



Planning Commission MEETING AGENDA

Thursday, November 20, 2025 - 1:00 PM
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 October 16, 2025 meeting.

3. Old Business

4. New Business

- a. **Application Number:** 2025 - 1568
Applicant: Kopen & Collison, LLP
on behalf of Norris E. Taylor
Contractors Inc.
Location: East Kennedy Street, Nixon Drive, and
Reagan Drive
Tax Map 0025, Grid 0012, Parcels 0052
and 0145
Current County Zoning District: Limited Industrial (LI)
Requested Town Zoning District: Industrial (I)
Request: Petition for the Annexation of 34.167
acres of property located at East
Kennedy Street, Nixon Drive, and
Reagan Drive, Easton, Maryland, also
known as Tax Map 0025, Grid 0012,
Parcels 0052 and 0145 with a formal
recommendation to the Town Council
which will include findings as to the
request's consistency with the
Comprehensive Plan, as well as a
formal recommendation concerning the
Annexation and the appropriate zoning
classification.

5. Discussion Item

- a. Potential Revisions to the Zoning and Subdivision Text Amendments — Pre
Application Community Meetings.

6. Adjournment



**Town of Easton Planning Commission
Draft Decision Summary**

Thursday, October 16, 2025 at 1:00 p.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:

Commission Members:

- Philip Toussaint, Chairperson
- Michael Ports, Vice Chairperson
- Tom Klein
- Victoria McAndrews
- William Ryall
- Laurie Forster, Alternate

Staff:

- Miguel Salinas, Planning and Zoning Director
- Lynn B. Thomas AICP, Town Planner
- Joseph Mayer, Plan Reviewer
- Nicholas Johnson AICP, Planner
- Sharon Van Emburgh, Esq., Town Attorney
- Rick Van Emburgh P.E., Town Engineer

Absent:

Staff:

- Samantha Smith, Administrative Specialist

1. Call to Order — Chairperson Toussaint called the meeting to order at 1:00 pm.

2. Decision Summary Review —

a. September 18, 2025 - The Commission noted the following correction to the draft decision summary:

i. Line 142: Revision of the title for discussion item 4.b.

Chairperson Toussaint moved to approve the September 18, 2025 Decision Summary as amended. Vice Chairperson ~~Toussaint~~ Ports seconded the motion.

<u>Vote</u>	<u>5 - 0</u>
FOR:	5 - Toussaint, Ports, Klein, McAndrews, Ryall
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

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3. Old Business

- a. File No.:** 2025 - 1468
- Applicant:** Otis and Deborah Sampson
- Location:** 322 Hopkins Place, Easton, MD 21601
Tax Map 0104, Grid 0000, Parcel 1294, Lot 12
- Zoning:** R-7A
- Request:** The Applicant is seeking approval to allow the existing 8' x 20' portable on demand storage (POD) unit to remain on-site for a long term basis.

Background: On June 24, 2025 the Commission granted approval for this request for 90 days of use (extending until September 22, 2025) subject to the condition that the POD is relocated within the applicable building setbacks. The POD has since been relocated onto the driveway.

Staff Presentation:
Joseph Mayer, Plan Reviewer

Applicant Presentation:
Otis Sampson

Public Comment — None
Public Comment Written — None

Chairperson Toussaint moved to approve the request for one (1) year of use, extending until October 16, 2026. This approval is contingent upon maintaining an active building permit. Commissioner Klein seconded the motion.

<u>Vote</u>	<u>5 - 0</u>
FOR:	5 - Toussaint, Ports, Klein, McAndrews, Ryall
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. New Business

- a. File No.:** 2025 - 1573
- Applicant:** HFA-AE, LTD
on behalf of Walmart Real Estate Business Trust (#1715)
- Location:** 8115 Elliott Road, Easton, MD 21601
Tax Map 0109, Grid 0000, Parcel 4582, Lot 2
- Zoning:** CG

Request: The Applicant is requesting Concept, Use, and Design approval for exterior modifications to a major retail structure (Walmart Store # 1715). The pickup service sign on the front vestibule will be replaced in kind, and the current orange exterior paint behind it will be painted dark gray. The existing Walmart logo sign on the front facade is to be relocated to a new 53-foot accent area, painted in true blue. A new grocery & home sign will be installed in the Walmart logo's previous location, and will also be accented in true blue.

Background: Town records indicate that the approval of the original sketch site plan was contingent upon the building featuring muted, non-corporate colors. The original design remained in use until at least 2015, at which time the corporate color scheme was incorporated.

Staff Presentation:
Joseph Mayer, Plan Reviewer

Applicant Presentation:
Christine Brooks, HFA-AE, LTD
Krystal Patton, HFA-AE, LTD
Brittany Fernandez, HFA-AE, LTD

Public Comment — None
Public Comment Written — None

Commissioner Toussaint moved to approve the application subject to the following condition:

- 1. The Applicant shall obtain a building permit for the installation of the signs.**

Vice Chairperson Ports seconded the motion.

<u>Vote</u>	<u>5 - 0</u>
FOR:	5 - Toussaint, Ports, Klein, McAndrews, Ryall
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

5. Discussion Items

- a. Draft Complete Streets Study** — Mr. Rick Van Emburgh of the Town Engineering Department and Mr. Lawrence Marcus of Wallace, Montgomery & Associates **was were** present before the Commission to introduce the draft Complete Streets study. Complete Streets is a transportation policy that focuses on designing, building, operating, and maintaining streets to accommodate all users regardless of their age, ability, or chosen mode of transportation. Mr. Van

145 Emburgh and Mr. Marcus sought the Commission’s general feedback on the
146 recommendations of **Phase I** of the draft Complete Streets manual. The draft
147 manual focuses on the key objectives of the Transportation section of the Town of
148 Easton Comprehensive Plan; prioritizing enhanced safety, and improving
149 accessibility that is more “street friendly” for pedestrians and cyclists. Phase II of
150 the draft manual will focus on the design standards and priority projects, while the
151 purpose of Phase III is intended to integrate these elements into the
152 Comprehensive Plan.

153
154 The Commission expressed general support of a diversity of transportation
155 modalities, reflecting a shift from a rural setting toward a more ~~suburban~~ **urban**
156 downtown environment. A key point of inquiry was whether the draft Complete
157 Streets manual adequately addressed pedestrian traffic. Mr. Marcus clarified that
158 pedestrian traffic would be integrated within the planned and existing sidewalk
159 and bicycle networks. The Commission emphasized their desire to align the draft
160 Complete Streets manual with the core objectives of the **2025 draft**
161 Comprehensive Plan.

- 162
163 **b.** Potential Revisions to the Zoning and Subdivision Text Amendments: Pre
164 Application Community Meetings — The ongoing discussion for the expansion
165 of public notice and pre-application meeting requirements in Article XIII of the
166 Zoning Code was tabled to a future Planning Commission meeting.
- 167
168 **c.** Comprehensive Plan Update — The Easton Planning and Zoning Commission
169 will hold a Public Hearing on Tuesday, December 9, 2025 at 6:00 p.m. to obtain
170 public comments on the proposed 2025 update of the Town’s Comprehensive
171 Plan. This version of the Plan represents the Town’s vision for the growth and
172 development as first established in the 1996 Comprehensive Plan. The Draft Plan
173 subject to this Public Hearing is available for review on the Town’s website
174 (www.eastonmd.gov), and a printed copy is available for review at the Town
175 office. The public is hereby invited to attend and comment at this Hearing.
176 Written comments may be submitted to the Planning and Zoning Office at any
177 time prior to the Hearing.
- 178
179 **d.** Expansion of Non-Conforming Uses and Structures — Mrs. Sharon Van
180 Emburgh *Esq.* and Mr. Miguel Salinas presented a potential Zoning Text
181 Amendment to consider changes to the Non-Conforming Lots, Uses, and
182 Structures provisions in Article XII of the Town Code. In the 2021 update of the
183 Zoning Map, Aurora Street and Creamery Lane were redesignated from
184 Commercial General (CG) zoning to Commercial Business (CB) zoning. As a
185 result of this redesignation, an existing auto garage located on Creamery Lane is
186 now classified as a nonconforming use, and in accordance with Section 28-
187 1201.C of the general provisions, a non-conforming use shall not be extended or
188 enlarged. Historically, zoning regulations have sought to eliminate non-
189 conforming uses and restrict their growth; however, Mrs. Van Emburgh presented
190 the Commission with alternative options to expand the use including amending

191 the Table of Permissible Uses to allow Automotive Service Garages in the CB
192 zoning district through a Special Exception, or the adoption of new standards that
193 would permit relatively small expansions of all non-conforming structures or
194 uses.

195
196 The Commission considered the character of the existing uses within the
197 surrounding area of the subject property; recognizing this as a potentially
198 recurring issue. While acknowledging the rigor of the existing supplemental
199 standards, the Commission expressed their concern that the expansion of
200 standards for all non-conforming uses would be applicable Town-wide, and
201 would not be subject to a formal Hearing process such as a Special Exception.
202 The Commission was in favor of amending the Table of Permissible Uses to
203 allow Automotive Service Garages in the CB zoning district to be permitted via a
204 Special Exception. The Commission's recommendation will be presented by Staff
205 at the Town Council's Zoning Code Text Amendment workshop scheduled for
206 Monday, November 3, 2025, at 4:30 p.m.

207
208
209 **6. Adjournment** — Commissioner Klein moved to adjourn. Commissioner Ryall seconded
210 the motion. The meeting was adjourned at 3:55 p.m.



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

Date of Hearing: November 20, 2025

4a

**PLANNING COMMISSION
PROPOSES ANNEXATION
STAFF REPORT**

SUBJECT: **PROPOSED ANNEXATION**

ELECTION WARD: Ward 1 (Upon Annexation)

CRITICAL ACTION DATE: At the pleasure of the Commission

STAFF CONTACTS: Lynn Thomas, Town Planner
Sharon VanEmburch, Town Attorney
Miguel Salinas, Director of Planning and Zoning

APPLICANT: Michael J. Kopen, Esquire % Kopen & Collison, LLP

AGENT: Lane Engineering, LLC % Tim Glass

OWNER: Norris E. Taylor Contractors, Inc. - % Jeffrey & Patricia Goodman.

DOCUMENT CREATED ON: November 6, 2025

PURPOSE: The applicant is seeking Annexation of the property into Town limits and a Planning Commission recommendation to the Town Council.

RECOMMENDATION: Staff recommends that the Commission recommends approval of the Annexation, finds the proposed annexation request consistent with the Comprehensive Plan, and recommends the assignment of the Industrial (I) Zoning Classification to the property. Staff also recommends approval with conditions (see below).

APPLICATION INFORMATION:	
APPLICANT: Michael J. Kopen, Esquire % Kopen & Collison, LLP Norris E. Taylor Contractors, Inc. % Jeffrey & Patricia Goodman (Owner)	REPRESENTATIVE: Michael J. Kopen, Esquire % Kopen & Collison, LLP
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 0025, Grid 0012, Parcels 52 & 145	36.520
ACCEPTANCE DATE: November 3, 2025	LOCATION: East side of Ocean Gateway, adjacent to East Kennedy Street, Nixon Street and Reagan Drive
EXISTING ZONING "LI" Limited Industrial (Talbot County) PROPOSED ZONING "I" Industrial (Town of Easton)	EXISTING LAND USE: Vacant
GROWTH AREA DESIGNATION: Priority 1 (Boundary Refinement)	FUTURE LAND USE MAP: Industrial & Commercial

CONTEXT:

Location/Site Access – Parcel 52 sits at the junction of East Kennedy Street, Nixon Street and Reagan Drive. Parcel 145 is also situated along Reagan Drive, specifically on its north side. Both parcels are located to the east of Ocean Gateway.

Existing Conditions – The parcels are mostly vacant and include a warehouse and a cleared area. A small forested section is situated along the northwest edge of the property.

Surrounding Properties

- 9253, 9449, 9456 Ocean Gateway - GC (Talbot County)
- 9387 & 9477 Ocean Gateway - GC/LI (Talbot County)
- 9433 & 9441 Ocean Gateway - CG (Town of Easton)
- Parcel 49 & 59 Ocean Gateway - LI (Talbot County)
- 29469 Reagan Drive - LI (Talbot County)
- 9272 & 9333 Nixon Drive - LI (Talbot County)

PROPOSAL: The Applicant is seeking Annexation of the subject property into the Town, presumably so that it can be developed under Town rules and regulations as well access to Town infrastructure.

COMPREHENSIVE PLAN CONSISTENCY:

The Primary role of the Planning Commission in Annexation requests is to evaluate the application in terms of its consistency with the Town’s Comprehensive Plan. This is largely facilitated by examination of two maps from the Plan, the Future Land Use Map and the Growth Areas Map. The portions of those maps encompassing the subject properties are shown in Figures 2 and 3 below. In short, the properties are included in the Priority 1 - Boundary Refinement Area and the majority of the properties (all but the portions west of Nixon Drive) are proposed for Industrial Use. The portion of the properties west of Nixon, which abut properties that themselves front Route 50, are planned for Commercial Uses. Given the configuration of these properties, treating them all as Industrial makes sense, although assigning the CG (or CL) Zoning classification just to the portions west of Nixon Drive, would also be consistent with the Plan.

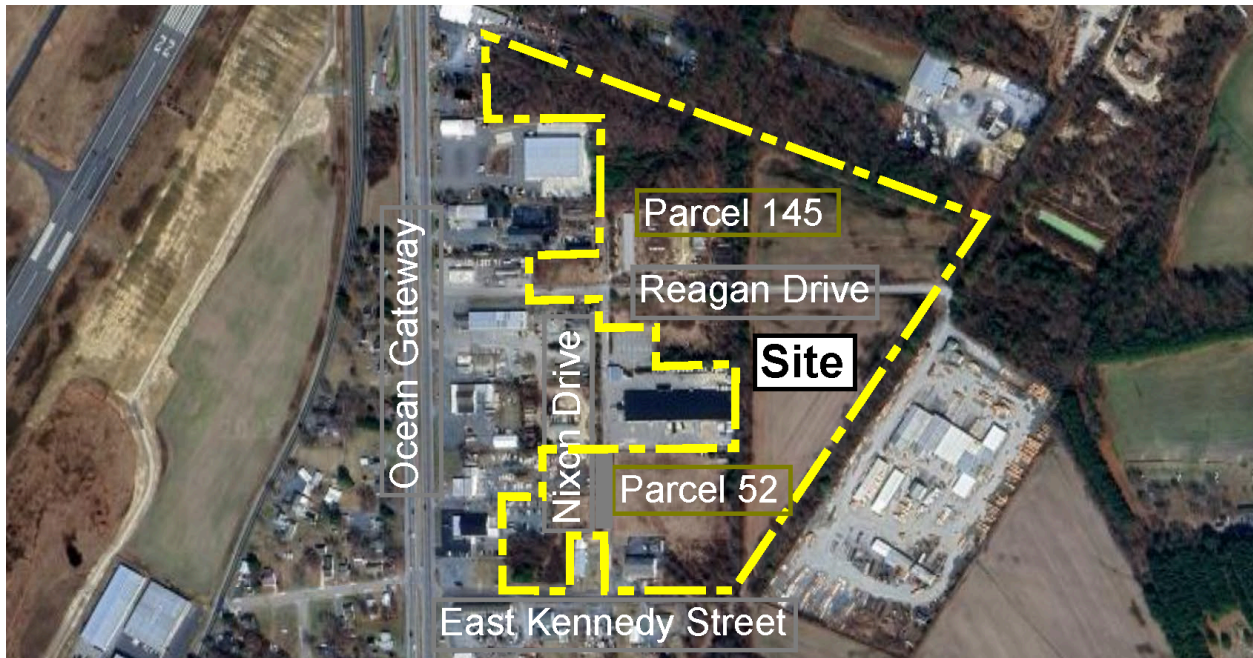


Figure 1: Vicinity Map

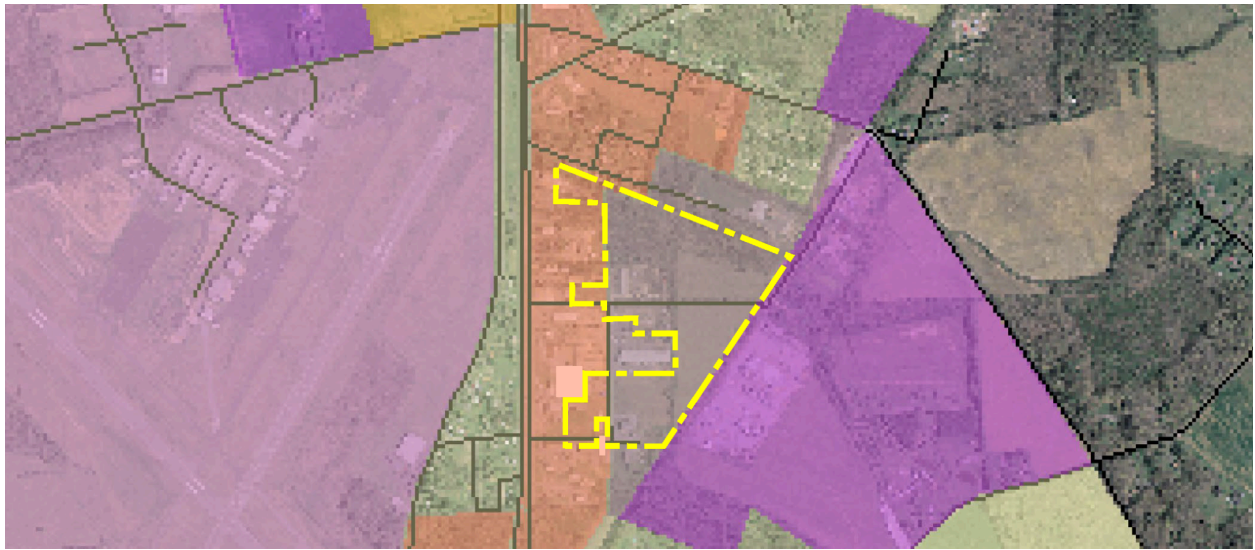


Figure 2: Future Land Use Map

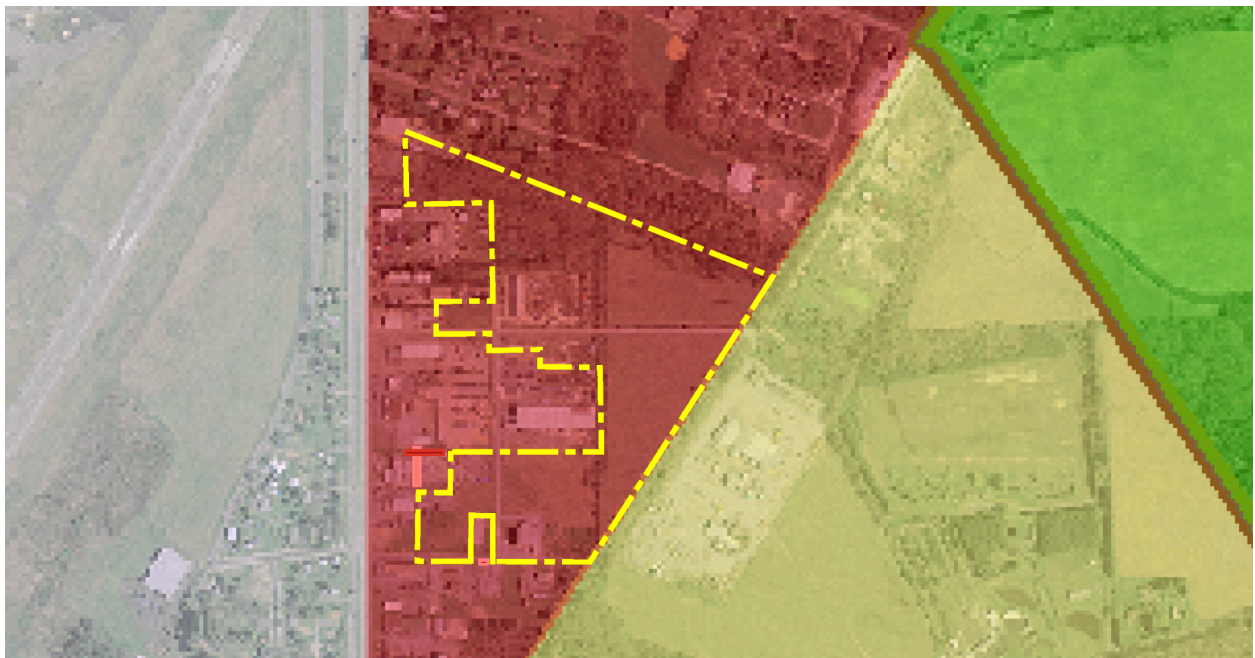


Figure 3: Growth Area Map

STAFF RECOMMENDATION & DISCUSSION:

Staff recommends that the Commission recommends approval of the Annexation, finds the proposed annexation request consistent with the Comprehensive Plan, and recommends the assignment of the Industrial Zoning Classification to the property. The owner's request for an "I" Industrial Zoning classification for the annexed parcels aligns with their location within the "Priority One-Boundary Refinement Area" on the "Growth Area Map" of the 2010 Easton Comprehensive Plan. Furthermore, the "Future Land Use Map" designates this area for an "Industrial Area" use, which is adjacent to "Heavy Industrial." Staff also recommends the Planning Commission approve the request with the following conditions from the Town's Engineering Department:

1. Nixon Drive should remain a Private maintained street for its entire length.
2. Reagan Drive should be improved and conveyed to the Town of Easton with an acceptable turnaround at the eastern end of the street. Improvements should also include the portion of Reagan Drive between US-50 and the proposed annexation boundary.
3. Reagan Drive pavement should be cored to confirm the pavement section is consistent with Town Detail TOE-R-1.01.
4. Reagan Drive should be brought up to the Town Standards similar to TOE-R-2.03 as needed. This requires a 70' right-of-way.
5. Show and label the Flemmings Siding Road Right-of-Way that intersects Reagan Drive.

DRAFT MOTIONS:

1. I move that the Planning Commission finds the proposed Annexation consistent with the Town's Comprehensive Plan and recommends that the Easton Town Council approve the Annexation request and assign the Town's Industrial Zoning classification to the Annexation properties and is subject to staff's Conditions of Approval.

OR

2. I move that the Planning Commission table the application to the December 18th Commission meeting for further discussion.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. 2025-09-19 Application - Petition for Annexation - Kennedy Reagan Nixon Annex, paper copy & PDF
2. 2025-10-23 Annexation Request ESDR Return, paper copy & PDF
3. 2025-10-24 Exhibit A Annex Plat - Kennedy Reagan Nixon Annex, paper copy & PDF
4. 2025-10-24 Exhibit A Annex Plat - Kennedy Reagan Nixon Annex, paper copy & PDF
5. 2025-11-03 Annexation Description - Kennedy Reagan Nixon Annex, paper copy & PDF
6. 2025-11-03 Annexation Description - Kennedy Reagan Nixon Annex, paper copy & PDF
7. 2025-11-03 Proposed Resolution to Annex - Kennedy Reagan Nixon Annex, paper copy & PDF
8. 2025-11-03 Proposed Zoning Ordinance - Kennedy Reagan Nixon Annex, paper copy & PDF
9. Annexation - PC 400' Notice Letter, paper copy & PDF
10. Annexation - Subject Property Notice 2025.11.03, paper copy & PDF



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

Easton Staff Development Review Worksheet

Date: October 22, 2025

Project: Parcels 52 & 145, East Kennedy Street, Nixon Drive and Reagan Drive - Annexation

To: Jeffrey H. Goodman & Patricia T. Goodman – Norris E. Taylor Contractors, Inc.(Owners)

CC: Michael J. Kopen – % Kopen & Collison, LLP (Agent)

The Easton Staff Development Review (ESDR) Committee meeting was held on October 22nd at 11:00 am. Staff reviewed the annexation request on the proposed two lots located at East Kennedy Street, Nixon Drive and Reagan Drive , also known as Tax Map 025, Parcels 52 & 145.

The Committee determined that the project will need to address all agency comments as specified in the attached review letters and at ESDR. It was determined by the Committee that the application may be scheduled for Planning Commission review. Please submit all revised documents.

Based on the ESDR sketch plan submission, the Staff did not identify constraints which require action by the Board of Zoning Appeals.

The next Planning Commission meeting is scheduled for **Thursday, November 20, 2025 at 1:00 pm.** Submit all documentation to the Planning and Zoning Department no later than Monday, November 3rd. at 1:00 pm. All files for presentation at the Planning Commission, as described under **§Section 28-901.3.A.(1 through 13) of the Town's Zoning Ordinance,** need to be provided on a flash drive. In addition, provide a digital submittal (via email) of all supporting documents necessary for the Planning Commission's review, including **six paper copies.**

Please contact the Planning & Zoning Department at 410 822-1943 with any questions.

Sincerely,

Joseph A. Mayer
Plan Reviewer



TOWN OF EASTON PLANNING & ZONING DEPARTMENT

P.O. Box 520
Easton, Maryland 21601
410-822-1943
www.EastonMD.gov

DATE: October 22, 2025

TO: Jeffrey H. Goodman & Patricia T. Goodman – Norris E. Taylor Contractors, Inc.(Owners)
Michael J. Kopen – % Kopen & Collison, LLP (Agent)

Cc: Miguel Salinas – Director of Planning & Zoning Department
Rick VanEmburch – Town Engineer

FROM: Joseph A. Mayer - Plan Reviewer, Planning & Zoning Department

SUBJECT: Parcels 52 and 145 east of Route 50 and adjacent to East Kennedy Street

We reviewed the **October 1, 2025** Submittal for Annexation and have the following comments:

PLANNING & ZONING COMMENTS

Annexation Request

1. The Planning & Zoning Department finds the annexation request consistent with the Town's Comprehensive Plan. The owner's request for an "I" Industrial Zoning classification for the annexed parcels aligns with their location within the "Priority One-Boundary Refinement Area" on the "Growth Areas Map" of the 2010 Easton Comprehensive Plan. Furthermore, the "Future Land Use Map" in the same plan designates this area for "Industrial Area" use, adjacent to "Heavy Industrial." Consequently, the Planning & Zoning Department has no objections to this request.
2. In the "Total Area of Annexation" tabulations, include the total acreage for Nixon and Reagan Drive as designated on the Annexation Plat.
3. The Planning Commission or the Town Council may ask for more information about the proposed zoning's intended use. Be ready to discuss potential development in detail.

Please contact me if you have any questions. Thank you.



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: October 22, 2025
TO: Jeff Goodman – Applicant
Michael Koppen – Esquire
Tim Glass – Lane Engineering
Cc: Sierra Clem – Engineering Department
FROM: Rick Van Emburgh – Town Engineer
SUBJECT: Norris Taylor Contractors Inc. – Annexation
Reagan Drive

The Engineering Department reviewed the Application for the Subject project received on 9/24/2025.

The **Annexation Plat** is **Acceptable with the Following Conditions:**

1. Nixon Drive should remain a Private maintained street for its entire length.
2. Reagan Drive should be improved and conveyed to the Town of Easton with an acceptable turnaround at the eastern end of the street. Improvements should also include the portion of Reagan Drive between US-50 and the proposed annexation boundary.
3. Reagan Drive pavement should be cored to confirm the pavement section is consistent with Town Detail TOE-R-1.01.
4. Reagan Drive should be brought up to the Town Standards similar to TOE-R-2.03 as needed. This requires a 70' right-of-way.
5. Show and label the Flemmings Siding Road Right-of-Way that intersects Reagan Drive.



EASTON UTILITIES

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Easton Utilities Commission

Plan Review Comments

Date: 10/02/25

To: Sierra Clem, Nancy Pinkney

From: Kia Gibbs on behalf of Aaron Goller, PE

Address: E. Kennedy Street

Project Name: E. Kennedy St Petition for Annexation

Phase: Sketch Site Plan

SUBM: 1

Status: **APPROVED AS NOTED**

Easton Utilities Commission has reviewed the above referenced plans and determined the plans are **"Approved As Noted"**.

An **"Approved As Noted"** status means plans do not require resubmission to Easton Utilities. We ask that you implement the notes provided prior to Easton Utilities signing off on your plans. Notes are provided on the attached mark-up summary sheets.

Please contact Kia Gibbs, Engineering Administrative Support at kgibbs@eucomail.com should you have



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2025-09-19 Exhibit A Annexation Plat - East Kennedy Street.pdf Markup Summary 10-6-2025

Engineering (1)

Easements will be required for future water and sewer service. Off-site easements may be required as well.
The cost to serve the parcel with water and sewer shall be at the property owners expense.
Capital charges due prior to annexation.

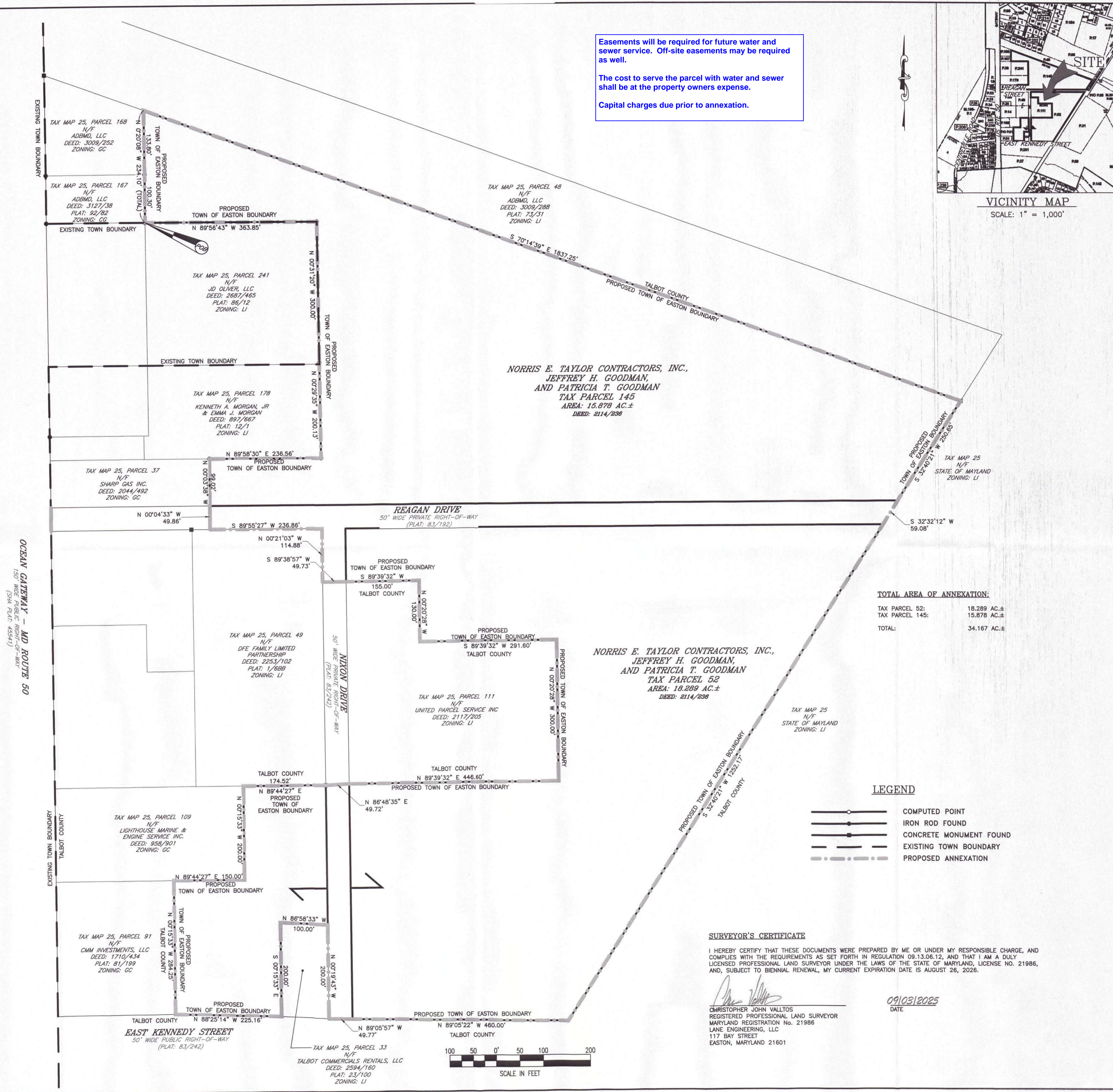
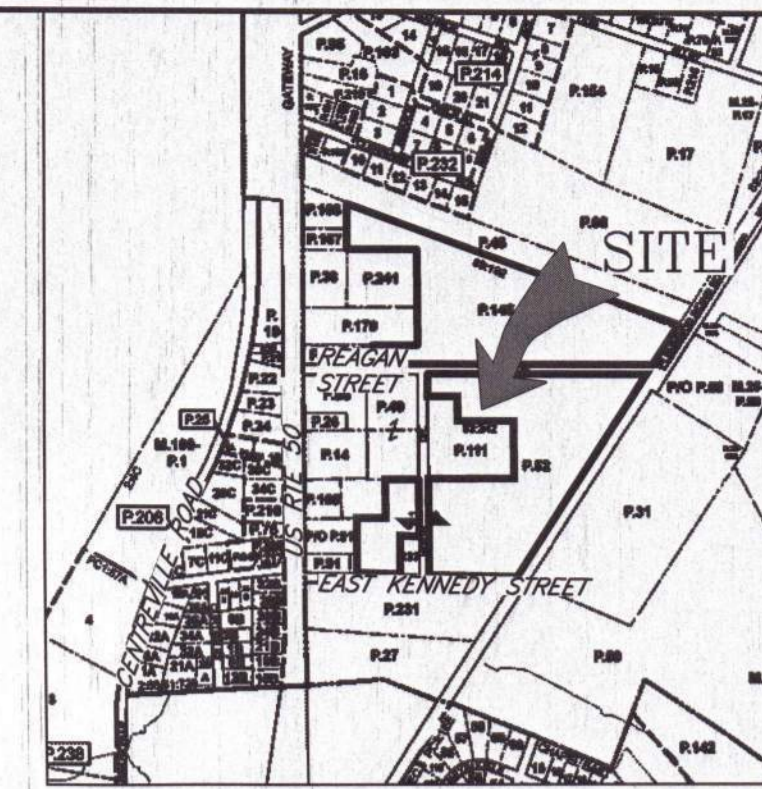
Subject: Engineering
Page Label: 1
Date: 10/2/2025 8:45:17 AM

Easements will be required for future water and sewer service. Off-site easements may be required as well.

The cost to serve the parcel with water and sewer shall be at the property owners expense.

Capital charges due prior to annexation.

Easements will be required for future water and sewer service. Off-site easements may be required as well.
 The cost to serve the parcel with water and sewer shall be at the property owners expense.
 Capital charges due prior to annexation.



TOTAL AREA OF ANNEXATION:

TAX PARCEL 52:	18.289 AC.±
TAX PARCEL 145:	15.878 AC.±
TOTAL:	34.167 AC.±

LEGEND

- COMPUTED POINT
- IRON ROD FOUND
- CONCRETE MONUMENT FOUND
- EXISTING TOWN BOUNDARY
- - - PROPOSED ANNEXATION

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09.13.06.12, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21988, AND, SUBJECT TO BIENNIAL RENEWAL, MY CURRENT EXPIRATION DATE IS AUGUST 26, 2026.

Christopher John Valtos
 CHRISTOPHER JOHN VALTOS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 MARYLAND REGISTRATION No. 21988
 LANE ENGINEERING, LLC
 117 BAY STREET
 EASTON, MARYLAND 21601

DATE: 09/03/2025

REVISIONS

No.	DATE	DESCRIPTION	BY

Lane Engineering, LLC
 Established 1986
 Civil Engineers • Land Planning • Land Surveyors

E-mail: general@lane-llc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 251-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 728-2095

SEAL

Christopher John Valtos
 09/03/2025
 DATE

**ANNEXATION PLAT
 TOWN OF EASTON**

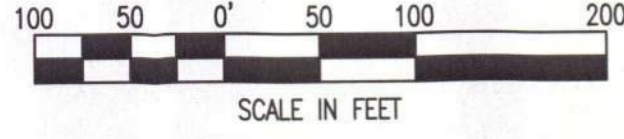
ON THE LANDS OF
 NORRIS E. TAYLOR
 CONTRACTORS, INC.

IN THE FIRST ELECTION DISTRICT
 TALBOT COUNTY, MARYLAND
 TAX MAP 25, GRID 12, PARCEL 52 & 145

ISSUED FOR:	DATE:	BY:
AGENCY REVIEW	05/16/25	TWG
AGENCY REVIEW	06/26/25	TWG
AGENCY REVIEW	09/03/25	TWG

SHEET No.	DATE:
1 OF 1	05/16/25
SCALE:	JOB No.
AS NOTED	250085
	FILE No.
	1316

Date: 09/03/2025 - 5:51am User: cvaltos
 Drawing Path: C:\Users\cvaltos\OneDrive\Work\Projects\250085\12-Parcel 52 & 145\12-Parcel 52 & 145.dwg | Layout1
 Plot File: 12-Parcel 52 & 145.dwg | Plot Style: 250085.ctb | Plot Device: HP DesignJet 5000DN





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

RECEIVED
 SEP 19 2025
 TOWN OF EASTON

Petition for Annexation Application

Property Information					
Property Size	Acres	34.167	Square Feet		
Current Land Use			Proposed Land Use	Industrial	
Address	East Kennedy Street, Nixon Drive, Reagan Drive East of Route 50				
Tax Map	0025	Grid	0012	Parcel	524145 Lot(s)
Deed Reference:	Liber	2114	Folio	236	
Plat Reference:	Liber	83	Folio	1924242	
Current Country Zoning District	LI			Requested Town Zoning District	I
Town of Easton Comprehensive Plan Priority Designation (circle) ① 2 3					
Property Owner					
Owner Name	Norris E. Taylor Contractors, Inc.; Jeffrey H. Goodman, Patricia T. Goodman				
Mailing Address	c/o Jeffrey H. Goodman, 9397 Mt. Vernon Circle, Alexandria VA 22309				
Telephone No.		Email			
Agent Information					
Agent Name	Michael J. Kopen	License No.		Expiration Date	
Mailing Address	8 Goldsborough St, Easton MD 21601				
Telephone No.		Email			

ALL OF THE ITEMS ARE REQUIRED TO BE FILED SIMULTANEOUSLY FOR A COMPLETED APPLICATION
 (check if included)

- Petition for Annexation (Needs to be signed by 25% of person who reside in the area to be annexed and who are registered voters and owners of 25% of assessed value of area to be annexed. Can also do by ballot vote ahead of time and initiation of resolution by Town.)
- An application fee of \$15,000 shall be paid to the Town of Easton. Please Note that the fee collected is a deposit only and that additional fees may be required.
- The applicant must sign a Town Reimbursement Agreement to ensure all fees, costs, and expenses incurred by the Town in excess of the application fee amount will be reimbursed.
- Metes and bounds description for property
- Plats of property which shall include 2 mylar and 8 paper copies.
- Proposed Annexation Resolution, Proposed Ordinance for Zoning, Proposed Annexation Plan, and Proposed Annexation Agreement.
- If Special Tax District proposed a Resolution to Create Special Tax District shall be required. -Need consent of owners of 2/3 of assessed value of area, plus 2/3 of number of different property owners. Can also do by ballot vote ahead of time and initiation of resolution by Town.

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

Jeffrey Goodman
9/16/2025
JEFFREY GOODMAN

Printed Name of Applicant or Agent

For Office Use Only

Application No.	2025-1568	Fee Paid	09/19/2025
Date Resolution Introduced to Town Council			10/06/2025
Planning Commission Meeting	11/20/2025	Positive Recommendation to Council?	Y <input type="checkbox"/> N <input type="checkbox"/>
Town Council Public Hearing		Is a Zoning Waiver Required?	Y <input type="checkbox"/> N <input type="checkbox"/>
Resolution Enactment Date		Resolution Effective Date	
ESDR Y / N Date	10/22/2025		

Revised 2-2020

Lane Engineering, LLC

Established 1986

Civil Engineers • Land Planning • Land Surveyors

15 Washington Street
Cambridge, Maryland 21613
Tel 410-221-0818

117 Bay Street
Easton, Maryland 21601
Tel 410-822-8003
Fax 410-822-2024

354 Pennsylvania Avenue
Centreville, Maryland 21617
Tel 410-758-2095

ANNEXATION DESCRIPTION
ON THE LANDS OF
NORRIS E. TAYLOR CONTRACTORS, INC.,
JEFFERY H. GOODMAN
AND PATRICIA T. GOODMAN
IN THE FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND

June 26, 2025

All that piece, parcel or tract of land situate, lying and being in the First Election District, Talbot County, Maryland, and being more particularly described as follows.

Beginning for the same at an iron rod found on the existing Town of Easton boundary, said point also being North 89 degrees 41 minutes 26 seconds West 210.06 from the easterly side of the public right of way known as Ocean Gateway (150-foot-wide right-of-way) as delineated on a plat titled "Annexation 2017 Town of Easton on the lands of JDOLIVER LLC" recorded among the Land Records of Talbot County, Maryland in Plat Book 86, Folio 12, and from said point of beginning and running in the meridian of the Maryland State Coordinate System NAD 83 (2011), and by and with said easterly line of ADBMD, LLC (Liber 3127, Folio 38) lands the following course and distance

(1) North 00 degrees 20 minutes 08 seconds West, 100.30 feet to an iron rod at the northeast corner of said lands of ADBMD, LLC and the southeastern boundary of the lands of ADBMD, LLC (Liber 3009, Folio 252); thence continuing

(2) North 00 degrees 20 minutes 08 seconds West, 133.80 feet to a point on the lands of ADBMD, LLC (Liber 3009, Folio 288) as delineated on a plat titled "Survey on the lands of William J. Yeager" recorded among the aforesaid Land Records in Plat Book 73, Folio 31; thence

(3) South 70 degrees 14 minutes 39 seconds East, 1837.25 feet to a concrete monument on the lands of the State of Maryland; thence running with the lands of the State of Maryland the following three courses and distances

(4) South 32 degrees 40 minutes 21 seconds West, 250.65 feet to a point on the northern side of a 50' wide private right of way "Reagan Drive"; thence

(5) South 32 degrees 32 minutes 12 seconds West, 59.08 feet to a point on the southern side of the aforementioned “Reagan Drive”; thence

(6) South 32 degrees 40 minutes 21 seconds West, 1252.17 feet to a point at the northern edge of a 50’ wide public right of way “East Kennedy Street”; thence running with the northern edge of said “East Kennedy Street” the following two courses and distances

(7) North 89 degrees 05 minutes 22 seconds West, 460.00 feet to a point; thence

(8) North 89 degrees 05 minutes 57 seconds West, 49.77 feet to a point on the western side of a 50’ wide private right of way “Nixon Drive” and the southeastern corner of the lands of Talbot Commercial Rentals, LLC (Liber 2594, Folio 160) as delineated on a plat titled “Part of the Land of Curtis H. Jones” recorded among the aforesaid Land Records in Plat Book 23, Folio 100; thence with the western side of “Nixon Drive” and the eastern line of said Talbot Commercial Rentals, LLC

(9) North 00 degrees 19 minutes 43 seconds West, 200.00 feet to a point; thence

(10) North 86 degrees 58 minutes 33 seconds West, 100.00 feet to a point; thence

(11) South 00 degrees 15 minutes 33 seconds East, 200.00 feet to a point on the north side of said “East Kennedy Street”; thence

(12) North 88 degrees 25 minutes 14 seconds West, 225.16 feet to a point at the southeastern corner of the lands of CMM Investments, LLC (Liber 1710, Folio 434) as delineated on a plat titled “Revision of Boundary Lines Between the Lands of The Premier Corporation and Norris E. Taylor Contractors, INC.” recorded among the aforesaid Land Records in Plat Book 81, Folio 199; thence

(13) North 00 degrees 15 minutes 33 seconds West, 284.25 feet to a point on the south side of the lands of Lighthouse Marine & Engine Service INC. (Liber 958, Folio 901); thence with said lands of Lighthouse Marine & Engine Service INC. for the following two courses

(14) North 89 degrees 44 minutes 27 seconds East, 150.00 feet to a point; thence

(15) North 00 degrees 15 minutes 33 seconds West, 200.00 feet to a point on the south side of the lands of DFE Family Limited Partnership (Liber 2253, Folio 102) as delineated on a plat titled “Part of the Land of Talbot Warehousing INC.” recorded among the aforesaid Land Records in Plat Book 1, Folio 66B; thence

(16) North 89 degrees 44 minutes 27 seconds East, 174.52 feet to a concrete monument found on the east side of said “Nixon Drive”; thence crossing said “Nixon Drive”



(17) North 86 degrees 48 minutes 35 seconds East, 49.72 feet to a point on the west side of the lands of United Parcel Service INC. (Liber 2117, Folio 205); thence with the lands of said United Parcel Service INC. for the following five courses

(18) North 89 degrees 39 minutes 32 seconds East, 446.60 feet to a point; thence

(19) North 00 degrees 20 minutes 28 seconds West, 300.00 feet to a point; thence

(20) South 89 degrees 39 minutes 32 seconds West, 291.60 feet to a point; thence

(21) North 00 degrees 20 minutes 28 seconds West, 130.00 feet to a point; thence

(22) South 89 degrees 39 minutes 32 seconds West, 155.00 feet to a point on the east side of said "Nixon Drive; thence crossing said "Nixon Drive"

(23) South 89 degrees 38 minutes 57 seconds West, 49.73 feet to a point on the west side of said "Nixon Drive" and the east side of the lands of said DFE Family Limited Partnership; thence

(24) North 00 degrees 21 minutes 03 seconds West, 114.88 feet to a point on the south side of said "Reagan Drive" and the north side of said lands of DFE Family Limited Partnership; thence

(25) South 89 degrees 55 minutes 27 seconds West, 236.86 feet to a point; thence crossing said "Reagan Drive"

(26) North 00 degrees 04 minutes 33 seconds West, 49.86 feet to a point at the southeast corner of the lands of Sharpe Gas INC. (Liber 2044, Folio 492); thence

(27) North 00 degrees 03 minutes 38 seconds West, 99.02 feet to an iron pipe found on the south side of the lands of Kenneth A. Morgan, JR and Emma J. Morgan (Liber 897, Folio 667) as delineated on a plat titled "Map of West Galloway Lot" recorded among the aforesaid Land Records in Plat Book 12, Folio 1; thence with said lands of Kenneth A. Morgan, JR and Emma J. Morgan for the following two courses

(28) North 89 degrees 58 minutes 30 seconds East, 236.56 feet to an iron pipe found; thence

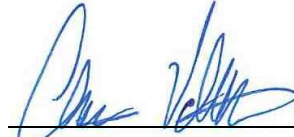
(29) North 00 degrees 29 minutes 35 seconds West, 200.13 feet to an iron pipe found on the south side of said lands of JD Oliver, LLC; thence with said lands of JD Oliver, LLC for the following two courses

(30) North 00 degrees 31 minutes 20 seconds West, 300.00 feet to an iron pipe found; thence

(31) North 89 degrees 56 minutes 43 seconds East, 363.85 feet to the Place of Beginning, containing 36.520 Acres of Land, more or less, and



The above parcel is intended to be all of the same land, as shown as Total Area of Annexation on a plan entitled "Annexation Plat on the lands of Norris E. Taylor Contractors, INC, Jeffery H. Goodman and Patricia T. Goodman" as prepared by Lane Engineering, LLC, on June 25, 2025, I hereby certify that these documents were prepared by me or under my responsible charge and complies with requirements as set forth in regulation 09.13.06.12, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 21986, and, subject to biennial renewal, my current expiration date is August 26, 2026



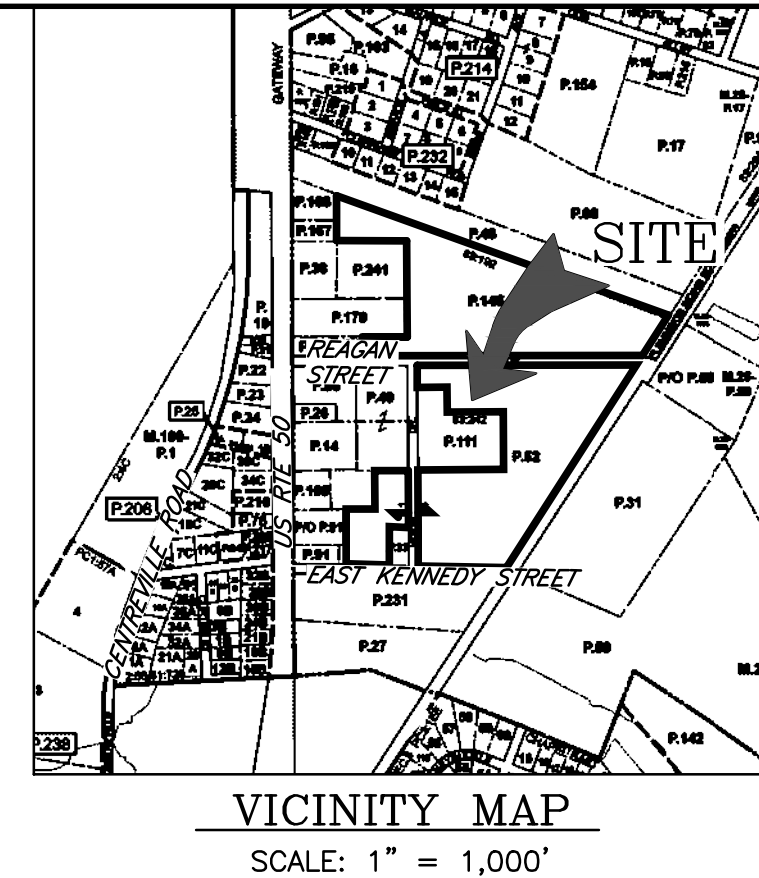
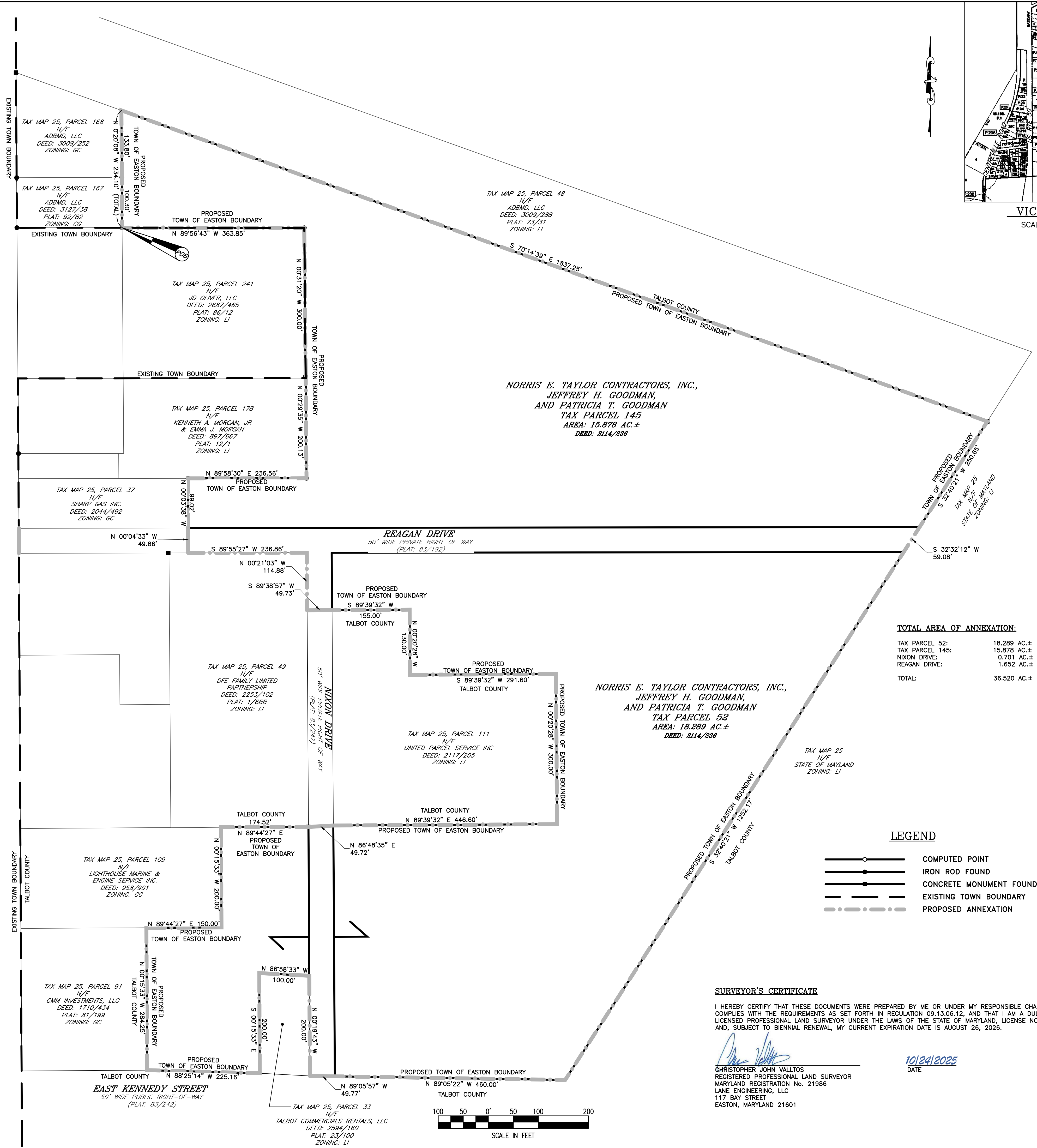
Christopher John Valltos
Registered Professional Land Surveyor
Maryland Registration Number 21986



Date: 10/24/2025 - 11:52am User: caitlin Project Manager: -
 Drawing Path: J:\2025\0000\250085\Civil\3D-250085\Draw\Plots\VD-PLT5-ANNX-250085.dwg | Layout1
 XREF File(s): PAR-BASE-250085\VD-BASE-250085



OCEAN GATEWAY - MD ROUTE 50
 150' WIDE PUBLIC RIGHT-OF-WAY
 (SMA PLAT: 45341)



NORRIS E. TAYLOR CONTRACTORS, INC.,
 JEFFREY H. GOODMAN,
 AND PATRICIA T. GOODMAN
 TAX PARCEL 145
 AREA: 15.878 AC.±
 DEED: 2114/236

NORRIS E. TAYLOR CONTRACTORS, INC.,
 JEFFREY H. GOODMAN,
 AND PATRICIA T. GOODMAN
 TAX PARCEL 52
 AREA: 18.289 AC.±
 DEED: 2114/236

TOTAL AREA OF ANNEXATION:

TAX PARCEL 52:	18.289 AC.±
TAX PARCEL 145:	15.878 AC.±
NIXON DRIVE:	0.701 AC.±
REAGAN DRIVE:	1.652 AC.±
TOTAL:	36.520 AC.±

LEGEND

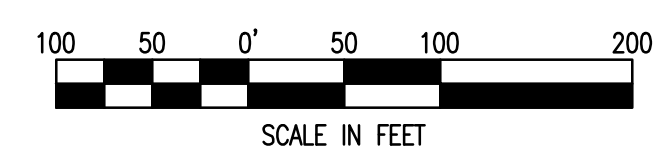
- COMPUTED POINT
- IRON ROD FOUND
- CONCRETE MONUMENT FOUND
- EXISTING TOWN BOUNDARY
- PROPOSED ANNEXATION

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09.13.06.12, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 21986, AND, SUBJECT TO BIENNIAL RENEWAL, MY CURRENT EXPIRATION DATE IS AUGUST 26, 2026.

CHRISTOPHER JOHN VALLTOS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 MARYLAND REGISTRATION No. 21986
 LANE ENGINEERING, LLC
 117 BAY STREET
 EASTON, MARYLAND 21601

10/24/2025
 DATE



REVISIONS

No.	DATE	DESCRIPTION	BY

Lane Engineering, LLC
 Established 1986
 Civil Engineers • Land Planning • Land Surveyors

E-mail: general@lane.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Centreville, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

SEAL

10/24/2025
 DATE

**ANNEXATION PLAT
 TOWN OF EASTON**

ON THE LANDS OF
 NORRIS E. TAYLOR
 CONTRACTORS, INC.

IN THE FIRST ELECTION DISTRICT
 TALBOT COUNTY, MARYLAND
 TAX MAP 25, GRID 12, PARCEL 52 & 145

ISSUED FOR:	DATE:
AGENCY REVIEW	05/16/25 TWG
AGENCY REVIEW	06/26/25 TWG
AGENCY REVIEW	09/03/25 TWG
AGENCY REVIEW	10/24/25 TWG

SHEET No.	DATE:
1 OF 1	05/16/25
SCALE:	JOB No.
AS NOTED	250085
	FILE No.
	1316

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF EASTON TO APPLY THE INDUSTRIAL (I) ZONING DISTRICT TO CERTAIN LOTS OR PARCELS OF LAND ANNEXED TO THE TOWN OF EASTON BY RESOLUTION NO. _____ LOCATED TO THE EAST OF OCEAN GATEWAY/U.S. ROUTE 50, ADJACENT TO EAST KENNEDY STREET, CONSISTING OF 36.520 ACRES OF LAND, MORE OR LESS

Introduced by: _____

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

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

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

WHEREAS, the Town has acted pursuant to its authority under §4-401 *et. seq.* of the Local Government Article of the Code to introduce Resolution No. _____ (the “Resolution”) to expand its municipal boundaries by annexing lands adjacent to the present Town. The area proposed for annexation is generally located on the east side of Ocean Gateway/U.S. Route 50, adjacent to East Kennedy Street, consisting of 36.520 acres of land, more or less, which parcel is shown and depicted as “TAX PARCEL 52 AREA 18.289 AC. +/-”, “TAX PARCEL 145 AREA 15.878 AC. +/-” and portions of Nixon Drive and Reagan Drive (the “Annexation Property”) on a plat titled

“ANNEXATION PLAT ON THE LANDS OF NORRIS E. TAYLOR CONTRACTORS, INC. IN THE FIRST ELECTION DISTRICT OF TALBOT COUNTY, MARYLAND TAX MAP 25, GRID 12 PARCELS 52 & 145”, prepared by Lane Engineering, LLC, originally dated 5/16/25, revised through 10/24/2025 (the “Annexation Plat”), which is Exhibit “A” to this Ordinance; and

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

(1) The Comprehensive Plan designates the property for future Industrial land use, and the Commission believes that given the current County zoning and the adjacent zoning, that Industrial (I) zoning is appropriate; and

(2) Given the location and zoning of the property in Talbot County, it is highly likely to be developed regardless of the outcome of the annexation request. It is more appropriate to have this development occur where there is Town infrastructure and under the terms of the Town zoning code and associated design standards and guidelines.

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

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

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

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

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

Section 3. County Zoning Consent. The County zoning for the property is Limited Industrial (LI). The proposed Industrial (I) zoning classification does not permit land uses that are different from the land uses allowed under the current County zoning classifications applicable to the Annexation Property and/or does not allow a density greater than 50% of the density allowed under the current Talbot County zoning classification.

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

Section 5. Effective Date. In accordance with §4-416 of the Local Government Article of the Code, §4-203 of the Land Use Article of the Code and Article II, Section 9 of the Easton Town Charter, this Ordinance shall become effective upon the later of: (a) the effective date of the Resolution pursuant to which the land area that is the subject of this Ordinance is annexed to the Town of Easton, (b) ten (10) days after the

Town Council's public hearing on this Ordinance, (c) twenty (20) calendar days after the approval by the Mayor or passage of this Ordinance by the Council over the Mayor's veto.

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

Curry - _____
Rankin - _____
Montgomery - _____
Davis - _____
Abbatiello - _____

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

Don A. Abbatiello, Town Council President

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

Kathy M. Ruf, Town Clerk

APPROVED: _____

Date: _____

Megan J. M. Cook, Mayor

EFFECTIVE DATE: _____

PROPOSED RESOLUTION NO.: _____

A RESOLUTION TO ANNEX A PARCEL OF LAND OWNED BY NORRIS E. TAYLOR CONTRACTORS, INC., JEFFREY H. GOODMAN, AND PATRICIA T. GOODMAN, LOCATED ON THE EAST SIDE OF OCEAN GATEWAY/U.S. ROUTE 50, CONSISTING OF 36.520 ACRES OF LAND, MORE OF LESS, INTO THE TOWN OF EASTON AND TO PROVIDE FOR THE TERMS AND CONDITIONS OF THE ANNEXATION.

Introduced by: _____

WHEREAS, The Town of Easton (the “Town”) is authorized by the provisions of §4-401 *et. seq.*, of the Local Government Article of the Maryland Annotated Code (the “Code”) to expand its municipal boundaries by annexing lands adjacent to it, and wishes to annex a certain parcel of land owned by Norris E. Taylor Contractors, Inc. located on the east side of Ocean Gateway/U.S. Route 50, consisting of 36.520 acres of land, more or less, which parcel is shown and depicted as “TAX PARCEL 52, AREA: 18.289 AC +/- DEED 2114/236”, “TAX PARCEL 145, AREA 15.878 AC +/- DEED 2114/236”, and portions of Nixon Drive and Reagan Drive (the “Annexation Property”) on a plat titled “ANNEXATION PLAT TOWN OF EASTON ON THE LANDS OF NORRIS E. TAYLOR CONTRACTORS, INC., IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 25, GRID 12 PARCEL 52 & 145”, prepared by Lane Engineering, LLC, originally dated 5/16/20, revised through 10/24/25” (the “Annexation Plat”), which is Exhibit “A” to this Resolution and is also described in metes and bounds description dated June 26, 2025 prepared by Lane Engineering, LLC entitled “ANNEXATION DESCRIPTION ON THE LANDS OF NORRIS E. TAYLOR CONTRACTORS, INC., JEFFREY H. GOODMAN AND PATRICIA T. GOODMAN IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND”, which is Exhibit “B” to this Resolution (“Annexation Description”).

Norris E. Taylor Contractors, Inc., Jeffrey H. Goodman and Patricia T. Goodman are the owners of one hundred percent (100%) of the assessed value of the real property lying within the area to be annexed and have consented to the annexation. There are no registered voters in Talbot County who reside on the Annexation Property.

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

Now, therefore, the Town hereby resolves:

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

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

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

Section 4. Zoning Classification. Concurrently with the introduction of this Resolution, the Town Council has introduced Ordinance No. _____ to apply a zoning classification of Industrial (I) to the Annexation Property. The Talbot County zoning for the Annexation Property is Limited Industrial (LI). The proposed Industrial (I) zoning classification permits land uses that are similar to the land uses allowed under the current Talbot County zoning classifications and does not permit development at a substantially higher density exceeding 50% of the density allowed under the current Talbot County zoning classification applicable to the Annexation Property. If Ordinance _____ is not enacted before the effective date of this Resolution, or, if as enacted, it contains provisions that are deemed unacceptable to the Petitioner, or, if the parties are unable to agree upon the terms of an Annexation Agreement, the Petitioner shall be free to withdraw this request for annexation by written notice delivered to the Town Clerk before the effective date of this Resolution, and this Resolution shall become null and void.

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

Section 6. Public Hearing and Public Notice. the Town Council shall conduct a public hearing on this Resolution and upon Ordinance No. _____ on _____, 2025 at _____ p.m. Prior to the hearing, the Town Clerk shall arrange for the publication of a legally sufficient notice of the hearing in *The Star Democrat* for the Town two times at not less than weekly intervals, the date of publication of the last such notice to be at least 15 days prior to the date of the hearing. In addition, on the date of the first publication of the notice of hearing, the Town Clerk shall notify the following persons or agencies of the hearing and shall provide them with a photocopy of the legal notice and this Resolution, including Exhibits:

- (a) the Talbot County Council;
- (b) the Talbot County Planning and Zoning Commission;
- (c) the Maryland Department of Planning; and

- (d) the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

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

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

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

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

Curry	-	_____
Rankin	-	_____
Montgomery	-	_____
Davis	-	_____
Abbatiello	-	_____

I hereby certify that the above Resolution was passed by a yea and nay vote of the Town Council this _____ day of _____, 2025

Don A. Abbatiello, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2025.

Kathy M. Ruf, Town Clerk

APPROVED: _____

Date: _____

Megan J.M. Cook, Mayor

EFFECTIVE DATE: _____, 2025

EXHIBIT C TO RESOLUTION _____
ANNEXATION PLAN
2025 ANNEXATION TO THE TOWN OF EASTON OF CERTAIN LANDS LOCATED
ON THE EAST SIDE OF OCEAN GATEWAY/U.S. ROUTE 50 AND CONSISTING OF
36.520 ACRES OF LAND, MORE OR LESS

In accordance with §4-415 of the Local Government Article of the Annotated Code of Maryland, the Town of Easton hereby sets forth the following Annexation Plan for Resolution No. _____. Section 4-415 permits amendment of the Annexation Plan during the annexation process.

I. Property. The property proposed for annexation to which this Annexation Plan relates consists of 36.520 acres of land comprised of “TAX PARCEL 52, AREA: 18.289 AC +/- DEED 2114/236 and TAX PARCEL 145, AREA: 15.878 AC +/- DEED 2114/236,” and portions of Nixon Drive and Reagan Drive (the “Annexation Property”) on a plat titled “ANNEXATION PLAT TOWN OF EASTON ON THE LANDS OF NORRIS E. TAYLOR CONTRACTORS, INC., IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 25, GRID 12 PARCEL 52 & 145”, prepared by Lane Engineering, LLC, originally dated 5/16/2025, revised through 10/24/2025 (the “Annexation Plat”), which is Exhibit “A” to Resolution _____.

II. Land Use Patterns and Plans – Existing and Proposed.

A. The 2016 Talbot County Comprehensive Plan identifies the Annexation Property as “Designated Growth Industrial” and a “Tier II-A Primary Mapped Growth Area, Planned for Sewage”.

The 2010 Town of Easton Comprehensive Plan, as amended (the “Easton Plan”), designates the Annexation Property as a Priority 1 Boundary Refinement Area. (Easton Plan Growth Areas Map). The Municipal Growth Element of the Comprehensive Plan defines Boundary Refinement Areas as areas that in most cases “are already developed in Talbot County and they are deemed appropriate for consideration for annexation during the life of this Plan.” (Easton Plan p. 49). The Easton Plan identifies Priority 1, Boundary Refinement Areas, including the Annexation Property, as areas that are “important to bring . . . into [the] Town.” (Easton Plan p. 257). The Easton Plan was amended in 2016 to incorporate a Sewer Tier Map, in accordance with State law and this map classifies the Property as “Tier II – Planned for Sewer, Municipal or Growth Area.”

B. The pre-annexation Talbot County zoning of the Annexation Property is Limited Industrial. The proposed Industrial (I) zoning district permits _____ uses.

C. The Industrial (I) district does not permit a greater than 50% density than and does not permit land uses that are not authorized in the County’s Limited Industrial (LI) zone. Any future development of the Annexation Property shall be in accordance with the Zoning Ordinance provisions applicable to the Annexation Property at the time of the development.

III. Availability of Land for Public Facilities. Following annexation, the Annexation Property will be served by the Easton public water and sewer systems, which will require extension of those public utility systems. Adequate water and sewer capacity exists within the Town's utility systems to serve existing and future uses of the Annexation Property from a gravity feed line from Chapel Road with an easement to be granted by Norris E. Taylor Contractors, Inc. across its reserved land not subject to this annexation. With regard to this easement, Norris E. Taylor Contractors, Inc. would expect to receive compensation by future users. Fire and police protection will be provided by the Easton Voluntary Fire Company and the Town of Easton Police Department using existing facilities. The Town's existing public works, fire, police and emergency services facilities, equipment and personnel are adequate to accommodate the Annexation Property at this time. There is no impact on schools, libraries and other recreational services. At this time, no additional land for public facilities on the Annexation Property is considered reasonably necessary.

IV. Extension of Municipal Services (Schedule and Financing).

A. Utility Service. Following annexation, all or portions of the Annexation Property may be served by Town water and sewer for facilities. All such extensions will be completed at the Owner's expense and in accordance with the standards and specifications of the Town.

All applicable Town fees and user rates to cover the costs associated with usage – or consumption-based municipal services, such as water and sewer service shall be charged to the Annexation Property.

B. Roads. The Annexation Property has existing access from East Kennedy Street, which is a Town Street.

C. Fire Protection. The Easton Volunteer Fire Company already provides service to the Annexation Property and will continue to provide such service at the same or similar level of service after annexation. The Fire Company receives substantial financial support from the Town.

D. Police Services. Police Services are currently provided by the Talbot County Sheriff's Department. Upon annexation, the Easton Police Department will extend service to the Annexation Property. Service will be provided using existing personnel and equipment. The costs of these services shall be paid out of the Town's general funds.

Pursuant to Section 4-415(g) of the Local Government Article, amendments to this Annexation Plan shall not be construed amendments to the Annexation Resolution, nor may they serve in any manner to cause a re-initiation of the annexation procedure related to the property described in Section I.

ANNEXATION AND PUBLIC FACILITIES AGREEMENT

THIS ANNEXATION AND PUBLIC FACILITIES AGREEMENT (“Agreement”) made this _____ day of _____, 2025, by the TOWN OF EASTON, a Maryland municipal corporation (“Town”) and **NORRIS E. TAYLOR CONTRACTORS, INC. a Maryland Corporation, JEFFREY H. GOODMAN, and PATRICIA T. GOODMAN** (collectively “Petitioner”). Herein, the Town and Petitioner are each a “Party” and collectively, the “Parties”.

RECITALS

The Recitals set forth herein, to the extent that they set forth the intentions of or commitments by the Parties, are enforceable provisions of this Agreement.

- A. Petitioner is the fee simple owner of parcels of land designated as Parcel 52, Parcel 145, and portions of Nixon Drive and Reagan Drive on Talbot County Tax Map 25, which is located along the east side of Ocean Gateway, Route 50 in Easton, Maryland. Such parcels total 36.520 acres, more or less, and is referred to herein as the “Annexation Property”
- B. The Annexation Property is contiguous and adjacent to the present corporate boundary of the Town. The Annexation Property is more particularly depicted and described by a plat entitled “ANNEXATION PLAT TOWN OF EASTON ON THE LANDS OF NORRIS E. TAYLOR CONTRACTORS, INC., IN THE FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 25, GRID 12, PARCEL 52 & 145,” prepared by Lane Engineering, LLC, dated May 16, 2025, revised through 10/24/2025 (“Annexation Plat”), which plat is incorporated herein and a reduced scale copy of which is attached hereto as Exhibit A. The Annexation Property is also more particularly described by metes, bounds, courses and distances by a legal description (“Annexation Description”) prepared by Lane Engineering, LLC entitled “ANNEXATION DESCRIPTION ON THE LANDS OF NORRIS E. TAYLOR CONTRACTORS, INC., JEFFREY H. GOODMAN AND PATRICIA T. GOODMAN IN THE FIRST DISTRICT TALBOT COUNTY, MARYLAND”, which is attached hereto as Exhibit B.
- C. In order to effectuate the annexation of the Annexation Property, Petitioner executed and submitted to the Town a Petition for Annexation of the Annexation Property (“Annexation Petition”). Petitioner constitutes the owner of one hundred percent (100%) of the assessed valuation of the Annexation Property. There are no registered voters in Talbot County who reside on the Annexation Property.
- D. The 2010 Town of Easton Comprehensive Plan, as amended (the “Easton Plan”), designates the Annexation Property as a Priority 1 Boundary Refinement Area. (Easton Plan Growth Areas Map). The Municipal Growth Element of the Comprehensive Plan defines Boundary Refinement Areas as areas that in most cases “are already developed in Talbot County and they are deemed appropriate

for consideration for annexation during the life of this Plan.” (Easton Plan p. 49). The Easton Plan identifies Priority 1, Boundary Refinement Areas, including the Annexation Property, as areas that are “important to bring ... into [the] Town.” (Easton Plan p. 257).

- E. The Comprehensive Plan more specifically explains that the “Priority 1 – Boundary Refinement” designation on the Growth Area Map is applied to areas that:

“... are not presently within the Town of Easton but should be ... Generally these consist of already developed areas like Crofton, Old Stoney Ridge, Old Beechwood, and most of Easton Point. They have long ago been developed under Talbot County Rules and regulations and have increasingly become surrounded by properties developed under Town of Easton guidelines. To virtually any outsider, these areas would be assumed to currently be in the Town of Easton corporate limits. It is important to bring these areas into Town for at least three reasons. First, all of these areas are served by septic systems and most utilize individual private wells for water. This is both potentially environmentally damaging and inefficient given the relative close proximity and availability of Town water and sewer.

The Second reason these properties should be in the Town of Easton is that given their location, they enjoy many of the conveniences of being in Town without paying a fair share. Finally, from the Town’s perspective the most important reason these areas should be in Town is that they preclude the Town’s ability to grow in the future. This is due to the fact that Maryland annexation law makes it illegal to create an enclave or island of unincorporated land surrounded by a municipality. Thus when such areas exist, they have the short-term effect of causing some rather strange Town boundaries as developers annex in such a way as to technically comply with this requirement. The long-term effect is that growth is stopped in a given direction.”

- F. The Petitioner requested the establishment of Industrial (I) zoning for the Annexation Property. The proposed I Town zoning is supported by the Town Comprehensive Plan, which recognizes the need to retain and expand existing businesses and notes the importance of providing employment opportunities to community residents. Connection of public utilities to and rezoning of the Annexation Property will facilitate investment in these properties through development and improvement.

- G. The Town desires to provide access to municipal services for existing developed areas located immediately adjacent to the municipal boundary, to control the growth that will occur adjacent to its boundaries, and to ensure that such growth enhances the character of the Town and that the impacts of such growth are managed for the benefit of the Town and its citizens.

- H. The Town is willing to annex the Annexation Property, provided that the Petitioner agrees to adhere to the laws, ordinances and regulations of the Town and such other provisions set forth herein regarding the use and development of the Annexation Property.
- I. Appropriate and required Town public hearings have been held pursuant to applicable law and the Easton Town Council voted to adopt Annexation Resolution No. _____ on _____, _____, 2025, a copy of which is attached hereto as Exhibit C.
- J. Petitioner and the Town desire to set forth the terms and conditions of the proposed annexation.

NOW, THEREFORE, in consideration of the mutual interests, provisions and covenants, agreements, and undertakings set forth herein, the sufficiency of which is expressly acknowledged, Petitioner and the Town mutually agree as follows:

1. **Property; Town Taxes.** The Annexation Property was annexed pursuant to the Annexation Resolution. The Annexation Agreement shall apply to, run with and bind the Annexation Property. The Annexation Property shall be subject to all applicable Town taxes, unless otherwise exempt.

2. **Zoning Upon Annexation.**

2.1. **Existing Uses.** Except as provided herein, Petitioner and the Town agree that all existing land uses, lots and structures, whether permitted, accessory, conforming, non-conforming, or special exceptions, currently made in and upon the Annexation Property may continue following annexation subject to the Minimum Property Maintenance Standards of the Easton Town Code and subject to the provisions regarding non-conforming uses contained in the Town Zoning Ordinance.

2.2. **Zoning.** Simultaneously with the filing of the Annexation Petition, Petitioner requested that the Town adopt an ordinance to: (i) amend the official Town zoning map to include the Annexation Property and (ii) apply the Industrial (I) zoning district to the Annexation Property. The Town introduced Ordinance No. _____, a copy of which is attached hereto as Exhibit D, on _____, 2025.

3. **Future Uses of Annexation Property.** Petitioner hereby acknowledges and agrees that any future development of the Annexation Property must comply with applicable zoning and approval processes of the Town. Development must also comply with development impact fee ordinances of the Town and County, as applicable. Nothing herein shall, in any way, constitute a development approval of a specific project or a waiver of any associated fees. Petitioner also acknowledges that it must comply with any applicable noise or disturbing the peace standards that are applicable within the Town of Easton as they currently exist or are enacted or are enacted in the future.

4. **Public Services and Improvements.** The following provisions, at a minimum, will govern the obligations of the Parties with respect to public services and improvements. Notwithstanding anything herein to the contrary, this Agreement shall not preclude, limit or otherwise affect the ability of the Petitioner to propose and enter into development impact fee credit agreement(s) with the Town and/or County.

4.1 **Standards for Public Improvements; Equality of Exactions.** Petitioner agrees to comply with the Town's design standards and requirements in effect at the time of construction ("Town Standards") with respect to any public improvements or infrastructure to be owned and maintained by the Town, such as roads, streets and alleys, curbs and gutters, sidewalks, and water, sewer and stormwater drainage systems. Petitioner, if undertaking such work, shall cause all work on the improvements to be completed in a good and workmanlike manner and with due dispatch. Where the construction and installation of any improvement requires the consent, permission, or approval of any public agency or private party, should Petitioner propose construction or installation, Petitioner shall promptly file all applications, enter into all agreements, post all security, pay all fees and costs, and otherwise take all steps that may be legally required to obtain such consent, permission or approval.

4.2. **Provision of Public Services; Reservation and Allocation of Water and Sewer Capacity.** The Town further represents, subject to the obligations of Petitioner set forth in this Section 4, that it will support existing uses and propose redevelopment of the Annexation Property by providing all necessary municipal services required by the Annexation Property, including, but not limited to, adequate water, sewer, gas, data/communication and electric (if applicable) services through Easton Utilities, fire and police protection, garbage collection and other municipal services generally available to Town residents subject to applicable Town fees and tariffs and other costs in effect at the time services is rendered, unless otherwise agreed between the Town and Petitioner.

With regard to public and sewer allocation, the Town guarantees, covenants and warrants that it will not set any policy, position or course of action that is detrimental to existing use or development of the Annexation Property provided that development is consistent with other applicable Town regulations and standards. These covenants notwithstanding and subject to limitations established by any subsequent development rights and responsibilities agreement(s), the Parties understand and agree that the Town, if otherwise authorized by law, may enact future ordinances, charter provisions, or amendments deemed necessary to protect the public health, safety and welfare of the citizens of the Town and said ordinances, charter provisions, or amendments shall apply to the use and development of the Annexation Property, provided such application does not interfere with Petitioner's vested rights.

Petitioner acknowledges and agrees that no public water or wastewater capacity for existing uses or redevelopment of any portion of the Annexation Property shall be allocated or reserved by EUC unless and until the owner of the parcel(s) for which capacity is desired pays to EUC the capital charges applicable for such allocation or reservation under the then-applicable water and wastewater tariffs. Notwithstanding any

provision herein to the contrary, Petitioner shall not be obligated to pay such capital charges or connect the Annexation Property to the Town water or wastewater systems unless and until the occurrence of the earlier of: (i) election by Petitioner to connect to such systems, (ii) issuance by the Talbot County Health Department or Maryland Department of the Environment of a final, non-appealable order requiring connection of the Annexation Property to such systems, (iii) expansion of existing improvements or redevelopment of the Annexation Property in a manner that requires capacity in excess of the capacity of the existing septic System on such property, or (iv) replacement of an existing septic system on the Annexation Property is required for any reason.

4.3. Public Utility Improvements and Extensions. Except as provided herein, to the extent that extensions of public utilities will be necessary to meet the utility service requirements within the Annexation Property, Petitioner will design and construct or cause to be constructed, at its sole expense including charges provided for in the applicable tariff(s) in effect at the time of service is rendered, such lighting, gas, cable, electric (if applicable) and public water and sanitary sewer utility extensions, including water and sewer mains, trunk lines, fire hydrants and appurtenant facilities, required or imposed to serve development, redevelopment or other actions on the Annexation Property in accordance with the standards and specifications of the Town and Easton Utilities. Upon completion of construction and satisfactory inspection in accordance with Town Standards, the Town shall assume the ownership and on-going operation and maintenance of these facilities in accordance with Town ownership and maintenance policies or pursuant to the terms of a development rights and responsibilities agreement.

4.3.1. Wastewater Improvements.

A. *Connection of Annexation Property.* Annexation shall be effective before any connection to the Town's collection system will be permitted.

B. *Available Capacity.* Sewer capacity to the Annexation Property is available to accommodate current uses, subject to the provisions of Section 4.2. Additional capacity for future uses may be available subject to analysis of the available capacity and approval by EUC at the time a development is proposed. At the time of annexation, the Petitioner shall be assessed the cost of one (1) EDU per parcel.

C. *Service Configuration.* Town sewer service will be available to the Annexation Property. The Annexation Property shall construct a new sewer main tied to the sewer main located near Chapel Road, Easton extended to the Annexation Property. The size of the sewer service will be based on the anticipated flow demands of the Annexation Property being fully developed as permitted, and the flow demands of adjacent properties currently not being served. Petitioner shall be responsible for all costs associated with the design and construction of the new sewer main, including; taps to the main, service to the property line, grinder pump, and repairs to public infrastructure disturbed with the installation of the new sewer service.

D. *Future Extension of Service.* The Town anticipates that additional properties, currently developed and undeveloped, along Route 50, and in the vicinity of East Kennedy Street, will connect to the new service extending from Chapel Road. The additional users will be charged a pro rata share of the costs paid by Petitioner to extend service from Chapel Road, which shall be reimbursed to Petitioner. The additional properties shall bear the expense of extending lines from the new sewer main installed by Petitioner to the additional properties. The design and size of such extensions shall be approved by Petitioner.

4.3.2. Water Improvements.

A. *Connection of Annexation Property.* Annexation shall be effective before any connections to the Town's water system will be permitted.

B. *Available Capacity.* Water capacity to the Annexation Property is available to accommodate current uses, subject to the provisions of Section 4.2. Additional water service for future demands may be provided subject to an analysis of the capacity of the existing water main and approval by EUC at the time a development plan is proposed.

C. *Service Configuration.* Town water service will be available to the Annexation Property. The Annexation Property shall construct a watermain from Chapel Road, Easton to the south property line of the parcel terminating with a fire hydrant. The water service will be connected to the watermain. The size of the water service will be based on the current or approved flow demands of the Annexation Property. Petitioner shall be responsible for all costs associated with the design and construction of the individual water service to the EUC public water main, including; taps to the water main, service to the property line, curb stops, water meter installation.

4.4. Easements and Rights-of-Ways. Petitioner hereby agrees to grant to the Town upon request, at no cost, rights-of-way or easements within ten (10) feet of the exterior boundaries of the Annexation Property in the event that such rights-of-way or easements shall be necessary for the installation, maintenance, replacement and/or removal of public utilities and roads in accordance with the provisions of this Section 4. Norris E. Taylor Contractors, Inc. agrees to grant to the Town upon request at no cost, rights-of-way or easements across its land adjacent to Chapel Road if necessary to provide utility service to the Annexation Property. The location of such right-of-way or easements shall be subject to the prior approval of Norris E. Taylor Contractors, Inc.

4.5. Public Works Agreements. If required by the Town, should Petitioner propose to develop the Annexation Property, Petitioner and Town shall enter into one or more public works agreements that provide more detailed provisions regarding the construction of all required improvements and extension of public utilities and which shall be in a form reasonably acceptable to the Town Attorney.

4.6. Amendment of Comprehensive Water and Sewer Plan. Petitioner and the Town agree and acknowledge that it may be necessary to amend the County Comprehensive Water and Sewer Plan before Petitioner undertakes the water and sewer facilities improvements and the Town extends water and sewer services to the Annexation Property. Petitioner and Town agree to cooperate to apply for and obtain any amendments to the Talbot County Comprehensive Water and Sewer Plan as may be required.

5. Mutual Assistance. The parties shall do all things reasonably necessary or appropriate to carry out and to expedite the terms and provisions of this Agreement and to aid and assist each other in carrying out the terms and provisions of this Agreement and the intentions of the Parties as reflected by said terms including, without limitation, the giving of such notices, the holding of such public hearings, the enactment by the Town of such resolutions and ordinances and the taking of such other actions as may be necessary to enable the Parties' compliance with the terms and provisions of this Agreement and as may be necessary to give effect to the terms and objectives of this Agreement and the intentions of the Parties as reflected by said terms.

Petitioner and the Town agree to promptly execute all permit applications needed by Petitioner for permits or approvals from Federal, State or County agencies and departments or any other public or private agencies from whom a permit is required to develop such Petitioner's portion of the Annexation Property, provided that such permit applications are prepared in accordance with applicable laws, ordinances, rules, and regulations and consistent with development approvals granted by the Town for the Annexation Property. The Parties each further agree to cooperate in the securing of such permits or approvals from such agencies. Nothing in this Agreement shall require the Town to vary, deviate, or depart from applicable rules, regulations, or standards in processing any permit, application, or in issuing any approval. All such rules, regulations, and standards shall remain in full force and effect.

6. Notices. All notices and other communication in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof (1) when delivered in person on a business day at the address set forth below; (2) on the third business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage prepaid certified or registered mail, return receipt requested, at the address set forth below; or (3) by a nationally-recognized delivery service company to the street address with written proof of delivery.

Notices and communications to the Petitioner shall be addressed to, and delivered at, the following addresses:

Norris E. Taylor Contractors, Inc.
Jeffrey H. Goodman
Patricia T. Goodman
c/o Jeffrey H. Goodman
9397 Mt. Vernon Circle
Alexandria, VA 22309

With a copy to:
Michael J. Kopen, Esquire
8 Goldsborough Street
Easton, MD 21601

Notices and communications to the Town shall be addressed to, and delivered at, the following addresses:

Town of Easton
14 S. Harrison Street
Easton, MD 21601

With a copy to:
Sharon M. VanEmburch, Esquire
16 South Washington Street
Easton, MD 21601

7. **Other Provisions.**

7.1. Applicable Law. It is the intention of the parties that all questions with respect to the construction of this Agreement and rights and liabilities of the Parties hereunder shall be determined in accordance with the laws of the State of Maryland.

7.2. Scope of Agreement. This Agreement is not intended to limit the exercise of police powers of the Town or to limit the operation of the Town government, or to guarantee the outcome of any administrative process. Unless otherwise specifically provided in writing in this Agreement or any other subsequent agreement, this Agreement shall be subject to all properly enacted laws, and properly adopted governmental regulations, now or hereafter existing and applicable. This Agreement shall not be rendered invalid by reason of the enactment or amendment of any law or the adoption or amendment of any regulation, which law or regulation is either (1) enacted or adopted in the exercise of governmental power for a valid governmental purpose; (2) enacted or adopted by the Town as the result of a mandate by the State of Maryland or the U.S. Government; or (3) applicable to both the Annexation Property and to similarly situated property located outside the Town in Talbot County.

7.3. Entire Agreement. Except as specifically provided herein, this Agreement embodies and constitutes the entire understanding between the Parties with respect to the transactions contemplated herein, and all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement.

7.4. Estoppel. The Parties to this Agreement agree not to challenge or contest, and waive any right to challenge or contest, in any legal or equitable proceeding, in any forum whatsoever, the validity, legality, or enforceability of this Agreement, or any of its provisions, terms or conditions.

7.5. Waiver of Breaches. No waiver of any contingency or the breach of any of the terms or provisions of this document shall be a waiver of any other contingency or proceeding or succeeding breach of this document or any provision hereof.

7.6. Project as a Private Undertaking. It is understood and agreed by and between the Parties that the development or redevelopment of the Annexation Property is a private undertaking, that neither the Town nor Petitioner is acting as the agent of any other party in any respect hereunder, and that each Party is an independent contracting entity with respect to the provisions of this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement.

7.7. Modification. Neither this Agreement nor any provision hereof may be waived, modified, amended, discharged or terminated except by an instrument in writing signed by the party against which the enforcement of such waiver, modification, amendment, discharge or termination is sought, and then only to the extent set forth in such instrument. No such modification shall be binding on the other Party hereto nor affect their rights under this Agreement as to any other Party without such Party's written consent.

7.8. Headings. Descriptive headings are for convenience only and shall not control or affect the meaning or construction of any provision of this Agreement.

7.9. Binding Effect. The terms of this Agreement shall be binding upon and shall inure to the benefit of the Parties, any successor municipal authorities of the Town and successor owners of record of the Annexation Property, it being expressly understood and agreed that this Agreement shall be assignable, in whole or in part, by Petitioner, with respect to its portion of the Annexation Property, without the consent of the Town, any of its elected officials, employees or agents. Notwithstanding the foregoing, any transfer of all or a portion of the Annexation Property shall be subject to the terms of this Agreement.

Except with respect to Section 7.17, Petitioner's obligations hereunder shall be contingent upon annexation of the Annexation Property and establishment of the Town zoning described by Section 2.2., and shall not constitute personal obligations independent of ownership of the Annexation Property.

7.10. No Third-Party Beneficiaries. This Agreement shall not confer any rights or remedies upon any person other than the Parties hereto and their respective successors and assigns as permitted and limited by this Agreement. It is expressly agreed by all parties that the owner or successor owner of a portion of the Annexation Property shall have no contractual rights by virtue of this Agreement to control, approve or otherwise direct the size, density, proposed use, style, arrangement, timing, phasing or any other aspect of development of the remainder of the Annexation Property that it does not own.

7.11. Severability. The Parties intend that should any provision, covenant, agreement, or portion of this Agreement or its application to any person, entity, or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any person, entity, or property shall not be impaired thereby, but such remaining provisions shall be interpreted, applied and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

7.12. Enforceability. This Agreement shall be specifically enforceable in any court of competent jurisdiction by either Party hereto by any appropriate action or suit at law or in equity to secure the performance of the covenants herein contained.

7.13. Survival. The terms and conditions of this Agreement shall survive the effective date of the Annexation Resolution and shall not be merged or expunged by the annexation of the Annexation Property or any part thereof by the Town.

7.14. Exhibits. Each exhibit referred to herein or affixed hereto shall constitute a part of this Agreement and be incorporated herein by reference:

Exhibit A – Reduced-scale copy of the Annexation
Exhibit B – Legal Description;
Exhibit C – Town Annexation Resolution No. _____; and
Exhibit D – Town Ordinance No. _____

7.15. Time. Time is of the essence of this Agreement and of each and every provision thereof.

7.16. Town's Annexation Action. This Agreement memorializes the Town's approval of the annexation and the negotiated terms thereof, as approved by the Town during its meeting on _____, 2025.

7.17. Annexation Fees. Petitioner shall be responsible for fees and expenses incurred by the Town of Easton associated with the annexation process, including, but not limited to, legal fees, engineering fees, consulting fees, and advertising expenses, as described herein. Such fees shall include fees from third parties employed by the Town. Petitioner paid the annexation fee of \$15,000.00 with its filing of the annexation petition ("Annexation Fee"). The Annexation Fee shall be applied as a credit to the fees and expenses incurred by the Town in connection with annexation of the Annexation Property.

7.18. Mutual Drafting; No Presumption. The drafting and negotiation of this Agreement has been undertaken by the Parties hereto and their respective counsel. For all purposes, the Agreement shall be deemed to have been drafted jointly by the Parties with no presumption in favor of one Party over another in the event of any ambiguity.

7.19. Remedies. The remedies set forth in the Agreement are in addition to, and not in lieu of, any other rights or remedies available to the Parties in law or equity.

IN WITNESS WHEREOF, the Parties have executed and sealed this Agreement as of the day and year first above written, provided, however, that for the purposes of determining the date hereof, as used in this Agreement, such date shall be the last date any Party hereto executes this Agreement.

WITNESS:

TOWN OF EASTON

By:

Kathy M. Ruf, Town Clerk

Megan J.M. Cook, Mayor

STATE OF MARYLAND, COUNTY OF _____, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, a Notary Public of the State aforesaid, personally appeared **MEGAN J. M. COOK**, who acknowledged herself to be the Mayor of the town of Easton, a Maryland municipal corporation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Annexation Agreement, and acknowledged that she executed the same for the purposes therein contained as the fully authorized agent of said Town of Easton.

WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires: _____

WITNESS:

NORRIS E. TAYLOR CONTRACTORS, INC.

By:

Jeffrey H. Goodman, CEO

Jeffrey H. Goodman

Patricia T. Goodman

STATE OF MARYLAND, COUNTY OF _____, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, a Notary Public of the State aforesaid, personally appeared **JEFFREY H. GOODMAN**, who acknowledged himself to be the Chief Executive Officer of NORRIS E. TAYLOR CONTRACTORS, INC. a Maryland corporation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Annexation Agreement, and acknowledged that he, as Chief Executive Officer, executed the same for the purposes therein contained as the fully authorized agent of said corporation.

WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires: _____

STATE OF MARYLAND, COUNTY OF _____, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, a Notary Public of the State aforesaid, personally appeared **JEFFREY H. GOODMAN**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Annexation Agreement, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires: _____

STATE OF MARYLAND, COUNTY OF _____, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 2025, before me, a Notary Public of the State aforesaid, personally appeared **PATRICIA T. GOODMAN**, who acknowledged herself to be a member of NORRIS E. TAYLOR CONTRACTORS, INC. a Maryland corporation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Annexation Agreement, and acknowledged that she executed the same for the purposes therein contained as the fully authorized agent of said corporation.

WITNESS my hand and Notarial Seal.

Notary Public
My Commission Expires: _____



***Subject property posting pursuant to Section
28-901.2.H.2 of the Town of Easton Zoning Code -
November 5, 2025***



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

November 5, 2025

Dear Resident,

The Easton Planning Commission (Commission) will hold a public meeting on **Thursday, November 20, 2025 at 1:00 p.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 2025 - 1568 has been filed by Kopen & Collison, LLP (Applicant) on behalf of Norris E. Taylor Contractors, Inc. (Owners) requesting the annexation of 34.167 acres of property on the lands located at East Kennedy Street, Nixon Drive, and Reagan Drive, Easton, Maryland, also known as Tax Map 0025, Grid 0012, Parcels 0052 and 0145. The Planning Commission will ultimately submit a recommendation to the Town Council which will include findings as to the proposed annexation's consistency with the Comprehensive Plan, as well as a formal recommendation concerning the annexation, and the appropriate zoning classification. Regardless of the recommendation, the Town Council will exercise final authority and will conduct a Public Hearing prior to a vote of the Application.

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 or comments regarding this application, please contact the Planning Office at (410) 822-1943 or via email at planningandzoning@eastonmd.gov.

Samantha N. Smith

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



MEMORANDUM

TO: EASTON PLANNING & ZONING COMMISSION

FROM: LYNN B. THOMAS, JR., AICP, TOWN PLANNER

DATE: OCTOBER 8, 2025

SUBJECT: PROPOSED REQUIREMENT FOR PRE-APPLICATION COMMUNITY MEETINGS

The attached proposed Zoning Amendment is intended to advance the discussion you have recently been having concerning the possibility of requiring pre-application notice and/or meetings, depending on the scope/scale of a proposed development project. This version builds on your discussion last month and distinguishes between projects which are reviewed administratively (no new requirements proposed), those which require Planning Commission approval (advanced preapplication Public Notice would now be required) and those which require Town Council approval (preapplication Notice and neighborhood meeting would now be required). If you would like to expand the scope of those types of projects (e.g., subdivisions of more than X lots) then we would need to modify this language to specifically call out any such types of projects.

Maury has supplied language concerning the proposed content of the public notices. If this is either too much or too little information in your view, then that section will also need to be adjusted accordingly. Also, FYI, Maury has supplied an information sheet from Apex, North Carolina outlining their Neighborhood Notification requirements. I have attached that document as well.

PRE-APPLICATION NEIGHBORHOOD MEETING REQUIREMENTS

Insert a new Section 28-1305 to Article XIII (Administration) of the Zoning Code, and renumber subsequent sections,, as follows:

SECTION 28-1305 PRE-APPLICATION NOTICE AND MEETINGS

A. Purpose

The pre-application neighborhood meeting and notice requirements are intended to inform owners and occupants of nearby lands about a proposed development application to be reviewed under this Ordinance, or the Town Subdivision Regulations, and, when meetings are required, to provide the applicant an opportunity to hear comments and concerns about the development proposal in order to resolve conflicts and outstanding issues, where possible. Pre-application neighborhood meetings are opportunities for informal communication between applicants and the landowners and occupants of nearby lands, and other residents affected by development proposals.

The intent of pre-application neighborhood notice and meetings is to foster informed citizen involvement, to alert prospective developers of legitimate neighborhood concerns as early in the design process as possible, and to facilitate a smoother review process upon official submission of applications subject to these requirements. Participation in any such pre-application neighborhood meeting is for informational purposes only. Any resultant participation and/or written summary of such meetings shall not be part of the administrative record for any development application that may be filed and accepted.

B. Applicability

(1) A pre-application notice shall be mailed to residents of property located within 400 feet of the property lines of any parcel subject to any type of Application that requires Planning Commission review and/or approval.

- (a) The Neighborhood Notice must be mailed between 150 days and 30 days prior to submission of the project's first application to the Town's Planning Office for entitlements or approvals, preferably during the Preliminary phase of the project's design.
- (b) The Notice shall be a letter mailed via USPS, certified delivery to each address provided by _____, and to local media (newspapers, radio and TV stations). A copy of the Notice shall be sent to the Town's Planning

Office, which will post the URL for the Applicant's online information repository in the Notice on the Town's website.

The Notice shall contain:

- The name and contact phone numbers and email addresses for the developer and owner of the property (the "Applicants")
- A general description of the planned project including:
 - The planned use of the site
 - Approximate number of structures,
 - if residential, the number of units; other uses, gross floor area
 - The type of approval(s) being sought
- A URL and QR code which links to an internet website or electronic file share ("online information repository") with additional information about the project as listed below.

(c) The developer / owner shall maintain from the date the Notice is sent, to the date of first public hearing an online source for information on the project. This "online information repository" may be a website, file share, downloadable document, or other electronic resource for distribution of information which is available to any internet user at any time without registration or log-in.

This online information repository shall contain:

- Name and contact information of the Applicant (developer and/or property owner) and design firm (architect and/or engineer)
- sketch site diagram
- massing diagram
- preliminary sketch renderings or elevations of the proposed structure(s)
- An explanation of (a) the proposed project's as-of-right parameters, or (b) approvals and entitlements which are being requested.
- An explanation of how the project meets the goals of Town's Comprehensive and Small Area Plan, if applicable.
- Anticipated date for submission of initial application to the Town's Planning Department.
- A form to submit comments to the developer.

(d) With its first application to the Town, the following shall be included:

- Copy of the mailed Notice
- Copies of delivery receipts
- Copies of all comments received by the applicant
- A description of any changes in the plans attributable to comments received from the public.

- (2) In addition to the pre-application notice, a pre-application neighborhood meeting is required before the formal submission of any development applications that requires Town Council action (e.g., Annexation, Zoning Map Amendment, PUD or HC, Critical Area Growth Allocation):
- (3) A pre-application neighborhood meeting *may* also be held at the applicant’s option before the submission of any development application not identified in Section 28-1305(B)(1) above.
- (4) The informational mailings and meetings required by this Subsection are in addition to all postings and notices required by this Ordinance, the Town’s Subdivision Regulations, or any other applicable Local or State law or regulation.
- (5) Only one (1) pre-application neighborhood meeting is required; however, Owners/Developers may choose to have more than one meeting prior to formal submission.
- (6) If a development application for the site/project for which one pre-application neighborhood meeting has been held, is not submitted or approved by the Town within one year; the applicant shall conduct a second pre-application neighborhood meeting in accordance with this Section.
- (7) The pre-submission meeting is the responsibility of, and is a function of, the Owner/Developer. They are not official meetings of any Town Board or Commission.

C. Procedure

Pre-application neighborhood meeting shall be conducted in accordance with the following requirements:

(1) Meeting Location and Time

Meetings shall be scheduled to occur between 6:00 pm and 8:00 pm on a Tuesday, Wednesday, Thursday or on Monday, except when Monday is a Federal holiday or when a Federal holiday falls on the prior Friday. In the event of a

weather emergency which causes the closure of Talbot County Schools on the scheduled date of the meeting, the Owner/Developer shall reschedule the meeting and issue new notices. Meetings should be held at a publicly accessible location (school, church, civic institution, or Owner/Developer's offices) within the Town of Easton, but shall not be held in the Town Hall.

(2) Meeting Notification

a. Informational Mailing

(i) The applicant shall mail notice of the meeting at least 30 days before the meeting.

(ii) Notice shall be mailed to:

(aa) The Town Planner;

(bb) The owners of all properties located within 400 feet of the potential subject property;

(cc) Residents of property located within 400 feet of the potential subject property; and

(dd) All civic associations registered in accordance with Section 27-3402(d), Civic Association or Resident Registration.

(iii) As to residents, an applicant complies with this Section by providing the Planning Department with an electronic version of the informational mailing more than thirty (30) days before the Planning Department accepts an application.

(iv) A civic association entitled to an informational mailing may waive the requirement, and an applicant's filing of a signed waiver constitutes its compliance with the mailing requirement, for the entity signing.

D. Posted Notification

The applicant shall also post notification of the pre-application neighborhood meeting on the land subject to the application at least 30 days before the date fixed for the meeting. Signage of at least 6 square feet, but no more than 32 square feet per sign shall be posted on all Public ways which abut the project site. The signage shall state the name and general description of proposed development, provide the date, time and location of the meeting as well as a contact telephone number for the Owner/Developer.

E. Notification Contents

The mailed and posted notifications shall state the time and place of the meeting, the purpose of the meeting, include a current zoning sketch map clearly identifying the land area associated with the development, summarize the general nature of the development proposal, and the type of development approval or permit sought. Additionally, the notice shall include contact information for the Town Planning Office for interested parties to obtain more information about the application after it is filed, an applicant telephone number and email address for persons wishing to meet, an explanation of the procedures and the necessity for becoming a person of record for the proposed application, and a statement that no government agency has reviewed the application. Developer or builder information shall be provided if different than the applicant.

F. Conduct of Meeting and Summary

(1) Generally

The pre-application neighborhood meeting shall be open to the public. At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to reasonable questions or concerns neighbors raise about the proposed application, and discuss ways to resolve reasonable conflicts or concerns.

(2) Project Materials

The applicant shall ensure the following materials are available for review and discussion at the pre-application neighborhood meeting:

- a.** A map of the proposed development site clearly indicating the site location and streets in the vicinity;
- b.** Illustrations depicting the layout and design of the proposed development, existing conditions, and the neighborhood context;
- c.** A development fact sheet or summary that includes, but is not limited to, the size of the proposed project, proposed land uses, proposed number of dwelling units and/or amount of gross square footage, proposed density and intensity of the project, proposed building heights, and anticipated parking need;
- d.** Information explaining the development review process and how members of the public may participate; and
- e.** Sign-in sheets including the meeting date and time, meeting address, project address, property owner name, applicant name and contact information, and space for

participants to include their name, organization, address, phone number, and email address.

- f. Meeting content is flexible, but must include at least the following:
- Developer presents a project summary with visuals (site plan/renderings)
 - Identifies the location of the project
 - Public and Private roads and access to existing streets and highways
 - Number and types of buildings
 - Preliminary elevations and/or 3d renderings
 - Open space, parks, common areas, schematic storm water management, and other features of the development
 - Developer discusses the project's attributes and its positive elements for the town as well as potential impacts on the town's infrastructure (traffic, stormwater, aesthetics)
 - Cards for written comments are distributed to the attendees
 - At least 30 minutes is provided for attendees to ask questions and make comments.
 - Comment Cards are collected.
 - The developer ends the meeting with a summary of key issues raised from the Q&A and the comment cards.
 - If no members of the public are present for the meeting after 30 minutes of the scheduled start time, the Owner/Developer may immediately close the meeting. Proof of non-attendance by the public shall be submitted to the Town by including an affidavit stating that no members of the public attended the meeting, plus the blank sign-in sheet, and copies of all meeting notices as described in this Section.

(3) Written Summary of Meeting

- a. The applicant shall prepare a written summary of the pre-application neighborhood meeting that includes a list of those invited to the meeting, meeting attendees and/or a copy of the sign-in sheet, copies of the materials distributed or made available for review during the meeting, and any other information the applicant deems appropriate.

b. The applicant shall email a copy of the written summary of the pre-application neighborhood meeting to all attendees that have provided an email address.

c. Concurrent with the applicant's submission, the Owner or Developer or its representative shall submit to the Town Planning Office with its initial application, the following:

- Certificate or affidavit of mailed notice delivery, and copies of media advertisements.
- List of meeting attendees such as a sign-in sheet
- A summary of attendees' comments and/or a video recording of the meeting and copies of all comment cards
- A description of all project revisions, deletions or additions made in response to the public feedback at the meeting.



Town of Apex
Planning Dept
PO Box 250
Apex, NC 27502

T: 919-249-3426
F: 919-267-4987

Instruction Packet and Affidavit for Neighborhood Notification Letters

This packet consists of instructions and templates for sending a required Neighborhood Notification Letter. Planning staff are available to advise you in the preparation of these materials. Call the Planning Department at (919) 249-3426 for more information.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD NOTIFICATION LETTER?

A neighborhood notification letter is a required form of community outreach to receive initial feedback regarding certain Minor Site Plans prior to submittal to the Planning Department per the standards found in UDO Sec. 2.2.7.A. The intention of the letter is to initiate neighbor communication to identify issues and concerns early on and provide the applicant an opportunity to address neighbor concerns about the potential impacts of the project.

WHEN IS A NEIGHBORHOOD NOTIFICATION LETTER REQUIRED?

Applicants for most Minor Site Plans that are located within 500 feet of a residential land use and have not had a rezoning approval in the previous two (2) years are required to send a letter to all property owners and tenants abutting and located within 500 feet of the land subject to the application, to any neighborhood association that represents citizens within that notification area, and to the Town of Apex Planning Department at least 14 days prior to the submittal of the Minor Site Plan.

Applicants for Minor Site Plans for the uses Day care facility; Government service; School, public or private; Restaurant, drive-through; and Convenience store with gas sales are required to hold a neighborhood meeting as outlined in Sec. 2.2.7.B *Neighborhood Meetings* and should follow the procedures outlined in the Neighborhood Meetings Packet.

INSTRUCTIONS

The Neighborhood Notification Letter must be prepared and mailed in accordance with the rules listed below.

Who to notice:

- The applicant is required to notify the Planning Department, all property owners and tenants abutting and within 500 feet of the subject property, and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of submitting the Minor Site Plan application, not including the day of mailing. The applicant shall send an email to addressing.team@apexnc.org to request the notification list *as early as possible* in order to receive the list in time for the mailing. The list will be provided within 5-10 business days of the initial request. The applicant shall use their own return address on the envelopes.

Timing of mailing:

- The letter must be sent at least 14 days in advance of submitting the Minor Site Plan, not including the day of mailing (use attached template).

Mailing requirements:

- A vicinity map and reduced copy of the preliminary site plan of the proposed development must be provided.
- Contact information for the applicant's representative and Town Staff must be provided on the attached "Project Contact Information" form.
- "Common Construction Issues & Who to Call" sheet (attached) must be included as part of the handout.

For accountability purposes, please submit the following with your application:

- A copy of the letter mailed to neighbors and neighborhood organizations (use attached template);
- The notification list provided by Town staff;
- The affidavit, signed, dated, and notarized (use attached affidavit template); and
- One (1) reduced copy of the maps and plans submitted with the letter.

PROJECT CONTACT INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Development Contacts:

Project Name: _____ Zoning: _____

Location: _____

Property PIN(s): _____ Acreage/Square Feet: _____

Property Owner: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Developer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Engineer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Builder (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

Please note that Town staff will not have complete information about a proposed development until the application is submitted for review. If you have a question about Town development standards and how they relate to the proposed development, please contact the appropriate staff person listed below.

Town of Apex Department Contacts	
Planning Department Main Number (Provide development name or location to be routed to correct planner)	(919) 249-3426
Parks, Recreation & Cultural Resources Department Angela Reincke, Parks Planning Project Manager	(919) 372-7468
Transportation & Infrastructure Development Russell Dalton, Traffic Engineering Manager	(919) 249-3358
Water Resources Department Jessica Bolin, Environmental Engineering Manager (Stormwater, Sedimentation & Erosion Control)	(919) 249-3537
Matt Reker, Utilities Engineer/FOG Program Manager (Water & Sewer)	(919) 946-4394
Electric Utilities Department Jared Harris, Electric Technical Services Manager	(919) 372-7466

Private Agreements and Easement Negotiation:

The Town of Apex cannot enforce private agreements between developers and neighbors and is not a party to the easement and right-of-way negotiation that occurs between developers and neighboring property owners for easements or rights-of-way that are necessary to build the project.

It is recommended that all private agreements be made in writing and that if a property owner feels it necessary, they should obtain private legal counsel in order to protect their interests in both private agreements and during easement negotiations.

The developer's site plan can be viewed any time after submittal on the Interactive Development Map at: <https://experience.arcgis.com/experience/41bf89a7c97d43a2934b0e823c8bfa45>.

Documentation:

Neighbors to a proposed new development are strongly encouraged to fully document (such as through dated photographs) the condition of their property before any work is initiated for the new development. Stormwater controls installed on developed property are not designed to and will likely not remove 100% of the soil particles transported by stormwater runoff. As a result, creeks and ponds could become cloudy for a period of time after rain events.

COMMON CONSTRUCTION ISSUES & WHO TO CALL

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Noise & Hours of Construction: Non-Emergency Police 919-362-8661

Noise from tree removal, grading, excavating, paving, and building structures is a routine part of the construction process. The Town generally limits construction hours from 7:00 am to 8:30 pm so that there are quiet times even during the construction process. Note that construction outside of these hours is allowed with special permission from the Town when it makes more sense to have the construction occur at night, often to avoid traffic issues. In addition, the Town limits hours of blasting rock to Monday-Friday from 8:00 am to 5:00 pm. Report violations of construction hours and other noise complaints to the Non-Emergency Police phone number at 919-362-8661.

Construction Traffic: Infrastructure Inspections 919-249-3386

Construction truck traffic will be heavy throughout the development process, including but not limited to removal of trees from site, loads of dirt coming in and/or out of the site, construction materials such as brick and wood brought to the site, asphalt and concrete trucks come in to pave, etc. The Town requires a construction entrance that is graveled to try to prevent as much dirt from leaving the site as possible. If dirt does get into the road, the Town can require they clean the street (see "Dirt in the Road" below).

Road Damage & Traffic Control: Infrastructure Inspections 919-249-3386

There can be issues with roadway damage, roadway improvements, and traffic control. Potholes, rutting, inadequate lanes/signing/stripping, poor traffic control, blocked sidewalks/paths are all common issues that should be reported to Transportation & Infrastructure Development – Infrastructure Inspections at 919-249-1109. The Town will get NCDOT involved if needed.

Parking Violations: Non-Emergency Police 919-362-8661

Unless a neighbor gives permission, there should be no construction parking in neighbors' driveways or on their property. Note that parking in the right-of-way is allowed, but Town regulations prohibit parking within 15 feet of driveways so as not to block sight triangles. Trespassing and parking complaints should be reported to the Non-Emergency Police phone number at 919-362-8661.

Dirt in the Road: Water Resources 919-362-8166

Sediment (dirt) and mud gets into the existing roads due to rain events and/or vehicle traffic. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleaning of the roadways with the developer.

Dirt on Properties or in Streams: Water Resources 919-362-8166

Sediment (dirt) can leave the site and get onto adjacent properties or into streams and stream buffers; it is typically transported off-site by rain events. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the appropriate repairs with the developer.

Dust: Water Resources 919-362-8166

During dry weather dust often becomes a problem blowing into existing neighborhoods or roadways. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that staff can coordinate the use of water trucks onsite with the grading contractor to help control the dust.

Trash: Water Resources 919-362-8166

Excessive garbage and construction debris can blow around on a site or even off of the site. These incidents should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed. Staff will coordinate the cleanup and trash collection with the developer/home builder.

Temporary Sediment Basins: Water Resources 919-362-8166

Temporary sediment basins during construction (prior to the conversion to the final stormwater pond) are often quite unattractive. Concerns should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed so that he can coordinate the cleaning and/or mowing of the slopes and bottom of the pond with the developer.

Stormwater Control Measures: Water Resources 919-362-8166

Post-construction concerns related to Stormwater Control Measures (typically a stormwater pond) such as conversion and long-term maintenance should be reported by visiting the Report a Concern page at <https://www.apexnc.org/1173/> or by calling the number listed.

Electric Utility Installation: Electric Utilities 919-249-3531

Concerns with electric utility installation can be addressed by the Apex Electric Utilities Department.

AFFIDAVIT OF MAILING A NEIGHBORHOOD NOTIFICATION LETTER

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

I, _____, do hereby declare as follows:

Print Name

1. I have mailed a Neighborhood Notification Letter for the proposed Minor Site Plan in accordance with UDO Sec. 2.2.7.A *Notification Letter*.
2. The letters were mailed to the Apex Planning Department, all property owners and tenants abutting and within 500 feet of the subject property and any neighborhood association that represents citizens in the notification area via first class mail a minimum of 14 days in advance of the application submittal date.
3. I have included the mailing list, letter, and reduced plans with the application.
4. I have prepared these materials in good faith and to the best of my ability.

Date

By: _____

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County, on this the _____ day of _____, 20_____.

SEAL

Notary Public

Print Name

My Commission Expires: _____