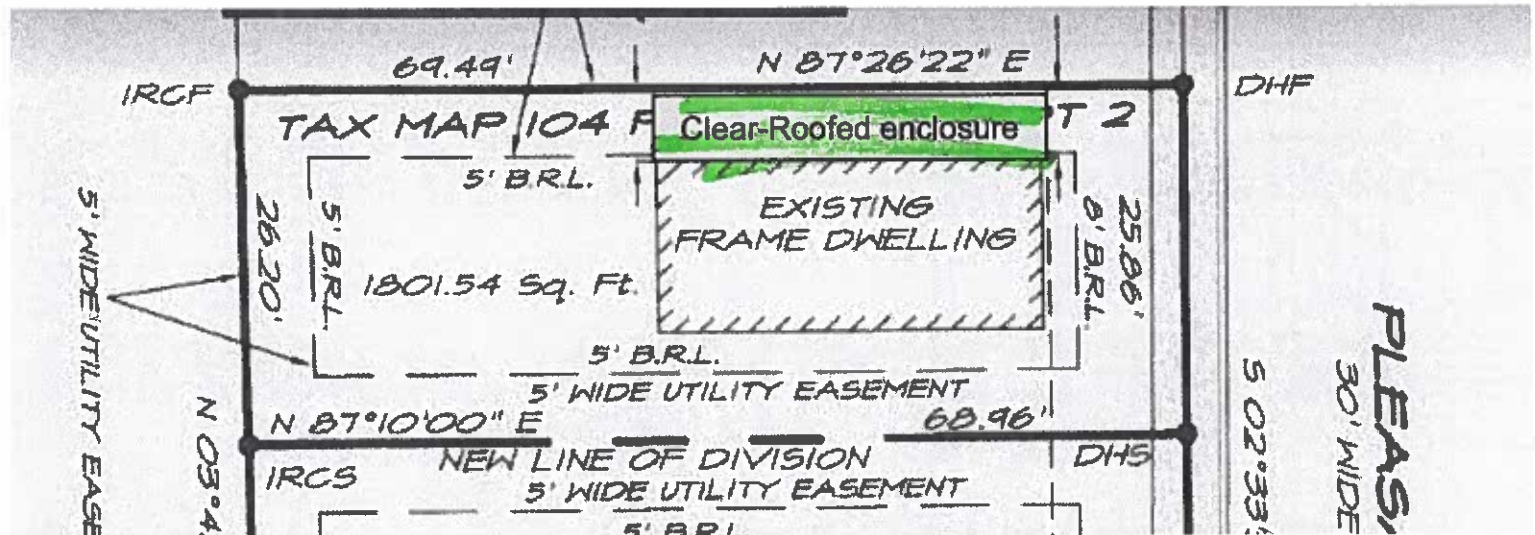
61 Pleasant Aly

- Current Setback = 5'



61 Pleasant Aly

- Variance request = 0'
- Please note: No utility easement present





LEGEND

- = EXISTING CONCRETE SURFACE
- = EXISTING GRAVEL SURFACES
- = EXISTING PAVED SURFACE

OHU = OVER HEAD UTILITIES

B.R.L. = BUILDING RESTRICTION LINE

C.R.S. = CAPPED REBAR SET

C.R.F. = CAPPED REBAR FOUND

SCO = SEWER CLEAN OUT

⊗ = WATER METER

○ = COMPUTED POINT

UNDERGROUND UTILITY WARNING:

NO INVESTIGATION AS TO THE EXISTENCE OF ANY UNDERGROUND UTILITIES WAS CONDUCTED IN THE PREPARATION OF THIS PLAT. IT IS THE RESPONSIBILITY OF THE OWNER, SUCCESSORS, OR ASSIGNS, AND/OR ANY CONTRACTOR TO COMPLY WITH THE UNDERGROUND FACILITIES DAMAGE PREVENTION LAW AND THE REQUISITE PERMITS ARISING THEREFROM.

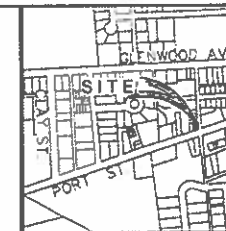
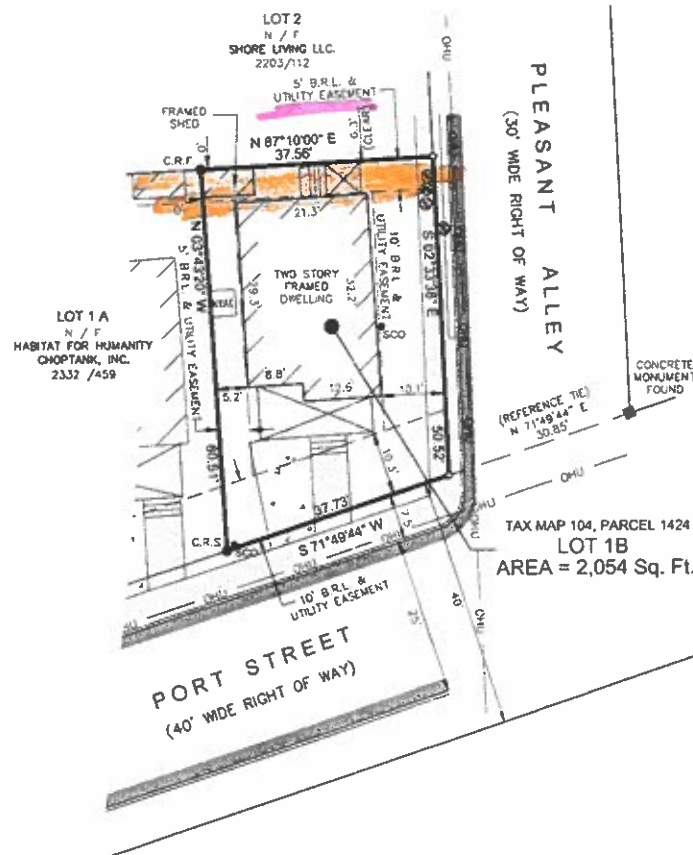
SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION, TO HABITAT FOR HUMANITY CHOPTANK, INC. AND TYKESHA M. JENKINS THAT THE PLAN SHOWN HEREON IS CORRECT, THAT IS A BOUNDARY SURVEY OF THE LAND CONVEYED TO HABITAT FOR HUMANITY CHOPTANK, INC. BY DEED DATED FEBRUARY 18, 2016 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 2332, FOLIO 459. THAT IT IS IN ACCORDANCE WITH THE DEEDS AND/OR PLATS OF RECORD. THIS PLAT HAS BEEN PREPARED BY ME PERSONALLY OR UNDER MY RESPONSIBLE CHARGE AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21326, AND, SUBJECT TO BIENNIAL RENEWAL, MY CURRENT EXPIRATION DATE IS JANUARY 8, 2019, AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09.13.06.03 AND 09.13.06.12 OF THE MINIMUM STANDARDS OF PRACTICE FOR SURVEYORS. MONUMENTS HAVE BEEN SET OR FOUND AS SHOWN.

Steven W. Whitten

STEVEN W. WHITTEN
PROFESSIONAL LAND SURVEYOR MD. NO. 21326

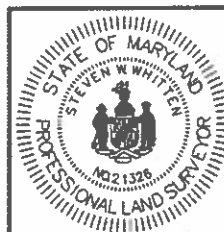
07 / 16 / 2017
DATE



VICINITY MAP
SCALE 1" = 1,000'

GENERAL NOTES:

1. ADDRESS: 201 PORT STREET
EASTON, MARYLAND 21601
TAX MAP 104, CRD 15, PARCEL 1424
TAX ACCOUNT # 01-198825
2. DEED REFERENCE: 2332 / 459
PLAT REFERENCE: 84 / 34
3. ZONING: R-7A / PRO
4. BUILDING SETBACKS (B.R.L.) (BASED ON 2015 TOWN OF EASTON DEPARTMENT OF PLANNING AND ZONING APPROVAL)
FRONT = 10 FEET (UTILITY EASEMENT WIDTH)
SIDE = 5 FEET
REAR = 5 FEET
5. THE PROPERTY SHOWN HEREON IS LOCATED ENTIRELY WITHIN THE COASTAL FLOOD PLAIN ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 24041001B20 FOR TALBOT COUNTY, MARYLAND DATED JULY 20, 2016.
6. THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
7. THE DIMENSIONS OF BUILDINGS, STRUCTURES AND SETBACKS HEREON WERE MEASURED TO THE NEAREST 0.1 FOOT.



BOUNDARY SURVEY OF THE LAND OF HABITAT FOR HUMANITY CHOPTANK, INC.

TAX MAP 104, PARCEL 1424, LOT 1B
IN THE TOWN OF EASTON
TALBOT COUNTY, MARYLAND



FINK, WHITTEN & ASSOCIATES, L.L.C.

LAND SURVEYING LAND PLANNING
ENVIRONMENTAL CONSULTING
PERMITTING

EASTON
410-822-8484
1137 Shoreline Drive
Easton, Maryland 21601

CAMBRIDGE
410-228-8845
New Market Road
Cambridge, Maryland 21613

www.FINKWHITTEN.com

DATE: 7 / 2 / 18

JOB No. T-104-EA-1424

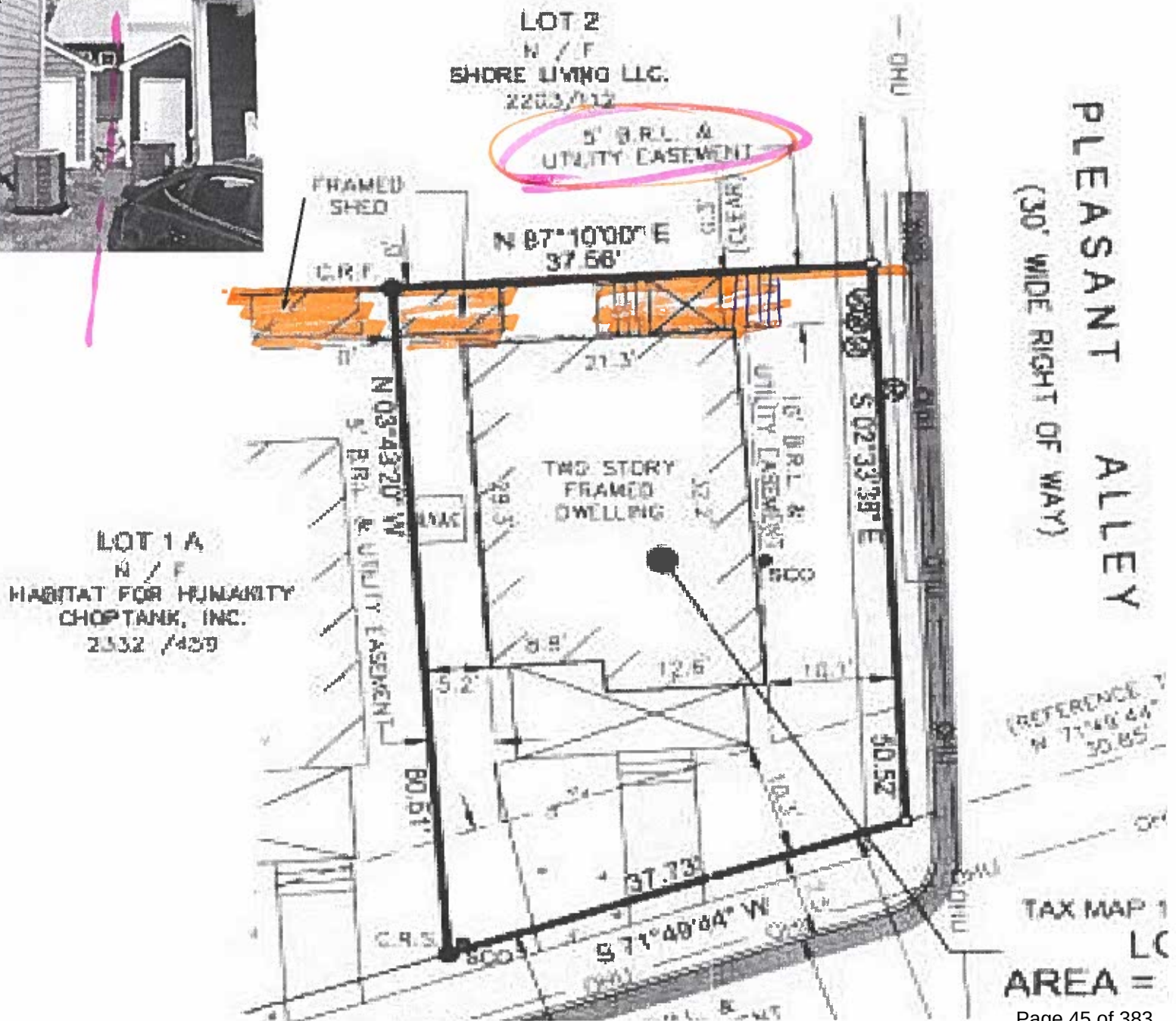
SCALE: 1" = 20'

DRAWN BY: A.R.P.

- **Shed w concrete foundation built onto property line and in utility easement**
- **Setback = 0'**



- **Shed w concrete foundation built onto property line and in utility easement**
- **2x steps built onto property line and in utility easement**
- **Porch w roof built onto property line and in utility easement**
- **Setback = 0'**



201 and 205 Port street

- Current Setback = 0'

Soney flag





TOWN OF EASTON
PLANNING AND ZONING
 14 SOUTH HARRISON STREET, EASTON, MD 21601

Application #:	22-0733
Date Received:	8/5/2022
Fee Paid:	✓
HDC Meeting Date:	8/22/22
Date Property Posted:	

HISTORIC DISTRICT COMMISSION HEARING APPLICATION

APPLICATION TYPE (PLEASE CIRCLE)

☐ ROOFING
 ☐ DEMOLITION
 ☐ SIGNAGE
 ☐ FENCING
 ☒ OTHER
☐ NEW CONSTRUCTION/ADDITION
 ☐ EXTERIOR ALTERATIONS
 FOR TREE REMOVAL(S) - PLEASE USE THE TREE REMOVAL APPLICATION

PROPERTY INFORMATION

ADDRESS: 201 Port Street
☐ Contributing
 ☒ Non-Contributing
 YEAR BUILT: 2017
 NATIONAL REGISTAR # _____

PROPERTY INFORMATION

OWNER NAME: tykisha Jenkins
 TELEPHONE NO.: 667-372-8182
 EMAIL: tykshjenkins@gmail.com

Applicant or Agent

NAME: Wayne SUGGS - Habitat for Humanity Chapter
 TELEPHONE NO.: 443-515-0865
 EMAIL: wsuggs@habitatchapter.org

Description of Proposal (include additional sheets, as necessary)

<u>New steps to match existing.</u>

*built in
Setback
+ in utility
easement
Approved
by TOZ
w/ no
BOZA
review*

Specific Requirements

- The payment of fees is due at the time of application submittal.
 As of July 1, 2021, the fees are as follows:
 Commercial - \$200 Residential - \$75 Signs - \$75 Staff Approval \$25
 - Provide 7 hard copies plus 1 digital copy of the application and all supplemental information.
 - Disclose any easements or deed restrictions pertaining to the property and any improvements including the details of said easements or restrictions.
 - Disclose any tax credits and or grants being considered for the project.
- The Historic District Commission (HDC) reserves the right to request reasonable additional information or design drawings that further clarify proposals. In cases where professional design services are warranted, the HDC may require the applicant to retain a licensed design consultant.
 If the applicant or their designee is not present for the scheduled meeting the Commission may elect to refrain from discussing and voting on the scheduled agenda item.
 Any modifications during review shall warrant an updated application.

I hereby certify that I have reviewed the Easton Historic District Guidelines as published

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent

<u>8/5/22</u>
<u>Wayne SUGGS</u>

Revised 4.4.2022





- LEGEND**
- = EXISTING CONCRETE SURFACE
 - = EXISTING GRAVEL SURFACES
 - = EXISTING PAVED SURFACE
 - = OVER HEAD UTILITIES
 - = B.R.L. - BUILDING RESTRICTION LINE
 - = C.R.S. - CAPPED REBAR SET
 - = C.R.F. - CAPPED REBAR FOUND
 - = S.C.O. - SEWER CLEAN OUT
 - = WATER METER
 - = COMPUTED POINT

UNDERGROUND UTILITY WARNING:

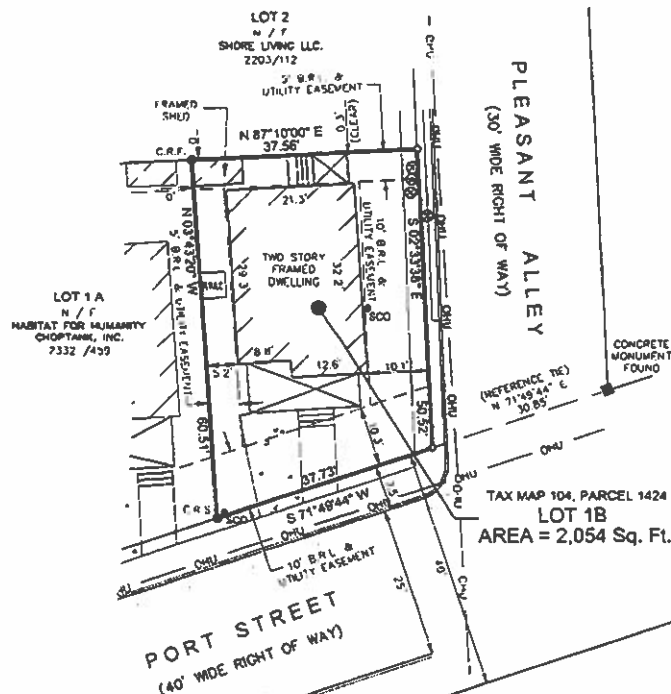
NO INVESTIGATION AS TO THE EXISTENCE OF ANY UNDERGROUND UTILITIES WAS CONDUCTED IN THE PREPARATION OF THIS PLAT. IT IS THE RESPONSIBILITY OF THE OWNER, SUCCESSORS, OR ASSIGNS, AND/OR ANY CONTRACTOR TO COMPLY WITH THE UNDERGROUND FACILITIES DAMAGE PREVENTION LAW AND THE REQUISITE MONITORING ARISING THEREFROM.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION, TO HABITAT FOR HUMANITY CHOPTANK, INC. AND THAMESIA M. JENKINS THAT THE PLAN SHOWN HEREON IS CORRECT, THAT IS A BOUNDARY SURVEY OF THE LAND CONVEYED TO HABITAT FOR HUMANITY CHOPTANK, INC. BY DEED DATED FEBRUARY 18, 2016 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN JGER 2332, FOLD 459. THAT IT IS IN ACCORDANCE WITH THE DEEDS AND/OR PLATS OF RECORD. THIS PLAT HAS BEEN PREPARED BY ME PERSONALLY OR UNDER MY RESPONSIBLE CHARGE AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21326, AND, SUBJECT TO BIENNIAL RENEWAL, MY CURRENT EXPIRATION DATE IS JANUARY 8, 2019, AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09-13.06.03 AND 09-13.06.12 OF THE MINIMUM STANDARDS OF PRACTICE FOR SURVEYORS. MONUMENTS HAVE BEEN SET OR FOUND AS SHOWN.

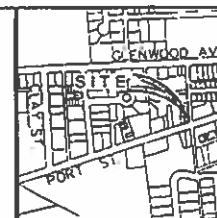
Steven W. Whitten
STEVEN W. WHITTEN
PROFESSIONAL LAND SURVEYOR NO. 21326

07 / 16 / 2017
DATE

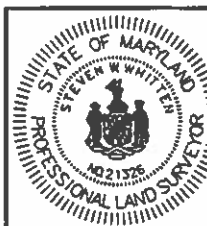


GENERAL NOTES:

1. ADDRESS
201 PORT STREET
EASTON, MARYLAND 21801
TAX MAP 104, GRID 15, PARCEL 1424
TAX ACCOUNT # 01-159825
2. DEED REFERENCE: 2332 / 459
PLAT REFERENCE: 84 / 34
3. ZONING: R-7A / PRD
4. BUILDING SETBACKS (M.R.L.) (BASED ON 2015 TOWN OF EASTON DEPARTMENT OF PLANNING AND ZONING APPROVAL)
FRONT = 10 FEET (UTILITY EASEMENT WIDTH)
SIDE = 5 FEET
REAR = 5 FEET
5. THE PROPERTY SHOWN HEREON IS LOCATED ENTIRELY WITHIN THE COASTAL FLOOD PLAIN ZONE "S" AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 7404-100197D FOR TALBOT COUNTY, MARYLAND DATED JULY 20, 2016.
6. THE PROPERTY SHOWN HEREON IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
7. THE DIMENSIONS OF BUILDINGS, STRUCTURES AND SETBACKS HEREON WERE MEASURED TO THE NEAREST 0.1 FOOT.



VICINITY MAP
SCALE: 1" = 1,000'



**BOUNDARY SURVEY
OF THE LAND OF
HABITAT FOR HUMANITY
CHOPTANK, INC.**

TAX MAP 104, PARCEL 1424, LOT 1B
IN THE TOWN OF EASTON
TALBOT COUNTY, MARYLAND



FINK, WHITTEN & ASSOCIATES, LLC

LAND SURVEYING, LAND PLANNING,
ENVIRONMENTAL CONSULTING
INTERIORS

CLAYTON
410-922-9400
11111 Village Way, Suite 100
Easton, Maryland 21829

CRISTINA
410-922-9400
11111 Village Way, Suite 100
Easton, Maryland 21829

WWW.FINKWHITTEN.COM

DATE: 7 / 2 / 18

JOB No. T-104-EA-1424

SCALE: 1" = 20'

DRAWN BY: A.R.P.



NEW 3 BEDROOM RESIDENCE
201 PORT STREET • EASTON, MD 21601

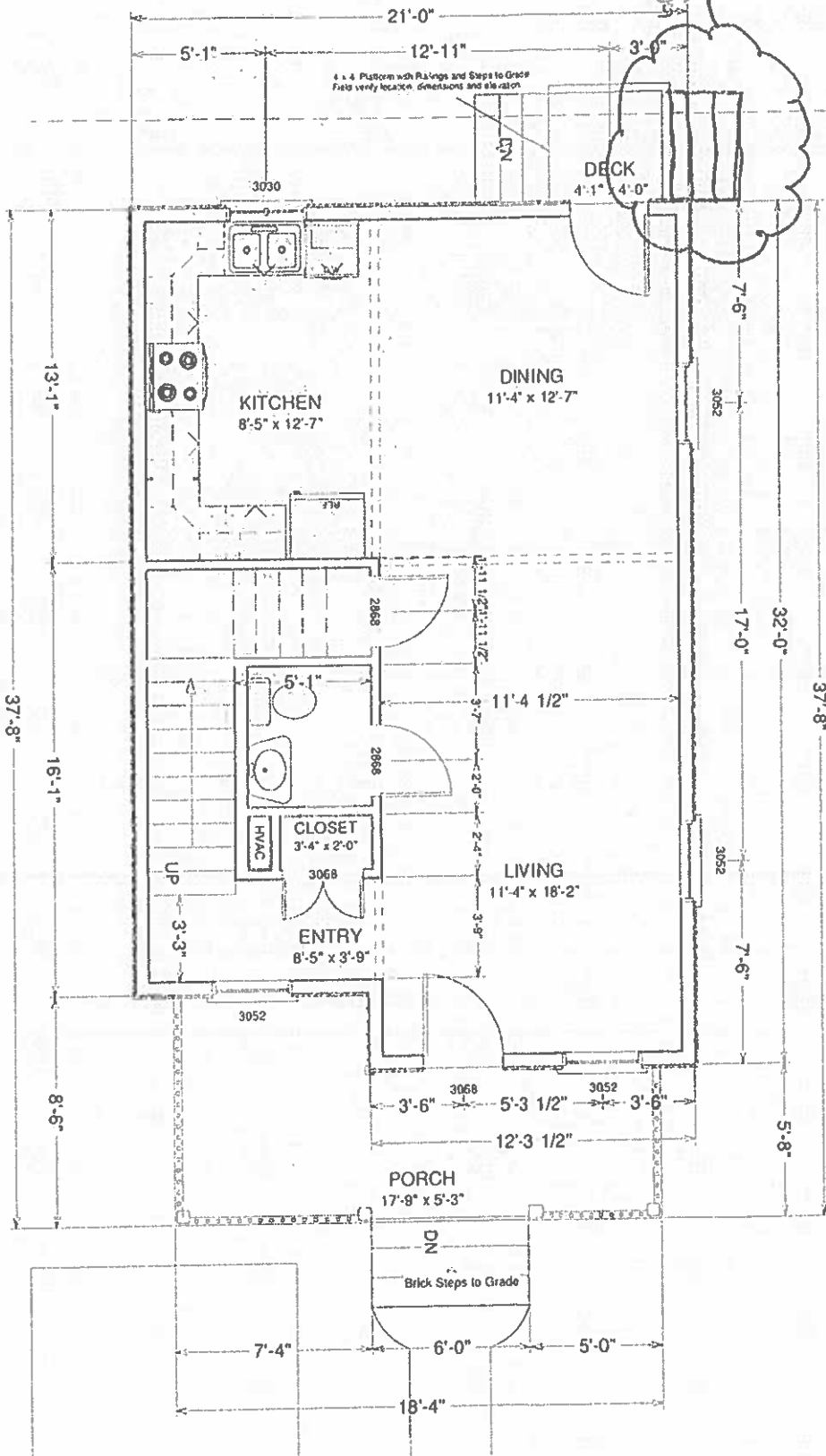
SCALE IS 1/4" = 1'0"
UNLESS OTHERWISE NOTED

DESIGN AND DRAFTING SERVICES DONATED BY:
CHESAPEAKE GREEN BUILDING AND DESIGN, INC.

5/16/2016
A-1

FIRST FLOOR PLAN

SCALE 1/4" = 1'0"



209 Port Street
Property line setback = 0'

203 Port Street
Property line setback = 1.5'



PREPARED WITHOUT TITLE EXAMINATION.
BASED UPON INFORMATION PROVIDED BY
THE PARTIES HERETO.

THIS DEED, made this 16th day of February, 2024, by and between **NEOMA LESLIE SALVAJE (f/k/a Neoma L. Rohman)** ("Grantor"); and **NEOMA LESLIE SALVAJE, Trustee of the Neoma Leslie Salvaje Revocable Trust dated February 16, 2024** ("Grantee").

WHEREAS, Grantor is the owner of all that property situate, lying and being in Talbot County, Maryland, and more particularly described herein (the "Property"); and

WHEREAS, Grantor desires to convey the Property to Grantee as more particularly set forth herein; and

WHEREAS, this conveyance is exempt from all recordation and transfer taxes as it is a transfer to a trust pursuant to Sections 12-108(ee) and 13-207(a)(23) of the Tax Property Article and Section 14.5-1001 of the Estates and Trusts Article of the Annotated Code of Maryland.

NOW, THEREFORE, WITNESSETH, that **FOR NO CONSIDERATION**, Grantor hereby grants and conveys to Grantee, her successors and assigns, in fee simple, all that Property more particularly described as follows:

ALL that lot of ground situated in Easton District, Talbot County, Maryland, and described as follows:

BEING KNOWN AND DESIGNATED as Tax Map 104, Parcel 1424, Lot 2, 1801.54 square feet as shown on a plat titled "FINAL SUBDIVISION PLAT ON THE LAND OF SHORE LIVING LLC IN THE TOWN OF EASTON TALBOT COUNTY, MARYLAND TAX MAP 104 PARCEL 1424," as recorded among the Land Records of Talbot County in Plat Book MAS No. 84, Page 5.

TALBOT COUNTY FINANCE OFFICE
 RECORDATION TAX
 AMT: EXEMPT
 DATE: 2/16/2024
 INITIALS: SPH
 Prop ID: 01-020277

CERTIFICATION IS MADE THAT ALL TAXES
 DUE ON THE PROPERTY INDICATED IN
 THIS DEED HAVE BEEN PAID.
 FINANCE OFFICER OF TALBOT COUNTY
 CLAY B. STAMP, FIN. OFFICER CL

DATE 2/16/2024 CL

BEING the same property conveyed by Shore Living LLC, a Maryland limited liability company to Neoma L. Rohman, as sole owner, by a Deed dated December 16, 2020, and recorded among the Land Records of Talbot County, Maryland in Liber 2806, folio 37.

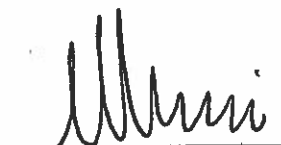
TOGETHER with the buildings and improvements thereon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said property and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of Grantee, her successors and assigns, in fee simple; **SUBJECT, HOWEVER**, to all restrictions and easements of record, if any.

AND Grantor does hereby covenant that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that she will warrant specially the property granted, and that she will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of Grantor as of the day and year first above written.

WITNESS:

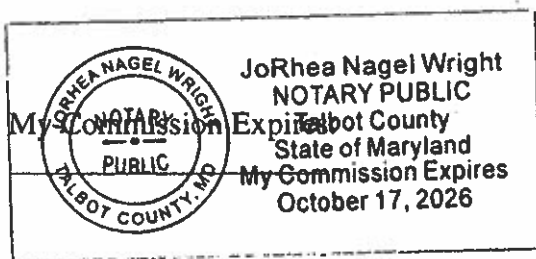



_____(SEAL)
NEOMA LESLIE SALVAJE
(f/k/a Neoma L. Rohman)

STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, that on this 16th day of February, 2024, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared **NEOMA LESLIE SALVAJE (f/k/a Neoma L. Rohman)**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the above Deed and acknowledged that she executed the same for the purposes therein contained and further acknowledged said Deed to be her act and that the actual consideration paid for the foregoing conveyance is **Zero Dollars (\$0.00)**.

WITNESS my hand and Notarial Seal.



JoRhea Nagel Wright
Notary Public

THE UNDERSIGNED, a member in good standing of the Bar of the Court of Appeals of Maryland, hereby certifies that this Deed was prepared by her or under her supervision.

JoRhea Nagel Wright
JoRhea Nagel Wright



Kathleen M. Duvall, Clerk
Circuit Court for Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
410-822-2611 Ext. 4

LR - Deed (No-Taxes)
Recording Fee 20.00
Name: Salvaje/Salvaje
Ref:
LR - Deed (No-Taxes)
Surcharge 40.00
=====

SubTotal:	60.00
=====	
Total:	60.00

02/16/2024 02:14
CC20-MG
#17897056 CC0205 -
Talbot
County/CC02.05.02 -
Register 02

DOCUMENT VALIDATION
(excluded from page count)

TALBOT COUNTY CIRCUIT COURT (Land Records) KMD 3099, p. 0160, MSA_CE91_3038. Date available 02/26/2024. Printed 11/12/2024.

State of Maryland Land Instrument Intake Sheet ☐ Baltimore City ☒ County: Talbot <i>Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.</i> (Type or Print in Black Ink Only—All Copies Must Be Legible)											
1 Type(s) of Instruments		☐ Check Box if addendum Intake Form is Attached. ☒ Deed ☐ Mortgage ☐ Other _____ ☐ Other _____ ☐ Deed of Trust ☐ Lease ☐ _____ ☐ _____									
2 Conveyance Type Check Box		☐ Improved Sale Arms-Length [1] ☐ Unimproved Sale Arms-Length [2] ☐ Multiple Accounts Arms-Length [3] ☒ Not an Arms-Length Sale [9]									
3 Tax Exemptions (if applicable)		Recordation: 12-108(ee) State Transfer: 13-207(e)(23) County Transfer: 14.5-1001									
4 Consideration and Tax Calculations		Consideration Amount Purchase Price/Consideration: \$ 0.00 Any New Mortgage: \$ Balance of Existing Mortgage: \$ Other: \$ Other: \$ Full Cash Value: \$				Finance Office Use Only Transfer and Recordation Tax Consideration Transfer Tax Consideration: \$ X () % = \$ Less Exemption Amount: \$ Total Transfer Tax: \$ Recordation Tax Consideration: \$ X () per \$500 = \$ TOTAL DUE: \$					
5 Fees		Amount of Fees		Doc. 1		Doc. 2		Agent:			
		Recording Charge		\$ 20.00		\$		Tax Bill:			
		Surcharge		\$ 40.00		\$		C.B. Credit:			
		State Recordation Tax		\$		\$		Ag. Tax/Other:			
		State Transfer Tax		\$		\$					
		County Transfer Tax		\$		\$					
		Other		\$		\$					
		Other		\$		\$					
6 Description of Property		District: 01		Property Tax ID No. (1): 020277		Grantor Liber/Folio: 2806/37		Map: 104			
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).		Subdivision Name		Lot (3a): 2		Block (3b):		Sect/AR (3c):			
		Parcel No.: 1424		Plat Ref.: 84/5		SqFt/Acreage (4): 1,801.54 sf		Var. LOG: (5)			
		Location/Address of Property Being Conveyed (2): 61 Pleasant Aly, Easton, MD 21601									
		Other Property Identifiers (if applicable):									
		Water Meter Account No.:									
		Residential ☒ or Non-Residential ☐		Fee Simple ☒ or Ground Rent ☐ Amount:							
		Partial Conveyance? ☐ Yes ☒ No		Description/Amt. of SqFt/Acreage Transferred:							
		If Partial Conveyance, List Improvements Conveyed:									
7 Transferred From		Doc. 1 – Grantor(s) Name(s): Neoma Leslie Salvaje (f/k/a Neoma L. Rohman)				Doc. 2 – Grantor(s) Name(s):					
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s):				Doc. 2 – Owner(s) of Record, if Different from Grantor(s):					
8 Transferred To		Doc. 1 – Grantee(s) Name(s): Neoma Leslie Salvaje, Trustee of the Neoma Leslie Salvaje Revocable Trust dated February 16, 2024				Doc. 2 – Grantee(s) Name(s):					
		New Owner's (Grantee) Mailing Address: 61 Pleasant Aly, Easton, MD 21601									
9 Other Names to Be Indexed		Doc. 1 – Additional Names to be Indexed (Optional):				Doc. 2 – Additional Names to be Indexed (Optional):					
10 Contact/Mail Information		Instrument Submitted By or Contact Person						☒ Return to Contact Person ☐ Hold for Pickup ☐ Return Address Provided			
		Name: JoRhea Nagel Wright									
		Firm: Armistead, Lee, Rust & Wright, P.A.									
		Address: 114 Bay Street, Building C, Easton, Maryland 21601									
		Phone: (410) 819-8989									
11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER		Assessment Information: ☒ Yes ☐ No Will the property being conveyed be the grantee's principal residence? ☐ Yes ☒ No Does transfer include personal property? If yes, identify: _____ ☐ Yes ☒ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).									
Space Reserved for County Validation		Assessment Use Only – Do Not Write Below This Line									
		Terminal Verification		Agricultural Verification		Whole		Part		Tran. Process Verification	
		Transfer Number		Date Received:		Deed Reference:		Assigned Property No.:			
		Year	20	20	Geo.	Map	Sub	Block			
		Land			Zoning	Grid	Plat	Lot			
		Buildings			Use	Parcel	Section	Occ. Cd.			
		Total			Town Cd.	Ex. St.	Ex. Cd.				
		REMARKS:									

Distribution: White – Clerk's Office
Pink – Office of FinanceCanary – SDAT
Goldendrod – Preparer

AOC-CC-300 (5/2007)



RECEIPT

TOWN OF EASTON

Planning & Zoning Department

P.O. BOX 520

Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1345	12/2/2024
PROJECT ID	Receipt #
V 24 - 14	6745

TO:

Neoma Salvaje

61 Pleasant Alley

Easton, Maryland 21601

RE: Application 2024 - 1345 / V 24 - 14

61 Pleasant Alley

Tax Map 0104, Grid 00EA, Parcel 1424, Lot 2

Easton, Maryland 21601

Date	Description	Transaction	Amount
11/19/2024	BOZA VARIANCE	MO MONEY ORDER 9588035590	200.00
11/22/2024	BOZA VARIANCE	CASH	50.00
			-
			-
			-
			-
			-
			-
			-
			-
Thank you!			TOTAL
			\$250.00

Paid in full. Thank you!

If you have any questions about this receipt, please contact
Samantha N. Smith, Administrative Specialist (410) 822-1943, ssmith@eastonmd.gov





TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

December 2, 2024

Ms. Neoma Salvaje
61 Pleasant Alley
Easton, Maryland 21601

Re: BOZA Application V - 1345 / V 24 - 14
61 Pleasant Alley
Tax Map 0104, Grid 00EA, Parcel 1424, Lot 2
Easton, Maryland 21601

Ms. Salvaje,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, December 17th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing. If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov





TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

December 02, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, December 17, 2024 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application V - 1345 / V 24 - 14 has been filed by Neoma Salvaje, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Variance from Section 28-302.2.C.3, the minimum 8' side setback for all uses and structures in the R-7A – Residential Zoning District. The Applicant is seeking approval to construct an arbor and a structure described as a shed within the established five (5) foot side setbacks as recorded on a subdivision plat dated January 7, 2016. The property is located at 61 Pleasant Alley, Easton, Maryland, also known as Tax Map 0104, Grid 00EA, Parcel 1424, Lot 2 and is situated in the R-7A – Residential zoning district and the Planned Redevelopment Overlay District.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov



***Subject property posting pursuant to Section
28-901.2.H.2 of the Town of Easton Zoning Code -
December 2, 2024.***

NOTICE

Notice is hereby given that Application V - 1345 / V 24 - 14 has been filed by Neoma Salvaje, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Variance from Section 28-302.2.C.3, the minimum 8' side setback for all uses and structures in the R-7A – Residential Zoning District. The Applicant is seeking approval to construct an arbor and a structure described as a shed within the established five (5) foot side setbacks as recorded on a subdivision plat dated January 7, 2016. The property is located at 61 Pleasant Alley, Easton, Maryland, also known as Tax Map 0104, Grid 00EA, Parcel 1424, Lot 2 and is situated in the R-7A – Residential zoning district and the Planned Redevelopment Overlay District.

A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, December 17, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

TOWN OF EASTON BOARD OF ZONING APPEALS

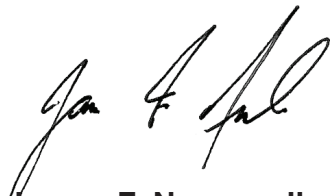
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application V - 1345 / V 24 - 14..." was published in the:

The Star Democrat 11/30/24



James F. Normandin
President & Publisher

NOTICE

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TOWN OF EASTON BOARD OF ZONING APPEALS
3068599 SD 11/30/2024

Citizen Response to Exhibit A Inaccuracies/Misrepresentations

Summary:

The rebuttal presented by Easton Utilities Commission (EUC) and the Town of Easton (TOE) contains numerous inaccuracies and misrepresentations. Specifically:

1. EUC's claim that no structures are permitted in utility easements is demonstrably false. There is clear precedent, including recent approvals at neighboring properties (e.g., 201 and 205 Port Street).
2. Allegations of fire hazards and drainage issues are unsubstantiated and inconsistent when compared to neighboring properties with similar or more egregious violations.
3. Claims of non-compliance or inaction on my part overlook my documented attempts to resolve these issues and clarify the regulatory pathway.
4. Assertions that these structures do not create practical difficulties are inaccurate; the restrictions impose significant limitations on property usability.

Rebuttal:

Below is a point-by-point response addressing the inaccuracies and inconsistencies in the Exhibit A document.

Please see "Specific point-by-point rebuttal of Attachment A with references" for references to specific document locations.

Page 1:

- EUC recommends rejection, stating that "permanent structures are not permitted in easements." This is demonstrably false. EUC has allowed permanent structures within easements at multiple properties, including at least four instances at 201 and 205 Port Street, including as recently as 2022.

Page 3:

- "Existing conditions: EUC has indicated they have utilities located within both side yards." This is partly true but misleading. The north yard contains overhead electric and cable lines that are not obstructed by the roof. The south yard contains underground water servicing 61 Pleasant Alley, which remains fully accessible despite the roof structure.

Page 4:

- "On January 5, 2024, a notice was issued..." False. The structures in question were not built until February 2024.
- "...as well as a fence enclosing the rear yard." False. There has never been a fence enclosing the rear yard.

Page 5:

- “After the applicant failed to take corrective action...” False. I engaged in immediate and active discussions with the town to clarify the issues, which were presented in a confusing and contradictory manner, making resolution impossible without further guidance—guidance that TOE repeatedly refused to provide.
- “The issuance of three citations and scheduling of a court date...” False. The first citation was issued on August 15, 2024, demanding payment by August 22. A court date was set only for two subsequent citations issued on September 18 and 19, 2024.
- “On May 2, for the purposes of an appeal...no appeal was filed within 30 days.” No appeal was filed because I could not obtain information relevant for my application, specifically: how 201 and 205 Port Street’s four utility/setback violations were approved by BOZA, so I could follow that path. Despite four requests for this information, TOE did not provide it until I filed a Public Information Act (MPIA) request. The information disclosed revealed that TOE allowed/approved these violations without requiring Board of Zoning Appeals (BOZA) review.

Relevant Precedent:

- 201 Port Street:
 - 5/17/2016: BOZA hearing for density variance. No mention of utility/setback violations for shed, porch, steps built up/onto the property line.
 - 6/16/2016: Original building permit approved w structures in setback and utility easement.
 - 9/13/2022: Comments noted by EUC re utility easement but allowed structures to remain.
 - 7/10/2024: Additional steps built within the utility easement—approved by TOE w no referral to BOZA
- 205 Port street
 - 5/17/2016: BOZA hearing for density variance. No mention of utility/setback violations and or that structure was to be built to within 2 feet of the adjacent property at 209 Port.
 - 6/16/2016: Original building permit approved w structure (shed on foundation) in setback and utility easement.

Page 6:

- “Outstanding issues: canopy on the southern side...” False. The southern canopy was reduced to a “window awning” following a mutually agreed compromise during a meeting with the mayor on July 29, 2024.
- “The roofing material still protrudes...” False. The roofing material was cut back out of the five-foot setback/easement.

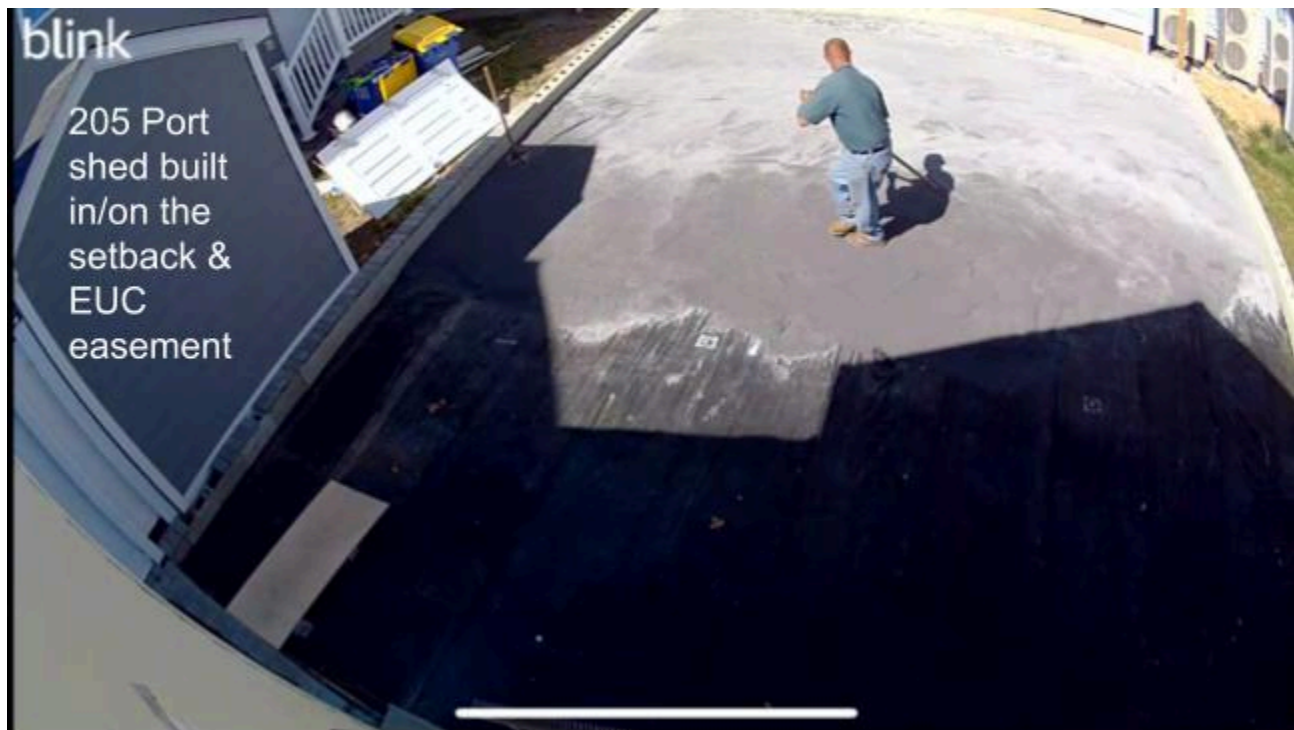
- “Both structures protrude into active utility easements...” 1) False, one is cut back out of the area entirely. 2) Misleading. The structures do not interfere with utility access, unlike neighboring properties’ with three structures built on concrete footers that directly obstruct access.

Drainage and Fire Hazard Claims:

- “Inadequate drainage...” False. My roof gutters direct water underground to a dry sink. In contrast, neighboring properties (201, 205 Port Street, 55 Pleasant) have gutter downspouts that drain overland runoff onto my property.
- “Fire safety...” If my structure is deemed a fire hazard, then 201 and 205 Port Street’s sheds, steps, roof, and porch—should be removed. Additionally, 205 Port Street is built within two feet of 209 Port Street, which houses a new daycare center, posing a far greater risk.

Page 7:

- “Restricting these structures...does not impose practical difficulty...” False. The Town’s suggestion of instead placing a shed in the “allowed” area (of 18’ x 25’ w setbacks) would render my backyard unusable. Severely limiting functionality - see pic below to get a sense of how SMALL the yard is



- “These conditions are a direct result of actions taken by the applicant...” Misleading. When I built the structures I was not trying to “sneak” anything by - I had a series of losses/personal emergencies and I built the structures as a form of therapy. When confronted by the Town; I immediately (within 24 hours) began working to resolve compliance issues. This process has involved nearly a year of effort,

hundreds of emails, multiple meetings, and significant time investment to clarify and address the issues.

Conclusion:

EUC's and TOE's "denial" positions rely on selective enforcement and inconsistent application of rules, as evidenced by neighboring properties with comparable or more severe violations. I have acted in good faith to resolve these issues but have been obstructed by a lack of transparency and inconsistent messaging from TOE. I respectfully request the Board to consider the documented precedents and the corrective actions already taken on my part to address compliance concerns and to please allow me to keep my north "roof".

Thank you.



FYI Page numbers refer to digital page in Ex A.

p.1.

- Easton utilities recommends "rejected" because "permanent structures are not permitted in easements. **Except that EUC does/has allowed them recently, and in five instances at 201 and 205 Port Street¹;**

p. 3

- Existing conditions.EUC has indicated they have utilities located within both side yards **-Partly true: north yard has overhead electric and cable only which are not blocked by this roof, south yard has underground water for 61 Pleasant Aly only and it's still easily accessible;**

p. 4

- On Jan 5, 2024 TOE issued a notice.... **FALSE this wasn't built until February.**
- "as well as a fence enclosing the rear yard were constructed"... **There neither IS nor has there ever been a fence enclosing the rear yard;**

p.5

- "...after the applicant failed to take corrective action..." **False - I was in active conversation with the town ATTEMPTING to clarify the issues², which were presented comprehensively therefore impossible to resolve without further clarification, which the town refused to provide, despite repeated attempts.**
- "...the issuance of three citations and scheduling of a court date..." **False, the first citation wasn't issued until 8/15/24 by Nick Ewing³ demanding payment by 8/22**
- "...the issuance of three citations and scheduling of a court date ... **FALSE, no court date was ever set for the first citation. A court date was only set for the two he sent on 9/18/24 and 9/19/24⁴**
- "On May 2 for the purposes of an appeal...no appeal was filed w/in 30 days..." **No appeal to BOZA was filed at that time because I was unable to ascertain which of the three tracks 201 and 205 Port street took to get their FOUR utility/setback violations approved, and would therefore be the most appropriate for me to pursue as well. I asked for that information on four separate occasions⁵ and never received a response, yet a gleeful "your time is up" letter arrived the day that period was expired⁶. I was later able to ascertain how 201/205 Port were able to get their**

¹ See Exh B p. 7 and 8

² See timeline, see emails

³ See Citation 1 attachment

⁴ See 2x citations

⁵ See email chain

⁶ See letter from TOE

porch, roof, 2 sets of steps, and 2 sheds ON FOUNDATIONS thru BOZA by filing a PIA request and finally received the information in 24 hours (thanks to Kathy). THE TOWN NEVER REQUIRED THEM TO GO TO BOZA, and it appears TOE approved the permits, approved on multiple occasions WITHOUT NOTICING THE UTILITY EASEMENT/SETBACK VIOLATIONS BEING APPROVED BY BOZA.

- 5/17/2016 - BOZA hearing for 201 Port Case #V-738-201 Port St. about the density variance but no mention of the utility/setback issue. Approved by 3-0 vote.⁷
- 6/16/16, original building permit approval⁸
- 9/13/22, Plan review comments “note there is an established Utility Easement...”⁹
- 9/15/22 - TOE approves steps in easement “as the new steps are located in the easton utilities easement, they require the new steps to be easily removable if access to the easement is required”¹⁰
- 8/5/22 - historic dist. Commission hearing application¹¹
- 8/22/22 - more conversation about the stairs in the easement¹²
- 7/10/24 - plan review of 201 Port to build an additional set of steps in the utility easement/setback. - approved and steps built¹³
- Outstanding issues> canopy on southern side...still in violation - **FALSE I cut this back to a “window awning” (a classification I discovered after consulting with my brother, a building inspector) after my meeting with the Mayor on 7/29 as this was considered a mutually agreeable compromise.**
- “Supporting roof has been cut back” ...here he refutes what he said in the prior paragraph

p. 6

- “However the roofing material still protrudes... **FALSE it has been cut back OUT OF the 5’ setback.**
- “This roofing material runs from the side of the structure to a fence” **FALSE it was cut back, which he acknowledged in the prior sentence.**
- “Both structures protrude into active utility easements containing infrastructure ... EUC says they will not permit... **except they HAVE allowed it, repeatedly. Additionally, my “awnings” DO NOT interfere with the utility being able to access anything in the ground as there is no contact with the ground or obstruction to access whereas my neighbors violations are on concrete footers.**
- “Allowing this may result in negative effects to neighboring properties thru inadequate drainage...**FALSE, the roof has a gutter which undergrounds to a dry sink in my backyard. Meanwhile 201 and 205 Port’s gutters drain OVERLAND onto my property.**

⁷ See May 17,2016

⁸ See 2016-06-16 Plan review 16-11786 and “permit file”

⁹ See 2022-17426 review comments

¹⁰ See 22-17426 plan review steps

¹¹ See 201 Port St HDC application - steps

¹² See HDC COA 201 Port St

¹³ See 22-17426 Inspection Sheet

- “...fire hazard”... **If my structure is a fire hazard - I formally request to have the 201 and 205 Port street sheds, steps, roof, porch torn down to avoid the same danger to my property.**
- “Negatively impacting the aesthetics of the area” **OF PORT STREET?!** Also: It looks great and is in **aesthetic alignment with the improved properties on Port Stand Pleasant Alley.**



- “The structures slope from the primary to both side property lines potentially causing rain water runoff”... **FALSE, the southern structure is cut back 5’ FROM the property line and the north structure has a roof has a gutter which undergrounds to a dry sink in my backyard. Meanwhile 201 and 205 Port’s gutters drain OVERLAND onto my property.**
- “Fire safety”..... **If my structure is a fire hazard - I formally request to have the 201 and 205 Port street sheds, steps, roof, porch torn down to avoid the same danger to my property. Additionally, the town has allowed 205 Port to be built WITHIN TWO feet of the 209 Port building WHICH HOUSES A DAYCARE!!!**

p.7

- “Restricting these structures from extending beyond setback...does not impose any practical difficulty”... **FALSE. It creates TREMENDOUS practical difficulty as it would render my backyard unusable. The town would prefer I build a shed essentially in the center (to avoid the setbacks) of my tiny 28’x30’ backyard making it entirely unusable.**
- “These conditions are a direct result of actions taken by the applicant..creates a self-imposed hardship”... **Yes I built it but I IMMEDIATELY (within 24 hours) of notice from the town, started working to resolve it/make it right. It’s been nearly a year, hundreds of emails, multiple meetings, and 100+ hours of my time to parse the ACTUAL issues. There were seven issues, we’re now down to 2 (north roof, north fence) or 3 (according to Nick but news to me (he’s added the south roof issues back in)).**

Remaining attachments

- **P. 11 Please note the inconsistencies. Page 27/28 - Nick says to “remove the north fence”, yet he had approved it previously: see p. 11 “on March 6 you submitted a permit...THAT WAS APPROVED”**
- **FYI The town has cherry picked a few emails from a thread of hundreds, specifically omitting my repeated requests for clarification, help navigating the BOZA process, proffering solutions, etc.
- please see my attached email thread for documentation of multiple requests for clarification.**



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
for 23 TALBOT LANE
V - 1332 / V 24 - 12
2024-12-17

Applicant notified of hearing date: Email: 2024-12-02 – 15 days

Exhibit A: Staff Review

Planning and Zoning Report: 2024-10-10 – 7 days

Exhibit B: Application

Application: 2024-10-29 – 49 days
Variance Application
Written Variance Request and Findings of Fact
September 2024 Site Plan
Deed

Proof of Payment: N/A

Exhibit C: Notices

Applicant Hearing Letter: 2024-12-02 – 15 days

400' Notices Distributed: 2024-12-02 – 15 days

Picture of Property Sign Posting: 2024-12-02 – 15 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-11-22 – 25 days

Advertisement run in Star Democrat: 2024-11-30 – 17 days

Star Democrat Proof

Certificate of Publication

Date of Hearing: December 17, 2024

3b

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: **VARIANCE 1332**

ELECTION WARD: Ward 4

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson, AICP Candidate – Town Planner
Miguel Salinas - Director of Planning and Zoning

APPLICANT: Paul Moffett on behalf of Easton Utilities

PURPOSE: The applicant is seeking a variance from §28-1006.D.1 to construct a fence exceeding the maximum permitted height of four (4) feet within a front yard. The proposed fence is eight (8) feet in height and will be used to secure a newly installed gas regulator.

RECOMMENDATION:
Staff supports a Board **approval** of this variance request as submitted.

APPLICATION INFORMATION:	
APPLICANTS: Easton Utilities	REPRESENTATIVE: Paul Moffett 201 N Washington Street Easton MD, 21601
PARCELS/ACREAGE:	
Parcel Information	Acres
Map 104, Parcel 1536	0.32

ACCEPTANCE DATE: October 29, 2024	LOCATION: 23 Talbot Lane
EXISTING ZONING CB	EXISTING LAND USE: Public Parking
HISTORIC DISTRICT: Yes	FUTURE LAND USE: Commercial

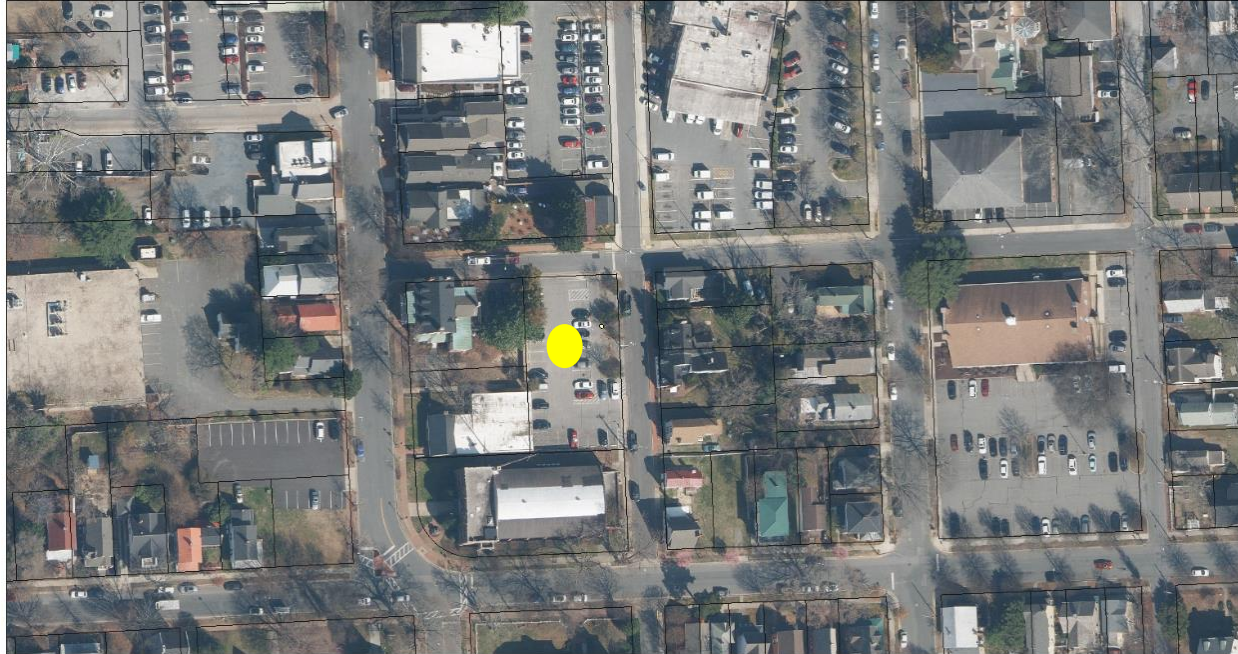
CONTEXT:

Location/Site Access – The subject property is a 14,130 square foot property located at the corner of Talbot Lane and South Lane and is zoned CB. The property is bordered to the west and south by existing commercial properties also zoned CB. Vehicular access to the property is provided by curb cuts on both Talbot Lane and South Lane

Existing Conditions – The subject property is currently used as a public parking lot and contains 35 free spaces, 2 of which are marked as ADA accessible. There is an existing stormwater management feature located along the eastern edge of the parking lot that consists of landscaping and a stone swale. The newly installed gas regulator is located within this stormwater management feature.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
West	Commercial	CB	Commercial
East	Residential	R7A	Commercial
South	Institutional	CB	Commercial



11/25/2024, 11:34:28 AM

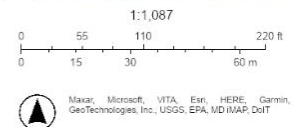


Figure 1 Vicinity Map

PROPOSAL: The applicant is seeking a variance for the construction of an eight (8) feet tall wooden fence, located in what is best described as a front yard. §28-1006.D of the Zoning Ordinance only permits fences exceeding four (4) feet in height to be constructed in rear and side yards.

POLICY ANALYSIS (VARIANCE):

- a. **Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;**

Analysis – The proposed fence provides required security for a vital public facility. A four (4) foot tall fence as permitted by the Zoning Ordinance, would not satisfy the federal requirements for securing natural gas equipment. The fence will be located in an existing landscaped area which will aid in softening the visual impact of the new fencing. The proposed fencing has been presented to the Historic District Commission and received positive feedback.

- b. **Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.**

Analysis – Because there is no primary structure on this lot and there is frontage on both Talbot Lane and South Lane, the entire lot is considered a front yard. This makes the installation of any fencing exceeding four (4) feet in height impossible without obtaining a variance. Easton Utilities has indicated that this site is an ideal location for the installation of the gas regulator because of the location of existing utilities and the fact that the property is owned by the Town of Easton. A literal enforcement of the Zoning Ordinance would mean that Easton Utilities would not be able to conform with federal law regarding securing natural gas equipment.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve Variance 1332 as submitted** based on staff's draft findings.

OR

2. I move that the Board of Zoning Appeals approve Variance 1310 based on the following findings...

OR

3. I move an alternate motion.



TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

RECEIVED
OCT 29 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	23 Talbot Lane				
TAX MAP	104	GRID	00EA	PARCEL	1536
DEED REFERENCE	LIBER	1866	FOLIO	0037	LOT
PLAT REFERENCE	LIBER	MAS 2	FOLIO	32CC	
EXISTING USE	Parking Lot				
ZONING DISTRICT	CB				

HISTORIC DISTRICT Y ☒ N ☐ Planned Redevelopment District Y ☐ N ☒

OWNER

NAME	Town of Easton		
MAILING ADDRESS	14 S. Harrison St., Easton, MD 21601		
TELEPHONE NO.	410-822-2525	EMAIL	pmoffett@eucmail.com

APPLICANT OR AGENT

NAME	Paul Moffett		
MAILING ADDRESS	201 N. Washington St., Easton, MD 21601		
TELEPHONE NO.	410-829-7766	EMAIL	pmoffett@eucmail.com

Surveyor / Engineer

NAME	Paul Moffett		
License	26582		
Number and	07-18-2025		
Experation			
MAILING ADDRESS	201 N. Washington St., Easton, MD 21601		
TELEPHONE NO.	410-829-7766	EMAIL	pmoffett@eucmail.com

REQUEST DETAILS

SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☒

ZONING ORDINANCE SECTION 28-1006, paragraph D

☒ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

A NY MODIFICATIONS DURING REVIEW SHALL WARRANT AN UPDATED APPLICATION.

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM THAT THE INFORMATION PROVIDED BY THIS APPLICATION AND THE DOCUMENTS ATTACHED HERETO ACCURATELY REPRESENT THE CONDITIONS OF THE REQUEST AND THAT SUBMISSION OF AN INCOMPLETE APPLICATION WILL BE RETURNED FOR CORRECTION PRIOR TO PROCESSING .

SIGNATURE OF APPLICANT OR AGENT	<i>Paul L. Moffett</i>	
Date	10/29/24	
PRINTED NAME OF APPLICANT OR AGENT	Paul L. Moffett	

For Office Use Only

Project Number	V 24-12	Fee Received	-
Application Number	V-1332	Application Notification	12/02/2024
Filing Date	10/29/2024	Property Posting Date	12/02/2024
BOZA Hearing Date	12/17/2024	Notice(s) Published	11/30/2024
If ESDR, Date	-		

Revised 11-2023



Board of Zoning Appeals Checklist Variance Application

Application review shall not commence unless a complete application is submitted. A complete application includes all **minimum** submission materials and documents on this Checklist of Minimum Submission Requirements.

	Provided	N/A
Required fee payment as determined by the fee schedule adopted by the Town Council	X	
Completed application along with a written, detailed explanation for the purpose of the request	X	
Survey plat, site plan, or other accurate drawings, drawn to scale, to include at a minimum the items listed below.	X	
Property boundaries and dimensions	X	
Locations and dimensions of all existing and proposed structures and their locations measured from the nearest property lines	X	
Setbacks from property lines	X	
Adjoining roads	X	
Accurate illustration of the requested variance	X	
Scale Bar	X	
Established easements		X
Perennial and intermittent streams		X
Tidal and non-tidal wetlands		X
Critical Area and 100-foot shoreline buffer boundary		X
Architectural drawings, photographs, elevations, specifications, or other detailed information depicting the exterior appearance of existing and proposed construction, including parking, access, exterior lighting, and signs	X	

If the applicant is not the owner of the subject property, documentation of legal interest in the property or authorization to file application from or on behalf of the owner		X
A copy of the deed conveying present ownership of the property	X	
A copy of any covenants or restrictions on the property recorded among the Land Records of Talbot County		X
Additional documents, records, and exhibits that the applicant intends to introduce or rely upon at the public hearing	X	
Written responses to all the Board's required consideration of the principles relevant to the request (see attached)		

Variance Findings of Fact

1. Would the granting of the Variance you have requested impede or in any way be detrimental to satisfying any of the following objectives of the Zoning Ordinance:
 - help accomplish the coordinated, adjusted, and harmonious development of the Town and its environs in accordance with present and future needs;
 - promote health, safety, morals, order, convenience, prosperity, and general welfare; including among other things, adequate provisions for traffic, the promotion of public safety, adequate provision for light and air, conservation of natural resources, the prevention of environmental pollution, and the promotion of the healthful and convenient distribution of population;
 - encourage and, where necessary, require land use development and uses which exemplify good civic design and arrangement and the stewardship of the Chesapeake Bay and the land as a universal ethic;
 - encourage the conservation of resources, including a reduction in resource consumption;
 - locate development in locations suitable for it given existing and reasonably foreseeable development; and
 - encourage appropriate and sustainable economic growth.
2. Describe how the proposed variance will be in harmony with the Town's Zoning Ordinance, Comprehensive Plan, and any applicable small area plans.

3. Describe how the proposed variance will not be harmful to the neighborhood or endanger public safety, health, or welfare.
4. What conditions are peculiar to the property? (ie, an unusual or extraordinary circumstance regarding your property that warrants a variance being granted.)
5. Did you (the applicant) take any action that resulted in the need for a variance to be granted?
6. Please describe how a literal enforcement of the Ordinance you are requesting a variance from as written would place a practical hardship or difficulty upon you.



EASTON UTILITIES

Life. Made better.™

Talbot Lane Gas Regulator Station Fence Height Variance Application

October 29, 2024

Easton Utilities is constructing a natural gas regulator station in the landscape area/rain garden of the Town-Owned parking lot at 23 Talbot Lane. The station, approximately 16 feet x 20 feet in size, will be centered between the two southerly trees, preserving the existing shade trees. As required by federal regulation, the station will be surrounded by a wood security fence that is 8 feet high, with gates for maintenance access. The proposed fence outline was painted at the landscape area, see Figure 1. **A variance is requested to construct a fence that is 8 feet in height on all sides, in lieu of the 4 feet in height allowed in front yards in section 1006, paragraph D.1 of the Zoning Code.** This additional height is necessary to provide adequate physical security for the gas regulator station's above-ground natural gas piping and valves.

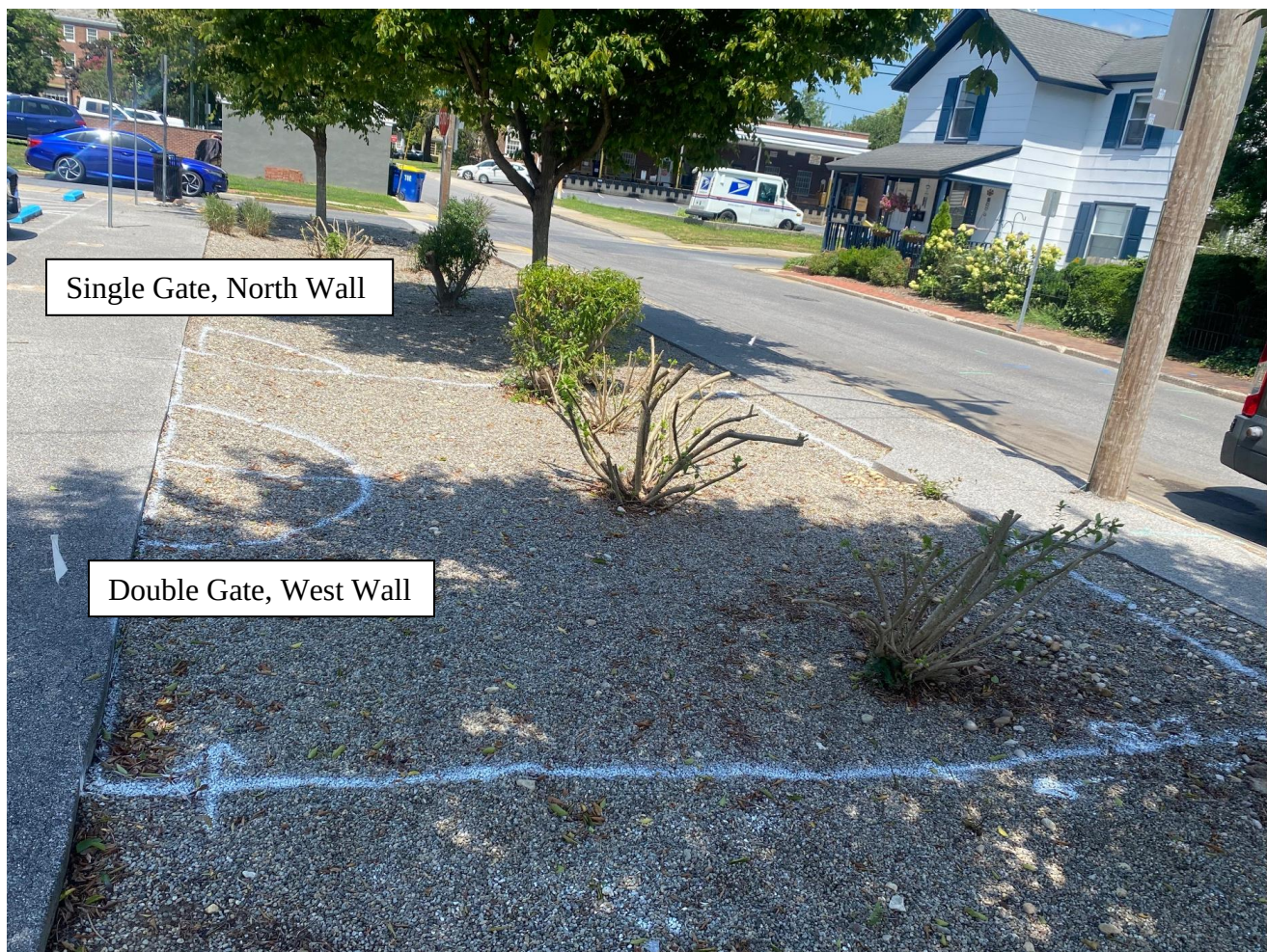


Figure 1: Overall Layout of Fence.



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The federal code for natural gas equipment (49 CFR 192.1007) and Easton Utilities' Natural Gas Distribution Integrity Management Plan require a security fence. The proposed security fence will have access gates at the locations shown in Figure 1, one of them is larger (8 feet wide) for maintenance access, the smaller gate (4 feet wide) is a secondary/emergency egress required when the station is occupied. To be consistent with Easton's Historic District Design Guidelines, it is proposed that the security fence be a wooden fence with a cap board, see Figure 2. The proposed fence height of 8 feet provides both physical security, and visual screening of the above-ground natural gas equipment that is nearly 8 feet tall. The fence posts will be inside the fence, such that Figure 2 is a representation of the view from outside the fence.



Figure 2: Photograph of a Fence of Similar Construction and Materials.
(Note: This fence is 6 feet tall, ours will be 8 feet.)



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Barbed wire brackets will be attached to the posts on the inside of the fence, at a height such that the upper strand of barbed wire is below the cap board, and the barbed wire is not visible to someone standing in the street, see Figure 3. This interior / hidden barbed wire design is provided for aesthetic purposes.



Figure 3. Barbed Wire Bracket, Mounted on Inside of Fence Post.

No-smoking signs will be placed on the fence exterior, one on each face (N., S., W., E.). The signs will be similar to the sign at the regulator station on South St, see Figure 4. Additional shrubs and grasses will be planted in the area outside of the fence, see Figure 5.



Figure 4. No Smoking Sign near the intersection of South Street and Hanson Street.

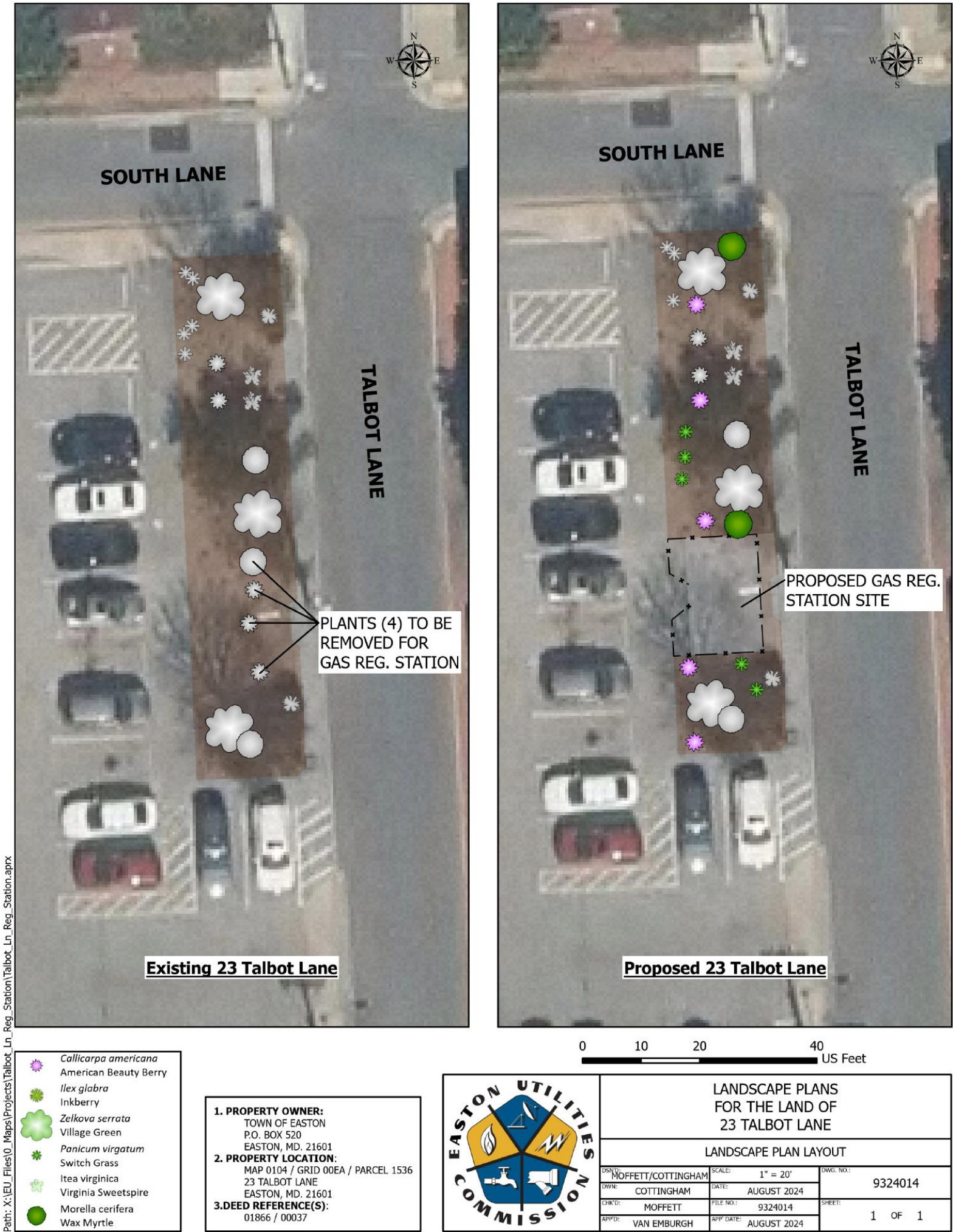


Figure 5. Landscape Plan.

Note: New plantings shown in color.



Findings of Fact

1. The granting of the variance will enable Easton Utilities to continue to provide safe, reliable natural gas service to the Town. The granting of the variance requested would not impede or in any way be detrimental to satisfying any of the following objectives of the Zoning Ordinance.
 - help accomplish the coordinated, adjusted, and harmonious development of the Town and its environs in accordance with present and future needs,
 - promote health, safety, morals, order, convenience, prosperity, and general welfare; including among other things, adequate provisions for traffic, the promotion of public safety, adequate provision for light and air, conservation of natural resources, the prevention of environmental pollution, and the promotion of the healthful and convenient distribution of population;
 - encourage and, where necessary, require land use development and uses which exemplify good civic design and arrangement and the stewardship of the Chesapeake Bay and the land as a universal ethic;
 - encourage the conservation of resources, including a reduction in resource consumption;
 - locate development in locations suitable for it given existing and reasonably foreseeable development; and
 - encourage appropriate and sustainable economic growth.
2. Describe how the proposed variance will be in harmony with the Town's Zoning Ordinance, Comprehensive Plan, and any applicable small area plans.

The proposed fence is located within Easton's Historic District. The design of the utility equipment, fence and landscaping plan is consistent with Easton's Historic District Design Guidelines, specifically:

Guideline 123.b (Mechanical Equipment) "...screened with fences or plantings."

Guideline 14.e (Fences) "...Simple, unobtrusive fences in traditional designs..."



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Guideline 19.a (Trees) “Preserve existing shade trees.”

Guideline 19.d (Street Plantings) “Stormwater management features and rain gardens should be unobtrusive and compatible with the surrounding district.”

The Town-Owned parking lot (Lot # 11) is within the jurisdiction of the Town Engineer for Historic District Approval. The Town Engineer’s office approved the plans as being consistent with the Historic District Design Guidelines, and presented the plans as such to the Historic District Commission on September 9, 2024. The Historic District Commission did not object to the plans.

The Town’s Comprehensive Plan provides that “Easton’s public services and utilities are of vital importance to the continued physical, economic, and social improvement of the Town and the surrounding region.” (Comp. Plan p. 190). It further states that “[a] major goal of the Town is to ensure the continued adequate maintenance and expansion of community facilities and public services necessary to guarantee public health, safety and welfare and enhance resident’s quality of life.” (Comp. Plan p. 190). The gas regulator station will help Easton Utilities continue to provide natural gas service to the residents of Easton in a safe and efficient manner.

3. Describe how the proposed variance will not be harmful to the neighborhood or endanger public safety, health, or welfare.

The proposed security fence will enhance the neighborhood and public safety, health and welfare by providing physical security of the natural gas regulator station. The regulator station will enable Easton Utilities to continue to provide safe, reliable natural gas service to the Town.

4. What conditions are peculiar to the property? (ie, an unusual or extraordinary circumstance regarding your property that warrants a variance being granted.)

The property is Owned by the Town of Easton, and is located exactly in the area of the Town where the regulator station will provide reliable natural gas service to the residences and businesses of the Town. The lot is a corner lot and under the Zoning Ordinance the frontage along both Talbot Lane and South Lane are considered front yards. Under Section 1006.D of the Ordinance fence heights are limited to four (4) feet in the front yard, but may



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be eight (8) feet in the rear or side yard. Section 1006.H of the Ordinance does allow accessory mechanical equipment to be located in setbacks and to be screened, but the gas regulator station is not accessory to any structure. However, the variance requested is consistent with what Section 1006.H is intending to address to allow screening and equipment closer to the property line.

5. Did you (the applicant) take any action that resulted in the need for a variance to be granted?

No, the variance is necessary to provide adequate physical security and does not result from any action of the applicant.



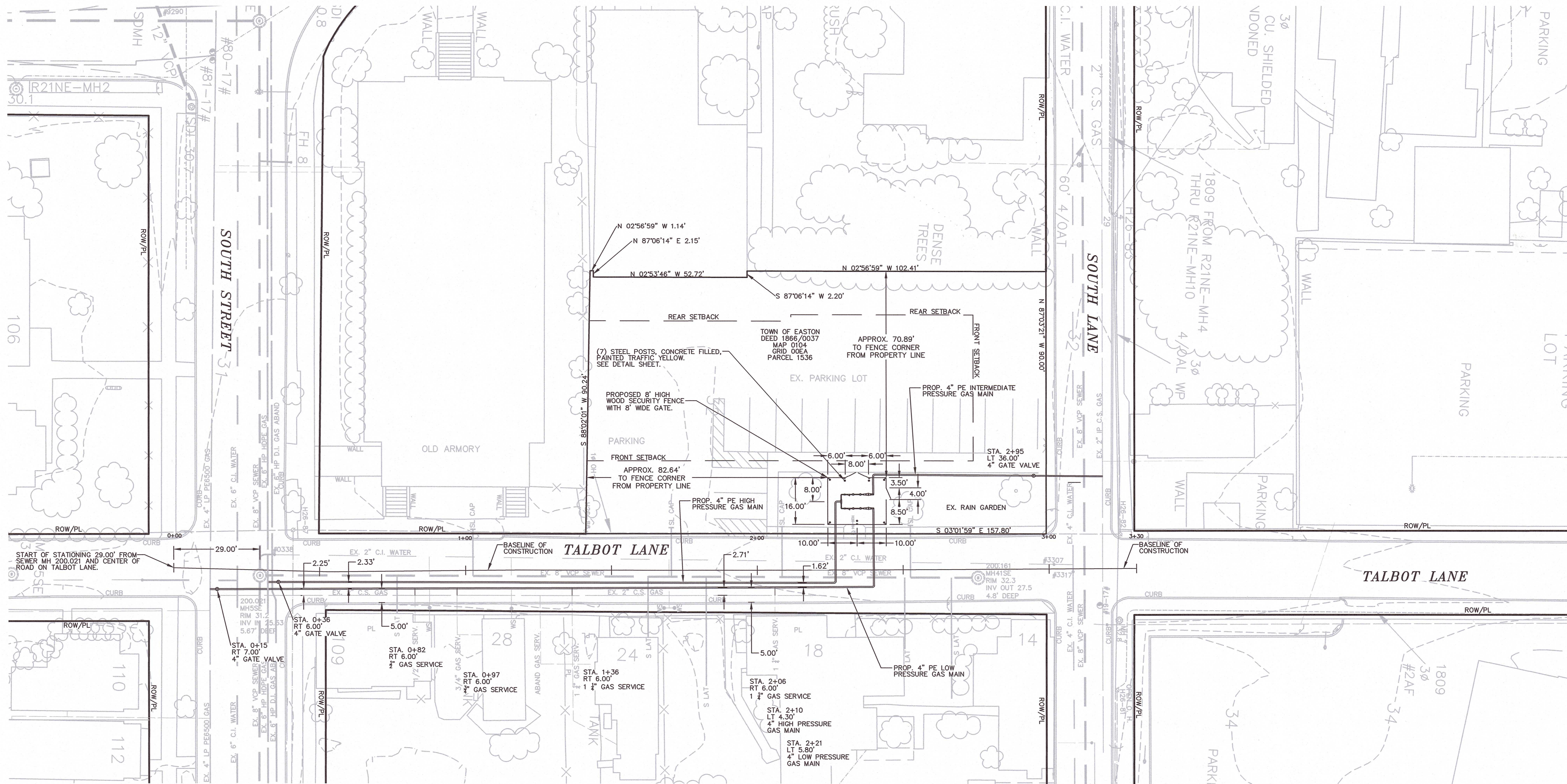
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6. Please describe how a literal enforcement of the Ordinance you are requesting a variance from as written would place a practical hardship or difficulty upon you.

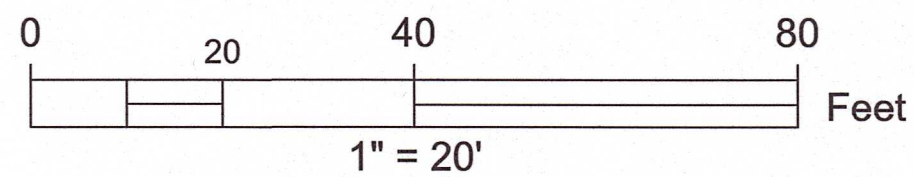
If the variance is not granted, Easton's Natural Gas Public Service Commission inspector could find our system to be in non-compliance with the requirements of 49 CFR 192.1007 and Easton Utilities' Natural Gas Distribution Integrity Management Plan, and could impose fees and penalties until such time as the non-compliance is corrected.

If the variance is not granted, unauthorized persons could more easily obtain access to the gas regulator station's above-ground natural gas valves and piping, potentially causing significant property damage and danger to life and safety.



SITE PLAN
SCALE: 1"=20'

- NOTES:
- CONTRACTOR TO RESTORE SIDEWALK, CURB AND GUTTER AND STREET PAVEMENT PER TOWN OF EASTON STANDARD DETAILS ON SHEET 6.
 - UNDERMINING UNDER THE CURB AND GUTTER OR SIDEWALK IS PROHIBITED.



REVISIONS

REV. #	DATE	DESCRIPTION
01	10/21/24	ADDED PROPERTY LINES AND DIMENSIONS

DATE: SEPTEMBER 2024

SCALE BAR/TEXT: 1"=20'

DRAWN BY: SHAFFER

DESIGNED BY: BULLOCK/RONEY

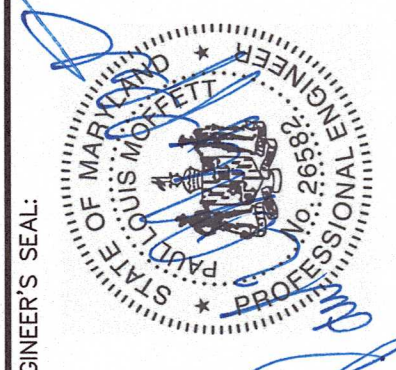
APPROVED BY: MOFFETT

PROJECT NO: 9324014

FILE NO: U39-1

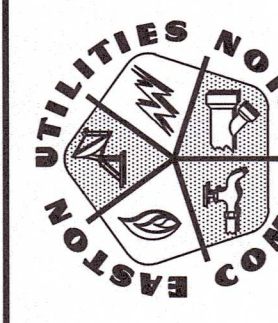
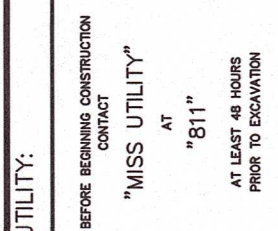
SHEET(S): 5 OF 6

ENGINEER'S SEAL:



Professional Certification: James Moffett, Inc. License No. 28852, Expiration Date: 07/01/2025

MISS UTILITY:



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410-822-6110
201 N. WASHINGTON ST.
EASTON, UTILITY COMMISSION

EASTON UTILITIES COMMISSION
PROPOSED REGULATOR
STATION #2

SITE PLAN

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED
HEREIN HAS BEEN TRANSFERRED ON THE ASSESSMENT
RECORDS OF TALBOT COUNTY.

DAVID H. EWING
SUPERVISOR OF ASSESSMENTS

~~John C. Craig~~ Fin. Officer *cl*
11/21/2011

TWP FD SURE \$	20.00
RECORD FEE -	75.00
REDUCTION I	4,197.60
TR TAX COUNTY	6,358.00
TR TAX STATE	3,179.00
TOTAL	13,829.60
Recpt TAGS	RCPT # 13219
MAS 1022	BLK # 654
Jan 21, 2011	00:20 PM

THIS DEED OF EXCHANGE, is made this 21st day of January, 2011, by and
between **THE TOWN OF EASTON, a Maryland municipal corporation** (the "Town"); and
THE TIDEWATER INN, LLC, a Maryland limited liability company (the "Tidewater").

WHEREAS, the Town is the owner of all that certain lot or parcel of land located on Mill
Place in the Town of Easton, Talbot County, Maryland, containing 21,682 square feet, more or
less, and more particularly described as "Parcel B" in a Deed to the Town dated April 4, 1973
and recorded among the Land Records of Talbot County, Maryland on May 17, 1973 in Liber
474, folio 334 (the "Town Parking Lot Property"); and

WHEREAS, the Tidewater is the owner of all that certain lot or parcel of land located on
Talbot Lane in the Town of Easton, Talbot County, Maryland, containing 14,036 square feet,
more or less, and being more particularly described as "Parcel No. 2" in a Deed to the Tidewater
dated October 15, 2009 and recorded among the Land Records of Talbot County, Maryland in
Liber 1742, folio 458 (the "Tidewater Parking Lot Property"); and

WHEREAS, the Town has agreed to convey the Town Parking Lot Property to the
Tidewater in exchange for the conveyance of the Tidewater Parking Lot Property by the
Tidewater to the Town; and

WHEREAS, pursuant to Ordinance No. 563 approved by the Town of Easton on
December 28, 2009, and which became effective January 17, 2010, a copy of which (without the
exhibits referenced in the Ordinance) is attached hereto as Exhibit A, the Town has agreed to the

LIBER 1866 FOLIO 037

VENTURE TITLE COMPANY
117 BAY STREET
EASTON, MD 21601

exchange of the Town Parking Lot Property and the Tidewater Parking Lot Property as more particularly set forth therein; and

WHEREAS, this Deed of Exchange is executed by the parties hereto in order to effectuate the exchange of the properties as more particularly set forth herein.

NOW, THEREFORE, WITNESSETH, that for and in consideration of the mutual exchange of properties, the Town of Easton, a Maryland municipal corporation, does hereby grant and convey to The Tidewater Inn, LLC, a Maryland limited liability company, its successors and assigns, in fee simple, all that property situate, lying and being on Mill Place, in the Town of Easton, Talbot County, Maryland, and being more particularly described in Exhibit B attached hereto and made a part hereof.

TOGETHER with the buildings and improvements thereon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said tract or parcel of ground and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining to and to the proper use and benefit of The Tidewater Inn, LLC, a Maryland limited liability company, its successors and assigns, in fee simple, forever; **SUBJECT, HOWEVER**, to the terms of a Right of First Refusal Agreement by and between the Tidewater and the Town of even date herewith and intended to be recorded among the Land Records of Talbot County, Maryland simultaneously herewith.

AND the Town does hereby covenant that it has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that it will warrant

CERTIFICATION IS MADE THAT ALL TAXES
DUE ON THE PROPERTY INDICATED IN
THIS DEED HAVE BEEN PAID.
FINANCE OFFICER OF TALBOT COUNTY

John C. Craig Fin. Officer *u*

DATE 1/21/2011 M

2

LIBER 1 866 FOLIO 38

DEED OF EXCHANGE (01-17-11)

especially the property granted, and that it will execute such further assurances of the same as may be requisite.

AND FURTHER WITNESSETH, that for and in consideration of the mutual exchange of properties and for no cash consideration, The Tidewater Inn, LLC, a Maryland limited liability company, does hereby grant and convey to Town of Easton, a Maryland municipal corporation, its successors and assigns, in fee simple, all that property situate, lying and being on Talbot Lane, in the Town of Easton, Talbot County, Maryland, and being more particularly described in Exhibit C attached hereto and made a part hereof.

TOGETHER with the buildings and improvements thereon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said tract or parcel of ground and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining to and to the proper use and benefit of the Town of Easton, a Maryland municipal corporation, its successors and assigns, in fee simple, forever.

AND the Tidewater does hereby covenant that it has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that it will warrant specially the property granted, and that it will execute such further assurances of the same as may be requisite.

(SIGNATURE PAGES FOLLOW)

IN WITNESS WHEREOF, the parties hereto have caused this Deed of Exchange to be properly executed and sealed the day and year first above written.

ATTEST:

THE TOWN OF EASTON,
A Maryland municipal corporation

Kathy M. Ruff

By: Robert C. Willey (SEAL)
Robert C. Willey, Mayor

"Town"

STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, that on this 20th day of January, 2011, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared **ROBERT C. WILLEY**, who acknowledged himself to be the Mayor of The Town of Easton, a Maryland municipal corporation, and that he as such Mayor, being authorized so to do, executed the foregoing Deed of Exchange for the purposes therein contained by signing the name of The Town of Easton by himself as Mayor.

AS WITNESS my hand and Notarial seal.

Joanne H. Drummer
Notary Public

My Commission Expires:
June 16, 2013

WITNESS:

THE TIDEWATER INN, LLC,
a Maryland limited liability company

By: Hotel Avon, LLC,
a Maryland limited liability company,
Managing Member

Roxanne Harrison

By: John H. Wilson
John H. Wilson, Managing Member

"Tidewater"

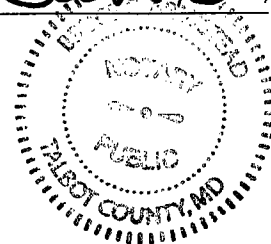
STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, that on this 21st day of January, 2011, before me, a Notary Public of said State, personally appeared **JOHN H. WILSON**, who acknowledged himself to be Managing Member of Hotel Avon, LLC, a Maryland limited liability company, the Managing Member **THE TIDEWATER INN, LLC**, a Maryland limited liability company, and that he as such Managing Member, being authorized so to do, executed the foregoing Deed of Exchange for the purposes therein contained, and further did certify said Deed to be the valid and proper act of said limited liability company.

WITNESS my hand and Notarial Seal.

Bruce C. Armistead
Notary Public

My Commission Expires:
7-24-14



THE UNDERSIGNED, a member in good standing of the Bar of the Court of Appeals of Maryland, hereby certifies that this Deed was prepared by him or under his supervision.

Bruce C. Armistead
Bruce C. Armistead

EXHIBIT A

ORDINANCE NO. 563

AN ORDINANCE OF THE TOWN OF EASTON AUTHORIZING THE TOWN OF EASTON TO CONVEY A PARKING LOT LOCATED OFF MILL PLACE WHICH IS PARCEL 1196-2 ON TAX MAP 104 TO THE TIDEWATER INN, LLC IN EXCHANGE FOR THE TIDEWATER INN, LLC CONVEYING A PARKING LOT TO THE TOWN OF EASTON LOCATED OFF SOUTH STREET WHICH IS PARCEL 1536 ON TAX MAP 104 AND GIVING THE TOWN OF EASTON A RIGHT OF FIRST REFUSAL FOR PARCEL 1196-2

INTRODUCED BY: Mr. Leshner

WHEREAS, Tidewater Inn, LLC is the owner of the Tidewater Inn, a historic hotel located in the heart of downtown Easton (the "Tidewater Inn");

WHEREAS, the Town Council believes the economic viability of the Tidewater Inn is critical to the economic viability of the entire downtown;

WHEREAS, the Tidewater Inn has been sold at arms length or sold in foreclosure several times over the past few years;

WHEREAS, Tidewater Inn, LLC has indicated that the viability of the Tidewater Inn depends upon the Tidewater Inn's having exclusive access to parking and land for the opportunity to expand its income base;

WHEREAS, the Town of Easton owns a public parking lot adjacent to the Tidewater Inn off of Mill Place which is Parcel 1196-2 on Tax Map 104 ("Parcel 1196-2");

WHEREAS, Parcel 1196-2 is approximately 0.497 acres and has sixty (60) public parking spaces located on it;

WHEREAS, the Town of Easton has conducted numerous parking studies and surveys over the years, and the results of the parking studies indicate that the parking lots in the downtown are underutilized;

WHEREAS, for the parking studies and surveys, Parcel 1196-2 was grouped together with an adjacent parking lot which is Parcel 1147 on Map 103 ("Parcel 1147") and which has forty one (41) spaces providing a total of one hundred and one (101) parking spaces in the area;

WHEREAS, in the more recent parking studies and surveys, Parcels 1196-2 and 1147 were occupied on average at approximately thirty four to thirty nine percent (34-39%) capacity;

WHEREAS, Parcel 1147 will continue to be operated as a public parking lot;

WHEREAS, given the results of the more recent parking studies and surveys, Parcel 1147 will be able to accommodate the average parking demand in that area of the downtown;

WHEREAS, the South end of downtown does not have sufficient public parking spaces;

WHEREAS, the Academy of the Arts, the Waterfowl building, and various inns, restaurants, and retail establishments are located in the South end of downtown, but do not have sufficient public parking spaces available to them;

WHEREAS, Tidewater Inn, LLC owns a private parking lot which is Parcel 1536 on Tax Map 104 ("Parcel 1536");

WHEREAS, Tidewater Inn, LLC proposes to exchange Parcel 1196-2 for Parcel

1536;

WHEREAS, Tidewater Inn, LLC proposes to improve Parcel 1536 with paving, striping, and lighting in accordance with Town standards;

WHEREAS, the Town Council has determined that given the proposed exchange, Parcel 1196-2 is no longer needed for any public use or purpose, that adequate public parking is available in downtown Easton without Parcel 1196-2 being owned by the Town, and that Parcel 1147 can accommodate the average parking demand that has been put on Parcel 1196-2;

WHEREAS, the Town Council believes that the acquisition of Parcel 1536 will serve a public purpose and benefit to the Town of Easton, namely, providing public parking in an area of Town that is not currently adequately served;

WHEREAS, the Town Council wishes to enter into Agreements of Sale to provide for the conveyance of Parcel 1196-2 from the Town of Easton to Tidewater Inn, LLC and the conveyance of Parcel 1536 from Tidewater Inn, LLC to the Town of Easton under the terms and conditions set forth on the attached proposed Agreements of Sale which are Exhibits A and B to this Ordinance; and

WHEREAS, as part of the transfer, the Town Council wishes to retain a Right of First Refusal, a copy of which is attached hereto as Exhibit C.

NOW, THEREFORE, be it ordained by the Easton Town Council that:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. The Mayor and the Town Clerk, and any other Town official, are hereby authorized to execute and deliver Agreements of Sale in substantially the same form as are attached hereto as Exhibits A and B, a Right of First Refusal in substantially the same form as is attached hereto as Exhibit C, deeds, and all related documents to effectuate the transfer of the Property that are consistent with the intent and purpose of this Ordinance;

Section 3. The Mayor and Town Clerk, and any other Town official, are hereby authorized to take whatever additional actions are reasonably necessary to effectuate the terms of this Ordinance;

Section 4. Any prior execution and delivery of documents related to the sale of the Property that are consistent with the purpose of this Ordinance, are hereby ratified and approved;

Section 5. In accordance with Article 23A, Section 2(b)(24) of the Annotated Code of Maryland, the Town Clerk is directed to publicly advertise the sale of the Property at least twenty days prior to the sale.

Section 6. In accordance with Article II Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor's veto.

Malone	-	Yea
Leshner	-	Yea
Wendowski	-	Nay
Cook	-	Yea
Ford	-	Yea

I hereby certify that the above Ordinance was passed by a ye and nay vote of the Council this 21st day of December, 2009.

John Ford

John F. Ford, Town Council President

Delivered to the Mayor by me this 28th day of December, 2009.

Kathy M. Ruf

Kathy M. Ruf, Town Clerk

APPROVED: **December 28, 2009**

Date: December 28, 2009

Robert C. Willey

Robert C. Willey, Mayor

EFFECTIVE DATE: January 17, 2010

Y:\Local Governments\Easton\2009 Legislation\Tidewater Inn Ordinance.wpd

EXHIBIT B

(Town Parking Lot Property – Mill Place)

ALL that lot or parcel of land situate, lying and being on Mill Place in the Town of Easton, Talbot County, Maryland, being more particularly shown and designated as “TOWN OF EASTON PARCEL 2,” containing 21,682 square feet of land, more or less, on a Plat prepared by Lane Engineering, Inc., titled “BOUNDARY PLAT ON THE LANDS OF THE TOWN OF EASTON IN THE TOWN OF EASTON TALBOT COUNTY, MARYLAND TAX MAP 104 GRID EA 1196-2,” dated January 17, 2011, and intended to be recorded among the Plat Records of Talbot County, Maryland simultaneously herewith; reference being hereby made to said Plat for a more complete description of said property by metes and bounds, courses and distances.

BEING AND INTENDED TO BE Parcel B described in a Deed from Herbert T. Austin to the Town of Easton, a Maryland municipal corporation, dated April 4, 1973, and recorded among the Land Records of Talbot County, Maryland on May 17, 1973 in Liber 474, folio 334.

EXHIBIT C

(Tidewater Parking Lot Property – Talbot Lane)

ALL that lot or parcel of land situate, lying and being in the Town of Easton, Talbot County, Maryland, being more particularly described as follows:

Beginning for the same at a lead plug found, said lead plug found being at the northeasterlymost corner of the herein described land, said lead plug found also being at the southwestern intersection of the south side of South Lane and the west side of Talbot Lane, said lead plug found also bears South 76 degrees 18 minutes 10 seconds east 399.73 feet from the iron pin found at the end of the eighth course of Parcel No. 1 described in a Deed from Eastern Shore Concessions, L.L.C. to the Tidewater Inn, LLC, dated October 15, 2009, and recorded among the Land Records of Talbot County, Maryland in Liber 1742, folio 458; and from said place of beginning running by and with the westerly side of the said Talbot Lane (1) South 03 degrees 01 minutes 59 seconds east 157.80 feet to an iron rod found and the land of Waterfowl Festival, Inc. (Liber 847, folio 834), thence by and with the said Waterfowl Festival, Inc. land (2) South 88 degrees 02 minutes 01 seconds West 90.24 feet to an iron rod found and the land of Howard N. German, Jr. (Liber 625, folio 696 and Liber 808, folio 824), thence by and with the said Howard N. German, Jr. land the following four courses and distances (3) North 02 degrees 56 minutes 59 seconds West 1.14 feet, thence (4) North 87 degrees 06 minutes 14 seconds East 2.15 feet to a building corner, thence (5) North 02 degrees 53 minutes 46 seconds West 52.72 feet to a building corner, thence (6) South 87 degrees 06 minutes 14 seconds West 2.20 feet, thence still by and with the said common property lines with Howard N. German, Jr. land and the land of 28 South Harrison Street RE Investments, LLC (Liber 1723, folio 262) (7) North 02 degrees 56 minutes 59 seconds West 102.41 feet to an iron rod set and the aforementioned South Lane; thence (8) by and with the southerly side of the said South Lane, North 87 degrees 03 minutes 21 seconds East 90.00 feet to the Place of Beginning, containing 14,036 square feet of land, more or less.

BEING Parcel No. 2 described in a Deed from Eastern Shore Concessions, L.L.C., a Delaware limited liability company, to the Tidewater Inn, LLC, a Maryland limited liability company, dated October 15, 2009, and recorded among the Land Records of Talbot County, Maryland in Liber 1742, folio 458.

RECORDATION & TRANSFER TAX AFFIDAVIT

THE UNDERSIGNED HEREBY CERTIFIES, under the penalties of perjury, that as of the date hereof, the value of the property which is described in Exhibit B hereof and hereby conveyed by the Town of Easton to The Tidewater Inn, LLC, is \$635,800.00; said value being established by the State Department of Assessments & Taxation. Therefore, recordation and transfer taxes are calculated and payable to the Clerk of Court for Talbot County, Maryland as follows:

County Recordation Tax	=	\$ 4,197.60
State Transfer Tax	=	3,179.00
County Transfer Tax	=	<u>6,358.00</u>
Total Tax Due	\$	13,734.60

WITNESS:

THE TIDEWATER INN, LLC,
a Maryland limited liability company

By: Hotel Avon, LLC,
a Maryland limited liability company,
Managing Member

Kyanna Garrison

By: John H. Wilson
John H. Wilson, Managing Member

***Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only—All Copies Must Be Legible)***

Space Reserved for Circuit Court Clerk Recording Validation

Consideration and Tax Calculations

Fees

Description of Property	Value
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	

**Transferred
From**

**Transferred
To**

Other Names to Be Indexed

Contact/Mail Information

Assessment Information

Assessment Use Only – Do Not Write Below This Line

Distribution:

Canary – SDAT
GDB – GDB – Prd

AOC-CC-300 (5/2007)

LIBER 1 866 POL10050



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

December 2, 2024

Easton Utilities
% Paul Moffett
201 N. Washington Street
Easton, Maryland 21601

Re: BOZA Application V - 1332 / V 24 - 12
23 Talbot Lane
Tax Map 0104, Grid 00EA, Parcel 1536
Easton, Maryland 21601

Mr. Moffett,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, December 17th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing. If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

December 2, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, December 17, 2024 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application V - 1332 / V 24 - 12 has been filed by Paul Moffett on behalf of Easton Utilities (Applicant), pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Variance from Section 28-1006.D.1, the maximum 4' height for all fences, walls and hedges above the elevation of the surface of the ground located in any front yard area. The Applicant is seeking to construct a wooden fence that is 8' in height to secure a newly constructed gas regulator station. Through the approval of the requested Variance, the Applicant shall also be in compliance with the applicable requirements of the Code of Federal Regulations (CFR). The property is located at 23 Talbot Lane, Easton, Maryland, also known as Tax Map 0104, Grid 00EA, Parcel 1536, and is situated in the CB – Commercial Business zoning district. The property is owned by the Town of Easton.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov



***Subject property posting pursuant to Section
28-901.2.H.2 of the Town of Easton Zoning Code -
December 2, 2024.***

NOTICE

Notice is hereby given that Application V - 1332 / V 24 - 12 has been filed by Paul Moffett on behalf of Easton Utilities (Applicant), pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Variance from Section 28-1006.D.1, the maximum 4' height for all fences, walls and hedges above the elevation of the surface of the ground located in any front yard area. The Applicant is seeking to construct a wooden fence that is 8' in height to secure a newly constructed gas regulator station. Through the approval of the requested Variance, the Applicant shall also be in compliance with the applicable requirements of the Code of Federal Regulations (CFR). The property is located at 23 Talbot Lane, Easton, Maryland, also known as Tax Map 0104, Grid 00EA, Parcel 1536, and is situated in the CB – Commercial Business zoning district. The property is owned by the Town of Easton.

A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, December 17, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

TOWN OF EASTON BOARD OF ZONING APPEALS

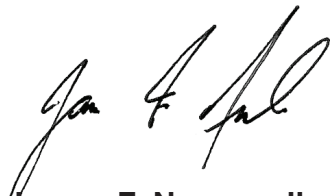
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application V - 1332 / V 24 - 12..." was published in the:

The Star Democrat 11/30/24



James F. Normandin
President & Publisher

NOTICE

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TOWN OF EASTON BOARD OF ZONING APPEALS

3068600 SD

11/30/2024



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
for 410 N. WASHINGTON STREET
V - 1339 / V 24 - 13
2024-12-17

Applicant notified of hearing date: Email: 2024-12-02 – 15 days

Exhibit A: Staff Review

Planning and Zoning Report: 2024-10-10 – 7 days

Exhibit B: Application

Application: 2024-11-13 – 34 days

Variance Application
Written Variance Request and Findings of Fact
Signage Design
Site Plan
Owner Authorization Letter
State of MD Out of State Contractor License
Deed

Proof of Payment: 2024-11-19 – 28 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-12-02 – 15 days

400' Notices Distributed: 2024-12-02 – 15 days

Picture of Property Sign Posting: 2024-12-02 – 15 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-11-22 – 25 days

Advertisement run in Star Democrat: 2024-11-30 – 17 days

Star Democrat Proof

Certificate of Publication

Date of Hearing: December 17, 2024

3c

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: **VARIANCE 1339**

ELECTION WARD: Ward 1

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson, AICP Candidate – Town Planner
Miguel Salinas - Director of Planning and Zoning

APPLICANT: Interstate Sign Company on behalf of Washington Springdale LLC

PURPOSE: The applicant is seeking after-the-fact variances from §28-1101.7.B.1 and §28-1101.7.B.2 of the Town’s Zoning Ordinance to permit a freestanding sign to remain which exceeds the maximum height and minimum landscape area requirements. The existing sign was erected without a signage permit in violation of §28-1101.3.A which requires a permit to be issued before any sign is erected, displayed, altered, or enlarged.

RECOMMENDATION:
Staff supports a Board **denial** of the variance request from the maximum permitted height and a granting of the variance request from the minimum landscape area.

APPLICATION INFORMATION:	
APPLICANTS: Washington Springdale LLC PO Box 8603 Reston VA, 20195	REPRESENTATIVE: Michelle Hobbs Interstate Sign Company
PARCELS/ACREAGE:	
Parcel Information	Acres

Map 101, Grid 17, Parcel 281		0.35
ACCEPTANCE DATE: November 13, 2024	LOCATION: 410 N Washington Street	
EXISTING ZONING CB	EXISTING LAND USE: Commercial	
HISTORIC DISTRICT: No	FUTURE LAND USE: Commercial	

CONTEXT:

Location/Site Access – The subject property is a 0.35-acre property located at the corner of N. Washington Street and Springdale Street and is zoned Central Business (CB). Vehicular access to the site is facilitated through curb cuts on both N Washington Street and Springdale Street.

Existing Conditions – The subject property includes a 5,040 square foot commercial structure and associated off-street parking facility. Existing signage includes a roof-mounted sign and an internally illuminated freestanding sign.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Commercial	CB	Commercial
North	Residential	R10A	Residential
East	Residential	R10A	Residential

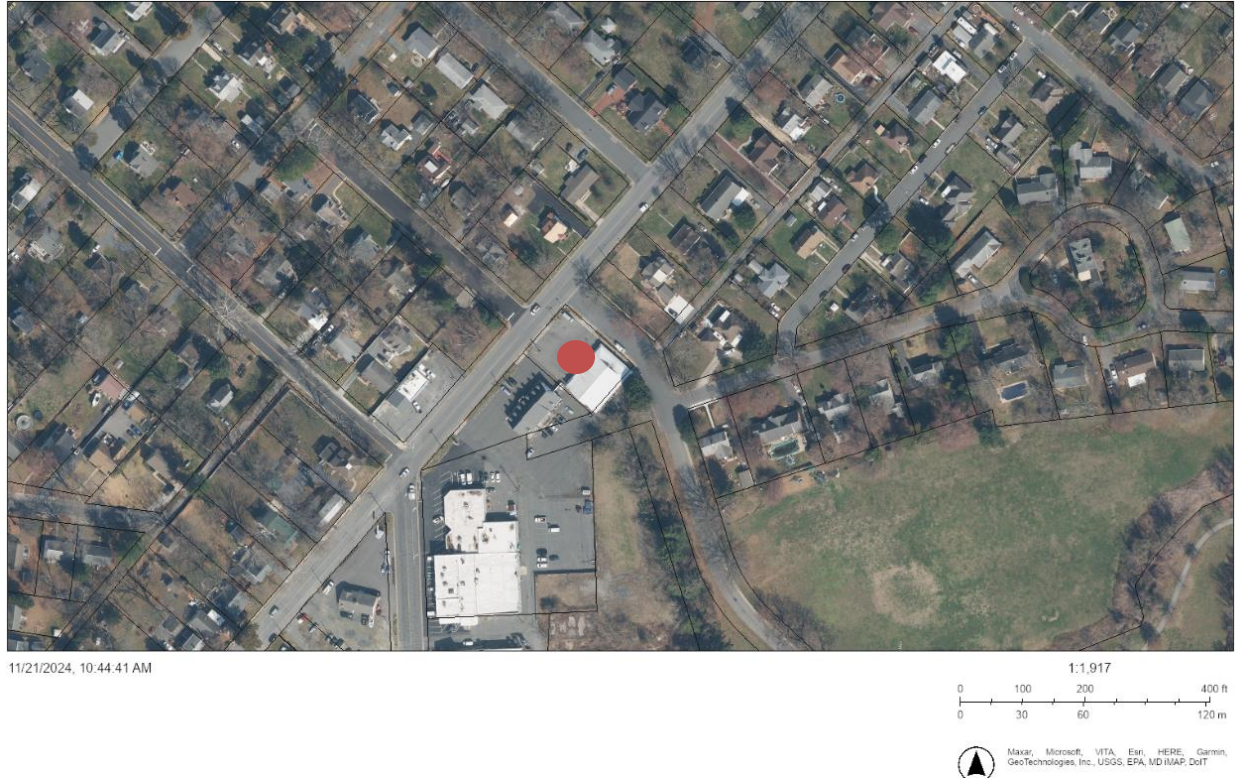


Figure 1: Vicinity Map

BACKGROUND INFORMATION: On January 3, 2024 a Code Enforcement officer captured a photograph showing that the existing non-conforming freestanding sign had been removed from the property (*Figure 2*). On April 24, 2024 Code Enforcement Case #24-760 was opened after it was discovered that a freestanding sign had been erected in the location of the previous sign that was removed, without a permit in violation of §28-1101.3.A (*Figure 2*).

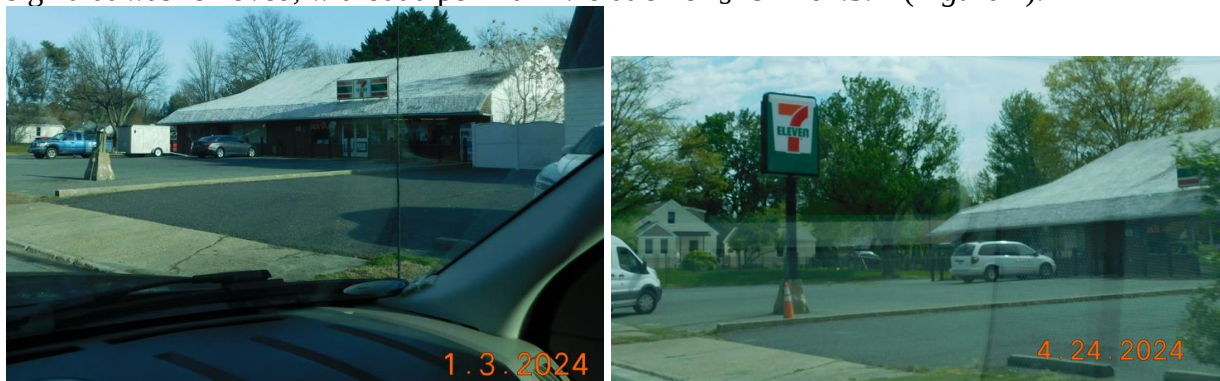


Figure 2: Code Enforcement Photographs

The Code Enforcement notice, and subsequent notices sent on 5/15/24 and 5/31/24, directed the property owner to either submit an application for a signage permit or remove the sign from the

site. On July 1, 2024, the applicant submitted an application for a signage permit. The Planning and Zoning Department provided comments on July 2, 2024 noting that the sign exceeds the maximum permitted height and lacks the required landscape area around the base of the sign and directed the applicant to either apply for the necessary variances or revise their application. On August 20, 2024 and September 18, 2024 additional Code Enforcement notices were sent to the property owner directing them to either remove the illegal sign or apply for all necessary variances.

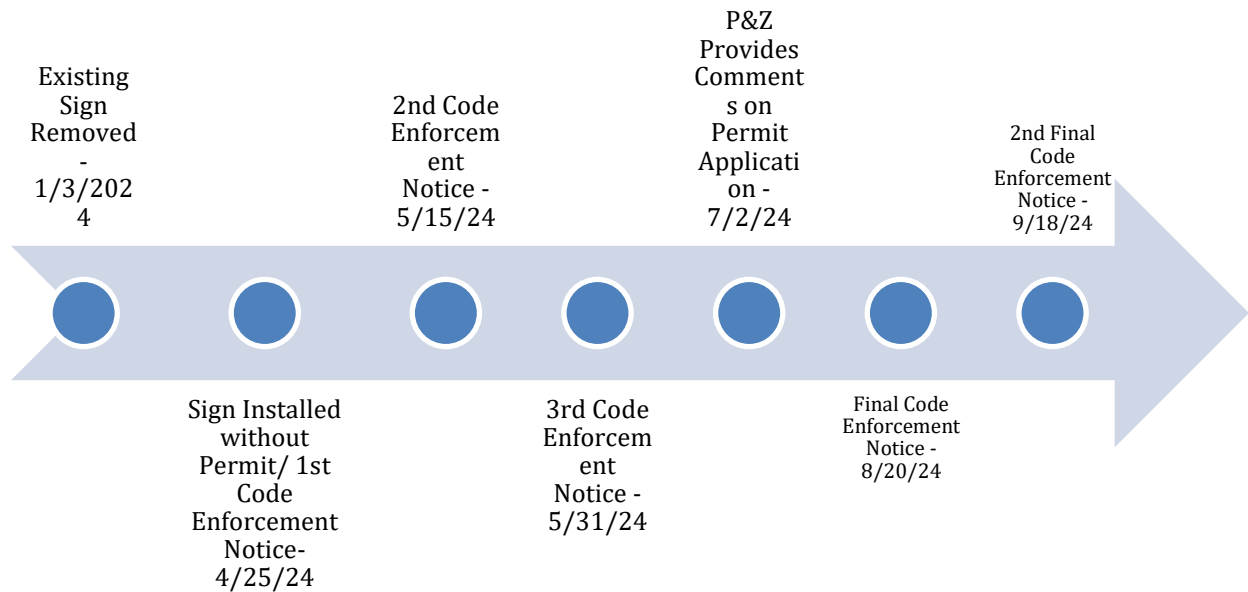


Figure 3: Timeline of Code Enforcement Action

OUTSTANDING ISSUE(S): The internal illumination of this sign is currently prohibited by the Zoning Ordinance. The Town currently only permits internal illumination of signs under three distinct circumstances¹. These circumstances are:

- i. *individual back lit letters which are silhouetted against a softly illuminated wall;*
- ii. *Individual letters with translucent faces, containing soft lighting elements inside each letter; and*
- iii. *Metal-faced box signs with cut-out letters and soft-glow fluorescent tubes.*

The first two circumstances deal exclusively with individual letters, where each letter is illuminated either from within or from behind. The third circumstance deals with signs that have a metal, non-translucent face where the light escapes through cut out letters.

PROPOSAL: The applicant is seeking an after-the-fact variance for the erection of a freestanding sign that violates the maximum height (§28-1101.7.B.1) and minimum landscape area requirements (§28-1101.7.B.2) of the Zoning Ordinance. §28-1101.7.B.1 states that one

¹ A Package of Zoning Code amendments was forwarded to the Town Council that includes expanding the types of permitted internal illumination signs.

freestanding sign may permitted on a building lot as long as “the top of (the sign) is not more than ten (10) feet in height.” The proposed sign is eighteen (18) feet in height above the surface of the ground. §28-1101.7.B.2 requires that a landscaped area be included around the base of any freestanding sign. The area is based on the area of each face of the sign. In this case, the minimum required landscape area would be 176.6 square feet. The applicant is requesting a variance from the entirety of this landscape requirement.

	Allowed	Proposed
Sign Height	10 feet (Maximum)	18 feet
Landscape Area	176.6 square feet (Minimum)	0 square feet

POLICY ANALYSIS (VARIANCE):

- a. Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;**

Analysis –

The Zoning Ordinance's ten-foot height limitation on freestanding signs is designed to protect the aesthetic character of the Town and promote a visually appealing streetscape. Excessively tall freestanding signs can overwhelm the streetscape, creating visual clutter where signage becomes the dominant feature. The Community Character chapter of the Comprehensive Plan reinforces this principle, stating that “signs should inform but not dominate.” By capping the height of freestanding signs at ten feet, the ordinance strikes a balance between ensuring signs are visible and preventing them from dominating the surrounding environment, aligning with the Town's goal of maintaining a cohesive and attractive community aesthetic.

The signage chapter of the Zoning Ordinance is also intended to require all signs to ultimately come into compliance. The Non-Conforming Signs section of the Ordinance requires that non-conforming signs be either removed or replaced with a conforming sign when “a nonconforming sign, or a substantial part of a nonconforming sign, is blown down, destroyed, or for any reason or by any means taken down.” (§28-1101.3.D.1(a)) Since this sign was removed from the site, (*Figure 2*) the intent of the Zoning Ordinance is for it to either be brought into conformity before it is re-installed or replaced with a conforming sign.

- b. Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.**

Analysis –

There are conditions peculiar to this property that make the inclusion of a 176.6 square foot landscape base impractical. Incorporating a large landscape base around the sign may interfere with vehicular access to the site and movement within the off-street parking area. Staff notes that there is precedence within the Town for the inclusion of a landscaped base around existing freestanding signs located in an off-street parking area. The freestanding sign located at 518 Dover Road met this requirement by creating a raised garden bed around the base of the existing sign in order to bring the sign into conformity. However, there are no conditions peculiar to this property that preclude the sign from meeting the Zoning Ordinance's maximum height requirements.

The current conditions stem from actions taken by the applicant, as the sign was removed and reinstalled without a permit, violating the Town's permitting requirements for signs outlined in §28-1101.3A. When the sign was removed, there was an opportunity to retrofit it to comply with the Zoning Ordinance's maximum height requirements, which was not pursued.

Removing the sign does not pose any practical difficulty for the applicant. The business already has a roof-mounted sign and retains the option to install other types of signage, such as a freestanding, hanging, or pole-mounted sign, provided they comply with the Zoning Ordinance requirements.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **deny** the variance request from the maximum height requirement for freestanding signs and grant the variance request from the minimum landscaped base requirement based on staff's draft findings.

OR

2. I move that the Board of Zoning Appeals approve Variance 1315 based on the following findings...

OR

3. I move an alternate motion.



TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

RECEIVED
NOV 13 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☐ VARIANCE ☒ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	410 N. Washington St., Easton, MD 21601						
TAX MAP	0101	GRID	0017	PARCEL	0281	LOT	
DEED REFERENCE	LIBER		FOLIO				
PLAT REFERENCE	LIBER		FOLIO				
EXISTING USE	Convenience Store						
ZONING DISTRICT	CB						

HISTORIC DISTRICT Y ☐ N ☒ Planned Redevelopment District Y ☐ N ☒

OWNER

NAME	Washington Springdale LLC		
MAILING ADDRESS	P.O. Box 8603, Reston, VA 20195		
TELEPHONE NO.	555-555-5555	EMAIL	

APPLICANT OR AGENT

NAME	Michelle Hobbs - Interstate Sign Company		
MAILING ADDRESS	1990 Rockford St., Mount Airy, NC 27030		
TELEPHONE NO.	336-789-3069	EMAIL	michelle@interstatesign.com

Surveyor / Engineer

NAME	Interstate Sign Company		
License Number and Expiration	06225595 Expires - 4/30/2025		
MAILING ADDRESS	1990 Rockford St., Mount Airy, NC 27030		
TELEPHONE NO.	336-789-3069	EMAIL	michelle@interstatesign.com

REQUEST DETAILS

SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☐

ZONING ORDINANCE SECTION

☐ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

A NY MODIFICATIONS DURING REVIEW SHALL WARRANT AN UPDATED APPLICATION.

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM THAT THE INFORMATION PROVIDED BY THIS APPLICATION AND THE DOCUMENTS ATTACHED HERETO ACCURATELY REPRESENT THE CONDITIONS OF THE REQUEST AND THAT SUBMISSION OF AN INCOMPLETE APPLICATION WILL BE RETURNED FOR CORRECTION PRIOR TO PROCESSING.

SIGNATURE OF APPLICANT OR AGENT	<i>Michelle L. Hobbs</i>	
Date	8/8/2024	
PRINTED NAME OF APPLICANT OR AGENT	Michelle L. Hobbs	

For Office Use Only

Project Number	V 24 - 13	Fee Received	\$250.00
Application Number	V - 1339	Application Notification	12/02/2024
Filing Date	11/13/2024	Property Posting Date	12/02/2024
BOZA Hearing Date	12/17/2024	Notice(s) Published	11/30/2024
If ESDR, Date	-		

Revised 11-2023



Board of Zoning Appeals Checklist Variance Application

Application review shall not commence unless a complete application is submitted. A complete application includes all **minimum** submission materials and documents on this Checklist of Minimum Submission Requirements.

	Provided	N/A
Required fee payment as determined by the fee schedule adopted by the Town Council	✓	
Completed application along with a written, detailed explanation for the purpose of the request	✓	
Survey plat, site plan, or other accurate drawings, drawn to scale, to include at a minimum the items listed below.	✓	
Property boundaries and dimensions	✓	
Locations and dimensions of all existing and proposed structures and their locations measured from the nearest property lines	✓	
Setbacks from property lines	✓	
Adjoining roads	✓	
Accurate illustration of the requested variance		
Scale Bar		
Established easements		✓
Perennial and intermittent streams		✓
Tidal and non-tidal wetlands		✓
Critical Area and 100-foot shoreline buffer boundary		✓
Architectural drawings, photographs, elevations, specifications, or other detailed information depicting the exterior appearance of existing and proposed construction, including parking, access, exterior lighting, and signs	✓	

If the applicant is not the owner of the subject property, documentation of legal interest in the property or authorization to file application from or on behalf of the owner	✓	
A copy of the deed conveying present ownership of the property	✓	
A copy of any covenants or restrictions on the property recorded among the Land Records of Talbot County		✓
Additional documents, records, and exhibits that the applicant intends to introduce or rely upon at the public hearing		✓
Written responses to all the Board's required consideration of the principles relevant to the request (see attached)		

Variance Findings of Fact

1. Would the granting of the Variance you have requested impede or in any way be detrimental to satisfying any of the following objectives of the Zoning Ordinance:
 - help accomplish the coordinated, adjusted, and harmonious development of the Town and its environs in accordance with present and future needs;
 - promote health, safety, morals, order, convenience, prosperity, and general welfare; including among other things, adequate provisions for traffic, the promotion of public safety, adequate provision for light and air, conservation of natural resources, the prevention of environmental pollution, and the promotion of the healthful and convenient distribution of population;
 - encourage and, where necessary, require land use development and uses which exemplify good civic design and arrangement and the stewardship of the Chesapeake Bay and the land as a universal ethic;
 - encourage the conservation of resources, including a reduction in resource consumption;
 - locate development in locations suitable for it given existing and reasonably foreseeable development; and
 - encourage appropriate and sustainable economic growth.
2. Describe how the proposed variance will be in harmony with the Town's Zoning Ordinance, Comprehensive Plan, and any applicable small area plans.

3. Describe how the proposed variance will not be harmful to the neighborhood or endanger public safety, health, or welfare.
4. What conditions are peculiar to the property? (ie, an unusual or extraordinary circumstance regarding your property that warrants a variance being granted.)
5. Did you (the applicant) take any action that resulted in the need for a variance to be granted?
6. Please describe how a literal enforcement of the Ordinance you are requesting a variance from as written would place a practical hardship or difficulty upon you.

To whom it may concern,

We are requesting this variance because the sign existed before we repaired it. When it was damaged, we were called in to do a repair. When we were called in to do the repair, we did not know that the sign was non-conforming. However, due to the amount of damage we had to remove the sign cabinet and bring it to our shop to repair. Once we repaired the sign, we brought it back and re-installed the cabinet onto the pole. We did not make any changes to the foundation. The sign is the same as it was before, we just repaired it.

Sincerely,

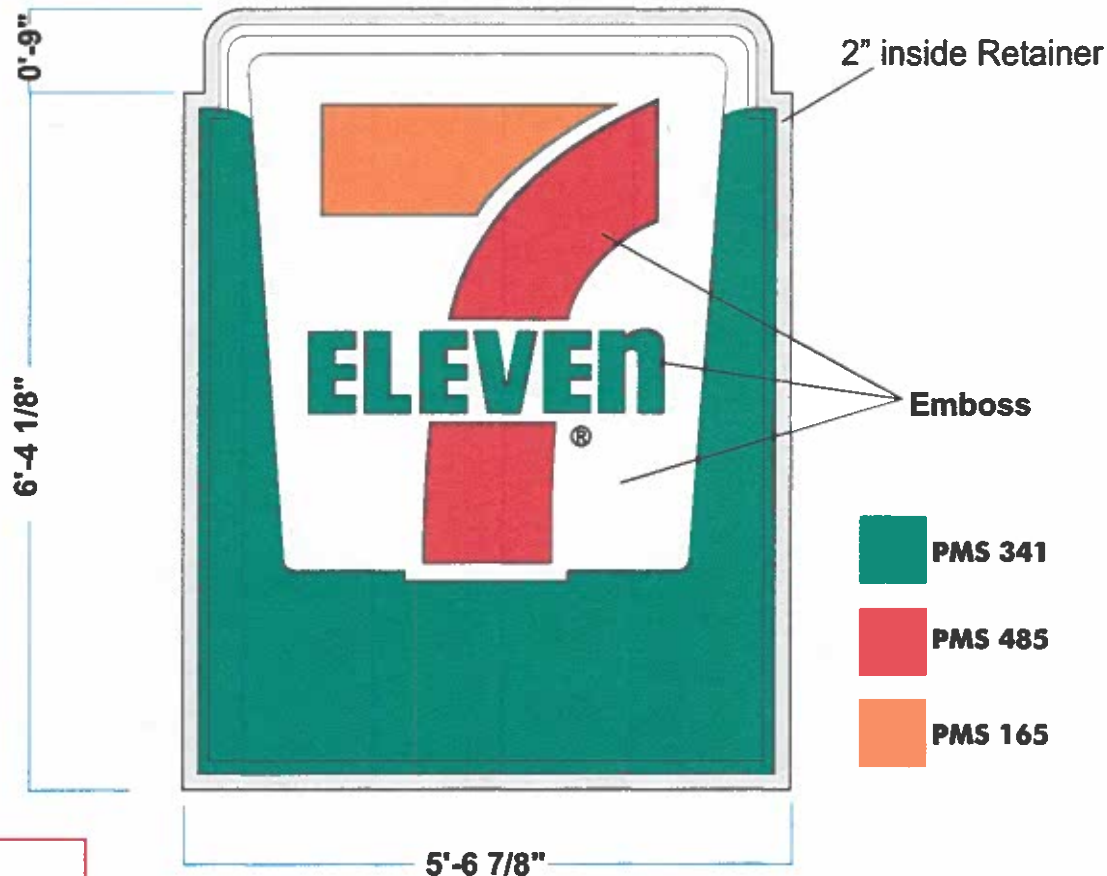


Michelle L. Hobbs

Interstate Sign Company
Permit Coordinator
336-789-3069

Variance Findings of Fact

- 1) Granting this variance would not impede or be detrimental in any way to the listed objectives of the Zoning Ordinance because this sign was already there. No changes were made to the sign, we just removed the sign to repair it, and now it is like new.
- 2) This sign is in harmony with the Town's Zoning Ordinance because it is the same sign that has been there for years. There were no changes to what was originally there, we just had to remove it and bring it back to our shop to repair it, then we brought it back to re-install it.
- 3) Changing the variance to allow the sign now will not be harmful, because the sign did not change.
- 4) N/A
- 5) Our company was called to repair the sign. The only thing that we did wrong was to remove the sign to repair it. Due to the repairs needed we removed the sign and brought it back to our shop in North Carolina to be repaired. Once it was repaired, we took the sign back and replaced it.
- 6) Literal enforcement of the Ordinance would place a practical hardship on the property owner because it would cause them to have to replace the sign with a new conforming sign, and that is an expense they are not prepared for.



ID Sign
5.57' W x 6.34' H =
35.31 sq. ft.

18' Over All Height



CUSTOMER APPROVAL: _____

SALES APPROVAL: _____

COPYRIGHT © INTERSTATE SIGN CO., INC.
DUPLICATION OR USE OF THIS DESIGN WITHOUT THE EXPRESSED WRITTEN
AUTHORIZATION OF INTERSTATE SIGN CO., INC. IS PROHIBITED BY LAW



ALL INTERNAL COMPONENTS, I.E. BALLASTS, LAMPS, ETC. WILL BE
U.L. APPROVED. ISCO IS A U.L. APPROVED COMPANY AND ALL
OF OUR PRODUCTS BEAR THEIR SEAL.

DESIGNER: JGS
DATE: 6/10/2024

INTERSTATE
SIGN CO. INC.

Site Plan



Sign before it was
damaged



90 County

State of Maryland License

06225595

06876651

11125725

24



INTERSTATE SIGN CO INC
1990 ROCKFORD ST
MOUNT AIRY NC 27030

INTERSTATE SIGN CO INC
1990 ROCKFORD ST
MOUNT AIRY NC 27030

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
66	015	OUT-OF-STATE CONTRACTOR (NOT FOR HOME IMPROVEMENT)	1	15.00

DATE OF ISSUE
MO DAY YR
04/09/2024

MONTHS PAID
12

ISSUING FEES	2.00
TOTAL	17.00
AMOUNT PAID	17.00

THIS LICENSE MUST BE PUBLICLY DISPLAYED
AND EXPIRES ON **APRIL 30, 2025**

ISSUED BY HEATHER S. DEWEES, CLERK OF CIRCUIT COURT
55 NORTH COURT STREET
WESTMINSTER, MARYLAND 21157-5155 (410)386-8760

DBN

The information below is for the Clerk's Office use only, customers can disregard.

These barcodes are for use with the new Cashiering System. When your site is upgraded, you will be given instructions for their use.

These barcodes must be scanned in order for RCS.

Scan this one first



06\$150\$100876651\$106225595

Scan this one second



15 00\$V10 00\$V10 00\$V12.00

Exhibit

B



**Washington Springdale LLC
PO Box 8603 Reston VA 20195**

November 5, 2024

By Mail and E-mail (njohnson@eastonmd.gov)

Town of Easton Planning Department
14 S. Harrison St
Easton, MD 21601
Attn: Nick Johnson

Re: Variance for Sign at 7-Eleven Store#18677
410 N. Washington Street, Easton MD 21601

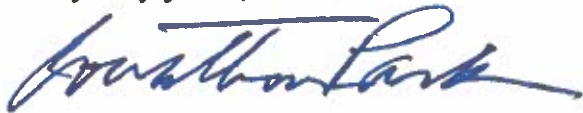
Mr. Johnson,

I am the owner of the property at 410 N Washington Street, Easton, MD. This letter is to authorize 7-Eleven, Inc., the store owner and operator at the property and their designated authorized contractor to apply for a variance for the 7-Eleven pylon sign at the property.

Please let me know if there is anything else you need from me to correct the problem with the 7-Eleven sign.

Thank you for your attention to this matter.

Very truly yours,



Jonathan Park
PTR Management LLC, Manager
Washington Springdale LLC
Mobile No: (571) 318-2450
E-mail address: jpark@ptrmanagementllc.com

NOT SUBJECT TO RECORDATION TAX OR TRANSFER TAXES PURSUANT TO ANNOTATED CODE OF MARYLAND, TAX-PROPERTY ARTICLE § 12-108(p)(2)(i) AND § 13-207(a)(9)

Property Address:
410 N. Washington Street
Easton, MD 21601

Tax Account: 01-024213

DEED

THIS DEED, is made effective this 22nd day of September 2020, by and between 410 N. WASHINGTON, LLC, a Maryland limited liability company ("Grantor"), and WASHINGTON SPRINGDALE LLC, a Maryland limited liability company ("Grantee"):

WITNESSETH, that in consideration of Zero Dollars (\$0.00) and other good and valuable consideration, the Grantor does hereby grant unto the Grantee, and assigns, in fee simple absolute as Sole Owner, all that piece or parcel of land, together with the improvements, rights, privileges and appurtenances to the same belonging, situate in Talbot County, State of Maryland, and described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO COVENANTS AND RESTRICTIONS OF RECORD,

And the Grantor covenants that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of said land as may be requisite.

And the Grantor hereby certifies and affirms under penalty of perjury that this is a transfer of title to real property between a parent business entity and its wholly-owned subsidiary business entity and meets all the requirements for exemption from State recordation and transfer taxes as set forth in Tax-Property Article § 12-108(p)(2)(i) and § 13-207(a)(9).

The Grantor hereby certifies under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee, is in the sum total of \$0.00

TALBOT COUNTY FINANCE OFFICE
RECORDATION TAX
AMT: \$0.00
DATE: 10/27/2020
INITIALS: SPH
Prop ID: 01-024213

CERTIFICATION IS MADE THAT ALL TAXES
DUE ON THE PROPERTY INDICATED IN
THIS DEED HAVE BEEN PAID.
FINANCE OFFICER OF TALBOT COUNTY
R ANDREW HOLLIS, FIN. OFFICER CH

DATE 10/27/2020

Exhibit

B

In Witness Whereof, the Grantor executed this Deed as of 22 day of September, 2020.

GRANTOR:

410 N. Washington, LLC,
a Maryland limited liability company

By: _____

Name: Jeremiah B. Landsman

Title: Authorized Member

State of Maryland

County of Anne Arundel

) ss:

I, Brenda J. Makar, a Notary Public in and for the aforesaid said jurisdiction, do hereby certify Jeremiah B. Landsman, Authorized Member of 410 N. Washington, LLC ("Grantor") personally appeared before me in said jurisdiction and acknowledged that he is an Authorized Member of Grantor, that he has been duly authorized to execute and deliver the foregoing Deed on behalf of the Grantor for the purposes therein contained and that the same is his act and deed and the act and deed of the Grantor.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, this 22nd day of September, 2020.

BRENDA J MAKAR
NOTARY PUBLIC
(SEAL)
ANNE ARUNDEL COUNTY
MARYLAND

Brenda J Makar
Notary Public

My Commission Expires: 7/29/2023

After recording, mail to:
LP Title, LLC
4725 Wisconsin Avenue, NW
Suite 250
Washington, DC 20016
File No. REP0168MD

CERTIFICATION

I HEREBY CERTIFY that this instrument was prepared under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

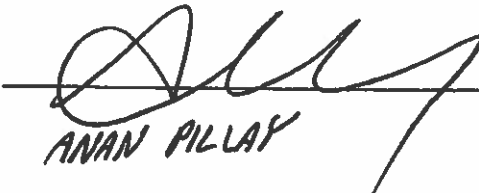

ANAN PILLAY

Exhibit "A"
Legal Description

PARCEL 1:

ALL that lot or parcel of land in Mount Pleasant Development in the Town of Easton, Talbot County, Maryland, more particularly described as follows:

BEGINNING at a concrete monument or marker set on the southeasterly side-line of the Centreville Road (North Washington Street, Ext.) where the same is intersected by the southwesterly side-line of a recently established public street extending between the herein described lot and a lot numbered #41 of the Second Section of Mount Pleasant Development; thence (1) with the southwesterly side-line of the above mentioned Street, South 48 degrees 48' East 150 feet to a concrete monument and the northwesterly side of an alley; thence (2) with the northwesterly side-line of said alley, South 41 degrees 12' West 90.0 feet to an iron pipe and the Northerly side-line of Mount Pleasant Avenue; thence (3) with the Northeasterly side-line of a lot belonging to the Cox Distributing Company, North 48 degrees 48' West 150 feet to an iron pipe and the southeasterly side-line of the Centreville Road; thence (4) with said side-line of Centreville Road, North 41 degrees 12' East 90.00 feet to the place of beginning, containing 13,500 square feet, being all of Lot Numbers 35, 36, 37 and the Southeasterly 15 feet of Lot No. 38 of the Second Section of Mount Pleasant Development, a Plat of which is recorded in Talbot County, Maryland Plat Records in Liber TJF 1, folio 142A.

The aforementioned Lots are now consolidated into one parcel of land and described as hereinbefore set forth and more particularly shown upon a Map or Plat of a location survey of same made by Kastenhuber and Anderson, Civil Engineers and Surveyors, entitled "Map of Mount Pleasant Lots Surveyed for Dean E. and Margaret C. Lively in the Town of Easton, Talbot County, Maryland", said Map or Plat of the same being duly recorded in Liber JTB No. 13 folio 11, among the Plat Records of Talbot County, Maryland.

PARCEL 2:

ALL that certain tract or parcel of land located in the Town of Easton, Talbot County, Maryland, and being more particularly described as follows:

BEGINNING at a lead plug set in the concrete sidewalk pavement at the westerly corner of the intersection of Mount Pleasant Avenue and the public street leading to Washington Street (60 feet wide); thence (1) with the northwesterly side line of Mount Pleasant Avenue, crossing the southerly end of Long Land (20 feet wide), said lane being shown as "Alley" on the subdivision plats of Mount Pleasant, (1) South 71 degrees 05' 54" West 75.22 feet to an iron rod set on the projection of the southwesterly line of a lot belonging to C.S. Tarbutton; thence (2) continuing with the end of Long Lane, (2) North 49 degrees 34' 00" West 1.96 feet to the southerly corner of the Tarbutton lot; thence (3) with the northwesterly side line of Long Lane, North 40 degrees 36' 46" East 90 feet to a lead plug set in the sidewalk pavement, said lead plug being, for reference only, South 40 degrees 36' 46" West 3.10 feet from a concrete monument found at the easterly corner of the Tarbutton lot; thence (4) with the southwesterly side line of the public

street leading from Mount Pleasant Avenue to Washington Street, South 20 degrees 34' 31" East 45.80 feet to the place of beginning, containing 1.807 square feet of land.

The above two (2) described parcels of land being more particularly shown as Parcels 1 and 2 upon a Plat made by Brent K. Spicer, Surveyor, entitled "Town of Easton, Maryland Plat showing Land to be conveyed to C.S. Tarbutton".

And Parcel No. 1 also being a portion of Long Lane, shown as "Alley" on a Plat entitled, "Mount Pleasant Development - Second Section", dated April, 1940 and recorded in Liber 1 folio 142A of the Plat Records of Talbot County, Maryland.

And Parcel No. 2 also being a portion of Lot 16 on a Plat entitled, "West Mt. Pleasant Development Property of Anna Haley North of Easton, Talbot Co., Maryland", prepared by Walter F. Moon, Surveyor, dated January, 1949, and recorded in Liber 3 folio 42, of the Plat Records of Talbot County, Maryland.

Tax ID No. 01-024213

**Maryland
FORM
WH-AR**

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2020

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor 410 N. Washington, LLC, a Maryland limited liability company

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

410 N. Washington Street, Easton, Maryland

3. Reasons for Exemption

Resident Status

☐

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☒

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

**Date

Signature

3b. Entity Transferors

410 N. Washington, LLC

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

20-49

LR - Deed (No-Taxes)
Recording Fee 20.00
Name: Washington
Springdale LLC
Ref:
LR - Deed (No-Taxes)
Surcharge 40.00
=====

SubTotal:	60.00
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=====

Total:	165.00
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10/28/2020 08:57
CC20-NT
#14228013 CC0205 -
Talbot
County/CC02.05.01 -
Register 01



Kathleen M. Duvall, Clerk
Circuit Court for Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
410-822-2611 Ext. 4

DOCUMENT VALIDATION
(excluded from page count)

CC-Overpayment by Check
55.00
Reason: Esq didn't want
to reissue a check
Check: 7631

=====
Total: 165.00
10/28/2020 08:57
CC20-NT
#14228013 CC0205 -
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State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☐ County: Talbot

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only—All Copies Must Be Legible)

1 Type(s) of Instruments		☐ Check Box if addendum Intake Form is Attached. ☒ Deed of Trust ☐ Mortgage ☐ Other ☐ Other																																																																																																															
2 Conveyance Type Check Box		☐ Improved Sale Arms-Length [1] ☐ Unimproved Sale Arms-Length [2] ☐ Multiple Accounts Arms-Length [3] ☐ Not an Arms-Length Sale [9]																																																																																																															
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Space Reserved for County Verification





TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

December 2, 2024

Interstate Sign Company
% Michelle Hobbs
1990 Rockford Street
Mount Airy, NC 27030

Re: BOZA Application V - 1339 / V 24 - 13
410 N. Washington Street (7 Eleven)
Tax Map 0101, Grid 0017, Parcel 0281
Easton, MD 21601

Ms. Hobbs,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, December 17th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing. If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

December 2, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, December 17, 2024 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application V - 1339 / V 24 - 13 has been filed by Michelle Hobbs on behalf of Interstate Sign Company (Applicant), pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain an after-the-fact Variance from Section 28-1101.7.B.1, the maximum height requirement for freestanding signs; and from Section 28-1001.7.B.2, the minimum landscape area requirements for freestanding signs. The property is located at 410 N. Washington Street, Easton, Maryland, also known as Tax Map 0101, Grid 0017, Parcel 0281, and is situated in the CB – Commercial Business zoning district. The property is owned by Washington Springdale, LLC.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov



Subject property posting pursuant to Section 28-901.2.H.2 of the Town of Easton Zoning Code - December 2, 2024.

NOTICE

Notice is hereby given that Application V - 1339 / V 24 - 13 has been filed by Michelle Hobbs on behalf of Interstate Sign Company (Applicant), pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain an after-the-fact Variance from Section 28-1101.7.B.1, the maximum height requirement for freestanding signs; and from Section 28-1001.7.B.2, the minimum landscape area requirements for freestanding signs. The property is located at 410 N. Washington Street, Easton, Maryland, also known as Tax Map 0101, Grid 0017, Parcel 0281, and is situated in the CB – Commercial Business zoning district. The property is owned by Washington Springdale, LLC.

A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, December 17, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

TOWN OF EASTON BOARD OF ZONING APPEALS

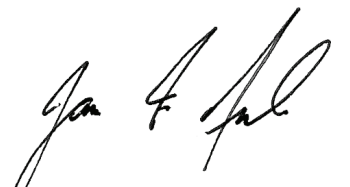
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application V - 1339 / V 24 - 13..." was published in the:

The Star Democrat 11/30/24



James F. Normandin
President & Publisher

NOTICE

Notice is hereby given that Application V - 1339 / V 24 - 13 has been filed by Michelle Hobbs on behalf of Interstate Sign Company (Applicant), pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain an after-the-fact Variance from Section 28-1101.7.B.1, the maximum height requirement for freestanding signs; and from Section 28-1001.7.B.2, the minimum landscape area requirements for freestanding signs. The property is located at 410 N. Washington Street, Easton, Maryland, also known as Tax Map 0101, Grid 0017, Parcel 0281, and is situated in the CB - Commercial Business Zoning District. The property is owned by Washington Springdale, LLC.

A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, December 17, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

TOWN OF EASTON BOARD OF ZONING APPEALS

3068598 SD

11/30/2024



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
for 8223 ELLIOTT ROAD
SE - 1346 / SE 24 - 09
2024-12-17

Applicant notified of hearing date: Email: 2024-12-02 – 15 days

Exhibit A: Staff Report: 2024-10-10 – 7 days

Exhibit B: Application

Application: 2024-11-19 – 28 days
Special Exception Application and Attachment A
October 1, 2024 Conditional License Letter
Special Exception Findings of Fact
Cannabis Dispensary Statement of Use
Site Plan Exhibit
November 2024 Traffic Impact Study
Owner Authorization Letter
Deed
Covenants and Restrictions
Subject Property Exterior Photographs

Proof of Payment: 2024-11-19 – 28 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-12-02 – 15 days

400' Notices Distributed: 2024-12-02 – 15 days

Picture of Property Sign Posting: 2024-12-02 – 15 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-11-22 – 25 days

Advertisement run in Star Democrat: 2024-11-30 – 17 days

Star Democrat Proof

Certificate of Publication

Date of Hearing: December 17, 2024

3d

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: SPECIAL EXCEPTION 1346

ELECTION WARD: Ward 2

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson, AICP Candidate - Town Planner
Lynn Thomas, AICP – Town Planner
Miguel Salinas – Director of Planning and Zoning

APPLICANT: Zachary A. Smith Esq. on behalf of BGFY LLC.

PURPOSE: The applicant is seeking a special exception to permit a cannabis dispensary on a property located in a Planned Unit Development (PUD) with an underlying zoning district of Commercial General (CG) zoning district.

RECOMMENDATION:
Staff supports a Board **approval with conditions** of this application.

APPLICATION INFORMATION:	
APPLICANT: BGFY LLC	REPRESENTATIVE: Zachary A. Smith, Esq. Armistead, Lee, Rust, & Wright 114 Bay Street, Building C Easton MD, 21601
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 109, Parcel 4582, Lot 3	13.9

ACCEPTANCE DATE: November 19, 2024	LOCATION: 8223 Elliott Road
EXISTING ZONING CG PUD	EXISTING LAND USE: Commercial
HISTORIC DISTRICT: No	FUTURE LAND USE: Commercial

CONTEXT:

Location/Site Access – The subject property is bounded to the east by Elliott Road and to the north and east by Teal Drive. Vehicular access points are provided on both Elliott Road and Teal Drive while pedestrian access is provided through a newly constructed sidewalk on Elliott Road. The site is served by public transportation through Maryland Upper Shore Transit (MUST).

Existing Conditions – The subject property is best described as an existing 112,985 square foot shopping center. In addition to the primary commercial structure, there is an existing 2,700 square foot commercial building located in the south-western corner of the property that was previously used as a bank (*Figure 1*). There is a large off-street parking area serving both the 112,985 square foot structure and the former bank. There are nineteen (19) off-street parking spaces located directly adjacent to the former bank as well as 622 off-street spaces serving the entire property.

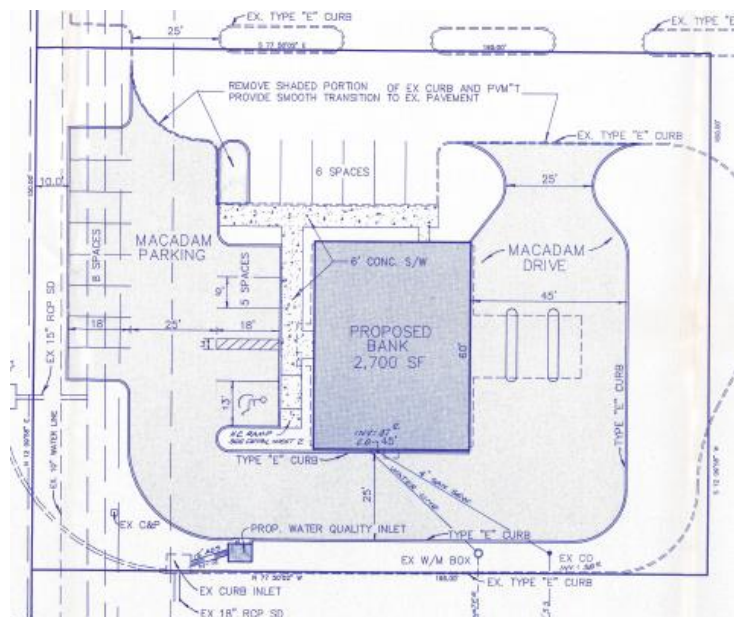


Figure 1: St. Michaels Bank Site Plan - 1993

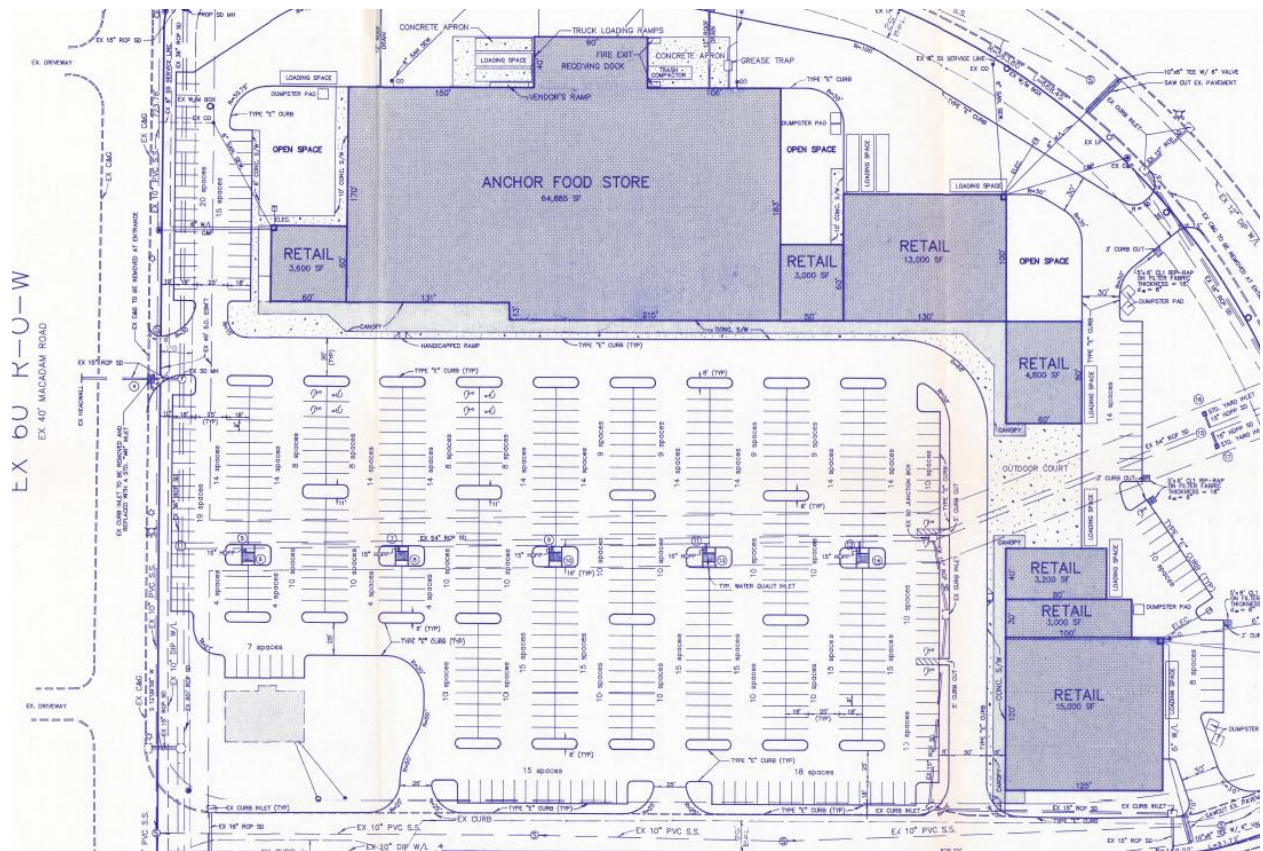


Figure 2: The Shoppes at Eaton – PUD Site Plan 1993

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Commercial	CG	Commercial
East	Commercial	CG	Commercial
North	Commercial	CG	Commercial
West	Commercial	CG	Commercial

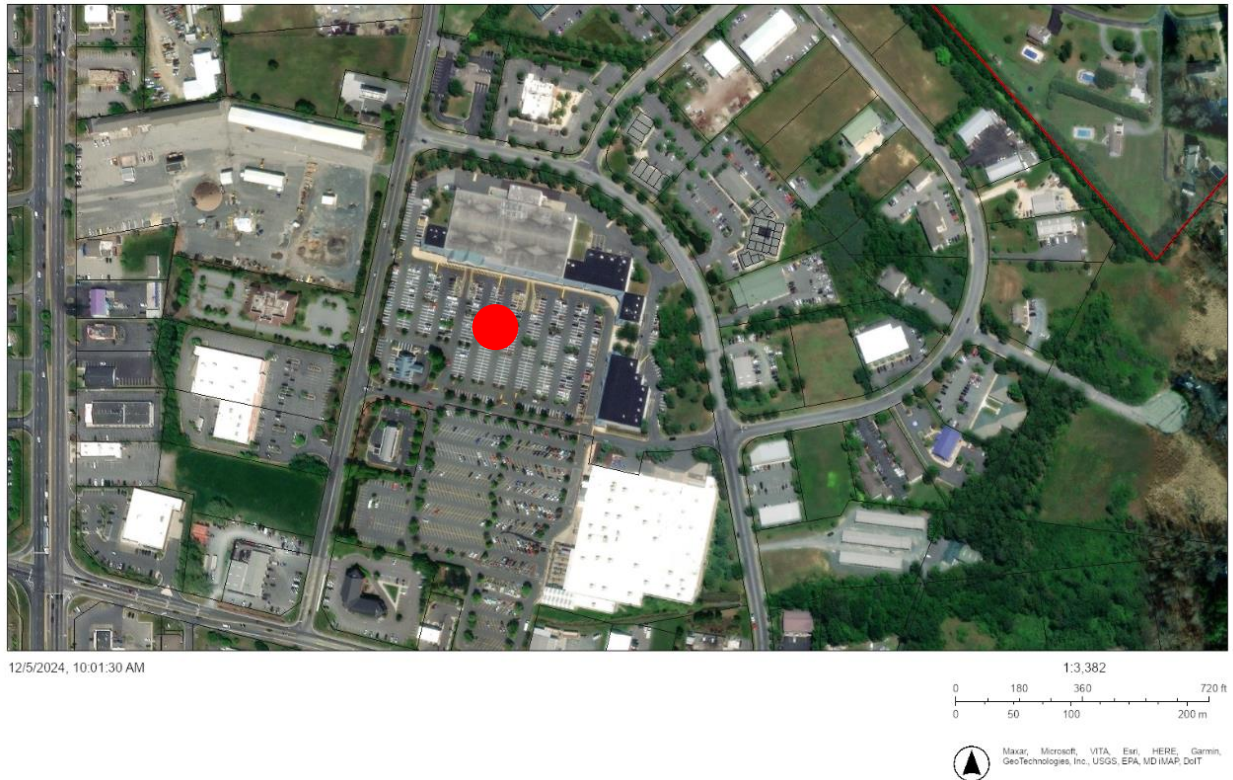


Figure 3: Vicinity Map

PROPOSAL: The applicant is proposing to operate a cannabis dispensary on a property zoned PUD with an underlying CG zoning district. Within PUDs, §28-701.D establishes the process for establishing uses that are permitted by special exception in the underlying Zoning District. Requests to establish any use that is permitted by special exception in the underlying Zoning District are reviewed through the normal special exception process for pre-existing PUD's. The location of the proposed dispensary is within the vacant 2,700 square foot bank building located in the south western corner of the property. The applicant has obtained a conditional license from the Maryland Cannabis Administration to operate a standard dispensary within Talbot County. The dispensary will be open to the public Monday through Sunday from 9:00 am to 9:00 pm and will employ an estimated 30 individuals. Odor control technology will be installed as required by the Town of Easton Zoning Ordinance.

BACKGROUND:

Town Ordinance 809 ¹passed by the Town Council in April of 2024, amended the Zoning Ordinance to permit cannabis dispensaries by special exception within the Central Business (CB) and Commercial General (CG) Zoning District subject to supplemental standards. These supplemental standards are as follows (§28-1007.2.A.18):

¹ In addition to regulating cannabis dispensaries, Ordinance 809 also introduced requirements for other cannabis related uses including cannabis growing and processing facilities. The Ordinance also prohibits cannabis establishments with on-site consumption.

- a. *A cannabis dispensary shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR 10.62.01 to 10.62.35.*
- b. *No medical cannabis dispensary shall be permitted within five hundred feet (500') (measured from the closest portion of the affected properties) of any of the following uses: Pre-existing Schools, Colleges & Universities, Pre-existing Houses of Worship, Pre-existing Family Day Care, Day Care Group, Day Care Small Group, Pre-existing Public Park, playground, recreation center or library, one-half mile of another cannabis dispensary, or one hundred feet (100') of any property zoned for residential use.*
- c. *Owners/operators of a cannabis dispensary shall provide the Town with an up-to-date local contact person (based in Talbot County) who shall be available and authorized to respond to complaints concerning any operational issues associated with the dispensary.*
- d. *All cannabis dispensaries shall install odor control technology, as necessary, in order to control ventilation at the establishment in such a manner that no odor from cannabis products can be detected outside the building on the same property or on adjacent properties or public rights-of-way, or within any other unit located within the same building as the cannabis dispensary, if the use occupies only a portion of the building. The Operator shall properly maintain all odor mitigation equipment to ensure maximum efficiency. Applicant shall provide certification by a Professional Engineer, Certified Industrial Hygienist, or other equivalently qualified professional that proposed odor control measures will effectively eliminate outdoor odors for all odor sources.*
- e. *A cannabis dispensary may not be open to the public prior to 9:00 a.m. or after 9:00 p.m. Operations not involving the public, such as stocking of shelves, completion of booking, etc., may occur outside this window.*
- f. *The parking requirement for cannabis dispensaries shall be determined by a detailed traffic impact analysis provided by a petitioner for said use that is based on the following information provided by the dispensary:*
 - * Sales data - data which includes a sales transaction timestamp (hour, minute, day of week) at a comparable location for that brand.*
 - * Hours of operation - intended hours of operation for the development.*
 - * Number of employees - intended employees, staffing levels, and scheduling information. It should be emphasized that this information will likely be collected from another location or franchise owned by the petitioner.*

In no case shall a cannabis dispensary provide parking at a ratio of less than 2 spaces for every three employees on the maximum shift plus 7 spaces for every 1,000 SF unless a parking deviation is requested by the Applicant and approved by the Planning Commission pursuant to the provisions of Section 28-1001.3C of the Zoning Code.

OUTSTANDING ISSUE:

1. There is an existing house of worship located at 29512 Canvasback Drive. Per supplemental standard b for cannabis dispensaries, no such use shall be permitted within 500 feet of an existing house of worship. This distance is measured from the closest portion of the affected properties. The property that the proposed cannabis dispensary will be located upon is located within 500 feet of a property containing a pre-existing house of worship (*Figure 4*). Note that the former bank is located well in excess of 500' from the House of Worship, but because the Zoning Code specifies that measurements are from the edge of property and the property involves the whole shopping center, it does not satisfy this separation requirement. A subdivision which carves out the site of the proposed dispensary would meet the distance requirement.



Figure 4: House of Worship 500' Buffer

POLICY ANALYSIS (SPECIAL EXCEPTION):

a. The proposed use conforms in all aspects to minimum requirements of the district in which it is located.

Analysis – Cannabis dispensaries are regulated through supplemental standards found in §28-1007.2.A.18 of the Town Code (*See Background Section*). Of these supplemental standards, the applicant's proposal meets all of these requirements with the exception of the 500-foot separation between a property containing a pre-existing house of worship. In regards to conformance with standards specific to the CG zoning district, the existing structure meets this zoning district's minimum setback, height, and lot coverage requirements.

b. The proposed use is not adversely affecting the health, safety, and general welfare of residents of the area.

Analysis – The surrounding area is commercial in nature with the nearest residential property being located approximately 1,200 feet from the structure. The proposed use is consistent with the commercial nature of this property as well as the surrounding properties.

c. The proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;

Analysis – The proposed use should not generate any additional demand for public facilities. This structure has previously been used for commercial purposes that place a compatible demand on public facilities.

d. The proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;

Analysis – A traffic impact analysis was performed by Lenhart Traffic Consulting Inc. that finds “the proposed redevelopment will not significantly increase traffic volume on any road segment or intersection within the study area.” There is more than adequate off-street parking to serve this use located directly adjacent to the structure and elsewhere within the shopping center.

e. The proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;

Analysis – Odor is the major concern typically associated with cannabis related uses, though more common with processing and/or grow facilities than a dispensary. The Town’s standards for cannabis dispensaries require that the applicant install odor control technologies to mitigate this potential adverse effect. Staff supports a condition requiring the applicant to provide certification from a qualified professional that proposed odor control technologies will effectively mitigate any odors associated with this use. The proposed use is commercial in nature and is not proposing any additional development that would affect drainage or access.

f. The proposed use will not adversely affect the established character of the area.

Analysis – The surrounding area is overwhelmingly commercial in nature which is consistent with the proposed use.

g. The proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary and uses customarily found near or in conjunction with

one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

Analysis - The Comprehensive Plan's future land use map identifies this property as appropriate for commercial uses which is consistent with what is proposed.

RECOMMENDED CONDITIONS:

1. Prior to the issuance of an occupancy permit, the applicant shall provide the Town with an up-to-date local contact person (based in Talbot County) who shall be available and authorized to respond to complaints concerning any operational issues associated with the dispensary.
2. Prior to the issuance of an occupancy permit, the applicant shall provide certification by a Professional Engineer, Certified Industrial Hygienist, or other equivalently qualified professional that proposed odor control measures will effectively eliminate outdoor odors for all odor sources.
3. The cannabis dispensary shall not be open to the public prior to 9:00 a.m. or after 9:00 p.m. Operations not involving the public, such as stocking of shelves, completion of booking, etc., may occur outside this window.
4. A subdivision plat shall be recorded prior to issuance of a building permit. The newly created lot upon which the cannabis dispensary will operate must meet the minimum separation requirements for cannabis dispensaries found in §28-1007.2.A.18 of the Town Code.
5. Any subsequent change in ownership, tenancy, or operation will require a new application and approval for the continuation of the special exception use.
6. The applicant shall obtain a certificate of occupancy within two (2) years after the date the special exception is granted. Failure to obtain a certificate of occupancy by December 17, 2026 shall void this approval.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve with staff's recommended conditions** Special Exception 1346 based on the following findings...

OR

2. I move that the Board of Zoning Appeals **deny** Special Exception 1184 based on the following findings...

OR

3. I move an alternate motion.



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: December 16, 2024
TO: Mike Lenhart - Lenhart Traffic Consulting, Inc.
cc: Sierra Clem - Town of Easton
FROM: Rick Van Emburgh, P.E. – Town Engineer
SUBJECT: Easton Dispensary
Traffic Impact Analysis Review

I reviewed the Application for the Subject project received on November 21, 2024.
The **Traffic Impact Analysis** is **Acceptable to the Engineering Department**.
Please contact me if you have any questions. Thank you.

END OF DOCUMENT



TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

RECEIVED
NOV 19 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☐ VARIANCE ☐ APPEAL ☒ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	8223 Elliott Road, Easton						
TAX MAP	109	GRID		PARCEL	4582	LOT	3
DEED REFERENCE	LIBER	3007	FOLIO	291			
PLAT REFERENCE	LIBER	2	FOLIO	3C			
EXISTING USE	Vacant (formerly bank)						
ZONING DISTRICT	CG/PUD						

HISTORIC DISTRICT Y ☐ N ☒ Planned Redevelopment District Y ☐ N ☒

OWNER

NAME	8223 ElliottRD LLC		
MAILING ADDRESS	1790 Coral Way, 3rd Floor, Miami, FL, 33145		
TELEPHONE NO.		EMAIL	

APPLICANT OR AGENT

NAME	B GFY, LLC c/o Zachary A. Smith, Attorney for Applicant		
MAILING ADDRESS	114 Bay Street, Building C, Easton, MD 21601		
TELEPHONE NO.	410-819-8989	EMAIL	zachsmith@alrwlaw.com

Surveyor / Engineer

NAME	N/A		
License Number and Expiration			
MAILING ADDRESS			
TELEPHONE NO.		EMAIL	

REQUEST DETAILS

SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☒ (Not to Applicant's Knowledge)

ZONING ORDINANCE SECTION §28-201 Table 2.1 F and §28-701 D

☒ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

ANY MODIFICATIONS DURING REVIEW SHALL WARRANT AN UPDATED APPLICATION.

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM THAT THE INFORMATION PROVIDED BY THIS APPLICATION AND THE DOCUMENTS ATTACHED HERETO ACCURATELY REPRESENT THE CONDITIONS OF THE REQUEST AND THAT SUBMISSION OF AN INCOMPLETE APPLICATION WILL BE RETURNED FOR CORRECTION PRIOR TO PROCESSING.

SIGNATURE OF APPLICANT OR AGENT	
Date	11/18/24
PRINTED NAME OF APPLICANT OR AGENT	Zachary A. Smith, Agent

For Office Use Only

Project Number	SE 24 -09	Fee Received	\$700.00
Application Number	SE - 1346	Application Notification	12/02/2024
Filing Date	11/19/2024	Property Posting Date	12/02/2024
BOZA Hearing Date	12/17/2024	Notice(s) Published	11/30/2024
If ESDR, Date	-		

Revised 11-2023



Board of Zoning Appeals Checklist Special Exception Application

Application review shall not commence unless a complete application is submitted. A complete application includes all **minimum** submission materials and documents on this Checklist of Minimum Submission Requirements.

	Provided	N/A
Required fee payment as determined by the fee schedule adopted by the Town Council	√	
Completed application along with a written, detailed explanation for the purpose of the request	√	
Site plan drawn to scale to include at a minimum the items listed below.	√	
Property boundaries and dimensions	√	
Locations and dimensions of all existing and proposed structures and their locations measured from the nearest property lines	√	
Setbacks from property lines	√	
Adjoining roads	√	
Established easements	√	
Perennial and intermittent streams		√
Tidal and non-tidal wetlands		√
Architectural drawings, photographs, elevations, specifications, or other detailed information depicting the exterior appearance of existing and proposed construction, including parking, access, exterior lighting, and signs	√	
A statement explaining in detail how the use is to be operated, including hours of operation, number of anticipated employees, occupants and clientele, traffic impact, and any special equipment, conditions, or limitations that the applicant proposes	√	

If the applicant is not the owner of the subject property, documentation of legal interest in the property or authorization to file application from or on behalf of the owner	√	
A copy of the deed conveying present ownership of the property	√	
A copy of any covenants or restrictions on the property recorded among the Land Records of Talbot County	√	
Additional documents, records, and exhibits that the applicant intends to introduce or rely upon at the public hearing	√	
Written responses to all the Board's required consideration of the principles relevant to the request (see attached)	√	

Special Exception Findings of Fact

- a. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
- b. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
- c. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;
- d. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
- e. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
- f. the proposed use will not adversely affect the established character of the area.
- g. the proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance

ATTACHMENT A

PURPOSE OF REQUEST

The Applicant proposes to establish a cannabis dispensary in an existing commercial building within the Shoppes at Easton Shopping Center. The subject building was built and formerly used a bank. The building is currently vacant. The Applicant plans to renovate the interior of the existing building as needed to accommodate the new dispensary, including the installation of an odor control system that will prevent any odors from leaving the building. No expansion to the building is proposed.

Parking for the use is already in place by virtue of the prior use. There are 19 parking spaces that immediately surround the new dispensary. The owner of the shopping center has agreed to make an additional 25 adjacent parking spaces available for use by the dispensary and its customers.

The Applicant has been issued a conditional license by the State of Maryland to operate a cannabis dispensary within Talbot County. Under applicable State requirements conditional licensees have 18 months to become operational.



Wes Moore, Governor - Aruna Miller, Lt. Governor - William Tilburg, Director

10/1/2024

Noah Alan Matten
BGFY LLC
bgfyllc@gmail.com

Dear Noah Alan Matten

Congratulations! This letter is to inform you that BGFY LLC has been awarded a Conditional License to operate a Standard Dispensary - Talbot by the Maryland Cannabis Administration!

Next Steps

The next step in the licensing process is to complete and submit a Supplemental Application. A Conditional Licensee **must** complete the [Supplemental Application](#) and provide any requested supporting documentation in order to be considered for final licensure. The Supplemental Application must be submitted to the Maryland Cannabis Administration (MCA) within six months of the award of a Conditional License, or 4/3/2025. Additionally, under statute conditional licensees must be operational within 18 months from the award of a Conditional License, or 4/3/2026. Failure to submit the Supplemental Application within 6 months of award, or become operational within 18 months of award, may result in recession of the conditional license.

During the Conditional License period you must also secure a location for the business and complete any necessary build-out of the premises in coordination with your assigned MCA investigator, Tyson Brice at tyson.brice1@maryland.gov.

The location of a licensed cannabis business is limited to the region or jurisdiction in which the business applied and was awarded. A Conditional Licensee must notify the MCA, through their assigned investigator, once legal control of a location has been established. This means upon signing a Letter of Intent or lease, whichever occurs first, a conditional licensee must notify the MCA and provide a copy of the letter or lease. The licensee must also demonstrate planning and zoning approval by the relevant county or municipal zoning authority prior to MCA issuing a final license. The MCA has developed [this tool to assist with conditionally licensed standard dispensaries](#) in exploring which areas may comply with the current statutory restrictions on licensed locations. This tool should only be used for educational purposes, and does not constitute local approval, as the local planning and zoning authorities may reduce, or in certain instances increase these limitations.

A Conditional Licensee may bring on additional equity investors, provided that any transfers comply with the [guidance issued by MCA](#) on April 17, 2024.

Important Reminders

- During the Conditional License phase, the conditional licensee may not grow, process, or distribute cannabis.
- A Conditional License is not transferable - it may not be sold, gifted, or otherwise transferred.
- Any changes to the business ownership, name, structure or other material aspects of the conditional licensee's application must be submitted to MCA for review and approval.
 - For any proposed changes to ownership, please submit this [form](#) to MCA for review and approval.
 - For any other proposed changes (e.g., legal name, business name), please complete and return Attachment A (included below) to your assigned MCA investigator. Any necessary supporting documentation should accompany the submission of Attachment A.
- The Cannabis Reform Act requires that a conditional licensee become operational within 18 months of the date of this letter. If the conditional licensee fails to become operational in that time period, the MCA may rescind the conditional license.
- A complete Supplemental Application includes demonstrating that you have obtained adequate capitalization as described in the [Application Instructions](#).

MCA will contact you in the next few weeks with information on a webinar to discuss the requirements of the supplemental application. The webinar will include information on avoiding or troubleshooting common challenges and issues businesses face in completing the supplemental application and becoming operational, and responses to frequently asked questions.

Questions should be sent via email to your assigned MCA investigator, Tyson Brice at tyson.brice1@maryland.gov.

Thank you for your continued collaboration. MCA looks forward to working with you,



Will Tilburg
Director
Maryland Cannabis Administration

Attachment A: Updated Information Form

Date: _____

Entity Name: _____

Lottery Number: _____

Primary Contact Name: _____

Primary Contact Email: _____

Brief description of Change:

Does this change affect any document(s) previously submitted to the MCA? If so - please identify which document, and provide as a separate attachment to the MCA updated document(s):

- ☐ Yes
- ☐ No

Document Name: _____

Special Exception Findings

a. The proposed use conforms in all aspects to minimum requirements of the district in which it is located;

Applicant Response:

The building and other site improvements already exist and are in conformance with applicable standards. The existing building was built and most recently used as a bank. This application seeks to adaptively reuse the existing building for a cannabis dispensary use. The building will be cleaned up and fitted out as necessary to accommodate the new use, all in accordance with all applicable building requirements. The renovations will include the installation of systems required to comply with the odor control requirements for this type of use as stated in §28-1007.2 A. 18. D. of the Code. The planned dispensary will also meet the separation requirements set forth in the Code, requiring that the use be located more than 500' from any church, school, daycare, park, recreation center or library; more than ½ mile from another cannabis dispensary; and more than 100' from any residentially zoned property. Operationally the dispensary will be open from 9:00 AM to 9:00 PM, and will provide more than the minimum number of parking spaces required for this use under the Code.

b. The proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;

Applicant Response:

The proposed retail use will be located within an established commercial shopping center. No adverse impact to health, safety or general welfare will occur. The proposed dispensary will offer products that are desirable to many Easton residents, and that are currently not available through a licensed dispensary located within the Town or even Talbot County. The shopping center was approved by the town and built for the purpose of accommodating retail establishments. The planned reuse of this vacant building will fill an empty storefront, enhance the vibrancy of the existing shopping center and avoid additional greenfield development.

c. The proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;

Applicant Response:

No change to the demands on public facilities or services are anticipated. The site is already developed, and is already served by public streets and utilities – no changes are proposed. The shopping center is already covered by existing municipal services such as police and fire services, no changes are proposed. The commercial use will not impact other public facilities such as schools and/or parks.

d. The proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;

Applicant Response:

The submitted traffic impact study confirms that the use will not degrade traffic conditions. The re-tenanting of the building is projected to produce less traffic than the former bank. No adverse change is anticipated to occur to any nearby street and/or intersection as a result of the proposed use.

e. The proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;

Applicant Response:

The dispensary will be located within an existing building within an established shopping center. The nature and level of activity will be consistent with other retail uses within this center and the surrounding context. For any new dispensary, the Code requires that a special odor control system be installed to eliminate odors that may otherwise leave the building – the Applicant will install such a system in compliance with the regulations. The use does not produce smoke. Drainage and access patterns associated with the shopping center are established and are not proposed to be modified or adversely impacted by the proposed use.

f. The proposed use will not adversely affect the established character of the area.

Applicant Response:

The character of this area is defined by the existing retail shopping center, including the existing building. This Application merely proposes to fill an existing commercial building with a retail use. The approval of this application will not adversely affect the character of the area, and in fact will benefit the center by filling a vacant space and providing additional retail goods to patrons of the center.

g. The proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

Applicant Response:

The proposed cannabis dispensary will be located within an existing building within an existing shopping center. The subject area is shown in the Comprehensive Plan as a commercial area, which this use is consistent with. The Comprehensive Plan strongly supports infill development and the adaptive reuse of existing buildings. The use of an existing building avoids the additional development of an existing greenfield and fills a vacancy in an existing shopping center – thereby making the center more vibrant.

Statement of Use for Cannabis Dispensary Special Exception

The dispensary will provide medical and adult use cannabis products to qualified patients in accordance with all state and local regulations. Below is a detailed explanation of how the business will be operated, including hours of operation, employee and clientele expectations, traffic impacts, and any special equipment or conditions proposed.

Hours of Operation

The proposed dispensary will be open to the public during the following hours:

- **Monday through Sunday:** 9:00 AM to 9:00 PM

Number of Anticipated Employees and Occupants

The dispensary will employ an estimated 30 individuals, including:

- **Operations Staff:** 5 part and full time employees who will assist with receiving and managing inventory of cannabis.
- **Sales Staff:** 20 part and full time employees who will assist customers with selecting appropriate products and completing transactions.
- **Management and Administrative Staff:** 5 full-time individuals handling employee management, operations, record-keeping, and regulatory compliance.

Clientele and Traffic Impact

The dispensary will serve medical cannabis patients who are registered with the State of Maryland's Medical Cannabis Commission along with adults who have state ID proving they are over 21 years of age. We anticipate an average of 300 patient visits per day, with peak times occurring in the late morning and early evening.

We have carefully considered the location's proximity to nearby roads and other businesses. We expect minimal disruption to local traffic as there are multiple entries off of Elliott Road and the location houses both a Giant Food and Walmart which sees much higher traffic of customers than we expect to.

Special Equipment, Conditions, or Limitations

The dispensary will be equipped with the following specialized systems and safety measures:

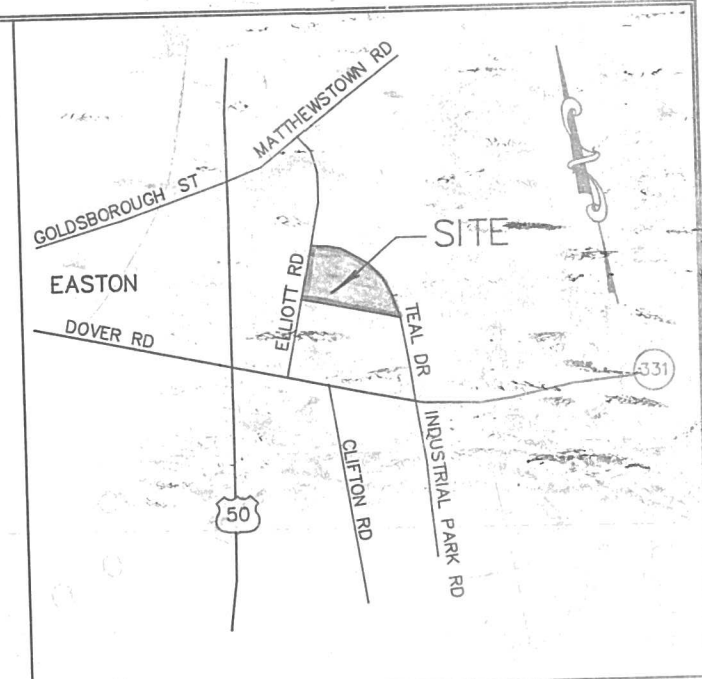
- **Security Systems:** The dispensary will feature state-of-the-art security systems, including video surveillance cameras, alarm systems, and access control systems, to ensure the safety of patients, customers, employees, and the facility.
- **Product Storage and Handling:** Cannabis products will be stored in compliance with all state and local regulations, including locked, climate-controlled areas for storage. Following state regulations, there will be no cannabis products on the sales floor and all product will be locked up in our vault outside of business hours. We will utilize safe and secure dispensing equipment to ensure that all products are handled safely and accurately.

- **Compliance with Local Regulations:** The dispensary will comply with all zoning, health, and safety regulations, and will undergo regular inspections by local and state authorities to ensure ongoing compliance. In addition, we will adhere to all hours-of-operation restrictions, signage requirements, and any other conditions imposed

Conclusion

We are committed to operating the dispensary in a manner that is respectful to the surrounding community while providing safe, legal, and compassionate access to medical cannabis for those in need. We will take all necessary steps to minimize any potential impacts on traffic, parking, and neighborhood quality of life, and are prepared to work collaboratively with local officials to ensure our operations meet all regulatory requirements.

We appreciate your consideration of this Special Exception request and look forward to working with the Town of Easton to bring this valuable service to the community.



VICINITY MAP
SCALE: 1" = 2,000'

LEGEND

HANDICAPPED PARKING
EXISTING FIRE HYDRANT
EXISTING LIGHT POLE
EX WATER METER BOX
EXISTING C&P PEDESTAL
EXISTING SANITARY SEWER MANHOLE
EXISTING STORM DRAIN MANHOLE
EXISTING CURB INLET
EXISTING SANITARY CLEANOUT
PROPOSED CURB INLET

GENERAL NOTES

- EXISTING ZONING: C-G
- REQUIRED SETBACKS: FRONT 25 FEET
SIDE 15 FEET
REAR 15 FEET
- MAXIMUM BUILDING HEIGHT: 50 FEET
- MAXIMUM LOT COVERAGE BY BUILDINGS: 50%
- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF TALBOT COUNTY, THE TOWN OF EASTON, TALBOT SOIL CONSERVATION DISTRICT, STATE HIGHWAY ADMINISTRATION (S.H.A.) AND THE EASTON UTILITIES COMMISSION (E.U.C.) UNLESS OTHERWISE NOTED.
- ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROMOTE POSITIVE DRAINAGE AND STABILIZED WITH TOPSOIL, SEED AND MULCH. THIS PROCESS SHALL BE REPEATED UNTIL SEDIMENTATION SUBSIDES. (SEE EROSION AND SEDIMENT CONTROL DETAILS AND SPECIFICATIONS.)
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO WEEKS PRIOR TO THE START OF CONSTRUCTION WITH THE NECESSARY COMPANIES:
TOWN OF EASTON 1-410-822-2525
MISS UTILITIES 1-800-441-8355
LANDFORM TECHNICAL SERVICES, INC. 1-410-643-3612
TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS 1-410-822-5073
EASTON UTILITIES COMMISSION 1-410-822-6110
C&P TELEPHONE COMPANY 1-410-820-6306
- THE CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR ANY DEVIATION FROM THESE PLANS.
- THE OWNER IS RESPONSIBLE FOR THE ACQUISITION, ABANDONMENT OR DEDICATION OF ALL EASEMENTS, BOTH TEMPORARY AND PERMANENT.
- THIS PLAN WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT.
- TOPOGRAPHY WAS FIELD RUN BY LANDFORM TECHNICAL SERVICES, INC. IN JULY 1993.
- BOUNDARY SURVEY WAS PERFORMED BY LANDFORM TECHNICAL SERVICES, INC. IN MAY 1990.
- SOILS INVESTIGATION WAS PERFORMED BY JOHN D. HYNES & ASSOCIATES, INC., BALTIMORE, MARYLAND. 1-410-546-6462
- ANY UNUSUAL SUBSURFACE CONDITIONS SHALL BE REPORTED IMMEDIATELY TO THE ENGINEER.
- ALL DIMENSIONS, ELEVATIONS, AND LOCATIONS SHALL BE VERIFIED IN THE FIELD BY EACH CONTRACTOR PRIOR TO THE BEGINNING OF WORK.
- THE CONTRACTOR SHALL COORDINATE WITH THE TOWN OF EASTON TO ARRANGE FOR INSPECTIONS BY THE NECESSARY AUTHORITIES.
- THE CONTRACTOR SHALL EMPLOY EROSION AND SEDIMENT CONTROL DEVICES AS REQUIRED IN ACCORDANCE TO THE CURRENT MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL. NO AREA SHALL BE LEFT DENuded FOR MORE THAN 14 DAYS.
- CONTRACTOR TO CLEAN UP AND RESTORE ALL DISTURBED AREAS IMMEDIATELY UPON COMPLETION OF UTILITY INSTALLATION IN AFFECTED AREAS.
- ALL STRUCTURAL FILL SHALL BE COMPACTED TO 95% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D-698). SOILS SHOULD BE COMPACTED WITHIN A PLUS OR MINUS 3 PERCENTAGE POINTS OF OPTIMUM MOISTURE CONTENT.
- ALL PROPOSED STORM DRAINS WILL BE MAINTAINED BY THE OWNER.
- ALL EXISTING UTILITIES AND TIE-IN AT EXISTING UTILITIES ARE TO BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR IS TO VERIFY USING TEST PITS. IF ANY CONFLICTS EXIST IT IS THE CONTRACTORS RESPONSIBILITY TO NOTIFY THE ENGINEER IMMEDIATELY.
- STORM DRAIN PIPE SHALL BE AS INDICATED IN THE PROJECT SPECIFICATIONS AND AS SHOWN ON PLAN.
- PIPE FRICITION FACTORS:
REINFORCED CONCRETE PIPE (R.C.P. & R.C.E.P.) n=0.013
CORRUGATED POLYETHYLENE PIPE (SMOOTH LINED) n=0.012
- ALL CURB RADI ARE 4.0' UNLESS OTHERWISE NOTED.
- ALL WATER VALVES WILL OPEN TO THE RIGHT.
- ALL CONCRETE MONUMENTS OR PROPERTY CORNERS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTORS EXPENSE.

SITE DATA: SITE WAS DESIGNED TO MEET THE REQUIREMENTS OF THE APPROVED P.U.D. SITE PLAN, APPROVED JULY 1993, ORDINANCE NO. 257.

PROPERTY: TAX MAP 109, PARCEL 4852, KNOWN AS LEASE SITE FOR ST. MICHAEL'S BANK LOCATED ON TRACT #2 AS SUBDIVIDED AND PART OF THE SHOPPES AT EASTON.

TOTAL SITE ACREAGE: 0.67 ACRES

EXISTING ZONING CG-GENERAL COMMERCIAL
SETBACKS: FRONT 25'
SIDE 15'
REAR 15'

MAX. BUILDING HEIGHT = 50'

PROPOSED DEVELOPMENT:

FUTURE BANK 2,500 SF

PARKING REQUIRED BY APPROVED P.U.D. PLAN	AS SHOWN ON APPROVED PLAN	19.0 SP
	TOTAL SPACES	19.0 SP
PARKING PROPOSED:	REGULAR 9' x 18'	18.0 SP
	HANDICAPPED 13' x 18'	1.0 SP
	TOTAL SPACES	19.0 SP

CANOPY TREES REQUIRED = 1 TREE/ 5 SPACES
CANOPY TREES PROVIDED = 19/5 = 3.8 USE 4 TREES

PARKING LOT LIGHTING SHALL BE HIGH PRESSURE SODIUM OR METAL HALIDE FIXTURES, WITH SHARP CUT-OFF LUMINAIRES DIRECTING NEARLY ALL LIGHT DOWNWARD. THE REAR OF BUILDINGS SHALL BE LIT WITH BUILDING MOUNTED FIXTURES DIRECTING LIGHT ONLY INTO SERVICE AREAS.

NO BUILDING SHALL BE LOCATED NEARER THAN 25' FROM EXISTING OR ESTABLISHED PROPERTY LINES.

STORMWATER QUALITY MANAGEMENT SHALL BE ACCOMPLISHED VIA WATER QUALITY INLET.

BUILDING TO BEGIN IN MID DECEMBER 1993 AND IS EXPECTED TO BE COMPLETE IN APRIL 1994.

LANDFORM TECHNICAL SERVICES, INC.

ENGINEERS, SURVEYORS,
POST OFFICE BOX 317
1551 RAINBOW PLAZA
SUITE 2C
CHESTER, MARYLAND 21619
PHONE (410) 643-3612
FAX (410) 643-5102

LAND PLANNERS

POST OFFICE BOX 608
157 EAST MAIN STREET
ELKTON, MARYLAND 21922
PHONE (410) 392-4462
FAX (410) 392-6916

SITE PLAN

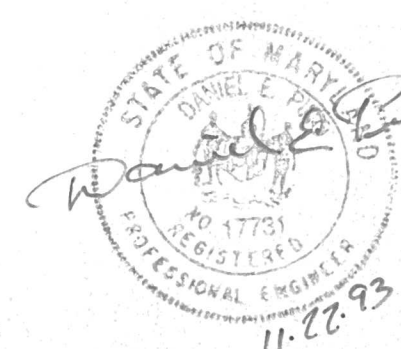
ST. MICHAEL'S BANK
TOWN OF EASTON
SCALE 1" = 20'

TALBOT COUNTY MARYLAND

DESIGN: PAO	NOVEMBER, 1993
DRAWN: PAO	JOB NO: GARD01-04
CHECKED: DEP	SHEET 1 OF 3

OWNER / DEVELOPER

ST. MICHAEL'S BANK
101 DOVER STREET
EASTON, MARYLAND 21601
1-410-820-8600



NOTE:

- * ALL CURB RADII WILL BE 4' UNLESS OTHERWISE NOTED
- * ALL S.S. CLEANOUTS AND W/M BOXES TAKEN FROM BEST AVAILABLE RECORDS, CONTRACTOR SHALL VERIFY EXACT LOCATION BY TEST PITS IN THE FIELD.

November 18, 2024

Easton Board of Zoning Appeals
Town of Easton
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

Re: Easton Board of Zoning Appeals Special Exception Application
8223 Elliott Road, Easton, Maryland

Ladies and Gentlemen:

Please be advised that 8223 Elliot RD, LLC, the owner of the above captioned property (the "Property"), supports the Application by BGFY, LLC, as contract purchaser, seeking a Special Exception to authorize the operation of a cannabis dispensary on a portion of the Property (with such property, the former PNC Bank, to be subdivided as its own stand-alone parcel, creating a new parcel separate from the shopping center). This letter shall also confirm that in addition to the nineteen (19) parking spaces located upon the site where the dispensary is proposed, 8223 Elliot RD, LLC has agreed to allow overflow parking within the shopping center parking lot authorizing the use of an additional twenty-five (25) adjacent parking spaces located within the Shoppes at Easton Shopping Center, or however many spaces would be required.

Sincerely,

8223 ELLIOT RD, LLC

By: 

Name: William C. Prentice

Title: Director of Development

8223 ELLIOT RD LLC

Certification is made that all taxes due on the property indicated in this deed have been paid.
Finance Office of Talbot County
Clay B. Stamp Fin. Officer
CL 09/29/2022

BOOK: 3007 PAGE: 291

Talbot County Cir Crt	
IMP FD SURE	\$40.00
RECORDING FEE	\$20.00
TR TAX STATE	\$90,000.00
TR TAX CTY	\$180,000.00
TOTAL	\$270,060.00
KMD MG	
Sep 29, 2022	04:54 pm

Talbot County Finance Office
Recordation Tax \$216,000.00
PK 09/29/2022
Prop ID: 01-071939

DEED

THIS DEED is made this 27th day of September, 2022, by and between EASTON SHOPPES BUSINESS TRUST, a Maryland business trust ("Grantor") and 8223 ELLIOT RD LLC, a Delaware limited liability company ("Grantee").

WITNESSETH, that for and in consideration of Eighteen Million Dollars (\$18,000,000.00), Grantor does hereby grant, convey and transfer unto Grantee, its successors and assigns, in fee simple, the Grantor's interest in the land situate, lying and being in Talbot County, Maryland, and described as follows:

See Exhibit "A" attached hereto;

BEING the property conveyed unto Grantor by Deed dated March 9, 2004 and recorded March 18, 2004 among the Land Records of Talbot County, Maryland in Liber 1231, folio 590.

TOGETHER with all improvements thereon and all easements, rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or appertaining.

SUBJECT to all restrictions, reservations, easements, rights-of-way, agreements, conditions, covenants, and other encumbrances of record; and

TO HAVE AND TO HOLD, the above property conveyed hereby, unto Grantee, its successors and assigns, in fee simple.

AND Grantor does hereby covenant that it will warrant specially the property conveyed hereby and will execute such further assurances of the property conveyed hereby as may be requisite.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, Grantor has executed this Deed under seal as of the day and year first above written.

WITNESS:

GRANTOR:

EASTON SHOPPES BUSINESS TRUST

Stacey Carolyn Shade-Rinkus

By: *Alexis Y. Adams*
Alexis Y. Adams, Vice President

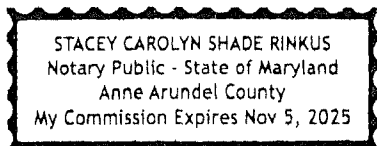
STATE OF MARYLAND
COUNTY OF Anne Arundel

On this 27th day of September, 2022, before me, a Notary Public, the undersigned officer, personally appeared Alexis Y. Adams, who acknowledged herself to be the Vice President of Easton Shoppes Business Trust, and that she, in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing on behalf of Easton Shoppes Business Trust in such capacity.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Stacey Carolyn Shade-Rinkus
Notary Public

My commission expires:



Attorney Certification

This is to certify that the within instrument was prepared by the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

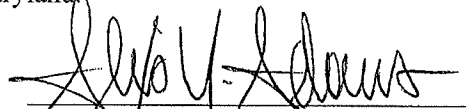

Alexis Y. Adams, Esquire

EXHIBIT A

All that certain lot or parcel of land together with all improvements thereon located and being in the County of Talbot, MD and being more particularly described as follows:

Commencing at a point located in the easterly right-of-way line of Elliott Road (60 feet wide), said point also being the northwesternmost corner of Lot 3R as shown on a Plat entitled "Resubdivision Plat of Carlton Business Park to merge Lots 2 thru 11 and Lots 41 thru 53, Now Known as The Shoppes at Easton" as recorded among the Plat Records of Talbot County in Plat Cabinet MAS PC2, Plat No. 3C;

Thence binding on said line of Elliott Road with meridian reference to Town of Easton Grid North as now surveyed by Landform Technical Services, Inc., North 12 degrees 09 minutes 58 seconds East 723.78 feet to the beginning of a curve at the intersection of Elliott Road with Teal Drive; thence 94.25 feet along the arc of a curve to the right having a radius of 60.00 feet and a chord bearing and distance of North 57 degrees 09 minutes 58 seconds East 84.85 feet to the end of curve in the southerly right-of-way line of Teal Drive (60 feet wide); thence with said southerly line of Teal Drive south 77 degrees 50 minutes 02 seconds East 312.10 feet to the beginning of a curve; thence 668.45 feet along the arc of a curve to the right having a radius of 563.80 feet and a chord bearing and distance of South 432 degrees 52 minutes 07 seconds East 629.98 feet to the end of curve in said right-of-way line of Teal Drive; thence continuing with Teal Drive South 09 degrees 54 minutes 11 seconds East 337.15 feet to a point in Teal Drive; thence departing Teal Drive with line of Division 46.77 feet along the arc of a curve to the left having a radius of 50.00 feet and a chord bearing and distance of North 69 degrees 34 minutes 06 seconds West 45.08 feet to the end of curve; thence continuing South 83 degrees 38 minutes 36 seconds West, 130.82 feet to a point; thence continuing 51.73 feet along the arc of a curve to the right having a radius of 160.00 feet, and a chord bearing and distance of North 87 degrees 05 minutes 43 seconds West 51.50 feet to the end of said curve; thence North 77 degrees 50 minutes 02 seconds West 575.72 feet to a point; thence South 40 degrees 07 minutes 08 seconds West 30.00 feet to a point; thence North 77 degrees 50 minutes 02 seconds West 30.00 feet to an iron pin found; thence South 12 degrees 09 minutes 58 seconds West 19.50 feet to an iron pin found; thence 47.12 feet along an arc of a curve to the left having a radius of 30.00 feet and a chord bearing and distance of North 32 degrees 50 minutes 02 seconds West 42.43 feet to an iron pin found; thence north 77 degrees 50 minutes 02 seconds West 92.00 feet to a concrete monument found; thence 94.25 feet along an arc of a curve to the left having a radius of 60.00 feet and a chord bearing and distance of South 57 degrees 09 minutes 58 seconds West 84.85 feet to the point of beginning.

Containing 13.906 acres of land, more or less.

AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

All that certain lot or parcel of ground situate in the County of Talbot, State of Maryland, bounded and described as follows:

Beginning at a point located on the South right-of-way line of Teal Drive, said point being situate at the intersection of the East right-of-way line of Elliott Road with the aforementioned south right-of-way line of Teal Drive; THENCE FROM THE PLACE OF BEGINNING along the aforementioned south right-of-way line of Teal Drive, around a curve having an angle of ninety degrees no minutes and no seconds, a radius of sixty and no hundredths feet (60.00'), a tangent of sixty and no hundredths feet (60.00'), an arc of ninety-four and twenty-five hundredths feet (94.25'), for a chord course of North fifty-seven degrees nine minutes and fifty-eight seconds East for a chord distance of eight-four and eighty-five hundredths feet (84.85') to a point; thence further along the same, South seventy-seven degrees fifty minutes and two seconds East for a distance of three hundred twelve and ten hundredths feet (312.10') to a point; thence around a curve leading from the aforementioned South right-of-way line of Teal Drive to the West right-

of-way line of aforementioned Teal Drive, said curve having an angle of Sixty-seven degrees fifty-five minutes and fifty-one seconds, a radius of five hundred sixty-three and eighty hundredths feet (563.80'), a tangent of three hundred seventy-nine and seventy-nine hundredths feet (379.79'), an arc of six hundred sixty-eight and forty-five hundredths feet (668.45'), for a chord course of South forty-three degrees fifty-two minutes and seven seconds East for a chord distance of six hundred twenty-nine and ninety-eight hundredths feet (629.98') to a point; thence along the aforementioned West right-of-way line of Teal Drive, South nine degrees fifty-four minutes and eleven seconds East for a distance of three hundred thirty-seven and fifteen hundredths feet (337.15') to a point; thence, around a curve having an angle of fifty-three degrees thirty-five minutes and twenty-four seconds, a radius of fifty and no hundredths feet (50.00'), a tangent of twenty-five and twenty-five hundredths feet (25.25'), an arc of forty-six and seventy-seven hundredths feet (46.77'), for a chord course of North sixty-nine degrees thirty-three minutes and forty-two seconds West for a chord distance of forty-five and eight hundredths feet (45.08') to a point; thence, South eighty-three degrees thirty-eight minutes and thirty-six seconds West for a distance of one hundred thirty and eighty-two hundredths feet (130.82') to a point; thence, around a curve having an angle of eighteen degrees thirty-one minutes and twenty-two seconds, a radius of one hundred sixty and no hundredths feet (160.00'), a tangent of twenty-six and nine hundredths feet (26.09'), an arc of fifty-one and seventy-three hundredths feet (51.73'), for a chord course of North eighty-seven degrees five minutes and forty-three seconds West for a chord distance of fifty-one and fifty hundredths feet (51.50') to a point; thence, North seventy-seven degrees fifty minutes and two seconds West for a distance of five hundred seventy-five and seventy-two hundredths feet (575.72') to a point; thence, South forty degrees seven minutes and eight seconds West for a distance of thirty and no hundredths feet (30.00') to a point; thence, North seventy-seven degrees fifty minutes and two seconds West for a distance of thirty and no hundredths feet (30.00') to a point; thence, South twelve degrees nine minutes and fifty-eight seconds West for a distance of nineteen and fifty hundredths feet (19.50') to a point; thence, around a curve having an angle of eighty-nine degrees fifty-eight minutes and fifty-eight seconds, a radius of thirty and no hundredths feet (30.00'), a tangent of twenty-nine and ninety-nine hundredths feet (29.99'), and arc of forty-seven and eleven hundredths feet (47.11'), for a chord course of North thirty-two degrees fifty minutes and thirty-three seconds West for a chord distance of forty-two and forty-two hundredths feet (42.42') to a point; thence, North seventy-seven degrees fifty minutes and two seconds West for a distance of ninety-two and no hundredths feet (92.00') to a point; thence, around a curve having an angle of ninety degrees no minutes and no seconds, a radius of sixty and no hundredths feet (60.00'), a tangent of sixty and no hundredths feet (60.00') an arc of ninety-four and twenty-five hundredths feet (94.25'), for a chord course of South fifty-seven degrees nine minutes and fifty-eight seconds West for a chord distance of eighty-four and eighty-five hundredths feet (84.85') to a point; thence along the aforementioned East right-of-way line of Elliott Road, North twelve degrees nine minutes and fifty-eight seconds East for a distance of seven hundred twenty-three and seventy-eight hundredths feet (723.78') to the place of beginning.

Containing 605,749.39 Square Feet (13.906 Acres).

TOGETHER WITH non-exclusive easements as established by that instrument entitled "Easements with Covenant and Restrictions Affecting Land ('ECR') dated December 11, 1990 and recorded among the Land Records of Talbot County, Maryland in Liber 698 at Folio 483 by and between Wal-Mart Stores, Inc., Tri-Equity Group, Inc. and Carlton Properties, Inc., as supplemented by that instrument entitled "Required Approvals Pursuant to Easements with Covenant and Restrictions Affecting Land" recorded dated June 17, 1993 and recorded among the aforesaid Land Records in Liber 758 at Folio 961.

MARYLAND
FORM
WH-ARCertification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence

2022

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Easton Shoppes Business Trust

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

8223 Elliott Road, Easton, Maryland 21601

3. Reasons for Exemption

Resident Status

☐

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☒

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

**Date

Signature

3b. Entity Transferors

Witness/Attest

Easton Shoppes Business Trust

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

01/22

TALBOT COUNTY CIRCUIT COURT (Land Records) KMD-3007, p. 0297, MSA-CE91_2946 - Date available 10/03/2022. Printed 11/13/2024.

BOOK: 3007 PAGE: 297

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City

☒ County: TALBOT CO

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only--All Copies Must Be Legible)

1

Type(s) of Instruments

(☐ Check Box if addendum Intake Form is Attached.)

1

Deed

Deed of Trust

Mortgage

Lease

2

Other

PM DOT

3

Other

ASSIGN OF RENTS

2

Conveyance Type Check Box

Improved Sale Arms-Length [1]

Unimproved Sale Arms-Length [2]

Multiple Accounts Arms-Length [3]

Not an Arms-Length Sale [9]

3

Tax Exemptions (if applicable)
Cite or Explain Authority

Recordation

State Transfer

County Transfer

4

Consideration and Tax Calculations

Consideration Amount

Purchase Price/Consideration\$ 18,000,000.00

Any New Mortgage\$

Balance of Existing Mortgage\$

Other:\$

Other:\$

Full Cash Value:\$

Finance Office Use Only

Transfer and Recordation Tax Consideration

Transfer Tax Consideration\$

X () % = \$

Less Exemption Amount - \$

Total Transfer Tax = \$

Recordation Tax Consideration \$

X () per \$500 = \$

TOTAL DUE \$

5

Fees

Amount of Fees

Doc. 1

Doc. 2

Recording Charge\$ 20.00

Surcharge\$ 40.00

State Recordation Tax\$ 216,000.00

State Transfer Tax\$ 90,000.00

County Transfer Tax\$ 180,000.00

Other Yield\$

Other Simplifile\$

Agent:

Tax Bill:

C.B. Credit:

Ag. Tax/Other:

6

Description of Property

SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

District

Property Tax ID No. (1)

Grantor Liber/Folio

Map

Parcel No.

Var. LOG

01

071939

(5)

Subdivision Name

Lot (3a)

Block (3b)

Sect/AR (3c)

Plat Ref.

SqFt/Acreage (4)

Location/Address of Property Being Conveyed (2)

8223 ELLIOTT ROAD, EASTON, MD 21601

Other Property Identifiers (if applicable)

Water Meter Account No.

Residential or Non-Residential☒

Fee Simple☒ or Ground Rent

Amount:

Partial Conveyance?

Yes

No

Description/Amt. of SqFt/Acreage Transferred:

If Partial Conveyance, List Improvements Conveyed:

7

Transferred From

Doc. 1 – Grantor(s) Name(s)

Doc. 2 – Grantor(s) Name(s)

EASTON SHOPPES BUSINESS TRUST

8223 ELLIOT RD LLC

Doc. 1 – Owner(s) of Record, if Different from Grantor(s)

Doc. 2 – Owner(s) of Record, if Different from Grantor(s)

8

Transferred To

Doc. 1 – Grantee(s) Name(s)

Doc. 2 – Grantee(s) Name(s)

8223 ELLIOT RD LLC

W. DAVID MORSE - TRUSTEE

CHARLES E. RUCH- TRUSTEE

New Owner's (Grantee) Mailing Address

1790 CORAL WAY, 3RD FLR, MIAMI, FL 33145

9

Other Names to Be Indexed

Doc. 1 – Additional Names to be Indexed (Optional)

Doc. 2 – Additional Names to be Indexed (Optional)

10

Contact/Mail Information

Instrument Submitted By or Contact Person

☒ Return to Contact Person

Name: LORI GLEBOCKI -KRISTINA BUTLERReference: 202201239MD

☐ Hold for Pickup

Firm Chicago Title Insurance

☐ Return Address Provided

Address: One South Street, Ste 1250,
Baltimore, MD 21202Phone: (410) 230-9598

11

IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

Assessment Information

Yes☒ No Will the property being conveyed be the grantee's principal residence?

Yes☒ No Does transfer include personal property? If yes, identify:

Yes☒ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only – Do Not Write Below This Line

Terminal VerificationAgricultural VerificationWholePartTran. Process Verification

Transfer NumberDate Received:Deed Reference:Assigned Property No.:

Year

20

20

Geo.

Map

Sub

Block

Land

Zoning

Grid

Plat

Lot

Buildings

Use

Parcel

Section

Occ. Cd.

Total

Town Cd.

Ex. St.

Ex. Cd.

REMARKS:

Space Reserved for Circuit Court Clerk Recording Validation

Space Reserved for County Validation

REC FEE 57.00
TOTL 57.00
5251CHEK 57.00
03 01988 11-16A11:15

CARLTON BUSINESS PARK
DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS

THIS DECLARATION ("Declaration") made this 16th day of
November, 1988, by Carlton Properties, Inc.,
("Developer").

WHEREAS, these covenants shall be applicable to certain
portions of a tract of land located in the Town of Easton, Talbot
County, Maryland known as the CARLTON BUSINESS PARK.

WHEREAS, by a Deed dated February 17, 1988, and recorded
among the Land Records of Talbot County, Maryland in Liber 647,
folio 159, Developer acquired all of those portions of the
property shown upon a series of plats beginning with a plat
entitled: "FINAL INDEX MAP OF CARLTON BUSINESS PARK, A SUBDIVISION
IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND" consisting of six
pages, prepared by McCrone, Inc., and recorded among the Plat
Records of Talbot County at MAS Plat Cabinet 17A, through MAS Plat
Cabinet 19AA. ("Property")

WHEREAS, it is the desire and intention of Developer to
complete the orderly development of the Property as a business
center;

WHEREAS, it is the desire and intention of Developer to
impose upon the Property mutually beneficial conditions, standards
and covenants (hereinafter referred to as "Covenants") under a
general plan of improvement for the benefit of the Property, the
improvements thereon and the future owners thereof.

NOW, THEREFORE, Developer hereby declares that the Property
is held and shall be held, conveyed, hypothecated, unencumbered,
leased, rented, used, occupied and improved, subject to the
following conditions, standards and covenants, all of which are
declared and agreed to be in furtherance of a plan for the
improvement and sale of the Property and are established and
agreed upon for the purpose of enhancing and perfecting the value,
desirability and attractiveness of the Property and every part
thereof. All of the conditions, standards and covenants shall run
with the real Property and shall be binding on all parties having
or acquiring any right, title or interest in the benefit of each
owner of any portion of said real Property, or any interest
therein; and shall inure to the benefit of and be binding upon
each successor in interest of the owners thereof. The conditions,
standards and covenants are as follows:

I. INTRODUCTION

1. Purpose of Covenants: The purpose of these conditions,
restrictions and covenants is to insure proper development and use
of the Property, to protect the owner of each parcel against such
improper development and use of surrounding parcels in a manner
which will depreciate the value of his parcel, to prevent the
erection on the Property of structures built of improper design or
materials, to encourage the erection of attractive improvements at

By: [Signature] D. J. [Signature] D. J. [Signature] D. J.
P.O. Box 1146
EASTON, MD. 21601
DATE RETURNED

LIBER 660 PAGE 944

appropriate locations, to prevent haphazard and inharmonious improvements, to secure and maintain proper setbacks from streets and adequate free spaces between structures, and in general, to provide adequately for a high quality improvement of the Property in accordance with a general plan.

2. Term: This Declaration, every provision hereof and every covenant, condition and restriction contained herein, shall continue in full force and effect for a period commencing on the date hereof.

3. Definitions:

a. Business Center: Shall mean and refer to certain real Property located in the Town of Easton, Talbot County, Maryland and depicted as a plat described in subparagraph (b) hereof.

b. Plat: Shall mean and refer to a series of plats beginning with a plat entitled: "FINAL INDEX PLAT OF CARLTON BUSINESS PARK, A SUBDIVISION IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND" consisting of six pages, prepared by McCrone, Inc., and recorded among the plat record of Talbot County at MAS Plat Cabinet 17A through MAS Plat Cabinet 19AA.

c. Developer: Shall mean and refer to the undersigned, Carlton Properties, Inc., its successors and assigns, including any mortgagee who succeeds in interest.

d. Development Criteria: Shall mean and refer to any publication issued by the Developer, which may be amended from time to time, detailing the aesthetic, architectural and landscaping criteria set forth in this Declaration.

e. Improvements: Shall mean and include buildings, outbuildings, parking areas, loading areas, screening walls and retaining walls, hedges, plantings, lawns, poles, signs, water lines, sewers, electrical and gas distribution facilities, patios and any structures of any type or kind.

f. Owner: Shall mean and refer to the holder of fee simple title to a Site, as defined herein.

g. Owners' Association: Shall mean and refer to the non-profit corporation to be called "Carlton Business Park Owners Association", to be incorporated by the direction of Developer and to which all Owners, as defined herein, shall be members.

h. Site: Shall mean and refer to an area of land within the Property in the same ownership either shown as one lot on a recorded plan, or if not so shown, described as the Site for one or more buildings by the Owner in a recorded instrument, whether or not in either case acquired at one time or previously so shown as more than one lot, or shown or described for the purpose of lease but not of conveyance as more than one lot. If an easement over any portion of a Site established by recorded instrument then exists or is reserved by Developer for any purpose whatsoever, the area of such portion shall be included in computing the area of that Site. If subsequent to the establishment of a Site by recorded plan or recorded instrument, any portion or portions thereof are for street, highway, utility or public purpose taken by right of eminent domain, or deed in lieu thereof, or dedicated or conveyed pursuant to reservation by Developer, the area of such portion shall continue to be included thereafter in computing the area of that site.

II. LAND USE CRITERIA

1. Allowable Land Use: The land of each lot shall be used only for those purposes as permitted in appropriate zone for each lot as designated by the Comprehensive Plan for the Town of Easton, Maryland and permitted for such zones under the Zoning Ordinance of the Town of Easton, Maryland, in force and effect as the same, irrespective of variances, special exceptions and other administrative zoning decisions may hereafter be amended. The Developer reserves the right, however, further to limit or restrict the use of a particular Site or Sites under the provisions noted throughout these Covenants.

No use will be made of any Site or any portion thereof or any building or structure thereon at any time nor shall any materials or products be manufactured, processed or stored thereon or therein, which shall, in the opinion of the Developer, cause an undue fire or health hazard to adjoining properties, or which shall constitute a nuisance or cause the emission of noxious odors or gases or smoke, or cause noises or other conditions which might violate the purpose and intent of these Covenants or which shall constitute a violation of any law of the United States, the State of Maryland, the Town of Easton, Talbot County, or any regulation or ordinance promulgated thereunder.

No operation or uses shall be permitted or maintained which causes or produces any of the following effects discernible outside the Improvements or affecting any portion of the Property subject to these Covenants:

- a. Noise or sound that is objectionable because of its volume, duration, intermittent beat, frequency or shrillness;
- b. Smoke;
- c. Noxious, toxic or corrosive fumes or gases;
- d. Obnoxious odors;
- e. Dust, dirt or fly ash;
- f. Unusual fire or explosive hazards; and
- g. Excavation: Only excavation made in connection with construction of an improvement shall be made, and then only with proper protection is afforded adjacent Property; and upon completion thereof exposed openings shall be backfilled and disturbed ground shall be graded and stabilized.

2. Prohibited Land Use: The following operations and uses shall not be permitted on any Property subject to these Covenants:

- a. Residential
- b. Trailer Courts
- c. Junk Yards
- d. Gravel Pits or other Commercial Excavation of Building or Construction Materials
- e. Distillation of Bones
- f. Dumping, Disposal, Incineration or Reduction of Garbage, Sewage, Offal, Dead Animals or Refuse
- g. Fat Rendering
- h. Stockyard or Slaughter of Animals
- i. Refining of Petroleum or of its Products
- j. Smelting of Iron, Tin, Zinc or other Ores
- k. Raising of Pets or Livestock or other animals
- l. Kennel or Dog Pound or Veterinary clinic

3. Special Uses. Operations and uses which are not specifically authorized by these Covenants may be permitted in a specific case if operational plans and specifications are submitted to and approved in writing by the Developer. Approval or disapproval of such operational plans and specifications shall be based upon the effect of such operations or uses on other Property subject to these Covenants or upon the occupants thereof. If Developer fails either to approve or to disapprove such operational plans and specifications within thirty (30) days after the same have been submitted to it, it shall be conclusively presumed that Developer has disapproved said plans and specifications.

Neither Developer nor its successors or assigns shall be liable in damages to anyone submitting operational plans and specifications to them for approval, or to any Owner or lessee of land affected by this Declaration by reason of mistake in judgment, negligence or non-feasance arising out of or in connection with the approval or disapproval or failure to approve any such operational plans and specifications. Every person who submits operational plans and specifications to Developer for approval agrees, by submission of such plans and specifications, and every Owner and lessee of any of said Property agrees, by acquiring title thereto or interest therein, that he will not bring any action suit against Developer to recover any such damages.

III. SPACE ALLOCATIONS AND DIMENSIONAL STANDARDS

1. Building-to-Land Ratio and Setbacks: The ratio of building coverage to the Site area and the appropriate setbacks for each lot shall be set in accordance with the appropriate zoning regulation for each lot as set forth in the Zoning Ordinance of the Town of Easton, in force and effect on the date this Declaration and as said Ordinance may be hereafter from time to time amended. The space allocation and setback requirements for each lot shall not include special exceptions, variances, or other administrative zoning decisions affecting same. For the purpose of computing lot size under this Declaration, each lot shall include any easements for storm water management, water and sewer, electrical lines, or other utilities.

2. Off-Street Parking Areas:

a. Except in those areas designated by the Developer, no parking will be permitted on the streets in the Business Center and each Site owner shall provide adequate off-street parking to accommodate all parking needs for employees, visitors and company vehicles on the Site. If parking requirements increase as a result of a change in use or number of employees, additional off-street parking should be provided by Owner to satisfy the intent of this section.

b. Parking shall not be permitted between the public street pavement and the Property line (street right-of-way line).

c. Areas designated for automobile parking shall not be used for parking of trucks or commercial vehicles.

d. (i) All parking areas in those lots which have been designated as Commercial Lots under the Zoning Ordinance of the Town of Easton, shall be constructed of asphalt, be resistant to erosion, and be drained so as to prevent damage to abutting properties, streets within Carlton Business Park or public streets, and maintained properly by each owner.

(ii) All parking areas on those lots designated as Industrial under the Zoning Ordinance of the Town of Easton shall be constructed of asphalt or tar and chip surfaces and be resistant to erosion, and be rained so as to prevent damage to abutting properties, streets within Carlton Business Park or public streets, and maintained properly by each owner.

5. Off-Street Loading Areas:

a. Loading areas shall not encroach into setback areas unless specifically approved by Developer in writing.

b. Loading areas located in side yards shall be set back and screened to minimize the effect from the street and neighboring properties. Loading doors and docks shall not be closer than one hundred (100) feet to the street Property line, unless specifically approved by Developer in writing. No loading areas shall be permitted on the front of any building.

6. Streets - Driveways/Sidewalks - Curbing - Parking Areas: Streets, drives, curbs, walks and parking areas shall be constructed or altered only in accordance with plans and specifications submitted to and approved in writing by the Developer.

IV. ARCHITECTURAL AND AESTHETIC STANDARDS

1. Landscaping and Limitations on Cutting Natural Growth:

a. Every Site on which a building shall have been placed shall be landscaped according to plans approved as specified herein and maintained thereafter in a sightly and well-kept condition.

b. The Site Owner, lessee or occupant shall landscape and maintain unpaved areas between the Property lines and the building. the area between paved streets and the setback lines shall be exclusively for landscaping except for walks and driveways crossing the required landscape area.

c. The Site Owner, lessee or occupant shall provide hose bibs in the vicinity of the landscaped area on improved properties.

d. Landscaping as approved by Developer shall be installed within one planting season of occupancy or completion of the building, whichever occurs first, or as soon as weather will allow if such period falls within winter months.

e. The Owner, lessee or occupant of any Site shall at all times keep the landscaping in good order and condition. The Owner, lessee, or occupant shall keep all landscaping free of unsightly plant growth, stored material, rubbish and other debris. Should

the Owner, lessee or occupant of any Site fail to remedy any deficiency in the planting, implementation or maintenance of the landscaping within twenty (20) days after written notification, Developer hereby expressly reserves the right, privilege and license to make any and all corrections or improvements in landscape maintenance at the expense of the Site Owner.

f. The Site Owner shall preserve as many of the existing trees on each Site as practically possible. All sites must be cleared of underbrush and maintained in trees, grass or approved landscape materials. All clearing and grading plans must be approved in writing by the Developer prior to commencement of such clearing and grading.

2. Exterior Construction, Permitted Materials, Prohibited Materials, Approved Construction Methods, Design:

a. Any building erected on a Site shall conform to the following construction practices:

(1) Exterior walls must be finished on the exterior with the following: (a) architectural masonry units, (excluding concrete block and cinder block), (b) natural stone, (c) precast concrete, steel, wood or wood products with prior approval by Developer, (d) aluminum, (e) glass materials, or (f) their equivalent as approved by Developer.

Such finish building materials shall be applied to all sides of a building which are visible to the general public, as well as from neighboring Property and streets. Colors shall be harmonious and compatible with colors of the natural surroundings and other adjacent buildings. The Developer shall have the sole right to approve or disapprove materials and colors.

(2) Temporary Improvements - No temporary buildings or other improvements of a temporary nature including trailers, incomplete buildings, tents, or shacks shall be permitted on the Property. Temporary Improvements used solely in connection with the construction of permanent improvements may be permitted provided they are located as inconspicuously as possible and are removed immediately after completion of such construction.

3. Signs: Plans and specifications for the content, construction, mounting, installation, alterations and lighting of all outdoor signs shall be first submitted to and have the written approval of Developer in accordance with this Section.

The following signs shall be permitted:

a. One temporary ground-mounted sign offering the Site for sale or lease, provided such sign does not exceed ten square feet in size.

b. One temporary ground-mounted sign identifying the location of a project during construction, provided such sign does not exceed ten (10) square feet in size.

c. Ground-mounted signs shall identify the name of the person(s) or firm(s) occupying the Site subject to the following criteria:

(1) All such signs shall conform with the setback requirements for the lots on which they are located.

(2) All signs must identify only the company name and type of business and otherwise shall not be an advertising vehicle.

(3) All such ground mounted signs are subject to the approval of the Developer with respect to size, shape, location and number.

d. Building mounted signs are subject to the approval of their Developer with respect to size, location and number. No signs may be mounted so as to project above the roof line of any facility.

4. Outdoor Storage and Work Areas:

a. Material and Equipment Storage. Unless specifically approved by Developer in writing, no materials, supplies or equipment (including boats, recreational vehicles, trailers, or company owned or operated vehicles other than passenger cars) shall be stored in any area on a Site except inside a closed building, or behind a visual barrier completely screening such areas from the view of adjoining properties and/or public streets.

b. Screening of Service Containers: Garbage and refuse containers must be approved by the Developer in writing and shall be completely concealed from view by means of a screening wall of material similar to and compatible with that of the building. These elements shall be integral with the concept of the building plan, designed so as not to attract attention, and located in the most inconspicuous manner possible.

c. Outdoor Work Areas: Unless specifically approved by the Developer in writing, no work areas shall be permitted on the Property except inside a closed building, or behind a visual barrier completely screening such areas from the view of adjoining properties and/or public streets.

d. Storage Tanks: No storage tanks, including but not limited to, those used for storage of water or propane gas or other fuel or chemical shall be permitted on the Property unless approved by the Developer in writing.

e. No trailer shall be used for storage purposes on any Site.

5. Maintenance Requirements, Refuse Collection and Prohibition of Junk Storage:

a. Each Site Owner, lessee or occupant shall at all times keep his premises, buildings, improvements and appurtenances in a safe, clean, neat and sanitary condition and shall comply with all laws, ordinances and regulations pertaining to health and safety. Each Site Owner shall provide for the removal of trash and rubbish from his premises. The sites shall not be used for storage of junk automobiles, any scrap materials or other rubbish.

b. During construction, it shall be the responsibility of each Site Owner to insure that construction sites are kept free of

unsightly accumulations of rubbish and scrap materials, and that construction materials, trailers, shacks and the like are kept in a neat and orderly manner.

6. Utilities Placement and Design: Without limiting the generality of any of the foregoing, the following use restrictions shall be maintained and enforced with respect to the Property:

a. Antennas - No antenna for transmission or reception of television signals or of any other form of electromagnetic radiation shall be erected, used or maintained on the Property outside any building whether attached to an improvement or otherwise, without the prior approval of the Developer.

b. Utility Service - No lines, wires, or other devices for the communication or transmission of electric current or power, including telephone, television and radio signals, shall be constructed, placed or maintained anywhere in or upon the Property unless the same shall be contained in conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings or other approved Improvements, provided electrical transformers may be permitted if properly screened and approved in advance by the Developer. Nothing herein shall be deemed to forbid the erection and use of temporary electric or telephone services incident to the construction of approved Improvements.

c. Mail Boxes - No mail or other delivery boxes shall be permitted on the Property unless provided by Developer.

d. Mechanical Equipment - All mechanical equipment, including roof mounted equipment, shall be enclosed or screened so as to be an integral part of the architectural design.

7. Repair of Buildings: No building or other Improvement shall be permitted to fall into disrepair and each Improvement shall at all times be kept in good condition and repair and adequately painted or otherwise finished in accordance with specifications established by the Developer. Owner of any Site hereby grants to Developer the right to make any necessary alterations, repairs or maintenance to carry out the intent of this provision and Owner further agrees to reimburse Developer for any expenses actually incurred in carrying out the foregoing.

V. IMPLEMENTATION

1. Architectural Review and Approval of Building Plans-Procedures: Before applying for a building permit and commencing the construction or alteration of all buildings, enclosures, fences, loading areas, parking facilities; or any other structures of permanent Improvements on or to any Site, the Owner of any Site shall first submit final plans and specifications and landscape plans to the Developer for its written approval, as hereinafter provided.

No Improvement, as that term is herein defined, shall be erected, placed, altered, maintained or permitted to remain on any land subject to these Covenants until final plans and specifications showing plot layout and all exterior elevations, with materials and colors therefor and structural design, signs

and landscaping shall have been submitted to and approved in writing by Developer, and a copy of such final plans and specifications as finally approved, lodged with the Developer. Such plans and specifications prepared by licensed architects and engineers shall be submitted in writing over the signature of the Owner of the Site or his authorized agent and shall be accompanied by the request of such Owner, or agent specifying for which part of such plans and specifications approval is sought.

Approval shall be based, among other things, on adequacy of Site dimensions, storm drain considerations, conformity and harmony of external design with neighboring Sites, relation of topography, grade and finished ground elevation of the Site being improved to that of neighboring Sites; proper facing of main elevation with respect to nearby streets; and conformity of the plans and specifications to the purpose and general plan and intent of these Covenants.

The Developer shall have the right to refuse to approve any such plans or specifications or proposed use of the premises for any reason which the Developer, in its sole discretion, may deem in the best interests of the Business Center and the Owners or lessees or prospective owners or lessees of other Sites therein.

If the Developer fails either to approve or disapprove such building and site plans and specifications within thirty (30) days after the same have been submitted to it, it shall be conclusively presumed that Developer has disapproved said plans and specifications.

Neither Developer nor its successors or assigns shall be liable in damages to anyone submitting plans to them for approval, or to any Owner or lessee of land affected by this Declaration, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any such plans. Every person who submits plans to Developer for approval agrees, by submission of such plans, and every Owner or lessee of any said Property agrees, by acquiring title thereto or interest therein, that he will not bring any action or suit against the Developer to recover such damages. In case of conflict between plan review and the Covenants herein contained, these Covenants shall govern the rights and obligations of the parties.

All Improvements must be constructed in accordance with the Developer approved plans. Any modification to the approved plans during construction affecting the intent of these Covenants must be approved by Developer before the modification to the Improvements is constructed. Owner shall give written notice of completion to Developer upon completion of said Improvements.

2. Developer reserves the right to promulgate appropriate rules and regulations for the approval of any plans specifications and landscape plans.

3. Enforcement: Said Covenants shall be jointly and severally enforceable by the Developer and its successors and assigns and by that Site Owner and its successors and assigns, provided, however, that only the Developer or its assignees, under Section VI hereof, shall have the right to exercise the discretionary powers herein reserved to the Developer.

4. Violation of any of said Covenants, or breach of any Covenant or agreement herein contained shall give the Developer or its assignees under Section VI, in addition to all other remedies, the right (but not the obligation) to enter upon the land which such violation or breach exists and summarily to abate and remove any structure or correct any condition that may constitute such violation or breach at the expense of the then owner of such land, which expense shall be a lien on such land enforceable in Equity; provided, however, that no such entry shall be made unless the violation or breach has not been remedied and corrected within thirty (30) days after delivery of written notice of such violation or breach from the Developer or its said assignees to the occupant of the premises on which the violation or breach has occurred or in the alternative within thirty (30) days after mailing such notice by certified or registered mail, postage prepaid, to the record Owner of such premises at his or its last known address. Notwithstanding the above set forth provisions of this paragraph, it shall be understood that any lien obtained pursuant to the provisions hereof shall be subordinate and inferior to the prior lien of bona fide First Mortgages or Deeds of Trust secured by that Site to the end and intent that any purchaser at a foreclosure of the lien secured by a First Mortgage or Deed of Trust shall take title free of any lien arising pursuant to the provisions of this paragraph; provided, however, said purchaser at foreclosure shall be bound by the provisions of these Protective Covenants and take title subject to them.

In any legal or equitable proceeding for the enforcement or to restrain the violation of this Declaration or any provision hereof, the losing party or parties shall pay the attorney's fees of the prevailing party or parties, in such amount as may be fixed by the Court in such proceedings. All remedies provided herein or at law or in equity shall be cumulative and not exclusive.

Construction and alteration of all improvements in the Business Center shall be performed in accordance and comply with the requirements of all applicable Building, Zoning and other Codes and Regulations of the Town of Easton and other governmental authorities.

4.1 Termination and Modifications: This Declaration, or any provision hereof, or any covenant, condition or standard contained herein, may be terminated, extended, modified, or amended, as to the whole of said Property or any portion thereof, with the written consent of the Owners of two-thirds (2/3) of the lots subject to these covenants and empowered to vote (excluding mortgagees and the holders of other security devices who are not in possession, lessees and tenants). Each lot shall be assigned one vote. However, so long as Developer owns at least twenty (20) percent of the lots in the Business Center, no such termination, extension, modification or amendment shall be effective without the written approval of Developer thereof. Furthermore, these covenants may be amended unilaterally by Developer so long as it owns twenty percent (20%) or more of the lots in the Business Center recording the appropriate document in the Land Records of Talbot County, Maryland, and giving notice of such change to the then Owners of Sites. No such termination, extension, modification or amendment shall be effective until a proper instrument in writing has been executed, acknowledged, delivered

and recorded in the Land Records of Talbot County, Maryland. No such termination, extension, modification or amendment shall affect any plans, specifications or use theretofore approved by Developer under Section V hereof or any improvements theretofore or thereafter made pursuant to such approvals.

4. Constructive Notice and Acceptance: Every person who now or hereafter owns or acquires any right, title, interest in or to any portion of said Property is and shall be conclusively deemed to have consented and agreed to every condition, standard and covenant contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquired an interest in said Property.

5. Completion of Construction: After commencement of construction of any structure, the Site Owner shall diligently prosecute the work thereon, to the end that the structure shall not remain in a partly finished condition any longer than reasonably necessary for completion thereof.

VI CARLTON BUSINESS CENTER OWNERS' ASSOCIATION: CREATION

1. Developer's Right to Establish: Developer declares that in order to maintain the uniform standards of development quality required hereunder, it shall have the right, but not the obligation, to provide for the incorporation, at some future date determined in its sole and absolute discretion, of a non-profit corporation known as Carlton Business Park Owners Association, Inc. with at least one class of membership consisting of all of the Owners of Sites in the Business Center. The Owners Association will be governed by a Board of Directors (the "Board"), which will be responsible for enforcing these Covenants, for maintaining and improving the Common Areas of the Business Center, and for administering the Association.

2. Interim Control: Until such time as said Owners Association is incorporated and the organizational meeting of the Board of Directors is held, Developer shall have the following rights and powers:

a. The right to assess a Common Area maintenance charge to a Site and to enforce the collection of such assessment against the Site Owner by lien; provided, however, that no capital improvements considered generally to be a development cost shall be assessed; and further provided that the assessment of such Common Area maintenance charge shall be based on the ratio of Site acreage to the total acreage of the Property then developed (road and utilities installed to a point fronting on said Site);

b. The right, but not the obligation to enter a Site and perform exterior maintenance of the improvements located thereon, charging the cost of such maintenance to the Owner of such Site. In the event such charge is not paid, such assessment shall be a lien on the Site and the personal obligation of the Owner as provided in said Section. This right shall be in addition to, and not in replacement of, the rights of Developer provided in Section V. 2. hereof; and

c. All other rights and powers to be granted to the Owners Association provided for herein upon the incorporation and appointment of the Board of Directors of said Owners' Association.

3. Nothing contained in this Article VI shall be deemed to require Developer to relinquish and transfer all of its rights and powers contained in these Covenants to the Owners Association immediately upon its incorporation. Developer may delegate any or all of its rights, powers, discretion and duties under these Covenants to the Owners' Association if and when it shall deem appropriate. If the Developer delegates any right to the Owners Association, such delegation shall not constitute a relinquishment of any other right.

VII MISCELLANEOUS

1. Nuisance: The result of every action or omission whereby any Covenant herein contained is violated in whole or in part is hereby declared to be and to constitute a nuisance, and every remedy allowed by law or equity against an Owner, either public or private shall be applicable against every such result and may be exercised by Developer or by any Owner of Property subject to these Covenants.

2. Inspection: Developer may from time to time at any reasonable hours, enter and inspect any Property subject to these Covenants to ascertain compliance therewith.

3. Waiver: Developer reserves the right to waive any requirement or provision of these covenants which Developer, in its sole discretion, deems to be in the best interest of and necessary for the orderly development of the Property.

4. Failure to Enforce Not a Waiver of Rights: Any waiver or failure to enforce any provision of these Covenants in a particular situation shall not be deemed a waiver or abandonment of such provision as it may apply in any other situation or to the same or a similar situation at any other location in the Business Center or of any other provision of these Covenants. The failure of Developer or any Site Owner to enforce any Covenant herein contained shall in no event be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other Covenant.

5. Assignments of Developer's Rights and Duties: Any and all of the rights, powers and reservations of Developer herein contained may be assigned to any person, corporation or association which will assume the duties of the Developer pertaining to the particular rights, powers and reservations assigned, and upon any such person, corporation or association evidencing its consent in writing to accept such assignment and assume such duties as are given to and assumed by the Developer herein. The term "Developer" as used herein includes all such assignees and their heirs, successors and assigns. If at any time Developer ceases to exist and has not made such an assignment, a successor to Developer may be appointed by the written consent of two-thirds of the Owners and in the same manner as these Covenants may be terminated, extended, modified or amended hereunder.

The Developer may from time to time delegate any or all of its rights, powers, discretion and duties hereunder to such agent or agents as it may nominate. It may also permanently assign any or all of its powers and duties (including discretionary powers and duties), obligations, rights, title, easements and estate reserved to it by this Declaration to any one or more corporations, associations or persons that will accept the same. Any such assignment shall be in writing recorded among the Land Records of Talbot County and the assignee shall join therein for the purpose of evidencing its acceptance of the same, and such assignee shall thereupon have the same rights, title powers, obligations, discretion and duties as are herein reserved to the Developer, and the Developer shall thereupon be released therefrom.

6. Rights of Mortgagees: No breach of the covenants, conditions and restrictions contained herein shall defeat or render invalid the lien of any mortgage now or hereafter executed upon the Property subject hereto; provided, however, that if any portion of the Property is sold under a foreclosure of any mortgage or deed of trust or is conveyed to the party so secured in lieu of foreclosure, any purchaser at such sale or any such grantee and its successors and assigns shall hold any and all property so purchased or acquired subject to all covenants, conditions and restrictions of this Declaration. The assignment of any right by the Developer shall not be the relinquishment of any other right.

7. Extension to Include Additional Property: Developer may from time to time cause separate and additional declarations and agreements be filed subjecting other properties to covenants similar to or different from those imposed upon the Property. All such declarations shall evidence the intent of the Developer to impose a general scheme of development over the entire tract forming the Business Center, whether such declarations differ from those contained herein or not. This provision does not in any way obligate Developer to place these Covenants on any additional land areas.

8. Mutuality, Reciprocity; Runs with Land: All covenants, conditions and agreements contained herein are made for the direct, mutual and reciprocal benefit of each and every part and parcel in favor of every other parcel; shall create reciprocal rights and obligations between the respective owners of all parcels and privity of contract and estate between all grantees of said parcels, their heirs, successors and assigns; and shall, as to the Owner of each Site, his heirs, successors and assigns, operate as covenants running with the land, for the benefit of all other Sites. The Developer reserves the right, however, from time to time hereafter to delineate, plat, grant or reserve within the remainder of the Business Center not hereby conveyed such public streets, roads, sidewalks, ways and appurtenances thereto, and such easements for drainage and public utilities, as it may deem necessary or desirable for the development of the Business Center (and from time to time to change the location of the same) free and clear of all these restrictions and covenants and to dedicate the same to public use or to grant the same to the Town of Easton or to Talbot County and/or to appropriate public utility corporations.

9. Paragraph Headings: Paragraph headings, where used herein, are inserted for convenience only and are not intended to be a part of this Declaration or in any way to define, limit or describe the scope and intent of the particular paragraphs to which they refer.

10. Effect of Invalidation: If any provision of this Declaration is held to be invalid by any court, the invalidity of such provision shall not affect the validity of the remaining provisions hereof.

11. As herein used, the masculine gender shall include the feminine and the feminine the masculine, and the singular shall include the plural and the plural the singular, unless the meaning of the language used herein would be obscured thereby.

IN WITNESS WHEREOF, the hands and seals of the parties hereto the day and year first above written.

ATTEST:

K. Patricia Roe

CARLTON PROPERTIES, INC

By: David L. Pyles
David L. Pyles, President



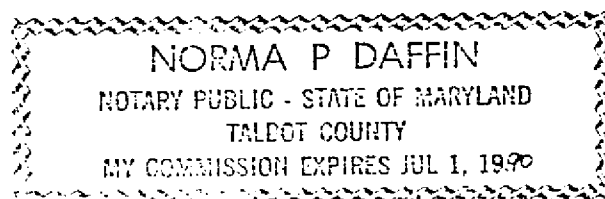
STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, that on this 16th day of November, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared DAVID L. PYLES, known to me (or satisfactorily proven) to be the person whose name is subscribed to the above Declaration of Protective Covenants and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Norma P. Daffin
Notary Public

My Commission Expires:
July 1, 1990



/tdh

LIBER 660 PAGE 957

REC FEE 14.00
TOTL 14.00
0983CHEK 14.00
02 01989 11-03 P4:14
Wed 11/2/89

AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
CARLTON BUSINESS PARK

THIS AMENDMENT TO THE DECLARATION OF THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR CARLTON BUSINESS PARK
made this 2nd day of November, 1989, by CARLTON PROPERTIES,
INC., a corporation organized under the laws of the State of
Maryland ("Developer").

WHEREAS, the Developer executed a Declaration of Covenants,
Conditions and Restrictions for Carlton Business Park
("Declaration") on November 16, 1988; and

WHEREAS, the Declaration is recorded among the Land Records
of Talbot County, Maryland at Liber MAS 660, folio 944; and

WHEREAS, the purpose of the Declaration was to subject that
area known as Carlton Business Park, situate in Easton, Talbot
County, Maryland, to certain covenants, conditions and
restrictions; and

WHEREAS, Paragraph 4.1 of the Declaration permits the
Developer to amend the Declaration unilaterally provided said
Developer owns twenty percent (20%) or more of the lots in Carlton
Business Park; and

WHEREAS, the Developer owns in excess of twenty percent (20%)
of the Lots in Carlton Business Park; and

WHEREAS, certain of the covenants, conditions and restrictions
pursuant to the Declaration pertain to the rear yard and side yard
setbacks of the lots in Carlton Business Park; and

WHEREAS, the Developer believes that corner lots in Carlton
business park that have no more than two property lines that do not
abut the streets of the business park should have one side yard
line with a set back of ten feet (10'); and

EMING, DIETZ, TURNER & KEHOE
P.O. BOX 1146
EASTON, MD. 21601
DATE RETURNED

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WHEREAS, the Developer believes that any improvements that lie within fifteen feet (15') of the side yard setback should remain subject to the approval of the Planner/Codes Administrator, the Easton Planning and Zoning Commission, The Board of Appeals of the Town of Easton or other appropriate officer or agency of the Town of Easton, Maryland; and

WHEREAS, certain lot owners within Carlton Business Park may own two or more contiguous lots and may wish to construct improvements on those lots which would cross the boundary of those lots.

NOW, THEREFORE, Carlton Properties, Inc., in consideration of the above-premises, hereby enters into this Amendment of the Declaration of Covenants, Conditions and Restrictions for the Carlton Business Park:

1. Article II of the Declaration is hereby amended by the addition of the following provision:

4. When two or more contiguous lots are owned by the same entity, improvements may be constructed on those lots which cross the side yard setback between such contiguous lots or improvements may be constructed across the common boundary of such contiguous lots.

2. Article VII of the Declaration and the Plat of the Subdivision are hereby amended by the addition of the following provision:

11. Subject to the approval of the Planner/Codes Administrator of the Town of Easton, Maryland, the Planning and Zoning Commission of the Town of Easton, Maryland, the Board of Appeals of the Town of Easton, Maryland and/or such other appropriate officer or agency of the Town of Easton, Maryland, any corner lot having not more than two (2) property lines not fronting upon a street of the subdivision shall be considered to have one side line having a setback of ten (10') feet and a rear lot line having a setback of fifteen (15') feet. Corner lots shall include two or more contiguous lots, one of which is a corner lot, that are owned by the same person or entity.

3. The amendments herein enumerated are to be applicable to all lots within Carlton Business Park.

4. The Developer hereby expressly ratifies and reaffirms the provisions of the Declaration except as the same has been modified by this Amendment.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunder set its hand and seal the day and year first above written.

ATTEST:

CARLTON PROPERTIES, INC.

Philip E. Cherry

By: *Thomas J. Hutchison* (SEAL)
THOMAS J. HUTCHISON, President

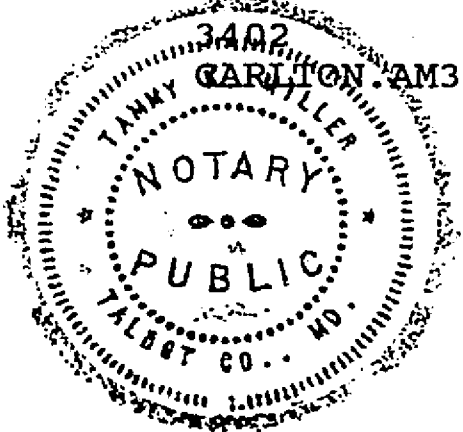
STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, That on this 1st day of November, 1989, before me, the subscriber, a Notary Public in and for the State and County aforesaid personally appeared THOMAS J. HUTCHISON, who acknowledged himself to be the President of CARLTON PROPERTIES, INC., a Maryland corporation, and that he as such President, being authorized so to do, executed the foregoing on behalf of the corporation acting in its capacity as President.

WITNESS my hand and Notarial seal

Tammy K. Miller
Notary Public

My Commission expires: July 1, 1990



EASTON, MARYLAND

EASEMENTS WITH COVENANT AND
RESTRICTIONS AFFECTING LAND ("ECR")

REC FEE 75.00
TOTL 75.00
9785CHEK 75.00
03 01991 1-07 P2:54

THIS AGREEMENT is made as of the 11th day of December, 1990 between
WAL-MART STORES, INC., a Delaware corporation, of 702 S.W. Eighth Street,
Bentonville Arkansas 72716 ("Wal-Mart"), and TRI-EQUITY GROUP, INC., a Virginia
corporation, (Contract Purchaser) and CARLTON PROPERTIES, INC., a Maryland
corporation (Developer).

WITNESSETH:

WHEREAS, Wal-Mart is the owner of Tract 1 as shown on the plan attached as
Exhibit A hereof, said tract being more particularly described in Exhibit B attached
hereto;

WHEREAS, Developer is the owner of Tract 2 and Outlot "A" shown on the
plan attached hereto as Exhibit A hereof, the same being more particularly
described in Exhibit C hereof; and

WHEREAS, Tri-Equity is the Contract Purchaser of Tract 2 and Outlot "A" and
upon the transfer of title shall become the developer of Tract 2 and Outlot "A".

WHEREAS, Wal-Mart, Contract Purchaser and Developer desire that Tracts 1
and 2 and Outlot "A" be developed in conjunction with each other pursuant to a
general plan of improvement to form a commercial Shopping Center (sometimes
hereinafter referred to as the "Shopping Center"), and further desire that said
tracts and Outlot "A" be subject to the easements and the covenants, conditions and
restrictions hereinafter set forth;

NOW, THEREFORE, for and in consideration of the premises, easements,
covenants, conditions, restrictions, and encumbrances contained herein, the
sufficiency of which is hereby acknowledged, Wal-Mart and Developer do hereby
agree as follows:

1. Building/Common Areas.
 - a. "Building Areas" as used herein shall mean that portion of Tract 1
and those portions of Tract 2 and Outlot "A" shown on Exhibit A as
"Building Area" (and "Future Building Area", "Permitted Building
Area" and "Future Expansion Area"). Canopies may encroach from
the Building Areas over the Common Areas provided the canopies do
not interfere with the use of the Common Areas.
 - b. "Common Areas" shall be all of Tracts 1 and 2 and Outlot "A"
except the Building Areas.
 - c. Conversion to Common Areas: Those portions of the Building Areas
on each tract which are not from time to time used or cannot,
under the terms of this Agreement (including Paragraph 6a[3]), be
used for building shall become part of the Common Area for the

TALBOT TITLE CO.
P.O. BOX 2350
EASTON, MD. 21601
DATE RETURNED

hereunder and shall be improved, kept and maintained as provided herein.

2. Use. Buildings in the Shopping Center shall be used for commercial purposes of the type normally found in a retail shopping center including, without limitation, financial institutions, service shops, offices, and retail stores. No cafeteria, restaurant, theatre, bowling alley, billiard parlor, night club or other place of recreation or amusement, or any business serving alcoholic beverages shall occupy space within the Shopping Center without the prior written consent of Wal-Mart. Notwithstanding the above, Wal-Mart does grant its consent to a theatre, cafeteria, restaurant or supermarket, which business may serve or sell alcoholic beverages as an incidental part of their business provided it is located no closer than 280 feet from the closest wall of the Demised Premises. Developer recognizes that said businesses may inconvenience Wal-Mart's customers and adversely affect Wal-Mart's business. Notwithstanding anything to the contrary contained herein, it is expressly agreed that nothing contained in this Agreement shall be construed to contain a covenant, either express or implied, to either commence the operation of a business or thereafter continuously operate a business by Wal-Mart on Tract 1. Developer recognizes and agrees that Wal-Mart may, at Wal-Mart's sole discretion and at any time during the term of this Agreement, cease the operation of its business on Tract 1; and Developer hereby waives any legal action for damages or for equitable relief which might be available to Developer because of such cessation of business activity by Wal-Mart.
3. Competing Business. Developer covenants that as long as Wal-Mart, or any affiliate of Wal-Mart, is the user of Tract 1, either as owner or lessee, no space in or portion of Tract 2, and no space in or portion of any other real property adjacent to the Shopping Center which may subsequently be acquired by Developer, shall be leased or occupied by or conveyed to any other party for use as a discount department store or other discount store with a sales area in excess of 15,000 square feet. In the event of a breach of this covenant, Wal-Mart shall have the right to terminate this Agreement and to seek any and all remedies afforded by either law or equity. Wal-Mart agrees not to unreasonably withhold its consent to the use of any property adjacent to the Shopping Center for a non-competing retail discount store.
4. Buildings.
 - a. Design and Construction. The Buildings Areas shall be designed so that the exterior elevation of each shall be architecturally and aesthetically compatible so that building wall footings shall not encroach from one tract onto another tract except as provided for in Subsection d. below. The design and construction shall be of high quality. No building shall exceed thirty-five feet (35') in height above finished grade, except for the building designated as Super Fresh on Exhibit "A" which shall not exceed forty (40) feet. No building shall have a metal exterior.

- b. Location. No building shall be constructed on Tracts 1 and 2 (as either immediate development or future expansion) except within the Building Areas and no improvements or alterations which substantially vary from those shown on Exhibit A may be made without the prior written consent of Wal-Mart, Contract Purchaser and Developer. The front wall(s) of the building(s) on Tracts 1 and 2 shall be constructed in the location shown in Exhibit A.
- c. Fire Protection. Any building constructed in the Shopping Center shall be constructed and operated in such a manner which will preserve the sprinklered rate on the other buildings in the Shopping Center.
- d. Easements. In the event building wall footings encroach from one tract onto another, despite efforts to avoid that occurrence, the party onto whose tract the footings encroach shall cooperate in granting an encroachment permit or easement to the party whose building wall footings encroach.
- e. Outlot "A" Development. Outlot "A" shall be developed only under the following guidelines:
- (1) The building constructed on Outlot "A" shall not exceed twenty-two (22) feet in height, as measured from the mean finished elevation of the parking area of the Shopping Center;
 - (2) Any buildings to be constructed on the Outlot "A" shall not exceed 5,000 square feet in size.
 - (3) Any rooftop equipment shall be screened in a manner satisfactory to the Developer;
 - (4) No rooftop sign shall be erected on the building constructed;
 - (5) No freestanding identification sign may be erected on Outlot "A" without approval of the Developer, and in no event shall such freestanding identification sign exceed the height of the shopping center pylon sign or block the visibility of the Wal-Mart Store. Notwithstanding the foregoing, there may be erected entrance-exit signs to facilitate the free flow of traffic, which entrance-exit signs shall be of a monument type, not to exceed 3'3" in height, the type and location of such signs to be approved by Developer.
 - (6) No improvements shall be constructed, erected, expanded or altered on Outlot "A" until the plans for same (including site layout, exterior building materials and colors and parking) have been approved in writing by Developer. No building or structure of any kind shall be erected on Outlot "A" except upon that area designated as a Permitted Building Area on the Site Plan; provided, there may be constructed and maintained a canopy or canopies projecting from said building area; normal foundations and doors for ingress and egress may project from such Permitted Building Area; and signs may be erected upon said canopy or canopies, so long as said signs do not obstruct the signs of any other owner or tenant of the Shopping Center.

- (7) In developing and using Outlot "A", the owner of the Outlot "A" shall provide and maintain parking on Outlot "A" at a ratio of ten (10) spaces for every one thousand (1,000) square feet of building space for any restaurant or entertainment use, or six (6.0) spaces per one thousand (1,000) square feet of building space for any other use. In addition, the owner shall cause landscaping areas to be added and maintained in conjunction with any building or other improvement constructed on Outlot "A".
- (8) Outlot "A" shall be kept neat, orderly, planted in grass and trimmed until improved and constructed.
- (9) Subject to the prior written consent of Developer, any building, structure or improvement on Outlot "A" shall be used for retail or commercial purposes only, however, no building, structure or improvement on Outlot "A" may be used as a theater, night club, bowling alley, health spa, cafeteria, billiard parlor or other place of recreation or amusement, or as a business serving or selling alcoholic beverages or as a discount department store or a variety, general or "dollar" store, except a full service dinner house restaurant serving alcoholic beverages as an incidental part of its business is permitted.
- (10) The owner(s) of Outlot "A" or Developer shall maintain comprehensive public liability insurance, property damage and all-risk hazard insurance on Outlot "A" their buildings, appurtenances and other improvements located thereon. Such insurance shall (i) be carried with reputable companies licensed to do business in the state of Maryland; (ii) have liability limits of at least \$1,000,000.00 for each occurrence, bodily injury and property damage combined; (iii) provide for full replacement value for the buildings and improvements covered thereunder and (iv) not be subject to change, cancellation or termination without at least thirty (30) days prior written notice to Developer.

5. Common Areas.

- a. Grant of Easements. Each party, as grantor, hereby grants to the other party, as grantee, and to the agents, customers, invitees, licensees, tenants and employees of grantee, a non-exclusive easement over, through and around their respective tracts and Outlot "A" for roadways, walkways, ingress and egress, parking of motor vehicles, loading and unloading of commercial and other vehicles, and the use of facilities installed for the comfort and convenience of customers, invitees, licensees, tenants and employees of all businesses and occupants of the buildings constructed on the Building Areas defined above. In addition to the foregoing, Wal-Mart and Developer hereby grant for the benefit of Outlot "A" now owned by Developer and identified on Exhibit C, non-exclusive

easements for vehicular and pedestrian access, ingress, and egress over and across Tract 1 and Tract 2; provided, however, in no event shall the owner occupant, licensee or invitee of Outlot "A" be permitted to use Tract 1 or Tract 2 for vehicular parking or for any other purpose other than as described above.

b. Limitations on Use.

- (1) Customers. Each party shall use reasonable efforts to ensure that customers and invitees shall not be permitted to park on the Common Areas except while shopping or transacting business on Tracts 1 and 2.
- (2) Employees. Each party shall use reasonable efforts to ensure that employees shall not park on the Common Areas, except in areas designated on Exhibit A as "employee parking areas", if any. The parties hereto may from time to time mutually designate and approve "employee parking areas" not shown on Exhibit A.
- (3) General. Any activity within the Common Areas other than its primary purpose of the Common Areas, which is to provide for parking for the customers, invitees and employees of those businesses conducted within the Building Areas and for the servicing and supplying of such businesses, shall be permitted so long as such activity shall not unreasonably interfere with such primary purpose. Persons using the Common Areas in accordance with this Agreement shall not be charged any fee for such use.

c. Utility and Service Easements.

The parties shall cooperate in the granting of appropriate and proper easements for the installation, repair and replacement of storm drains, sewers, utilities and other proper services necessary for the orderly development and operation of the Shopping Center and Outlot "A". Both parties shall use their best efforts to cause the installation of such utility and service lines prior to paving of the Common Areas. No such lines, sewers, utilities or services of one party shall be installed within the Building Areas on the other party's parcel.

- d. Water Flow. Any alteration in the natural water flow which may occur as a natural consequence or normal construction activities and the existence of the party's improvements substantially as shown on Exhibit A (including without limitation building and building expansion, curbs, drives and paving) shall be permitted.

6. Development, Maintenance, and Taxes.

a. Development

- (1) Arrangement. The arrangement of the Common Areas shall not be changed in a manner inconsistent with the provisions of this Agreement.

- (2) "Parking Area" Ratio. Each party hereto agrees that at all times there shall be independently maintained on each tract parking area sufficient to accommodate not fewer than five and one-half (5.5) car spaces for each one thousand (1,000) square feet of Building Area on such tract.
- (3) Development Timing. Concurrent with any building being constructed within the Building Areas of either tract by the owner of said tract (the "Developing Party"), the Common Areas of that tract shall be developed in accordance with Exhibit A at the expense of such Developing Party. In the event such construction by the Developing Party shall occur prior to the development of the other tract, the Developing Party shall have the right to grade, pave and use any portion of the Common Areas of the non-developing party's tract for access and for construction of, but not limited to, drainage structures and utility lines as is necessary to provide essential services to the Developing Party's tract. The Developing Party shall present an itemized statement of expenses incurred in the construction of said improvements to and upon the non-developing party's tract, and the non-developing party agrees to reimburse the Developing Party for such costs within thirty (30) days of receipt thereof. Notwithstanding anything herein to the contrary, the Contract Purchaser and Developer shall only be responsible to reimburse Wal-Mart for the expenses related to the grading of Outlot "A", and not for any other expenses related to the construction of improvements on the non-developing party's tract and, said expenses shall be due to Wal-Mart within thirty (30) days of the sale of Tract 2 or Outlot "A" by Developer.
- (4) Service Drive. Developer agrees that if on Exhibit A hereof a service drive is delineated on Tract 2 by crosshatching and is labelled as a "Service Drive", the Developing Party shall develop the same simultaneously with the development and construction on Tract 1 by Wal-Mart, Wal-Mart shall have the right to cause the Service Drive delineated on Tract 2 to be developed.

b. Maintenance.

- (1) Standards. Following completion of the improvements on the Common Areas, the parties hereto shall maintain the Common Areas in good condition and repair. The maintenance is to include, without limitation, the following:
- (a) Maintaining the surfaces in a level, smooth and evenly-covered condition with the type of surfacing material originally installed or such substitute as shall in all respects be equal in quality, use, and durability;
- (b) Removing all papers, ice and snow, mud and sand, debris, filth and refuse and thoroughly sweeping the area to the extent reasonably necessary to keep the area in a clean

and orderly condition;

- (c) Placing, keeping in repair and replacing any necessary appropriate directional signs, markers and lines;
 - (d) Operating, keeping in repair and replacing, where necessary, such artificial lighting facilities as shall be reasonably required;
 - (e) Maintaining all perimeter and exterior building walls and structures including, but not limited to, all retaining walls in a good condition and state of repair; and
 - (f) Maintaining, mowing, weeding, trimming and watering all landscaped areas and making such replacements of shrubs and other landscaping as is necessary.
- (2) Expenses. The respective owners shall pay the maintenance expense of their tracts.
- (3) By Agent. Subject to the mutual agreement of the parties hereto, a third party may be appointed as an agent of the parties to maintain the Common Areas in the manner as above outlined. Said third party may receive for such agency a fee that is mutually acceptable to all parties to cover supervision, management, accounting and similar fees, which sums are to be included in the general maintenance expense paid by the respective owners of the Common Areas.
- c. Taxes. Each of the parties hereto agrees to pay or cause to be paid, prior to delinquency, directly to the appropriate taxing authorities all real property taxes and assessments which are levied against that part of the Common Areas owned by it.

7. Signs. No sign shall be located on the Common Areas on Tracts 1 and 2 except signs advertising businesses conducted thereon, of which, there shall be no more than one (1) sign on the Common Areas on Tract 1 which shall be located at Dover Road and one (1) sign on the Common Areas on Tract 2 which may be located along Elliott Road at the locations shown on Exhibit "A" marked Proposed Shopping Center Pylon or Tentative Sign Location. In the event Developer develops a Shopping Center adjacent to the Wal-Mart, Wal-Mart agrees to allow Developer to remove Wal-Mart's pylon and replace it with a Shopping Center pylon in its stead under the following conditions:

- a. Wal-Mart shall have the right to approve the plans for said pylon before Developer removes the Wal-Mart pylon.
- b. All expenses of the removal of Wal-Mart's pylon and the cost of fabricating and installing the new sign shall be borne by Developer.
- c. The Shopping Center pylon shall contain no more than two (2) other tenant panels besides the Wal-Mart panel.
- d. The Wal-Mart panel shall have the top position underneath the Shopping Center identification panel.

- e. The Wal-Mart sign panel shall be connected directly to a source of electric power controlled from the Wal-Mart store. Developer shall maintain the Shopping Center Pylons and Wal-Mart shall pay their proportionate share of the cost of maintaining said sign.

No signs shall obstruct the ingress and egress shown on Exhibit A.

8. Indemnification/Insurance.

- a. Indemnification. Each party hereby indemnifies and saves the other party harmless from any and all liability, damage, expense, causes of action, suits, claims, or judgments arising from personal injury, death, or property damage and occurring on or from its own tract, except if caused by the act or negligence of the other party hereto.

b. Insurance.

- (1) Wal-Mart and the Developer (for Tract 2 and Outlot "A" until such time as Outlot "A" is sold or leased to other parties who shall thereby assume this obligation) shall procure and maintain in full force and effect throughout the term of this Agreement general public liability insurance and property damage insurance against claims for personal injury, death or property damage occurring upon, in or about its property, each party's insurance to afford protection to the limit of not less than \$1,000,000.00 for injury or death of a single person, and to the limit of not less than \$1,000,000.00 for any one occurrence, and to the limit of not less than \$100,000.00 for property damage. Each party shall provide the other party with certificates of such insurance from time to time upon written request to evidence that such insurance is in force. Such insurance may be written by additional premises endorsement on any master policy of insurance carried by the party which may cover other property in addition to the property covered by this Agreement. Such insurance shall provide that the same may not be cancelled without ten (10) days prior written notice to the other party.
- (2) At all times during the term of the Agreement, each party shall keep improvements on its property insured against loss or damage by fire and other perils and events as may be insured against under the broad form of Uniform Extended Coverage Clause in effect from time to time in the state in which the parties' respective properties are located, with such insurance to be for the full replacement value of the insured improvements.
- (3) Policies of insurance provided for in this Paragraph 8 shall name Wal-Mart and Developer as insureds as their respective interests may appear, and each of them shall provide to the other certificates evidencing the fact that such insurance has been obtained.

- (4) Wal-Mart for itself and its property insurer hereby releases Developer, and Developer for itself and its property insurer hereby releases Wal-Mart from and against any and all claims, demands, liabilities or obligations whatsoever for damage to each other's property or loss or rents or profits of either Wal-Mart or Developer resulting from or in any way connected with any fire or other casualty whether or not such fire or other casualty shall have been caused by the negligence or the contributory negligence of the party being released or by any agent, associate or employee of the party being released, this release being to the extent that such damage or loss is covered by the property insurance which the releasing party is obligated hereunder to carry, or, if the releasing party is not carrying that insurance, then to the extent such damage or loss would be covered if the releasing party were carrying that insurance.
- (5) Notwithstanding anything to the contrary contained in this Paragraph 8, so long as the net worth of Wal-Mart shall exceed One Hundred Million Dollars (\$100,000,000.00), and so long as Wal-Mart is owner or Lessee of Tract 1, Wal-Mart shall have the right to retain financial risk for up to One Million Five Hundred Thousand Dollars (\$1,500,000.00) per claim.

9. Eminent Domain

- a. Owner's Right to Award. Nothing herein shall be construed to give either party any interest in any award or payment made to the other party in connection with any exercise or eminent domain or transfer in lieu thereof affecting said other party's tract or giving the public or any government any rights in said tract. In the event of any exercise of eminent domain or transfer in lieu thereof of any part of the Common Areas located on Tracts 1 and 2, the award attributable to the land and improvements of such portion of the Common Areas shall be payable only to the owner thereof, and no claim thereon shall be made by the owners of any other portion of the Common Areas.
- b. Collateral Claims. All other owners of the Common Areas may file collateral claims with the condemning authority for their losses which are separate and apart from the value of the land area and improvements taken from another owner.
- c. Tenant's Claim. Nothing in this Paragraph 9 shall prevent a tenant from making a claim against an owner pursuant to the provisions of any lease between tenant and owner for all or a portion of any such award or payment.
- d. Restoration of Common Areas. The owner of any portion of the Common Areas so condemned shall promptly repair and restore the remaining portion of the Common Areas within its respective tract as nearly as practicable to the condition of the same immediately prior to such condemnation or transfer, to the extent that the

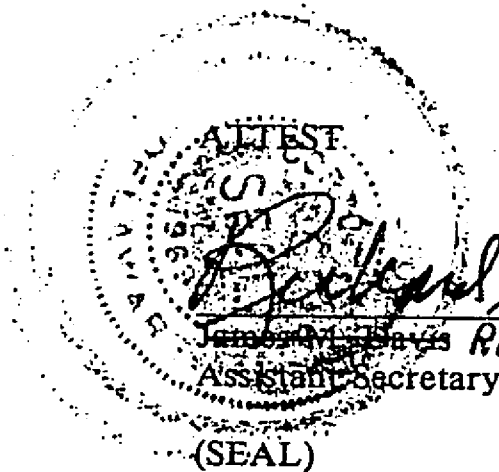
proceeds of such award are sufficient to pay the cost of such restoration and repair and without contribution from any other owner.

10. Rights and Obligations of Lenders. If by virtue of any right or obligation set forth herein a lien shall be placed upon the tract of either party hereto, such lien shall expressly be subordinate and inferior to the lien of any first lienholder now or hereafter placed on such tract. Except as set forth in the preceding sentence, however, any holder of a first lien on Tracts 1 or 2, and any assignee or successor in interest of such first lienholder, shall be subject to the terms and conditions of this Agreement.
11. Expansion of Shopping Center. The parties agree that in the event the Shopping Center is expanded by ownership, control of the parties or agreement with a third party, all of the provisions of this Agreement shall apply to the expanded area and the parking to the building ratio in the expanded area shall not be less than that provided in Paragraph 6a(2).
12. Release from Liability. Any person acquiring fee or leasehold title to Tracts 1 or 2, or any expansion of the Shopping Center pursuant to Paragraph 11 or any portion thereof, shall be bound by this Agreement only as to the tract or portion of the tract acquired by such person. In addition, such person shall be bound by this Agreement only during the period such person is the fee or leasehold owner of such tract or portion of the tract, except as to obligations, liabilities or responsibilities that accrue during said period. Although persons may be released under this paragraph, the easements, covenants and restrictions in this Agreement shall continue to be benefits to and servitudes upon said tracts running with the land.
13. Breach. In the event of breach or threatened breach of this Agreement, only all record owners of Tract 1 as a group, or all record owners of Tract 2 as a group, or Wal-Mart so long as it or any affiliate has an interest as owner or lessee of Tract 1 or Developer so long as it or any affiliate has an interest as owner or lessee of Tract 2, shall be entitled to institute proceedings for full and adequate relief from the consequences of said breach or threatened breach. The unsuccessful party in any action shall pay to the prevailing party a reasonable sum for attorney's fees, which shall be deemed to have accrued on the date such action was filed.
14. Rights of Successors. The easements, restrictions, benefits and obligations hereunder shall create mutual benefits and servitudes running with the land. This Agreement shall bind and inure to the benefit of the parties hereto, their respective heirs, representatives, lessees, successors

and assigns. The singular number includes the plural and the masculine gender includes the feminine and neuter.

15. Document Execution, Modification and Cancellation. It is understood and agreed that until this document is fully executed by Developer, Contract Purchaser and Wal-Mart, there is not and shall not be an agreement of any kind between the parties hereto upon which any commitment, undertaking or obligation can be founded. This Agreement (including exhibits) may be modified or cancelled only by the mutual agreement of Wal-Mart as long as it or its affiliate has any interest as either owner or lessee of Tract 1, and Developer, as long as it or its affiliate has any interest as either owner or lessor of Tract 2.
16. Non-Merger. So long as Wal-Mart or its affiliate is owner or lessee of Tract 1, this Agreement shall not be subject to the doctrine of merger.
17. Duration. Unless otherwise cancelled or terminated, all of the easements granted in this Agreement shall continue in perpetuity and all other rights and obligations hereof shall automatically terminate and be of no further force and effect after ninety-nine (99) years from the date hereof.
18. Headings. The headings herein are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope or intent of this document nor in any way affect the terms and provisions hereof.
19. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto. The parties do not rely upon any statement, promise or representation not herein expressed, and this Agreement once executed and delivered shall not be modified or altered in any respect except by a writing executed and delivered in the same manner as required by this document.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.



Richard G. Leitz
Richard G. Leitz
Assistant Secretary

(SEAL)

WAL-MART STORES, INC.
a Delaware corporation

Curtis H. Barlow
Curtis H. Barlow
Vice President of Real Estate

"Wal-Mart"

ATTEST

Tristram M. McHenry
Its: *Tristram M. McHenry*
President

TRI-EQUITY GROUP, INC.
"Contract Purchaser"

By *Richard G. Weiser*
Richard G. Weiser
Chairman

ATTEST

[Signature]

CARLTON PROPERTIES, INC.

By *Tracy L. Royston*
Thomas Hutchison
President Tracy L. Royston
Vice President



This is to certify that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland or by one of the parties named herein.

W. David Morse
W. David Morse

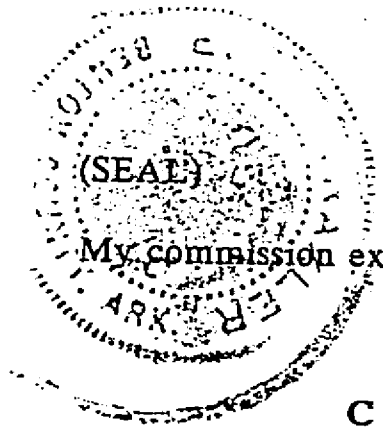
CORPORATE ACKNOWLEDGEMENT

STATE OF ARKANSAS)
) SS
 COUNTY OF BENTON)

Be it remembered that on this 21st day of December, 1990, before me a notary public in and for the county and state aforesaid, came Curtis H. Barlow, Vice President of WAL-MART STORES, INC., a Delaware corporation, who is personally known to me to be the person who executed as such officer the within instrument of writing on behalf of such corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation

In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year last above written.

Elmer Traylor
 Notary Public



CORPORATE ACKNOWLEDGEMENT

STATE OF Virginia)
) SS
 COUNTY OF Stafford)

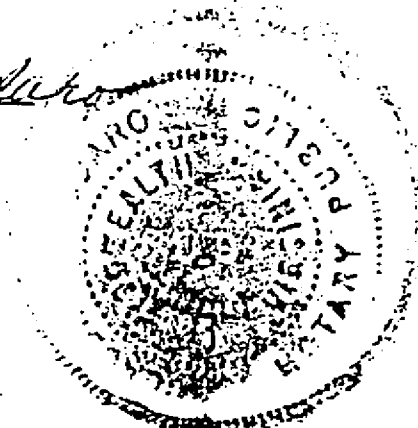
Be it remembered that on this 11 day of November, 1990, before me a notary public in and for the county and state aforesaid, came Edward A. Highers, President of TRI-EQUITY GROUP, INC., a Virginia corporation, who is personally known to me to be the person who executed as such officer the within instrument of writing on behalf of such corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation

In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year last above written.

Richard G. Wieser
 Notary Public

(SEAL)

My commission expires December 31, 19 94.



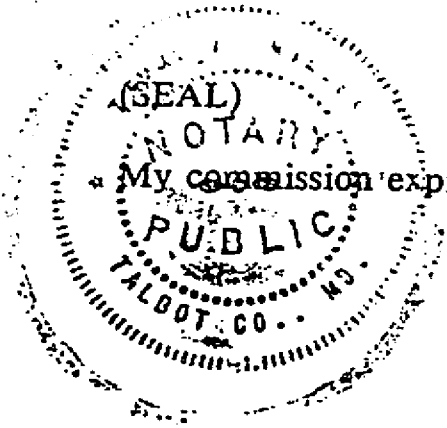
CORPORATE ACKNOWLEDGEMENT

STATE OF Maryland)
) SS
 COUNTY OF Talbot)

Be it remembered that on this 4th day of January, 1991, before me a notary public in and for the county and state aforesaid, came Thomas Hutchison, President of CARLTON PROPERTIES, INC., a Maryland corporation, who is personally known to me to be the person who executed as such officer the within instrument of writing on behalf of such corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation

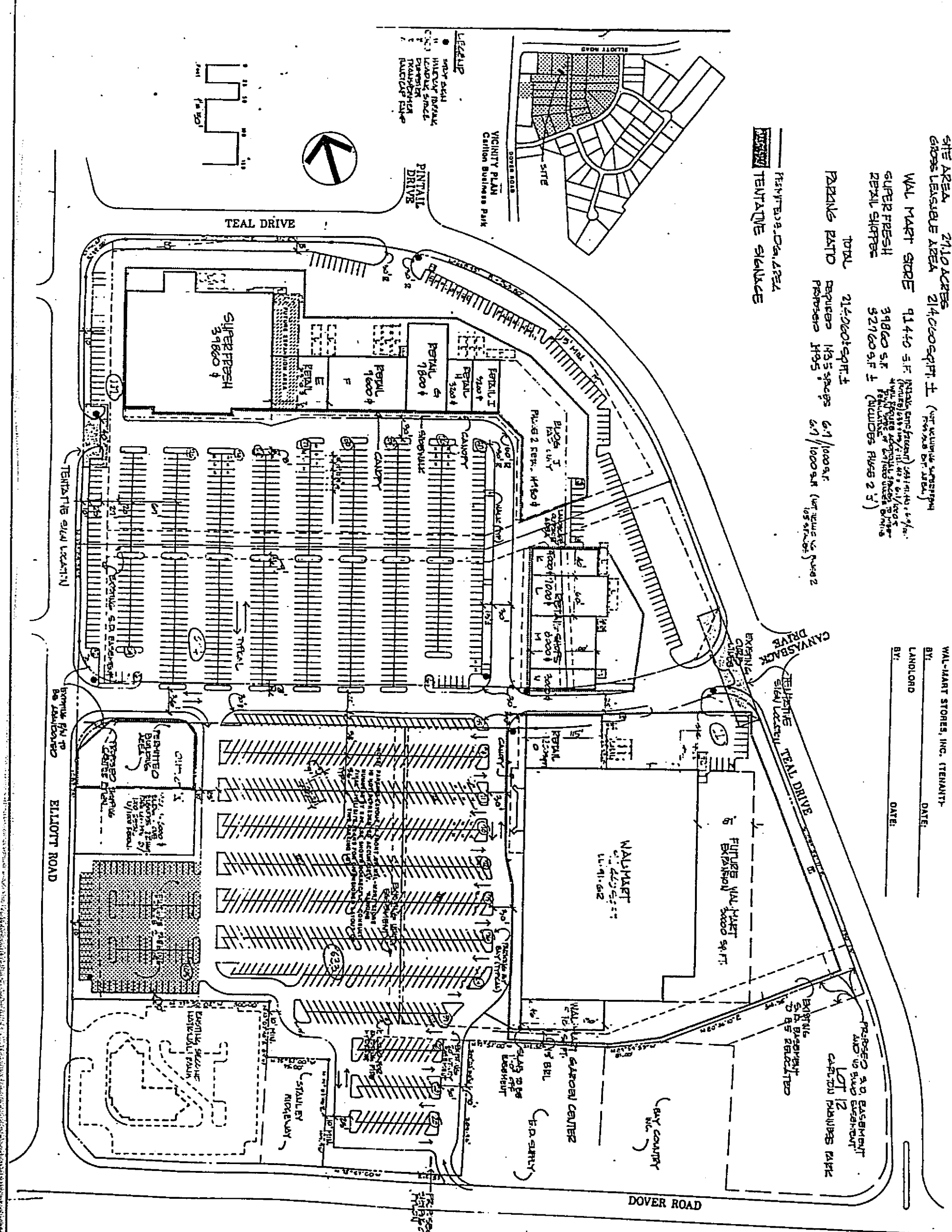
In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year last above written.

Tracy L. Royston
 Notary Public



LEGEND
SITE DATA
 SITE AREA 2110 ACRES
 GROSS LEASABLE AREA 2140000 SQ. FT. (47.0000 ACRES)
 WAL MART STORE 91440 S.F. (209.0000 ACRES)
 SUPER FRESH 34800 S.F. (7.9000 ACRES)
 PETAL SHOPPE 321600 S.F. (7.3000 ACRES)
 TOTAL 2140000 SQ. FT.
 PARKING 1435 SPACES 6.1/1000 S.F.
 PROPOSED 1435 SPACES 6.1/1000 S.F. (105.0000 ACRES)

APPROVED:
 WAL-MART STORES, INC. (TENANT)
 BY: DATE:
 LANDLORD DATE:
 BY: DATE:



REDMAN-JOHNSTON ASSOCIATES, LTD.
 Planning
 Environmental Science
 Landscape Architecture
 1122 Clarksburg Drive
 Suite C
 Gaithersburg, Maryland 20878
 (301) 822-7830

THE SHOPPES AT EASTON EASTON, MD.
 Developed by:
 Tri-Equity Group, Inc.

- 1) 2110 ACRES TOTAL SITE AREA
- 2) 2140000 SQ. FT. GROSS LEASABLE AREA
- 3) 91440 S.F. WAL-MART STORE
- 4) 34800 S.F. SUPER FRESH
- 5) 321600 S.F. PETAL SHOPPE
- 6) 1435 SPACES PARKING
- 7) 6.1/1000 S.F. PARKING
- 8) 105.0000 ACRES PARKING

EXHIBIT A

NO.	DESCRIPTION	AREA
1	WAL-MART STORE	91440 S.F.
2	SUPER FRESH	34800 S.F.
3	PETAL SHOPPE	321600 S.F.
4	PARKING	1435 SPACES
5	PARKING	6.1/1000 S.F.
6	PARKING	105.0000 ACRES

SITE PLAN
 NOT FOR CONSTRUCTION

EXHIBIT e

ALL that piece or parcel of land situate, lying and being in the Town of Easton, Talbot County, Maryland, and described as follows: BEGINNING at a point located in the easterly right-of-way line of Elliott Drive (60-feet wide); said point also being a corner common to Lot 1 and Lot 2 of the Subdivision of land known as Carlton Business Park and as shown on Plats 1 through 6 prepared in April 1988 by McCrone, Inc.; THENCE with the easterly line of Elliott Road with meridian reference to Town of Easton Grid North; NORTH 12 degrees 09' 58" EAST 221.00 feet to a point in the easterly right-of-way of Elliott Road; thence departing said Elliott Road and running with new line of division SOUTH 77 degrees 50' 02" EAST 182.00 feet to a point; thence NORTH 12 degrees 09' 58" EAST 192.50 feet to a point; thence SOUTH 77 degrees 50' 02" EAST 30.00 feet to a point; thence NORTH 40 degrees 07' 08" EAST 30.00 feet to a point; thence SOUTH 77 degrees 50' 02" EAST 429.44 feet to a point; thence SOUTH 12 degrees 09' 58" WEST 78.17 feet to a point; thence SOUTH 77 degrees 50' 02" EAST 148.00 feet to a point; thence NORTH 12 degrees 09' 58" EAST 65.93 feet to a point in a curve to the left having a radius of 696.64 feet; thence 164.22 feet along the arc of said curve with chord bearing and distance of NORTH 86 degrees 51' 00" EAST 163.84 feet to the end of said curve; thence continuing 94.25 feet along the arc of a curve now running to the right having a radius of 60.00 feet and a chord bearing and distance of SOUTH 54 degrees 54' 11" EAST 84.85 feet to the end of curve at a point in the westerly right-of-way line of Teal Drive; thence with Teal Drive SOUTH 09 degrees 54' 11" EAST 404.01 feet to a point, said point also being a corner common to Lot 11 and Lot 12 of the Subdivision of land known as Carlton Business Park as shown on the above mentioned Plats; thence with line common to Lot 11 and Lot 12 SOUTH 80 degrees 36' 10" WEST 313.35 feet to a point in the rear line of the property owned by Harry M. and Ada F. Keene as recorded among the Land Records of Talbot County in Liber 596 at folio 255; thence with said rear line of Keene NORTH 84 degrees 54' 59" WEST 81.00 feet to a corner common with Keene and Lot 'B' of the Craft Farm Subdivision and the rear lines of Lot 8 of Carlton Business Park; thence with line common to Keene NORTH 75 degrees 57' 00" WEST 212.52 feet to a point at a corner common to Lot 'A' and Lot 'B' of the Craft Farm Subdivision; thence with the line of Lot 'A' and Lot 'B' of the Craft Farm Subdivision SOUTH 14 degrees 03' 00" WEST 204.96 feet to a point in the northerly line of Dover Road, said point also being the front corner common to Lot 'A' and Lot 'B' of the Craft Farm Subdivision; thence with said northerly line of Dover Road and with the front lines of Lot 'A' mentioned above NORTH 75 degrees 57' 00" WEST 212.53 feet to a corner common to the above referenced Lot 'A' and the lands of Stanley F. Ridgeway as recorded among the Land Records of Talbot County, Maryland in Liber 483 at folio 138; thence departing said Dover Road and running with line common to Lot 'A' and Ridgeway NORTH 14 degrees 03' 00" EAST 164.96 feet to a corner common to Ridgeway and Lot 4 of the herein described property; thence with said Ridgeway NORTH 75 degrees 57' 00" WEST 95.00 feet to a point in the line of Lot 1 of Carlton Business Park; thence departing Ridgeway and running with Lot 1 NORTH 13 degrees 07' 45" EAST 84.47 feet and NORTH 77 degrees 50' 02" WEST 300.00 feet to the point and place of beginning. CONTAINING 12.029 acres of land, more or less.

The foregoing description was prepared by Landform Technical Services, Inc., in October of 1990, entitled "THE SHOPPES AT EASTON DESCRIPTION OF 12.029 ACRES OF LAND TRACT 1 (a portion of Carlton Business Park) EASTON, TALBOT COUNTY, MARYLAND", and is more particularly shown as Tract 1, 12.029 acres, more or less on a plat prepared by Landform Technical Services, Inc., entitled: "RESUBDIVISION PLAT OF CARLTON BUSINESS PARK TO MERGE LOTS 2 THRU 11 AND LOTS 41 THRU 53 NOW KNOWN AS THE SHOPPES AT EASTON TOWN OF EASTON, TALBOT COUNTY, MARYLAND, Scale: 1" = 100', dated Nov. 15, 1990 and intended to be recorded simultaneously herewith (hereinafter "Resubdivision Plat"). Any discrepancies or ambiguities in the foregoing description are to be resolved by

reference to said plat which shall take priority over the description contained herein.

IT BEING a portion of Lots 2 through 11, and a portion of Canvasback Drive between Teal Drive and Elliott Road, all as shown on Plats 1 through 6 entitled: "INDEX MAP OF CARLTON BUSINESS PARK A SUBDIVISION IN THE TOWN OF EASTON TALBOT COUNTY, MARYLAND", prepared by McCrone, Inc., dated April, 1988, and recorded at MAS PC1-17A through 19AA, inclusive, among the Plat Records of Talbot County, Maryland (hereinafter "Carlton Business Park Plat") and all of Lot 'A' as shown on a Plat entitled: "FINAL CRAFT FARM SUBDIVISION LOT A AND B, TOWN OF EASTON, 1ST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND, FOR DELMARVA ENTERPRISES, INC.", prepared by J. R. McCrone, Jr., Inc., dated January, 1990, and recorded among the Plat Records of Talbot County, Maryland at MAS PC1-163BB (hereinafter "Craft Farm Plat").

SUBJECT to any easements of record and notes as indicated on the aforementioned Resubdivision Plat.

TOGETHER WITH an Easement over the roadways and retained acreage of Carlton Properties, Inc., if necessary for the Wal-Mart Stores, Inc., its successors and assigns, to connect to utilities located within roadways, rights of way, and easement areas as shown on the Resubdivision Plat and the Carlton Business Park Plat.

TOGETHER WITH a Storm Drainage Easement over that piece or parcel of land designated as "STORM DRAINAGE EASEMENT 18,325 sq. ft." as shown on the aforementioned Resubdivision Plat for the purpose of servicing the herein described property with underground and/or aboveground utilities as permitted by the Town of Easton.

SUBJECT, HOWEVER, to an Easement for the benefit of that parcel of land now owned by E. D. Supply, Inc., and designated as Lot B on the aforementioned Craft Farm Plat for the right to connect sewer and water utilities.

SUBJECT, HOWEVER, to covenants, conditions and restrictions as set forth in Carlton Business Park Declaration Of Covenants Conditions And Restrictions, dated November 16, 1988, and recorded at Liber No. 660, folio 944 among the Land Records of Talbot County, Maryland, as amended by Amendment To Declaration Of Covenants, Conditions And Restrictions For Carlton Business Park, dated November 2, 1989, and recorded at Liber No. 677, folio 879 among the Land Records of Talbot County, Maryland.

EXHIBIT "B" TO
ECR AGREEMENT

INITIAL

LM
AD

LIBER 698 PAGE 498

THE SHOPPES AT EASTON
DESCRIPTION OF 14.246 ACRES OF LAND
TRACT 2
(a portion of Carlton Business Park)
LOCATED AT ELLIOTT DRIVE AND TEAL DRIVE
EASTON, TALBOT COUNTY, MARYLAND

COMMENCING at a point located in the easterly right-of-way line of Elliott Drive (60 feet wide); said point also being a corner common to Lot 1 and Lot 2 of the Subdivision of land known as Carlton Business Park and as shown on Plats 1 through 6 prepared in April 1988 by McCrone, Inc.; THENCE with the easterly line of Elliott Road with meridian reference to Town of Easton Grid North;

NORTH 12° 09' 58" EAST 364.00 feet to the TRUE PLACE OF BEGINNING;

THENCE continuing with said line of Elliott Road NORTH 12° 09' 58" EAST 723.78 feet to the beginning of a curve at the intersection of Elliott Road with Teal Drive; thence 94.25 feet along the arc of a curve to the right having a radius of 60.00 feet and a chord bearing and distance of NORTH 57° 09' 58" EAST 84.85 feet to the end of curve in the southerly right-of-way line of Teal Drive (60-feet wide); thence with said southerly line of Teal Drive SOUTH 77° 50' 02" EAST 312.10 feet to the beginning of a curve; thence 668.45 feet along the arc of a curve to the right having a radius of 563.80 feet and a chord bearing and distance of SOUTH 43° 52' 07" EAST 629.98 feet to the end of curve in said right-of-way line of Teal Drive; thence continuing with Teal Drive SOUTH 09° 54' 11" EAST 386.12 feet to a point in Teal Drive; thence departing Teal Drive with new line of division 94.25 feet along the arc of a curve to the left having a radius of 60.00 feet and a chord bearing and distance of NORTH 54° 54' 11" WEST 84.85 feet to the end of curve; thence continuing with a curve to the right having a radius of 696.64 feet; thence 164.22 feet along the arc of said curve with chord bearing and distance of SOUTH 86° 51' 00" WEST 163.84 feet to the end of said curve; thence SOUTH 12° 09' 58" WEST 65.93 feet to a point; thence NORTH 77° 50' 02" WEST 148.00 feet to a point; thence NORTH 12° 09' 58" EAST 78.17 feet to a point; thence NORTH 77° 50' 02" WEST 429.44 feet to a point; thence SOUTH 40° 07' 08" WEST 30.00 feet to a point; thence NORTH 77° 50' 02" WEST 30.00 feet to a point; thence SOUTH 12° 09' 58" WEST 19.50 feet to a point; thence 47.12 feet along an arc of a curve to the left having a radius of 30.00 feet and a chord bearing and distance of NORTH 32° 50' 02" WEST 42.43 feet; thence SOUTH 77° 50' 02" EAST 92.00 feet; thence 94.25 feet along an arc of a curve to the left having a radius of 60.00 feet and a chord bearing and distance of SOUTH 57° 09' 58" WEST 84.85 feet to the point of beginning.

CONTAINING 14.246 acres of land herein described by Landform Technical Services, Inc. in October of 1990.

BEING a portion of Lots 41 through 53; and portion of Canvasback Drive between Teal Drive and Elliott Road, all as shown on a Plat of Subdivision of land known as Carlton Business Park shown on Plats 1 through 6.

SUBJECT to any easements of record and notes as indicated on a Plat of Subdivision of land known as Carlton Business Park shown on Plats 1 through 6.

EXHIBIT "C-1" TO ECR

INITIAL

7/1
11M
11/2

THE SHOPPES AT EASTON
DESCRIPTION OF 0.826 ACRES OF LAND
TRACT 3R
(a portion of Carlton Business Park)
EASTON, TALBOT COUNTY, MARYLAND

COMMENCING at a point located in the easterly right-of-way line of Elliott Drive (60 feet wide); said point also being a corner common to Lot 1 and Lot 2 of the Subdivision of land known as Carlton Business Park and as shown on Plats 1 through 6 prepared in April 1988 by McCrone, Inc.; THENCE with the easterly line of Elliott Road with meridian reference to Town of Easton Grid North;

NORTH 12° 09' 58" EAST 364.00 feet to the TRUE PLACE OF BEGINNING;

THENCE 94.25 feet along an arc of a curve to the right having a radius of 60.00 feet and a chord bearing and distance of NORTH 57° 09' 58" EAST 84.85 feet; thence SOUTH 77° 50' 02" EAST 92.00 feet; thence 47.12 feet along an arc of a curve to the right having a radius of 30.00 feet and a chord bearing and distance of SOUTH 32° 50' 02" EAST 42.43 feet; thence SOUTH 12° 09' 58" WEST 173.00 feet; thence NORTH 77° 50' 02" WEST 182.00 feet; thence NORTH 12° 09' 58" EAST 143.00 feet to the point and place of beginning.

CONTAINING 0.826 acres of land herein described by Landform Technical Services, Inc. in October of 1990.

BEING a portion of Lot 3; and a portion of Canvasback Drive between Teal Drive and Elliott Road, all as shown on a Plat of Subdivision of land known as Carlton Business Park shown on Plats 1 through 6.

SUBJECT to any easements of record and notes as indicated on a Plat of Subdivision of land known as Carlton Business Park shown on Plats 1 through 6.

EXHIBIT "C-2" TO ECR

INITIAL

SP
IM
SLD

REQUIRED APPROVALS PURSUANT TO EASEMENTS
WITH COVENANT AND RESTRICTIONS AFFECTING LAND

#0001
TICKET# \$0.00
REC.FEE \$31.00
SUR.CHG \$2.00
CASH \$33.00
TOTAL \$0.00

THIS REQUIRED APPROVALS FOR EASEMENTS WITH COVENANT AND RESTRICTIONS AFFECTING THE LAND ("Agreement") is made this JUNE day of JUNE, 1993 by and among the parties more particularly described on the signature pages attached hereto.

W I T N E S S E T H:

WHEREAS, WALMART STORES, INC. ("Walmart"), TRI-EQUITY GROUP, INC. ("Tri-Equity") and CARLTON PROPERTIES, INC. ("Developer") entered into that certain Easements With Covenant and Restrictions Affecting Land dated December 11, 1990 and recorded in Liber M.A.S. No. 698 at Folio 483, et. seq. Talbot County, Maryland Records ("ECR");

WHEREAS, Resolution Trust Corporation as Conservator for Second National Federal Savings Association pursuant to that Final Order of Ratification of Sale filed in the Circuit Court for Talbot County, Maryland, Case No.: CG-1949, was granted title to the property described as Tract 2 in the ERC;

WHEREAS, Co-Mart, Inc., its successors or assigns ("Purchaser") intends to acquire fee simple to Tract 2 and to develop the same as a shopping center;

WHEREAS, pursuant to the terms of the ERC, certain approvals must be obtained in connection with the development of Tract 2;

WHEREAS, the parties hereto have agreed to provide such approvals on the terms and conditions set forth.

NOW, THEREFORE, for and in consideration of the premises, Ten and No/100 Dollars (\$10.00) in hand paid by Purchaser to the undersigned and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree as follows:

1. The parties hereto hereby consent to the construction of improvements on Tract 2 substantially in accordance with the Preliminary Site Plan for Shoppes at Easton, Phase II dated June 4, 1993, prepared by Redman/Johnston Associates, Ltd., a copy of which is attached hereto Exhibit "A" and by this reference made a part hereto ("Site Plan").

2. The parties hereto hereby further agree to the location of the front walls of the buildings on Tract 2 as shown on the Site Plan.

3. The parties hereby agree that notwithstanding the provisions of paragraph 7 of the ECR, Purchaser shall have the right to locate a pylon sign on the property adjacent to any or all of the curb cuts shown on the Site Plan.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

JACOBY DEVELOPMENT G.P.A.
1800 CLEVELAND PL. SUITE 200
ATLANTA, GA 30345

WALMART STORES, INC., a Delaware corporation

By: [Signature]
Print Name: Anthony L. Fuller
Title: Director of Property Management

ATTEST:
By: [Signature]
Print Name: Shelli L. Stevens
Title: Assistant Secretary

STATE OF Arkansas
COUNTY OF Benton

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Anthony L. Fuller, as Director of Property Management of WALMART STORES, INC., a Delaware corporation, to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 5th day of August 1993.

Rosalynn A. Mattson
Notary Public
State of Arkansas at Large
My commission expires: 4/1/96

[SIGNATURES CONTINUED FROM FOLLOWING PAGE]

TRI-EQUITY GROUP, INC.

By: *Richard Weiser*
Print Name: RICHARD WEISER
Title: PRES.

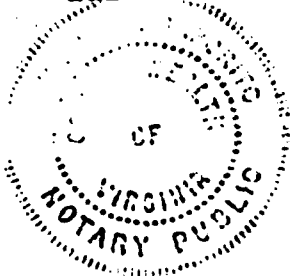
ATTEST:

By: _____
Print Name: _____
Title: _____

STATE OF Virginia
COUNTY OF Fairfax

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Richard Weiser, as President of TRI-EQUITY GROUP, INC., a Virginia corporation, to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 2nd day of August, 1993.



Christina F. Dapporto
Notary Public
State of Virginia at Large
My commission expires: 12-31-96

LIBERO 758 FOLIO 963

WPPJAB.9030

[SIGNATURES CONTINUED FROM FOLLOWING PAGE]

BY

CARLTON PROPERTIES, INC.
ITS VICE PRESIDENT

By: [Signature]
Print Name: Z. H. STAFFORD III
Title: VICE PRESIDENT

ATTEST:

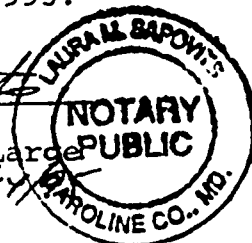
By: June N. Grace
Print Name: JUNE N. GRACE
Title: _____

STATE OF MARYLAND
COUNTY OF TALBOT

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Z. H. STAFFORD III, as Vice President of CARLTON PROPERTIES, INC., a Maryland corporation, to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 17th day of June, 1993.

[Signature]
Notary Public
State of Maryland at Large
My commission expires: 11/11/95



[SIGNATURES CONTINUED FROM FOLLOWING PAGE]

RESOLUTION TRUST CORPORATION, as
Conservator for Second National
Federal Savings Bank Association

By: Burl E. Turner
Print Name: BURL E. TURNER
Title: Asset Specialist

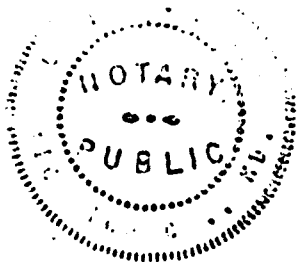
ATTEST:

By: Diane L. Kline
Print Name: DIANE L. KLINE
Title: Asset Marketing Executive

STATE OF Maryland
COUNTY OF Wicomico

I HEREBY CERTIFY that on this day personally appeared
before me, an officer duly authorized to administer oaths and
take acknowledgements, Burl E. Turner, as
_____ of RESOLUTION TRUST CORPORATION, as Conservator
for Second National Federal Savings Bank Association, to me well
known to be the person described in and who executed the
foregoing instrument and he acknowledged before me that he
executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the County and State
last aforesaid, this 13th day of July, 1993.



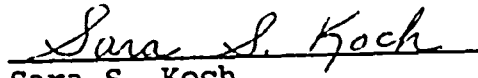
Gloria M. Douglas
Notary Public Gloria M. Douglas
State of Maryland at Large
My commission expires: July 1, 1996

LIBERO 758 FOLIO 965

WPPJAB.9030

[SIGNATURES CONTINUED FROM PRECEDING PAGE]

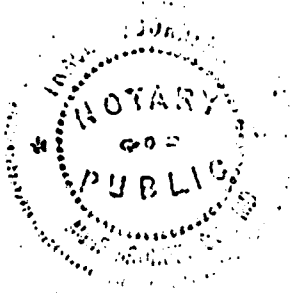
 (SEAL)
Christopher A. Koch

 (SEAL)
Sara S. Koch

STATE OF Maryland
~~Anne Arundel~~
COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Christopher A. Koch and Sara S. Koch, to me well known to be the persons described in and who executed the foregoing instrument and he and she acknowledged before me that he and she executed the same for the purposes therein expressed.

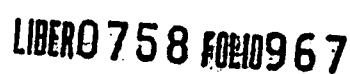
WITNESS my hand and official seal in the County and State last aforesaid, this 8 day of September, 1993.




Notary Public
State of _____ at Large
My commission expires:

THE COMMISSIONER
OF THE STATE OF MARYLAND
My Commission Expires July 1, 1995

LIBERO 758 FOLIO 966



**SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR CARLTON BUSINESS PARK**

THIS SECOND AMENDMENT TO THE DECLARATION OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CARLTON BUSINESS PARK ("Second Amendment") made effective this 13th day of NOVEMBER, 2015, by the undersigned property owners.

WHEREAS, Carlton Properties, Inc. (the "Developer") executed a Declaration of Covenants, Conditions and Restrictions for Carlton Business Park on November 16, 1988 that is recorded among the Land Records of Talbot County, Maryland ("Land Records") at Liber MAS 660, folio 944, which Declaration was amended by an Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park dated November 2, 1989 and recorded among the Land Records at Liber MAS 677, folio 879 (collectively, the "Declaration"); and

WHEREAS, the purpose of the Declaration was to subject that area known as Carlton Business Park, situate in Easton, Talbot County, Maryland, to certain covenants, conditions and restrictions; and

WHEREAS, Section V, Paragraph 4.1 of the Declaration permits amendment of the Declaration upon the recordation among the Land Records of the written consent of the owners of two-thirds (2/3) of the lots subject the Declaration; and

WHEREAS, the owners of at least two-thirds (2/3) of the lots subject to the Declaration desire to permit the development, operation and occupancy of multifamily residential units on Lots 20-25, inclusive, of the Property.

NOW, THEREFORE, the undersigned, each an owner of the lot(s) subject to the Declaration as indicated on their respective consent and collectively comprising the owners of at least two-thirds (2/3) of the lots subject to the Declaration, in consideration of the above-premises, hereby acknowledge, approve and consent to this Second Amendment of the Declaration of Covenants, Conditions and Restrictions for the Carlton Business Park:

1. Article II, Section 2(a) of the Declaration is hereby amended to include the following underlined text:

2. Prohibited Land Use: The following operations and uses shall not be permitted on any Property subject to these Covenants:
 - a. Residential (except that multifamily residential apartment or condominium uses shall be permitted on Lots 20-25, inclusive, of the Property)
 - b. Trailer Courts
 - c. Junk Yards

- d. Gravel Pits or other Commercial Excavation of Building or Construction Materials
- e. Distillation of Bones
- f. Dumping, Disposal, Incineration or Reduction of Garbage, Sewage, Offal, Dead Animals or Refuse
- g. Fat Rendering
- h. Stockyard or Slaughter of Animals
- i. Refining of Petroleum or of its Products
- j. Smelting of Iron, Tin, Zinc or other Ores
- k. Raising of Pets or Livestock or other animals
- l. Kennel or Dog Pound of Veterinary Clinic

2. The amendment herein enumerated shall apply to all Property subject to the Declaration.

3. This Second Amendment may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned, each being the owner of the lot(s) indicated below has hereunder set its hand and seal the day and year indicated below, intending this Second Amendment to be dated and effective as of the date of its recordation among the Land Records.

OWNERS' SIGNATURES ON FOLLOWING PAGES

CONSENT TO SECOND AMENDMENT

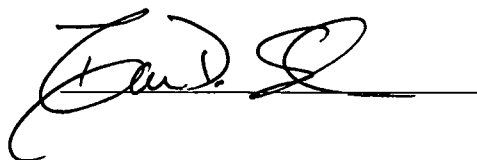
The undersigned, KAS Investment Properties, LLC, a Maryland limited liability company ("Owner") is the owner of Lot 1 of the Carlton Business Park, pursuant to a deed dated May 25, 2006, and recorded among the Land records of Talbot County, Maryland in Liber MAS 1448, folio 128.

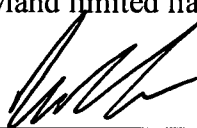
As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

KAS INVESTMENT PROPERTIES, LLC,
a Maryland limited liability company



By: 

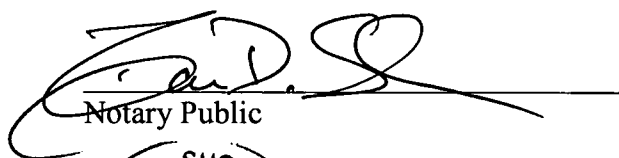
Name: William E. Schuman III

Title: Member

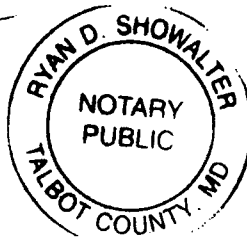
STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, that on this 27th day of JANUARY, 2015, before me, the undersigned Notary Public of said State, personally appeared William E. Schuman III who acknowledged himself to be the Member of KAS INVESTMENT PROPERTIES, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Member.

WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: 06/25/16



RYAN D. SHOWALTER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 06/25/2016

LIBER 2310 FOLIO 30

CONSENT TO SECOND AMENDMENT

Pursuant to a deed dated February 25, 2010 and recorded among the Land Records of Talbot County, Maryland in Liber MAS 1817, folio 0394, the undersigned, Wal-Mart Stores, Inc., a Delaware corporation ("Owner"), is the owner of all or portions of Lots 2 through 11 of the Carlton Business Park (as revised and consolidated by a plat entitled "Resubdivision Plat of Carlton Business Park to Merge Lots 2 thru 11 and Lots 41 thru 53, Now Known as The Shoppes at Easton" as recorded among the Plat Records of Talbot County in Plat Cabinet MAS PC2, page 3C),

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

Wal-Mart Real Estate Business Trust

By: _____

Senior mgr II

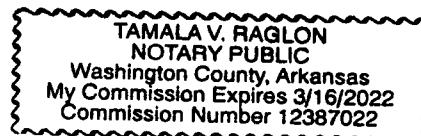
STATE OF Arkansas, COUNTY OF Benton, TO WIT:

I HEREBY CERTIFY, that on this 2nd day of Oct., 2015, before me, the undersigned Notary Public of said State, personally appeared B.A. O'WISS, who acknowledged him/herself to be the Senior Mgr II of Wal-Mart Real Estate Business Trust., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained as the duly authorized Senior mgr II of said corporation by him/herself as Senior mgr II.

WITNESS my hand and Notarial Seal.

Tamala V. Raglon
Notary Public

My Commission Expires: 3/16/2022



LIBER 2310 FOLIO 031

CONSENT TO SECOND AMENDMENT

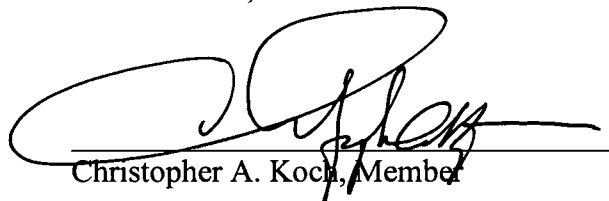
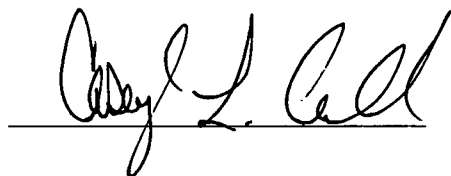
Pursuant to a deed dated July 9, 1997 and recorded among the Land Records of Talbot County, Maryland in Liber MAS 862, folio 439, the undersigned, Bristol Elliott, LLC, a Maryland limited liability company ("Owner"), is the owner of a portion of Lot 3 of the Carlton Business Park (as revised and now known as Tract 3-R by a plat entitled "Resubdivision Plat of Carlton Business Park to Merge Lots 2 thru 11 and Lots 41 thru 53, Now Known As The Shoppes at Easton" as recorded among the Plat Records of Talbot County in Plat Cabinet MAS PC2, page 3C).

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

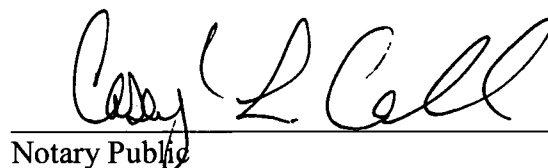
Bristol Elliott, LLC


Christopher A. Koch, Member

STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

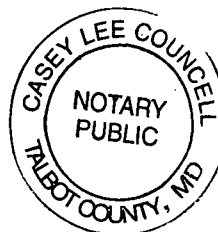
I HEREBY CERTIFY, that on this 12th day of October, 2015, before me, the undersigned Notary Public of said State, personally appeared Christopher A. Koch, who acknowledged himself to be the Member of Bristol Elliott, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Member.

WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: 6/24/2016

LIBER 2310 FOLIO 32



CASEY LEE COUNCELL
NOTARY PUBLIC STATE OF MARYLAND
Expires 06/24/2016

CONSENT TO SECOND AMENDMENT

The undersigned, LR Chance, LLC, ("Owner") is the owner of Lot 12 of the Carlton Business Park, pursuant to a deed dated January 13, 1998, and recorded among the Land Records of Talbot County, Maryland in Liber MAS 877, folio 153.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

LR Chance, LLC

Carol L. Call

By: Leslie Chance

Name: Leslie Chance

Title: member & president

Carol L. Call

By: Lois Chance

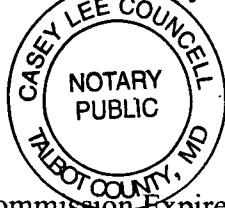
Name: Lois Chance

Title: Member & president

STATE OF Maryland, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 1st day of May, 2015, before me, the undersigned Notary Public of said State, personally appeared Leslie Chance, who acknowledged himself to be the Member of LR Chance, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Member.

WITNESS my hand and Notarial Seal.



CASEY LEE COUNCELL
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 06/24/2016

Casey L. Call
Notary Public

My Commission Expires: 6/24/16

STATE OF Maryland, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 1st day of May, 2015, before me, the undersigned Notary Public of said State, personally appeared Lois Chance, who acknowledged himself to be the Member of LR Chance, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Member.

WITNESS my hand and Notarial Seal.



CASEY LEE COUNCELL
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 06/24/2016

Casey L. Call
Notary Public

My Commission Expires: 6/24/16

LIBER 2310 FOLIO 34

CONSENT TO SECOND AMENDMENT

The undersigned, Intown Management, LLC, ("Owner") is the owner of Lot 15 of the Carlton Business Park, pursuant to a deed dated August 21, 2014, and recorded among the Land Records of Talbot County, Maryland in Liber MAS 2203, folio 133.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

Intown Management, LLC

Madip P Hershey

By: HEW

Name: Steven Hershey

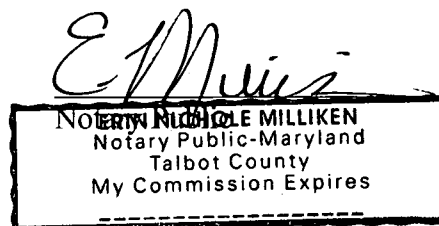
Title: Partner

STATE OF MARYLAND, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 9th day of September, 2015, before me, the undersigned Notary Public of said State, personally appeared Steven Hershey, who acknowledged himself to be the President of Intown Management, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized President of said limited liability company by himself as

WITNESS my hand and Notarial Seal.

My Commission Expires: 8/27/17



LIBER 2310 FOLIO 035

CONSENT TO SECOND AMENDMENT

The undersigned, Commercial Development, LLC, ("Owner") is the owner of Lot 17 of the Carlton Business Park, pursuant to a deed dated January 31, 2001, and recorded among the Land Records of Talbot County, Maryland in Liber MAS 991, folio 180.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

Commercial Development, LLC

Kathy Wood

Roger Hebden
Roger Hebden, Managing Member

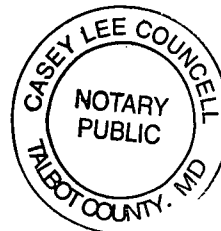
STATE OF Maryland, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 2nd day of March, 2015, before me, the undersigned Notary Public of said State, personally appeared Roger Hebden, who acknowledged himself to be the Managing Member of Commercial Development, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Managing Member of said limited liability company by himself as Managing Member.

WITNESS my hand and Notarial Seal.

Casey L. Cancell
Notary Public

My Commission Expires: 06/24/2016



CASEY LEE CANCELL
NOTARY PUBLIC STATE OF MARYLAND
Commission Expires 06/24/2016

LIBER 2310 FOLIO 36

CONSENT TO SECOND AMENDMENT

The undersigned, Brant Court Properties Limited Partnership, a Maryland limited partnership ("Owner") is the owner of Lots 20 through 25, inclusive of the Carlton Business Park, pursuant to two deeds: a deed dated October 17, 1994, and recorded among the Land Records of Talbot County, Maryland in Liber MAS 788, folio 828, as well as a deed dated May 10, 2002, and recorded among the Land Records of Talbot County, Maryland in Liber MAS 1063, folio 173.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

BRANT COURT PROPERTIES LIMITED
PARTNERSHIP, a
Maryland limited partnership

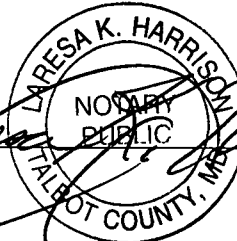
By: _____
Name: Zebulon H. Stafford, III
Title: Partner

STATE OF Maryland, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 4th day of February, 2015, before me, the undersigned Notary Public of said State, personally appeared Zebulon H. Stafford, III, who acknowledged himself to be the Authorized Partner of BRANT COURT PROPERTIES LIMITED PARTNERSHIP, a Maryland limited partnership, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Partner of said limited partnership by himself as Partner.

WITNESS my hand and Notarial Seal.

Notary Public



My Commission Expires: 9-1-15

My Commission Expires
09/01/2015

LIBER 2310 FOLIO 037

CONSENT TO SECOND AMENDMENT

The undersigned, Carol Leslie Cadell Bowie and David E. Cadell, Successor Trustees of the MARGARET S. CADELL TRUST UNDER DECLARATION DATED JULY 17, 1997 and Carol Leslie Cadell Bowie and David E. Cadell, Successor Trustees of the W. ELLSWORTH CADELL RESIDUARY TRUST DATED JULY 17, 1997 FOR THE BENEFIT OF MARGARET S. CADELL (collectively, the "Owners") are the owners of Lot 26 of the Carlton Business Park, pursuant to deeds dated July 17, 1997 and March 1, 2012, and recorded among the Land records of Talbot County, Maryland in Liber MAS 866, folio 184 and MAS 1972, folio 033, respectively.

As of the date of its signature below, Owners hereby consent to, adopt, acknowledge, and approve the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

SIGNATURES ON FOLLOWING PAGES

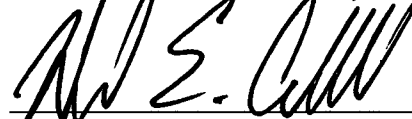
IN WITNESS WHEREOF, the Owners have executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

Margaret S. Cadell Trust under Declaration
dated July 17, 1997



Carol Leslie Cadell Bowie
Carol Leslie Cadell Bowie, Successor Trustee



David E. Cadell, Successor Trustee

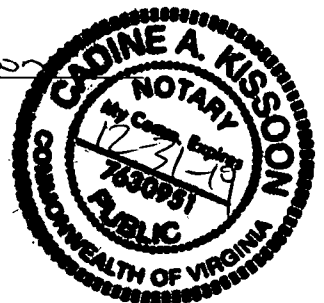
STATE OF Virginia, COUNTY OF James City, TO WIT:

I HEREBY CERTIFY, that on this 5 day of ^{November}~~October~~, 2015, before me, the undersigned Notary Public of said State, personally appeared Carol Leslie Cadell Bowie, who acknowledged herself to be the Successor Trustee of the Margaret S. Cadell Trust under Declaration dated July 17, 1997, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained as the duly authorized Successor Trustee of said trust by herself as Trustee.

WITNESS my hand and Notarial Seal.

Cadine A. Kisson
Notary Public

My Commission Expires: 12-31-19



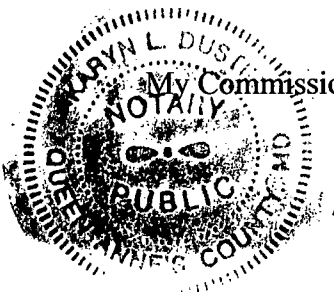
STATE OF MARYLAND, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 12th day of ^{November}~~October~~, 2015, before me, the undersigned Notary Public of said State, personally appeared David E. Cadell, who acknowledged himself to be the Successor Trustee of the Margaret S. Cadell Trust under Declaration dated July 17, 1997, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Successor Trustee of said trust by himself as Trustee.

WITNESS my hand and Notarial Seal.

Haym L. Duster
Notary Public

My Commission Expires: 1/24/2016



WITNESS/ATTEST:

The W. Ellsworth Cadell Residuary Trust
dated July 17, 1997 for the benefit of
Margaret S. Cadell

Carol Leslie Cadell Bowie
Carol Leslie Cadell Bowie, Successor Trustee

David E. Cadell
David E. Cadell, Successor Trustee

STATE OF Virginia, COUNTY OF James City, TO WIT:

I HEREBY CERTIFY, that on this 5th day of ~~October~~ ^{November}, 2015, before me, the undersigned Notary Public of said State, personally appeared Carol Leslie Cadell Bowie, who acknowledged herself to be the Successor Trustee of the W. Ellsworth Cadell Residuary Trust dated July 17, 1997 for the benefit of Margaret S. Cadell, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained as the duly authorized Successor Trustee of said trust by herself as Trustee.

WITNESS my hand and Notarial Seal.

Cadine A. Kisson
Notary Public

My Commission Expires: 12-31-19



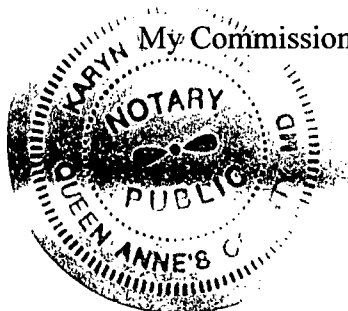
STATE OF MARYLAND, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 12th day of ~~October~~ ^{November}, 2015, before me, the undersigned Notary Public of said State, personally appeared David E. Cadell, who acknowledged himself to be the Successor Trustee of the W. Ellsworth Cadell Residuary Trust dated July 17, 1997 for the benefit of Margaret S. Cadell, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Successor Trustee of said trust by himself as Trustee.

WITNESS my hand and Notarial Seal.

Karyn J. Protter
Notary Public

My Commission Expires: 1/29/2016



CONSENT TO SECOND AMENDMENT

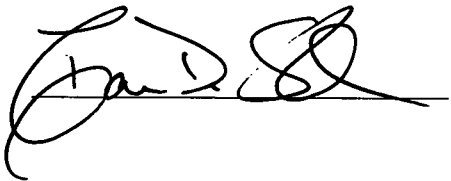
The undersigned, 29521 Canvasback, LLC, a Maryland limited liability company ("Owner") is the owner of Lot 28 of the Carlton Business Park, pursuant to a deed dated January 15, 2016, and recorded among the Land records of Talbot County, Maryland in Liber MAS 2230, folio 172.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

29521 CANVASBACK, LLC, a
Maryland limited liability company

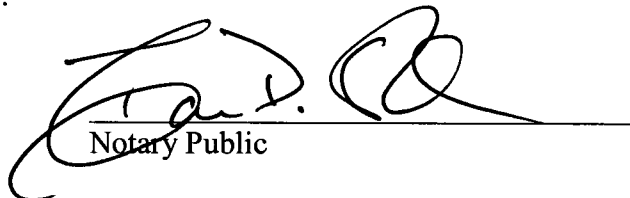


By: R. Goold
Name: Robert R. Goold
Title: Authorized Member

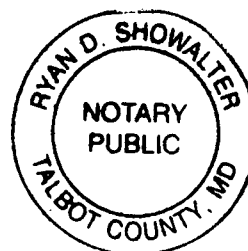
STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, that on this 2nd day of JULY, 2015, before me, the undersigned Notary Public of said State, personally appeared Robert R. Goold, who acknowledged himself to be the Authorized Member of 29521 CANVASBACK, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Authorized Member.

WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: 6/25/16



RYAN D SHOWALTER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 06/25/2016

LIBER 2310 FOLIO 41

CONSENT TO SECOND AMENDMENT

The undersigned, Maxmore, LLC, ("Owner") is the owner of Lot 33 of the Carlton Business Park, pursuant to a deed dated September 25, 2012, and recorded among the Land records of Talbot County, Maryland in Liber MAS 2039, folio 323.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

Maxmore, LLC

By: William W. Stone
Name: William W. Stone
Title: Member

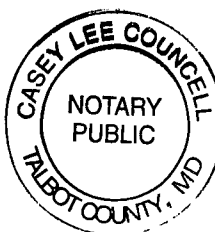
STATE OF Maryland, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 10th day of February, 2015, before me, the undersigned Notary Public of said State, personally appeared William W. Stone, who acknowledged himself to be the Member of Maxmore, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Member.

WITNESS my hand and Notarial Seal.

Casey L. Cancell
Notary Public

My Commission Expires: 06/24/2016



CASEY LEE CANCELL
NOTARY PUBLIC STATE OF MARYLAND
Commission Expires 06/24/2016

LIBER 2310 FOLIO 42

CONSENT TO SECOND AMENDMENT

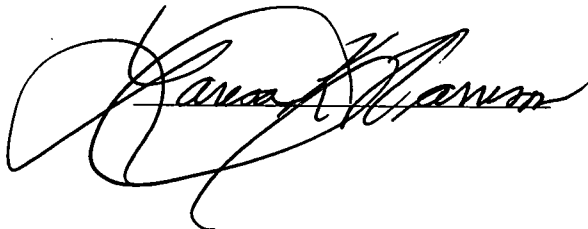
The undersigned, Boulder Investments, LLC, ("Owner") is the owner of Lot 34 of the Carlton Business Park, pursuant to a deed dated December 20, 2000, and recorded among the Land records of Talbot County, Maryland in Liber MAS 985, folio 572.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

Boulder Investments, LLC



By: William W. Stone
Name: William W. Stone
Title: Member

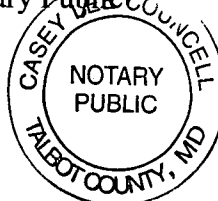
STATE OF Maryland, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 18th day of February, 2015, before me, the undersigned Notary Public of said State, personally appeared William W. Stone, who acknowledged himself to be the Member of Boulder Investments, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Member.

WITNESS my hand and Notarial Seal.

Casey L. Cancell
Notary Public

My Commission Expires: 6/24/2016



CASEY LEE CANCELL
NOTARY PUBLIC STATE OF MARYLAND
Commission Expires 06/24/2016

LIBER 2310 FOLIO 43

CONSENT TO SECOND AMENDMENT

The undersigned, SFG, LLC, a Maryland limited liability company ("Owner") is the owner of Lots 37 through 39 of the Carlton Business Park, pursuant to a deed dated May 23, 2003, and recorded among the Land Records of Talbot County, Maryland in Liber MAS 1154, folio 481.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

Jordan Carroll Rogers

SFG, LLC

By: Douglas W. Townsley

Douglas W. Townsley, Member

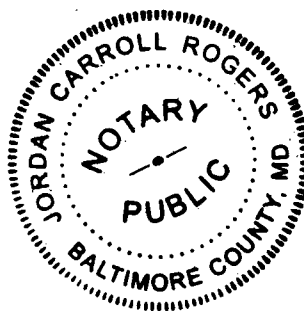
STATE OF Maryland, COUNTY OF Baltimore, TO WIT:

I HEREBY CERTIFY, that on this 17th day of April, 2015, before me, the undersigned Notary Public of said State, personally appeared Douglas W. Townsley, who acknowledged himself to be a Member of SFG, LLC, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Member of said limited liability company by himself as Member.

WITNESS my hand and Notarial Seal.

My Commission Expires: 07-18-2018

Jordan Carroll Rogers
Notary Public



LIBER 2310 FOLIO 44

CONSENT TO SECOND AMENDMENT

The undersigned, The Talbot Bank of Easton, Maryland, a Maryland corporation ("Owner") is the owner of Lot 40 of the Carlton Business Park, pursuant to a deed dated September 12, 1989, and recorded among the Land records of Talbot County, Maryland in Liber MAS 675, folio 303.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

THE TALBOT BANK OF EASTON,
MARYLAND, a Maryland corporation

Wanda H. Gray

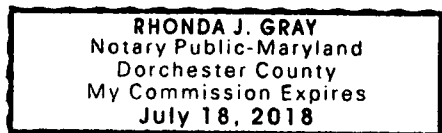
By: W. David Morse

Name: W. David Morse
Title: Vice President

STATE OF MARYLAND, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 13th day of October, 2015, before me, the undersigned Notary Public of said State, personally appeared W. David Morse, who acknowledged himself to be the Vice President of The Talbot Bank of Easton, Maryland, a Maryland corporation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Vice President of said corporation by himself as Vice President.

WITNESS my hand and Notarial Seal.



Rhonda Gray
Notary Public

My Commission Expires: _____

LIBER 2310 FOLIO 045

CONSENT TO SECOND AMENDMENT

Pursuant to a deed dated March 9, 2004 and recorded among the Land Records of Talbot County, Maryland in Liber MAS 1231, folio 590, the undersigned, EASTON SHOPPES BUSINESS TRUST, a Maryland business trust ("Owner"), is the owner of all or portions of Lots 41 through 53 of the Carlton Business Park (as revised and consolidated as "Tract 2" by a plat entitled "Resubdivision Plat of Carlton Business Park to Merge Lots 2 thru 11 and Lots 41 thru 53, Now Known as The Shoppes at Easton" as recorded among the Plat Records of Talbot County in Plat Cabinet MAS PC2, page 3C).

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be: (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below

EASTON SHOPPES BUSINESS TRUST

By: Kimco Income Fund I, L.P., its shareholder

WITNESS/ATTEST:

By: Kimco Income Fund I GP, Inc., its
General Partner

By: Wilbur E. Simmons, III
Name: Vice President

STATE OF MARYLAND, COUNTY OF Balto, TO WIT:

I HEREBY CERTIFY, that on this 20 day of Oct, 2015, before me, the undersigned Notary Public of said State, personally appeared, EASTON SHOPPES BUSINESS TRUST, a Maryland business trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Vice President of said trust by signing the name of the trust by himself as Vice President.

WITNESS my hand and Notarial Seal.

Notary Public: Michelle Layne

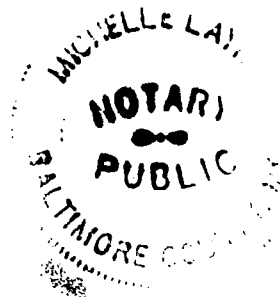
My Commission Expires:

MICHELLE LAYNE
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires February 9, 2019

19178v2

LIBER 2310 FOLIO 46



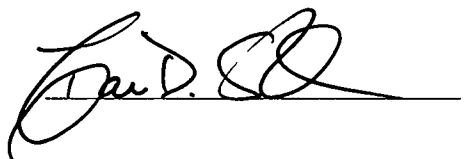
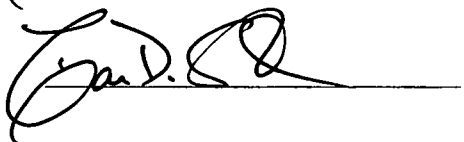
CONSENT TO SECOND AMENDMENT

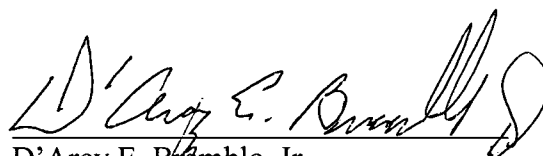
The undersigned, D'Arcy E. Bramble, Jr. and Donna Marie Bramble (collectively, the "Owner") are the owners of Lots 55 and 68 of the Carlton Business Park, pursuant to a deed dated June 13, 1997, and recorded among the Land records of Talbot County, Maryland in Liber MAS 859, folio 062.

As of the date of its signature below, Owners hereby consent to, adopt, acknowledge, and approve the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owners have executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:


D'Arcy E. Bramble, Jr.

Donna Marie Bramble

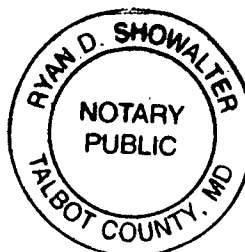
STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I HEREBY CERTIFY, that on this 26th day of October, 2015, before me, the undersigned Notary Public of said State, personally appeared D'Arcy E. Bramble, Jr. and Donna Marie Bramble, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

My Commission Expires: 6/25/16


Notary Public



RYAN D SHOWALTER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 06/25/2016

LIBER 2310 FOLIO 047

CONSENT TO SECOND AMENDMENT

The undersigned, Douglas V. Croker, III, ("Owner") is the owner of Lots 61 and 62 of the Carlton Business Park, pursuant to a deed dated July 14, 2000, and recorded among the Land records of Talbot County, Maryland in Liber MAS 969, folio 895.

As of the date of its signature below, Owner hereby consents to, adopts, acknowledges, and approves the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park, intending this consent to be (i) recorded among the Land Records of Talbot County, Maryland with the requisite consents of owners of other lots in the Carlton Business Park, and (ii) effective as of the date of such recordation.

IN WITNESS WHEREOF, the Owner has executed this Consent to Second Amendment as of the date below.

WITNESS/ATTEST:

W. D. Duan

Douglas V. Croker, III
Douglas V. Croker, III

STATE OF Maryland, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 27 day of February, 2015, before me, the undersigned Notary Public of said State, personally appeared Douglas V. Croker, III, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

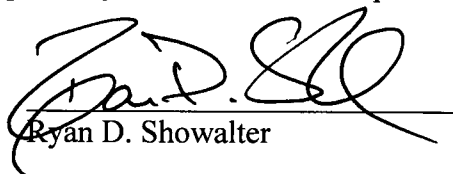
Amy N. Gagnon
Notary Public

My Commission Expires: 03/05/2018

AMY N. GAGNON
Notary Public-Maryland
Talbot County
My Commission Expires
March 05, 2018

LIBER 2310 FOLIO 48

THE UNDERSIGNED, a member in good standing of the Bar of the Court of Appeals of Maryland, hereby certifies that this Second Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park was prepared by him or under his supervision.



Ryan D. Showalter

Please return to:

Ryan D. Showalter, Esq.
Miles & Stockbridge, P.C.
101 Bay Street, Suite 2
Easton, MD 21601

Mary Ann Shortall, Clerk
Circuit Court For Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
(410) 822-2611 Ext. 4

LR - Covenant
Recording Fee 75.00
Declarant Name:
Carlton Business Park
Reference/Control #:
2310/028
LR - Covenant
Surcharge 40.00
=====

SubTotal:	115.00
=====	
Total:	115.00

11/13/2015 03:50
CC20-MG
#5160563 CC0205 -
Talbot
County/CC02.05.01 -
Register 01

DOCUMENT VALIDATION
(excluded from page count)

DECLARATION AMENDMENT AGREEMENT

THIS DECLARATION AMENDMENT AGREEMENT is made this 28th day of January, 2015~~6~~ by and between BRANT COURT PROPERTIES LIMITED PARTNERSHIP, a Maryland limited partnership ("**Owner**"), BRANT COURT, LLC, a Maryland limited liability company ("**Contract Purchaser**"), and EASTON SHOPPES BUSINESS TRUST, a Maryland business trust ("**Easton Shoppes**").

WHEREAS, Owner is the fee simple owner of Lots 20 through 25 (the "**Property**") of a subdivision located in the Town of Easton, Maryland, known as "Carlton Business Park", and depicted by a subdivision plat recorded among the Plat Records of Talbot County, Maryland in Plat Cabinet MAS 1, page 17A.

WHEREAS, Easton Shoppes is the owner of other lots of the Carlton Business Park, which lots are now known as "Lot 3R" as shown on a plat entitled "Resubdivision of Carlton Business Park to merge Lots 2 thru 11 and Lots 41 thru 53, Now Known as The Shoppes at Easton" as recorded among the Plat Records of Talbot County, in Plat Cabinet MAS PC2, Plat No. 3C.

WHEREAS, Carlton Properties, Inc. executed a Declaration of Covenants, Conditions and Restrictions for Carlton Business Park on November 16, 1988 that is recorded among the Land Records of Talbot County, Maryland at Liber MAS 660, folio 944, which Declaration was amended by an Amendment to Declaration of Covenants, Conditions and Restrictions for Carlton Business Park dated November 2, 1989 and recorded among the Land Records at Liber MAS 677, folio 879 (collectively, the "**Declaration**"); and

WHEREAS, the purpose of the Declaration was to subject the lots of the Carlton Business Park to certain covenants, conditions and restrictions; and

WHEREAS, Section V, Paragraph 4.1 of the Declaration permits amendment of the Declaration upon the recordation among the Land Records of the written consent of the owners of two-thirds (2/3) of the lots subject the Declaration; and

WHEREAS, Contract Purchaser intends to develop, maintain and operate the Property as a multifamily residential community; and

WHEREAS, Owner and Contract Purchaser are seeking to obtain the consent of at least two-thirds of the of the lots subject to the Declaration to amend the Declaration to permit use of the Property for multifamily residential purposes ("**Brant Court Amendment**"); and

WHEREAS, Easton Shoppes is willing to consent to the Brant Court Amendment, provided that Owner and Contract Purchaser irrevocably agree to consent to a substantially similar amendment of the Declaration to permit such uses on properties owned by Easton Shoppes, its successors and assigns, if such an amendment is initiated by Easton Shoppes in the future; and

NOW, THEREFORE, the undersigned, hereby agree as follows:

1. Easton Shoppes agrees to promptly execute and return to counsel for the Contract Purchaser, the Brant Court Amendment in the form attached hereto as Exhibit A.

2. Upon request by Easton Shoppes, its successors and assigns, Contract Purchaser (and Owner, to the extent it then any interest in the Property) hereby irrevocably agrees to consent to a future amendment of the Declaration in a form substantially similar to Exhibit A to permit the development and occupancy of multifamily residential structure(s) on lot(s) of the Carlton Business Park owned by Easton Shoppes, its successors and assigns.

IN WITNESS WHEREOF, the undersigned, has hereunder set its hand and seal the day and year indicated below.

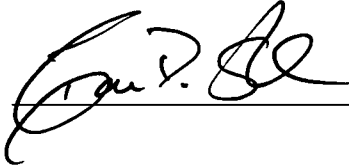
SIGNATURES ON FOLLOWING PAGES

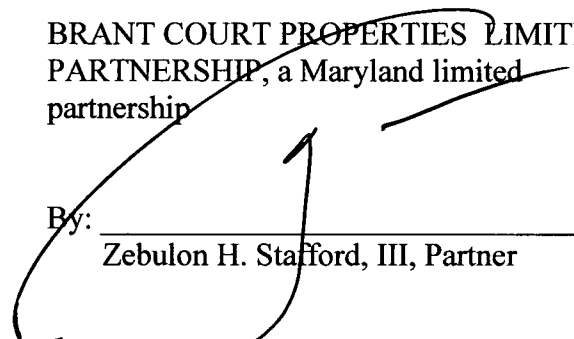
TALBOT COUNTY CIRCUIT COURT (Land Records) MAS 2330, p. 0289, MSA_CE91_2269. Date available 02/18/2016. Printed 11/13/2024.

OWNER:

WITNESS/ATTEST:

BRANT COURT PROPERTIES LIMITED
PARTNERSHIP, a Maryland limited
partnership



By: 
Zebulon H. Stafford, III, Partner

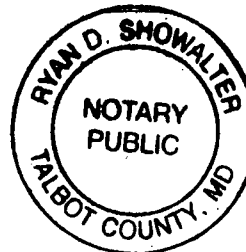
STATE OF MARYLAND, COUNTY OF TALBOT TO WIT:

I HEREBY CERTIFY, that on this 26th day of MAY, 2015, before me, the undersigned Notary Public of said State, personally appeared Zebulon H. Stafford, III, who acknowledged himself to be a Partner of BRANT COURT PROPERTIES LIMITED PARTNERSHIP, a Maryland limited partnership, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Partner of said limited partnership by signing the name of the limited partnership by himself as Partner.

WITNESS my hand and Notarial Seal.

My Commission Expires: 06/25/16


Notary Public



RYAN D SHOWALTER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 06/25/2016

TALBOT COUNTY CIRCUIT COURT (Land Records) MAS 2330, p. 0290, MSA_CE91_2269. Date available 02/18/2016. Printed 11/13/2024.

CONTRACT PURCHASER:

WITNESS/ATTEST:

BRANT COURT, LLC, a Maryland limited liability company

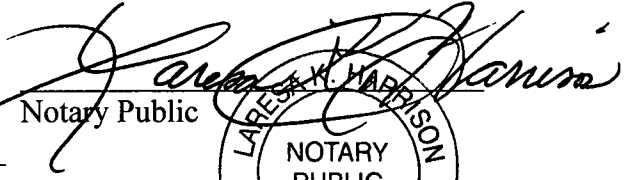


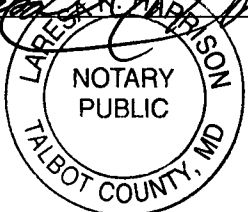
By: 
Thomas J. Prete, Manger

STATE OF MARYLAND, COUNTY OF Talbot, TO WIT:

I HEREBY CERTIFY, that on this 12th day of June, 2015, before me, the undersigned Notary Public of said State, personally appeared Thomas J. Prete, who acknowledged himself to be the Manager of BRANT COURT, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Manager of said limited liability company by signing the name of the limited liability company by himself as Manager.

WITNESS my hand and Notarial Seal.

My Commission Expires: 9-1-15 
Notary Public



My Commission Expires
09/01/2015

EASTON SHOPPES

WITNESS/ATTEST:

Michelle Layne

EASTON SHOPPES BUSINESS TRUST, a
Maryland business trust

By: Kimco Income Fund I, L.P., its shareholder
By: Kimco Income Fund I GP, Inc., its general partner
By: Wilbur E. Simmons HSO

Name: Wilbur E. Simmons
Vice President

Title: _____

STATE OF MD, COUNTY OF Balto, TO WIT:

Kimco Income
Fund I GP, Inc.

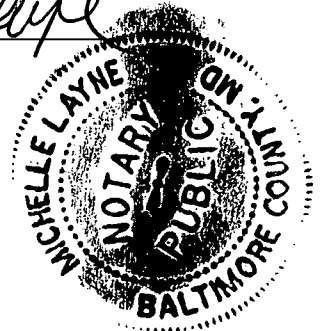
I HEREBY CERTIFY, that on this 20th day of January, 2016, before me, the undersigned Notary Public of said State, personally appeared _____, who acknowledged himself to be the _____ of EASTON SHOPPES BUSINESS TRUST, a Maryland business trust, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized Vice President of said trust by signing the name of the trust by himself as Vice President Corporation.

WITNESS my hand and Notarial Seal.

Michelle Layne
Notary Public

My Commission Expires: _____

MICHELLE LAYNE
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
My Commission Expires February 9, 2019



Mary Ann Shortall, Clerk
Circuit Court For Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
(410) 822-2611 Ext. 4

LR - Agreement
Recording Fee 20.00
Grantor/Grantee Name:
brant court/easton
shoppes
Reference/Control #:
2330/287
LR - Agreement
Surcharge 40.00
=====

SubTotal:	60.00
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=====

Total:	60.00
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02/12/2016 10:08
CC20-DR
#5585124 CC0205 -
Talbot
County/CC02.05.01 -
Register 01

DOCUMENT VALIDATION
(excluded from page count)

LIBER2330 FOLIO292









TRAFFIC IMPACT ANALYSIS

FOR

EASTON DISPENSARY

Prepared by:

LENHART TRAFFIC CONSULTING, INC.
TRAFFIC ENGINEERING & TRANSPORTATION PLANNING

November 13, 2024



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- A Supplemental Info, Turning Movement Counts
- B Level of Service (LOS) Worksheets
- C Previous Use Trip Reassignment

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Exhibit 10	Results of HCM Level-of-Service Analyses	23

Section 1 Introduction

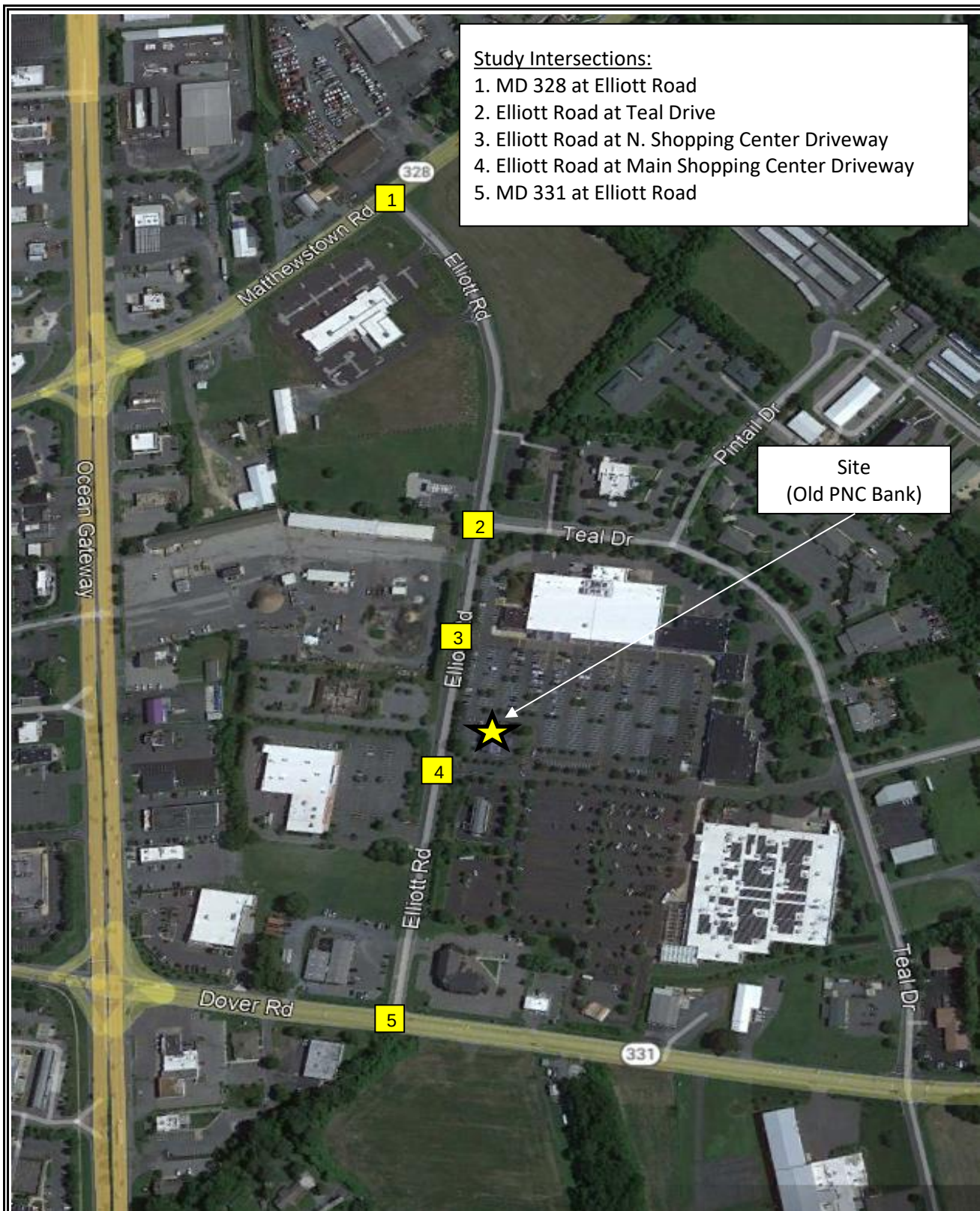
1.1 Project Description

This Traffic Impact Analysis (TIA) has been prepared for the proposed re-tenanting of a previous bank building at the Shoppes at Easton shopping center, in Easton, Maryland. This study is not a requirement of the Town of Easton, but rather is a requirement by the State of Maryland for the issuance of a dispensary permit.

The site was previously developed with a 2,700 square foot bank with a drive-through lane and is proposed to be re-leased with a 2,700 square foot marijuana dispensary. The subject site is accessed via the driveways for the overall shopping center along Elliott Road.

1.2 Scope of Study

This TIA has been prepared in accordance with a scoping agreement coordinated with the Town of Easton. The Highway Capacity Manual (HCM) and Critical Lane Volume (CLV) methodologies were utilized to evaluate the study intersections per Town of Easton requirements.



Study Intersections:

1. MD 328 at Elliott Road
2. Elliott Road at Teal Drive
3. Elliott Road at N. Shopping Center Driveway
4. Elliott Road at Main Shopping Center Driveway
5. MD 331 at Elliott Road

Site
(Old PNC Bank)

Trip Generation Memo

Site Location
Map

Exhibit
1

 **LENHART TRAFFIC CONSULTING, INC.**
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Section 2 Existing Conditions

2.1 Description of Road Network

The key roads in the study area are:

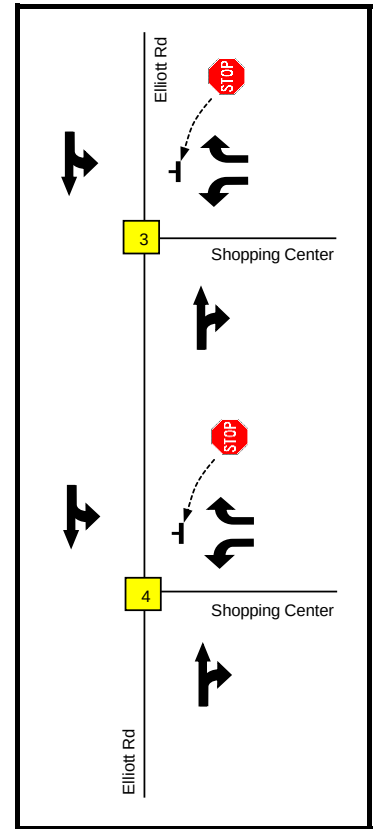
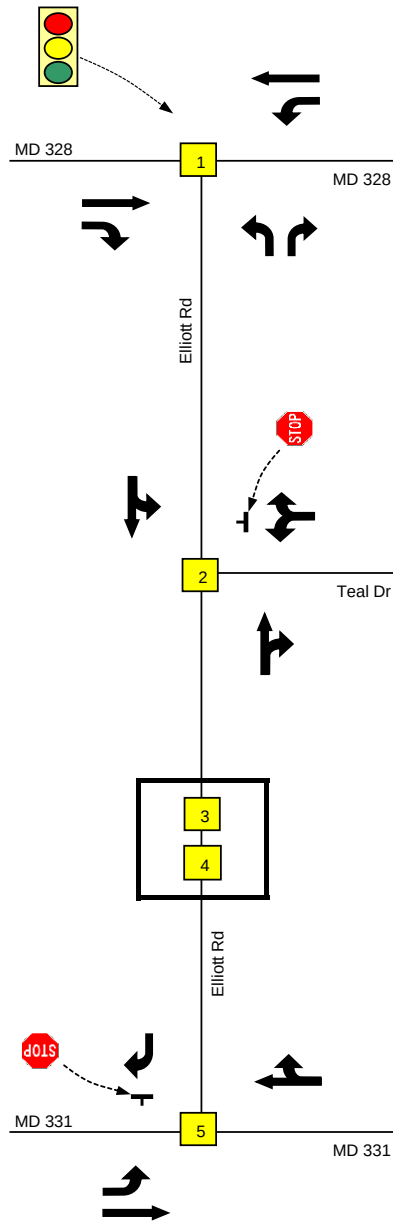
- MD 328 (Matthewstown Road) – a two-lane roadway classified as a major collector. The posted speed limit is 30 MPH.
- MD 331 (Dover Road) – a two-lane roadway classified as a minor arterial. The posted speed limit is 30 MPH.
- Elliott Road – a two-lane roadway classified as a local road. The roadway has a posted speed limit of 30 MPH.

2.2 Existing Lane Configurations

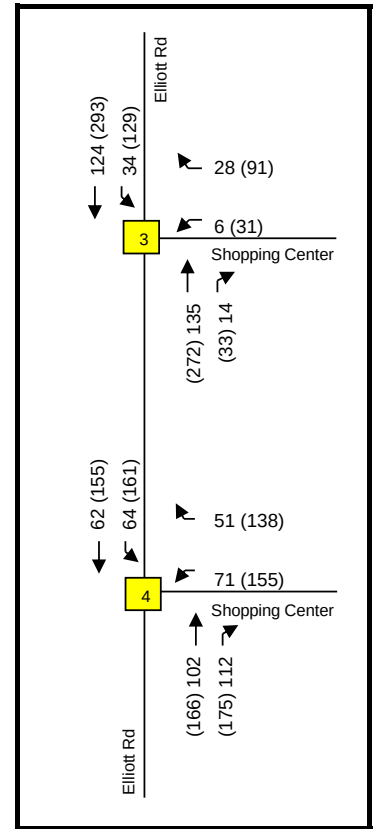
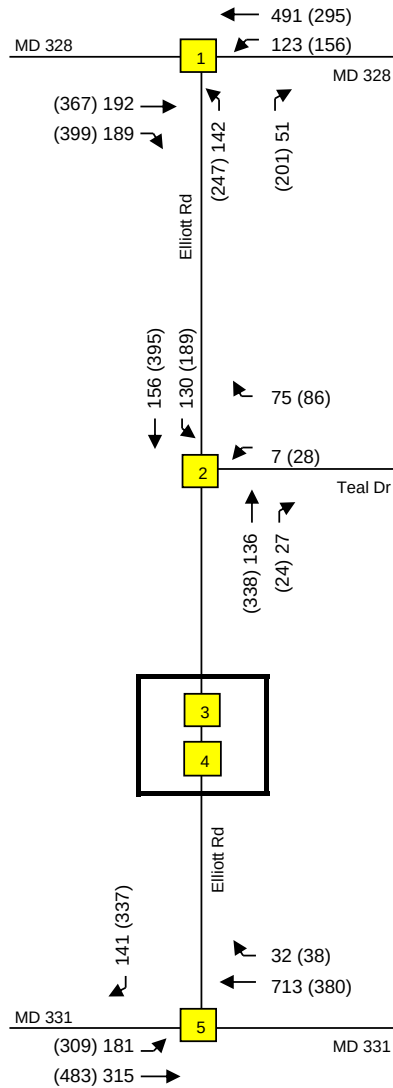
The Lane Use & Traffic Control Devices are shown on **Exhibit 2**.

2.3 Existing Traffic Counts

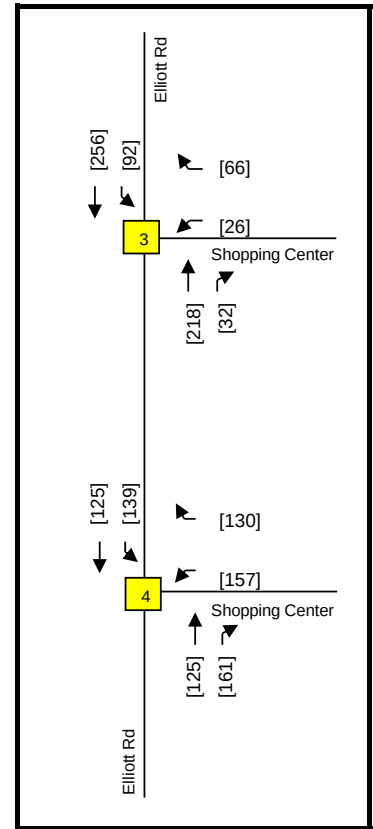
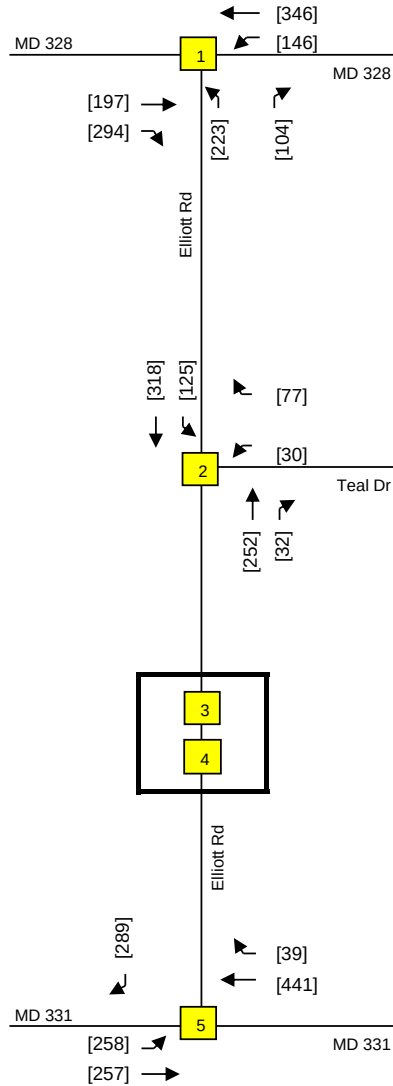
Peak hour turning movement counts were conducted and are shown on **Exhibits 3a and 3b** for the weekday and Saturday peak hours, respectively.



Traffic Impact Analysis	Lane Use & Traffic Control Devices	Exhibit 2
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		



Traffic Impact Analysis	Weekday Existing Peak Hour Volumes	Exhibit 3a
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		



Traffic Impact Analysis	Weekend Existing Peak Hour Volumes Key: [xx] = Midday Saturday Peak Vol's	Exhibit 3b
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		

Section 3 Background Conditions

3.1 Annual Growth

A 1.0% growth rate was confirmed for use in the scoping coordination for this report. The resulting background peak hour volumes are shown on **Exhibits 4a and 4b** for the weekday and Saturday peak hours, respectively.

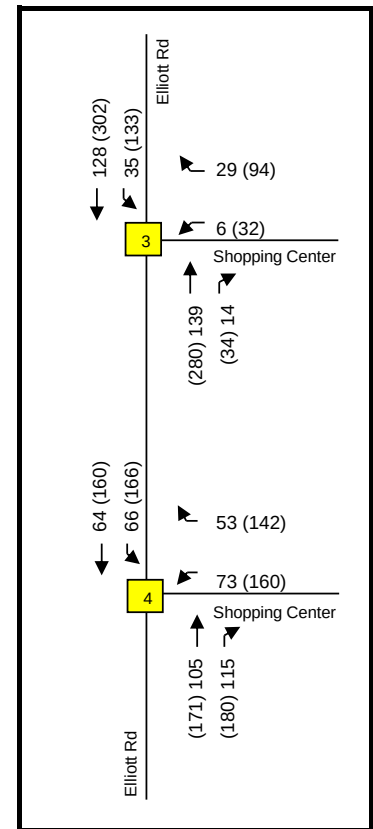
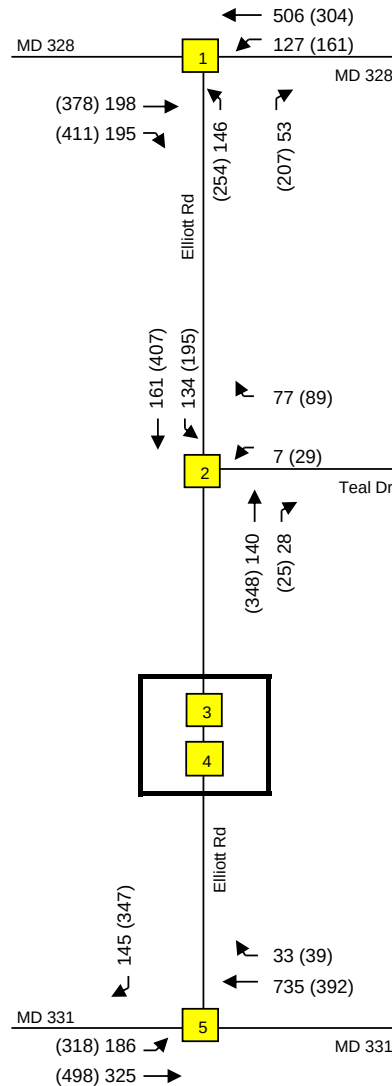
3.2 Background Developments

No background developments were identified that will impact the intersections within the study area. However, the previous use for the subject pad site, the 2,700 square foot bank, is currently vacant, thus not generating any vehicular trips. Trips associated with the previous bank use are generated and assigned in Appendix C. Exhibits C-2a and C-2b provide the trip assignment for the previous bank use for the weekday and Saturday peak hours, respectively.

3.3 Background Traffic Volumes

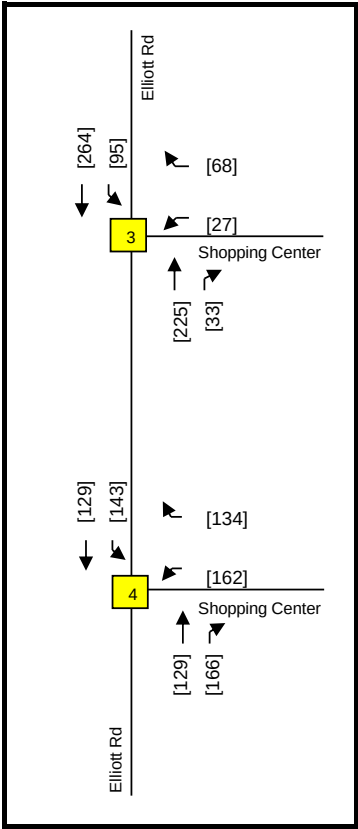
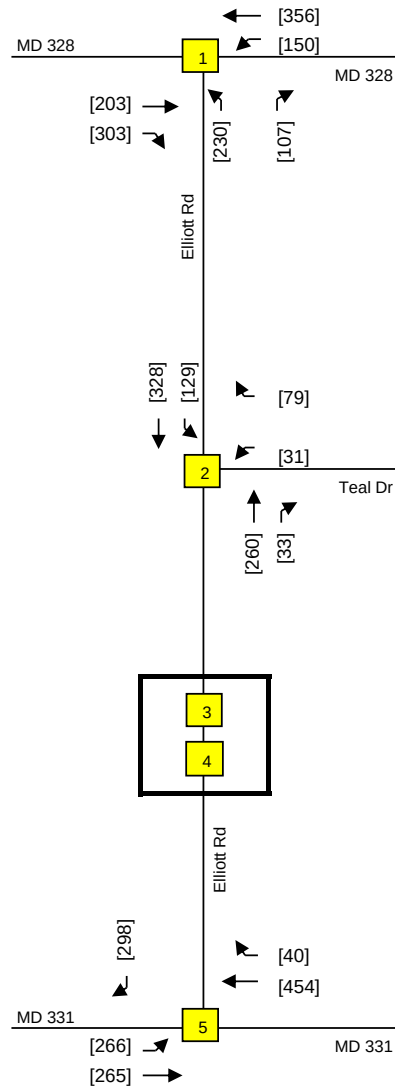
The background peak hour volumes are shown on **Exhibits 5a and 5b**. These volumes were obtained by combining the base peak hour volumes (Exhibits 4a and 4b) with the trips associated with the previous bank use on the subject site (Exhibits C-2a and C-2b). By including the trips associated with the previous bank use in the background peak hour volumes, this traffic impact analysis evaluates the true impacts of the proposed development on what was previously developed on the subject site.

1%	Growth Rate
3	Years of Growth
1.030	Total Growth

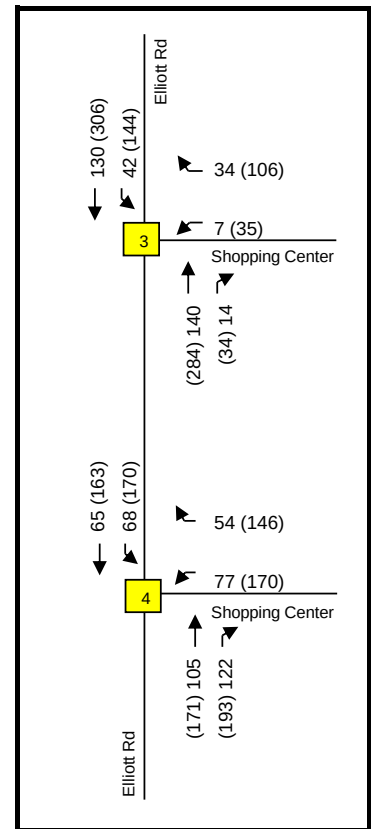
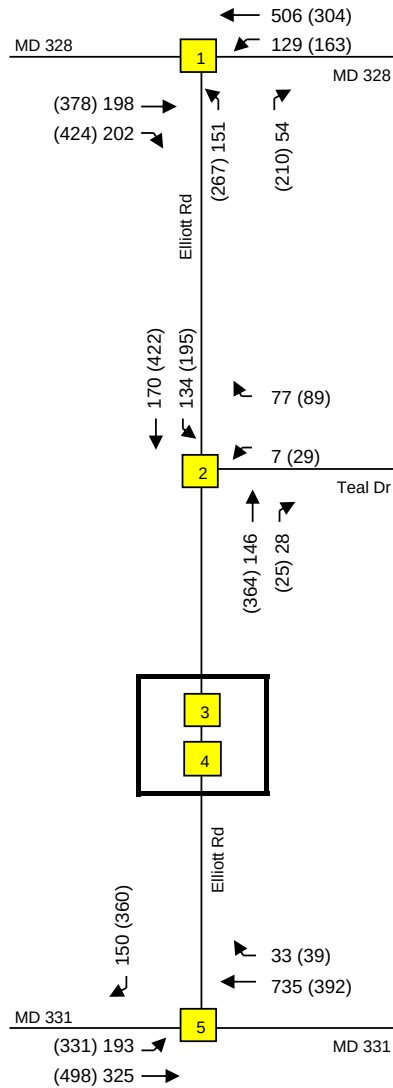


Traffic Impact Analysis	Weekday Base Peak Hour Volumes	Exhibit 4a
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning	Key: xx = AM Peak Vol's (xx) = PM Peak Vol's	

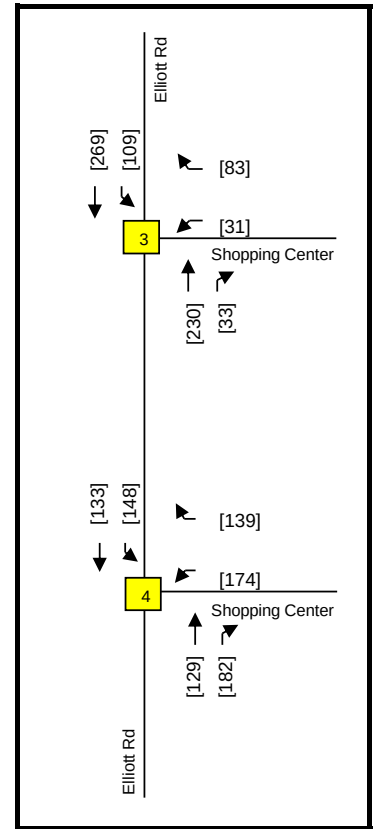
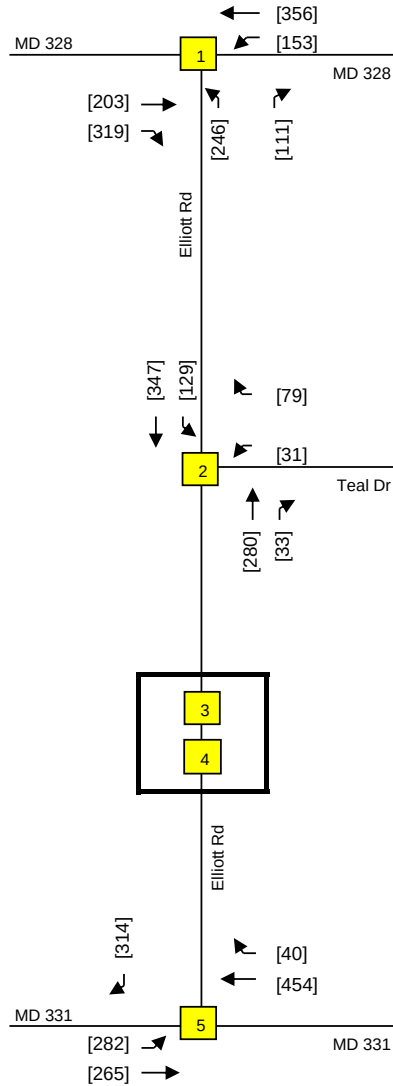
1%	Growth Rate
3	Years of Growth
1.030	Total Growth



Traffic Impact Analysis	Weekend Base Peak Hour Volumes	Exhibit 4b
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning	Key: [xx] = Midday Saturday Peak Vol's	



Traffic Impact Analysis	Weekday Background Peak Hour Volumes	Exhibit 5a
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		



Traffic Impact Analysis	Weekend Background Peak Hour Volumes	Exhibit 5b
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		

Section 4 Projected Conditions with Site

4.1 Site Trip Generation

The site is proposed to be re-tenanted with a 2,700 square foot marijuana dispensary. The net trip generation for the proposed re-tenanting is detailed on **Exhibit 6**. Trip generation rates were obtained from the ITE Trip Generation Manual, 11th Edition. The trip generation exhibit was reviewed and approved during the scoping coordination for this project.

4.2 Site Trip Distribution & Trip Assignment

The trip distribution and assignment is shown on **Exhibit 7a and 7b** for the weekday and Saturday peak hours, respectively. Note that the trips associated with the previous use were included in the background conditions, and as such the net peak hour trips were assigned on these exhibits. In some cases, the previous use generated more in/out trips than the proposed dispensary so some movements have reduced volume with the redevelopment. These movements have negative trip assignment values to account for this reduction in trips.

4.3 Total Traffic Volumes

The Total Peak Hour Volumes are shown on **Exhibits 8a and 8b** for the weekday and Saturday peak hours, respectively.

4.4 Projected Level of Service

The total peak hour traffic volumes shown on Exhibits 8a and 8b were evaluated using the CLV and HCM methodologies. The results of the CLV analyses are shown on **Exhibit 9** and indicate that all intersections operate at LOS A under total conditions. The results of the HCM analyses are shown on **Exhibit 10** and indicate that each study intersection operates with LOS B or better, and each stop-controlled approach operates with LOS D or better, with the exception of the westbound left-turn movement at Elliott Road & Shopping Center South Driveway during the evening peak hour. This movement operates with LOS E under background conditions with a delay of 38.9 seconds/vehicle. As discussed in Section 4.2, the previous bank use generated more trips than the proposed use for some of the in/out directional trip generation splits during the peak hours. Specifically, during the evening peak hour, the proposed use generates 3 fewer inbound and 3 fewer outbound trips than the previous bank use. This reduction is shown in the HCM results, as the delay of the westbound left-turn movement reduces to 38.3

seconds/vehicle under total conditions. Since the movement exceeds LOS D under background conditions, and is improved by the inherent trip reduction of the redevelopment, the proposed site should not be required to provide mitigation for this movement.

The trip assignments on Exhibits 7a and 7b show how much vehicular traffic the proposed redevelopment will add on each roadway and intersection in the study area. As shown, the proposed redevelopment results has very little impact on the study intersections, and results in a reduction in vehicular traffic for some movements.

The table below shows the total number of vehicles passing through each study intersection during the background (without the proposed development) and total (with the proposed development) conditions, along with the net increase in volume at each intersection due to the redevelopment.

Intersection		Peak Hour		
		AM	PM	Sat.
Int. 1	Total	1241	1744	1392
	Background	1240	1746	1388
	Net	1	-2	4
Int. 2	Total	563	1122	903
	Background	562	1124	899
	Net	1	-2	4
Int. 3	Total	368	907	759
	Background	367	909	755
	Net	1	-2	4
Int. 4	Total	491	1009	908
	Background	491	1013	905
	Net	0	-4	3
Int. 5	Total	1436	1616	1358
	Background	1436	1620	1355
	Net	0	-4	3

As shown, the maximum increase in vehicular traffic at any of the study intersections is 15 vehicles, which occurs at Study Intersections 1 and 4 during the Saturday peak hour. For context, 15 additional vehicles per hour averages to only 1 additional vehicle every 4 minutes during the peak hour.

Based on the results of the level of service analyses, and the negligible increases in traffic volume expected with the redevelopment of the site, the proposed redevelopment will have minimal impact on the surrounding roadway and will not degrade the level of service at the study intersections.

Trip Generation Rates

Drive-in Bank (ksf, ITE-912)

Morning Trips = 9.95 x ksf
 Evening Trips = 21.01 x ksf
 Midday Sat. Trips = 26.35 x ksf

Trip Distribution (In/Out)

58/42
 50/50
 51/49

Marijuana Dispensary (ksf, ITE-882)

Morning Trips = 10.54 x ksf
 Evening Trips = 18.92 x ksf
 Midday Sat. Trips = 28.85 x ksf

Trip Distribution (In/Out)

52/48
 50/50
 50/50

Trip Generation Totals

			AM Peak			PM Peak			Sat Mid-Day Peak		
			In	Out	Total	In	Out	Total	In	Out	Total
Previous	Drive-in Bank (ksf, ITE-912)	2,700 sq.ft.	16	11	27	28	29	57	36	35	71
Proposed	Marijuana Dispensary (ksf, ITE-882)	2,700 sq.ft.	15	13	28	25	26	51	39	39	78
Net Total Trips:			-1	2	1	-3	-3	-6	3	4	7

NOTE: Trip Generation Rates obtained from the ITE Trip Generation Manual, 11th Edition

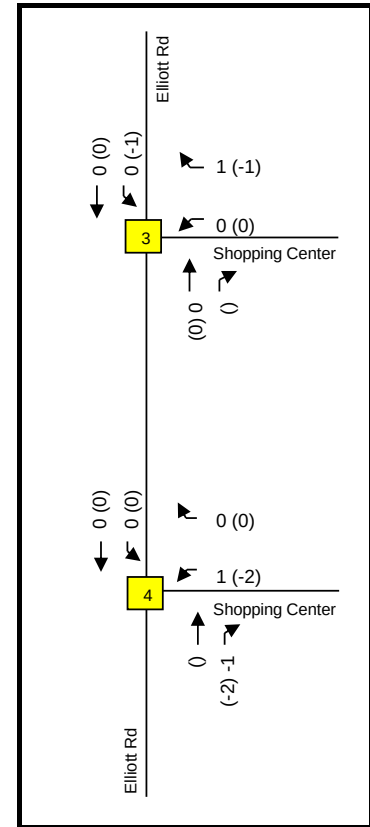
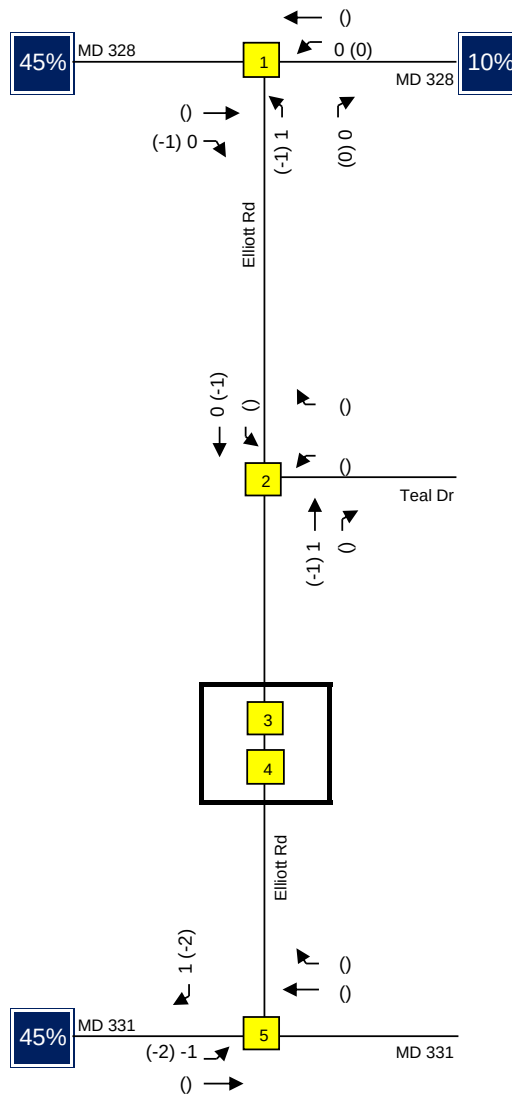
Traffic Impact Analysis	Trip Generation for Site	Exhibit 6
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

Notes:

1. As shown on Exhibit 6, the proposed development generates fewer directional trips than the previous bank use during the morning and evening peak hours. As such, some movements have fewer trips than the background conditions and therefore have negative volume to account for the decrease in trips to the site.

2. It is assumed that 75% of the trips to/from the north along Elliott Road will use Intersection 3 to enter/exit the site and 25% will use Intersection 4.

3. It is assumed that 75% of outbound trips to the south along Elliott Road will use Intersection 4 and 25% will use Intersection 3. It is assumed that all inbound trips from the south will use Intersection 4.



Traffic Impact Analysis

Lenhart Traffic Consulting, Inc.

Traffic Engineering & Transportation Planning

Weekday Trip Assignment for Site

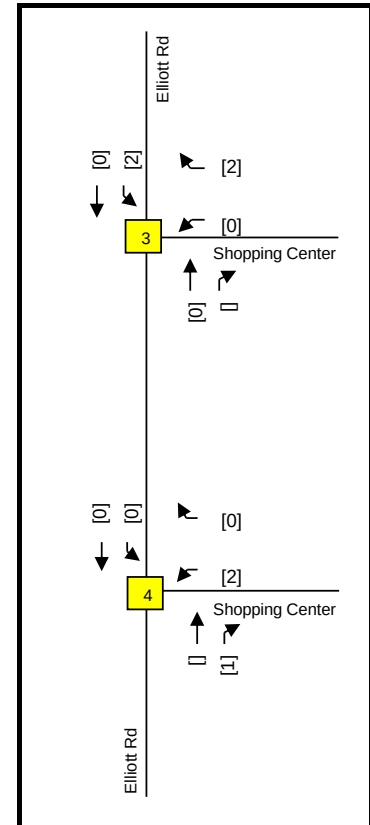
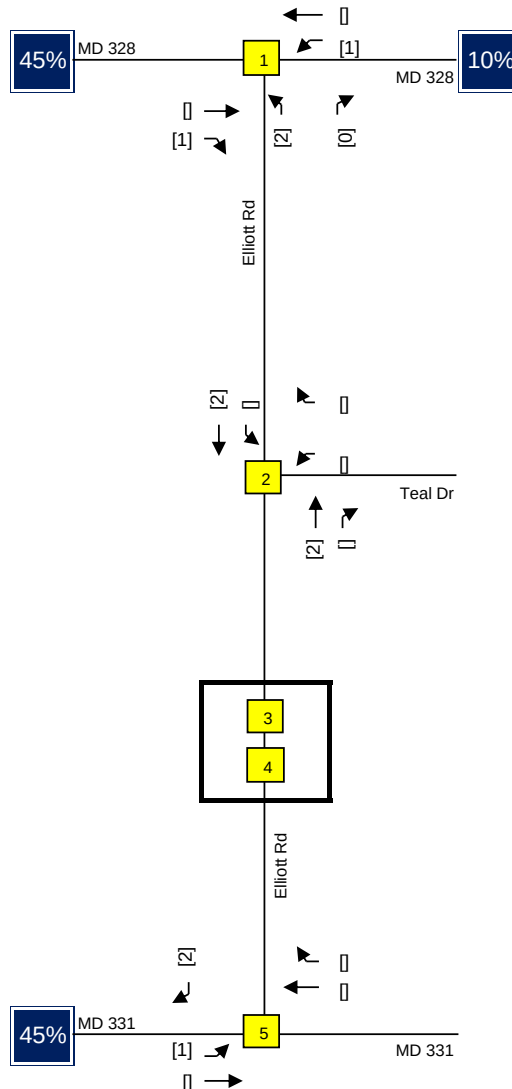
Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
7a**

Notes:

1. It is assumed that 75% of the trips to/from the north along Elliott Road will use Intersection 3 to enter/exit the site and 25% will use Intersection 4.

2. It is assumed that 75% of outbound trips to the south along Elliott Road will use Intersection 4 and 25% will use Intersection 3. It is assumed that all inbound trips from the south will use Intersection 4.



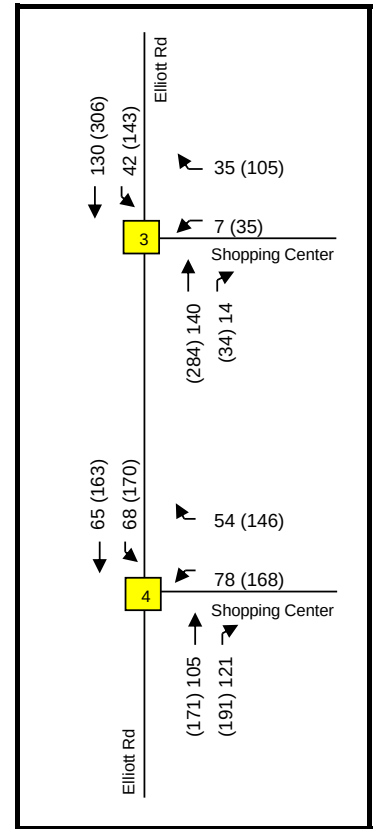
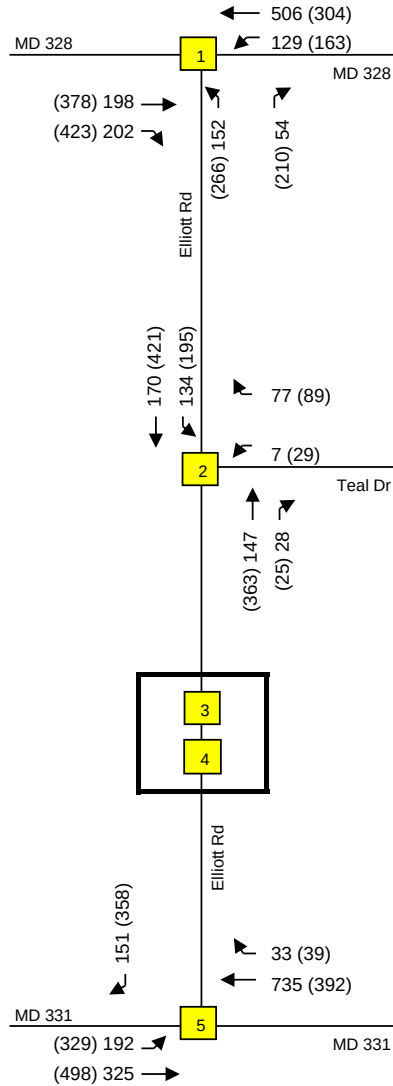
Traffic Impact Analysis

Weekend Trip Assignment for Site

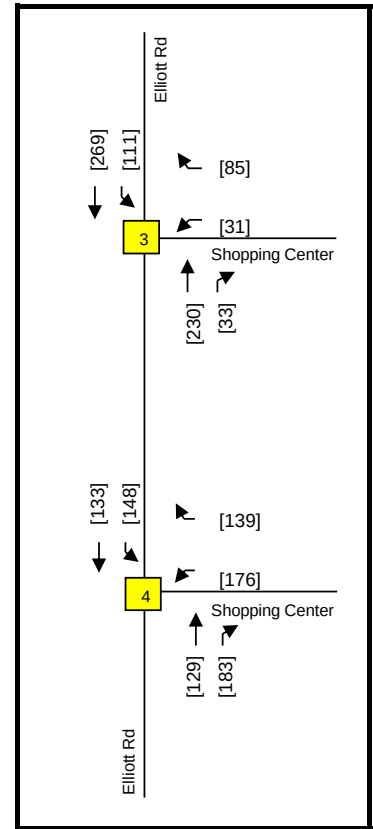
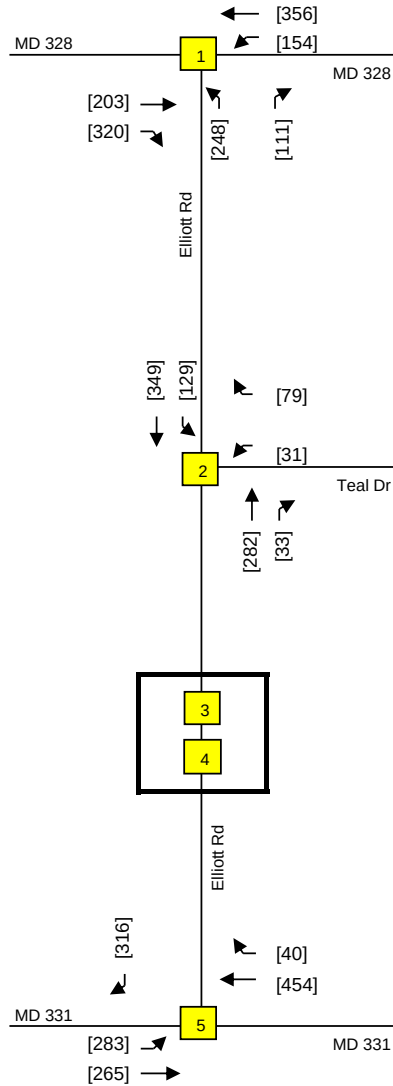
**Exhibit
7b**

Lenhart Traffic Consulting, Inc.
Traffic Engineering & Transportation Planning

Key: [xx] = Midday Saturday Peak Vol's



Traffic Impact Analysis	Weekday Total Peak Hour Volumes	Exhibit 8a
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		



Traffic Impact Analysis	Weekend Total Peak Hour Volumes	Exhibit 8b
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		

Critical Lane Volume (CLV) Level-of-Service Results

Morning Peak Hour	Existing CLV	Background CLV	Total CLV	LOS D or better?
1). MD 328 & Elliott Road	A / 633	A / 657	A / 658	Y
2). Elliott Road & Teal Drive	A / 381	A / 401	A / 401	Y
3). Elliott Road & Shopping Center (North)	A / 189	A / 203	A / 203	Y
4). Elliott Road & Shopping Center (South)	A / 349	A / 372	A / 372	Y
5). MD 331 & Elliott Road	A / 926	A / 961	A / 960	Y
Evening Peak Hour	Existing CLV	Background CLV	Total CLV	LOS D or better?
1). MD 328 & Elliott Road	A / 770	A / 808	A / 807	Y
2). Elliott Road & Teal Drive	A / 887	A / 930	A / 929	Y
3). Elliott Road & Shopping Center (North)	A / 582	A / 629	A / 627	Y
4). Elliott Road & Shopping Center (South)	A / 657	A / 704	A / 700	Y
5). MD 331 & Elliott Road	A / 755	A / 791	A / 789	Y
Saturday Midday Peak Hour	Existing CLV	Background CLV	Total CLV	LOS D or better?
1). MD 328 & Elliott Road	A / 569	A / 602	A / 605	Y
2). Elliott Road & Teal Drive	A / 675	A / 715	A / 717	Y
3). Elliott Road & Shopping Center (North)	A / 466	A / 518	A / 522	Y
4). Elliott Road & Shopping Center (South)	A / 582	A / 633	A / 636	Y
5). MD 331 & Elliott Road	A / 769	A / 808	A / 810	Y

Traffic Impact Analysis



Results of CLV
Level-of-Service Analyses

**Exhibit
9**

Highway Capacity Manual (HCM) Level-of-Service Results

Morning Peak Hour	Existing Delay	Background Delay	Total Delay
1). MD 328 & Elliott Road	B / 14.0	B / 14.1	B / 14.1
2). Elliott Road & Teal Drive	A / 3.7	A / 3.7	A / 3.7
Westbound Left/Right	B / 10.1	B / 10.2	B / 10.2
Southbound Left/Through	A / 4.0	A / 4.0	A / 4.0
3). Elliott Road & Shopping Center (North)	A / 1.8	A / 2.1	A / 2.1
Westbound Left	B / 10.9	B / 11.2	B / 11.2
Westbound Right	A / 9.2	A / 9.2	A / 8.2
Southbound Left/Through	A / 1.8	A / 2.1	A / 2.1
4). Elliott Road & Shopping Center (South)	A / 4.0	A / 4.1	A / 4.2
Westbound Left	B / 12.0	B / 12.4	B / 12.4
Westbound Right	A / 9.4	A / 9.5	A / 9.5
Southbound Left/Through	A / 4.2	A / 4.3	A / 4.3
5). MD 331 & Elliott Road	A / 3.5	A / 3.8	A / 3.8
Eastbound Left	B / 10.8	B / 11.1	B / 11.1
Southbound Right	C / 20.1	C / 21.7	C / 21.7
Evening Peak Hour	Existing Delay	Background Delay	Total Delay
1). MD 328 & Elliott Road	B / 15.5	B / 15.7	B / 15.7
2). Elliott Road & Teal Drive	A / 4.3	A / 4.6	A / 4.6
Westbound Left/Right	C / 18.9	C / 21.3	C / 21.2
Southbound Left/Through	A / 4.2	A / 4.4	A / 4.4
3). Elliott Road & Shopping Center (North)	A / 3.6	A / 3.9	A / 3.9
Westbound Left	C / 20.3	C / 22.5	C / 22.4
Westbound Right	B / 10.7	B / 11.0	B / 11.0
Southbound Left/Through	A / 3.3	A / 3.6	A / 3.6
4). Elliott Road & Shopping Center (South)	A / 8.2	A / 9.8	A / 9.7
Westbound Left	D / 30.4	E / 38.9	E / 38.3
Westbound Right	B / 10.9	B / 11.1	B / 11.1
Southbound Left/Through	A / 5.0	A / 5.2	A / 5.2
5). MD 331 & Elliott Road	A / 6.0	A / 6.6	A / 6.6
Eastbound Left	A / 9.7	A / 9.9	A / 9.9
Southbound Right	C / 18.7	C / 20.7	C / 20.6
Midday Saturday Peak Hour	Existing Delay	Background Delay	Total Delay
1). MD 328 & Elliott Road	B / 14.3	B / 14.4	B / 14.4
2). Elliott Road & Teal Drive	A / 3.5	A / 3.6	A / 3.6
Westbound Left/Right	B / 14.4	C / 15.4	C / 15.5
Southbound Left/Through	A / 3.1	A / 3.2	A / 3.2
3). Elliott Road & Shopping Center (North)	A / 2.9	A / 3.3	A / 3.4
Westbound Left	C / 15.9	C / 17.4	C / 17.6
Westbound Right	B / 10.1	B / 10.3	B / 10.3
Southbound Left/Through	A / 2.7	A / 3.0	A / 3.0
4). Elliott Road & Shopping Center (South)	A / 7.3	A / 8.3	A / 8.4
Westbound Left	C / 22.4	D / 26.8	D / 27.1
Westbound Right	B / 10.3	B / 10.5	B / 10.5
Southbound Left/Through	A / 4.9	A / 5.0	A / 5.0
5). MD 331 & Elliott Road	A / 6.2	A / 6.9	A / 7.0
Eastbound Left	A / 9.7	A / 10.0	A / 10.0
Southbound Right	C / 18.7	C / 20.9	C / 21.1

Traffic Impact Analysis



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SEVERNA PARK, MD 21146
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Results of HCM
Level-of-Service Analyses

**Exhibit
10**

Section 5 Conclusions / Recommendations

5.1 Results of Analyses

This Traffic Impact Analysis (TIA) has been prepared for the proposed re-tenanting of a previous bank building at the Shoppes at Easton shopping center, in Easton, Maryland. This study is not a requirement of the Town of Easton, but rather is a requirement by the State of Maryland for the issuance of a dispensary permit.

The site was previously developed with a 2,700 square foot bank with a drive-through lane and is proposed to be re-leased with a 2,700 square foot marijuana dispensary. The subject site is accessed via the driveways for the overall shopping center along Elliott Road.

Based on the analyses contained in this report:

- All study intersections operate at LOS A under existing, background, and total conditions using the CLV methodology.
- All study intersections operate at LOS B or better and each stop-controlled approach operates with LOS D or better under existing, background, and total conditions, with the exception of the westbound left-turn movement at Elliott Road & Shopping Center South Driveway during the evening peak hour.
 - The LOS exceeds LOS D under background conditions and actually improves under total conditions as the proposed use generates fewer trips than the previous use during the evening peak hour.
- As demonstrated, the proposed re-tenanting does not degrade the level of service at the study intersections, and therefore meets the Town of Easton requirements.
- The proposed redevelopment will not significantly increase traffic volume on any road segment or intersection within the study area.

It should be reiterated that the 2,700 square foot building is existing and there is no requirement for an adequacy assessment to simply re-tenant an existing building within a shopping center. However, these findings show the proposed re-tenanting with a dispensary would meet the adequacy requirements of the Town of Easton and has minimal impact on the surrounding road network.

Appendix A

Supplemental Information
Turning Movement Counts

Robert Engel

From: Nick Driban
Sent: Monday, November 11, 2024 11:50 AM
To: Robert Engel
Subject: FW: TIA Scoping Exhibits for Easton Dispensary at Shoppes at Easton
Attachments: TIA Scoping Exhibits.pdf

From: Rick VanEmburch <rvanemburch@eastonmd.gov>
Sent: Monday, November 11, 2024 10:05 AM
To: Rich Baker <rbaker@mdot.maryland.gov>
Cc: mlenhart <mlenhart@LENHARTTRAFFIC.COM>; Nick Driban <ndriban@LENHARTTRAFFIC.COM>; bgfyllc@gmail.com; Sierra Clem <sclem@eastonmd.gov>; Kody Cario <kcario@eastonmd.gov>
Subject: Fwd: TIA Scoping Exhibits for Easton Dispensary at Shoppes at Easton

Rich -

Please see below.

I spoke to Mike Lenhart and agree with his Scoping approach. I also agree with the comparison between the original bank use and proposed dispensary shown on the Exhibits.

We will forward the Traffic Impact Analysis to you and your office when it is complete, but please let me know if there is anything you need at this time or anything specific you want Mike to look at.

Thank you.

Rick Van Emburch, P.E.

Town Engineer
Town of Easton
[Engineering Department](#)
410-820-8822

----- Forwarded message -----

From: mlenhart <mlenhart@lenharttraffic.com>
Date: Wed, Nov 6, 2024 at 12:58 PM
Subject: TIA Scoping Exhibits for Easton Dispensary at Shoppes at Easton
To: Rick VanEmburch <rvanemburch@eastonmd.gov>
Cc: mlenhart <mlenhart@lenharttraffic.com>, Nick Driban <ndriban@lenharttraffic.com>, bgfyLLC@gmail.com <bgfyLLC@gmail.com>

Hi Rick,

As you may be aware, Noah Matton with BGFY LLC is pursuing a license for a dispensary in the old PNC bank building located within the Shoppes at Easton.

The State of Maryland requires the inclusion of a Traffic Impact Analysis in the license application, and Mr. Matton has contracted with us to prepare this study. I have attached a pdf containing the proposed scope of the Traffic Impact Study. Please confirm this is acceptable based on the following.

- | | |
|-----------|--|
| Exhibit 1 | This contains the proposed study intersections and the site location map. |
| Exhibit 2 | This contains the trip generation rates and totals for the previous PNC bank and for the proposed dispensary. You can see that this results in an increase in 1 AM peak hour trip, a reduction of 6 PM peak hour trips, and an increase of 7 Saturday peak hour trips. This would not ordinarily require a Traffic Impact Study except that the license application with the State requires one. This use will have no substantial impact as compared to the prior use, therefore this scope should be acceptable. |

I've also attached SHA historical data showing the growth in traffic along MD 328 and MD 331 between 2014 and 2023, and the growth in traffic has been roughly 0%, however, we will propose to use a 1% growth for a 3 year study period.

We are not proposing the inclusion of any approved but unbuilt background developments for the following reason. The PNC bank is an existing building within an existing shopping center and can be re-leased to any tenant subject to a building permit to re-tenant the space. This is an existing and approved building, therefore, we are not proposing the inclusion of any background development.

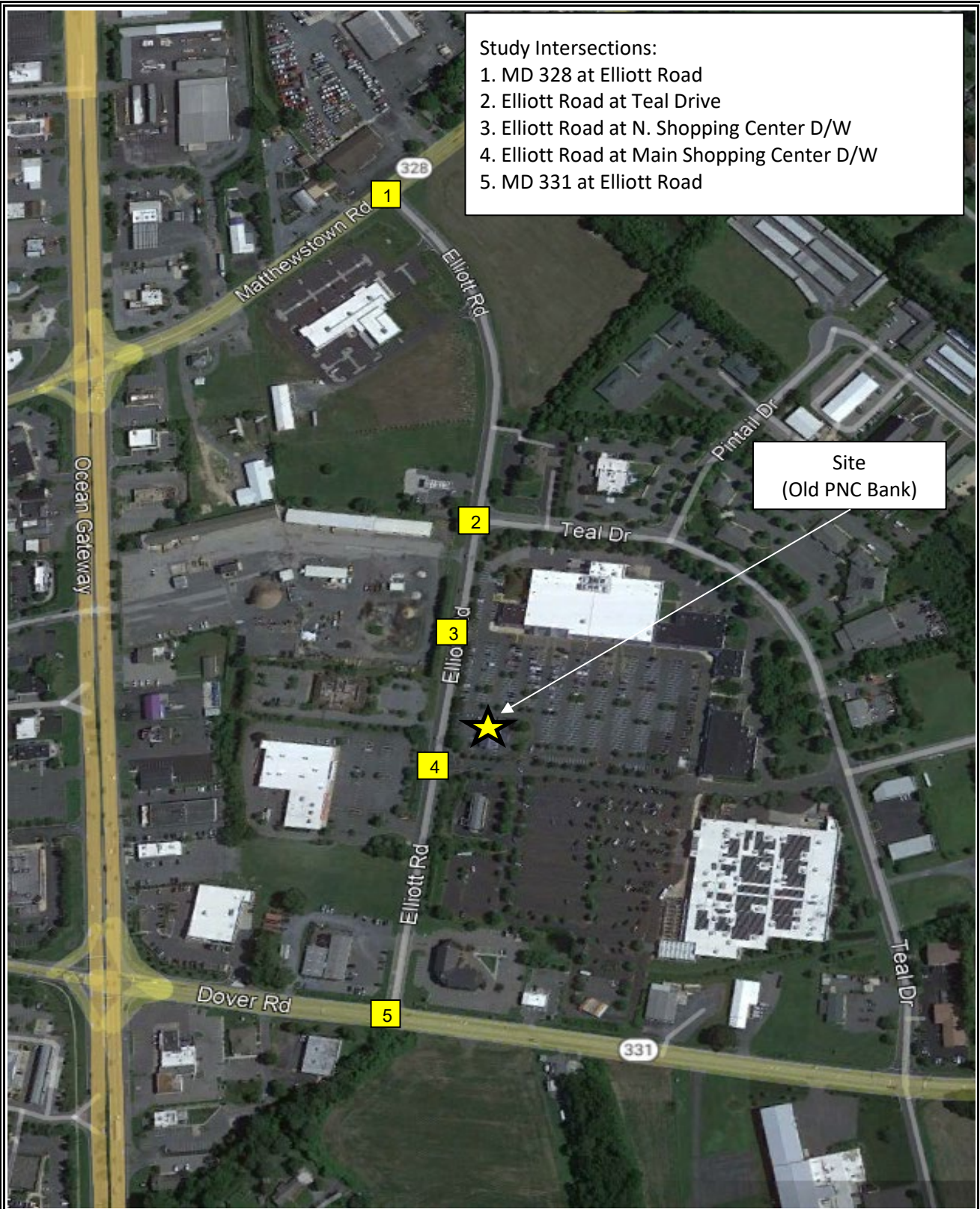
Thanks,

Mike

Mike Lenhart, P.E., PTOE

President

Office: [\(410\) 216-3333](tel:4102163333) (Ext. 1)



Trip Generation Memo	Site Location Map	Exhibit 1
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

Trip Generation Rates

Drive-in Bank (ksf, ITE-912)

Morning Trips = 9.95 x ksf
 Evening Trips = 21.01 x ksf
 Midday Sat. Trips = 26.35 x ksf

Trip Distribution (In/Out)

58/42
 50/50
 51/49

Marijuana Dispensary (ksf, ITE-882)

Morning Trips = 10.54 x ksf
 Evening Trips = 18.92 x ksf
 Midday Sat. Trips = 28.85 x ksf

Trip Distribution (In/Out)

52/48
 50/50
 50/50

Trip Generation Totals

			AM Peak			PM Peak			Sat Mid-Day Peak		
			In	Out	Total	In	Out	Total	In	Out	Total
Previous	Drive-in Bank (ksf, ITE-912)	2,700 sq.ft.	16	11	27	28	29	57	36	35	71
Proposed	Marijuana Dispensary (ksf, ITE-882)	2,700 sq.ft.	15	13	28	25	26	51	39	39	78
			AM Increase = 1			PM Decrease = -6			Sat Increase = 7		

NOTE: Trip Generation Rates obtained from the ITE Trip Generation Manual, 11th Edition

Traffic Impact Analysis	Trip Generation for Site	Exhibit 2
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

TRAFFIC GROWTH PROJECTION

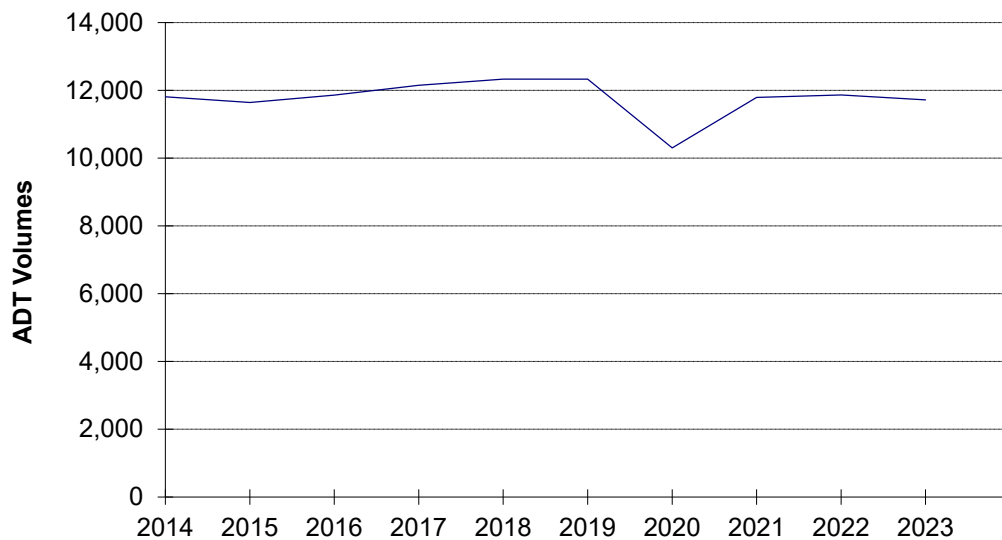
LOCATION: MD 331 - 1/4 Mile E of US 50

REPORT DATE: 06-Nov-24

AVERAGE GROWTH: 0.20%

MATHEMATICAL GROWTH: -0.09%

Year	ADT Volume	Vol. increase	% increase	Average %
2014	11,812			
2015	11,640	-172	-1.46%	-1.46%
2016	11,861	221	1.90%	0.22%
2017	12,152	291	2.45%	0.97%
2018	12,330	178	1.46%	1.09%
2019	12,331	1	0.01%	0.87%
2020	10,302	-2,029	-16.45%	-2.01%
2021	11,793	1,491	14.47%	0.34%
2022	11,864	71	0.60%	0.37%
2023	11,720	-144	-1.21%	0.20%



TRAFFIC GROWTH
MD 331 - 1/4 Mile E of US 50

TRAFFIC GROWTH PROJECTION

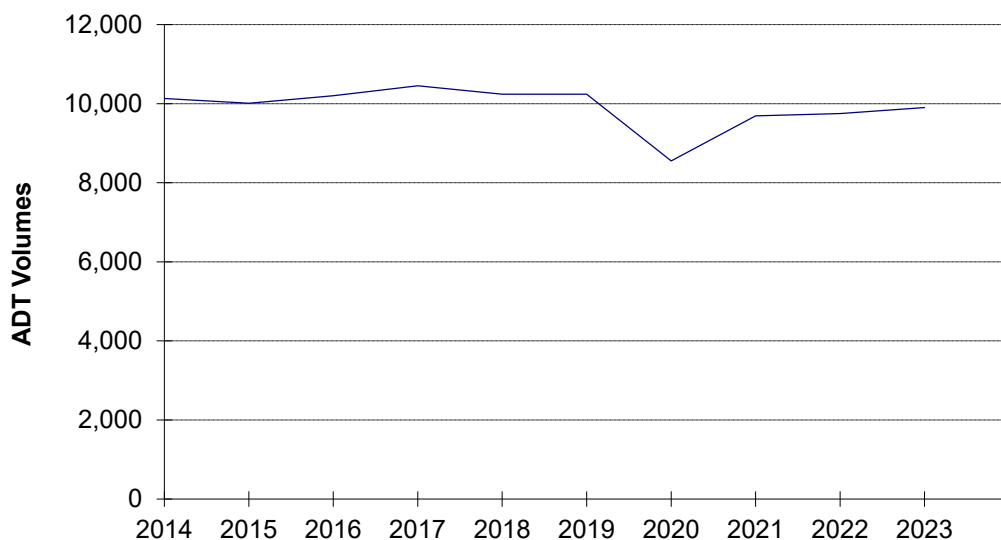
LOCATION: MD 328 - 1/2 Mile E of US 50

REPORT DATE: 06-Nov-24

AVERAGE GROWTH: 0.02%

MATHEMATICAL GROWTH: -0.25%

Year	ADT Volume	Vol. increase	% increase	Average %
2014	10,132			
2015	10,010	-122	-1.20%	-1.20%
2016	10,201	191	1.91%	0.35%
2017	10,452	251	2.46%	1.05%
2018	10,240	-212	-2.03%	0.28%
2019	10,241	1	0.01%	0.23%
2020	8,552	-1,689	-16.49%	-2.56%
2021	9,690	1,138	13.31%	-0.29%
2022	9,751	61	0.63%	-0.18%
2023	9,902	151	1.55%	0.02%



TRAFFIC GROWTH
MD 328 - 1/2 Mile E of US 50

Weekday Morning Peak Hour (7:00 am - 9:00 am)																				
Time:	Elliott Road Northbound					N/A Southbound					MD 328 Eastbound					MD 328 Westbound				
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds
7:00-7:15	0	24	0	6	0	0	0	0	0	0	0	0	38	28	0	0	23	92	0	0
7:15-7:30	0	30	0	11	0	0	0	0	0	0	0	0	27	29	0	0	21	125	0	0
7:30-7:45	0	30	0	10	0	0	0	0	0	0	0	0	40	37	0	0	27	132	0	0
7:45-8:00	0	40	0	11	0	0	0	0	0	0	0	0	47	57	0	0	39	161	0	0
8:00-8:15	0	20	0	5	0	0	0	0	0	0	0	0	42	45	0	0	21	110	0	0
8:15-8:30	0	40	0	23	0	0	0	0	0	0	0	0	51	41	0	0	31	121	0	0
8:30-8:45	0	42	0	12	0	0	0	0	0	0	0	0	52	46	0	0	32	99	0	0
8:45-9:00	1	54	0	18	0	0	0	0	0	0	0	0	45	40	0	0	27	97	0	0

Hourly Totals																				
7:00-8:00	0	124	0	38	0	0	0	0	0	0	0	0	152	151	0	0	110	510	0	0
7:15-8:15	0	120	0	37	0	0	0	0	0	0	0	0	156	168	0	0	108	528	0	0
7:30-8:30	0	130	0	49	0	0	0	0	0	0	0	0	180	180	0	0	118	524	0	0
7:45-8:45	0	142	0	51	0	0	0	0	0	0	0	0	192	189	0	0	123	491	0	0
8:00-9:00	1	156	0	58	0	0	0	0	0	0	0	0	190	172	0	0	111	427	0	0

AM	Northbound					Southbound					Eastbound					Westbound				
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds
7:45-8:45	0	142	0	51	0	0	0	0	0	0	0	0	192	189	0	0	123	491	0	0
																				1188

Weekday Evening Peak Hour (4:00 pm - 6:00 pm)																				
Time:	Elliott Road Northbound					N/A Southbound					MD 328 Eastbound					MD 328 Westbound				
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds
4:00-4:15	0	70	0	53	0	0	0	0	0	0	0	0	85	98	0	0	26	74	0	0
4:15-4:30	0	54	0	44	0	0	0	0	0	0	0	0	85	106	0	0	37	73	0	0
4:30-4:45	0	73	0	44	1	0	0	0	0	0	0	0	86	101	0	0	41	71	0	0
4:45-5:00	0	48	0	49	0	0	0	0	0	0	0	0	100	90	0	0	29	74	0	0
5:00-5:15	0	72	0	64	0	0	0	0	0	0	0	0	96	102	0	0	49	77	0	0
5:15-5:30	0	55	0	41	0	0	0	0	0	0	0	0	101	93	0	0	43	63	0	0
5:30-5:45	0	49	0	52	0	0	0	0	0	0	0	0	90	80	0	0	40	76	0	0
5:45-6:00	0	39	0	45	0	0	0	0	0	0	0	0	70	76	0	0	33	63	0	0

Hourly Totals																				
4:00-5:00	0	245	0	190	1	0	0	0	0	0	0	0	356	395	0	0	133	292	0	0
4:15-5:15	0	247	0	201	1	0	0	0	0	0	0	0	367	399	0	0	156	295	0	0
4:30-5:30	0	248	0	198	1	0	0	0	0	0	0	0	383	386	0	0	162	285	0	0
4:45-5:45	0	224	0	206	0	0	0	0	0	0	0	0	387	365	0	0	161	290	0	0
5:00-6:00	0	215	0	202	0	0	0	0	0	0	0	0	357	351	0	0	165	279	0	0

PM	Northbound					Southbound					Eastbound					Westbound				
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds
4:15-5:15	0	247	0	201	1	0	0	0	0	0	0	0	367	399	0	0	156	295	0	0
																				1666

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: MD 328 & Elliott Road
Weather: Clear
Count by: Count Cam DSS
Count Day/Date: Friday, November 8, 2024
Jurisdiction: Town of Easton

	Weekend Peak Hour (10:00 am - 2:00 pm)																				
	Elliott Road Northbound					N/A Southbound					MD 328 Eastbound					MD 328 Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
10:00-10:15	0	48	0	21	0	0	0	0	0	0	0	0	49	54	0	0	33	74	0	0	279
10:15-10:30	0	47	0	24	0	0	0	0	0	0	0	0	52	66	0	0	32	104	0	0	325
10:30-10:45	0	62	0	29	0	0	0	0	0	0	0	0	38	71	0	0	47	78	0	0	325
10:45-11:00	0	57	0	23	0	0	0	0	0	0	0	0	52	66	0	0	35	89	0	0	322
11:00-11:15	0	57	0	28	0	0	0	0	0	0	0	0	55	91	0	0	32	75	0	0	338
11:15-11:30	0	57	0	21	0	0	0	0	0	0	0	0	51	71	0	0	30	78	0	0	308
11:30-11:45	0	51	0	33	0	0	0	0	0	0	0	0	61	55	0	0	24	84	0	0	308
11:45-12:00	0	57	0	26	0	0	0	0	0	0	0	0	50	80	0	0	23	77	0	0	313
12:00-12:15	0	49	0	29	0	0	0	0	0	0	0	0	40	74	0	0	27	89	0	2	308
12:15-12:30	0	59	0	26	0	0	0	0	0	0	0	0	54	71	0	0	25	71	0	0	306
12:30-12:45	0	55	0	31	0	0	0	0	0	0	0	0	45	71	0	0	25	74	0	0	301
12:45-1:00	0	64	0	30	0	0	0	0	0	0	0	0	56	62	0	0	25	75	0	0	312
1:00-1:15	0	43	0	27	0	0	0	0	0	0	0	0	58	77	0	0	24	63	0	0	292
1:15-1:30	0	57	0	30	0	0	0	0	0	0	0	0	51	71	0	0	29	70	0	0	308
1:30-1:45	0	48	0	24	0	0	0	0	0	0	0	0	61	81	0	0	31	80	0	0	325
1:45-2:00	0	51	0	26	0	0	0	0	0	0	0	0	57	63	0	0	23	71	0	0	291

Hourly Totals																					
10:00-11:00	0	214	0	97	0	0	0	0	0	0	0	0	191	257	0	0	147	345	0	0	1251
10:15-11:15	0	223	0	104	0	0	0	0	0	0	0	0	197	294	0	0	146	346	0	0	1310
10:30-11:30	0	233	0	101	0	0	0	0	0	0	0	0	196	299	0	0	144	320	0	0	1293
10:45-11:45	0	222	0	105	0	0	0	0	0	0	0	0	219	283	0	0	121	326	0	0	1276
11:00-12:00	0	222	0	108	0	0	0	0	0	0	0	0	217	297	0	0	109	314	0	0	1267
11:15-12:15	0	214	0	109	0	0	0	0	0	0	0	0	202	280	0	0	104	328	0	2	1239
11:30-12:30	0	216	0	114	0	0	0	0	0	0	0	0	205	280	0	0	99	321	0	2	1237
11:45-12:45	0	220	0	112	0	0	0	0	0	0	0	0	189	296	0	0	100	311	0	2	1230
12:00-1:00	0	227	0	116	0	0	0	0	0	0	0	0	195	278	0	0	102	309	0	2	1229
12:15-1:15	0	221	0	114	0	0	0	0	0	0	0	0	213	281	0	0	99	283	0	0	1211
12:30-1:30	0	219	0	118	0	0	0	0	0	0	0	0	210	281	0	0	103	282	0	0	1213
12:45-1:45	0	212	0	111	0	0	0	0	0	0	0	0	226	291	0	0	109	288	0	0	1237
1:00-2:00	0	199	0	107	0	0	0	0	0	0	0	0	227	292	0	0	107	284	0	0	1216

PM	Northbound					Southbound					Eastbound					Westbound					Total
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
10:15-11:15	0	223	0	104	0	0	0	0	0	0	0	0	197	294	0	0	146	346	0	0	1310

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: MD 328 & Elliott Road

Weather: Clear

Count by: Count Cam DSS

Count Day/Date: Saturday, November 9, 2024

Jurisdiction: Town of Easton

	Weekday Morning Peak Hour (7:00 am - 9:00 am)																				
	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Teal Drive Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
7:00-7:15	0	0	29	2	0	0	20	29	0	0	0	0	0	0	0	0	0	0	10	1	90
7:15-7:30	0	0	26	4	0	0	17	32	0	0	0	0	0	0	0	0	0	0	16	0	95
7:30-7:45	0	0	29	5	0	0	33	30	0	0	0	0	0	0	0	0	1	0	12	1	110
7:45-8:00	0	0	24	5	0	0	35	49	0	0	0	0	0	0	0	0	2	0	31	0	146
8:00-8:15	0	0	19	5	0	0	37	30	0	0	0	0	0	0	0	0	2	0	10	0	103
8:15-8:30	0	0	37	9	0	0	29	41	0	0	0	0	0	0	0	0	0	0	24	0	140
8:30-8:45	0	0	30	5	0	0	31	46	0	1	0	0	0	0	0	0	2	0	23	0	137
8:45-9:00	0	0	50	8	0	0	33	39	0	0	0	0	0	0	0	0	3	0	18	0	151

Hourly Totals																					
7:00-8:00	0	0	108	16	0	0	105	140	0	0	0	0	0	0	0	0	3	0	69	2	443
7:15-8:15	0	0	98	19	0	0	122	141	0	0	0	0	0	0	0	0	5	0	69	1	455
7:30-8:30	0	0	109	24	0	0	134	150	0	0	0	0	0	0	0	0	5	0	77	1	500
7:45-8:45	0	0	110	24	0	0	132	166	0	1	0	0	0	0	0	0	6	0	88	0	527
8:00-9:00	0	0	136	27	0	0	130	156	0	1	0	0	0	0	0	0	7	0	75	0	532
AM	Northbound					Southbound					Eastbound					Westbound					
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
8:00-9:00	0	0	136	27	0	0	130	156	0	1	0	0	0	0	0	0	7	0	75	0	532

	Weekday Evening Peak Hour (4:00 pm - 6:00 pm)																				
	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Teal Drive Westbound					
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
4:00-4:15	0	0	81	8	0	0	54	78	0	0	0	0	0	0	0	0	7	0	31	0	259
4:15-4:30	0	0	77	6	0	0	55	79	0	0	0	0	0	0	0	0	7	0	19	1	243
4:30-4:45	0	0	88	8	0	0	46	109	0	0	0	0	0	0	0	0	11	0	27	0	289
4:45-5:00	0	0	73	5	0	0	36	91	0	0	0	0	0	0	0	0	5	0	20	0	230
5:00-5:15	0	0	100	5	0	0	52	116	0	0	0	0	0	0	0	0	5	0	20	0	298
5:15-5:30	0	0	80	6	0	0	41	86	0	0	0	0	0	0	0	0	1	0	15	0	229
5:30-5:45	0	0	84	5	1	0	34	83	0	0	0	0	0	0	0	0	2	0	11	0	219
5:45-6:00	0	0	75	3	0	0	37	74	0	0	0	0	0	0	0	0	2	0	15	0	206

Hourly Totals																					
4:00-5:00	0	0	319	27	0	0	191	357	0	0	0	0	0	0	0	0	30	0	97	1	1022
4:15-5:15	0	0	338	24	0	0	189	395	0	0	0	0	0	0	0	0	28	0	86	1	1061
4:30-5:30	0	0	341	24	0	0	175	402	0	0	0	0	0	0	0	0	22	0	82	0	1046
4:45-5:45	0	0	337	21	1	0	163	376	0	0	0	0	0	0	0	0	13	0	66	0	977
5:00-6:00	0	0	339	19	1	0	164	359	0	0	0	0	0	0	0	0	10	0	61	0	953
PM	Northbound					Southbound					Eastbound					Westbound					
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
4:15-5:15	0	0	338	24	0	0	189	395	0	0	0	0	0	0	0	0	28	0	86	1	1061

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
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SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: Elliott Road & Teal Drive
Weather: Clear
Count by: Count Cam DSS
Count Day/Date: Friday, November 8, 2024
Jurisdiction: Town of Easton

Weekend Peak Hour (10:00 am - 2:00 pm)																				
Time:	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Teal Drive Westbound				
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds
10:00-10:15	0	0	58	11	0	0	21	59	0	0	0	0	0	0	0	0	14	0	12	1
10:15-10:30	0	0	39	11	0	0	25	74	0	0	0	0	0	0	0	0	8	0	17	0
10:30-10:45	0	0	71	3	0	0	29	79	0	0	0	0	0	0	0	0	7	0	16	0
10:45-11:00	0	0	67	7	0	0	37	67	0	0	0	0	0	0	0	0	9	0	17	1
11:00-11:15	0	0	62	13	0	0	36	90	0	0	0	0	0	0	0	0	8	0	24	0
11:15-11:30	0	0	52	9	0	0	23	82	0	0	0	0	0	0	0	0	6	0	20	0
11:30-11:45	0	0	74	4	0	0	24	57	0	0	0	0	0	0	0	1	6	0	17	1
11:45-12:00	0	0	55	7	0	0	26	80	0	0	0	0	0	0	0	0	3	0	19	1
12:00-12:15	0	0	63	9	0	0	34	77	0	0	0	0	0	0	0	0	9	0	19	2
12:15-12:30	0	0	58	3	0	0	25	73	0	0	0	0	0	0	0	0	1	0	19	1
12:30-12:45	0	0	61	1	0	0	26	71	0	0	0	0	0	0	0	0	3	0	22	1
12:45-1:00	0	0	78	5	0	0	22	64	0	0	0	0	0	0	0	0	1	0	16	1
1:00-1:15	0	0	51	5	0	0	26	78	0	0	0	0	0	0	0	0	8	0	15	0
1:15-1:30	0	0	58	1	0	0	14	84	0	0	0	0	0	0	0	0	3	0	16	0
1:30-1:45	0	0	80	5	0	0	18	65	0	0	0	0	0	0	0	0	0	0	5	2
1:45-2:00	0	0	65	1	0	0	11	69	0	0	0	0	0	0	0	0	2	0	9	0

Hourly Totals																				
10:00-11:00	0	0	235	32	0	0	112	279	0	0	0	0	0	0	0	0	38	0	62	2
10:15-11:15	0	0	239	34	0	0	127	310	0	0	0	0	0	0	0	0	32	0	74	1
10:30-11:30	0	0	252	32	0	0	125	318	0	0	0	0	0	0	0	0	30	0	77	1
10:45-11:45	0	0	255	33	0	0	120	296	0	0	0	0	0	0	0	1	29	0	78	2
11:00-12:00	0	0	243	33	0	0	109	309	0	0	0	0	0	0	0	1	23	0	80	2
11:15-12:15	0	0	244	29	0	0	107	296	0	0	0	0	0	0	0	1	24	0	75	4
11:30-12:30	0	0	250	23	0	0	109	287	0	0	0	0	0	0	0	1	19	0	74	5
11:45-12:45	0	0	237	20	0	0	111	301	0	0	0	0	0	0	0	0	16	0	79	5
12:00-1:00	0	0	260	18	0	0	107	285	0	0	0	0	0	0	0	0	14	0	76	5
12:15-1:15	0	0	248	14	0	0	99	286	0	0	0	0	0	0	0	0	13	0	72	3
12:30-1:30	0	0	248	12	0	0	88	297	0	0	0	0	0	0	0	0	15	0	69	2
12:45-1:45	0	0	267	16	0	0	80	291	0	0	0	0	0	0	0	0	12	0	52	3
1:00-2:00	0	0	254	12	0	0	69	296	0	0	0	0	0	0	0	0	13	0	45	2

PM Peak Hour	Northbound					Southbound					Eastbound					Westbound					Total
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
10:30-11:30	0	0	252	32	0	0	125	318	0	0	0	0	0	0	0	0	30	0	77	1	835

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: Elliott Road & Teal Drive

Weather: Clear

Count by: Count Cam DSS

Count Day/Date: Saturday, November 9, 2024

Jurisdiction: Town of Easton

	Weekday Morning Peak Hour (7:00 am - 9:00 am)																				
	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Shopping Center North Driveway Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
7:00-7:15	0	0	14	2	0	0	3	27	0	0	0	0	0	0	0	0	2	0	6	0	54
7:15-7:30	0	0	24	8	0	0	9	22	0	0	0	0	0	0	0	0	1	0	7	0	71
7:30-7:45	0	0	22	3	0	0	11	17	0	0	0	0	0	0	0	0	0	0	9	0	62
7:45-8:00	0	0	25	4	0	0	11	40	0	0	0	0	0	0	0	0	2	0	3	0	85
8:00-8:15	0	0	20	2	0	0	11	20	0	0	0	0	0	0	0	0	0	0	3	0	56
8:15-8:30	0	0	37	5	0	0	6	34	0	0	0	0	0	0	0	0	2	0	10	0	94
8:30-8:45	0	0	28	5	0	0	9	39	0	0	0	0	0	0	0	0	2	0	8	0	91
8:45-9:00	0	0	50	2	0	0	8	31	0	0	0	0	0	0	0	0	2	0	7	0	100

Hourly Totals																					
7:00-8:00	0	0	85	17	0	0	34	106	0	0	0	0	0	0	0	0	5	0	25	0	272
7:15-8:15	0	0	91	17	0	0	42	99	0	0	0	0	0	0	0	0	3	0	22	0	274
7:30-8:30	0	0	104	14	0	0	39	111	0	0	0	0	0	0	0	0	4	0	25	0	297
7:45-8:45	0	0	110	16	0	0	37	133	0	0	0	0	0	0	0	0	6	0	24	0	326
8:00-9:00	0	0	135	14	0	0	34	124	0	0	0	0	0	0	0	0	6	0	28	0	341
AM	Northbound					Southbound					Eastbound					Westbound					
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
8:00-9:00	0	0	135	14	0	0	34	124	0	0	0	0	0	0	0	0	6	0	28	0	341

	Weekday Evening Peak Hour (4:00 pm - 6:00 pm)																			Total	
	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Shopping Center North Driveway Westbound					
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right		Peds
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
4:00-4:15	0	0	66	9	0	0	27	57	0	0	0	0	0	0	0	0	9	0	24	0	192
4:15-4:30	0	0	64	10	0	0	29	60	0	0	0	0	0	0	0	0	6	0	21	0	190
4:30-4:45	0	0	69	7	0	0	26	90	0	0	0	0	0	0	0	0	7	0	23	0	222
4:45-5:00	0	0	61	9	0	0	29	70	0	0	0	0	0	0	0	0	9	0	18	0	196
5:00-5:15	0	0	80	12	0	0	40	77	0	0	0	0	0	0	0	0	5	0	25	0	239
5:15-5:30	0	0	62	5	0	0	34	56	0	0	0	0	0	0	0	0	10	0	25	0	192
5:30-5:45	0	0	61	6	0	0	25	57	0	0	0	0	0	0	0	0	11	0	27	0	187
5:45-6:00	0	0	49	6	0	0	30	37	0	0	0	0	0	0	0	0	9	0	30	0	161

Hourly Totals																					
4:00-5:00	0	0	260	35	0	0	111	277	0	0	0	0	0	0	0	0	31	0	86	0	800
4:15-5:15	0	0	274	38	0	0	124	297	0	0	0	0	0	0	0	0	27	0	87	0	847
4:30-5:30	0	0	272	33	0	0	129	293	0	0	0	0	0	0	0	0	31	0	91	0	849
4:45-5:45	0	0	264	32	0	0	128	260	0	0	0	0	0	0	0	0	35	0	95	0	814
5:00-6:00	0	0	252	29	0	0	129	227	0	0	0	0	0	0	0	0	35	0	107	0	779
PM	Northbound					Southbound					Eastbound					Westbound					
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
4:30-5:30	0	0	272	33	0	0	129	293	0	0	0	0	0	0	0	0	31	0	91	0	849

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: Elliott Road & Shopping Center North Driveway
Weather: Clear
Count by: Count Cam DSS
Count Day/Date: Friday, November 8, 2024
Jurisdiction: Town of Easton

Weekend Peak Hour (10:00 am - 2:00 pm)																					
Time:	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Shopping Center North Driveway Westbound					Total
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
10:00-10:15	0	0	56	7	0	0	10	61	0	0	0	0	0	0	0	0	4	0	11	0	149
10:15-10:30	0	0	36	11	0	0	27	55	0	0	0	0	0	0	0	0	5	0	16	1	150
10:30-10:45	0	0	57	9	0	0	23	64	0	0	0	0	0	0	0	0	7	0	15	0	175
10:45-11:00	0	0	58	10	0	0	21	54	0	0	0	0	0	0	0	0	8	0	20	1	171
11:00-11:15	0	0	59	7	0	0	28	69	0	0	0	0	0	0	0	0	6	0	13	0	182
11:15-11:30	0	0	44	6	0	0	20	69	0	0	0	0	0	0	0	0	5	0	18	0	162
11:30-11:45	0	0	65	7	0	0	16	47	0	0	0	0	0	0	0	0	9	0	14	1	158
11:45-12:00	0	0	51	12	0	0	24	57	0	0	0	0	0	0	0	0	6	0	9	0	159
12:00-12:15	0	0	55	5	0	0	22	65	0	0	0	0	0	0	0	0	6	0	18	0	171
12:15-12:30	0	0	49	3	0	0	15	57	0	0	0	0	0	0	0	0	5	0	14	0	143
12:30-12:45	0	0	42	11	0	0	23	52	0	0	0	0	0	0	0	0	12	0	20	1	160
12:45-1:00	0	0	63	6	0	0	16	48	0	0	0	0	0	0	0	0	3	0	20	0	156
1:00-1:15	0	0	46	8	0	0	30	55	0	0	0	0	0	0	0	0	6	0	12	0	157
1:15-1:30	0	0	38	8	0	0	31	56	0	0	0	0	0	0	0	0	7	0	20	0	160
1:30-1:45	0	0	60	8	0	0	21	48	0	0	0	0	0	0	0	0	7	0	26	0	170
1:45-2:00	0	0	39	6	0	0	22	48	0	3	0	0	0	0	0	0	7	0	26	0	148

Hourly Totals																					
10:00-11:00	0	0	207	37	0	0	81	234	0	0	0	0	0	0	0	0	24	0	62	2	647
10:15-11:15	0	0	210	37	0	0	99	242	0	0	0	0	0	0	0	0	26	0	64	2	680
10:30-11:30	0	0	218	32	0	0	92	256	0	0	0	0	0	0	0	0	26	0	66	1	691
10:45-11:45	0	0	226	30	0	0	85	239	0	0	0	0	0	0	0	0	28	0	65	2	675
11:00-12:00	0	0	219	32	0	0	88	242	0	0	0	0	0	0	0	0	26	0	54	1	662
11:15-12:15	0	0	215	30	0	0	82	238	0	0	0	0	0	0	0	0	26	0	59	1	651
11:30-12:30	0	0	220	27	0	0	77	226	0	0	0	0	0	0	0	0	26	0	55	1	632
11:45-12:45	0	0	197	31	0	0	84	231	0	0	0	0	0	0	0	0	29	0	61	1	634
12:00-1:00	0	0	209	25	0	0	76	222	0	0	0	0	0	0	0	0	26	0	72	1	631
12:15-1:15	0	0	200	28	0	0	84	212	0	0	0	0	0	0	0	0	26	0	66	1	617
12:30-1:30	0	0	189	33	0	0	100	211	0	0	0	0	0	0	0	0	28	0	72	1	634
12:45-1:45	0	0	207	30	0	0	98	207	0	0	0	0	0	0	0	0	23	0	78	0	643
1:00-2:00	0	0	183	30	0	0	104	207	0	3	0	0	0	0	0	0	27	0	84	0	638

PM Peak Hour	Northbound					Southbound					Eastbound					Westbound					Total
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
10:30-11:30	0	0	218	32	0	0	92	256	0	0	0	0	0	0	0	0	26	0	66	1	691

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: Elliott Road & Shopping Center North Driveway

Weather: Clear

Count by: Count Cam DSS

Count Day/Date: Saturday, November 9, 2024

Jurisdiction: Town of Easton

	Weekday Morning Peak Hour (7:00 am - 9:00 am)																				
	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Shopping Center (South Driveway) Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
7:00-7:15	0	0	17	11	0	0	11	17	0	0	0	0	0	0	0	0	15	0	7	0	78
7:15-7:30	0	0	22	16	0	0	6	15	0	0	0	0	0	0	0	0	15	0	10	0	84
7:30-7:45	0	0	16	17	0	0	11	8	0	0	0	0	0	0	0	0	9	0	12	1	73
7:45-8:00	0	0	17	19	0	0	20	21	0	0	0	0	0	0	0	0	13	0	12	0	102
8:00-8:15	0	0	14	24	0	0	13	9	0	0	0	0	0	0	0	0	17	0	9	0	86
8:15-8:30	0	0	32	26	0	0	15	19	0	0	0	0	0	0	0	0	14	0	12	0	118
8:30-8:45	0	0	21	37	0	0	21	18	0	0	0	0	0	0	0	0	19	0	12	0	128
8:45-9:00	0	0	35	25	0	0	15	16	0	0	0	0	0	0	0	0	21	0	18	0	130

	Weekday Evening Peak Hour (4:00 pm - 6:00 pm)																				
	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Shopping Center (South Driveway) Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
4:00-4:15	0	0	39	43	0	0	30	34	0	0	0	0	0	0	0	0	31	0	35	0	212
4:15-4:30	0	0	44	44	0	0	30	32	0	0	0	0	0	0	0	0	28	0	31	0	209
4:30-4:45	0	0	42	39	1	0	47	46	0	0	0	0	0	0	0	0	34	0	32	0	240
4:45-5:00	0	0	37	46	0	0	40	36	0	0	0	0	0	0	0	0	35	0	33	0	227
5:00-5:15	0	0	44	44	0	0	46	38	0	0	0	0	0	0	0	0	43	0	48	0	263
5:15-5:30	0	0	43	46	0	0	28	35	0	0	0	0	0	0	0	0	43	0	25	0	220
5:30-5:45	0	0	38	43	0	0	31	36	0	0	0	0	0	0	0	0	33	0	32	0	213
5:45-6:00	0	0	27	44	0	0	22	26	0	0	0	0	0	0	0	0	37	0	24	0	180

Peak Hour	Turning Movement Count
07:00-08:00	100
08:00-09:00	120
09:00-10:00	150
10:00-11:00	180
11:00-12:00	200
12:00-13:00	180
13:00-14:00	150
14:00-15:00	120
15:00-16:00	100
16:00-17:00	80
17:00-18:00	60
18:00-19:00	40
19:00-20:00	20
20:00-21:00	10
21:00-22:00	5
22:00-23:00	2
23:00-00:00	1

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Weekend Peak Hour (10:00 am - 2:00 pm)																					
Time:	Elliott Road Northbound					Elliott Road Southbound					N/A Eastbound					Shopping Center South Driveway Westbound					Total
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
10:00-10:15	0	0	37	46	0	0	32	33	0	0	0	0	0	0	0	0	26	0	26	0	200
10:15-10:30	0	0	25	38	0	0	33	24	0	0	0	0	0	0	0	0	33	0	23	0	176
10:30-10:45	0	0	32	25	0	0	38	36	0	1	0	0	0	0	0	0	37	0	33	0	201
10:45-11:00	0	0	35	40	0	0	29	29	0	0	0	0	0	0	0	0	30	0	35	0	198
11:00-11:15	0	0	34	33	0	0	39	38	0	0	0	0	0	0	0	0	34	0	30	0	208
11:15-11:30	0	0	32	48	0	0	36	38	0	0	0	0	0	0	0	0	37	0	18	0	209
11:30-11:45	0	0	36	38	0	0	25	27	0	0	0	0	0	0	0	0	34	0	47	1	207
11:45-12:00	0	0	29	31	0	0	37	29	0	0	0	0	0	0	0	0	49	0	31	0	206
12:00-12:15	0	0	28	44	0	0	41	31	0	0	0	0	0	0	0	0	37	0	34	0	215
12:15-12:30	0	0	16	32	0	0	39	23	0	0	0	0	0	0	0	0	36	0	37	0	183
12:30-12:45	0	0	23	41	0	0	31	33	0	0	0	0	0	0	0	0	34	0	31	0	193
12:45-1:00	0	0	28	32	0	0	32	19	0	0	0	0	0	0	0	0	33	0	41	0	185
1:00-1:15	0	0	28	30	0	0	27	31	0	0	0	0	0	0	0	0	38	0	27	0	181
1:15-1:30	0	0	14	33	0	0	41	22	0	0	0	0	0	0	0	0	37	0	29	1	176
1:30-1:45	0	0	30	29	0	0	32	24	0	0	0	0	0	0	0	0	31	0	40	0	186
1:45-2:00	0	0	18	37	0	0	28	25	0	0	0	0	0	0	0	0	47	0	26	1	181

Hourly Totals																					
10:00-11:00	0	0	129	149	0	0	132	122	0	1	0	0	0	0	0	0	126	0	117	0	776
10:15-11:15	0	0	126	136	0	0	139	127	0	1	0	0	0	0	0	0	134	0	121	0	784
10:30-11:30	0	0	133	146	0	0	142	141	0	1	0	0	0	0	0	0	138	0	116	0	817
10:45-11:45	0	0	137	159	0	0	129	132	0	0	0	0	0	0	0	0	135	0	130	1	823
11:00-12:00	0	0	131	150	0	0	137	132	0	0	0	0	0	0	0	0	154	0	126	1	831
11:15-12:15	0	0	125	161	0	0	139	125	0	0	0	0	0	0	0	0	157	0	130	1	838
11:30-12:30	0	0	109	145	0	0	142	110	0	0	0	0	0	0	0	0	156	0	149	1	812
11:45-12:45	0	0	96	148	0	0	148	116	0	0	0	0	0	0	0	0	156	0	133	0	797
12:00-1:00	0	0	95	149	0	0	143	106	0	0	0	0	0	0	0	0	140	0	143	0	776
12:15-1:15	0	0	95	135	0	0	129	106	0	0	0	0	0	0	0	0	141	0	136	0	742
12:30-1:30	0	0	93	136	0	0	131	105	0	0	0	0	0	0	0	0	142	0	128	1	736
12:45-1:45	0	0	100	124	0	0	132	96	0	0	0	0	0	0	0	0	139	0	137	1	729
1:00-2:00	0	0	90	129	0	0	128	102	0	0	0	0	0	0	0	0	153	0	122	2	726
PM	Northbound					Southbound					Eastbound					Westbound					
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
11:15-12:15	0	0	125	161	0	0	139	125	0	0	0	0	0	0	0	0	157	0	130	1	838

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: Elliott Road & Shopping Center South Driveway

Weather: Clear

Count by: Count Cam DSS

Count Day/Date: Saturday, November 9, 2024

Jurisdiction: Town of Easton

Time:	Weekday Morning Peak Hour (7:00 am - 9:00 am)																				Total
	N/A Northbound					Elliott Road Southbound					MD 331 Eastbound					MD 331 Westbound					
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
7:00-7:15	0	0	0	0	0	0	0	0	30	0	0	24	52	0	0	0	0	141	5	0	252
7:15-7:30	0	0	0	0	0	0	0	0	22	0	0	31	68	0	0	0	0	179	11	0	311
7:30-7:45	0	0	0	0	0	0	0	0	25	0	0	30	59	0	0	0	0	198	7	0	319
7:45-8:00	0	0	0	0	0	0	0	0	36	0	0	32	82	0	0	0	0	223	7	0	380
8:00-8:15	0	0	0	0	0	0	0	0	28	0	0	38	77	0	0	0	0	173	7	0	323
8:15-8:30	0	0	0	0	0	0	1	0	35	0	0	58	78	0	0	0	0	162	7	0	341
8:30-8:45	0	0	0	0	0	0	0	0	42	0	0	53	78	0	0	0	0	155	11	0	339
8:45-9:00	0	0	0	0	0	0	0	0	37	1	0	48	76	0	1	0	0	152	12	0	325

Hourly Totals																					Total
Time	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
7:00-8:00	0	0	0	0	0	0	0	0	113	0	0	117	261	0	0	0	0	741	30	0	1262
7:15-8:15	0	0	0	0	0	0	0	0	111	0	0	131	286	0	0	0	0	773	32	0	1333
7:30-8:30	0	0	0	0	0	0	1	0	124	0	0	158	296	0	0	0	0	756	28	0	1363
7:45-8:45	0	0	0	0	0	0	1	0	141	0	0	181	315	0	0	0	0	713	32	0	1383
8:00-9:00	0	0	0	0	0	0	1	0	142	1	0	197	309	0	1	0	0	642	37	0	1330

AM	Northbound					Southbound					Eastbound					Westbound					Total
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
7:45-8:45	0	0	0	0	0	0	1	0	141	0	0	181	315	0	0	0	0	713	32	0	1383

Time:	Weekday Evening Peak Hour (4:00 pm - 6:00 pm)																				Total
	N/A Northbound					Elliott Road Southbound					MD 331 Eastbound					MD 331 Westbound					
	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
4:00-4:15	0	0	0	0	0	0	0	0	80	0	0	77	133	0	0	0	0	86	7	0	383
4:15-4:30	0	0	0	0	0	0	1	0	58	0	0	75	116	0	0	0	0	81	6	0	337
4:30-4:45	0	0	0	0	0	0	0	0	81	0	0	71	118	0	0	0	0	91	7	0	368
4:45-5:00	0	0	0	0	0	0	0	0	86	0	0	78	115	0	0	0	0	91	9	0	379
5:00-5:15	0	0	0	0	0	0	0	0	93	0	0	82	120	0	0	0	0	100	11	0	406
5:15-5:30	0	0	0	0	0	0	0	0	77	0	0	78	130	0	0	0	0	98	11	0	394
5:30-5:45	0	0	0	0	0	0	0	0	69	0	0	77	99	0	0	0	0	91	7	0	343
5:45-6:00	0	0	0	0	0	0	0	0	68	0	0	68	89	0	0	0	0	76	5	0	306

Hourly Totals																					Total
Time	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
4:00-5:00	0	0	0	0	0	0	1	0	305	0	0	301	482	0	0	0	0	349	29	0	1467
4:15-5:15	0	0	0	0	0	0	1	0	318	0	0	306	469	0	0	0	0	363	33	0	1490
4:30-5:30	0	0	0	0	0	0	0	0	337	0	0	309	483	0	0	0	0	380	38	0	1547
4:45-5:45	0	0	0	0	0	0	0	0	325	0	0	315	464	0	0	0	0	380	38	0	1522
5:00-6:00	0	0	0	0	0	0	0	0	307	0	0	305	438	0	0	0	0	365	34	0	1449

PM	Northbound					Southbound					Eastbound					Westbound					Total
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
4:30-5:30	0	0	0	0	0	0	0	0	337	0	0	309	483	0	0	0	0	380	38	0	1547

Peak Hour
Turning Movement Count



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SEVERNA PARK, MD 21146
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Intersection: MD 331 & Elliott Road
Weather: Clear
Count by: Count Cam DSS
Count Day/Date: Friday, November 8, 2024
Jurisdiction: Town of Easton

	Weekend Peak Hour (10:00 am - 2:00 pm)																				
	N/A Northbound					Elliott Road Southbound					MD 331 Eastbound					MD 331 Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
10:00-10:15	0	0	0	0	0	0	0	0	53	0	0	74	58	0	0	0	0	96	7	0	288
10:15-10:30	0	0	0	0	0	0	1	0	56	0	0	57	60	0	0	0	0	107	5	0	286
10:30-10:45	0	0	0	0	0	0	0	0	67	2	0	51	58	0	0	0	0	118	7	0	301
10:45-11:00	0	0	0	0	0	0	1	0	51	0	0	59	63	0	0	0	0	129	9	0	312
11:00-11:15	0	0	0	0	0	0	1	0	77	0	0	58	68	0	0	0	0	117	12	0	333
11:15-11:30	0	0	0	0	0	0	0	0	66	0	0	69	59	0	0	0	0	115	13	0	322
11:30-11:45	0	0	0	0	0	0	1	0	73	0	0	66	60	0	0	0	0	100	3	0	303
11:45-12:00	0	0	0	0	0	0	0	0	73	0	1	64	70	0	0	0	0	109	11	0	328
12:00-12:15	0	0	0	0	0	0	3	0	76	0	0	61	59	0	0	0	0	117	5	0	321
12:15-12:30	0	0	0	0	0	0	1	0	51	0	0	39	60	0	0	0	0	105	6	0	262
12:30-12:45	0	0	0	0	0	0	0	0	70	0	0	59	55	0	0	0	0	93	9	0	286
12:45-1:00	0	0	0	0	0	0	0	0	60	0	0	58	72	0	0	0	0	89	3	0	282
1:00-1:15	0	0	0	0	0	0	0	0	65	0	0	49	92	0	0	0	0	83	7	0	296
1:15-1:30	0	0	0	0	0	0	0	0	60	0	0	49	55	0	0	0	0	104	6	0	274
1:30-1:45	0	0	0	0	0	0	2	0	51	0	0	45	55	0	0	0	0	81	7	0	241
1:45-2:00	0	0	0	0	0	0	0	0	78	1	0	51	62	0	0	0	0	85	8	0	284

Hourly Totals																					
10:00-11:00	0	0	0	0	0	0	2	0	227	2	0	241	239	0	0	0	0	450	28	0	1189
10:15-11:15	0	0	0	0	0	0	3	0	251	2	0	225	249	0	0	0	0	471	33	0	1234
10:30-11:30	0	0	0	0	0	0	2	0	261	2	0	237	248	0	0	0	0	479	41	0	1270
10:45-11:45	0	0	0	0	0	0	3	0	267	0	0	252	250	0	0	0	0	461	37	0	1270
11:00-12:00	0	0	0	0	0	0	2	0	289	0	1	257	257	0	0	0	0	441	39	0	1286
11:15-12:15	0	0	0	0	0	0	4	0	288	0	1	260	248	0	0	0	0	441	32	0	1274
11:30-12:30	0	0	0	0	0	0	5	0	273	0	1	230	249	0	0	0	0	431	25	0	1214
11:45-12:45	0	0	0	0	0	0	4	0	270	0	1	223	244	0	0	0	0	424	31	0	1197
12:00-1:00	0	0	0	0	0	0	4	0	257	0	0	217	246	0	0	0	0	404	23	0	1151
12:15-1:15	0	0	0	0	0	0	1	0	246	0	0	205	279	0	0	0	0	370	25	0	1126
12:30-1:30	0	0	0	0	0	0	0	0	255	0	0	215	274	0	0	0	0	369	25	0	1138
12:45-1:45	0	0	0	0	0	0	2	0	236	0	0	201	274	0	0	0	0	357	23	0	1093
1:00-2:00	0	0	0	0	0	0	2	0	254	1	0	194	264	0	0	0	0	353	28	0	1096
PM	Northbound					Southbound					Eastbound					Westbound					Total
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	
11:00-12:00	0	0	0	0	0	0	2	0	289	0	1	257	257	0	0	0	0	441	39	0	

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
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SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: MD 331 & Elliott Road

Weather: Clear

Count by: Count Cam DSS

Count Day/Date: Saturday, November 9, 2024

Jurisdiction: Town of Easton

Appendix B

Level of Service (LOS) Worksheets

Critical Lane Volume (CLV) Methodology for MSHA

Main Line: MD 328
Minor Street: Elliott Road
Study Period: Existing Traffic

Analyst: Lenhart Traffic Consulting

MD 328

---T
 ---L

	AM	PM
T	491	295
L	123	156

PM	AM	
367	192	T
399	189	R

T---
 R---

MD 328

| |
 L R

Elliott Road

	L	R
AM	142	51
PM	247	201

Critical Lane Volume Analysis

Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
NB	142	1.00	142			142
EB	192	1.00	192	123	1.00	123
WB	491	1.00	491			491
CLV TOTAL=						633
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
NB	247	1.00	247			247
EB	367	1.00	367	156	1.00	156
WB	295	1.00	295			295
CLV TOTAL=						770
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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MD 328 &
 Elliott Road
 (Existing Traffic)

Intersection
1

Critical Lane Volume (CLV) Methodology for MSHA

Main Line: MD 328
Minor Street: Elliott Road
Study Period: Existing Traffic

Analyst: Lenhart Traffic Consulting

MD 328

---T
 ---L

	Sat
T	346
L	146

Sat	
197	T
294	R

T---
 R---

MD 328

| |
 L R

	L	R
Sat	223	104

Elliott Road

Critical Lane Volume Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
NB	223	1.00	223			
EB	197	1.00	197	146	1.00	146
WB	346	1.00	346			
CLV TOTAL=						569
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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MD 328 &
 Elliott Road
 (Existing Traffic)

Intersection
1

Critical Lane Volume (CLV) Methodology for MSHA

Main Line: MD 328
Minor Street: Elliott Road
Study Period: Background Traffic

Analyst: Lenhart Traffic Consulting

MD 328

---T

---L

	AM	PM
T	506	304
L	129	163

PM	AM	
378	198	T
424	202	R

T---

R---

MD 328

| |
L R

Elliott Road

	L	R
AM	151	54
PM	267	210

Critical Lane Volume Analysis

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM
	VOL	x LUF	= Total	VOL	x LUF	= Total	CLV
NB	151	1.00	151				151
EB	198	1.00	198	129	1.00	129	506
WB	506	1.00	506				
CLV TOTAL=							657
Level of Service (LOS) =							A

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM
	VOL	x LUF	= Total	VOL	x LUF	= Total	CLV
NB	267	1.00	267				267
EB	378	1.00	378	163	1.00	163	541
WB	304	1.00	304				
CLV TOTAL=							808
Level of Service (LOS)=							A

Critical Lane Volume Analysis



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MD 328 &
 Elliott Road
 (Background Traffic)

**Intersection
 1**

Critical Lane Volume (CLV) Methodology for MSHA

Main Line: MD 328
Minor Street: Elliott Road
Study Period: Background Traffic

Analyst: Lenhart Traffic Consulting

MD 328

---T
 ---L

	Sat
T	356
L	153

Sat	
203	T
319	R

T---
 R---

MD 328

| |
 L R

	L	R
Sat	246	111

Elliott Road

Critical Lane Volume Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
NB	246	1.00	246			
EB	203	1.00	203	153	1.00	153
WB	356	1.00	356			
CLV TOTAL=						602
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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MD 328 &
 Elliott Road
 (Background Traffic)

Intersection
1

Critical Lane Volume (CLV) Methodology for MSHA

Main Line: MD 328
Minor Street: Elliott Road
Study Period: Total Traffic

Analyst: Lenhart Traffic Consulting

MD 328

---T
 ---L

	AM	PM
T	506	304
L	129	163

PM	AM	
378	198	T
423	202	R

T---
 R---

MD 328

| |
 L R

	L	R
AM	152	54
PM	266	210

Elliott Road

Critical Lane Volume Analysis

Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
NB	152	1.00	152			
EB	198	1.00	198	129	1.00	129
WB	506	1.00	506			
CLV TOTAL=						658
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
NB	266	1.00	266			
EB	378	1.00	378	163	1.00	163
WB	304	1.00	304			
CLV TOTAL=						807
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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MD 328 &
 Elliott Road
 (Total Traffic)

Intersection
1

Critical Lane Volume (CLV) Methodology for MSHA

Main Line: MD 328
Minor Street: Elliott Road
Study Period: Total Traffic

Analyst: Lenhart Traffic Consulting

MD 328

---T
 ---L

	Sat
T	356
L	154

Sat	
203	T
320	R

T---
 R---

MD 328

| |
 L R

	L	R
Sat	248	111

Elliott Road

Critical Lane Volume Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
NB	248	1.00	248			
EB	203	1.00	203	154	1.00	154
WB	356	1.00	356			
CLV TOTAL=						605
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**MD 328 &
 Elliott Road**
 (Total Traffic)

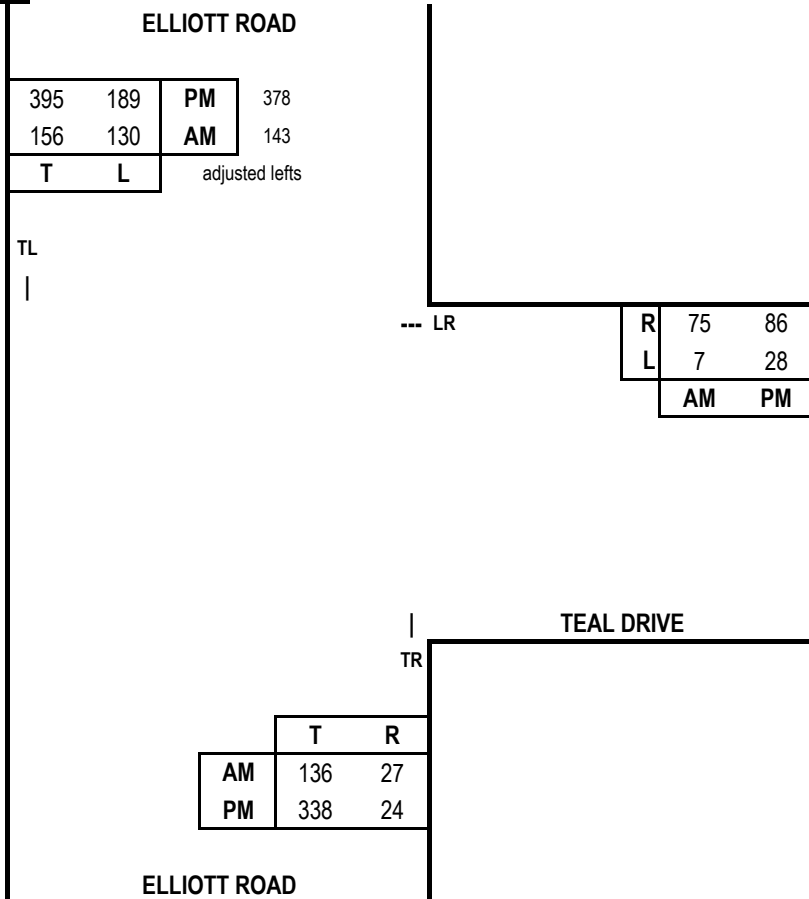
**Intersection
 1**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Teal Drive
Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

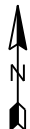
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	82	1.00	82			
NB	163	1.00	163	130	1.00	130
SB	299	1.00	299			
CLV TOTAL=						381
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	114	1.00	114			
NB	362	1.00	362	189	1.00	189
SB	773	1.00	773			
CLV TOTAL=						887
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Teal Drive
(Existing Traffic)**

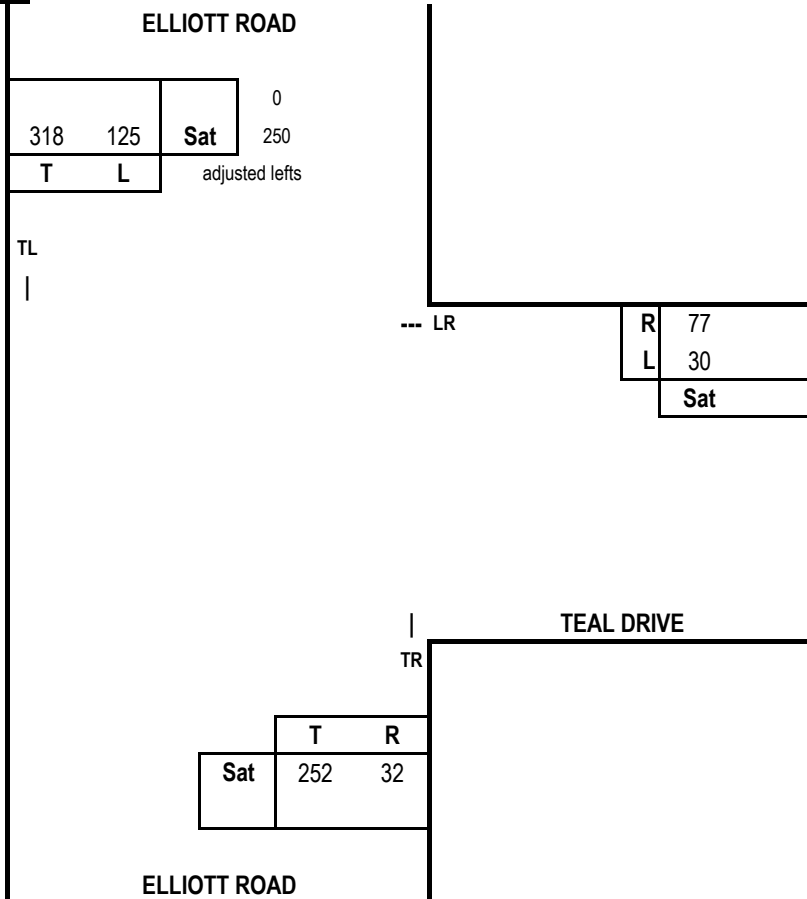
**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Teal Drive
Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



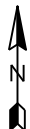
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	107	1.00	107			
NB	284	1.00	284	125	1.00	125
SB	568	1.00	568			
CLV TOTAL=						675
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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Elliott Road &
Teal Drive
(Existing Traffic)

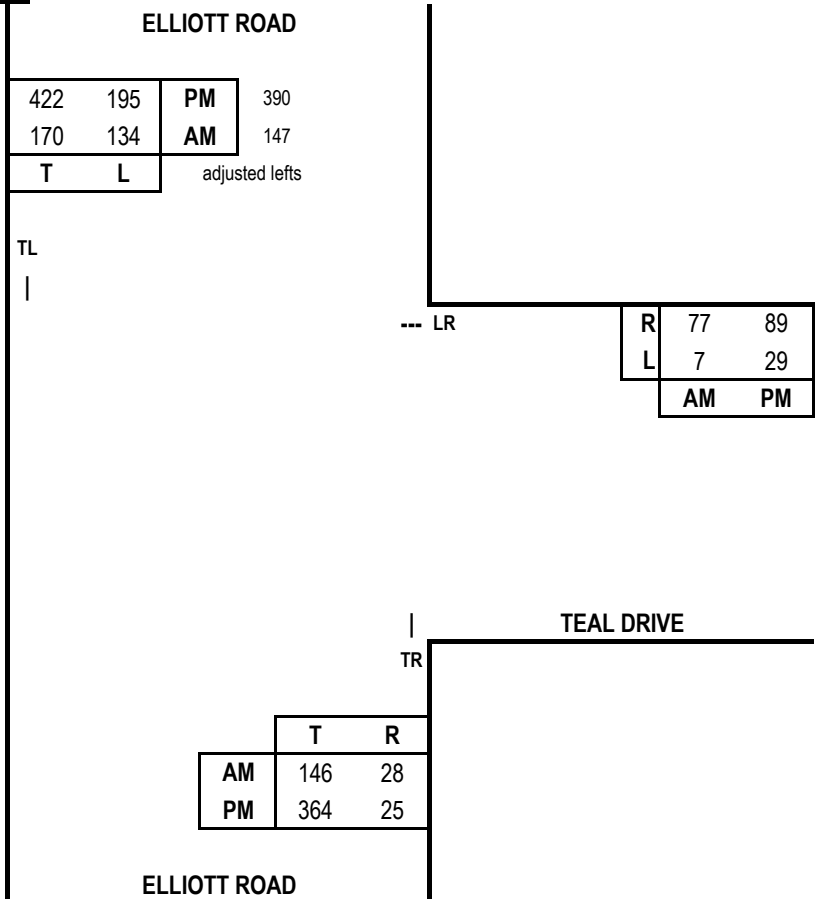
**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Teal Drive
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

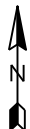
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	84	1.00	84			
NB	174	1.00	174	134	1.00	134
SB	317	1.00	317			
CLV TOTAL=						401
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	118	1.00	118			
NB	389	1.00	389	195	1.00	195
SB	812	1.00	812			
CLV TOTAL=						930
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Teal Drive**
(Background Traffic)

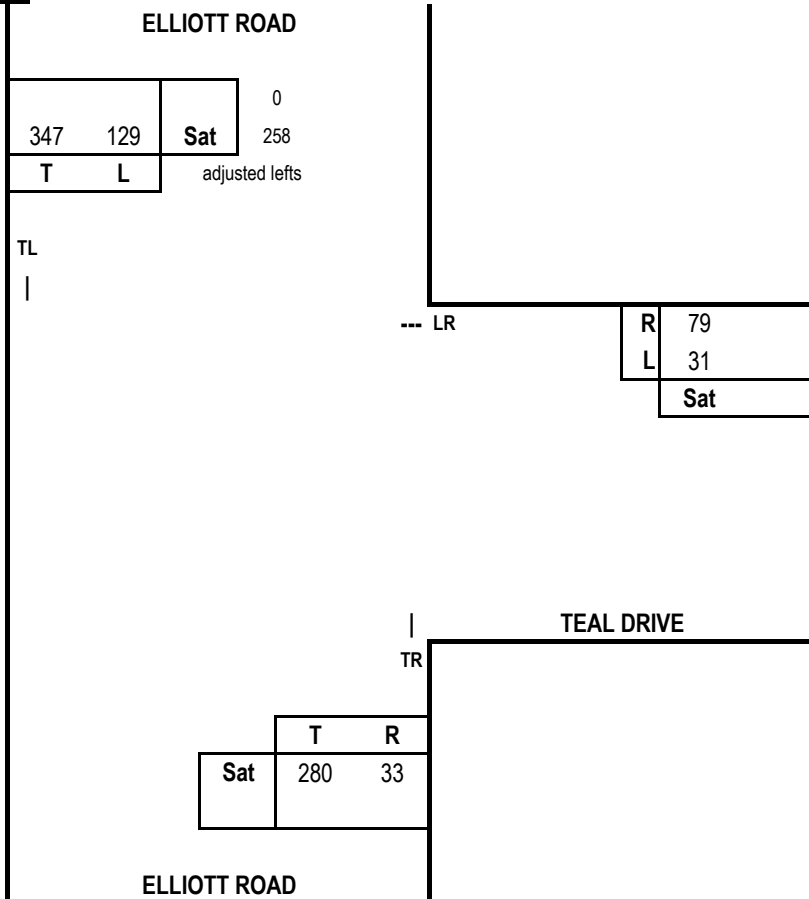
**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Teal Drive
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



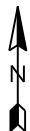
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	110	1.00	110			
NB	313	1.00	313	129	1.00	129
SB	605	1.00	605			
CLV TOTAL=						715
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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Elliott Road &
Teal Drive
(Background Traffic)

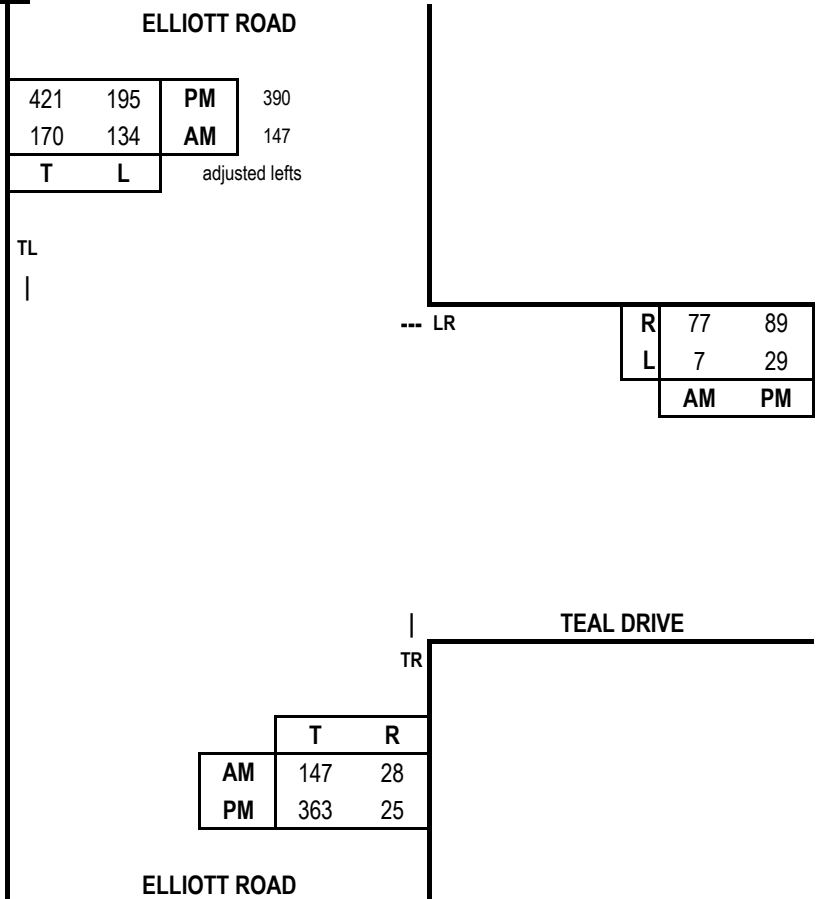
**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Teal Drive
Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

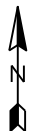
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	84	1.00	84			
NB	175	1.00	175	134	1.00	134
SB	317	1.00	317			
CLV TOTAL=						401
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	118	1.00	118			
NB	388	1.00	388	195	1.00	195
SB	811	1.00	811			
CLV TOTAL=						929
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Teal Drive
(Total Traffic)**

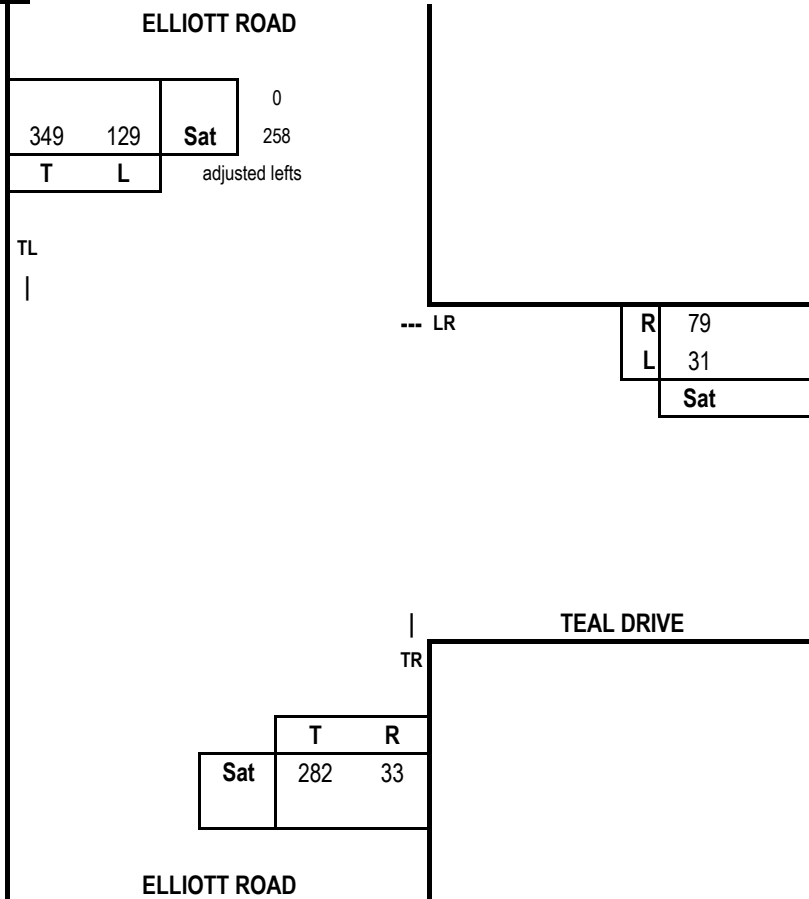
**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Teal Drive
Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



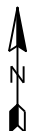
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	110	1.00	110			
NB	315	1.00	315	129	1.00	129
SB	607	1.00	607			
CLV TOTAL=						717
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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Elliott Road &
Teal Drive
(Total Traffic)

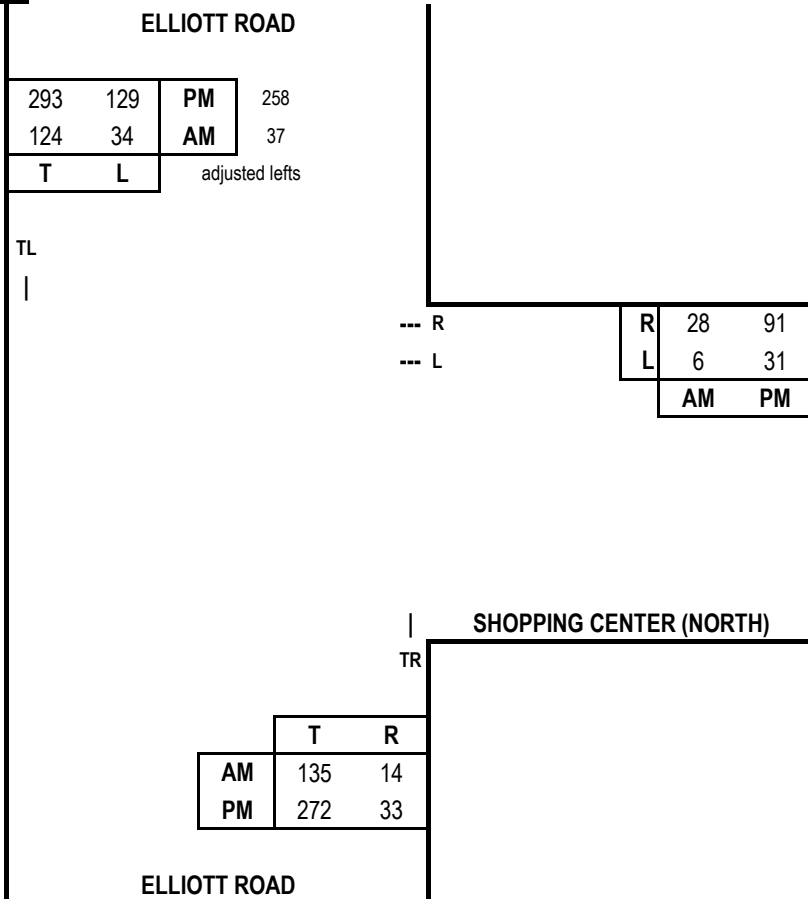
**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (North)
Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

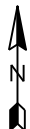
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	6	1.00	6			
NB	149	1.00	149	34	1.00	34
SB	161	1.00	161			
CLV TOTAL=						189
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	31	1.00	31			
NB	305	1.00	305	129	1.00	129
SB	551	1.00	551			
CLV TOTAL=						582
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Shopping Center (North)
(Existing Traffic)**

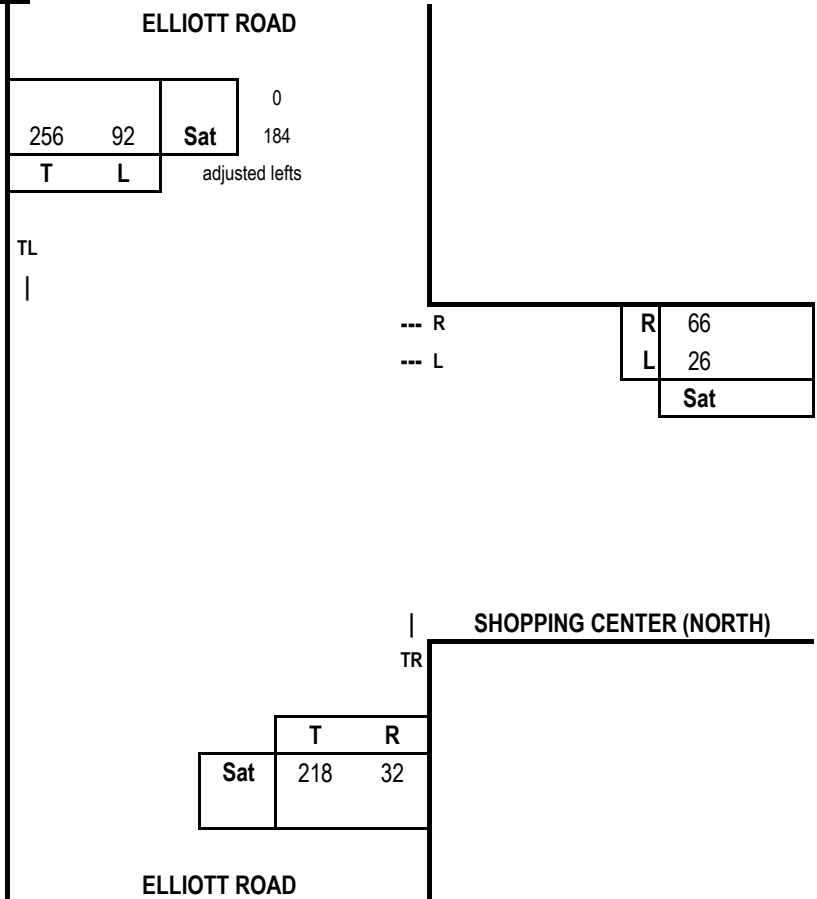
**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (North)
Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



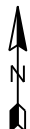
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	26	1.00	26			
NB	250	1.00	250	92	1.00	92
SB	440	1.00	440			
CLV TOTAL=						466
Level of Service (LOS)=						A

Critical Lane Volume Analysis



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Elliott Road &
 Shopping Center (North)
 (Existing Traffic)

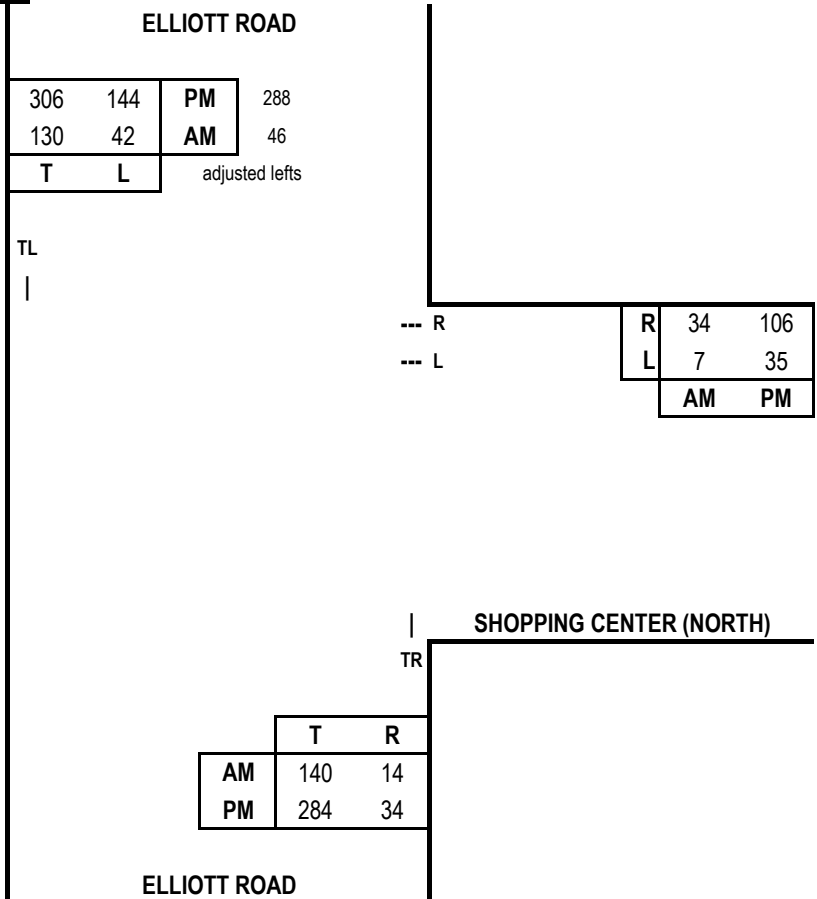
**Intersection
 3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (North)
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

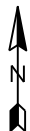
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	7	1.00	7			
NB	154	1.00	154	42	1.00	42
SB	176	1.00	176			
CLV TOTAL=						203
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	35	1.00	35			
NB	318	1.00	318	144	1.00	144
SB	594	1.00	594			
CLV TOTAL=						629
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Shopping Center (North)
(Background Traffic)**

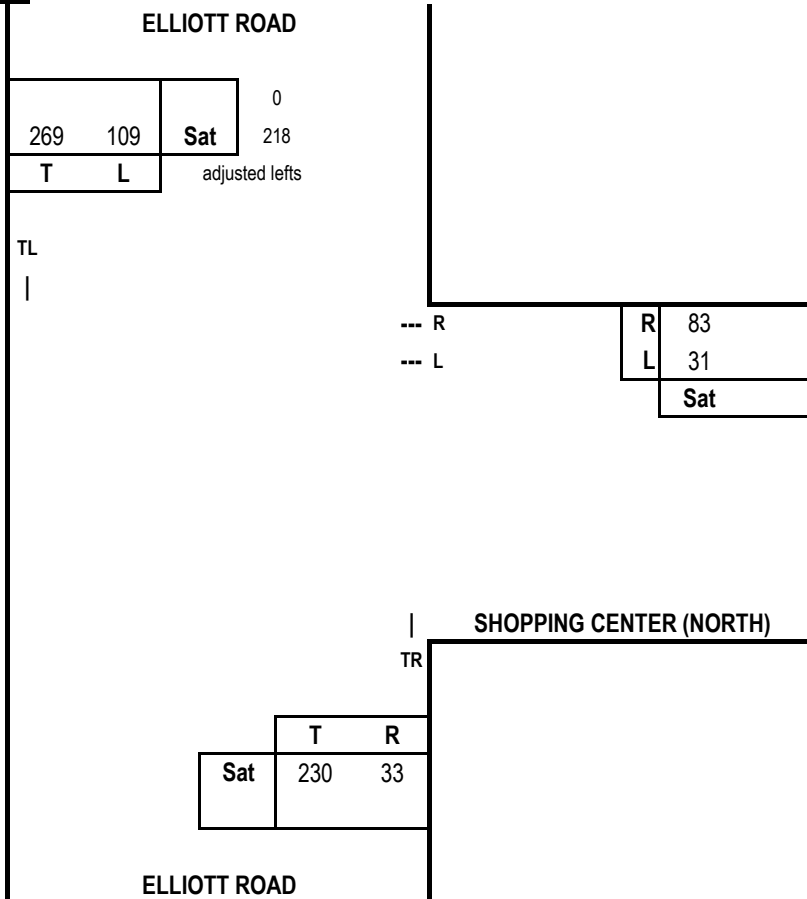
**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (North)
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



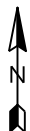
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	31	1.00	31			
NB	263	1.00	263	109	1.00	109
SB	487	1.00	487			
CLV TOTAL=						518
Level of Service (LOS)=						A

Critical Lane Volume Analysis



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Elliott Road &
Shopping Center (North)
(Background Traffic)

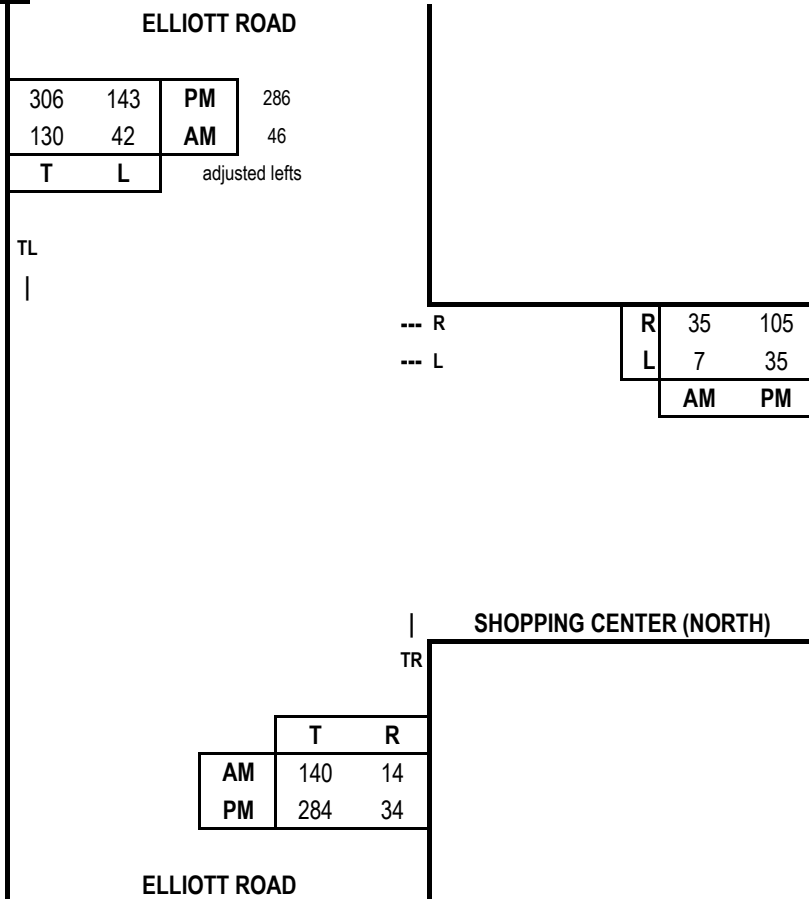
**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (North)
Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

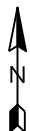
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	7	1.00	7			
NB	154	1.00	154	42	1.00	42
SB	176	1.00	176			
CLV TOTAL=						203
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	35	1.00	35			
NB	318	1.00	318	143	1.00	143
SB	592	1.00	592			
CLV TOTAL=						627
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Shopping Center (North)
(Total Traffic)**

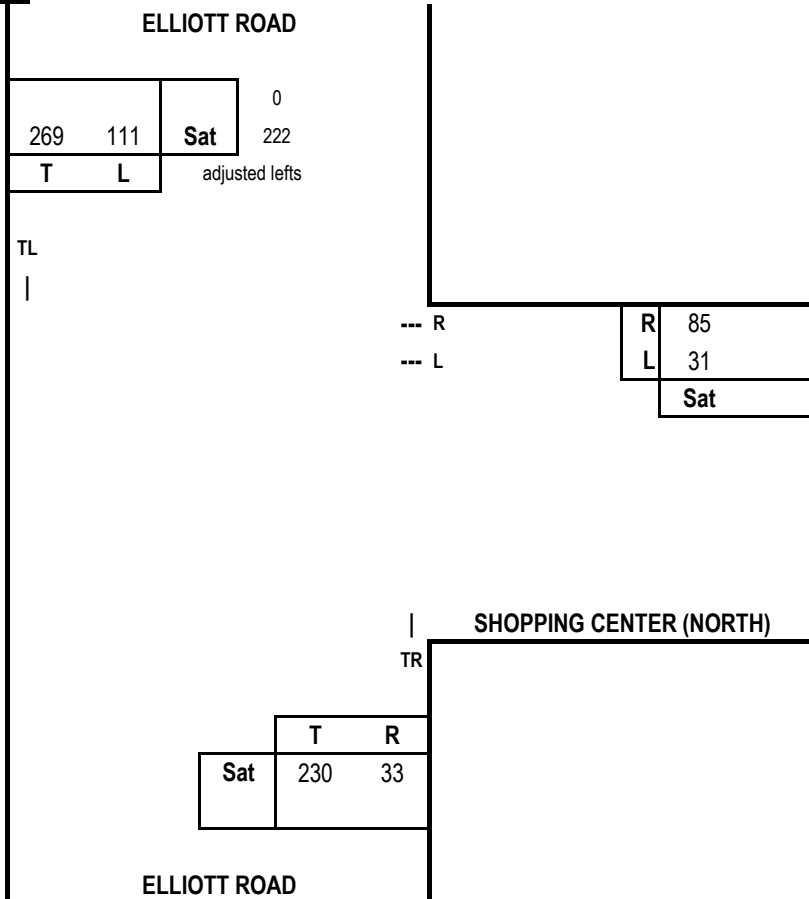
**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (North)
Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



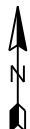
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	31	1.00	31			
NB	263	1.00	263	111	1.00	111
SB	491	1.00	491			
CLV TOTAL=						522
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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Elliott Road &
Shopping Center (North)
(Total Traffic)

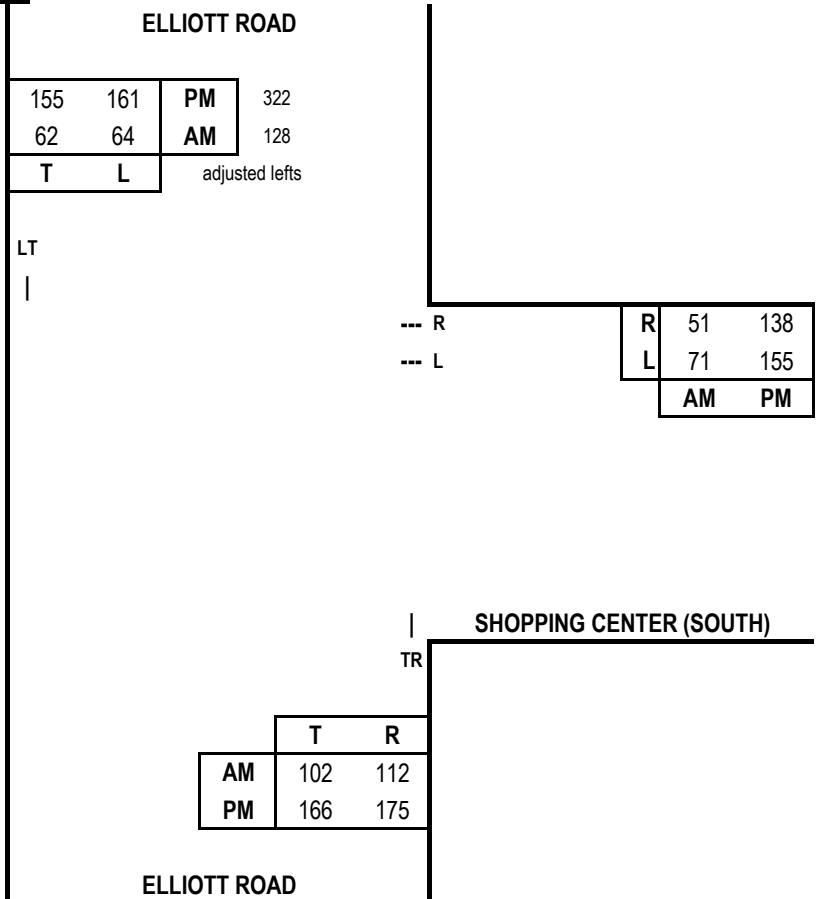
**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (South)
Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

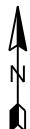
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	71	1.00	71			
NB	214	1.00	214	64	1.00	64
SB	190	1.00	190			
CLV TOTAL=						349
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	155	1.00	155			
NB	341	1.00	341	161	1.00	161
SB	477	1.00	477			
CLV TOTAL=						657
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Shopping Center (South)**
(Existing Traffic)

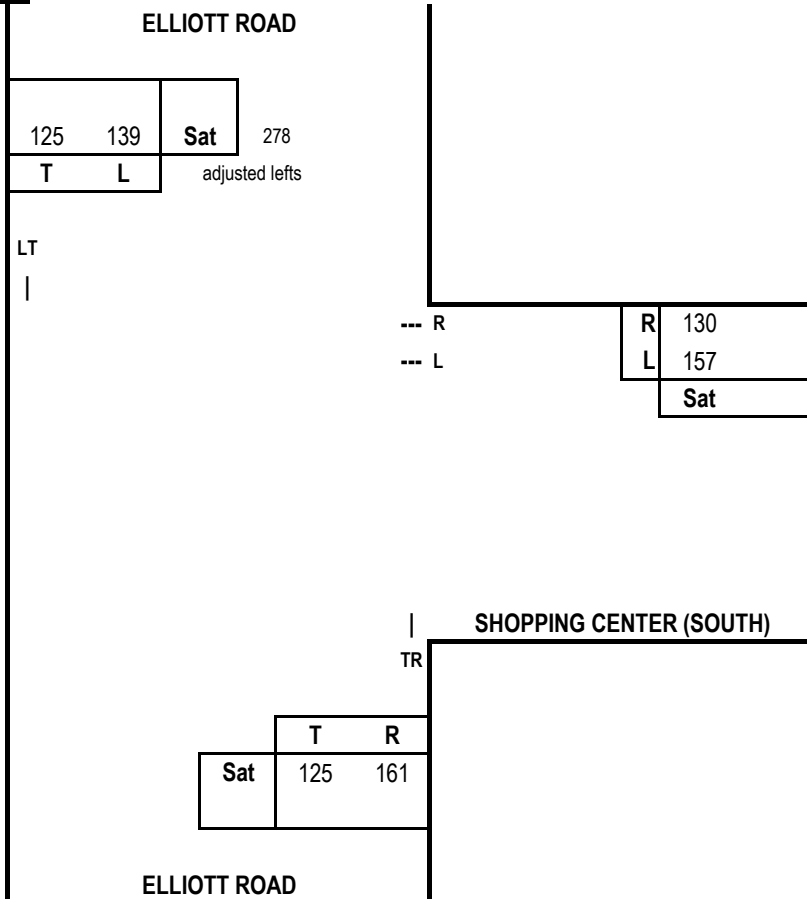
**Intersection
4**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (South)
Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



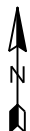
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	157	1.00	157			
NB	286	1.00	286	139	1.00	139
SB	403	1.00	403			
CLV TOTAL=						582
Level of Service (LOS)=						A

Critical Lane Volume Analysis



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Elliott Road &
Shopping Center (South)
(Existing Traffic)

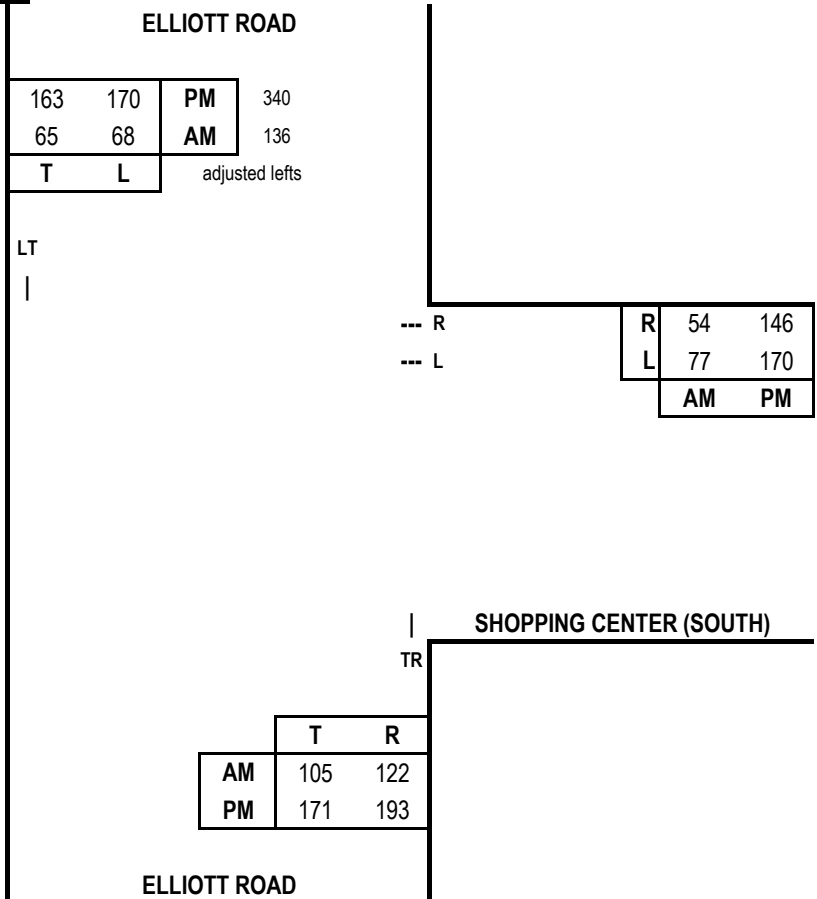
**Intersection
4**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (South)
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

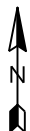
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	77	1.00	77			
NB	227	1.00	227	68	1.00	68
SB	201	1.00	201			
CLV TOTAL=						372
Level of Service (LOS)=						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	170	1.00	170			
NB	364	1.00	364	170	1.00	170
SB	503	1.00	503			
CLV TOTAL=						704
Level of Service (LOS)=						A

Critical Lane Volume Analysis



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**Elliott Road &
Shopping Center (South)**
(Background Traffic)

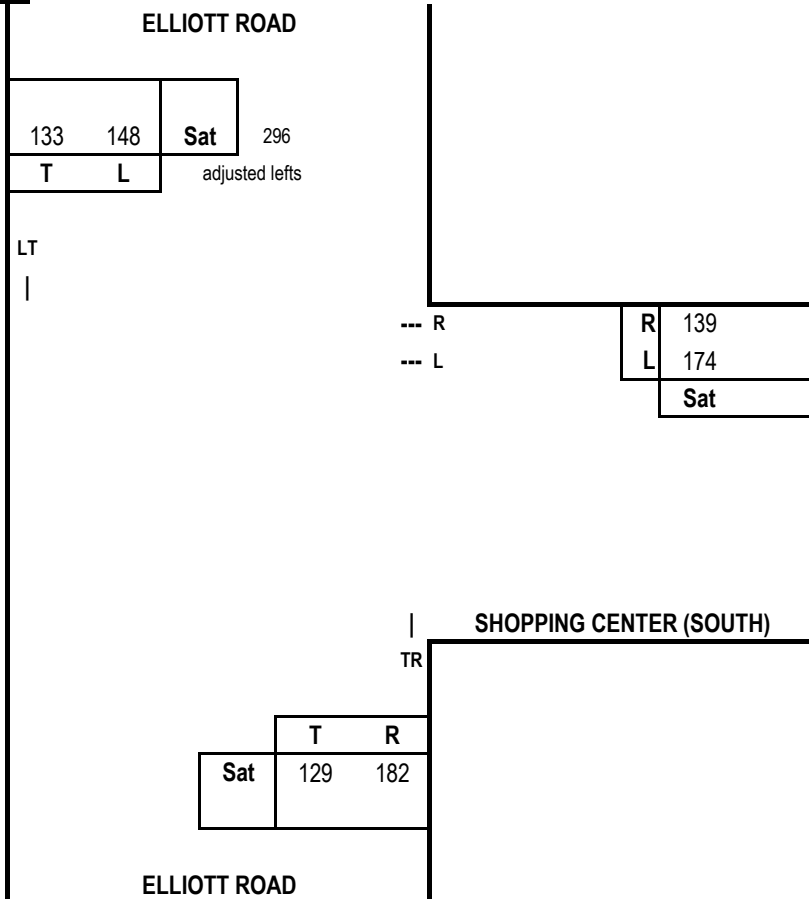
**Intersection
4**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (South)
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



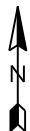
Capacity Analysis

Sat. Midday Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	174	1.00	174			
NB	311	1.00	311	148	1.00	148
SB	429	1.00	429			
CLV TOTAL=						633
Level of Service (LOS)=						A

Critical Lane Volume Analysis



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Elliott Road &
Shopping Center (South)
(Background Traffic)

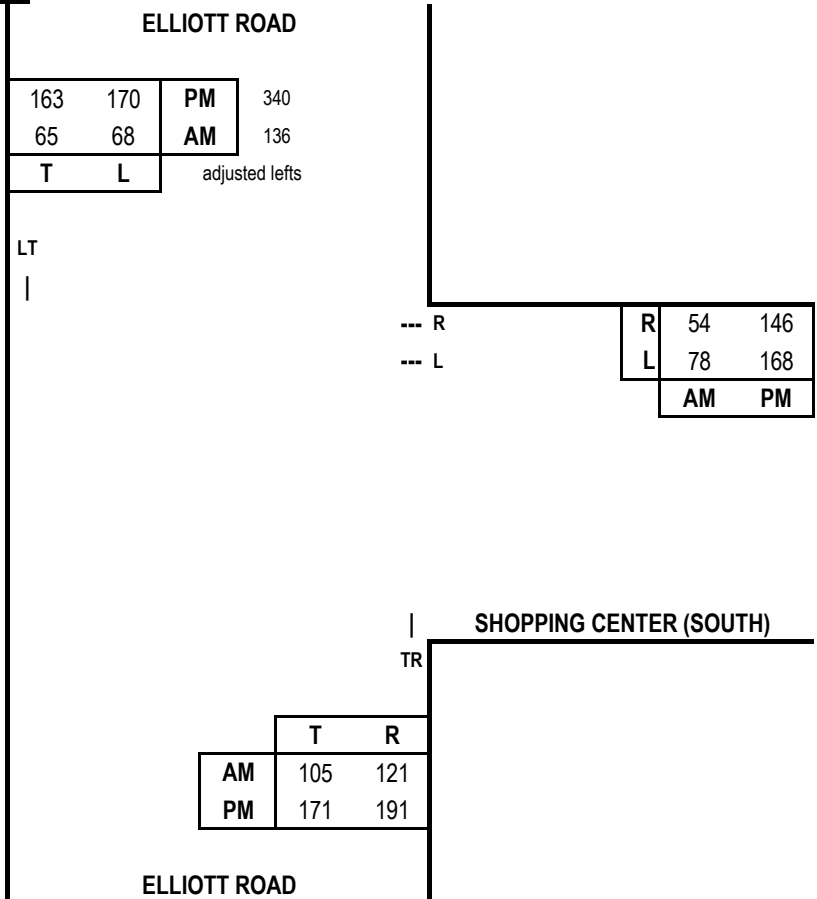
**Intersection
4**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (South)
Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



Capacity Analysis

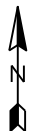
Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	78	1.00	78			
NB	226	1.00	226	68	1.00	68
SB	201	1.00	201			
CLV TOTAL=						372
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
WB	168	1.00	168			
NB	362	1.00	362	170	1.00	170
SB	503	1.00	503			
CLV TOTAL=						700
Level of Service (LOS) =						A

Critical Lane Volume Analysis



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**Elliott Road &
Shopping Center (South)
(Total Traffic)**

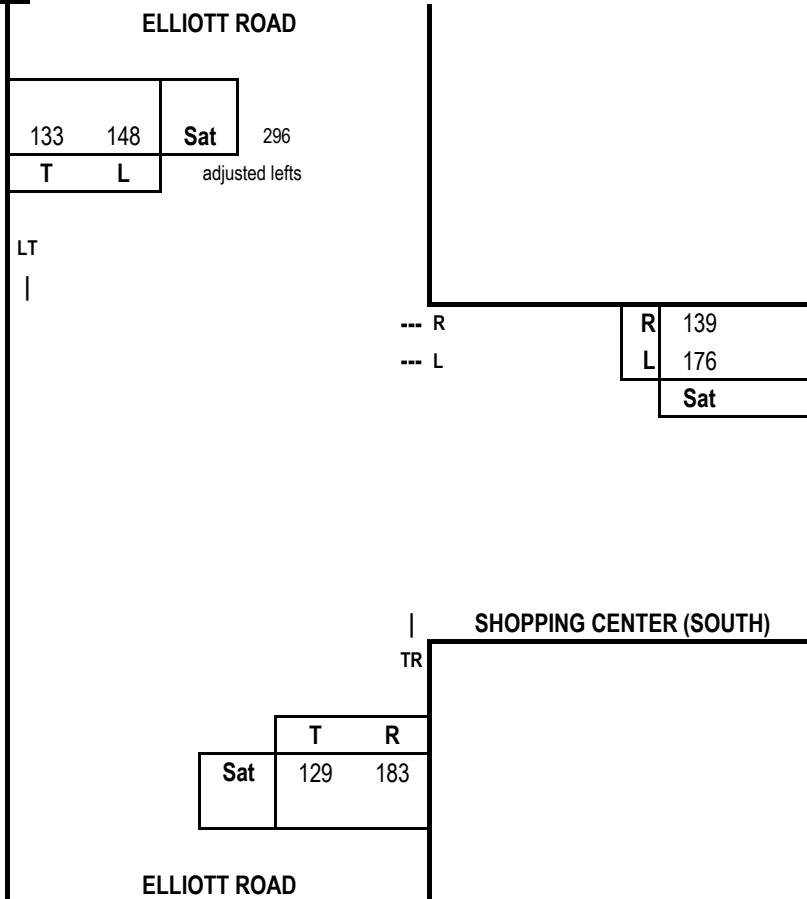
**Intersection
4**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

Intersection of: Elliott Road
and: Shopping Center (South)
Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting

Lane Use + Traffic Volumes



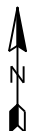
Capacity Analysis

Sat. Midday Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			Sat CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
WB	176	1.00	176				176
NB	312	1.00	312	148	1.00	148	460
SB	429	1.00	429				
CLV TOTAL=							636
Level of Service (LOS)=							A

Critical Lane Volume Analysis



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Elliott Road &
Shopping Center (South)
(Total Traffic)

**Intersection
4**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

Choose your methodologies

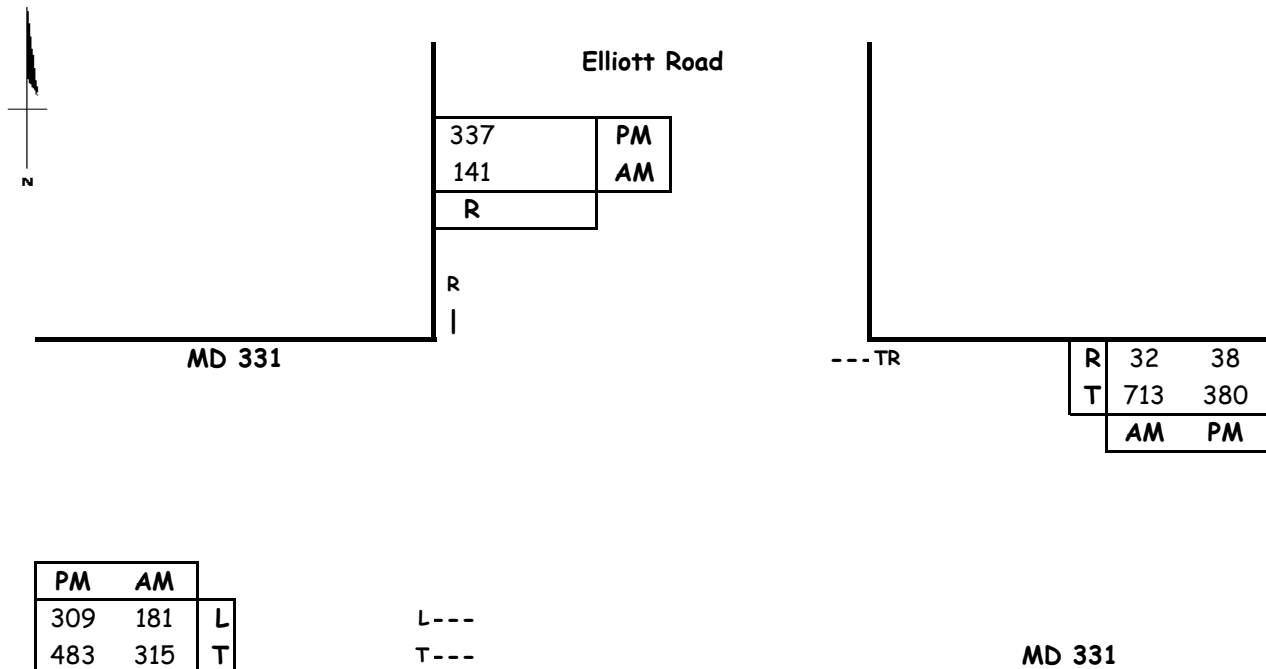
Intersection of: Elliott Road

Analyst: Lenhart Traffic Consulting

and: MD 331

Conditions: Existing Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	
	VOL	x LUF	= Total	VOL	x LUF = Total
SB	141	0.00	0		
EB	315	1.00	315		
WB	745	1.00	745	181	1.00 181
CLV TOTAL=					926
Level of Service (LOS) =					A

Evening Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	
	VOL	x LUF	= Total	VOL	x LUF = Total
SB	28	1.00	28		
EB	483	1.00	483		
WB	418	1.00	418	309	1.00 309
CLV TOTAL=					755
Level of Service (LOS) =					A

Critical Lane Volume Analysis

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Elliott Road &
MD 331
(Existing Traffic)

**Intersection
5**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

Choose your methodologies

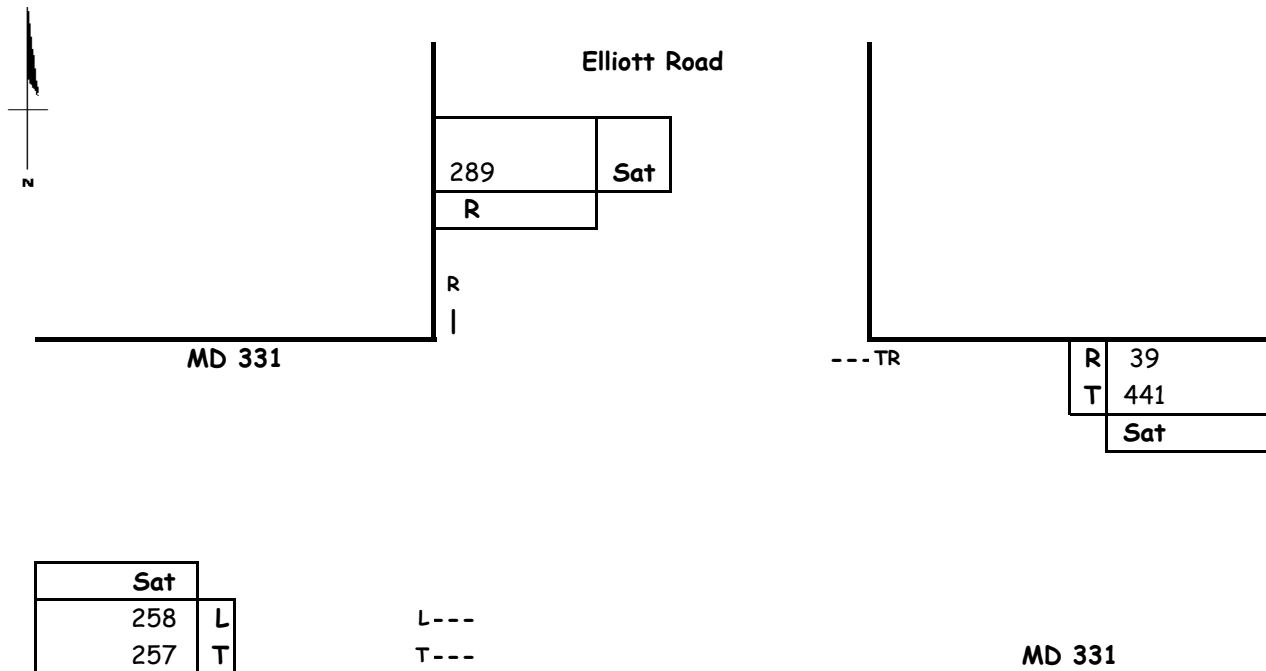
Intersection of: Elliott Road

Analyst: Lenhart Traffic Consulting

and: MD 331

Conditions: Existing Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Sat. Midday Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			Sat
	VOL	x LUF	= Total	VOL	x LUF	= Total	CLV
SB	31	1.00	31				31
EB	257	1.00	257				738
WB	480	1.00	480	258	1.00	258	
CLV TOTAL=							769
Level of Service (LOS)=							A

Critical Lane Volume Analysis



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Elliott Road &
MD 331
(Existing Traffic)

**Intersection
5**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

Choose your methodologies

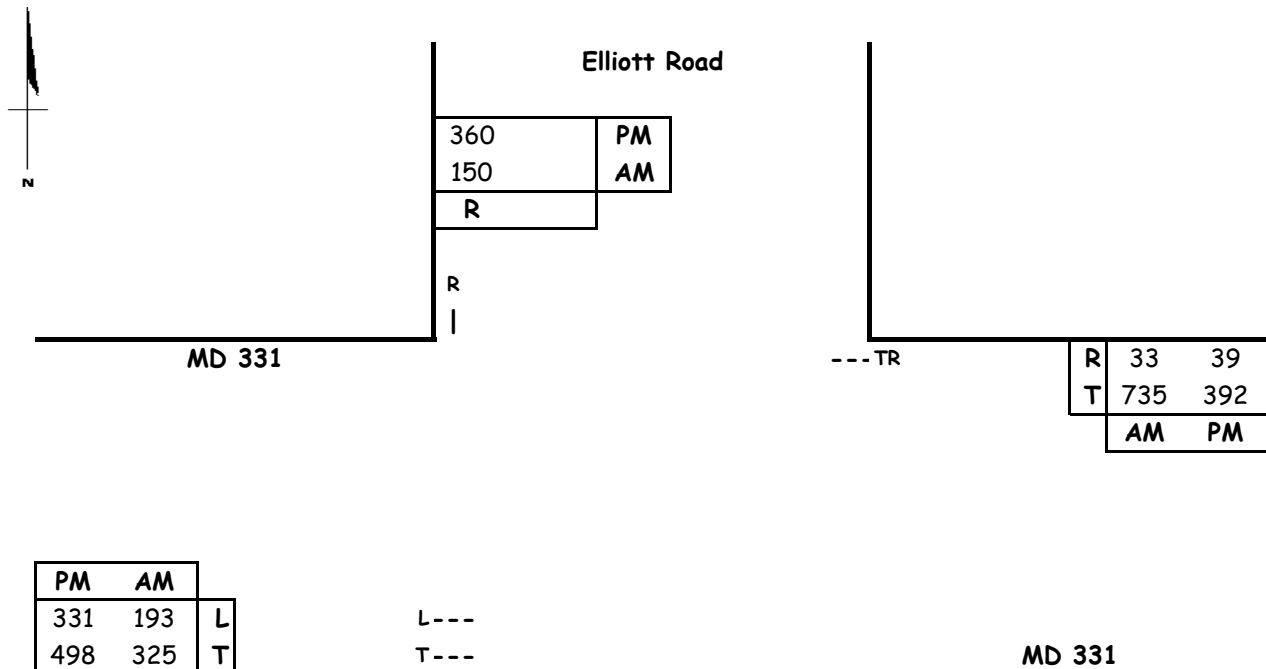
Intersection of: Elliott Road

Analyst: Lenhart Traffic Consulting

and: MD 331

Conditions: Background Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
SB	150	0.00	0			
EB	325	1.00	325			
WB	768	1.00	768	193	1.00	193
CLV TOTAL=						961
Level of Service (LOS) =						A

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		
	VOL	x LUF	= Total	VOL	x LUF	= Total
SB	29	1.00	29			
EB	498	1.00	498			
WB	431	1.00	431	331	1.00	331
CLV TOTAL=						791
Level of Service (LOS) =						A

Critical Lane Volume Analysis

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Elliott Road &
MD 331
(Background Traffic)

**Intersection
5**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

Choose your methodologies

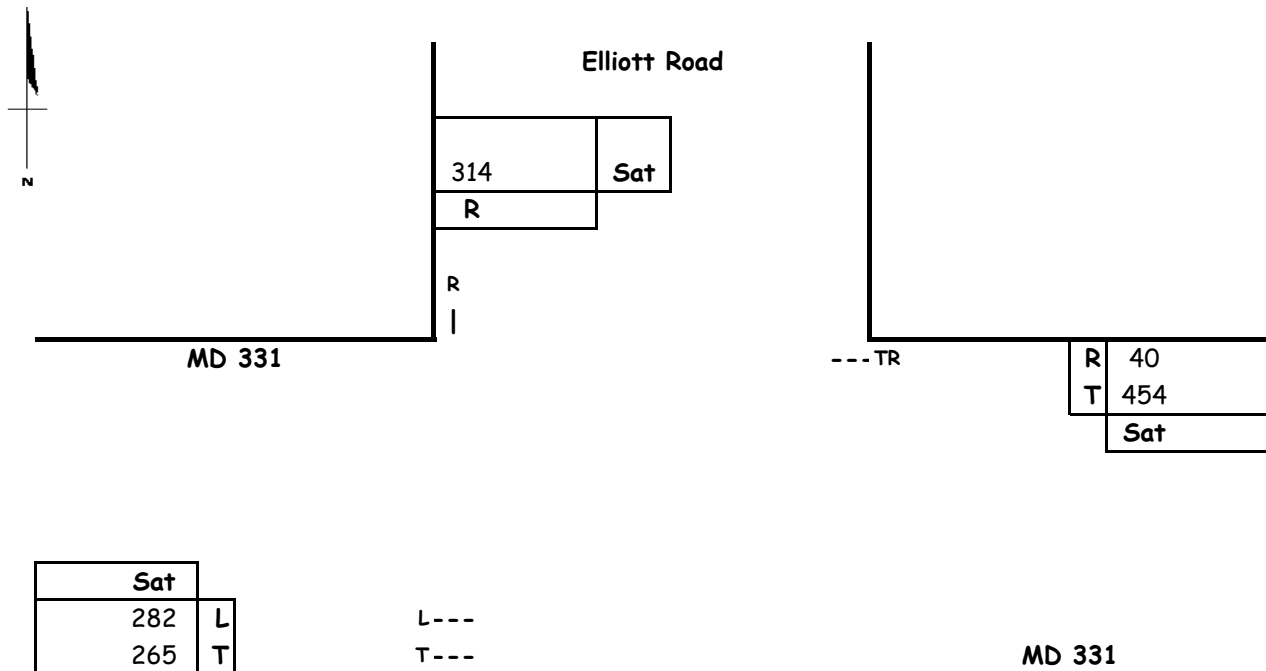
Intersection of: Elliott Road

Analyst: Lenhart Traffic Consulting

and: MD 331

Conditions: Background Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Sat. Midday Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			Sat
	VOL	x LUF	= Total	VOL	x LUF	= Total	CLV
SB	32	1.00	32				32
EB	265	1.00	265				776
WB	494	1.00	494	282	1.00	282	
CLV TOTAL=							808
Level of Service (LOS)=							A

Critical Lane Volume Analysis

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Elliott Road &
MD 331
(Background Traffic)

**Intersection
5**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

Choose your methodologies

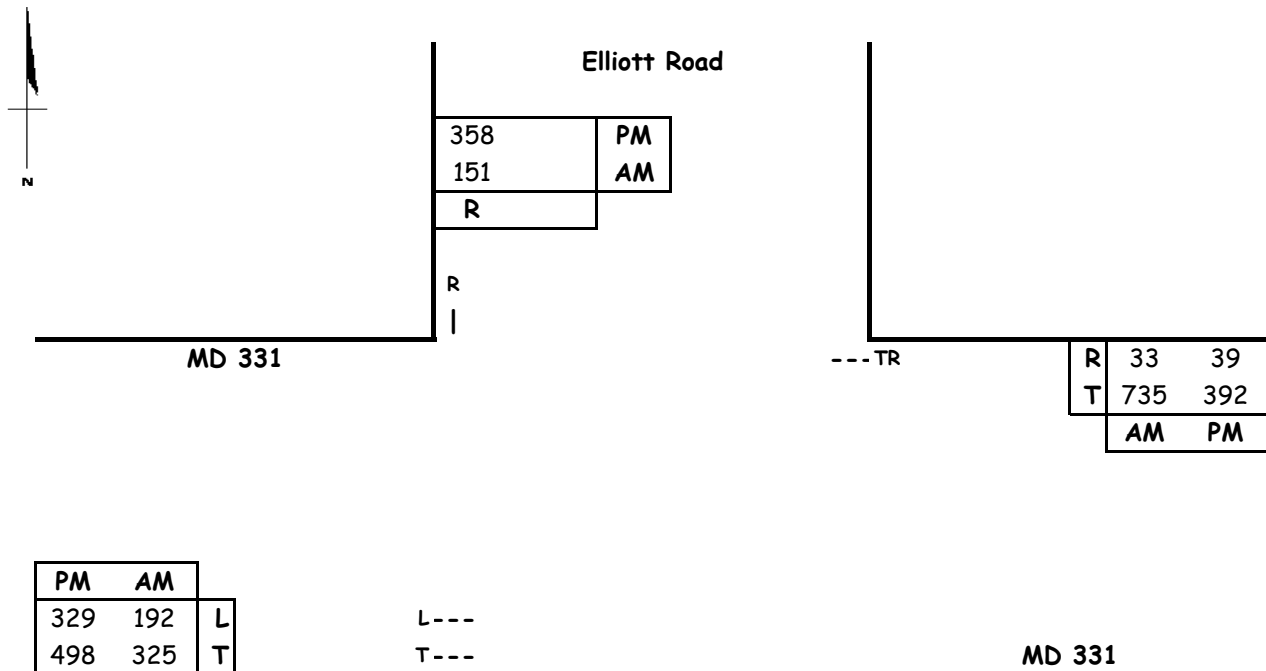
Intersection of: Elliott Road

Analyst: Lenhart Traffic Consulting

and: MD 331

Conditions: Total Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	AM
	VOL	x LUF	= Total	VOL x LUF = Total	CLV
SB	151	0.00	0		0
EB	325	1.00	325		960
WB	768	1.00	768	192 1.00 192	
CLV TOTAL=					960
Level of Service (LOS)=					A

Evening Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	PM
	VOL	x LUF	= Total	VOL x LUF = Total	CLV
SB	29	1.00	29		29
EB	498	1.00	498		760
WB	431	1.00	431	329 1.00 329	
CLV TOTAL=					789
Level of Service (LOS)=					A

Critical Lane Volume Analysis

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Elliott Road &
MD 331
(Total Traffic)

**Intersection
5**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

Choose your methodologies

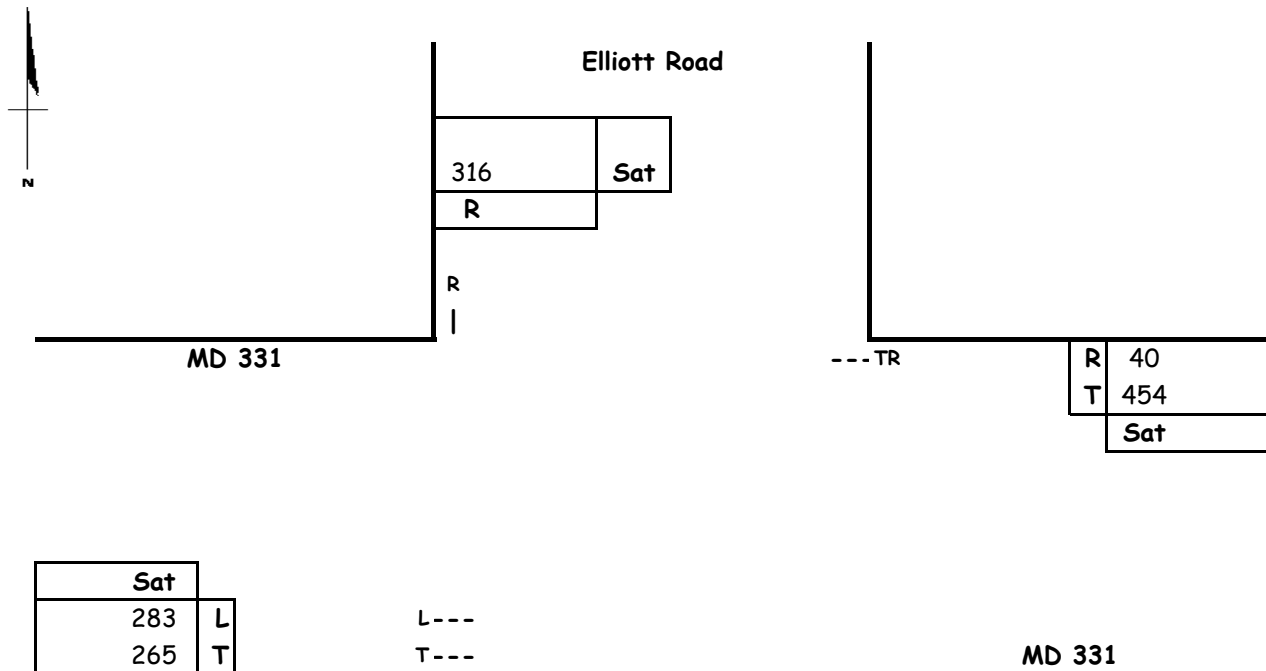
Intersection of: Elliott Road

Analyst: Lenhart Traffic Consulting

and: MD 331

Conditions: Total Traffic

Lane Use + Traffic Volumes



Capacity Analysis

Sat. Midday Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			Sat
	VOL	x LUF	= Total	VOL	x LUF	= Total	CLV
SB	33	1.00	33				33
EB	265	1.00	265				777
WB	494	1.00	494	283	1.00	283	
CLV TOTAL=							810
Level of Service (LOS)=							A

Critical Lane Volume Analysis

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645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
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Elliott Road &
MD 331
(Total Traffic)

**Intersection
5**

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
AM Existing

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	192	189	123	491	142	51
Future Volume (vph)	192	189	123	491	142	51
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.41	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	768	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	209	205	134	534	154	55
RTOR Reduction (vph)	0	70	0	0	0	31
Lane Group Flow (vph)	209	135	134	534	154	24
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	13.2	39.0	24.5	24.5	25.8	25.8
Effective Green, g (s)	13.2	39.0	24.5	24.5	25.8	25.8
Actuated g/C Ratio	0.22	0.66	0.41	0.41	0.44	0.44
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	414	1161	432	769	770	688
v/s Ratio Prot	0.11	0.05	0.04	c0.29	c0.09	
v/s Ratio Perm		0.03	0.09			0.02
v/c Ratio	0.50	0.12	0.31	0.69	0.20	0.03
Uniform Delay, d1	20.2	3.8	11.4	14.3	10.4	9.6
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	1.0	0.0	0.4	2.7	0.6	0.1
Delay (s)	21.2	3.8	11.8	17.1	10.9	9.7
Level of Service	C	A	B	B	B	A
Approach Delay (s)	12.6			16.0	10.6	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			14.0		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.48			
Actuated Cycle Length (s)			59.3		Sum of lost time (s)	13.5
Intersection Capacity Utilization			41.2%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
AM Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	7	75	136	27	130	156
Future Volume (Veh/h)	7	75	136	27	130	156
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	82	148	29	141	170
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	614	162			177	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	614	162			177	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	91			90	
cM capacity (veh/h)	409	882			1399	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	90	177	311			
Volume Left	8	0	141			
Volume Right	82	29	0			
cSH	800	1700	1399			
Volume to Capacity	0.11	0.10	0.10			
Queue Length 95th (ft)	9	0	8			
Control Delay (s)	10.1	0.0	4.0			
Lane LOS	B		A			
Approach Delay (s)	10.1	0.0	4.0			
Approach LOS	B					
Intersection Summary						
Average Delay			3.7			
Intersection Capacity Utilization			39.2%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
AM Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	6	28	135	14	34	124
Future Volume (Veh/h)	6	28	135	14	34	124
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	7	30	147	15	37	135
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	364	154			162	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	364	154			162	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	97			97	
cM capacity (veh/h)	619	891			1417	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	7	30	162	172		
Volume Left	7	0	0	37		
Volume Right	0	30	15	0		
cSH	619	891	1700	1417		
Volume to Capacity	0.01	0.03	0.10	0.03		
Queue Length 95th (ft)	1	3	0	2		
Control Delay (s)	10.9	9.2	0.0	1.8		
Lane LOS	B	A		A		
Approach Delay (s)	9.5		0.0	1.8		
Approach LOS	A					
Intersection Summary						
Average Delay			1.8			
Intersection Capacity Utilization			29.7%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

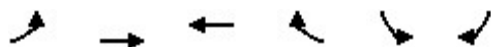
Easton Dispensary
AM Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	71	51	102	112	64	62
Future Volume (Veh/h)	71	51	102	112	64	62
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	77	55	111	122	70	67
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	379	172			233	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	379	172			233	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	87	94			95	
cM capacity (veh/h)	590	872			1335	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	77	55	233	137		
Volume Left	77	0	0	70		
Volume Right	0	55	122	0		
cSH	590	872	1700	1335		
Volume to Capacity	0.13	0.06	0.14	0.05		
Queue Length 95th (ft)	11	5	0	4		
Control Delay (s)	12.0	9.4	0.0	4.2		
Lane LOS	B	A		A		
Approach Delay (s)	10.9		0.0	4.2		
Approach LOS	B					
Intersection Summary						
Average Delay			4.0			
Intersection Capacity Utilization			33.0%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
AM Existing



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	181	315	713	32	0	141
Future Volume (Veh/h)	181	315	713	32	0	141
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	197	342	775	35	0	153
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	810				1528	792
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	810				1528	792
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	76				100	61
cM capacity (veh/h)	816				98	389
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	197	342	810	153		
Volume Left	197	0	0	0		
Volume Right	0	0	35	153		
cSH	816	1700	1700	389		
Volume to Capacity	0.24	0.20	0.48	0.39		
Queue Length 95th (ft)	24	0	0	46		
Control Delay (s)	10.8	0.0	0.0	20.1		
Lane LOS	B			C		
Approach Delay (s)	4.0		0.0	20.1		
Approach LOS				C		
Intersection Summary						
Average Delay			3.5			
Intersection Capacity Utilization			56.2%		ICU Level of Service	B
Analysis Period (min)			15			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
AM Background

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	198	202	129	506	151	54
Future Volume (vph)	198	202	129	506	151	54
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.41	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	758	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	215	220	140	550	164	59
RTOR Reduction (vph)	0	75	0	0	0	33
Lane Group Flow (vph)	215	145	140	550	164	26
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	13.5	39.3	24.8	24.8	25.8	25.8
Effective Green, g (s)	13.5	39.3	24.8	24.8	25.8	25.8
Actuated g/C Ratio	0.23	0.66	0.42	0.42	0.43	0.43
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	421	1163	430	775	766	685
v/s Ratio Prot	0.12	0.05	0.04	c0.30	c0.09	
v/s Ratio Perm		0.04	0.10			0.02
v/c Ratio	0.51	0.12	0.33	0.71	0.21	0.04
Uniform Delay, d1	20.2	3.8	11.4	14.4	10.6	9.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	1.0	0.0	0.4	3.0	0.6	0.1
Delay (s)	21.2	3.8	11.8	17.4	11.2	9.8
Level of Service	C	A	B	B	B	A
Approach Delay (s)	12.4			16.3	10.8	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			14.1		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.50			
Actuated Cycle Length (s)			59.6		Sum of lost time (s)	13.5
Intersection Capacity Utilization			42.5%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
AM Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	7	77	146	28	134	170
Future Volume (Veh/h)	7	77	146	28	134	170
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	84	159	30	146	185
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	651	174			189	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	651	174			189	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	90			89	
cM capacity (veh/h)	388	869			1385	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	92	189	331			
Volume Left	8	0	146			
Volume Right	84	30	0			
cSH	785	1700	1385			
Volume to Capacity	0.12	0.11	0.11			
Queue Length 95th (ft)	10	0	9			
Control Delay (s)	10.2	0.0	4.0			
Lane LOS	B		A			
Approach Delay (s)	10.2	0.0	4.0			
Approach LOS	B					
Intersection Summary						
Average Delay			3.7			
Intersection Capacity Utilization			40.9%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
AM Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	7	34	140	14	42	130
Future Volume (Veh/h)	7	34	140	14	42	130
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	37	152	15	46	141
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	392	160			167	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	392	160			167	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	96			97	
cM capacity (veh/h)	592	886			1411	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	8	37	167	187		
Volume Left	8	0	0	46		
Volume Right	0	37	15	0		
cSH	592	886	1700	1411		
Volume to Capacity	0.01	0.04	0.10	0.03		
Queue Length 95th (ft)	1	3	0	3		
Control Delay (s)	11.2	9.2	0.0	2.1		
Lane LOS	B	A		A		
Approach Delay (s)	9.6		0.0	2.1		
Approach LOS	A					
Intersection Summary						
Average Delay			2.1			
Intersection Capacity Utilization			30.7%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

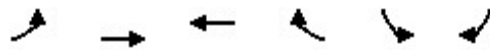
Easton Dispensary
AM Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	77	54	105	122	68	65
Future Volume (Veh/h)	77	54	105	122	68	65
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	84	59	114	133	74	71
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	400	180			247	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	400	180			247	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	85	93			94	
cM capacity (veh/h)	572	862			1319	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	84	59	247	145		
Volume Left	84	0	0	74		
Volume Right	0	59	133	0		
cSH	572	862	1700	1319		
Volume to Capacity	0.15	0.07	0.15	0.06		
Queue Length 95th (ft)	13	5	0	4		
Control Delay (s)	12.4	9.5	0.0	4.3		
Lane LOS	B	A		A		
Approach Delay (s)	11.2		0.0	4.3		
Approach LOS	B					
Intersection Summary						
Average Delay			4.1			
Intersection Capacity Utilization			34.4%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
AM Background



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	193	325	735	33	0	150
Future Volume (Veh/h)	193	325	735	33	0	150
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	210	353	799	36	0	163
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	835				1590	817
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	835				1590	817
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	74				100	57
cM capacity (veh/h)	798				87	376
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	210	353	835	163		
Volume Left	210	0	0	0		
Volume Right	0	0	36	163		
cSH	798	1700	1700	376		
Volume to Capacity	0.26	0.21	0.49	0.43		
Queue Length 95th (ft)	26	0	0	53		
Control Delay (s)	11.1	0.0	0.0	21.7		
Lane LOS	B			C		
Approach Delay (s)	4.1		0.0	21.7		
Approach LOS				C		
Intersection Summary						
Average Delay			3.8			
Intersection Capacity Utilization			58.0%		ICU Level of Service	B
Analysis Period (min)			15			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
AM Total

	→	↘	↙	←	↖	↗
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Volume (vph)	198	202	129	506	152	54
Future Volume (vph)	198	202	129	506	152	54
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.41	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	758	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	215	220	140	550	165	59
RTOR Reduction (vph)	0	75	0	0	0	33
Lane Group Flow (vph)	215	145	140	550	165	26
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	13.5	39.3	24.8	24.8	25.8	25.8
Effective Green, g (s)	13.5	39.3	24.8	24.8	25.8	25.8
Actuated g/C Ratio	0.23	0.66	0.42	0.42	0.43	0.43
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	421	1163	430	775	766	685
v/s Ratio Prot	0.12	0.05	0.04	c0.30	c0.09	
v/s Ratio Perm		0.04	0.10			0.02
v/c Ratio	0.51	0.12	0.33	0.71	0.22	0.04
Uniform Delay, d1	20.2	3.8	11.4	14.4	10.6	9.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	1.0	0.0	0.4	3.0	0.6	0.1
Delay (s)	21.2	3.8	11.8	17.4	11.2	9.8
Level of Service	C	A	B	B	B	A
Approach Delay (s)	12.4			16.3	10.9	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			14.1		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.50			
Actuated Cycle Length (s)			59.6		Sum of lost time (s)	13.5
Intersection Capacity Utilization			42.6%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
AM Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	7	77	147	28	134	170
Future Volume (Veh/h)	7	77	147	28	134	170
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	84	160	30	146	185
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	652	175			190	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	652	175			190	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	90			89	
cM capacity (veh/h)	387	868			1384	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	92	190	331			
Volume Left	8	0	146			
Volume Right	84	30	0			
cSH	784	1700	1384			
Volume to Capacity	0.12	0.11	0.11			
Queue Length 95th (ft)	10	0	9			
Control Delay (s)	10.2	0.0	4.0			
Lane LOS	B		A			
Approach Delay (s)	10.2	0.0	4.0			
Approach LOS	B					
Intersection Summary						
Average Delay			3.7			
Intersection Capacity Utilization			40.9%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
AM Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	7	35	140	14	42	130
Future Volume (Veh/h)	7	35	140	14	42	130
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	38	152	15	46	141
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	392	160			167	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	392	160			167	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	96			97	
cM capacity (veh/h)	592	886			1411	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	8	38	167	187		
Volume Left	8	0	0	46		
Volume Right	0	38	15	0		
cSH	592	886	1700	1411		
Volume to Capacity	0.01	0.04	0.10	0.03		
Queue Length 95th (ft)	1	3	0	3		
Control Delay (s)	11.2	9.2	0.0	2.1		
Lane LOS	B	A		A		
Approach Delay (s)	9.6		0.0	2.1		
Approach LOS	A					
Intersection Summary						
Average Delay			2.1			
Intersection Capacity Utilization			30.7%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

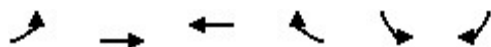
Easton Dispensary
AM Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	78	54	105	121	68	65
Future Volume (Veh/h)	78	54	105	121	68	65
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	85	59	114	132	74	71
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	399	180			246	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	399	180			246	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	85	93			94	
cM capacity (veh/h)	573	863			1320	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	85	59	246	145		
Volume Left	85	0	0	74		
Volume Right	0	59	132	0		
cSH	573	863	1700	1320		
Volume to Capacity	0.15	0.07	0.14	0.06		
Queue Length 95th (ft)	13	5	0	4		
Control Delay (s)	12.4	9.5	0.0	4.3		
Lane LOS	B	A		A		
Approach Delay (s)	11.2		0.0	4.3		
Approach LOS	B					
Intersection Summary						
Average Delay			4.2			
Intersection Capacity Utilization			34.4%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
AM Total



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	192	325	735	33	0	151
Future Volume (Veh/h)	192	325	735	33	0	151
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	209	353	799	36	0	164
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	835				1588	817
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	835				1588	817
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	74				100	56
cM capacity (veh/h)	798				88	376
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	209	353	835	164		
Volume Left	209	0	0	0		
Volume Right	0	0	36	164		
cSH	798	1700	1700	376		
Volume to Capacity	0.26	0.21	0.49	0.44		
Queue Length 95th (ft)	26	0	0	54		
Control Delay (s)	11.1	0.0	0.0	21.7		
Lane LOS	B			C		
Approach Delay (s)	4.1		0.0	21.7		
Approach LOS				C		
Intersection Summary						
Average Delay			3.8			
Intersection Capacity Utilization			58.0%		ICU Level of Service	B
Analysis Period (min)			15			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
PM Existing

	→	↘	↙	←	↖	↗
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Volume (vph)	367	399	156	295	247	201
Future Volume (vph)	367	399	156	295	247	201
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.21	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	400	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	399	434	170	321	268	218
RTOR Reduction (vph)	0	129	0	0	0	129
Lane Group Flow (vph)	399	305	170	321	268	89
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	20.8	50.6	34.6	34.6	29.8	29.8
Effective Green, g (s)	20.8	50.6	34.6	34.6	29.8	29.8
Actuated g/C Ratio	0.28	0.69	0.47	0.47	0.41	0.41
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	527	1188	362	878	718	642
v/s Ratio Prot	c0.21	0.10	c0.06	0.17	c0.15	
v/s Ratio Perm		0.09	0.16			0.06
v/c Ratio	0.76	0.26	0.47	0.37	0.37	0.14
Uniform Delay, d1	24.0	4.3	13.2	12.4	15.3	13.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	6.1	0.1	1.0	0.3	1.5	0.4
Delay (s)	30.1	4.4	14.2	12.7	16.7	14.2
Level of Service	C	A	B	B	B	B
Approach Delay (s)	16.7			13.2	15.6	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			15.5		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.52			
Actuated Cycle Length (s)			73.4		Sum of lost time (s)	13.5
Intersection Capacity Utilization			52.9%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
PM Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	28	86	338	24	189	395
Future Volume (Veh/h)	28	86	338	24	189	395
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	30	93	367	26	205	429
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	1219	380			393	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1219	380			393	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	82	86			82	
cM capacity (veh/h)	164	667			1166	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	123	393	634			
Volume Left	30	0	205			
Volume Right	93	26	0			
cSH	382	1700	1166			
Volume to Capacity	0.32	0.23	0.18			
Queue Length 95th (ft)	34	0	16			
Control Delay (s)	18.9	0.0	4.2			
Lane LOS	C		A			
Approach Delay (s)	18.9	0.0	4.2			
Approach LOS	C					
Intersection Summary						
Average Delay		4.3				
Intersection Capacity Utilization		67.3%		ICU Level of Service		C
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
PM Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	31	91	272	33	129	293
Future Volume (Veh/h)	31	91	272	33	129	293
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	34	99	296	36	140	318
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	912	314			332	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	912	314			332	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	87	86			89	
cM capacity (veh/h)	269	726			1227	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	34	99	332	458		
Volume Left	34	0	0	140		
Volume Right	0	99	36	0		
cSH	269	726	1700	1227		
Volume to Capacity	0.13	0.14	0.20	0.11		
Queue Length 95th (ft)	11	12	0	10		
Control Delay (s)	20.3	10.7	0.0	3.3		
Lane LOS	C	B		A		
Approach Delay (s)	13.2		0.0	3.3		
Approach LOS	B					
Intersection Summary						
Average Delay			3.6			
Intersection Capacity Utilization			52.2%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

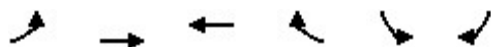
Easton Dispensary
PM Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	155	138	166	175	161	155
Future Volume (Veh/h)	155	138	166	175	161	155
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	168	150	180	190	175	168
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	793	275			370	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	793	275			370	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	45	80			85	
cM capacity (veh/h)	305	764			1189	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	168	150	370	343		
Volume Left	168	0	0	175		
Volume Right	0	150	190	0		
cSH	305	764	1700	1189		
Volume to Capacity	0.55	0.20	0.22	0.15		
Queue Length 95th (ft)	78	18	0	13		
Control Delay (s)	30.4	10.9	0.0	5.0		
Lane LOS	D	B		A		
Approach Delay (s)	21.2		0.0	5.0		
Approach LOS	C					
Intersection Summary						
Average Delay			8.2			
Intersection Capacity Utilization			55.1%		ICU Level of Service	B
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
PM Existing



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	309	483	380	38	0	337
Future Volume (Veh/h)	309	483	380	38	0	337
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	336	525	413	41	0	366
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	454				1630	434
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	454				1630	434
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	70				100	41
cM capacity (veh/h)	1107				78	622
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	336	525	454	366		
Volume Left	336	0	0	0		
Volume Right	0	0	41	366		
cSH	1107	1700	1700	622		
Volume to Capacity	0.30	0.31	0.27	0.59		
Queue Length 95th (ft)	32	0	0	96		
Control Delay (s)	9.7	0.0	0.0	18.7		
Lane LOS	A			C		
Approach Delay (s)	3.8		0.0	18.7		
Approach LOS				C		
Intersection Summary						
Average Delay			6.0			
Intersection Capacity Utilization			49.8%		ICU Level of Service	
Analysis Period (min)			15			
			A			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
PM Background

	→	↘	↙	←	↖	↗
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Volume (vph)	378	424	163	304	267	210
Future Volume (vph)	378	424	163	304	267	210
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.21	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	390	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	411	461	177	330	290	228
RTOR Reduction (vph)	0	122	0	0	0	137
Lane Group Flow (vph)	411	339	177	330	290	91
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	21.6	51.4	35.6	35.6	29.8	29.8
Effective Green, g (s)	21.6	51.4	35.6	35.6	29.8	29.8
Actuated g/C Ratio	0.29	0.69	0.48	0.48	0.40	0.40
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	540	1189	362	891	708	634
v/s Ratio Prot	c0.22	0.11	c0.06	0.18	c0.16	
v/s Ratio Perm		0.10	0.17			0.06
v/c Ratio	0.76	0.28	0.49	0.37	0.41	0.14
Uniform Delay, d1	24.0	4.4	13.2	12.3	16.0	14.2
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	6.3	0.1	1.0	0.3	1.8	0.5
Delay (s)	30.3	4.6	14.3	12.6	17.7	14.7
Level of Service	C	A	B	B	B	B
Approach Delay (s)	16.7			13.2	16.4	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			15.7		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.55			
Actuated Cycle Length (s)			74.4		Sum of lost time (s)	13.5
Intersection Capacity Utilization			55.0%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
PM Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	29	89	364	25	195	422
Future Volume (Veh/h)	29	89	364	25	195	422
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	32	97	396	27	212	459
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	1292	410			423	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1292	410			423	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	78	85			81	
cM capacity (veh/h)	146	642			1136	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	129	423	671			
Volume Left	32	0	212			
Volume Right	97	27	0			
cSH	349	1700	1136			
Volume to Capacity	0.37	0.25	0.19			
Queue Length 95th (ft)	42	0	17			
Control Delay (s)	21.3	0.0	4.4			
Lane LOS	C		A			
Approach Delay (s)	21.3	0.0	4.4			
Approach LOS	C					
Intersection Summary						
Average Delay		4.6				
Intersection Capacity Utilization		70.8%		ICU Level of Service		C
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
PM Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	35	106	284	34	144	306
Future Volume (Veh/h)	35	106	284	34	144	306
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	38	115	309	37	157	333
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	974	328			346	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	974	328			346	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	84	84			87	
cM capacity (veh/h)	243	714			1213	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	38	115	346	490		
Volume Left	38	0	0	157		
Volume Right	0	115	37	0		
cSH	243	714	1700	1213		
Volume to Capacity	0.16	0.16	0.20	0.13		
Queue Length 95th (ft)	14	14	0	11		
Control Delay (s)	22.5	11.0	0.0	3.6		
Lane LOS	C	B		A		
Approach Delay (s)	13.9		0.0	3.6		
Approach LOS	B					
Intersection Summary						
Average Delay			3.9			
Intersection Capacity Utilization			54.4%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

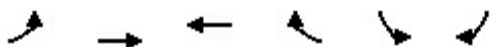
Easton Dispensary
PM Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	170	146	171	193	170	163
Future Volume (Veh/h)	170	146	171	193	170	163
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	185	159	186	210	185	177
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	838	291			396	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	838	291			396	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	35	79			84	
cM capacity (veh/h)	283	748			1163	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	185	159	396	362		
Volume Left	185	0	0	185		
Volume Right	0	159	210	0		
cSH	283	748	1700	1163		
Volume to Capacity	0.65	0.21	0.23	0.16		
Queue Length 95th (ft)	105	20	0	14		
Control Delay (s)	38.9	11.1	0.0	5.2		
Lane LOS	E	B		A		
Approach Delay (s)	26.1		0.0	5.2		
Approach LOS	D					
Intersection Summary						
Average Delay			9.8			
Intersection Capacity Utilization			58.2%		ICU Level of Service	B
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
PM Background



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	331	498	392	39	0	360
Future Volume (Veh/h)	331	498	392	39	0	360
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	360	541	426	42	0	391
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	468				1708	447
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	468				1708	447
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	67				100	36
cM capacity (veh/h)	1094				67	612
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	360	541	468	391		
Volume Left	360	0	0	0		
Volume Right	0	0	42	391		
cSH	1094	1700	1700	612		
Volume to Capacity	0.33	0.32	0.28	0.64		
Queue Length 95th (ft)	36	0	0	114		
Control Delay (s)	9.9	0.0	0.0	20.7		
Lane LOS	A			C		
Approach Delay (s)	4.0		0.0	20.7		
Approach LOS				C		
Intersection Summary						
Average Delay			6.6			
Intersection Capacity Utilization			52.0%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
PM Total

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	378	423	163	304	266	210
Future Volume (vph)	378	423	163	304	266	210
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.21	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	390	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	411	460	177	330	289	228
RTOR Reduction (vph)	0	122	0	0	0	137
Lane Group Flow (vph)	411	338	177	330	289	91
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	21.6	51.4	35.6	35.6	29.8	29.8
Effective Green, g (s)	21.6	51.4	35.6	35.6	29.8	29.8
Actuated g/C Ratio	0.29	0.69	0.48	0.48	0.40	0.40
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	540	1189	362	891	708	634
v/s Ratio Prot	c0.22	0.11	c0.06	0.18	c0.16	
v/s Ratio Perm		0.10	0.17			0.06
v/c Ratio	0.76	0.28	0.49	0.37	0.41	0.14
Uniform Delay, d1	24.0	4.4	13.2	12.3	16.0	14.2
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	6.3	0.1	1.0	0.3	1.7	0.5
Delay (s)	30.3	4.6	14.3	12.6	17.7	14.7
Level of Service	C	A	B	B	B	B
Approach Delay (s)	16.7			13.2	16.4	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			15.7		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.55			
Actuated Cycle Length (s)			74.4		Sum of lost time (s)	13.5
Intersection Capacity Utilization			54.9%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
PM Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	29	89	363	25	195	421
Future Volume (Veh/h)	29	89	363	25	195	421
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	32	97	395	27	212	458
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	1290	408			422	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	1290	408			422	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	78	85			81	
cM capacity (veh/h)	147	643			1137	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	129	422	670			
Volume Left	32	0	212			
Volume Right	97	27	0			
cSH	350	1700	1137			
Volume to Capacity	0.37	0.25	0.19			
Queue Length 95th (ft)	41	0	17			
Control Delay (s)	21.2	0.0	4.4			
Lane LOS	C		A			
Approach Delay (s)	21.2	0.0	4.4			
Approach LOS	C					
Intersection Summary						
Average Delay		4.6				
Intersection Capacity Utilization		70.7%		ICU Level of Service		C
Analysis Period (min)		15				

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
PM Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	35	105	284	34	143	306
Future Volume (Veh/h)	35	105	284	34	143	306
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	38	114	309	37	155	333
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	970	328			346	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	970	328			346	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	84	84			87	
cM capacity (veh/h)	245	714			1213	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	38	114	346	488		
Volume Left	38	0	0	155		
Volume Right	0	114	37	0		
cSH	245	714	1700	1213		
Volume to Capacity	0.16	0.16	0.20	0.13		
Queue Length 95th (ft)	14	14	0	11		
Control Delay (s)	22.4	11.0	0.0	3.6		
Lane LOS	C	B		A		
Approach Delay (s)	13.8		0.0	3.6		
Approach LOS	B					
Intersection Summary						
Average Delay			3.9			
Intersection Capacity Utilization			54.4%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

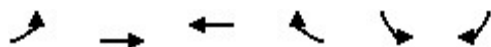
Easton Dispensary
PM Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	168	146	171	191	170	163
Future Volume (Veh/h)	168	146	171	191	170	163
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	183	159	186	208	185	177
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	837	290			394	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	837	290			394	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	35	79			84	
cM capacity (veh/h)	283	749			1165	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	183	159	394	362		
Volume Left	183	0	0	185		
Volume Right	0	159	208	0		
cSH	283	749	1700	1165		
Volume to Capacity	0.65	0.21	0.23	0.16		
Queue Length 95th (ft)	103	20	0	14		
Control Delay (s)	38.3	11.1	0.0	5.2		
Lane LOS	E	B		A		
Approach Delay (s)	25.6		0.0	5.2		
Approach LOS	D					
Intersection Summary						
Average Delay			9.7			
Intersection Capacity Utilization			58.0%		ICU Level of Service	B
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
PM Total



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	329	498	392	39	0	358
Future Volume (Veh/h)	329	498	392	39	0	358
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	358	541	426	42	0	389
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	468				1704	447
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	468				1704	447
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	67				100	36
cM capacity (veh/h)	1094				68	612
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	358	541	468	389		
Volume Left	358	0	0	0		
Volume Right	0	0	42	389		
cSH	1094	1700	1700	612		
Volume to Capacity	0.33	0.32	0.28	0.64		
Queue Length 95th (ft)	36	0	0	113		
Control Delay (s)	9.9	0.0	0.0	20.6		
Lane LOS	A			C		
Approach Delay (s)	3.9		0.0	20.6		
Approach LOS				C		
Intersection Summary						
Average Delay			6.6			
Intersection Capacity Utilization			51.8%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
Saturday Existing

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	197	294	146	346	223	104
Future Volume (vph)	197	294	146	346	223	104
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.36	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	662	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	214	320	159	376	242	113
RTOR Reduction (vph)	0	105	0	0	0	59
Lane Group Flow (vph)	214	215	159	376	242	54
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	13.3	47.0	27.4	27.4	33.7	33.7
Effective Green, g (s)	13.3	47.0	27.4	27.4	33.7	33.7
Actuated g/C Ratio	0.19	0.67	0.39	0.39	0.48	0.48
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	353	1162	410	728	850	761
v/s Ratio Prot	0.11	0.09	0.05	c0.20	c0.14	
v/s Ratio Perm		0.05	0.10			0.03
v/c Ratio	0.61	0.18	0.39	0.52	0.28	0.07
Uniform Delay, d1	26.0	4.3	14.8	16.3	10.9	9.8
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	2.9	0.1	0.6	0.6	0.8	0.2
Delay (s)	28.9	4.4	15.4	16.9	11.8	10.0
Level of Service	C	A	B	B	B	A
Approach Delay (s)	14.2			16.5	11.2	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			14.3		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.42			
Actuated Cycle Length (s)			70.1		Sum of lost time (s)	13.5
Intersection Capacity Utilization			42.1%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
Saturday Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	30	77	252	32	125	318
Future Volume (Veh/h)	30	77	252	32	125	318
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	33	84	274	35	136	346
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	910	292			309	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	910	292			309	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	88	89			89	
cM capacity (veh/h)	272	748			1252	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	117	309	482			
Volume Left	33	0	136			
Volume Right	84	35	0			
cSH	501	1700	1252			
Volume to Capacity	0.23	0.18	0.11			
Queue Length 95th (ft)	22	0	9			
Control Delay (s)	14.4	0.0	3.1			
Lane LOS	B		A			
Approach Delay (s)	14.4	0.0	3.1			
Approach LOS	B					
Intersection Summary						
Average Delay			3.5			
Intersection Capacity Utilization			55.3%	ICU Level of Service		B
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
Saturday Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	26	66	218	32	92	256
Future Volume (Veh/h)	26	66	218	32	92	256
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	28	72	237	35	100	278
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	732	254			272	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	732	254			272	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	92	91			92	
cM capacity (veh/h)	358	784			1291	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	28	72	272	378		
Volume Left	28	0	0	100		
Volume Right	0	72	35	0		
cSH	358	784	1700	1291		
Volume to Capacity	0.08	0.09	0.16	0.08		
Queue Length 95th (ft)	6	8	0	6		
Control Delay (s)	15.9	10.1	0.0	2.7		
Lane LOS	C	B		A		
Approach Delay (s)	11.7		0.0	2.7		
Approach LOS	B					
Intersection Summary						
Average Delay			2.9			
Intersection Capacity Utilization			45.3%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

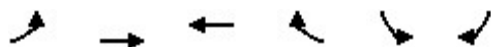
Easton Dispensary
Saturday Existing

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	157	130	125	161	139	125
Future Volume (Veh/h)	157	130	125	161	139	125
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	171	141	136	175	151	136
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	662	224			311	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	662	224			311	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	54	83			88	
cM capacity (veh/h)	375	816			1249	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	171	141	311	287		
Volume Left	171	0	0	151		
Volume Right	0	141	175	0		
cSH	375	816	1700	1249		
Volume to Capacity	0.46	0.17	0.18	0.12		
Queue Length 95th (ft)	58	16	0	10		
Control Delay (s)	22.4	10.3	0.0	4.9		
Lane LOS	C	B		A		
Approach Delay (s)	16.9		0.0	4.9		
Approach LOS	C					
Intersection Summary						
Average Delay			7.3			
Intersection Capacity Utilization			49.4%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
Saturday Existing



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	258	257	441	39	0	289
Future Volume (Veh/h)	258	257	441	39	0	289
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	280	279	479	42	0	314
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	521				1339	500
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	521				1339	500
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	73				100	45
cM capacity (veh/h)	1045				123	571
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	280	279	521	314		
Volume Left	280	0	0	0		
Volume Right	0	0	42	314		
cSH	1045	1700	1700	571		
Volume to Capacity	0.27	0.16	0.31	0.55		
Queue Length 95th (ft)	27	0	0	83		
Control Delay (s)	9.7	0.0	0.0	18.7		
Lane LOS	A			C		
Approach Delay (s)	4.9		0.0	18.7		
Approach LOS				C		
Intersection Summary						
Average Delay			6.2			
Intersection Capacity Utilization			50.1%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
Saturday Background

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	203	319	153	356	246	111
Future Volume (vph)	203	319	153	356	246	111
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.35	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	646	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	221	347	166	387	267	121
RTOR Reduction (vph)	0	115	0	0	0	63
Lane Group Flow (vph)	221	232	166	387	267	58
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	13.6	47.3	27.9	27.9	33.7	33.7
Effective Green, g (s)	13.6	47.3	27.9	27.9	33.7	33.7
Actuated g/C Ratio	0.19	0.67	0.40	0.40	0.48	0.48
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	358	1161	411	736	844	755
v/s Ratio Prot	0.12	0.10	0.06	c0.21	c0.15	
v/s Ratio Perm		0.05	0.10			0.04
v/c Ratio	0.62	0.20	0.40	0.53	0.32	0.08
Uniform Delay, d1	26.1	4.4	14.8	16.3	11.4	10.0
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	3.2	0.1	0.7	0.7	1.0	0.2
Delay (s)	29.3	4.5	15.4	17.0	12.3	10.2
Level of Service	C	A	B	B	B	B
Approach Delay (s)	14.2			16.5	11.7	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			14.4		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.44			
Actuated Cycle Length (s)			70.6		Sum of lost time (s)	13.5
Intersection Capacity Utilization			44.0%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
Saturday Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	31	79	280	33	129	347
Future Volume (Veh/h)	31	79	280	33	129	347
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	34	86	304	36	140	377
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	979	322			340	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	979	322			340	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	86	88			89	
cM capacity (veh/h)	246	719			1219	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	120	340	517			
Volume Left	34	0	140			
Volume Right	86	36	0			
cSH	465	1700	1219			
Volume to Capacity	0.26	0.20	0.11			
Queue Length 95th (ft)	25	0	10			
Control Delay (s)	15.4	0.0	3.2			
Lane LOS	C		A			
Approach Delay (s)	15.4	0.0	3.2			
Approach LOS	C					
Intersection Summary						
Average Delay			3.6			
Intersection Capacity Utilization			58.7%	ICU Level of Service		B
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
Saturday Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	31	83	230	33	109	269
Future Volume (Veh/h)	31	83	230	33	109	269
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	34	90	250	36	118	292
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	796	268			286	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	796	268			286	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	89	88			91	
cM capacity (veh/h)	323	771			1276	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	34	90	286	410		
Volume Left	34	0	0	118		
Volume Right	0	90	36	0		
cSH	323	771	1700	1276		
Volume to Capacity	0.11	0.12	0.17	0.09		
Queue Length 95th (ft)	9	10	0	8		
Control Delay (s)	17.4	10.3	0.0	3.0		
Lane LOS	C	B		A		
Approach Delay (s)	12.3		0.0	3.0		
Approach LOS	B					
Intersection Summary						
Average Delay			3.3			
Intersection Capacity Utilization			47.6%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

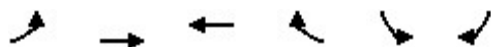
Easton Dispensary
Saturday Background

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	174	139	129	182	148	133
Future Volume (Veh/h)	174	139	129	182	148	133
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	189	151	140	198	161	145
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	706	239			338	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	706	239			338	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	46	81			87	
cM capacity (veh/h)	349	800			1221	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	189	151	338	306		
Volume Left	189	0	0	161		
Volume Right	0	151	198	0		
cSH	349	800	1700	1221		
Volume to Capacity	0.54	0.19	0.20	0.13		
Queue Length 95th (ft)	77	17	0	11		
Control Delay (s)	26.8	10.5	0.0	5.0		
Lane LOS	D	B		A		
Approach Delay (s)	19.6		0.0	5.0		
Approach LOS	C					
Intersection Summary						
Average Delay			8.3			
Intersection Capacity Utilization			52.8%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
Saturday Background



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	282	265	454	40	0	314
Future Volume (Veh/h)	282	265	454	40	0	314
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	307	288	493	43	0	341
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	536				1416	514
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	536				1416	514
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	70				100	39
cM capacity (veh/h)	1032				106	560
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	307	288	536	341		
Volume Left	307	0	0	0		
Volume Right	0	0	43	341		
cSH	1032	1700	1700	560		
Volume to Capacity	0.30	0.17	0.32	0.61		
Queue Length 95th (ft)	31	0	0	102		
Control Delay (s)	10.0	0.0	0.0	20.9		
Lane LOS	A			C		
Approach Delay (s)	5.1		0.0	20.9		
Approach LOS				C		
Intersection Summary						
Average Delay			6.9			
Intersection Capacity Utilization			52.4%		ICU Level of Service	
Analysis Period (min)			15			
			A			

HCM Signalized Intersection Capacity Analysis

1: Elliott Road & MD 328

Easton Dispensary
Saturday Total

	→	↘	↙	←	↖	↗
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Volume (vph)	203	320	154	356	248	111
Future Volume (vph)	203	320	154	356	248	111
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00
Frt	1.00	0.85	1.00	1.00	1.00	0.85
Flt Protected	1.00	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1863	1583	1770	1863	1770	1583
Flt Permitted	1.00	1.00	0.35	1.00	0.95	1.00
Satd. Flow (perm)	1863	1583	645	1863	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	221	348	167	387	270	121
RTOR Reduction (vph)	0	115	0	0	0	63
Lane Group Flow (vph)	221	233	167	387	270	58
Turn Type	NA	pm+ov	pm+pt	NA	Prot	Perm
Protected Phases	4	2	3	8	2	
Permitted Phases		4	8			2
Actuated Green, G (s)	13.6	47.3	28.0	28.0	33.7	33.7
Effective Green, g (s)	13.6	47.3	28.0	28.0	33.7	33.7
Actuated g/C Ratio	0.19	0.67	0.40	0.40	0.48	0.48
Clearance Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	358	1159	412	737	843	754
v/s Ratio Prot	0.12	0.10	0.06	c0.21	c0.15	
v/s Ratio Perm		0.05	0.10			0.04
v/c Ratio	0.62	0.20	0.41	0.53	0.32	0.08
Uniform Delay, d1	26.2	4.5	14.8	16.3	11.4	10.0
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	3.2	0.1	0.7	0.7	1.0	0.2
Delay (s)	29.3	4.6	15.4	17.0	12.4	10.2
Level of Service	C	A	B	B	B	B
Approach Delay (s)	14.2			16.5	11.8	
Approach LOS	B			B	B	
Intersection Summary						
HCM 2000 Control Delay			14.4		HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.45			
Actuated Cycle Length (s)			70.7		Sum of lost time (s)	13.5
Intersection Capacity Utilization			44.2%		ICU Level of Service	A
Analysis Period (min)			15			
c Critical Lane Group						

HCM Unsignalized Intersection Capacity Analysis

2: Elliott Road & Teal Drive

Easton Dispensary
Saturday Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	31	79	282	33	129	349
Future Volume (Veh/h)	31	79	282	33	129	349
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	34	86	307	36	140	379
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						1029
pX, platoon unblocked						
vC, conflicting volume	984	325			343	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	984	325			343	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	86	88			88	
cM capacity (veh/h)	244	716			1216	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	120	343	519			
Volume Left	34	0	140			
Volume Right	86	36	0			
cSH	462	1700	1216			
Volume to Capacity	0.26	0.20	0.12			
Queue Length 95th (ft)	26	0	10			
Control Delay (s)	15.5	0.0	3.2			
Lane LOS	C		A			
Approach Delay (s)	15.5	0.0	3.2			
Approach LOS	C					
Intersection Summary						
Average Delay			3.6			
Intersection Capacity Utilization			58.9%	ICU Level of Service		B
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: Elliott Road & Shopping Center North Driveway

Easton Dispensary
Saturday Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	31	85	230	33	111	269
Future Volume (Veh/h)	31	85	230	33	111	269
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	34	92	250	36	121	292
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	802	268			286	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	802	268			286	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	89	88			91	
cM capacity (veh/h)	320	771			1276	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	34	92	286	413		
Volume Left	34	0	0	121		
Volume Right	0	92	36	0		
cSH	320	771	1700	1276		
Volume to Capacity	0.11	0.12	0.17	0.09		
Queue Length 95th (ft)	9	10	0	8		
Control Delay (s)	17.6	10.3	0.0	3.0		
Lane LOS	C	B		A		
Approach Delay (s)	12.3		0.0	3.0		
Approach LOS	B					
Intersection Summary						
Average Delay			3.4			
Intersection Capacity Utilization			47.7%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Elliott Road & Shopping Center South Driveway

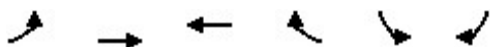
Easton Dispensary
Saturday Total

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	176	139	129	183	148	133
Future Volume (Veh/h)	176	139	129	183	148	133
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	191	151	140	199	161	145
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	706	240			339	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	706	240			339	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	45	81			87	
cM capacity (veh/h)	349	799			1220	
Direction, Lane #	WB 1	WB 2	NB 1	SB 1		
Volume Total	191	151	339	306		
Volume Left	191	0	0	161		
Volume Right	0	151	199	0		
cSH	349	799	1700	1220		
Volume to Capacity	0.55	0.19	0.20	0.13		
Queue Length 95th (ft)	78	17	0	11		
Control Delay (s)	27.1	10.5	0.0	5.0		
Lane LOS	D	B		A		
Approach Delay (s)	19.8		0.0	5.0		
Approach LOS	C					
Intersection Summary						
Average Delay			8.4			
Intersection Capacity Utilization			52.9%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

5: MD 331 & Elliott Road

Easton Dispensary
Saturday Total



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	283	265	454	40	0	316
Future Volume (Veh/h)	283	265	454	40	0	316
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	308	288	493	43	0	343
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	536				1418	514
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	536				1418	514
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	70				100	39
cM capacity (veh/h)	1032				106	560
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	308	288	536	343		
Volume Left	308	0	0	0		
Volume Right	0	0	43	343		
cSH	1032	1700	1700	560		
Volume to Capacity	0.30	0.17	0.32	0.61		
Queue Length 95th (ft)	31	0	0	103		
Control Delay (s)	10.0	0.0	0.0	21.1		
Lane LOS	A			C		
Approach Delay (s)	5.1		0.0	21.1		
Approach LOS				C		
Intersection Summary						
Average Delay			7.0			
Intersection Capacity Utilization			52.6%		ICU Level of Service	A
Analysis Period (min)			15			

Appendix C

Previous Use Reassignment

Trip Generation Rates

Drive-in Bank (ksf, ITE-912)

Morning Trips = 9.95 x ksf
 Evening Trips = 21.01 x ksf
 Midday Sat. Trips = 26.35 x ksf

Trip Distribution (In/Out)

58/42
 50/50
 51/49

Trip Generation Totals

			AM Peak			PM Peak			Sat Mid-Day Peak		
			In	Out	Total	In	Out	Total	In	Out	Total
Previous	Drive-in Bank (ksf, ITE-912)	2,700 sq.ft.	16	11	27	28	29	57	36	35	71

NOTE: Trip Generation Rates obtained from the ITE Trip Generation Manual, 11th Edition

Traffic Impact Analysis

Trip Generation for
Previous Bank Use

**Exhibit
C-1**

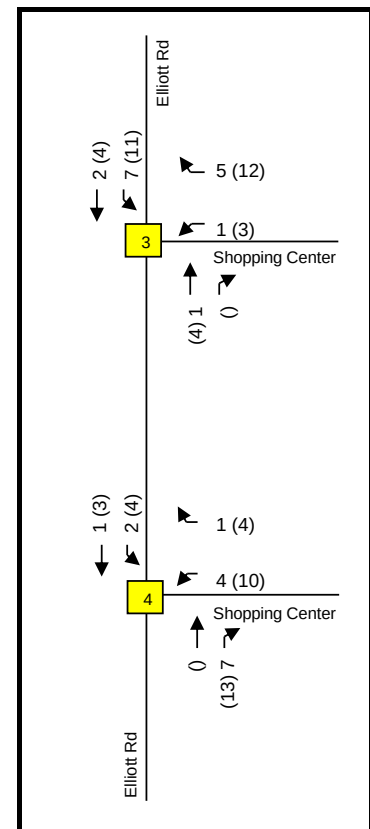
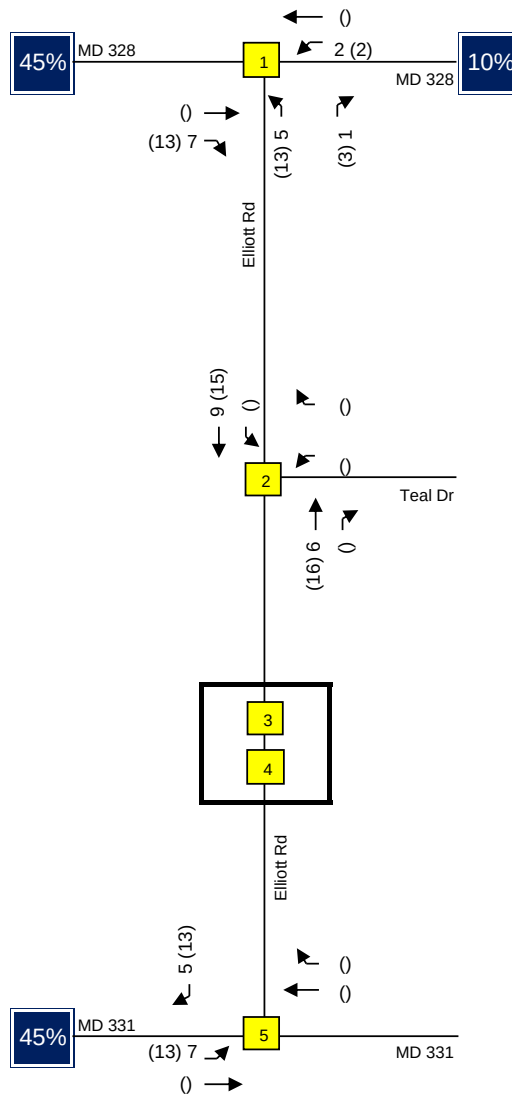


LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
 www.lenharttraffic.com

Notes:

1. It is assumed that 75% of the trips to/from the north along Elliott Road will use Intersection 3 to enter/exit the site and 25% will use Intersection 4.

2. It is assumed that 75% of outbound trips to the south along Elliott Road will use Intersection 4 and 25% will use Intersection 3. It is assumed that all inbound trips from the south will use Intersection 4.



Traffic Impact Analysis

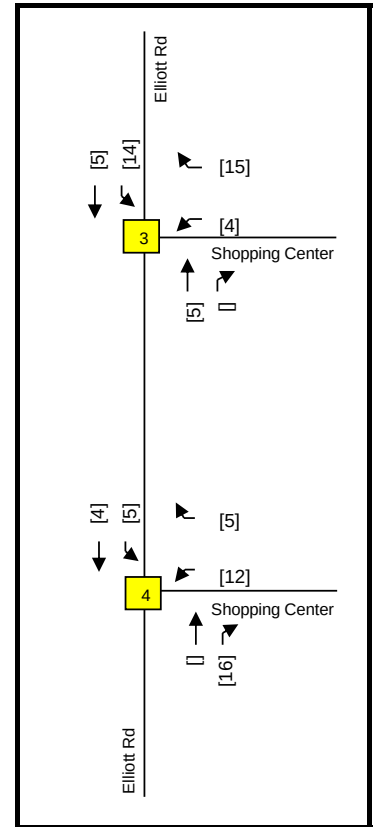
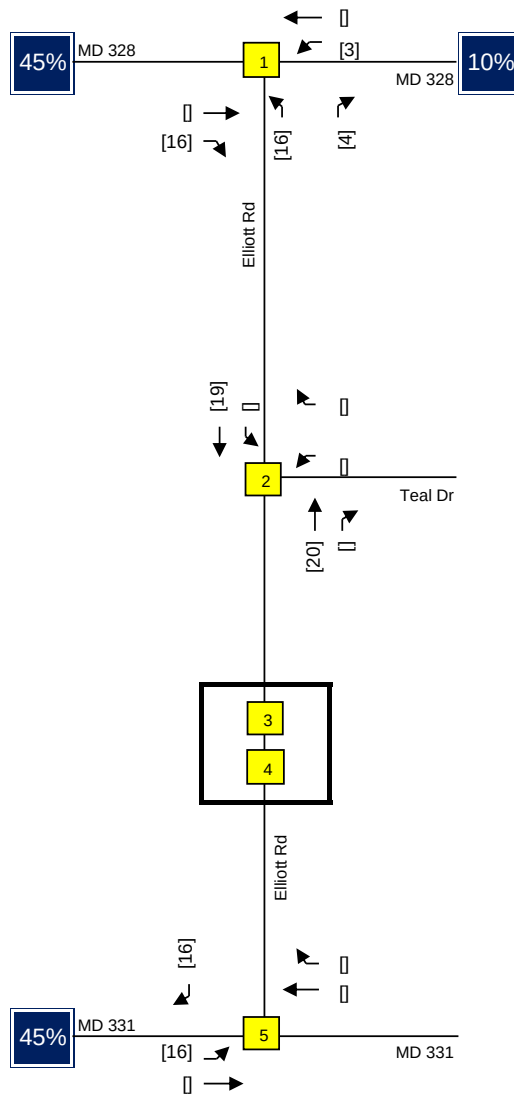
Lenhart Traffic Consulting, Inc.

Traffic Engineering & Transportation Planning

Weekday Trip Assignment for Previous Bank Use

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
C-2a**



Traffic Impact Analysis

Lenhart Traffic Consulting, Inc.

Traffic Engineering & Transportation Planning

Weekend Trip Assignment for Previous Bank Use

Key: [xx] = Midday Saturday Peak Vol's

**Exhibit
C-2b**



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

December 2, 2024

BGFY, LLC
% Zachary A. Smith, *Esq.*
114 Bay Street, Building C
Easton, Maryland 21601

Re: BOZA Application SE - 1346 / SE 24 - 09
8223 Elliott Road
Tax Map 0109, Parcel 4582, Lot 3
Easton, Maryland 21601

Mr. Smith,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, December 17, 2024 at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
2. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
3. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exception;
4. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
5. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
6. the proposed use will not adversely affect the established character of the area;
7. the proposed use shall be in conformity with the provisions of the Easton

Mr. Zachary A. Smith, Esq.
December 2, 2024
Page 2

Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary to uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

NOTE: In the event your application pending before the Easton Board of Zoning Appeals requires a recommendation to the Board from the Easton Planning and Zoning Commission, the Appeals Board will not hear your application until it is in receipt of the Planning and Zoning Commission's recommendation. It is your responsibility to see that the recommendation required is before the Board of Zoning Appeals before any evidence is heard.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

December 2, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, December 17, 2024 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application SE - 1346 / SE 24 - 09 has been filed by Zachary A. Smith, Esq. on behalf of BGFY, LLC, pursuant to Section 28-1303.5.B of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Special Exception for use (6) 603.1 in Table 2.1 of Section 28-201 to be utilized as a Cannabis Dispensary* in the CG - Commercial General Zoning District. The property is located at 8223 Elliott Road, Easton, Maryland, also known as Tax Map 0109, Grid 0000, Parcel 4582, Lot 3, and is situated in the CG - Commercial General District with a Planned Unit Development (PUD) Overlay. The property is owned by 8223 Elliott RD LLC.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov



Subject property posting pursuant to Section 28-901.2.H.2 of the Town of Easton Zoning Code - December 2, 2024.

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A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, December 17, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

TOWN OF EASTON BOARD OF ZONING APPEALS

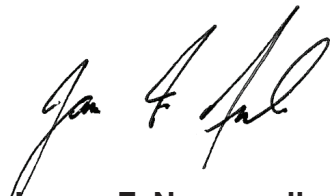
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application SE - 1346 / SE 24 - 09..." was published in the:

The Star Democrat 11/30/24



James F. Normandin
President & Publisher

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TOWN OF EASTON BOARD OF ZONING APPEALS

3068596 SD

11/30/2024

NOTICE

Notice is hereby given that Application SE - 0739 / SE 22 - 12 has been filed on behalf of Stanley Dean, pursuant to Section 28-1303.5.B of the Zoning Ordinance (Ordinance) of the Town of Easton, to obtain a Special Exception for the use “Short-Term Housing” in the MXW- Water View Subdistrict, in accordance with Table 312 A, and Section 28-312.2.1 of the Ordinance. The property is located at 46 Wayman Avenue, Easton, Maryland, also known as Tax Map 0034, Grid 0009, Parcel 0169, and is situated in the MXW – Mixed Use Waterfront District. This application was unanimously tabled by the Board at their June 18, 2024 meeting subject to the resolution of all outstanding issues associated with Critical Area requirements, and proof of residency.

A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, December 17, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

TOWN OF EASTON BOARD OF ZONING APPEALS

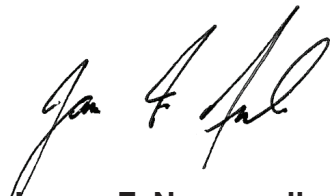
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COUNTY OF: Talbot County

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The Star Democrat 11/30/24



James F. Normandin
President & Publisher

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EASTON BOARD OF ZONING APPEALS

3068564 SD

11/30/2024



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

December 2, 2024

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