



# City of Salisbury



## CITY COUNCIL AGENDA

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**July 13, 2015**  
**Government Office Building**

**6:00 p.m.**  
**Room 301**

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Times shown for agenda items are estimates only.

6:00 p.m. CALL TO ORDER

6:01 p.m. WELCOME/ANNOUNCEMENTS

6:03 p.m. CITY INVOCATION - Rev. Dr. David L. McLendon, Sr., St. James AME Zion Church

6:05 p.m. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

6:07 p.m. COMMUNITY ORGANIZATION PRESENTATION

- Lori Brewster, Health Officer - Wicomico County Health Dept

6:22 p.m. ADOPTION OF LEGISLATIVE AGENDA

6:25 p.m. CONSENT AGENDA – City Clerk Kimberly R. Nichols

- **June 1, 2015** work session minutes
- **June 8, 2015** regular meeting minutes
- **Resolution No. 2516** – to approve a Maryland Department of Housing and Community Development, Community Legacy Grant application for funds for acquisition of abandoned, dilapidated houses and demolition of those houses that are beyond rehabilitation
- **Resolution No. 2517** – declaring that Riverview Commons, LLC is eligible to receive Enterprise Zone benefits for property located at 150 West Market Street, Salisbury, Maryland
- **Resolution No. 2518** – declaring that WMDT is eligible to receive Enterprise Zone benefits for property located at 202 W Main Street, Salisbury, Maryland
- **Resolution No. 2519** – authorizing the Chief of Police to enter into a reimbursement agreement between the City of Salisbury Police Department and the Maryland State Police Grants Management Section to manage allocated funding for equipment and supplies for the Eastern Shore Information Center
- **Resolution No. 2520** – accepting federal funds awarded by the U.S. Justice Department through an Edward Byrne Memorial Justice Assistance Grant program for maintaining and upgrading the technology of the Salisbury Police Department in the areas of providing equipment for the Salisbury Police Tactical Unit and for computer technology hardware and software
- **Resolution No. 2521** – approving the appointment of Lee Beauchamp to the Zoo Commission for the term ending 12/31/2018

- **Resolution No. 2522** – approving the reappointment of Darren Lumpkin to the City Park Committee for the term ending 6/30/2018
- **Resolution No. 2523** – approving the reappointment of Thomas W. Hayes to the Building Board of Adjustments & Appeals for the term ending 6/30/2020
- **Resolution No. 2524** – approving the appointment of Edward L. Torbert to the Building Board of Adjustments & Appeals for the term ending 7/31/2020

6:35 p.m. AWARD OF BIDS – Assistant Director of Internal Services – Procurement & Parking  
Jennifer L. Miller

- Salisbury Police Department – Declaration of Surplus – Duty weapon - retirement

6:40 p.m. **PUBLIC HEARINGS – Tri County Council/Walston Switch Road Annexation** -  
City Administrator Tom Stevenson

- **Resolution No. 2503** – proposing the annexation to the City of Salisbury of certain area of land situate, contiguous to and binding upon the easterly corporate limit of the City of Salisbury, to be known as the “Tri County Council/Walston Switch Road Annexation,” and the application of a City zoning classification to same area, being an area located on the westerly side of and binding upon Walston Switch Road, north of the intersection of Walston Switch Road and U.S. Route 50
- **Resolution No. 2504** – to adopt an annexation plan for certain area of land situate, contiguous to and binding upon the easterly corporate limit of the City of Salisbury, to be known as the “Tri County Council / Walston Switch Road Annexation,” being an area located on the westerly side of and binding upon Walston Switch Road, north of the intersection of Walston Switch Road and U.S. Route 50

7:00 p.m. ORDINANCES – City Attorney Mark Tilghman

- **Ordinance No. 2338** – 2<sup>nd</sup> reading – approving a budget amendment of the FY 2015 General Fund to appropriate funds for Attorney Fees
- **Ordinance No. 2339** – 2<sup>nd</sup> reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4.04 of Aarticle 66b of the Annotated Code of Maryland for the purpose of amending Section 17.04.120, Definitions, and Section 17.28.020, Uses Permitted in the Light Business and Institutional District to add Self Storage
- **Ordinance No. 2340** – 2<sup>nd</sup> reading - to authorize Joy Bromley / Bundles of Joy Day Care to expand an existing day care center at 1409 South Division Street in an Office and Service Residential District as required by Title 17, Section 17.84.030a of the Salisbury Municipal Code
- **Ordinance No. 2341** – 2<sup>nd</sup> reading- creating a bike route which will run along West Main Street from Mill Street to the intersection of Fitzwater Street and along Fitzwater Street to the intersection with Parsons Road and along Parsons Road to the intersection of Pemberton Drive; providing dedicated bicycle-only lanes and shared bicycle and motorized vehicle lanes as directed by MDMUTCD Chapter 9, Traffic Control for Bicycle Facilities (MDMUTCD); installing lane striping for dedicated lanes; installing shared lane markings for shared lanes; installing bicycle markings on-pavement; and installing bike route signage along the route per the MDMUTCD

- **Ordinance No. 2342** – 2<sup>nd</sup> reading- to repeal and re-enact Sections 15.04.010 and 15.04.020 of Chapter 15.04 Building Code by adopting updated standard building codes in Section 15.04.010; corresponding amendments to the International Building Code (2015) (IBC) in Section 15.04.020; enacting Section 15.04.030 amendments to the International Plumbing Code (2015) (IPC); and deleting Chapter 15.32 Plumbing Standards in its entirety
- **Ordinance No. 2343** – 2<sup>nd</sup> reading – to amend Sections 15.24.040 Referenced Codes of the Salisbury Property Maintenance Code
- **Ordinance No. 2344** – 1<sup>st</sup> reading- establishing a Community Development Projects Fund
- **Ordinance No. 2345** – 1<sup>st</sup> reading - to abandon and relocate an area of land being the unimproved roadbed of the cul-de-sac portion of Stanley Court and the easement that adjoins said roadbed, located near the intersection of Snow Hill Road and the former Johnson Road, now Stanley Court, in the City of Salisbury, Nutters Election District, Wicomico County, State of Maryland

7:35 p.m. PUBLIC COMMENTS

7:40 p.m. MOTION TO CONVENE IN CLOSED SESSION

\_\_\_ p.m. ADJOURNMENT

**Copies of the agenda items are available for review in the City Clerk's Office, Room 305 – City/County Government Office Building, 410-548-3140 or on the City's website [www.ci.salisbury.md.us](http://www.ci.salisbury.md.us)**

**City Council meetings are conducted in open session unless otherwise indicated. All or part of the Council's meetings can be held in closed session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland 10-508(a), by vote of the City Council.**

**Proposed agenda items for July 27, 2015 (subject to change)**

- Resolution No. \_\_\_ - Comcast Cable Franchise Agreement
- Resolution No. \_\_\_ - City Park Bylaw Changes
- Resolution No. \_\_\_ - Entering into an MOU with Maryland Broadband For Fiber Downtown
- Resolution No. \_\_\_ - Enter into Reimbursement Agreement SPD & MSPGMS
- Resolution No. \_\_\_ - Accepting Funds for Equipment for Tactical Units & Computer Technology
- Resolution No. \_\_\_ - Approve a Project to Construct or Rehabilitate Homes for Habitat for Humanity
- Ordinance No. \_\_\_ - 1<sup>st</sup> reading- Noise
- Ordinance No. \_\_\_ - 1<sup>st</sup> reading- Waterfront and Riverwalk Access
- Ordinance No. \_\_\_ - 1<sup>st</sup> reading- Vacant Building Registry Billing Requirement
- Ordinance No. \_\_\_ - 1<sup>st</sup> reading- Changing the Municipal Infraction Limit from \$500 to \$1000
- Ordinance No. 2344 - 2<sup>nd</sup> reading- Establishing a Community Development Project Fund (JG)
- Ordinance No. 2345 - 2<sup>nd</sup> reading- Relocate Stanley Court



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One member of the public provided the following comments:

- On larger projects the planners, architects and engineers need to know exactly what their requirements are, and as some of the projects extend over one to three years, the projects are all bid on based on a particular code. Not knowing the code in advance can be very disconcerting when bidding on projects, and then finding out a few months down the road that the code has changed can cost a lot of money and time.

Council reached unanimous consensus to advance the legislation to the next legislative agenda. Mr. Holland noted that after the code goes into effect after January 2016, the BPI’s webpage would be changed and area contractors would be notified via a mass mailing.

**Bicycle and Pedestrian Committee – Stagger Committee Appointments**

Assistant City Administrator Julia Glanz stated that currently members of the committee serve three-year terms. The proposed legislation changes the terms to four years, and staggers the terms in even and odd years. Three members will serve four-year terms beginning in odd years, and two of the current members will have their current term extended one year to end in an even year. If a member resigns from the committee in the middle of a term, their replacement will serve the remaining length of the resigning member’s term. There will be one, non-voting, ex-officio member from the Salisbury-Wicomico Metropolitan Planning Organization, and all members shall be appointed by the Mayor and confirmed by the Council and subject to removal by the Mayor and Council.

Mr. Day recommended striking “member” and inserting “staff representative” and striking “non-voting” on Line 20 and Mr. Spies asked that the first comma on Line 20 be removed.

Council reached unanimous consensus to advance the legislation to legislative agenda.

**Waiving Demo Permit Fee for Daily Times Building**

Community Development Administrative Support Technician Virginia Hussey joined Council to request waiving the demolition permit fee to demolish the Daily Times building. She reported that the City of Salisbury recently was awarded \$250,000 in grant money through the Strategic Demolition and Smart Growth Impact Fund (SD-SGIF) of the Maryland Department of Housing and Community Development to demolish the building. The City would like to assist the property owner, Peninsula Regional Medical Center (PRMC), with the demolition so that a new project can be developed on the site. The request was to waive the \$125 demolition permit fee.

Council reached unanimous consensus to approve the fee waiver and advance the legislation to the next legislative agenda.

**Update on 100 N. Division St. Stair Request**

Public Works Director Mike Moulds joined Council to discuss the request to construct basement stairs at the building located at 100 N. Division Street. He informed Council that Mr. Davis has

91 withdrawn his request because during their demolition they found an extra set of stairs hidden  
92 behind a block wall, which lead up from the basement.

93

### 94 **Bike Lanes on Fitzwater Street**

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96 Mr. Moulds reported on the plans that will result in resurfacing Fitzwater Street and explained  
97 the biggest problem are the dips in the road. The bike lanes will begin at the intersection of Mill  
98 Street and West Main Street and continue along West Main Street to the intersection at Fitzwater  
99 Street, then along Fitzwater Street past the Port of Salisbury Marina to the Parsons Road  
100 intersection, then on to the Pemberton Drive intersection.

101

102 Council reached unanimous consensus to advance the ordinance required to establish the bike  
103 route to legislative agenda.

104

### 105 **Acceptance of Funds for Upgrading the SPD Security Camera System**

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107 Police Chief Barbara Duncan joined Council to request approval to accept grant funds from the  
108 U.S. Justice Department, awarded through an Edward Byrne Memorial Justice Assistance Grant  
109 (JAG), to upgrade the Salisbury Police Department's outdated and failing security camera

110

111 Council reached unanimous consensus to advance the resolution to the Consent Agenda of an  
112 upcoming legislative session.

113

### 114 **City Curfew Ordinance**

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116 Chief Duncan reported Administration reached out to Jim Peck at Maryland Municipal League  
117 who provided some direction for the Police Department. He suggested statistics should highlight  
118 or link the need for curfews by connecting crimes with the times of the day these crimes are  
119 committed.

120

121 Mrs. Mitchell indicated the City should provide data proving that a significant number of crimes  
122 are committed by juveniles during the curfew times.

123

124 Chief Duncan reported crimes committed by juveniles include burglary, assault, robberies, and  
125 thefts. Enforcing a curfew would take officers off the street but would prevent crimes from  
126 taking place. She considered the investment worthwhile and added that Department Juvenile  
127 Services (DJS) was in favor of the curfew.

128

129 Mr. Theo Williams informed Council that the Salisbury Wicomico Youth Civics Council had  
130 discussed the legislation and the majority were opposed to it. He suggested Wicomico  
131 Partnership's parenting classes target the same audience possibly committing these crimes.

132

133 City Attorney Tilghman suggested Council hold special public input meetings since Baltimore  
134 City's curfew ordinance was described by the press at the time as extremely onerous. The details  
135 of that ordinance should not be followed as appropriate or acceptable in Salisbury.

136

137 Mr. Day suggested that the City Council hold another Work Session on City curfew legislation  
138 and either include DJS or have input from them about their Youth Connection Center, as that  
139 may be a critical partnership. Chief Duncan will also provide additional information on the  
140 statistics from larger metropolitan areas, replace the black and white reports provided for this  
141 discussion with colored reports, obtain the unattended children's reports through Social Services,  
142 invite DJS to comment, and work on the messaging.

143  
144 Council reached consensus to meet again and discuss the curfew. Mrs. Mitchell did not support a  
145 curfew, which she read is very costly to enforce and is ineffective.

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147 **Motion to convene in Closed Session**

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149 At 6:15 p.m., Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to convene  
150 in Closed Session for the purpose of discussing a matter directly related to a negotiating strategy  
151 or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the  
152 ability of the public body to participate in the competitive bidding or proposal process as  
153 permitted in accordance with the Annotated Code of Maryland §10-508(a)(14).

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155 **Motion to re-convene in Open Session**

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157 At 7:24 p.m., upon a motion and seconded by Mrs. Shields and Mr. Spies, respectively, and  
158 approved by unanimous vote in favor, the Work Session was reconvened and President Day  
159 provided the statement to the public that while in Closed Session Council discussed the status on  
160 the Comcast franchise agreement with the consultants and PAC-14 leadership.

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162 There being no further business to discuss, Council adjourned at 7:41 p.m.

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166 City Clerk

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170 Council President

1 **CITY OF SALISBURY, MARYLAND**

2  
3 **REGULAR MEETING**

**JUNE 8, 2015**

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5 **PUBLIC OFFICIALS PRESENT**

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7 Council President Jacob R. Day Vice President Laura Mitchell  
8 Councilwoman Eugenie P. Shields Councilman John “Jack” R. Heath  
9 Councilman Timothy K. Spies

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11 **PUBLIC OFFICIALS NOT PRESENT**

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13 Mayor James Ireton, Jr.

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15 **IN ATTENDANCE**

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17 City Clerk Kimberly R. Nichols, CMC, City Administrator Tom Stevenson, Assistant City  
18 Administrator Julia Glanz, Internal Services Director Keith Cordrey, Police Chief Barbara  
19 Duncan, Building, Neighborhood Services and Code Compliance Director Susan Phillips,  
20 Permits and Inspections Director William Holland, Salisbury – Wicomico Youth Civics Council  
21 Program Coordinator Theo Williams, interested citizens and members of the press

22 \*\*\*\*\*

23 **CITY INVOCATION – PLEDGE OF ALLEGIANCE**

24  
25 The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President  
26 Day called the meeting to order and asked that Colonel Bob Cook and Mr. Jan Wiseman be  
27 remembered in prayer, as both were very ill. Following the City Invocation provided by Pastor  
28 Andrew Thompson of Remedy Church, those in attendance recited the Pledge of Allegiance to  
29 the flag of the United States of America.

30  
31 **PRESENTATIONS** – presented by Local Government Insurance Trust (LGIT)

32  
33 LGIT Executive Director Tim Ailsworth and Board of Trustees Chair “Sonny” Bloxom joined  
34 Council at the podium. LGIT, a non-profit insurance cooperative, was formed in 1987 by the  
35 Maryland Association of Counties (MACo) and the Maryland Municipal League (MML) in  
36 answer to difficulties towns, cities and counties faced in securing affordable insurance. LGIT  
37 provides joint self-insurance programs or pools for towns, cities and counties in Maryland, and  
38 currently has 18 counties and 142 municipalities in their membership receiving coverage on  
39 primary and excess liability, auto, environmental, property, and boiler and machinery.

40  
41 Chair Bloxom and Executive Director Ailsworth presented a grant for \$2,400.00 to Police Chief  
42 Barbara Duncan for the purchase of body cameras.

43  
44 Messrs. Bloxom and Ailsworth also presented a plaque to the City of Salisbury for having a Risk  
45 Management Safety Committee for twenty years and having an excellent and effective Risk  
46 Management Program from March 1995 to March 2015. Salisbury has the longest serving Risk

47 *Management committee in the State of Maryland.*

48

49 *President Day recognized the City leadership in place twenty years ago for understanding the*  
50 *importance of safety, and commended the current City staff for making the program possible. He*  
51 *also thanked LGIT for protecting the investments of the Salisbury taxpayers.*

52

53 **ADOPTION OF LEGISLATIVE AGENDA**

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55 *Mrs. Shields moved, Mr. Spies seconded, and the vote was unanimous to approve the legislative*  
56 *agenda as presented.*

57

58 **CONSENT AGENDA** – presented by City Clerk Kim Nichols

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60 *The Consent Agenda was unanimously approved on a motion and seconded by Mr. Spies and*  
61 *Mr. Heath, respectively:*

62

- **April 20, 2015** closed session minutes
- **May 4, 2015** work session minutes
- **Resolution No. 2510** – accepting grant funds from the Local Government Insurance Trust in the amount of \$2,400.00 to purchase body worn cameras for the Police Department. The City will be required to match the grant award in the amount of \$2,400.00. The combined funds will enable the Police Department to purchase approximately six cameras
- **Resolution No. 2511** – declaring that United Parcel Service is eligible to receive Enterprise Zone benefits for property located at 2236 Northwood Drive
- **Resolution No. 2512** – to waive the Demolition Permit fee for the former Daily Times building located at 145 East Carroll Street

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64 **FY16 BUDGET PUBLIC HEARING /ORDINANCE NO. 2332** – 2<sup>nd</sup> reading – appropriating  
65 *the necessary funds for the operation of the Government and Administration of the City of*  
66 *Salisbury, Maryland for the period July 1, 2015 to June 30, 2016, establishing the levy for the*  
67 *General Fund for the same fiscal period and establishing the appropriation for the Water and*  
68 *Sewer, Parking Authority, City Marina, and Storm Water funds*

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70 *Mr. Spies moved and Mrs. Shields seconded to approve Ordinance No. 2332 for second reading.*

71

72 *City Attorney Tilghman presented Ordinance No. 2332 for second reading.*

73

74 *Mr. Day reported the budget represents everything Council discussed at the beginning of the*  
75 *process as their priorities, thanked Internal Services Director Keith Cordrey and Administration*  
76 *for their hard work, and reported taxes were kept at the current rate.*

77

78 *Mr. Day opened the Public Hearing at 6:16 p.m. and immediately closed the hearing, as there*  
79 *were no speakers.*

80

81 *Ordinance No. 2332 for second reading was unanimously passed.*

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**ORDINANCES** – presented by City Attorney Mark Tilghman

- **Ordinance No. 2333** – 2<sup>nd</sup> reading - to amend water and sewer rates to decrease sewer only rates and making said changes effective for all bills dated October 1, 2015 and thereafter unless and until subsequently revised or changed

*Mrs. Mitchell moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2333 for second reading.*

- **Ordinance No. 2334** – 2<sup>nd</sup> reading - approving a budget amendment of the FY15 General Fund budget to appropriate the funds received from the recovery and recycling of brass shell casings at the Salisbury Police Range to purchase service weapons

*On a motion and seconded by Mr. Spies and Mrs. Shields, respectively, and by unanimous vote in favor, Ordinance No. 2334 was passed for second reading.*

- **Ordinance No. 2335** – 2<sup>nd</sup> reading - approving an amendment of the FY15 General Fund budget to appropriate funding for purchase of property at tax sale as part of a community development initiative

*Mrs. Shields moved, Mrs. Mitchell seconded, and the vote was unanimous to approve Ordinance No. 2335 for second reading.*

- **Ordinance No. 2336** – 2<sup>nd</sup> reading - to establish a fee schedule to obtain a permit to operate a Bed and Breakfast Inn

*On a motion and seconded by Mrs. Mitchell and Mrs. Shields, respectively, and by unanimous vote in favor, Ordinance No. 2336 was passed for second reading.*

- **Ordinance No. 2337** – 1<sup>st</sup> reading - to establish and delineate a flood plain district within the City of Salisbury, to provide for the issuance of permits, and to impose certain regulations on construction and land development within the District

*Mr. Spies moved, Mr. Heath seconded, and the vote was unanimous to approve Ordinance No. 2337 for second reading.*

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**ADJOURNMENT**

87 *There being no requests for public comments, Council President Day adjourned the Legislative*  
88 *Session at 6:32 p.m.*

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CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
MAY 26, 2015

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*TIME & PLACE:* 6:50 p.m., Government Office Building – Council Chambers, Room 301

*PURPOSE:* Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process

*VOTE TO CLOSE:* Unanimous (5-0)

*CITATION:* Annotated Code of Maryland §10-508(a)(14)

*PRESENT:* Council President Jacob R. Day, Council Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman John “Jack” R. Heath, Councilman Timothy K. Spies, Internal Services Deputy Director – Procurement and Parking Jennifer Miller, City Clerk Kimberly R. Nichols, Assistant City Administrator Julia Glanz, City Attorney Mark Tilghman

*NOT PRESENT:* Mayor James Ireton, Jr.

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*The City Council convened in Legislative Session in Council Chambers (Room #301) of the Government Office Building at 6:04 p.m. Upon the conclusion of the legislative agenda, Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous to convene in Closed Session to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process in accordance with the Annotated Code of Maryland §10-508(a)(14).*

*Council discussed the parameters of an Early Negotiating Period (E.N.P.) award to a developer for City owned property (Lots 1 and 11) with Internal Services Deputy Director – Procurement and Parking Jennifer Miller.*

*At 7:10 p.m., on a motion and seconded by Mr. Spies and Mrs. Mitchell, respectively, and by unanimous vote in favor (5-0), the Closed Session was adjourned and Council reconvened in Legislative Session. President Day reported that while in Closed Session Council had authorized Mayor Ireton to enter into an E.N.P. with a developer for City owned Lots 1 and 11.*

*With no further business to discuss, the meeting thereafter adjourned.*

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
JUNE 1, 2015

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*TIME & PLACE:* 6:15 p.m., Government Office Building – Council Chambers, Room 301

*PURPOSE:* Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process

*VOTE TO CLOSE:* Unanimous (4 - 0)

*CITATION:* Annotated Code of Maryland §10-508(a)(14)

*PRESENT:* Council President Jacob R. Day, Mayor James Ireton, Jr., Vice President Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City Clerk Kim Nichols, City Administrator Tom Stevenson, Assistant City Administrator Julia Glanz, Internal Services Director Keith Cordrey, PAC 14 Executive Director Creig Twilley, City Attorney Mark Tilghman, Attorney Dan Cohen, and CBG President Tom Robinson

*NOT PRESENT:* Councilman John “Jack” R. Heath

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*The City Council convened in Work Session in Council Chambers (Room #301) of the Government Office Building at 4:37 p.m. Upon the conclusion of the Work Session agenda at 6:13 p.m., Mr. Spies moved, Mrs. Shields seconded, and the vote was unanimous (4 – 0) to convene in Closed Session to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process in accordance with the Annotated Code of Maryland §10-508(a)(14).*

*Council discussed the Comcast Cable Franchise Agreement negotiations with Attorney Dan Cohen, CBG Consulting President Tom Robinson and PAC 14 Executive Director Creig Twilley.*

*At 7:24 p.m., on a motion and seconded by Mrs. Shields and Mr. Spies, respectively, and by unanimous vote in favor (4 – 0) the Closed Session was adjourned. Council reconvened in Open Session and Mr. Day reported that while in Closed Session Council had discussed the nearly completed Comcast Cable Franchise Agreement with the consultants and PAC 14 leadership.*

*The Open Session adjourned at 7:27 p.m.*

\_\_\_\_\_  
*City Clerk*

\_\_\_\_\_  
*Council President*

# Office of Community Development

## MEMO

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To: Tom Stevenson

From: Ginny Hussey, CAP-OM

Subject: Resolution of Support for the FY 2016 Community Legacy Application –  
Property Acquisition/Demolition.

Date: June 17, 2015

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As you are aware, we will be submitting a Community Legacy (CL) funding application to the Maryland Department of Housing & Community Development (DHCD) for the FY 2016 funding round. This application is for \$100,000 in CL funds to provide a pot of money for acquisition of abandoned, dilapidated houses and demolition of those houses that are beyond rehabilitation. A copy of the Sustainable Community area boundaries map is attached.

The Community Legacy application requires a Resolution of Support for funding consideration.

Attached is the Resolution of Support for the FY 2016 Community Legacy funding application for the ***Property Acquisition/Demolition Grant***. Please forward this Resolution to the City Council so that it may be placed on their agenda for the meeting on June 22, 2015.

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Ginny Hussey, CAP-OM

Administrative Support Technician

Attachments

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**RESOLUTION NO. 2516**

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND TO APPROVE A MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, COMMUNITY LEGACY GRANT APPLICATION FOR FUNDS FOR ACQUISITION OF ABANDONED, DILAPIDATED HOUSES AND DEMOLITION OF THOSE HOUSES THAT ARE BEYOND REHABILITATION.

WHEREAS, the Maryland Department of Housing and Community Development (DHCD) has solicited applications from eligible jurisdictions to apply for funding under the Community Legacy Grant Program for FY 2016; and

WHEREAS, the City of Salisbury is eligible to apply for funds from DHCD; and

WHEREAS, DHCD, either through Community Legacy or through other Programs of the Department, or in cooperation with other State Departments or agencies, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the City Council and the Mayor of the City of Salisbury.

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Salisbury, Maryland does hereby authorize the submission of an application for Community Legacy funds to forward the City's revitalization initiatives. This will be accomplished by applying for **\$100,000** to provide funds for acquisition of abandoned, dilapidated houses, and demolition of those houses that are beyond rehabilitation.

BE IT FURTHER RESOLVED THAT, James Ireton, Jr., Mayor, is authorized and empowered to execute any and all documents required for the submission of this grant application; and

BE IT FURTHER RESOLVED THAT, copies of this Resolution be sent to the Secretary of the Department of Housing and Community Development of the State of Maryland for consideration by the Community Legacy Board.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on July 13, 2015, and is to become effective immediately.

45 \_\_\_\_\_  
46 Kimberly R. Nichols  
47 CITY CLERK

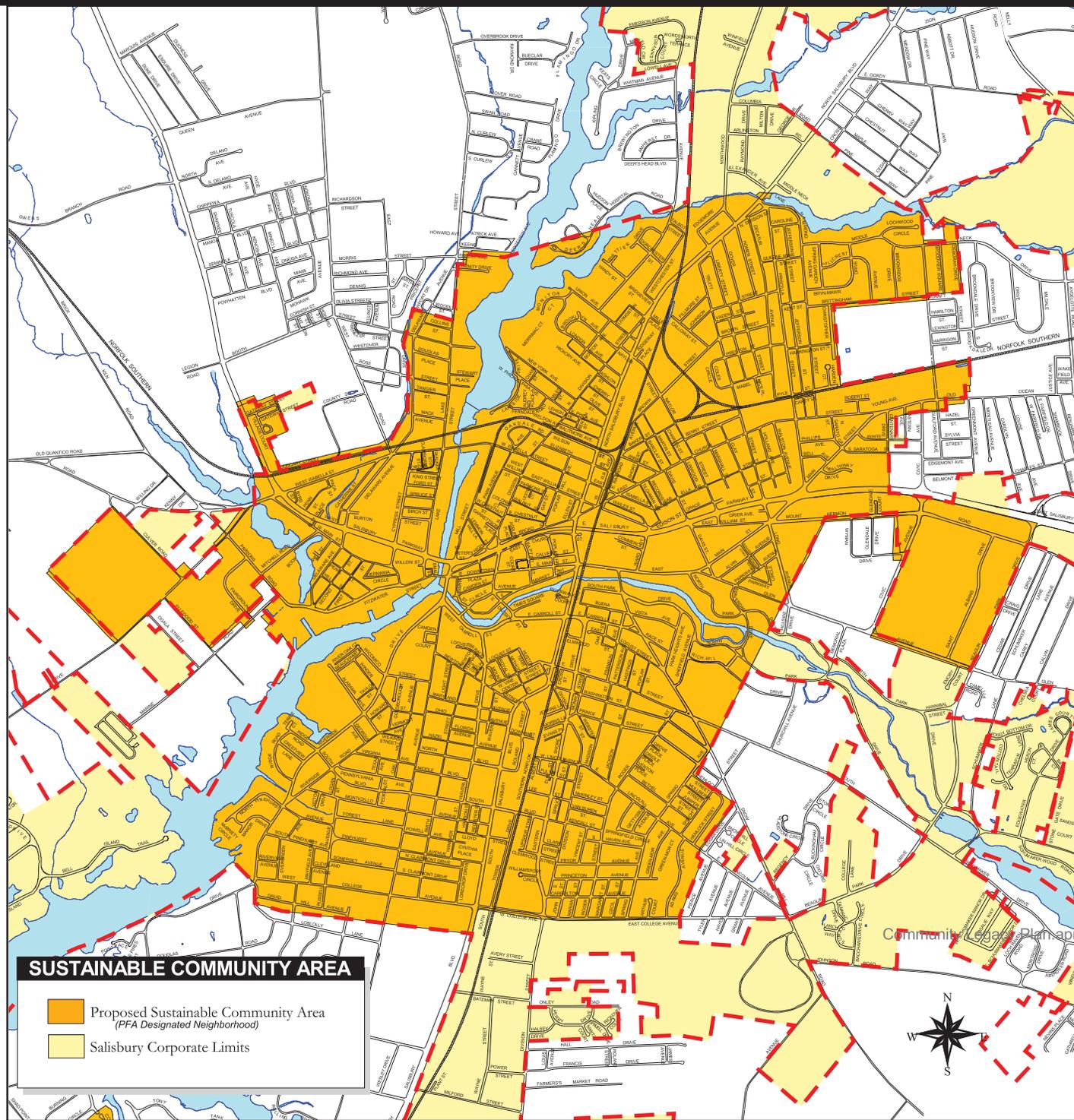
45 \_\_\_\_\_  
46 Jacob R. Day  
47 COUNCIL PRESIDENT

48 APPROVED BY ME THIS

49 \_\_\_\_\_ day of July, 2015

50 \_\_\_\_\_  
51 James Ireton, Jr.  
52 Mayor  
53  
54  
55

# CITY OF SALISBURY



## City of Salisbury "Sustainable Community Area"



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**INTER**

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**OFFICE**

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# MEMO

## Office of the Mayor

**To:** City Council  
**From:** Laura Kordzikowski  
**Subject:** Enterprise Zone Eligibility – Riverview Commons, LLC– 150 West Market Street  
**Date:** July 9, 2015

Attached is a copy of the application requesting Enterprise Zone designation for Riverview Commons, LLC from Palmer Gillis. I have reviewed this application and, to the best of my knowledge, this establishment meets all of the qualifications to be so designated. This property is located within the boundaries of the City's Enterprise Zone, and this company has invested more than \$50,000 in the property and/or has hired two or more full time employees since locating in the Enterprise Zone.

I recommend that the City Council adopt the attached resolution designating Riverview Commons, LLC located at 150 West Market Street, eligible to receive the benefits of the Enterprise Zone.

The Mayor concurs with this recommendation.

As a reminder, companies that are declared eligible for enterprise zone benefits are able to receive both income tax and property tax benefits for ten years. The purpose of this program is to encourage industries to locate in areas identified as enterprise zones and to reinvest in such properties.

cc: Mayor Ireton  
Tom Stevenson  
Kim Nichols

Attachments



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
P.O. BOX 870  
125 NORTH DIVISION STREET, ROOMS 203 & 201  
SALISBURY, MARYLAND 21803-4860  
410-548-4860  
FAX: 410-548-4955



JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

June 12, 2015

TO: Laura Kordzikowski

FROM: John F. Lenox, AICP, Director of Planning & Zoning 

SUBJECT: **Riverview Commons, LLC – 150 W. Market Street**

At your request, this department has reviewed the Enterprise Zone request submitted by Riverview Commons, LLC for property located at 150 West Market Street. The subject site is located on State City Tax Map #107, Parcel #1089 on the westerly side of West Market Street, the southerly side of West Main Street and the easterly side of Mill Street. The site is located in the Central Business District and also within the Downtown Historic District. The site is also within the Chesapeake Bay Critical Areas Intensely Developed Area land management classification.

The Central Business District permits a number of uses including professional and business offices, apartments above the first floor, retail uses, and cultural activities.

The Planning Staff is not aware of any requests to subdivide this property. Tax map records indicate this site consists of one parcel totaling 9,650-sq. ft. of land area exceeding the 5,000-sq. ft. minimum lot area required by the Code.

On December 19, 2013, the Salisbury Planning Commission approved a Certificate of Design and Site Plan for redevelopment/modification of the site.

If any additional information is needed, please do not hesitate to call.

**INTER**

**OFFICE**

# MEMO

## Office of Business Development

**To:** Mike Moulds, Jack Lenox, Bill Holland, and Keith Cordrey  
**From:** Laura Kordzikowski  
**Subject:** Enterprise Zone Qualifications – Riverview Commons, LLC  
**Date:** June 9, 2015

I have received a request from Riverview Commons, LLC located at 150 West Market Street, that they be deemed qualified to receive Enterprise Zone benefits. In order to receive such designation, it is necessary that they meet certain criteria. I am requesting that your departments help me in processing their application by helping me to determine if they meet the necessary criteria.

### Public Works

Does this business meet the limitations of the City's Sewer Use Ordinance?

Does this business meet State and local storm water management codes and regulations?

### Planning & Zoning

Does this business meet the zoning code?

Does this business comply with subdivision regulations?

### Building, Permits & Inspections

Does this business meet the building code (or did it at the time of construction)? *It will  
once completed*

Does this business meet all permit requirements? *YES*

### Finance

Is this business up to date on their taxes?

Please answer the questions above under the heading for your department and return to my office by 6/17/2015. Your assistance is appreciated. If you have any questions, please let me know.

cc: Mayor Ireton

## Department of Public Works

Inter Office Memorandum

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**To:** Mike Moulds, Director of Public Works  
**From:** Rick Baldwin  
**Subject:** Enterprise Zone Qualifications – Riverview Commons, LLC  
**Date:** June 12, 2015

Review of Public Works criteria for Enterprise Zone designation Riverview Commons, LLC located at 150 West Market Street, Salisbury, Maryland.

- Riverview Commons, LLC located at 150 West Market Street is in compliance with the City's sewer use requirements specifically Chapter 13.12 of the City of Salisbury Code of Ordinances.
- Riverview Commons, LLC located at 150 West Market Street is in compliance with State and local storm water management codes and regulations for the date built.

Entity Name: RIVER VIEW COMMONS, LLC

Department ID: W14740914

General Information

Amendments

Personal Property

Certificate of Status

Mailing Address

RIVER VIEW COMMONS, LLC  
 212 WEST MAIN STREET  
 SALISBURY, MD 21801

Personal Property Filings

Asmt. Year	Filing Date	Extension	Penalty Amount	Penalty Paid Date
2015	04/15/2015	Yes		
2014	04/02/2014	No		
2013	05/24/2013	Yes		
2012		No		
2011		No		

Personal Property Assessments Summary

Asmt. Year	Date Assessed	County Base	Town Base	Date Certified
2015		0	0	
2014	07/11/2014	0	0	
2013	04/15/2014	0	0	
2012		0	0	
2011		0	0	

Personal Property Assessments Certification Information

[Log In](#)

## Real Estate

**View Bill**

**As of**   
**Bill Year** 2015  
**Bill** 15025828  
**Owner** RIVER VIEW COMMONS LLC  
**Parcel ID** 09046127

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	9/30/2014	\$1,658.51	\$1,658.51	\$0.00	\$0.00	\$0.00
2	12/31/2014	\$1,658.49	\$1,658.49	\$0.00	\$0.00	\$0.00
Interest			\$50.10			\$0.00
<b>TOTAL</b>		<b>\$3,317.00</b>	<b>\$3,367.10</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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[Log In](#)

### Real Estate Charges

Owner RIVER VIEW COMMONS LLC  
Parcel ID 09046127  
Bill Year 2015

#### Tax Charges

	Taxable Value	Tax Rate	Amount
COUNTY REAL ESTATE	165,800	0.951600	\$1,577.75
STATE REAL ESTATE	165,800	0.112000	\$185.70
CITY REAL ESTATE	165,800	0.937000	\$1,553.55
OVERPAYMENTS		0.000001	\$0.00
<b>Total</b>			<b>\$3,317.00</b>
<b>2015 Charges</b>			<b>\$3,317.00</b>

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# City of Salisbury Enterprise Zone Program Information And Qualification Application

## Application

Applying For:

Income Tax Credit  Real Property Tax Credit  Both

### General Information

Today's Date: 6/08/2015

Name of Firm: River View Commons, LLC

Legal Status:  Corporation  Proprietorship  Partnership  Other

FEIN: 27-2986040

Contact Person: Palmer Gillis

Title: Member

Mailing Address: PO Box 282  
Salisbury, MD 21803

Street Address (if different): 212 W. Main Street, Suite #305  
Salisbury, MD 21801

Telephone Number: 410-749-4821

E-Mail Address: pgillis@gillisgilkerson.com

### Property Information

Address of Property for Which Enterprise Benefits are sought: 150 West Market Street  
Salisbury, MD 21801

Property Tax # (10 digit – if available): \_\_\_\_\_

Name of Property Owner: River View Commons, LLC

Address of Property Owner: PO Box 282, Salisbury, MD 21803

Approximate Size of Property: \_\_\_\_\_ Acres

Approximate Size of Existing Building: 9650 Square Feet

Current Base Assessment Price: \$ 165,800

### Information on Applicant Business

Is Company Located in Enterprise Zone now: Yes  No  If yes, since what year: Since Insp.

Is Company relocating from another place?: Yes  No

If yes, where was previous location?: \_\_\_\_\_

Is Company a new, start up business?: Yes  No

Headquarters location: Same

Submit Application to:  
Business Development Specialist – City of Salisbury  
125 North Division Street, Room 104  
Salisbury, MD 21801  
410-677-1915 | info@citylivingsalisbury.com



**City of Salisbury**  
**Enterprise Zone Program Information And Qualification Application**

Describe the Company's primary and secondary products or services that are, or will be, produced at the facility in the Enterprise Zone:

Real Estate Holding Co. Leasing office and Retail Space

Business NAICS Code (if available): \_\_\_\_\_

Did Enterprise Zone benefits affect your decision to locate at this address?:  Yes  No

Proposed Project – Real Property Tax Credit

Proposed Project Is: New Construction  Rehabilitation

Project Starting Date: 2015 \_\_\_\_\_

Anticipated Completion Date: 2015 \_\_\_\_\_

Description of Project:

Mixed Use Office, Retail

Cost of Project: \$ 1,500,000

Proposed Project – State Income Tax Credit

Current Number of Employees in the Zone:

Total: \_\_\_\_\_ Full Time: \_\_\_\_\_ Part Time: \_\_\_\_\_

New Jobs Created in the Zone:

Total: \_\_\_\_\_ Full Time: \_\_\_\_\_ Part Time: \_\_\_\_\_

Creation Date: \_\_\_\_\_

Hourly Wage for Typical New Job (without benefits): \$ \_\_\_\_\_/hour

Additional Cost of Benefits Provided (Per New Employee): \$ \_\_\_\_\_/hour

Please include a list of all hired employees, the date of hire, how many hours a week they work, and what their wages are.

Signatures

Signature of Person Completing This Form

Typed Name: Palmer Gillis

Title: Member

Date: 6/08/2015

How did you hear about this opportunity:

Website

Submit Application to:  
 Business Development Specialist – City of Salisbury  
 125 North Division Street, Room 104  
 Salisbury, MD 21801  
 410-677-1915 | info@citylivingsalisbury.com

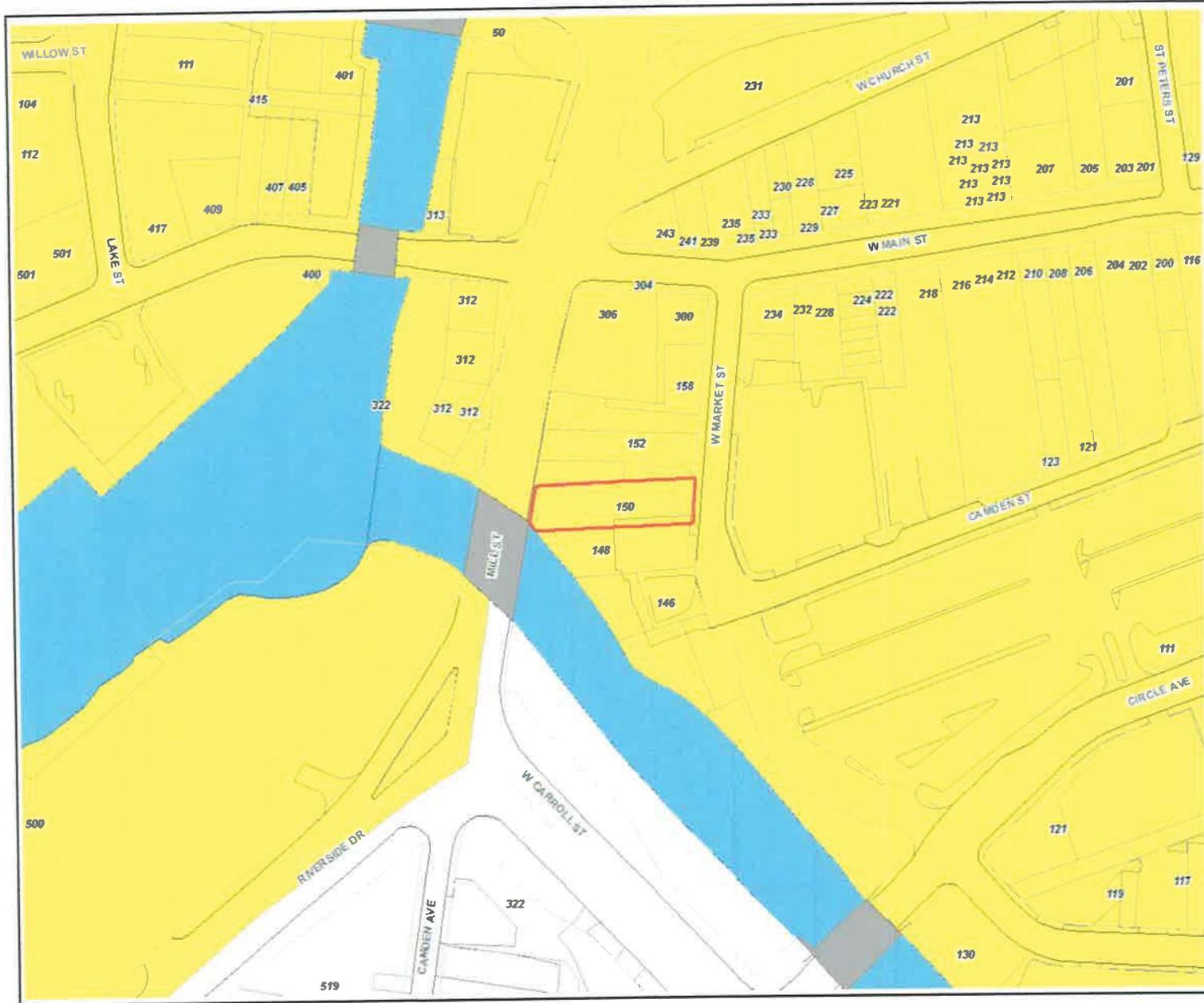
Real Property Data Search ( w2)

Guide to searching the database

Search Result for WICOMICO COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
<b>Account Identifier:</b>		<b>District - 09 Account Number - 046127</b>			
Owner Information					
<b>Owner Name:</b>		<b>RIVER VIEW COMMONS LLC</b>		<b>Use: COMMERCIAL</b>	
<b>Mailing Address:</b>		<b>212 W MAIN ST SALISBURY MD 21801-</b>		<b>Principal Residence: NO</b>	
				<b>Deed Reference: /03458/ 00001</b>	
Location & Structure Information					
<b>Premises Address:</b>		<b>150 MARKET ST SALISBURY 21801-0000</b>		<b>Legal Description: BL-B L-5 9,650 SQ FT 150 MARKET STREET PROP SUR. M-107 PAR 1088 THRU 1092</b>	
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>	<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section: Block: Lot: Assessment Year: Plat No: Plat Ref:</b>
0107	0013	1089		0000	B 5 2015 0016/0506
<b>Special Tax Areas:</b>			<b>Town: SALISBURY</b>		
			<b>Ad Valorem:</b>		
			<b>Tax Class:</b>		
<b>Primary Structure Built</b>	<b>Above Grade Enclosed Area</b>	<b>Finished Basement Area</b>	<b>Property Land Area</b>	<b>County Use</b>	
1880	16653		9,650 SF		
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage Last Major Renovation</b>
		STORAGE WAREHOUSE			
Value Information					
	<b>Base Value</b>	<b>Value As of 01/01/2015</b>	<b>Phase-in Assessments</b>		
			<b>As of 07/01/2014</b>	<b>As of 07/01/2015</b>	
<b>Land:</b>	137,500	144,700			
<b>Improvements</b>	28,300	25,200			
<b>Total:</b>	165,800	169,900	165,800	167,167	
<b>Preferential Land:</b>	0			0	
Transfer Information					
<b>Seller: FELDMAN BROTHERS INC</b>		<b>Date: 07/06/2012</b>		<b>Price: \$5,000</b>	
<b>Type: NON-ARMS LENGTH OTHER</b>		<b>Deed1: /03458/ 00001</b>		<b>Deed2:</b>	
<b>Seller: FELDMAN INVESTMENT CORP</b>		<b>Date: 03/30/1992</b>		<b>Price: \$0</b>	
<b>Type:</b>		<b>Deed1: /01285/ 00684</b>		<b>Deed2:</b>	
<b>Seller:</b>		<b>Date:</b>		<b>Price:</b>	
<b>Type:</b>		<b>Deed1:</b>		<b>Deed2:</b>	
Exemption Information					
<b>Partial Exempt Assessments:</b>	<b>Class</b>	<b>07/01/2014</b>	<b>07/01/2015</b>		
<b>County:</b>	000	0.00			
<b>State:</b>	000	0.00			
<b>Municipal:</b>	000	0.00 0.00	0.00 0.00		
<b>Tax Exempt:</b>		<b>Special Tax Recapture:</b>			
<b>Exempt Class:</b>		<b>NONE</b>			
Homestead Application Information					

# CITY OF SALISBURY



- Streams
- Water Bodies
  - DisplayValue
  - 1
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7
- Edge of Pavement
- Driveways
  - LAYER
  - X-DRIVEWAY
- Parking
  - LAYER
  - X-CL-PARK
  - X-PARK-PAVED
  - X-PARK-UNPAVED
- Wicomico SDE.Wicomico\_Addresspoints
- Municipal Areas
  - CAD
  - Delmar
  - Fruitland
  - Hebron
  - Mardela
  - Pittsville
  - Salisbury
  - Sharptown
  - Willards
- Railroads
- Bridge
- ROW
- Parcels
- Salisbury - Wicomico Enterprise Zone
- Fruitland Enterprise Zone
- Street Centerlines
- Wicomico County Boundary

43 ft



SalisburyWicomico GIS

## 150WMarket

## Laura Kordzikowski

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**From:** Palmer Gillis <pgillis@gillisgilkerson.com>  
**Sent:** Thursday, June 11, 2015 10:21 AM  
**To:** Laura Kordzikowski  
**Cc:** Heather Welch  
**Subject:** RE: Riverview Commons

Yes.  
Myself, Dwight Miller and J.B. Barnes, 3 equal partners

---

**From:** Laura Kordzikowski [mailto:lkordzikowski@ci.salisbury.md.us]  
**Sent:** Thursday, June 11, 2015 10:16 AM  
**To:** Palmer Gillis  
**Subject:** Riverview Commons

Hey Palmer,  
I received and have started processing your EZ application for Riverview Commons. Often the Council requests likes to know who the members of the LLC are – could you provide this info to me?

Thank you,

Laura Kordzikowski  
Business Development Specialist | City of Salisbury  
*Let's Do Business Salisbury*  
125 North Division Street  
Salisbury, MD 21801  
(410) 677-1915  
[LKordzikowski@citylivingsalisbury.com](mailto:LKordzikowski@citylivingsalisbury.com)

[www.downtownsalisbury.org](http://www.downtownsalisbury.org)

RESOLUTION NO. 2517

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING THAT RIVERVIEW COMMONS, LLC IS ELIGIBLE TO RECEIVE ENTERPRISE ZONE BENEFITS FOR PROPERTY LOCATED AT 150 West Market Street, SALISBURY MD.

WHEREAS the City of Salisbury, Maryland and Wicomico County created an Enterprise Zone on June 6, 1983 for the purpose of encouraging economic development of the area encompassed within the boundaries of such zone; and

WHEREAS the Enterprise Zone was created under authority granted by the State of Maryland; and

WHEREAS the State Code permits certain benefits to be extended to businesses that locate or expand in the Enterprise Zone provided that they meet certain standards; and

WHEREAS, the City of Salisbury and Wicomico County have also established certain standards, which must be met in order for a business to be deemed eligible to receive Enterprise Zone benefits; and

WHEREAS, Riverview Commons, LLC meets the standards set forth in the State Code and in local regulations to be eligible to receive Enterprise Zone benefits; and

WHEREAS, Palmer Gillis, representing Riverview Commons, LLC has requested that the company be designated as eligible for Enterprise Zone benefits because of its investment of more than \$50,000 at their property located in the zone at 150 West Market Street;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, Maryland that Riverview Commons, LLC be designated as eligible to receive the benefits of the Enterprise Zone effective upon the adoption of this resolution.

The above Resolution was introduced and read and passed at the regular meeting of the Salisbury City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
PRESIDENT, City Council

APPROVED by me this  
\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR, City of Salisbury

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**INTER**

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**OFFICE****MEMO**

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## Office of the Mayor

**To:** City Council  
**From:** Laura Kordzikowski  
**Subject:** Enterprise Zone Eligibility – WMDT– 202 W Main Street  
**Date:** July 9, 2015

Attached is a copy of the application requesting Enterprise Zone designation for WMDT from Lindsay Adkins. I have reviewed this application and, to the best of my knowledge, this establishment meets all of the qualifications to be so designated. This property is located within the boundaries of the City's Enterprise Zone, and this company has invested more than \$50,000 in the property and/or has hired two or more full time employees since locating in the Enterprise Zone.

I recommend that the City Council adopt the attached resolution designating WMDT located at 202 W Main Street, eligible to receive the benefits of the Enterprise Zone.

The Mayor concurs with this recommendation.

As a reminder, companies that are declared eligible for enterprise zone benefits are able to receive both income tax and property tax benefits for ten years. The purpose of this program is to encourage industries to locate in areas identified as enterprise zones and to reinvest in such properties.

cc: Mayor Ireton  
Tom Stevenson  
Kim Nichols

Attachments



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
P.O. BOX 870  
125 NORTH DIVISION STREET, ROOMS 203 & 201  
SALISBURY, MARYLAND 21803-4860  
410-548-4860  
FAX: 410-548-4955



JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

ROBERT L. CULVER, JR.  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

June 25, 2015

TO: Laura Kordzikowski

FROM: John F. Lenox, AICP, Director of Planning & Zoning 

**SUBJECT: WMDT - 202 W. Main Street**

At your request, this department has reviewed the Enterprise Zone request submitted by WMDT for property located at 202 West Main Street. The subject site is located on State City Tax Map #107, Parcel #1056 on the southerly side of West Main Street and the northerly side of Camden Street. The site is located in the Central Business District and also within the Downtown Historic District.

The Central Business District permits a number of uses including broadcasting, television and communication facilities, professional and business offices, apartments above the first floor, retail uses, and cultural activities.

The Planning Staff is not aware of any requests to subdivide this property. Tax map records indicate this site consists of one parcel totaling 9,144-sq. ft. of land area exceeding the 5,000-sq. ft. minimum lot area required by the Code.

If any additional information is needed, please do not hesitate to call.

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**INTER**

**OFFICE**

# MEMO

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## Office of Business Development

**To:** Mike Moulds, Jack Lenox, **Bill Holland**, and Keith Cordrey  
**From:** Laura Kordzikowski  
**Subject:** Enterprise Zone Qualifications – WMDT  
**Date:** June 16, 2015

I have received a request from WMDT located at 202 W Main Street, that they be deemed qualified to receive Enterprise Zone benefits. In order to receive such designation, it is necessary that they meet certain criteria. I am requesting that your departments help me in processing their application by helping me to determine if they meet the necessary criteria.

### Public Works

Does this business meet the limitations of the City's Sewer Use Ordinance?

Does this business meet State and local storm water management codes and regulations?

### Planning & Zoning

Does this business meet the zoning code?

Does this business comply with subdivision regulations?

### Building, Permits & Inspections

Does this business meet the building code (or did it at the time of construction)? **YES**

Does this business meet all permit requirements? **YES**

### Finance

Is this business up to date on their taxes?

Please answer the questions above under the heading for your department and return to my office by **6/23/2015**. Your assistance is appreciated. If you have any questions, please let me know.

cc: Mayor Ireton

## Laura Kordzikowski

---

**From:** Connie Klaverweiden  
**Sent:** Wednesday, June 17, 2015 1:07 PM  
**To:** Laura Kordzikowski  
**Subject:** FW: Enterprise Zone WMDT  
**Attachments:** Enterprise Zone - WMDT.pdf

Laura,

Real estate taxes are paid for Marquee Properties LLC., and personal property taxes for Marquee Broadcasting Inc. are also paid in full.

Please let me know if you need any other information concerning this matter.

Have a good day.

*Connie L. Klaverweiden  
City of Salisbury, MD  
Internal Services Dept./ Finance Division*

---

**From:** Keith Cordrey  
**Sent:** Tuesday, June 16, 2015 1:25 PM  
**To:** Connie Klaverweiden  
**Cc:** Laura Kordzikowski; Trish Summers  
**Subject:** Enterprise Zone WMDT

Connie,

Please let Laura know status of taxes as requested per attachment for WMDT

Keith Cordrey  
Director of Internal Services | City of Salisbury  
*Let's Do Business Salisbury*  
125 N. Division Street, Room 103  
Salisbury, MD, 21801-4904  
(410) 334-3028  
[kcordrey@ci.salisbury.md.us](mailto:kcordrey@ci.salisbury.md.us)



## Department of Public Works

Inter Office Memorandum

---

**To:** Mike Moulds, Director of Public Works  
**From:** Rick Baldwin  
**Subject:** Enterprise Zone Qualifications – WMDT  
**Date:** June 17, 2015

Review of Public Works criteria for Enterprise Zone designation of WMDT located at 202 W. Main St., Salisbury, Maryland.

- WMDT located at 202 W. Main Street is in compliance with the City's sewer use requirements specifically Chapter 13.12 of the City of Salisbury Code of Ordinances.
- WMDT located at 202 W. Main Street is in compliance with State and local storm water management codes and regulations for the date built.



# City of Salisbury Enterprise Zone Program Information And Qualification Application

## Application

Applying For:

Income Tax Credit  Real Property Tax Credit  Both

### General Information

Today's Date: June 12, 2015  
 Name of Firm: Marquee Broadcasting, Inc.  
 Legal Status:  Corporation  Proprietorship  Partnership  Other  
 FEIN: 20-1970207  
 Contact Person: Lindsay Adkins  
 Title: Business Manager  
 Mailing Address: PO Box 4009  
Salisbury, MD 21803  
 Street Address (if different): 202 W. Main St  
Salisbury, MD 21801  
 Telephone Number: 410.742.4747 ext. 309  
 E-Mail Address: lindsay\_adkins@wmdt.com

### Property Information

Address of Property for Which Enterprise Benefits are sought: 202 W. Main st.  
Salisbury, MD 21801  
 Property Tax # (10 digit – if available): 2 3 0 9 0 3 9 5 7 0  
 Name of Property Owner: Marquee Properties, LLC  
 Address of Property Owner: PO Box 4009 Salisbury, MD 21803  
 Approximate Size of Property: \_\_\_\_\_ Acres  
 Approximate Size of Existing Building: 19344 Square Feet  
 Current Base Assessment Price: \$ 550,600

### Information on Applicant Business

Is Company Located in Enterprise Zone now: Yes  No  If yes, since what year: \_\_\_\_\_  
 Is Company relocating from another place?: Yes  No   
 If yes, where was previous location?: \_\_\_\_\_  
 Is Company a new, start up business?: Yes  No   
 Headquarters location: 202 W. Main St. Salisbury, MD 21801

Submit Application to:  
 Business Development Specialist – City of Salisbury  
 125 North Division Street, Room 104  
 Salisbury, MD 21801  
 410-677-1915 | info@citylivingsalisbury.com



## City of Salisbury Enterprise Zone Program Information And Qualification Application

Describe the Company's primary and secondary products or services that are, or will be, produced at the facility in the Enterprise Zone:

Television broadcast station

Business NAICS Code (if available): 515120

Did Enterprise Zone benefits affect your decision to locate at this address?:  Yes  No

Proposed Project – Real Property Tax Credit

Proposed Project Is: New Construction  Rehabilitation

Project Starting Date: \_\_\_\_\_

Anticipated Completion Date: \_\_\_\_\_

Description of Project:

Cost of Project: \$ \_\_\_\_\_

Proposed Project – State Income Tax Credit

Current Number of Employees in the Zone:

Total: 70 Full Time: 60 Part Time: 10

New Jobs Created in the Zone:

Total: 6 Full Time: 6 Part Time: \_\_\_\_\_

Creation Date: 2014

Hourly Wage for Typical New Job (without benefits): \$ 14.00 /hour

Additional Cost of Benefits Provided (Per New Employee): \$ 2.98 /hour

Please include a list of all hired employees, the date of hire, how many hours a week they work, and what their wages are.

Signatures

Signature of Person Completing This Form: Lindsay Adkins

Typed Name: Lindsay Adkins

Title: Business Manager

Date: June 12, 2015

How did you hear about this opportunity:

Accounting Firm

Submit Application to:  
Business Development Specialist – City of Salisbury  
125 North Division Street, Room 104  
Salisbury, MD 21801  
410-677-1915 | info@citylivingsalisbury.com



---

Gregory LaFrance,	hired 01/21/2014,	salary \$65,000.00
Chris McIntosh,	hired 03/25/2014,	salary \$25,000.00
Joshua Lynch,	hired 06/01/2014,	salary \$35,000.00
Spenser Tilus,	hired 04/07/2014,	salary \$36,000.00
Gizelle Espinales,	hired 04/21/2014,	salary \$24,000.00
Travon Miles,	hired 04/21/2014,	salary \$21,000.00

Real Property Data Search ( w1)

Guide to searching the database 

Search Result for WICOMICO COUNTY

<a href="#">View Map</a>	<a href="#">View GroundRent Redemption</a>	<a href="#">View GroundRent Registration</a>				
<b>Account Identifier:</b>		<b>District - 09 Account Number - 039570</b>				
<b>Owner Information</b>						
<b>Owner Name:</b>	MARQUEE PROPERTIES LLC	<b>Use:</b> COMMERCIAL				
<b>Mailing Address:</b>	PO BOX 4009 SALISBURY MD 21803-	<b>Principal Residence:</b> NO				
		<b>Deed Reference:</b> /03657/ 00225				
<b>Location &amp; Structure Information</b>						
<b>Premises Address:</b>	202 W MAIN ST SALISBURY 21801-0000	<b>Legal Description:</b> L-50.8 X 90 & 50.8 X 90 202 W MAIN ST CITY OF SALIS				
<b>Map:</b>	<b>Grid:</b>	<b>Parcel:</b>				
0107	0014	1056				
<b>Sub District:</b>	<b>Subdivision:</b>	<b>Section:</b>				
	0000					
<b>Block:</b>	<b>Lot:</b>	<b>Assessment Year:</b>				
		2015				
<b>Plat No:</b>	<b>Plat Ref:</b>					
<b>Special Tax Areas:</b>	<b>Town:</b> SALISBURY					
	<b>Ad Valorem:</b>					
	<b>Tax Class:</b>					
<b>Primary Structure Built</b>	<b>Above Grade Enclosed Area</b>	<b>Finished Basement Area</b>	<b>Property Land Area</b>	<b>County Use</b>		
1950	17952		9,144 SF			
<b>Stories</b>	<b>Basement</b>	<b>Type</b>	<b>Exterior</b>	<b>Full/Half Bath</b>	<b>Garage</b>	<b>Last Major Renovation</b>
		OFFICE BUILDING				
<b>Value Information</b>						
	<b>Base Value</b>	<b>Value As of 01/01/2015</b>	<b>Phase-in Assessments</b>			
			<b>As of 07/01/2014</b>	<b>As of 07/01/2015</b>		
<b>Land:</b>	123,400	137,100				
<b>Improvements</b>	425,200	417,500				
<b>Total:</b>	548,600	554,600	548,600	550,600		
<b>Preferential Land:</b>	0			0		
<b>Transfer Information</b>						
<b>Seller:</b> DELMARVA BROADCAST SERVICE LLC	<b>Date:</b> 12/06/2013	<b>Price:</b> \$1,300,000				
<b>Type:</b> ARMS LENGTH MULTIPLE	<b>Deed1:</b> /03657/ 00225	<b>Deed2:</b>				
<b>Seller:</b> DELMARVA BROADCAST SERVICE GENERAL	<b>Date:</b> 04/04/2007	<b>Price:</b> \$0				
<b>Type:</b> NON-ARMS LENGTH OTHER	<b>Deed1:</b> /02770/ 00103	<b>Deed2:</b>				
<b>Seller:</b> ARCADE-FOX ASSOCIATES	<b>Date:</b> 12/27/1979	<b>Price:</b> \$150,000				
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /01026/ 00624	<b>Deed2:</b>				
<b>Exemption Information</b>						
<b>Partial Exempt Assessments:</b>	<b>Class</b>	<b>07/01/2014</b>	<b>07/01/2015</b>			
<b>County:</b>	000	0.00				
<b>State:</b>	000	0.00				
<b>Municipal:</b>	000	0.00 0.00	0.00 0.00			
<b>Tax Exempt:</b>	<b>Special Tax Recapture:</b>					
<b>Exempt Class:</b>	NONE					
<b>Homestead Application Information</b>						
<b>Homestead Application Status: No Application</b>						

# CITY OF SALISBURY



- Streams
- Water Bodies
  - DisplayValue
  - 1
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7
- Edge of Pavement
- Driveways
  - LAYER
  - X-DRIVEWAY
- Parking
  - LAYER
  - X-CL-PARK
  - X-PARK-PAVED
  - X-PARK-UNPAVED
- Wicomico.SDE.Wicomico\_Addresspoints
- Municipal Areas
  - CAD
  - Delmar
  - Fruitland
  - Hebron
  - Mardela
  - Pittsville
  - Salisbury
  - Sharptown
  - Willards
- Railroads
- Bridge
- ROW
- Parcels
- Salisbury - Wicomico Enterprise Zone
- Fruitland Enterprise Zone
- Street Centerlines
- Wicomico County Boundary

RESOLUTION NO. 2518

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND DECLARING THAT WMDT IS ELIGIBLE TO RECEIVE ENTERPRISE ZONE BENEFITS FOR PROPERTY LOCATED AT 202 W MAIN STREET, SALISBURY MD.

WHEREAS the City of Salisbury, Maryland and Wicomico County created an Enterprise Zone on June 6, 1983 for the purpose of encouraging economic development of the area encompassed within the boundaries of such zone; and

WHEREAS the Enterprise Zone was created under authority granted by the State of Maryland; and

WHEREAS the State Code permits certain benefits to be extended to businesses that locate or expand in the Enterprise Zone provided that they meet certain standards; and

WHEREAS, the City of Salisbury and Wicomico County have also established certain standards, which must be met in order for a business to be deemed eligible to receive Enterprise Zone benefits; and

WHEREAS, WMDT meets the standards set forth in the State Code and in local regulations to be eligible to receive Enterprise Zone benefits; and

WHEREAS, Lindsay Adkins, representing WMDT has requested that the company be designated as eligible for Enterprise Zone benefits because of its creation of two or more full time positions located in the zone at 202 W Main Street;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, Maryland that WMDT be designated as eligible to receive the benefits of the Enterprise Zone effective upon the adoption of this resolution.

The above Resolution was introduced and read and passed at the regular meeting of the Salisbury City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
PRESIDENT, City Council

APPROVED by me this  
\_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR, City of Salisbury

# City of Salisbury



JAMES IRETON JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR



Maryland  
699 W. SALISBURY PARKWAY  
SALISBURY, MD 21801  
TEL: 410-548-3165



BARBARA DUNCAN  
CHIEF OF POLICE

June 24, 2015

TO: Tom Stevenson  
FROM: Colonel David Meienschein  
SUBJECT: Resolution – ESIC Reimbursement

Attached, please find a Resolution to allow the Chief of Police to enter into a Reimbursement Agreement (included) between the Salisbury Police Department and the Maryland State Police Grants Management Section to purchase equipment and supplies for the Eastern Shore Information Center through the Salisbury City Government Purchasing (SCP) Department.

All purchases will be requested and approved through the ESIC Advisory Board, and not exceed \$25,000, with an ending date of May 31, 2016. The rules and regulations of the City's Purchasing Department will be strictly followed and invoices submitted for the equipment and supplies purchased for full reimbursement.

Unless you, or the Mayor, have further questions, please forward this resolution to the City Council.

A handwritten signature in black ink, appearing to read "David T. Meienschein".

David T. Meienschein  
Assistant Chief of Police

1 RESOLUTION No. 2519

2  
3 A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING  
4 THE CHIEF OF POLICE TO ENTER INTO A REIMBURSEMENT AGREEMENT  
5 BETWEEN THE CITY OF SALISBURY POLICE DEPARTMENT AND THE MARYLAND  
6 STATE POLICE (MSP) GRANTS MANAGEMENT SECTION TO MANAGE ALLOCATED  
7 FUNDING FOR EQUIPMENT AND SUPPLIES FOR THE EASTERN SHORE  
8 INFORMATION CENTER (ESIC).

9  
10 WHEREAS, the Maryland State Police Grants Management Section has awarded funding  
11 for the Eastern Shore Information Center (ESIC) for the purchase of equipment and supplies; and

12  
13 WHEREAS, all equipment and supplies acquired with these funds will be approved by  
14 the ESIC Advisory Board and will be the sole property of ESIC; and

15  
16 WHEREAS, in consideration of the Eastern Shore Information Center the City of  
17 Salisbury agrees to purchase all requested and approved equipment and supplies through the  
18 Salisbury City Government Purchasing (SCP) Department and made in accordance with the  
19 purchasing rules and regulations; and

20  
21 WHEREAS, the MSP Grants Management Section agrees to reimburse the SPD for the  
22 full purchase price of all equipment and supplies purchased for ESIC, up to \$25,000.00 (twenty  
23 five thousand) through May 31, 2016; and

24  
25 WHEREAS, the City of Salisbury will not incur any expenses as a result of this  
26 agreement.

27  
28 NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY  
29 OF SALISBURY, MARYLAND that the Chief of Police be authorized to sign this Agreement  
30 and abide by the terms and conditions of this Agreement for the purchase of equipment and  
31 supplies for the Eastern Shore Information Center.

32  
33 THIS RESOLUTION was duly passed at a meeting of the Council of the City of  
34 Salisbury held on \_\_\_\_\_, 2015, and is to become effective immediately upon adoption.

35  
36 ATTEST:

37  
38 \_\_\_\_\_  
39 Kimberly R. Nichols, City Clerk

\_\_\_\_\_   
Jacob R. Day, President  
Salisbury City Council

40  
41 APPROVED BY ME THIS;

42  
43 \_\_\_\_\_ Day of \_\_\_\_\_, 2015

44  
45 \_\_\_\_\_  
46 James Ireton Jr., Mayor

**REIMBURSEMENT AGREEMENT  
BETWEEN  
THE SALISBURY CITY POLICE DEPARTMENT  
AND  
THE MARYALND STATE POLICE GRANTS MANAGEMENT SECTION**

**I. AUTHORITY AND PURPOSE:**

- A. The Maryland State Police (MSP) Grants Management Section wish to obtain equipment and supplies for the Eastern Shore Information Center (ESIC) through the Salisbury City Government (SCG) Purchasing System.**
- B. In consideration of the Eastern Shore Information Center (ESIC) providing critical intelligence to enhance efforts to reduce criminal activity in our jurisdiction the Salisbury Police Department, Salisbury City agrees to purchase requested equipment and supplies for the ESIC, The Salisbury City Police Department (SPD) will purchase all requested equipment and supplies through the law enforcement budget that has been approved by the ESIC Advisory Board. All purchases will be made in accordance with the Salisbury City Purchasing Rules and Regulations.**
- C. The MSP Grants Management Section agrees to reimburse Salisbury City Police Department for the full purchase price of all equipment and supplies purchased for the ESIC, up to \$25,000 through May 31<sup>th</sup>, 2016.**
- D. Property acquired through these funds will be the property of the ESIC.**

**II. FUNDING TERMS AND CONDITIONS:**

- A. Signature of this Agreement by the MSP and SPD constitutes an obligation of the reimbursement amount. MSP funding for this agreement is limited to the reimbursement amount. Funds obligated under this agreement are available for expenditures until the completion date defined in this Agreement. Funds expended for purposes not authorized in this Agreement must be promptly refunded to MSP.**
- B. SPD must, no later than 60 days following the completion of this Agreement, submit to MSP Grants Management Section requests for reimbursement on approved purchases.**
- C. MSP Grants Management Section must, no later than 30 days following the receipt of an invoice for reimbursement for SPD, provides reimbursement to the Salisbury City Government for the reimbursement amount.**

**III. RESPONSIBILITIES:**

- A. Maryland State Police will:
  - 1. Ensure that funds are available to cover the cost of the requested equipment and supplies.**
  - 2. Reimburse the SPD the full reimbursement amount for the requested equipment and supplies.**
  - 3. Provide a designated contact person to consult with the Fiscal Services Section of the SPD.**
  - 4. Provide the SPD effective dates and amount of the Grant.**
  - 5. Provide an ongoing balance of available funds.****

6. Provide the SPD all invoicing information to ensure proper reimbursement procedures.
7. Immediately notify SPD Fiscal Services of any changes to MSP reimbursement procedures.

**B. Salisbury City Government will:**

1. Receive reimbursement from MSP to cover the cost of the requested equipment and supplies.
2. Ensure that all funds received are properly committed and obligated for the purposes specified herein and that expenditures conform to applicable guidelines.
3. Ensure timely invoicing for reimbursement.

**IV. POINTS OF CONTACT:**

**For Maryland State Police:**

Name: Patrick J. Linnehan  
 Title: Director of Grants - MSP  
 Address: 1201 Reisterstown Road  
Pikesville, MD 21208  
 Phone Number: 410-653-4245

**For the Eastern Shore Information Center:**

Name: Joseph S. Saboury  
 Title: ESIC Commander  
 Address: 718 Naylor Mill Road  
Salisbury, Wicomico Co., MD 21208  
 Phone Number: 877-917-9191

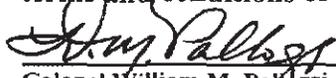
**For the Salisbury City Police Department:**

Name: Barbara Duncan  
 Title: Chief of Police  
 Address: 699 W. Salisbury Parkway  
Salisbury, MD 21801  
 Phone Number: 410-548-3159

**V. COMPETITION DATE**

The planned completion date of this Agreement is: May 31, 2016

**VI. In acknowledgement of the foregoing description of this Agreement, made this (Date) May 15, 2015, these authorized signatures do hereby attest to their acceptance of the terms and conditions of this Agreement.**

  
 Colonel William M. Palozzi  
 Maryland State Police

\_\_\_\_\_  
 Chief Barbara Duncan  
 Salisbury Police Department

# City of Salisbury



JAMES IRETON JR.  
MAYOR

TOM STEVENSON  
ACTING CITY ADMINISTRATOR



**Maryland**  
699 W. SALISBURY PARKWAY  
SALISBURY, MD 21801  
TEL: 410-548-3165



BARBARA DUNCAN  
CHIEF OF POLICE

June 17, 2015

TO: Tom Stevenson

FROM: Colonel David Meienschein

SUBJECT: Resolution – Acceptance of Funds for equipment for the Salisbury Police Department Tactical Unit and for computer technology hardware and software.

Attached, please find a Resolution to accept \$38,155 in grant funds from the U.S. Justice Department, awarded through an Edward Byrne Memorial Justice Assistance Grant (JAG) for maintaining and upgrading the technology of the Salisbury police Department in the areas of providing equipment for the Salisbury Police Department Tactical Unit and for computer technology hardware and software.

Unless you, or the Mayor, have further questions, please forward this Resolution to the City Council.

A handwritten signature in black ink, appearing to read "D Meienschein 6/16/15".

Colonel David Meienschein  
Assistant Chief

RESOLUTION NO. 2520

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND ACCEPTING FEDERAL FUNDS AWARDED BY THE U.S. JUSTICE DEPARTMENT THROUGH AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR MAINTAINING AND UPGRADING THE TECHNOLOGY OF THE SALISBURY POLICE DEPARTMENT IN THE AREAS OF PROVIDING EQUIPMENT FOR THE SALISBURY POLICE TACTICAL UNIT AND FOR COMPUTER TECHNOLOGY HARDWARE AND SOFTWARE.

WHEREAS, this Justice Assistance Grant is awarded by the Federal Government to improve public safety; and

WHEREAS, these funds will be utilized to obtain a reconnaissance robot, further described as a Recon Scout Throwbot miniature two-wheeled robotic camera, and to upgrade radio headsets and “push to talk” adapters for the Salisbury Police Department Tactical Unit; and

WHEREAS, these funds will be utilized to upgrade computer hardware and software for the Salisbury Police Department; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that a grant from the U.S. Justice Department in the amount of \$38,155 be accepted.

BE IT FURTHER RESOLVED, that the funds will be used for obtaining, maintaining and upgrading the technology of the Salisbury Police Department.

THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on \_\_\_\_\_ day of \_\_\_\_\_, 2015 and is to become effective immediately upon adoption.

**ATTEST:**

\_\_\_\_\_  
Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jacob R. Day, President  
Salisbury City Council

**APPROVED BY ME THIS:**

\_\_\_\_\_ Day of \_\_\_\_\_, 2015

\_\_\_\_\_  
James Ireton Jr., Mayor

---

INTER

OFFICE

# MEMO

---

*OFFICE OF THE MAYOR*

**To:** Tom Stevenson, City Administrator  
**From:** Sherrell McBride  
**Subject:** Appointment to the Zoo Commission  
**Date:** July 7, 2015

---

Mayor Ireton would like to appoint the following person to the Zoo Commission:

<u>Name</u>	<u>Term Ending</u>
Lee Beauchamp	12/31/2018

Attached is a letter from Mr. Beauchamp and the Resolution necessary for his appointment. Please forward this information to the City Council for the next City Council meeting. Please let me know if you have any questions.

Attachment

CC: Mike Moulds  
Ron Alessi

**RESOLUTION NO. 2521**

BE IT RESOLVED by the City of Salisbury, Maryland that the following individual is appointed to the Zoo Commission for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Lee Beauchamp	12/31/2018

The above resolution was introduced, read and passed at the regular meeting of the Council of the City of Salisbury held on the \_\_\_\_ day of July 2015.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

APPROVED BY ME THIS  
\_\_\_\_\_ day of July 2015.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR

# The Salisbury **ZOO** logical Park

755 South Park Drive  
Post Office Box 2979  
Salisbury, MD 21802-2979

Office: 410-548-3188  
Education: 410-546-3440  
Fax: 410-860-0919  
www.salisburyzoo.org

June 5, 2015

James Ireton, Jr., Mayor  
City of Salisbury  
125 N. Division St.  
Salisbury, Maryland 21801

Re: Salisbury Zoo Commission

Dear Mayor Ireton:

We currently have one open position on the Salisbury Zoo Commission and Mr. Lee Beauchamp would like to become a member of the commission.

After meeting with Mr. Beauchamp recently to discuss his joining the commission and reviewing his resume, we feel that he is an excellent candidate for the open position.

We, therefore, recommend that you appoint Mr. Lee Beauchamp to be a member of the Salisbury Zoo Commission.

Thank you for your consideration of this matter.

**Salisbury Zoo Commission:**

Ronald G. Alessi, Sr./Chairman

Eric Phippen/Vice Chairman

Carol Scissons/Secretary

James Maybury/Treasurer

Linda Walner/Board Member

Brian Raygor/Board Member

Karen Lutz/Board Member

Matt Likovich/Board Member

Sarah Rayne/Board Member

Susan Jones/Board Member

Ralph Piland/Director, ex-officio

Sincerely,



Ronald G. Alessi Sr.  
Chairman, Salisbury Zoo Commission

Jun 11, 2015

Mayor Ireton  
City of Salisbury  
125 North Division St  
Salisbury, MD 21804

Dear Mayor Ireton:

I am writing to express my interest in becoming a member of the City of Salisbury Zoo Commission. I have attached a copy of my resume for your review and consideration.

Thank you for your time and consideration.

Sincerely,

*Lee Beauchamp*

Lee Beauchamp, P.E.  
30591 Bennett Rd  
Salisbury, Maryland 21804  
(443) 880-2301  
[lee.beauchamp@gmail.com](mailto:lee.beauchamp@gmail.com)

---

INTER

OFFICE

# MEMO

---

*OFFICE OF THE MAYOR*

**To:** Tom Stevenson, City Administrator  
**From:** Sherrell McBride  
**Subject:** Reappointment to the City Park Committee  
**Date:** July 1, 2015

---

Mayor Ireton would like to reappoint the following person to the City Park Committee with a term ending as follows:

<u>Candidate</u>	<u>Term Ending</u>
Darren Lumpkin	06/30/2018

Attached you will find a letter from Mr. Lumpkin and the Resolution necessary for his reappointment. Please forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachments:

Cc: David Plotts

**RESOLUTION NO. 2522**

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BE IT RESOLVED by the City of Salisbury, Maryland that the following individual is reappointed to the City Park Committee for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Darren Lumpkin	06/30/2018

The above resolution was introduced, read, and passed at the regular meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of July 2015.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

APPROVED BY ME THIS  
\_\_\_\_\_ day of July 2015.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR

## Sherrell McBride

---

**From:** DJ Lumpkin <lumpkindj@hotmail.com>  
**Sent:** Monday, June 08, 2015 1:41 PM  
**To:** Sherrell McBride  
**Subject:** City park committee (Lumpkin) reinstate

Good morning.

This is Darren Lumpkin, I would like to request to reinstate my position on the Salisbury City Park Committee (CPC) I have served for 3 years now and within that time severed one term as vice president, and have helped maintain the beauty of our city parks, along with passing several matters along to city council that have since been approved and deemed favorable. I currently hold the position of secretary, and would like to maintain my seat if deemed so by the Mayor and his office. If your office would like a written request and or a meeting I can gladly do so. Thank you for your support and hard work, in keeping this city run smoothly.

Darren (DJ) Lumpkin  
LumpkinDJ@hotmail.com  
(443)523-5195

---

INTER

OFFICE

# MEMO

---

*OFFICE OF THE MAYOR*

**To:** Tom Stevenson, City Administrator  
**From:** Sherrell McBride  
**Subject:** Reappointment to the Building Board of Adjustments & Appeals  
**Date:** July 7, 2015

---

Mayor Ireton would like to reappoint the following person to the Building Board of Adjustments & Appeals:

<u>Name</u>	<u>Term Ending</u>	<u>Members Since</u>
Thomas W. Hayes	06/30/2020	2000

Attached you will find information from Mr. Hayes and the Resolution necessary for his reappointment. Please forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachment

cc: Mayor Ireton  
William Holland

**RESOLUTION NO. 2523**

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BE IT RESOLVED by the City of Salisbury, Maryland that the following individual is reappointed to the Building Board of Adjustments & Appeals for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Thomas W. Hayes	06/30/2020

The above resolution was introduced, read and passed at the regular meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of July 2015.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

APPROVED BY ME THIS  
\_\_\_\_\_ day of July 2015.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR



June 24, 2015

Mayor James Ireton, Jr.  
City of Salisbury, Maryland  
C/o Mr. William T. Holland  
Dept. of Building, Permits & Inspections  
125 N. Division Street  
Salisbury, MD 21801

**Re: Reappointment as Board Member of the Salisbury Building Board of Appeals  
City of Salisbury, Maryland**

Dear Mr. Holland:

I appreciate that the City of Salisbury, Maryland's Mayor and City Council are considering my position to serve as an Active Board Member for another term renewal.

Although the Board's "Rules For Procedure" does not define a Board Member's renewal process, I am merely responding to an email request to reply in writing as to what my desire is, in reference to serving on the Board for another term.

My files do include a letter addressing a request for Reappointment on June 17, 2010, which extended my term until the present.

I am willing to except another term on a three (3) year basis, which is stated in Article VI, Section 17.12.090 of the City's of Salisbury Municipal Code. If this proposal is acceptable to the Mayor and City Council, then we all agree.

I have filed out the "Financial Disclosure Statement", pursuant to Chapter 2.04, Ethics, of the Salisbury Municipal Code, that I signed on 4-6-2015 and it was notarized by Ms. Diane C. Nelson the same day and is on file in the City Clerk's office.

It has been more than a pleasure to help resolve issues of importance in our City, which will ultimately make our community a better place to live. My service is from the heart, ever stressing "pride of place" in where we live and work.

If this letter is acceptable to you, please notify me at your earliest convenience to confirm this position. Thanks for this opportunity to be of service to you.

Sincerely,  
Thomas W. Hayes, RA, MD Registration #9245

**Thomas W. Hayes, RA**

130 E. Main Street, Third Floor, Salisbury, MD 21801, 410-749-0894 / 410-749-0895 FAX  
[twhayes@hayesarchitecture.net](mailto:twhayes@hayesarchitecture.net)

---

INTER

OFFICE

# MEMO

---

*OFFICE OF THE MAYOR*

**To:** Tom Stevenson  
**From:** Sherrell McBride  
**Subject:** Appointment to the Building Board of Adjustments & Appeals  
**Date:** July 1, 2015

---

Mayor Ireton would like to appoint the following person to the Building Board of Adjustments & Appeals:

<u>Name</u>	<u>Term Ending</u>
Edward L. Torbert	07/31/2020

Attached you will find information from Mr. Torbert and the Resolution necessary for his appointment. Please forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachment

cc: Mayor Ireton  
William Holland

**RESOLUTION NO. 2524**

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BE IT RESOLVED by the City of Salisbury, Maryland that the following individual is appointed to the Building Board of Adjustments & Appeals for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
Edward L. Torbert	07/31/2020

The above resolution was introduced, read and passed at the regular meeting of the Council of the City of Salisbury held on the \_\_\_\_\_ day of July 2015.

\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

\_\_\_\_\_  
Jacob R. Day  
COUNCIL PRESIDENT

APPROVED BY ME THIS  
\_\_\_\_\_ day of July 2015.

\_\_\_\_\_  
James Ireton, Jr.  
MAYOR

# Edward L. Torbert

Certified Fire Protection Specialist

---

April 22, 2015

The Honorable James Ireton, Jr., Mayor  
City of Salisbury  
125 N. Division Street, Room 304  
Salisbury, Maryland 21801-4940

Re: Salisbury Building Board of Adjustments and Appeals

Dear Mayor Ireton;

I understand there are vacancies on the Salisbury Building Board of Adjustments and Appeals. Having spent 38 years in a code enforcement role in our community before retirement, I desire to continue to serve my community utilizing my experience. I would like to submit my name for consideration to serve on the BBAA.

My background in code enforcement and code development gives me a good understanding what our building codes are for and what is involved in administering those codes. I am familiar with many of the builders and design professionals in the community and I believe they consider my career to be one that was fair and impartial in the administration of the State, County and City Fire Codes. This does not mean that I am a "by the book" code person. I understand that codes cannot adequately address every issue that comes before the code enforcer. I believe that understanding how codes are developed and that common sense should be factors in all decisions relating to the codes.

I hope that I can serve our community in this capacity again. My resume is attached for your consideration.

If you have any questions or if I can be of service to you, please do not hesitate to call me.

Sincerely,



Edward L. Torbert

# Edward L. Torbert

---

- Citizenship** A natural born United States citizen.
- Objective** To be a member on the Salisbury, MD Building Board of Adjustments and Appeals
- Certifications** **Certified Fire Protection Specialist** – certificate No. 1081 (NFPA)  
**Fire Inspector II** - Maryland Pro Board  
**Fire Instructor III** - Maryland Pro Board
- Experience** June 2011 - Present Day Torbert Consulting, L.L.C. Salisbury, MD  
**Owner/Proprietor**
- Providing fire protection consulting services to architects, engineers, contractors and the general public, including code research, design review and on-site inspections.
- 2005 – June 2011 (Retirement) Wicomico County, MD  
**Chief Fire Protection Specialist (Fire Marshal)**
- Supervises the Wicomico County Fire Protection Division, an office of five individuals including two full time fire safety inspectors, one part time fire safety inspector and one part time office clerical position.
  - Instituted a computer based field fire inspection and record management system.
- 1995 – 2005 Wicomico County, MD Salisbury, MD  
**Fire Protection Specialist**
- Reviewed plans for life safety and fire code compliance.
  - Consulted with developers, architects and contractors about fire code compliance and alternatives to perceived conflicts.
  - Conducted detailed inspections in all kinds of buildings, new and existing.
  - Supervised one fire safety inspector position.
- 1989 – 1995 Wicomico County, MD Salisbury, MD  
**Fire Marshal**
- The administrative head of the department including budgetary and personnel responsibilities.
  - Supervised two Fire Investigator/Inspectors and one office clerical.
  - Responsible for Fire/Arson investigations including criminal arson from the fire scene through the courtroom prosecution.
  - Responsible for the full range of fire code enforcement activities including plan review and inspection.
  - Office was closed in county government downsizing effort; staff was transferred to the Wicomico County Department of Public Works.



- 1993 - Practical Fire Alarm Course; National Burglar & Fire Alarm Assn.
- 1994 - Fire Sprinkler Course; National Fire Sprinkler Association
- 1996 - Fire Protection Systems Seminar; BOCA International
- Numerous other fire and arson investigation courses

**Professional Memberships**

**Current professional memberships:**

- National Fire Protection Association (NFPA)
- International Fire Marshal's Association (IFMA)
- Delaware Valley Chapter of IFMA. (Charter Member)
- Maryland Fire Marshal's Subcommittee (Chair 2010, 2011)

**Interests**

- Freemasonry, Master of Centennial Lodge 221 in 2002, 2008, 2009
- Grand Inspector for the Grand Lodge of Maryland 2003 - 2009
- Motorcycle touring
- Snow Skiing - Board of Advisors, web page coordinator, ski bus trip coordinator for the Salisbury Ski Club
- Relic Hunting – Shore Seekers Metal Detecting and Recovery Club
- Martial Arts – First degree black belt - Isshinryu Karate
- Computers
- Certified Barbeque Judge - Kansas City Barbeque Society

**Personal References**

**Theodore E. Shea**

P.O. Box 921  
Salisbury, MD 21803  
410-742-5890 Home

**Nola M. Arnold**

30572 Paddington Court  
Salisbury, MD 21804  
410-548-1179 Home

**Philip Benvenuto, President**

Bayside Fire Protection Company, Inc.  
707 Eastern Shore Drive  
Salisbury, MD 21804  
410-742-1097 Home  
410-860-8283 Office

The following is a description of my final position with Wicomico County, Maryland formulated after review by an independent compensation consultant hired by the County to update its position descriptions and salary classifications.

“Acting alone, under occasional direction from the Director of Public Works, this position plans, organizes, directs and performs highly specialized technical fire protection and administrative activities in the application of the Wicomico County Fire Prevention Code, Maryland State Fire Prevention Code and/or fire code of a local municipality; advises other local governments and associated agencies in the application of fire protection principals and standards relating to issues in their jurisdictions; responds to general fire safety inquiries from the public and provides public education information at various times of the year to the public, special groups and the local media; accepts and responds to complaints relating to fire safety concerns. This position develops, implements and enforces laws, regulations, policies and procedures relating to the enforcement of the applicable fire code and associated fire safety standards. Must have a working knowledge of modern fire protection principles and practices; methods of conducting fire prevention inspections; construction and operation of fire protection appliances used in buildings, reading and interpreting plans and specifications for panic and fire safety laws and regulations; provisions of nationally recognized fire protection standards; fundamentals of engineering as applied to fire protection work; principles of combustion and causes of fires; modern methods and equipment for fire prevention and control; general building construction; hydrostatic testing process and fire data information management. Must possess the ability to communicate effectively; gain the confidence and support of top management and advise them on fire protection matters; perceive the alternatives available in the solution of fire protection management problems and select logical and realistic courses of actions; develop cooperative working relationships with managers, employees, representatives at all levels of other governmental jurisdictions, industry and the general public contacted in the work; prepare well written and documented procedures, reports and correspondence.”

If there are any questions regarding this position, please do not hesitate to contact me.

# City of Salisbury



**MARYLAND**



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190  
Fax: 410-548-3192

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES  
PROCUREMENT DIVISION

JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
INTERIM CITY ADMINISTRATOR

VACANT  
ASSISTANT CITY ADMINISTRATOR

## **COUNCIL AGENDA – Declaration of Surplus**

**July 13, 2015**

- |   |        |
|---|--------|
| 1. Declaration of Surplus<br>SPD Duty Weapon - Retirement | \$0.00 |
|---|--------|

# City of Salisbury



**MARYLAND**



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190 Procurement  
Fax: 410-548-3192 Procurement

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JENNIFER MILLER  
ASST. DIRECTOR OF INTERNAL  
SERVICES

JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

TERENCE ARRINGTON  
ASSISTANT CITY ADMINISTRATOR

## Council Agenda

**July 13, 2015**

TO: Mayor and City Council

RE: Declaration of Surplus – Glock, Automatic Pistol Model 21  
Salisbury Police Department

The City of Salisbury Internal Services Department – Procurement Division received a request from the Salisbury Police Department to declare the following handgun surplus:

Department	Make	Model	Serial #
Salisbury Police Dept.	Glock	Automatic Pistol, Model 21	BAE 072

Upon declaration of surplus, and as approved by the Council, the aforementioned handgun will be given to retired police officer, Corporal Brian E. Whitman, as a retirement gift.

Thank you,

Jennifer Miller  
Assistant Director of Internal Services – Procurement and Parking

# City of Salisbury



JAMES IRETON JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR



Maryland  
699 W. SALISBURY PARKWAY  
SALISBURY, MD 21801  
TEL: 410-548-3165



BARBARA DUNCAN  
CHIEF OF POLICE

June 03, 2015

TO: Chief B. Duncan  
FROM: Robert K. Perry  
SUBJECT: SURPLUS WEAPON

The Salisbury Police Department has a history of giving retiring Police Officers their duty weapon as a retirement gift. Therefore, I request permission to send the appropriate paperwork to the Purchasing Agent to declare, as surplus, one weapon for Corporal Brian E. Whitman who retired from the Salisbury Police Department May 31, 2015. The weapon is a Glock, Auto Pistol 45 Caliber Model 21, with a serial number of **BAE072**.

Respectfully Submitted,

*Robert K. Perry*  
Robert K. Perry 1771  
Quartermaster

Distribution:  
Chief's Office  
Colonel Meienschein

*Approved Chief Duncan 6/4/15*

# Memorandum

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**To:** Tom Stevenson, City Administrator  
**CC:** Julia Glanz, Assistant City Administrator  
**From:** William T. Holland  
**Date:** 5/8/2015  
**Re:** Tri County Council Resolutions

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Tom, attached are two Resolutions which is required as part of the annexation procedure to be introduced at the City Council meeting for May 26, 2015. The first resolution describes the annexation and its proposed zoning use and the second Resolution establishes the date for the public hearing. I recommend that Monday, July 13, 2015, be the date for the public hearing. This will allow me ample time to get all required documents to Wicomico County and the Maryland Department of Planning. Additionally, since the property exceeds twenty-five acres, the annexation must be advertised once a week for four consecutive weeks.

Please let me know if you have any questions.



---



31901 TRI-COUNTY WAY  
SUITE 203  
SALISBURY, MARYLAND 21804  
PHONE: 410-341-8989  
FAX: 410-341-8988  
WWW.LOWERSHORE.ORG

June 23, 2014

City of Salisbury  
125 North Division Street  
Salisbury, MD 21803

Re: Annexation of Tri-County Council Multi-Purpose Center

To Whom It May Concern:

Please accept the attached Petition for Annexation for the Tri-County Council Multi-Purpose Center located at 31901 Tri-County Way.

Please let me know if you have any questions or need any additional information.

Sincerely,

Michael P. Pennington  
Executive Director

Attachment



Serving Somerset, Wicomico and Worcester Counties



# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 0266

\_\_\_\_\_

\_\_\_\_\_

Map # 0039

**SIGNATURE(S)**

Paul P. Pitt

6/23/2014  
Date

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_  
Date



31901 TRI-COUNTY WAY  
SUITE 203  
SALISBURY, MARYLAND 21804  
PHONE: 410-341-8989  
FAX: 410-341-8988  
WWW.LOWERSHORE.ORG

January 26, 2015

Thomas Stevenson, City Administrator  
125 North Division Street  
Salisbury, Maryland 21801

**RE: Walston Switch Road / Tri County Council Annexation**

Dear Mr. Stevenson:

As the owner of Wicomico County Tax Map 39, Grid 0005, Parcels 0266 and 0740, which Property is located on the northwest quadrant of the U.S. Route 50 / Walston Switch Road, we are providing this letter indicating our intent to move forward with annexation of the aforementioned Property based on the draft annexation agreement attached hereto.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Pennington".

Michael Pennington  
Executive Director



Serving Somerset, Wicomico and Worcester Counties



JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

MICHAEL S MOULDS, P.E.  
DIRECTOR OF PUBLIC WORKS

CERTIFICATION

TRI-COUNTY COUNCIL – WALSTON SWITCH ROAD  
ANNEXATION

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

*W. Clay Hall*  
W. Clay Hall  
Surveyor

Date: *4/2/2015*

Tri-County Council – Walston Switch Rd Certif.

## EXHIBIT "A"

### TRI-COUNTY COUNCIL – WALSTON SWITCH ROAD ANNEXATION

A CERTAIN AREA OF LAND contiguous to and binding upon the easterly Corporate Limit of the City of Salisbury to be known as "Tri-County Council – Walston Switch Road Annexation" beginning for the same at a point on the Corporate Limit, said point lying where the northerly right-of-way line of U.S. Route 50 intersects the westerly right-of-way line of Walston Switch Road X 1,228,670.92 Y 200,965.25; thence running by and with the westerly right-of-way line of said Walston Switch Road the following five courses: (1) North thirty-eight degrees fifteen minutes fifty-seven seconds East (N 38° 15' 57" E) one hundred and fifty-eight decimal seven, four (158.74) feet to a point X 1,228,769.23 Y 201,089.89; (2) North six degrees zero minutes twenty-eight seconds West (N 06° 00' 28" W) one hundred decimal two, eight (100.28) feet to a point X 1,228,758.74 Y 201,189.62; (3) North eighty-three degrees fifty-nine minutes twenty-two seconds East (N 83° 59' 22" E) ten decimal zero, zero (10.00) feet to a point X 1,228,768.68 Y 201,190.66; (4) North six degrees zero minutes twenty-eight seconds West (N 06° 00' 28" W) seventy-eight decimal five, five (78.55) feet to a point X 1,228,760.46 Y 201,268.78; (5) North five degrees fifty-nine minutes nineteen seconds West (N 05° 59' 19" W) two hundred and fifteen decimal three, six (215.36) feet to an iron rod with cap at the northeasterly corner of the lands of Tri-County Council for the Lower Eastern Shore of Maryland X 1,228,737.99 Y 201,482.97; thence running with the northerly boundary line of said property South eighty-four degrees twenty-five minutes fifty-eight seconds West (S 84° 25' 58" W) two thousand two hundred and thirty-four decimal five, zero (2,234.50) feet to a point in the center of Beaverdam Creek X 1,226,514.03 Y 201,266.19; thence running by and with the centerline of Beaverdam Creek the following five courses: (1) South twenty-four degrees zero minutes eleven seconds West (S 24° 00' 11" W) one hundred and eighty-eight decimal two, two (188.22) feet to a point X 1,226,437.47 Y 201,094.25; (2) South fifteen degrees eight minutes eight seconds East (S 15° 08' 08" E) one hundred and ten decimal five, two (110.52) feet to a point X 1,226,466.32 Y 200,987.56; (3) South seventy-six degrees fifty-six minutes twenty-six seconds East (S 76° 56' 26" E) six hundred and thirty-two decimal zero, three (632.03) feet to a point X 1,227,082.01 Y 200,844.75; (4) South fifty-one degrees twenty-one minutes four seconds East (S 51° 21' 04" E) one hundred and twenty-six decimal seven, four (126.74) feet to a point X 1,227,180.99 Y 200,765.59; (5) South eleven degrees thirty-three minutes fifty-one seconds East (S 11° 33' 51" E) one hundred and three decimal zero, seven (103.07) feet to a point on the northerly right-of-way line of U.S. Route 50, said point also lying on the Corporate Limit X 1,227,201.65 Y 200,664.61; thence running with the northerly right-of-way line of U.S. Route 50 and the Corporate Limit the following two courses: (1) North seventy-eight degrees twenty-five minutes fifty seconds East (N 78° 25' 50" E) one thousand three hundred and ninety decimal eight, one (1,390.81) feet to a point X 1,228,564.21 Y 200,943.55; (2) North seventy-eight degrees thirty minutes four seconds East (N 78° 30' 04" E) one hundred and eight decimal nine, zero (108.90) feet to the point of beginning and containing 27.582 acres, all of which being the lands of Tri-County Council for the Lower Eastern Shore of Maryland. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.



JAMES IRETON, JR.  
MAYOR

M. THOMAS STEVENSON, JR.  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

MICHAEL S MOULDS, P.E.  
DIRECTOR OF PUBLIC WORKS

## CERTIFICATION

### TRI-COUNTY COUNCIL – WALSTON SWITCH ROAD ANNEXATION

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

Leslie C. Sherrill  
Surveyor

Date: 5/13/2015

Tri-County Council – Walston Switch Rd Certif.

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 0266

0740 \*inadvertently not included in original  
petition submission.

X Neil P. P. T.

Map # 0039

Date: 5/7/2015

SIGNATURE(S)

Neil P. P. T.

6/22/2014  
Date

Date

Date

Date

## EXHIBIT "A"

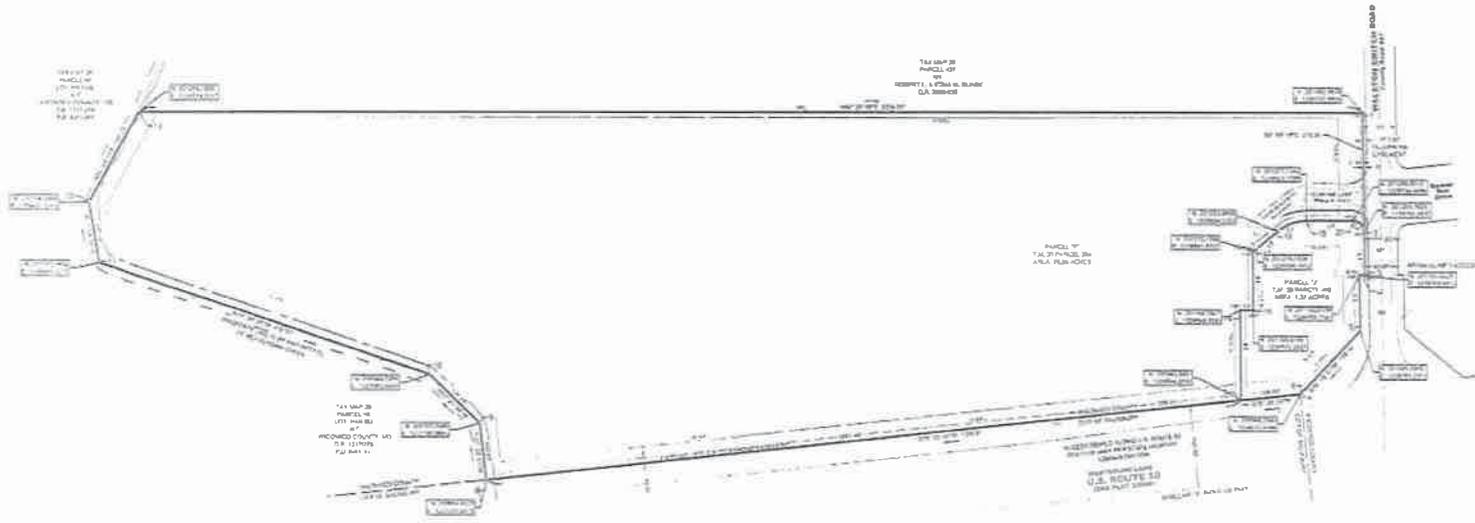
### TRI-COUNTY COUNCIL – WALSTON SWITCH ROAD ANNEXATION

A CERTAIN AREA OF LAND, containing two parcels of land, contiguous to and binding upon the easterly Corporate Limit of the City of Salisbury to be known as "Tri-County Council – Walston Switch Road Annexation" beginning for the same at a point on the Corporate Limit, said point lying where the northerly right-of-way line of U.S. Route 50 intersects the westerly right-of-way line of Walston Switch Road X 1,228,670.92 Y 200,965.25; thence running by and with the westerly right-of-way line of said Walston Switch Road the following five courses: (1) North thirty-eight degrees fifteen minutes fifty-seven seconds East (N 38° 15' 57" E) one hundred and fifty-eight decimal seven, four (158.74) feet to a point X 1,228,769.23 Y 201,089.89; (2) North six degrees zero minutes twenty-eight seconds West (N 06° 00' 28" W) one hundred decimal two, eight (100.28) feet to a point X 1,228,758.74 Y 201,189.62; (3) North eighty-three degrees fifty-nine minutes twenty-two seconds East (N 83° 59' 22" E) ten decimal zero, zero (10.00) feet to a point X 1,228,768.68 Y 201,190.66; (4) North six degrees zero minutes twenty-eight seconds West (N 06° 00' 28" W) seventy-eight decimal five, five (78.55) feet to a point X 1,228,760.46 Y 201,268.78; (5) North five degrees fifty-nine minutes nineteen seconds West (N 05° 59' 19" W) two hundred and fifteen decimal three, six (215.36) feet to an iron rod with cap at the northeasterly corner of the lands of Tri-County Council for the Lower Eastern Shore of Maryland X 1,228,737.99 Y 201,482.97; thence running with the northerly boundary line of said property South eighty-four degrees twenty-five minutes fifty-eight seconds West (S 84° 25' 58" W) two thousand two hundred and thirty-four decimal five, zero (2,234.50) feet to a point in the center of Beaverdam Creek X 1,226,514.03 Y 201,266.19; thence running by and with the centerline of Beaverdam Creek the following five courses: (1) South twenty-four degrees zero minutes eleven seconds West (S 24° 00' 11" W) one hundred and eighty-eight decimal two, two (188.22) feet to a point X 1,226,437.47 Y 201,094.25; (2) South fifteen degrees eight minutes eight seconds East (S 15° 08' 08" E) one hundred and ten decimal five, two (110.52) feet to a point X 1,226,466.32 Y 200,987.56; (3) South seventy-six degrees fifty-six minutes twenty-six seconds East (S 76° 56' 26" E) six hundred and thirty-two decimal zero, three (632.03) feet to a point X 1,227,082.01 Y 200,844.75; (4) South fifty-one degrees twenty-one minutes four seconds East (S 51° 21' 04" E) one hundred and twenty-six decimal seven, four (126.74) feet to a point X 1,227,180.99 Y 200,765.59; (5) South eleven degrees thirty-three minutes fifty-one seconds East (S 11° 33' 51" E) one hundred and three decimal zero, seven (103.07) feet to a point on the northerly right-of-way line of U.S. Route 50, said point also lying on the Corporate Limit X 1,227,201.65 Y 200,664.61; thence running with the northerly right-of-way line of U.S. Route 50 and the Corporate Limit the following two courses: (1) North seventy-eight degrees twenty-five minutes fifty seconds East (N 78° 25' 50" E) one thousand three hundred and ninety decimal eight, one (1,390.81) feet to a point X 1,228,564.21 Y 200,943.55; (2) North seventy-eight degrees thirty minutes four seconds East (N 78° 30' 04" E) one hundred and eight decimal nine, zero (108.90) feet to the point of beginning and containing 27.582 acres, all of which being the lands of Tri-County Council for the Lower Eastern Shore of Maryland and being Parcel 266 and Parcel 740 shown on Tax Map 39. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.



**BECKER  
MORGAN  
GROUP**

ANNEXATION/BOUNDARY SURVEY  
LANDS OF TRI-COUNTY COUNCIL FOR THE LOWER EASTERN SHORE  
PARSONS ELECTION DISTRICT  
WICOMICO COUNTY, MD  
20717



**NOTES**

- A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE "BOUNDARY" PUBLIC DRAINAGE ASSOCIATION WETTED AREA AND IS SUBJECT TO THE ASSOCIATION'S CovenANTS AND RESTRICTIONS THEREOF.
- THIS LOT MAY BE SUBJECT TO THOSE LOCATED WITHIN WETTED DRAINAGE PRIORITY LOT COVENANTS AND ENCOURAGES TO PROTECT THE OPEN SPACE CHARACTERISTICS OF THIS LOT TO MINIMIZE THE IMPACT OF POTENTIAL FLOODING DAMAGE POTENTIAL.
- THIS PROPERTY IS LOCATED WITHIN AN AGRICULTURAL ZONING DISTRICT. THE "RIGHT TO FARM" PROTECTS UNDER CHAPTER 105 OF THE WICOMICO COUNTY CODE.
- THIS SURVEY HAS BEEN CONDUCTED TO DETERMINE THE EXACT BOUNDARY OF THIS PROPERTY. THERE IS NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY EASEMENTS AFFECTING THIS PROPERTY.

PROCESSED ANNEXATION NOTES  
ALL OF PARCELS 07 THROUGH 100 HAVE BEEN PARCELED TO BE INCLUDED IN THE SAME ANNEXATION AGREEMENT.  
TOTAL AREA = 112.00 ACRES

**LEGEND**

- FENCED CONCRETE WALL/POST
- UNFENCED POST
- FENCE LINE

**SITE DATA**

UNITS: ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.  
 SURVEYED BY: BECKER MORGAN GROUP INC.  
 DATE: 08/14/2018  
 PROJECT NO: 20181018.02  
 DATE: 08/14/2018  
 SCALE: 1" = 100'  
 DRAWN BY: CDD  
 CHECKED BY: JEM

**Line Table**

LINE	LENGTH	BEARING
1	10.15	S 88° 00' 00" W
2	10.15	N 89° 00' 00" E
3	10.15	S 88° 00' 00" W
4	10.15	N 89° 00' 00" E
5	10.15	S 88° 00' 00" W
6	10.15	N 89° 00' 00" E
7	10.15	S 88° 00' 00" W
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90	10.15	N 89° 00' 00" E
91	10.15	S 88° 00' 00" W
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93	10.15	S 88° 00' 00" W
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96	10.15	N 89° 00' 00" E
97	10.15	S 88° 00' 00" W
98	10.15	N 89° 00' 00" E
99	10.15	S 88° 00' 00" W
100	10.15	N 89° 00' 00" E

**Curve Table**

CURVE	LENGTH	BEARING	CHORD BEARING	CHORD LENGTH	DELTA
1	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
2	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
3	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
4	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
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6	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
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9	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
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14	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
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43	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
44	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
45	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
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59	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
60	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
61	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
62	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
63	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
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70	10.15	N 89° 00' 00" E	N 89° 00' 00" E	10.15	0° 00' 00"
71	10.15	S 88° 00' 00" W	S 88° 00' 00" W	10.15	0° 00' 00"
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Tri-County Council – Walston Switch Road

ANNEXATION AGREEMENT

**THIS AGREEMENT** is made this \_\_\_ day of \_\_\_\_\_, 2015, by and between the City of Salisbury, a municipal corporation of the State of Maryland (hereinafter, “the City”), and Tri-County Council for the Lower Eastern Shore of Maryland (hereinafter, “the Owner”) with the principal address at 31901 Tri-County Way, Suite 203, Salisbury, Maryland 21804.

**RECITALS**

**WHEREAS**, the Owner is the record owner of certain real property (Parcels 0266 and 0740), of 27.6 acres in size, located in Wicomico County, Maryland, (hereinafter, “the Property”), and more particularly described in Attachment “A-1” attached hereto and made a part hereof; and

**WHEREAS**, the Owner desires to obtain a connection to the City of Salisbury public water and sewer systems principally to comply with water quality standards related to a proposed bus washing facility on the site and City Code Section 13.02.060 requires annexation in order to connect to such systems;

**WHEREAS**, as a secondary reason for seeking annexation, the Owner desires to facilitate the sale and/or development, for commercial use of parcel 740 which is part of the Property, though no such development plans are contemplated at this time; and

**WHEREAS**, the Property is not presently within the corporate boundaries of the City and is therefore ineligible to receive certain municipal services, including the municipal water and wastewater services, that the Owner desires to obtain for the Property; and

**WHEREAS**, the Owner desires that the City annex the Property and the City desires to annex the Property, provided that certain conditions are satisfied; and

**WHEREAS**, pursuant to the authority contained in the Local Government Article, subtitle 4-400 of the Annotated Code of Maryland, the Owner and the City have agreed that the following conditions and circumstances will apply to the annexation proceedings and to the Property.

**WITNESSETH:**

**1. WARRANTIES AND REPRESENTATIONS OF CITY:**

- A. The City of Salisbury, the Salisbury-Wicomico County Planning Commission and staff will be guided by this Agreement throughout the review of any development plans submitted for the Property to ensure that the provisions of this Agreement are specifically implemented. Any approval granted to a development plan by any commission, board, body, or agent of the City shall be in substantial compliance with the terms and conditions of this Agreement.
  
- B. The parties understand and agree that the City's herein provided covenant of support is not intended, nor could it be construed, to legally prohibit the City from enacting such future ordinances or charter provisions or engineering standards or amendments deemed necessary to protect the public health, safety and welfare of the residents of the City, nor from applying such ordinances or charter provisions to the development of the Property, provided such application does not operate to divest prior approvals, nor interfere with the Owner's vested rights to any greater extent than the impact of such ordinances and charter resolutions upon other similarly-situated properties within the City's boundaries.

**2. WARRANTIES AND REPRESENTATIONS OF THE OWNER:**

A. This Agreement constitutes the formal written consent to annexation by the Owner as required by the Local Government Article of the Maryland Code, Section 4-403 (b)(1) and (2). The Owner acknowledges that it will receive a benefit from annexation and agrees, as a bargained-for condition and circumstances applicable to the annexation, that it waives and completely relinquishes any right to withdraw its consent to annexation from the date of execution of this Agreement by all parties. The Owner further agrees that it will not petition the Annexation Resolution to referendum and that, in the event of a referendum in which it is permitted to vote, that it shall vote in favor of the Annexation Resolution.

B. The Owner warrants and represents that it have the full authority to sign this Agreement and is in fact the sole owner of the real property encompassed in the annexation area and more particularly described in Attachment "A-1", and that there is no action pending against it involving it that would in any way affect its right and authority to execute this Agreement.

C. The Owner warrants and represents that it has the full power and authority to sign this Agreement and Consent and is, in fact, collectively the sole owner of not less than Twenty-five Percent (25%) of the assessed valuation of the real property within the annexation area.

**3. APPLICATION OF CITY CODE AND CHARTER**

From and after the effective date of the Annexation Resolution implementing this Agreement, all provisions of the Charter and Code of the City shall have full force and effect within the Property except as otherwise specifically provided herein.

**4. MUNICIPAL ZONING**

Upon the effective date of the Annexation Resolution implementing this Agreement and Approval by the Mayor and City Council, the Property will be zoned Mixed-Use Non Residential.

**5. MUNICIPAL SERVICES**

Upon the effective date of the Annexation Resolution implementing this Agreement, the City will make the Property eligible to receive all applicable municipal services to the extent that the necessary public facilities exist to provide such services. Any allocation of capacity and/or services will be made by the City according to adopted allocation plans which may be in effect at the time the Owner makes request for such capacity and/or services.

**6. STANDARDS AND CRITERIA**

Should any environmental, engineering, or other similar standard or criteria specifically noted in this Agreement be exceeded by any local, State, or Federal standard, criteria or regulation, which may be adopted subsequent to the execution of this Agreement, the newer stricter standard, criteria or regulation shall apply.

**7. CITY BOUNDARY MARKERS**

The Owner will fund and install City Boundary Markers at the boundary lines to the newly enlarged City boundaries resulting from this annexation and will provide receipt of such work completed to the City within 90 days of expiration of the 45-day referendum period. The Owner agrees that failure to comply with this provision will subject the Owner to payment of a fee to the City of Salisbury made payable at end of the 90-day period in amount of \$10,000.00 or the cost for the City's surveyor to complete the work, whichever is more.

## 8. DEVELOPMENT CONSIDERATIONS

A. **Costs and Fees:** The Owner agrees that it will pay the costs of annexation to the City, including but not limited to the City's costs for legal fees, planning, and other consulting fees in connection with the preparation of this Agreement and/or the necessary annexation resolution and related documents, for publication of any required notices, and for any other cost or expense reasonably related, in the City's sole judgment, to the annexation.

B. The Owner and City agree that the Property will be developed consistent with the regulations of the zoning district classification referenced in the Annexation Resolution.

C. **Contribution to Area Improvement:** In order to maintain the woodland buffer along US Route 50, to preserve woodlands and wildlife habitat and protect area water quality along Beaver Run, which forms the western edge of the Property, the Owner has previously recorded a Forest Conservation Easement on the property in accordance with State of Maryland Forest Conservation laws. This easement currently includes all wooded areas on the site. The agreement is recorded in Liber 3275 Folio 484 in the records of the Recorder of Deeds Office for Wicomico County. The owner agrees to maintain the existing 50' +/- wooded buffer along U.S. Route 50 as it exists at this time and as shown on the exhibit referenced in the recorded document. The City of Salisbury acknowledges that the Forest Conservation laws permit revisions to the recorded easement withhold its approval and agrees not to unreasonably of amendments to the easement from time to time as may be necessary for the owner's needs except for the 50' buffer adjacent to U.S. Route 50. Said revisions must be done in accordance with Wicomico County code and State Forest Conservation law. The Owner agrees that any site plan for parcel 740 shall contain a plan for a planted landscape buffer designed to provide filtered views of the site and building(s) from U.S. Route 50.

D. **Contributions to the Re-investment in Existing Neighborhoods and Housing Affordability:** The Owner agrees to pay a development assessment in the amount of \$13,000.00 to the City prior to the issuance of a building permit for construction on Lot 740 of the Property. In the event that construction on parcel 740 is for a municipal, county, state or federally owned building and use, or a private non-profit owned building and use whose purpose and mission is aligned with and/or in furtherance of the mission of the Tri-County Council for the Lower Eastern Shore of Maryland, such assessment shall be waived. Such development assessment is understood by the parties to be intended for use by the City in its sole discretion for beautification, restoration, and revitalization improvements to existing neighborhoods in the City and which development assessment is understood by the parties to be in addition to and independent of the City's water and sewer comprehensive connection charges, any impact fees imposed by Wicomico County or the City, and any assessments that may be required to be paid elsewhere in this Agreement.

E. **Escalation of Development Assessment:** The lot assessment set forth in paragraph D above, is subject to adjustment to reflect inflation. Beginning January 1, 2016 the assessment shall be adjusted for inflation and this adjustment shall take place annually thereafter on the first day of January, for any assessment that remains unpaid. The assessment shall be adjusted by the percent change in the CPI during the previous 12-month period. The CPI to be used is the Consumer Price Index-U, All City Average, Unadjusted, published by the Bureau of Labor Statistics.

F. **Community / Environmental Design:** The Owner agrees to achieve LEED

credit points in collaboration with the Salisbury/Wicomico Planning Commission for any development of parcel 740 using the rating system established by the United States Green Building Council's LEED Standards for Building Design New Construction, as Updated from time to time. The City and Owner/Assignee acknowledge that certain points under the rating system are unattainable because of the project's location and existing available services. Understanding this, and in order to establish a baseline, the City and Owner/Assignee will first agree to the total sum of LEED points unattainable due to these factors that are beyond the control of the Owner. The sum of these points will then be deducted from the total points possible; the difference then divided by the total points possible to arrive at a baseline quotient. Prior to development approval, the Owner shall submit specific findings, accepted by the Director of Planning, to demonstrate to the satisfaction of the Salisbury/Wicomico Planning Commission that the project has achieved, or would achieve upon development, the credit points needed for LEED Silver Certification when multiplied by the baseline quotient. In keeping with this provision, the Owner/Assignee agrees specifically to adhere to the following energy and environmental performance standards:

- Site lighting fixtures shall be energy efficient and, where possible, shall utilize LED lamps for energy efficiency and long lamp life. Streetlights if used shall also be selected for highest efficiency but recognizing that streetlights may ultimately be owned and maintained by the City of Salisbury, the selection of streetlights shall be made in conjunction with the City of Salisbury Department of Public Works.
- Roadway and parking lot construction shall be accomplished mainly using recycled aggregates and base materials in addition to conventional aggregates and paving materials when acceptable recycled materials meeting the required physical properties of the design engineer are locally available.
- The HVAC systems in all building(s) on the Property shall be high-efficiency units. Air conditioning compressors will be 17 SEER, minimum unless and until higher federal, state, or local standards are required.
- Water-saving plumbing fixtures shall be used in all buildings on the Property.
- Building roofing materials on the Property shall be selected for energy efficiency and to minimize the heat island effect of dark roof coverings.
- Building finish materials that have high-recycled content shall be selected where possible. Low VOC (Volatile Organic Compound) paints and finishes shall be used.

G. The Owner, at its sole expense, agrees to extend public water and sewer services to the Property governed by the alignment, specification, sizing, and area wide coordination and system requirements and guidance provided by the City Department of Public Works recognizing that such facilities shall be sized larger than that required by the Property alone; such work to be undertaken through a Public Works Agreement approved by the City.

Salisbury, Maryland 21801

**STATE OF MARYLAND**

**COUNTY OF \_\_\_\_\_, to wit:**

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for the State aforesaid, personally appeared \_\_\_\_\_, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged himself to be a duly elected official of the City of Salisbury, a municipal corporation of the State of Maryland, and that said official, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such official.

**WITNESS** my hand and notarial seal.

\_\_\_\_\_  
Notary Public (SEAL)

My Commission Expires: \_\_\_\_\_

**I HEREBY CERTIFY**, that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for the State aforesaid, personally appeared Michael P. Pennington, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged himself to be the Executive Director of the Tri County Council for the Lower Eastern Shore, and that, being duly authorized so to do, he executed the foregoing instrument for the purposes therein contained, by signing the name.

**WITNESS** my hand and notarial seal.

\_\_\_\_\_  
Notary Public (SEAL)

My Commission Expires: \_\_\_\_\_

**I HEREBY CERTIFY** that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

\_\_\_\_\_  
\_\_\_\_\_, City Attorney



## REPORT OF ANNEXATION PLAN

*for the*

### WALSTON SWITCH ROAD – TRI-COUNTY COUNCIL FOR THE LOWER EASTERN SHORE OF MARYLAND ANNEXATION TO THE CITY OF SALISBURY

January 28, 2015

This Annexation Plan was prepared pursuant to the year 2006 changes to State law governing municipal annexation and planning (House Bill 1141)<sup>1</sup>. It is consistent with the Municipal Growth Element of the City of Salisbury Comprehensive Plan. The following are milestones in the public review and consideration of the proposed Annexation.

- At a work session on October 6, 2014, the Salisbury City Council reviewed the proposed annexation.
- On October 16, 2014 the City of Salisbury / Wicomico County Planning Commission reviewed the proposed annexation and forwarded a favorable recommendation to the Salisbury City Council for the proposed zoning of the Property.
- At a Salisbury City Council work session on March 2, 2015, the City Council formally reviewed the annexation agreement and the draft version of this Annexation Plan and directed that an Annexation Resolution be drafted for review.
- A City Council meeting held on May 26, 2015, the City Council formally reviewed this Annexation Plan and the Annexation Resolution and directed that a date for a public hearing be established. The Council further directed that the Annexation Plan be forwarded to the Maryland Department of Planning and the Wicomico County Executive and Council for comment within 30 days of the public hearing as provided for by State law.

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<sup>1</sup> HB 1141, passed by the 2006 General Assembly and made into law, revised sections of Articles 66B and 23A of the Annotated Code of Maryland.

**1.0**

**GENERAL INFORMATION AND DESCRIPTION**

**1.1 Petitioners**

The petitioner is Tri-County Council for the Lower Eastern Shore of Maryland, at 31901 Tri-County Way, Suite 203 Salisbury, Maryland 21804.

**1.2 Location**

The Property is located in the northwest quadrant of the intersection of U.S. Route 50 and Walston Switch Road: Tax Map 0039, Grid 0005 and Parcels 0266 and 0740. The image below is an aerial photograph of the area.



**1.3 Property Description**

Attachment 1 shows the survey of the Property. The Annexation Property is presently tax-exempt and consists of two parcels totaling 27.59 acres of land. Parcel 0266 is 26.27 acres and is developed with the 72,000 square foot two-story Tri-County Council office building, the 12,000 square foot maintenance facility, and related facilities. The western edge of this parcel is forested and is largely protected by a forest conservation easement that was platted when the Property previously obtained development approval as shown on the survey in Attachment 1, the eastern most corner of the property nearest the intersection of Walston Switch and U.S. Route 50 is parcel 0740. It is 1.32 acres in size and has future development potential.

**1.4 Existing Zoning**

The Property is zoned LB-1, Light Business and Institutional. The land adjoining the property to the north and west is zoned LB-1. The land adjoining the property to the east is zoned A-1, Agriculture Rural, see attachment A-1.

**2.0**

**LAND USE PATTERN PROPOSED FOR THE AREA TO BE ANNEXED**

2.1 Comprehensive Plan

The City of Salisbury adopted its current Comprehensive Plan in 2010. The Property is located within the City's designated municipal growth area with a recommended land use of "Mixed Use".

The Comprehensive Plan's goal as it pertains to annexations is as follows: "To encourage the orderly growth and expansion of the City of Salisbury by annexing selected areas and by providing public services to newly developing areas without overburdening these facilities while continuing to maintain a high level of services to existing developments and residents of the City."

The current official Wicomico County Comprehensive Plan (adopted 1998) designated the Property as "Urban Corridor". The draft new County Comprehensive Plan designates the area as Mixed Use Non-Residential. The Wicomico County / Salisbury Planning Commission determined that the proposed City Zoning of the property (see below) is consistent with the County's "Urban Corridor" land use plan designation and the County's current zoning of the Property.

2.2 Proposed Zoning

Upon annexation, The Property is proposed to be zoned Mixed Use Non-Residential. Per Section 17.46.010 of the City Zoning Ordinance, the purpose of the District is "to provide areas for well-designed functional and attractive development with indoor retail, office, services, and institutional uses. Land uses are envisioned that promote the best possible building designs, development of public streets and utilities, and conservation of environmentally sensitive areas." See Attachment A-2

2.3 Proposed Land Use

The petitioners propose to continue to use the property as they have and to add a bus washing facility on an already developed portion of the property. The use of Parcel 0740 is not yet determined as there are no plans to develop the parcel, though it is for sale. The use of the parcel would need to comply with the City's Mixed Use Non-Residential zone which allows for a broad set of commercial office, service, retail, institutional, and governmental uses, but not residential or industrial uses.

**3.0**

**THE PUBLIC FACILITIES AND SERVICES NEEDED BY THE DEVELOPMENT AND THE METHODS TO PROVIDE SUCH FACILITIES AND SERVICES TO ANNEXED PARCEL**



revisions to the previously approved stormwater management plan for the Property would require Salisbury Public Works review and approval.

3.8 Waste Collection

Commercial development in the city is served by independent waste haulers.

4.0

**HOW DEVELOPMENT OF THE ANNEXED PARCEL WOULD RELATE TO EXISTING/PLANNED LAND USE DEVELOPMENT, STREETS, PUBLIC FACILITIES AND SERVICES, OPEN SPACES AND NATURAL AREAS.**

The Property is largely developed already. Much of the forested land on the site is protected through a forest conservation easement. A provision in the annexation agreement would ensure protection of this forested area and retention of the forested buffer along the U.S. Route 50 frontage. The presence of the stream, which forms the western property boundary, is a main rationale for protecting this forest stand.

There are no planned streets in the vicinity and direct road access from the Property to U.S. Route 50 is precluded by the State Highway Administration's access management policies.

The petitioners for annexation would extend water and sewer facilities from the south side of U.S. Route 50 under the highway connecting the property to municipal services. The facilities then would be available to other properties in the vicinity on the north side of the highway should additional connections be warranted and be found to advance the City's interests.

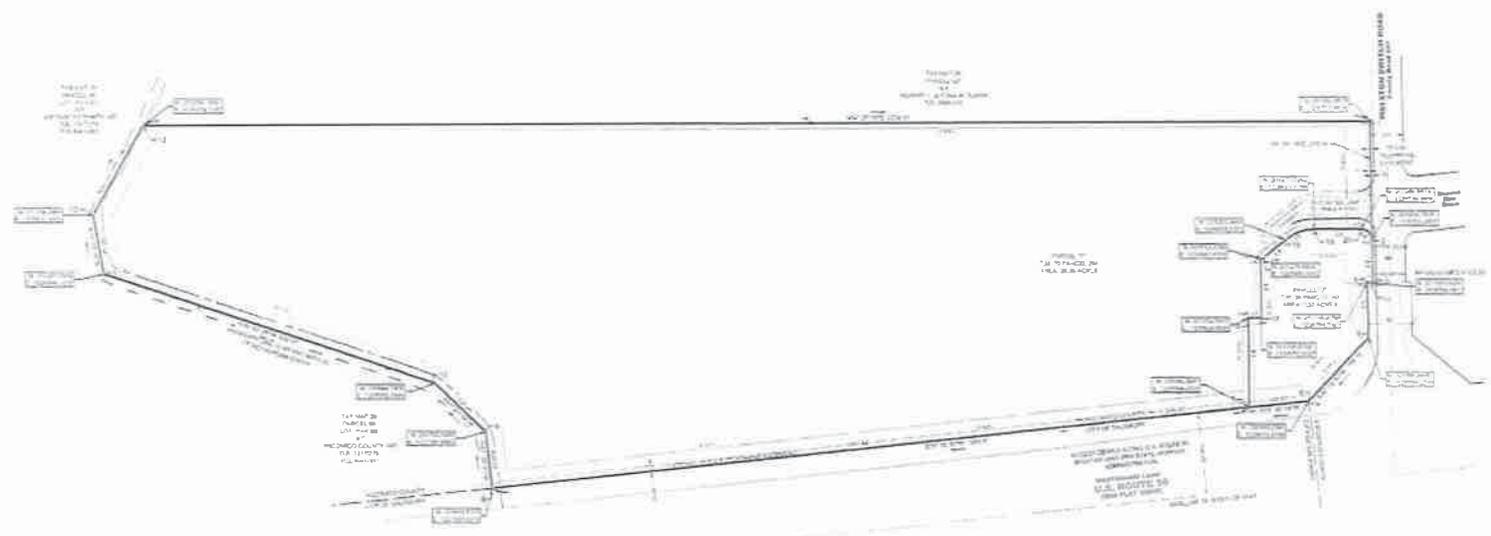
The Property is in the designated municipal growth area and is eligible for annexation. The existing uses of the annexation area are compatible with the land use pattern in the neighborhood. The possible future development of the 1.32-acre parcel 0740, nearest Walston Switch Road, would be regulated by City Zoning.



**BECKER MORGAN GROUP**

ANNEXATION/BOUNDARY SURVEY

10000 WILMINGTON BOULEVARD  
SUITE 200  
WILMINGTON, DE 19804  
TEL: 302.436.1000  
WWW.BMGROUP.COM



**NOTES**

1. A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100-YEAR FLOOD DAMAGE RISK AREA AS SHOWN AND IS SUBJECT TO THE CONDITIONS CAPTIONED AND DEFINED THEREIN.
2. THIS LOT MAY BE SUBJECT TO FLOOD DAMAGE RISK AS SHOWN WITH DAMAGE POTENTIAL. LOT OWNERS ARE ENCOURAGED TO PREPARE THE SITE AND CONSTRUCT STRUCTURES SO AS TO MINIMIZE THE IMPACT OF THE POTENTIAL FLOOD DAMAGE RISK.
3. THIS PROPERTY IS LOCATED WITHIN AN AREA WHICH ALLOWS AGRICULTURAL OPERATIONS. THIS TRACT IS SUBJECT TO AGRICULTURAL EASEMENTS. SEE THE VICINITY MAP FOR DETAILS.
4. THIS ANNEXATION IS PERFORMED WITHOUT THE EFFECT OF A CURRENT TITLE COMMITMENT. THERE IS NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY EASEMENTS AFFECTING THIS PROPERTY.

PROPOSED ANNEXATION NOTE  
ALL OF PARCELS AND PARCELS ARE PROPOSED TO BE INCLUDED IN THE ANNEXATION AGREEMENT.  
TOTAL AREA = 205.0 ACRES

**LEGEND**

- 1. FLOOD DAMAGE RISK AREA
- 2. UNIMPROVED EASEMENT
- 3. 100-YEAR FLOOD RISK

**SITE DATA**

1. JURISDICTION	TRICOUNTY CLARKE COUNTY, DE
2. CLIENT	BECKER MORGAN GROUP, INC.
3. PROJECT NO.	2008-001
4. DATE	08/28/08
5. SCALE	1" = 100'
6. DRAWN BY	JMM
7. CHECKED BY	JMM
8. DATE	08/28/08

**Line Table**

LINE	LENGTH	BEARING
1	10.00	S 89° 00' 00" W
2	10.00	S 89° 00' 00" W
3	10.00	S 89° 00' 00" W
4	10.00	S 89° 00' 00" W
5	10.00	S 89° 00' 00" W
6	10.00	S 89° 00' 00" W
7	10.00	S 89° 00' 00" W
8	10.00	S 89° 00' 00" W
9	10.00	S 89° 00' 00" W
10	10.00	S 89° 00' 00" W

**Curve Table**

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH	DELTA
1	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
2	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
3	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
4	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
5	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
6	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
7	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
8	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
9	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"
10	10.00	100.00	S 89° 00' 00" W	10.00	90° 00' 00"

**OWNER/SURVEYOR CERTIFICATION**

I HEREBY CERTIFY THAT THE REQUIREMENTS OF REAL PROPERTY TITLE LAW OF THE STATE OF DELAWARE HAVE BEEN COMPLIED WITH AND THAT THE SURVEY IS ACCURATE AND CORRECT AS FAR AS THE PUBLIC RECORDS OF THE PUBLIC RECORDS OF THE STATE OF DELAWARE ARE CONCERNED.

DATE: 08/28/08

BY: JMM

**ANNEXATION/BOUNDARY SURVEY LANDS OF TRI-COUNTY COUNCIL FOR THE LOWER EASTERN SHORE**

PARSONS ELECTION DISTRICT  
WICOMCO COUNTY, MD

**ANNEXATION/BOUNDARY SURVEY**

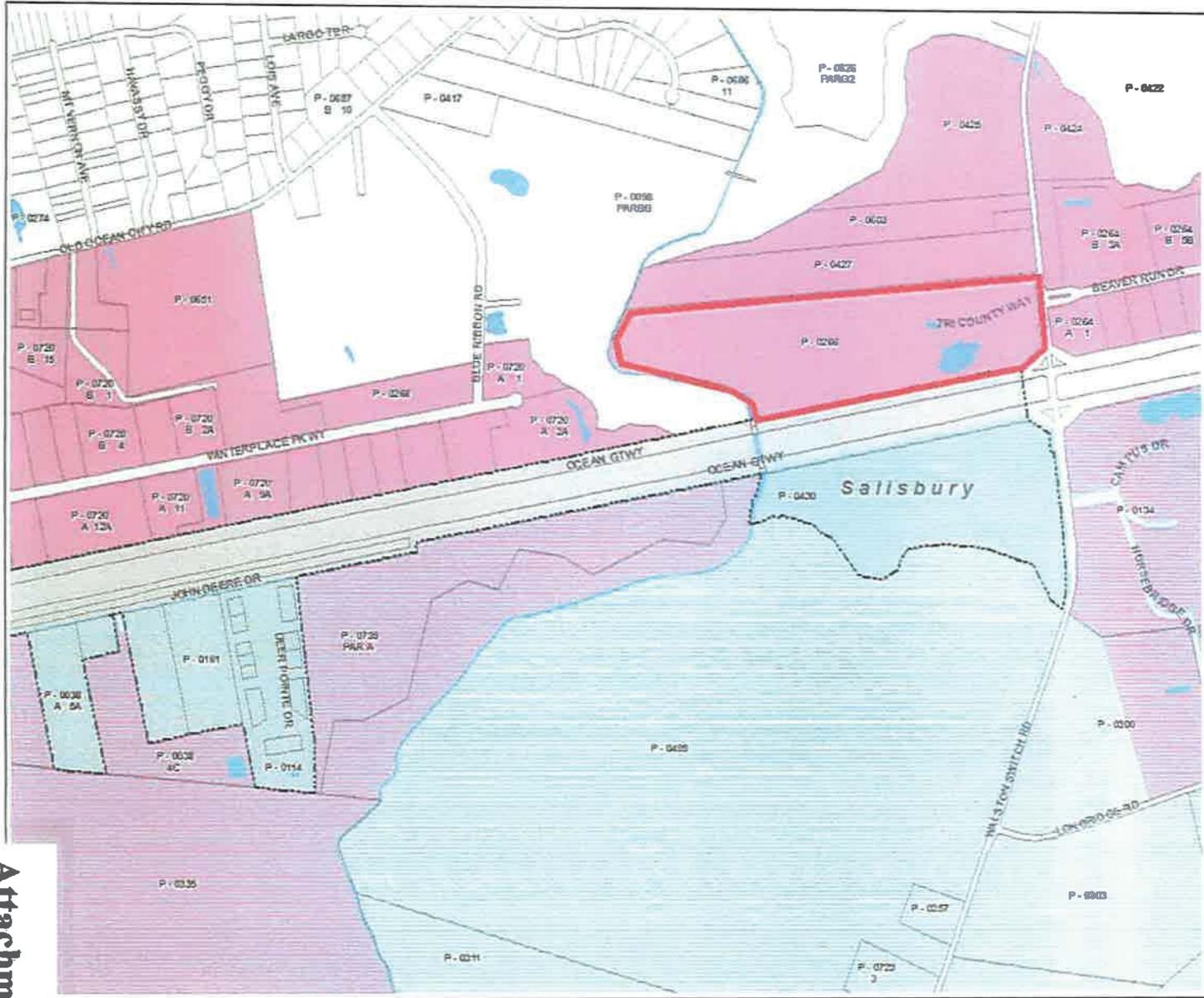




Attachment #2

Tri-County Council

# WICOMICO COUNTY ZONING MAP



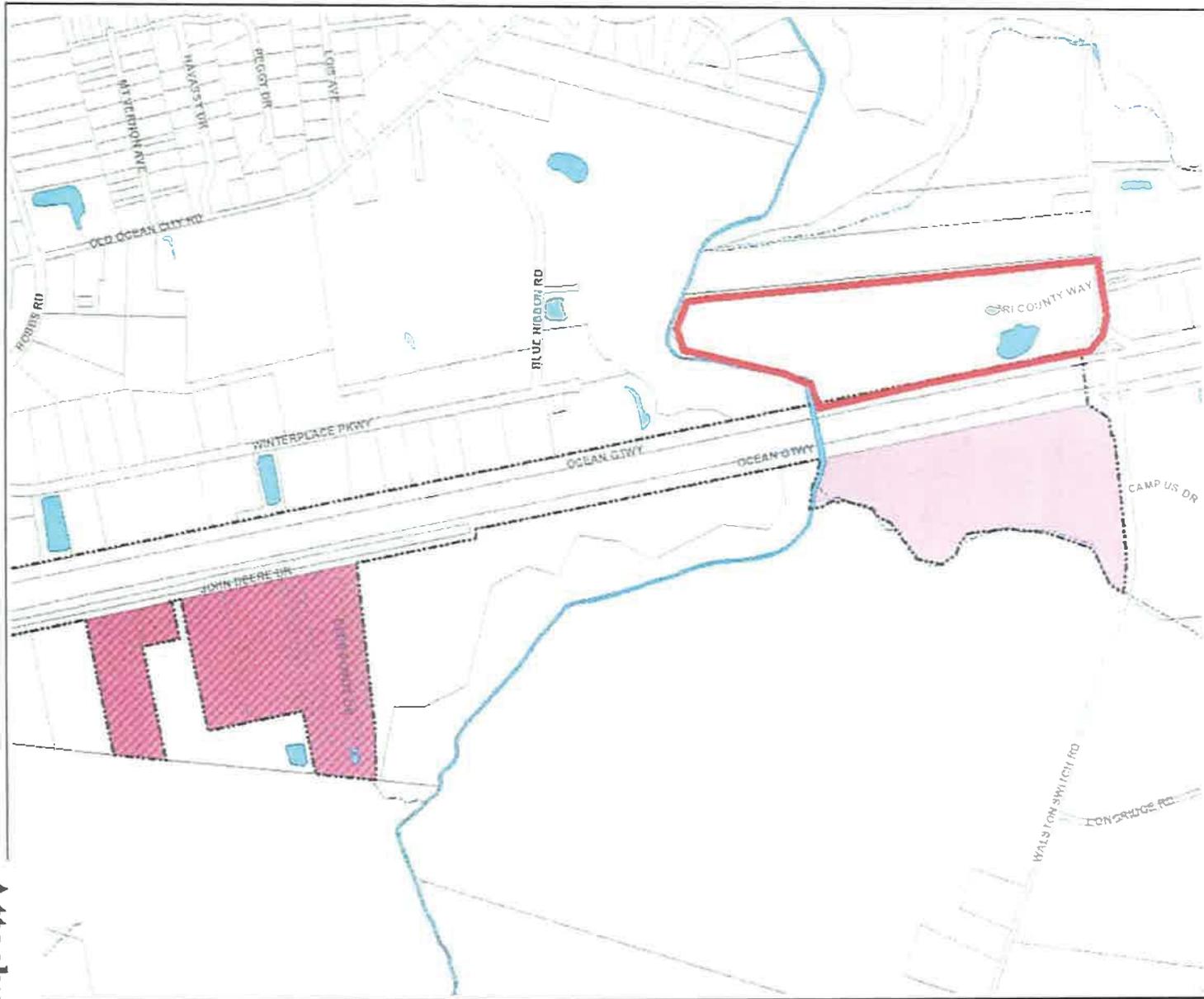
Attachment #3

246 ft

TCCLES\_CountyZoningMap\_08182014

# CITY OF SALISBURY

## Salisbury Zoning



- Paleochannel
- Streams
- Water Bodies
- Street Numbers
- Salisbury BZA Cases
- Municipal Areas**
- CAD**
- Delmar
- Fruitland
- Hebron
- Mandela
- Pitsville
- Salisbury
- Sharptown
- Willards
- Railroads**
- Parcels
- Critical Area
- Historic Districts**
- Dist\_Name**
- Camden Historic District
- Downtown Historic District
- Newtown Historic District
- Salisbury Zoning**
- CITY\_ZON**
- College & University
- Conservation
- CBD
- LBI
- General Commercial
- Reg Comm
- MUNR
- Select Commercial
- Hospital
- Ind
- Ind Park
- L Ind
- Neighborhood Business
- OSH
- OSR
- PDD
- PRD
- R - 5
- R - 5 A
- R - 8
- R - 8 A
- R - 10
- R - 10 A
- Riverfront Redevelopment
- Street Centerlines

246 ft

City Zoning Map\_Tri-County Council for the Lower Eastern Shore

SalisburyWicomico GIS

Attachment #4



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

410-548-4860

FAX: 410-548-4955



JAMES IRETON, JR  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

RICHARD M. POLITT, JR  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

October 20, 2014

**SALISBURY-WICOMICO  
FILE COPY  
PLANNING**

Tri-County Council  
Attention: Mike Pennington  
31901 Tri-County Way, Suite 203  
Salisbury, MD 21804

**RE: ANNEXATION ZONING – Tri-County Council – Walston Switch Road Annexation – 27.6 Acres – M-39; G-5; P-266 & 740.**

Dear Mr. Pennington:

The Salisbury Planning Commission at its October 16, 2014, meeting, forwarded a **FAVORABLE** recommendation to the Mayor and City Council for this property to be zoned Mixed Use Non-Residential upon annexation. The proposed zoning is consistent with the Wicomico County Comprehensive Plan recommendation for Urban Corridor development and County zoning of Light Business and Institutional.

If you have any questions concerning this matter, please don't hesitate to contact Gloria Smith or myself at 410-548-4860.

Sincerely,

John F. Lenox, AICP  
Director

Salisbury/Wicomico Planning & Zoning

cc: Mike Moulds, Director of City Public Works Department  
Bill Holland, Director of City Building, Permits, and Inspections Department  
Assessments



**City of Salisbury – Wicomico County**  
DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
P.O. BOX 870  
125 NORTH DIVISION STREET, ROOMS 203 & 201  
SALISBURY, MARYLAND 21803-4860  
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CITY ADMINISTRATOR

RICHARD M. POLITT, JR  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## **STAFF REPORT**

**MEETING OF OCTOBER 16, 2014**

**NAME:** Tri-County Council – Walston Switch Road Annexation

**APPLICANT:** The City of Salisbury - Referral

**LOCATION:** Easterly side of the City of Salisbury, on the westerly side of Walston Switch Road and the northerly side of U.S. Route 50, 31901 Tri County Way.  
Tax Map #39, Parcel #266, Grid #5

**REQUEST:** Annexation Zoning – 27.6 acres

### **I. BACKGROUND DATA:**

#### **A. Introduction.**

The City Administration has referred the Tri-County Council – Walston Switch Road annexation located on the easterly side of Salisbury to the Planning Commission for review and recommendation of an appropriate zoning designation. The property is located on the westerly side of Walston Switch Road and the northerly side of U.S. Route 50 and consists of 27.6 acres. (See Attachments #1 and 2.)

Under the procedures established by the Mayor and City Council in 1987, the zoning classification of the area will be included in the resolution that annexes the property to the City. Prior to this policy, annexations were conducted by resolution and the zoning category established by a separate ordinance on a separate time schedule. This policy now puts the zoning classification and annexation on the same schedule.

#### **B. Area Description.**

This annexation area consists of one parcel 27.6 acres in size and that is developed with a 74,000 sq. ft. two-story office building and a 12,000 sq. ft. maintenance facility, parking and related amenities. (See Attachment #2.)

- b. The Wicomico County Comprehensive Plan - The Wicomico County Council adopted its Plan on February 3, 1998. The Land Use Map of the County Comprehensive Plan designates this area as "Urban Corridor." The Draft 2014 County Plan designates this area as "Mixed Use Non-Residential".

### 3. Maryland Law.

House Bill 1141 made two changes to Annexation Procedures that became effective October 1, 2006. They are:

1. **The Five-Year Rule.** First, the rule is applied solely on zoning. In the past, the five-year rule could be applied whenever a proposed new zoning classification was substantially different from the use envisioned "in the current and duly adopted master plan." The reference to the master plan is now gone and the issue becomes the degree of change from the current county zoning classification to the proposed municipal classification following the annexation. When the zoning change is from one residential zone to another, "substantially different" is now defined as a density change. The five-year rule will not kick in for a density change unless the proposed zoning is more dense by 50 percent. For example, if the current zoning permits 1 unit per acre, the new zoning can be subject to the five-year rule if it permits anything more than 1.5 units per acre. As before, a municipality may obtain a waiver from the county to avoid the five-year wait until the new zoning classification applies.
2. **Annexation Plans Required.** An annexation plan is required that replaces the "outline" for the extension of services and public facilities prior to the public hearing for an annexation proposal. This section contains no additional language for the content of the annexation plan to be adopted, but does require it to be consistent with the municipal growth element for any annexations that begin after October 1, 2009 (unless extended for up to two six-month periods). The Plan must be provided to the county and the State (the Maryland Department of Planning) at least 30 days prior to the hearing.

## III. DEVELOPMENT SCENARIO.

### A. Proposed Use.

As previously noted, the property is developed with a 74,000 sq. ft. two-story office building and a 12,000 sq. ft. maintenance facility, parking and related amenities. No further development of the site is proposed at this time. City water and sewer service is required for the bus washing facility.

**17.46.050 Development standards.**

Development standards for the (mixed use non residential) district shall be as follows:

- A. Prior approval requirements. Prior to the development of a tract, lot, parcel or any part of the district, a Comprehensive Development Plan, as defined in section 17.04.120, shall be submitted to the Planning Commission for review and approval in accordance with chapter 17.180.
- B. Minimum lot requirements. All lots hereafter established shall meet the following minimum requirements:
  - 1. Lot area: twenty-five thousand (25,000) square feet;
  - 2. Interior lot width: one hundred (100) feet;
  - 3. Corner lot width: one hundred twenty (120) feet.
- C. Minimum yard requirements shall be as follows:
  - 1. Front: forty-five (45) feet from property line;
  - 2. Side, interior: two required, ten feet each, except thirty (30) feet where adjacent to a residential district;
  - 3. Side, corner: forty-five (45) feet from property line;
  - 4. Rear: thirty (30) feet from property line.
- D. The height limitation shall be forty (40) feet.
- E. Parking, loading and unloading shall be in accordance with chapter 17.196.
- F. Access. Direct access onto a street or highway shall be reduced or eliminated wherever the City Department of Public Works determines that alternate or unified points of access are available to a site resulting in better traffic flow and less traffic congestion.
- G. Signs. Signage shall be in accordance with the provisions of section 17.216.120, Light Business and Institutional District.
- H. Lighting. Lighting shall be designed so as not to throw glare onto surrounding properties. Flashing lights are prohibited.
- I. Landscaping and screening. In addition to the requirements of Chapter 17.220, the following shall be required:
  - 1. All areas not devoted to building or required parking areas shall be landscaped as defined in Section 17.04.120 and maintained in accordance with Section 17.220.080.



**JAKUBIAK & ASSOCIATES** INCORPORATED

To: Thomas Stevenson City Administrator  
From: Christopher Jakubiak, AICP  
Date: January 29, 2015  
Re: Fiscal Impact, Walston Switch – Tri-County Council Annexation

---

The Walston Switch Road – Tri-County Council Annexation would add 27.6 acres to the City. Included in this acreage are two parcels of land. Parcel 0266 is already improved with a 72,000 square foot office building and a 12,000 square foot maintenance facility building. This parcel, its land and buildings have an estimated 2014 assessed value \$5.09 million. However it is tax-exempt. The other parcel, 0740, is 1.32 acres in size with an assessed value of \$75,200. It is unimproved at this time though available for development. It too, at present, is tax-exempt.

The fiscal impact evaluations that accompany annexations typically compute and compare the costs and revenues associated with an annexation and its prospective development. In this case, the Property is entirely tax-exempt being owned by Tri-County Council for the Lower Eastern Shore of Maryland. The annexation would not therefore directly contribute property tax revenues to the City. While the organization provides public services that benefit residents of Salisbury and the community at large, from a purely fiscal standpoint, the annexation would not result in a positive fiscal impact. The City would extend services including fire and police services but receive no real property tax revenues as long as the property is tax-exempt.

It is possible that parcel 0740 will develop privately and thus lose its tax-exempt status. However, because of the relatively small size of this parcel, the tax property revenues generated would not be sufficient to cover the full costs of providing municipal governmental services to the Annexation Property as a whole. Parcel 0740 on its own may be expected to have an annual fiscal impact ranging from a positive \$3,600 to a negative \$4,800; depending on the nature of its future land use and development program.

In summary, because the vast majority of the Annexation Property is a public service use and is tax exempt, the Walston Switch Road – Tri-County Council annexation will not generate a net positive fiscal impact for the City.

1  
2  
3 **RESOLUTION NO. 2503**

4 A RESOLUTION of the City of Salisbury proposing the  
5 annexation to the City of Salisbury of certain area of land situate,  
6 contiguous to and binding upon the easterly corporate limit of the  
7 City of Salisbury, to be known as the “Tri County Council /  
8 Walston Switch Road Annexation,” and the application of a City  
9 zoning classification to same area, being an area located on the  
10 westerly side of and binding upon Walston Switch Road, north of  
11 the intersection of Walston Switch Road and U.S. Route 50.

12 WHEREAS, the City of Salisbury has received a petition to annex (with correction dated  
13 May 7, 2015), signed by at least twenty-five percent (25%) of the persons who are resident  
14 registered voters and of the persons who are owners of at least twenty-five percent (25%) of the  
15 assessed valuation of the real property in the area sought to be annexed, and being located on the  
16 westerly side of and binding upon Walston Switch Road, north of the intersection of Walston  
17 Switch Road and U.S. Route 50, an improved County road; said parcel being contiguous to and  
18 binding upon the easterly corporate limit of the City of Salisbury; and

19 WHEREAS, the City of Salisbury has caused to be made a certification of the signatures  
20 on said petition for annexation and has verified that the persons signing the petition represent at  
21 least twenty-five percent (25%) of the persons who are eligible voters and property owners  
22 owning twenty-five percent (25%) of the assessed valuation of real property in the area to be  
23 annexed, all as of April 2, 2015, and, as will more particularly appear by the certification of W.  
24 Clay Hall, Surveyor, of the City of Salisbury, attached hereto and as of May 6, 2015, by the  
25 certification of Les Sherrill, Surveyor, of the City of Salisbury concerning the correction to the  
26 petition for annexation; and

27 WHEREAS, it appears that the petition (with correction dated May 7, 2015),  
28 meets all the requirements of the law; and

29 WHEREAS, the public hearing is scheduled for Monday, July 13, 2015, at 6:00  
30 p.m.

31 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
32 SALISBURY THAT it is hereby proposed and recommended that the boundaries of the City of  
33 Salisbury be changed so as to annex to and include within said City all that parcel of land  
34 together with the persons residing therein and their property, contiguous to and binding upon the  
35 westerly side of and binding upon Walston Switch Road, and being more particularly described  
36 on Exhibit "A" attached hereto and made a part hereof.

37 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the  
38 annexation of the said area be made subject to the terms, conditions and agreements in Exhibits  
39 A-C attached hereto and made a part hereof.

40 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the  
41 Zoning Map of the City of Salisbury shall be amended to include these newly annexed properties  
42 in the Mixed Use Non-Residential Zoning District. Said properties are presently classified as  
43 "LB-1" Light Business and Institutional under the zoning laws of Wicomico County.

44 AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, that the Council  
45 hold a public hearing on the annexation hereby proposed on May 26, 2015, at 6:00 p.m. in the  
46 Council Chambers at the City-County Office Building and the City Administrator shall cause a  
47 public notice of time and place of said hearing to be published not fewer than four (4) times at  
48 not less than weekly intervals, in at least one newspaper of general circulation in the City of  
49 Salisbury, which said notice shall specify a time and place at which the Council of the City of  
50 Salisbury will hold a public hearing on the Resolution, which date shall be no sooner than 15  
51 days after the final required date of publication specified above.

52           AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF  
53 SALISBURY, THAT this resolution shall take effect upon the expiration of forty-five (45) days  
54 following its final passage, subject, however, to the right of referendum as contained in the Local  
55 Government Article of the Maryland Code.

56           The above Resolution was introduced, read and passed at the regular meeting of the  
57 Council of the City of Salisbury held on the 26<sup>th</sup> day of May, 2015, having been duly published  
58 as required by law in the meantime, and was finally passed after a Public Hearing by the Council  
59 at its regular meeting held on the 13<sup>th</sup> day of July, 2015.

60

61

62 \_\_\_\_\_  
63 Kimberly R. Nichols,  
64 City Clerk

\_\_\_\_\_   
Jacob R. Day,  
Council President

65

66

67

68 APPROVED BY ME this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

69

70

71

72 \_\_\_\_\_  
73 James Ireton, Jr.,  
74 Mayor of the City of Salisbury



28 Salisbury, which said notice shall specify a time and place at which the Council of the City of  
29 Salisbury will hold a public hearing on the Resolution.

30 The above Resolution was introduced, read and passed at the regular meeting of the  
31 Council of the City of Salisbury held on the 26th day of May, 2015, having been duly published  
32 as required by law in the meantime, and a public hearing having been held on July 13, 2015, the  
33 Resolution was finally passed by the Council at its regular meeting held on the 13th day of July,  
34 2015.

35

36 \_\_\_\_\_  
37 Kimberly R. Nichols,  
38 City Clerk

\_\_\_\_\_   
Jacob R. Day,  
Council President

39

40

41

42 APPROVED BY ME this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

43

44 \_\_\_\_\_  
45 James Ireton, Jr.,  
46 Mayor of the City of Salisbury

47



2014-2015 Excluding June

Column1	General	NSCC	City Council	BPI	PW	PD	FD	P&Z	HR	BZA	ZOO
7/14	0.00	3063.23	3782.75	11.50	690.25	1338.50	76.25	1220.50	1098.00	0.00	0.00
Aug-15	0.00	12758.37	4683.00	30.50	320.75	976.25	0.00	328.25	401.73	0.00	0.00
Sep-15	0.00	4870.06	3746.82	0.00	30.50	2957.05	305.00	640.50	2015.57	0.00	0.00
Oct-15	0.00	9963.40	3317.00	34.50	1979.75	4098.28	1224.50	0.00	1740.80	0.00	289.75
Nov-15	0.00	3627.99	4512.45	618.00	294.00	3230.15	1671.25	76.25	457.50	0.00	198.25
Dec-15	0.00	4444.60	3487.75	2390.78	1771.85	1853.00	2654.25	167.75	381.25	0.00	0.00
Jan-15	0.00	7598.22	2899.75	335.75	1886.50	1999.30	576.25	2878.75	198.25	0.00	0.00
Feb-15	0.00	6167.00	5612.20	854.50	1355.50	1994.65	91.50	946.00	2795.80	0.00	0.00
Mar-15	0.00	2861.28	3975.50	30.50	2066.65	2589.50	244.00	3397.20	713.25	0.00	15.25
Apr-15	0.00	6232.89	3276.75	637.25	1691.00	4815.03	457.75	979.75	836.36	244.00	0.00
May-15	0.00	4626.41	3452.25	594.50	2301.50	972.25	122.00	1569.00	1438.00	0.00	0.00
Dept Totals	0.00	66213.45	42746.22	5537.78	14388.25	26823.96	7422.75	12203.95	12076.51	244.00	503.25

Procument	Finance	Mayor	IT	Monthly Totals
2643.00	314.42	2670.65	0.00	16909.05
298.50	366.00	2452.21	0.00	22615.56
1494.75	381.25	1655.00	0.00	18096.50
4066.85	503.25	2179.15	0.00	29397.23
4697.25	701.50	1542.30	0.00	21626.89
8242.15	46.00	3302.70	0.00	28742.08
1784.25	200.25	3745.53	0.00	24102.80
3858.75	2007.25	1919.90	0.00	27603.05
1803.96	4280.09	3034.64	0.00	25011.82
4827.75	2031.92	2499.05	0.00	28529.50
2699.75	2039.75	2297.00	0.00	22112.41
36416.96	12871.68	27298.13	0.00	

**264746.89** Yearly Total



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803-4860

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JAMES IRETON, JR  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

April 20, 2015

**SALISBURY/WICOMICO  
FILE COPY  
PLANNING**

**TO:** Tom Stevenson, City Administrator  
**FROM:** John F. Lenox, AICP, Director, Salisbury/Wicomico Planning & Zoning  
**SUBJECT:** **PUBLIC HEARING – Text Amendments - Section 17.04.120 – Definitions – To add a definition for Self Storage; and Section 17.28.020 – Uses permitted in the Light Business and Institutional District to Add Self Storage - Planning Commission Recommendation**

## I. INTRODUCTION.

On April 16, 2015, the Salisbury Planning Commission held a public hearing on a request by Emanuel Wesleyan Church for the above-noted text amendments relative to Self-Storage facilities. (See Attachment A.)

## II. RECOMMENDATION.

After considering the staff report and following discussion by the Commission on the proposed amendments, the Salisbury Planning Commission forwarded a **Favorable** recommendation to the Mayor and City Council for adoption of the draft Ordinance. (See Attachment B.)

Unless you or the Mayor has further questions, please forward this memo and its attachments to the City Council.

## III. BACKGROUND.

The Commission noted that the Light Business and Institutional Districts are typically in areas along major highways, bordering residential areas, but are not likely to develop residentially. Permitted uses are generally those that do not generate continuous heavy volumes of traffic or late night hours of operation.

The Comprehensive Plan notes that these areas should provide a transition from residential areas to more intensive uses. The area across Beaglin Park Drive is approved for development with commercial uses in Beaglin Crossing Planned Development District.

The Commission discussed the Code requirements for submission of a Comprehensive Development Plan for development proposed in the Light Business and Institutional District and the Code requirements for appropriate screening of the use from the adjoining residential area.

### Attachments

cc: Mayor James Ireton, Jr.  
William Holland, Director, Building, Housing and Zoning Dept.  
Mark Tilghman, City Solicitor



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

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BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## STAFF REPORT

### MEETING OF APRIL 16, 2015

**CASE NO.:** #SP-1502

**APPLICANT:** Emmanuel Wesleyan Church, rep. by Darron Whitehead

**REQUEST:** **PUBLIC HEARING – Text Amendment - To amend Section 17.28.020 to add Self Storage Facilities in the Light Business and Institutional District.**

#### **I. REQUEST:**

Rev. Mark Bunting, Assistant Pastor at Emmanuel Wesleyan Church, and Darron Whitehead of Whitehead Real Estate Executives, have submitted a request to amend the text of the Light Business and Institutional District. Specifically, they propose the addition of Self-Storage Facilities in the District. **(See Attachment #1.)**

In accordance with the requirements of Section 17.228 of the Salisbury Municipal Code, the Planning Commission must hold a Public Hearing on proposed Text Amendments to the Code. The Commission must forward a recommendation (within six months) to the City Council. The City Council must also hold a public hearing before granting final approval to Code text amendments (by Ordinance).

#### **II. DISCUSSION:**

Upon development of the extension of Beaglin Park Drive, the Emmanuel Wesleyan Church property was split. A 3-acre irregularly shaped lot is located on the northerly side of the roadway, opposite Dallas Drive. The parcel adjoins several lots that front on Shamrock Drive in the Rich Mae Acres subdivision. There is interest in development of the property as a self-storage facility. Currently, this use is not permitted in the Light Business and Institutional District.

The Purpose section of the Light Business and Institutional District notes that such areas are typically along major highways, bordering residential areas but are not likely to develop residentially. To protect the adjoining residential areas, these sites should be developed with

uses that do not generate continuous heavy volumes of traffic and do not have late night hours.

The Comprehensive Plan designates this area for Business and Institutional development and notes that the area benefits from high visibility and high traffic volumes. It notes that these areas should provide a transition from residential areas to more intensive uses.

There are limited areas of the City zoned Light Business and Institutional. Many of these areas are already developed with commercial or office uses, churches, and some apartment developments.

Nearby areas that could be affected by this amendment are vacant lots remaining in Woodbrooke, a 26 acre tract on the southerly side of Route 50 (on the westerly side of Phillip Morris Drive), and the area approved for development as Grand Pointe.

Self-storage facilities generate low traffic volumes and it would be anticipated that there would not be late night visitors to the facility. However, self-storage facilities are not defined in the Code at this time. In general, self-storage is permitted in the districts that permit warehousing. These districts are the General Commercial, Industrial, and Light Industrial Districts.

The Light Business and Institutional District requires submission of a Comprehensive Development Plan for Planning Commission review and approval. The Code requires a 30 ft. side setback where adjoining a residential development and a 30 ft. rear setback. Building height is limited to 40 ft.

### III. RECOMMENDATION.

Staff recommends that the Commission forward a **Favorable** recommendation to the Mayor and City Council for a Text Amendment to the Salisbury Municipal Code, Section 17.28, Light Business and Institutional District as follows:

#### **To Add Item T to Section 17.28.020 Permitted Uses – Self Storage.**

In addition, Staff recommends that the Commission forward a **Favorable** recommendation to the Mayor and City Council for a Text Amendment to the Salisbury Municipal Code, Section 17.04.120, Definitions, as follows:

**To Add Self Storage – A facility consisting of individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies. This definition does not preclude such self-storage from inclusion within other use categories (i.e. warehousing).**

COORDINATOR: Gloria Smith, Planner  
DATE: April 9, 2015

Dear Planning & Zoning Commission,

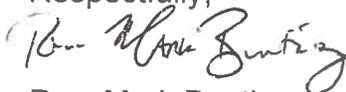
My name is Mark Bunting and I am one of the pastors of Emmanuel Wesleyan Church located at 217 Beaglin Park Dr Salisbury, MD 21804. The Church owns a 3 acre parcel across the street on Collector Rd (Par 10020 3.06 Ac NS Collector Rd R O W Sur City of Salisbury - 23/05/114667) which is for sale at this time with Darron Whitehead of Whitehead Real Estate Executives. Mr. Whitehead has located a qualified buyer that would like to build a self-storage facility on the property, but after reviewing 17.28.020 "Permitted Uses" it was discovered it was not permitted.

On behalf of the Church, I would respectfully request a "Zoning Text Amendment" under 17.28.020 to permit a self-storage facility in the LBI District that would allow this sale to move forward. This approval would be greatly appreciated by the Church and its members. Both the "Application" and "Advertising" checks will be attached with this request.

If you have any questions on the potential sale of the property please contact Darron Whitehead (410) 726-4133/ whiteheadre@comcast.net.

Thank you for your assistance in this matter and please contact me if you have any questions.

Respectfully,



Rev. Mark Bunting  
Assistant Pastor  
Emmanuel Wesleyan Church  
(410) 749-6594/ (443) 880-8501  
mark@ewchurch.com

PLANNING DEPARTMENT

RECEIVED

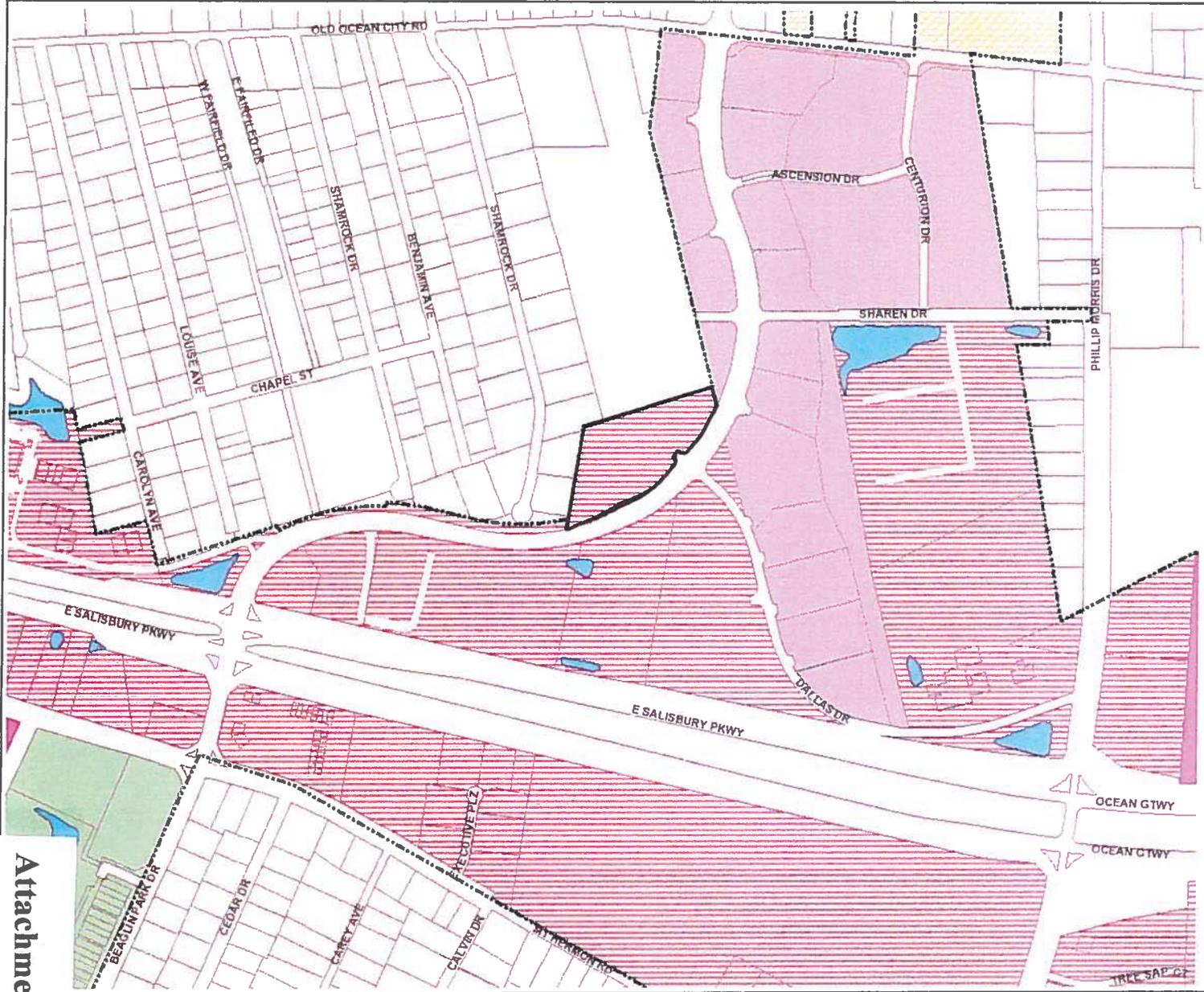
DATE 3/10/15 BY bt



Emmanuel Wesleyan Church

# CITY OF SALISBURY

## Salisbury Zoning



- Streams
- Water Bodies
- Street Numbers
- Municipal Areas
  - CAD
  - Delmar
  - Fruitland
  - Hebron
  - Mardela
  - Pittsville
  - Salisbury
  - Sharptown
  - Willards
- Railroads
- Parcels
- Critical Area
- Historic Districts
  - Dist\_Name
  - Camden Historic District
  - Downtown Historic District
  - Newtown Historic District
- Salisbury Zoning
  - CITY\_ZON
  - College & University
  - Conservation
  - CBD
  - LBI
  - General Commercial
  - Reg Comm
  - MUNR
  - Select Commercial
  - Hospital
  - Ind
  - Ind Park
  - L Ind
  - Neighborhood Business
  - OSH
  - OSR
  - PDD
  - PRD
  - R - 5
  - R - 5 A
  - R - 8
  - R - 8 A
  - R - 10
  - R - 10 A
  - Riverfront Redevelopment
- Street Centerlines

Attachment #3

171 ft

### Emmanuel Wesleyan Church - City Zoning

## Chapter 17.28

### LIGHT BUSINESS AND INSTITUTIONAL DISTRICT

#### Sections :

- 17.28.010 Purpose.
- 17.28.020 Permitted uses.
- 17.28.030 Uses permitted by special exception.
- 17.28.040 Uses permitted by ordinance permit.
- 17.28.050 Accessory uses and structures.
- 17.28.060 Development standards.

#### **17.28.010 Purpose.**

The purpose of the Light Business and Institutional District is to recognize that lands located along major limited access highways running through Salisbury are exposed to large volumes of traffic and high degrees of visibility and to provide for their development while protecting adjoining residential areas. These lands are generally located between the major highways and parallel streets which border adjoining residential areas. Access to these lands is obtainable only from access roads to the major highways and streets bordering the residential areas. Because of their location and exposure to the highways, these lands are unlikely to develop as residential and are subject to pressure for development with uses that benefit from the high degree of visibility and volumes of traffic. To provide for development of these lands and to afford some protection to adjoining residential areas, the uses permitted in this district are those which may benefit from this exposure but which primarily do not generate continuous heavy volumes of traffic, noise, dust or odor, do not primarily have late evening or weekend hours and do not have the detrimental effects that intensive commercial development may have on the property values of nearby residential neighborhoods. Those uses which may generate noise, odor and have evening or weekend hours are encouraged to locate adjacent to the major access highways at the intersection of access roads to be as far from neighboring residential areas as possible. The following uses, standards and area regulations have been developed based upon this purpose, which is in accord with findings and recommendations of the City's adopted land use element of the Metro Core Comprehensive Plan. (Prior Code Section 150-59)

#### **17.28.020 Permitted uses.**

Permitted uses shall be as follows:

- A. Apartment building and project in accordance with Chapter 17.168.
- B. Bank and other financial institution.
- C. Business, government, financial or professional office.
- D. Business center in accordance with Chapter 17.172.
- E. Care home.
- F. Church or other place of worship in accordance with Chapter 17.220, excluding bus storage and maintenance, cemetery and gymnasium as an accessory use;

- G. Cultivation of land;
- H. Cultural uses, such as museum, library or art gallery;
- I. Funeral home;
- J. Medical-care facility;
- K. Medical and dental office and clinic;
- L. Radio or television broadcasting station and studio;
- M. School of general instruction, in accordance with Chapter 17.220. (Prior Code Section 150-60)
- N. Dry-cleaning pick-up station.
- O. Florist.
- P. Office supplies and equipment.
- Q. Photographic studio.
- R. Travel agency. (N through R added 12/8/97 by Ord. 1672)
- S. Group domiciliary care facility. (Added 11/13/00 by Ord. No. 1786)

**17.28.030 Uses permitted by special exception.**

Uses permitted by special exception shall be as follows:

- A. Restaurant excluding all other type, with a minimum seating capacity of two hundred (200) located adjacent to a major limited access highway at an access road intersection;
- B. Hairdresser shop;
- C. Apartment units as accessory uses above the first floor. (Prior Code Section 150-61)
- D. Pharmacy, free-standing. (Added 12/8/97 by Ord. 1672)

**17.28.040 Uses permitted by ordinance permit.**

Uses permitted by ordinance permit shall be as follows:

- A. Communication tower, in accordance with Chapter 17.220;
- B. Day-care center or nursery school, in accordance with Chapter 17.220;
- C. Utility substation, in accordance with Chapter 17.220. (Prior Code Section 150-62)

**17.28.050 Accessory uses and structures.**

Accessory uses and structures shall be as follows:

- A. Communication towers for broadcasting and receiving, not exceeding seventy-five (75) feet in height;

- B. Other accessory uses and structures clearly incidental to, customary to and associated with the permitted use;
- C. Family day-care home;
- D. Day-care services for employees or patrons of a permitted use;
- E. Pharmacy, hairdresser shop, florist and printing and reproduction shop, only as accessory uses to and located within the same building as the following permitted uses:
  - 1. Apartment building and project in accordance with Chapter 17.168,
  - 2. Business, government, financial or professional office,
  - 3. Business center in accordance with Chapter 17.172,
  - 4. Medical-care facility,
  - 5. Medical and dental office and clinic. (Prior Code Section 150-63)

**17.28.060 Development standards.**

Development standards for the light business and institutional district shall be as follows:

- A. **Prior Approval Requirements.** Prior to the development of a tract, lot, parcel or any part of the district, a comprehensive development plan, as defined in Section 17.04.120, shall be submitted to the Planning Commission for review and approval in accordance with Chapter 17.180.
- B. **Minimum Lot Requirements.** All lots hereafter established shall meet the following minimum requirements:
  - 1. Lot area: twenty-five thousand (25,000) square feet;
  - 2. Interior lot width: one hundred (100) feet;
  - 3. Corner lot width: one hundred twenty (120) feet.
- C. **Minimum yard requirements shall be as follows:**
  - 1. Front: forty-five (45) feet from property line;
  - 2. Side, interior: two required, ten feet each, except thirty (30) feet where adjacent to a residential district;
  - 3. Side, corner: forty-five (45) feet from property line;
  - 4. Rear: thirty (30) feet from property line.
- D. The height limitation shall be forty (40) feet.
- E. Parking, loading and unloading shall be in accordance with Chapter 17.196.

- F. Access. Direct access onto a street or highway shall be reduced or eliminated wherever the City Department of Public Works determines that alternate or unified points of access are available to a site resulting in better traffic flow and less traffic congestion.
- G. Signs. See Chapter 17.216.
- H. Lighting. Lighting shall be designed so as not to throw glare onto surrounding properties. Flashing lights are prohibited.
- I. Landscaping and Screening. In addition to the requirements of Chapter 17.220, the following shall be required:
  - 1. All areas not devoted to building or required parking areas shall be landscaped as defined in Section 17.04.120 and maintained in accordance with Section 17.220.080. (Prior Code Section 150-64)

**17.216.120 Signs which may be erected in light business and institutional district.**

Signs which may be erected in the light business and institutional district are as follows:

- A. Signs as listed in Sections 17.216.050, 17.216.060(B) and 17.216.090(D);
- B. Business Signs. The total area of business signs on a lot shall not exceed three square feet per linear foot of street frontage. Sign locations are ground, projecting, wall, marquee, soffit and projections, as follows:
  - 1. One ground sign not exceeding fifty (50) square feet per face, not exceeding twenty-five (25) feet in height and set back fifteen (15) feet from the curblines;
  - 2. Projecting signs not exceeding six square feet in surface area, extending no closer to the curblines than fifteen (15) feet and no closer than eight feet above a sidewalk or eighteen (18) feet above a public street, alley or driveway;
  - 3. Wall signage not exceeding fifty (50) square feet in surface area per wall; (Ord. 1672, 12/8/97)
  - 4. Marquee and soffit signs not exceeding six square feet in surface area and not projecting more than twelve (12) inches beyond the marquee face or edge. (Ord. 1612 (part), 1995; Prior Code Section 150-255)



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803 4860

410 548 4860

FAX: 410 548 4955



JAMES IRETON, JR  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

May 1, 2015

Mr. Darron Whitehead  
5876 Tally Ho Lane  
Salisbury, MD 21801

**RE: #SP-1502 – PUBLIC HEARING – TEXT AMENDMENT – To Add Self-Storage to the LBI District – Emmanuel Wesleyan Church, rep. by Darron Whitehead.**

Dear Mr. Whitehead:

The Salisbury Planning Commission at its April 16, 2015, meeting, forwarded a **FAVORABLE** recommendation to the Mayor and City Council for text amendments to the Salisbury Municipal Code, to Sections 17.28, Light Business and Institutional District, and 17.04.120, Definitions, as follows:

**To Add Item T to Section 17.28.020 Permitted Uses – Self Storage, and,**

**To Add Self Storage – A facility consisting of individual, small, self-contained units that are leased or owned for the storage of business or household goods or contractor supplies. This definition does not preclude such self-storage from inclusion within other use categories (i.e. warehousing)**

This request will now be forwarded to the City Council for scheduling. Additional advertising fees will be required. You will be notified of the scheduling of the request.

If you have any questions concerning this matter, please don't hesitate to contact Gloria Smith or myself at 410-548-4860.

Sincerely,

John F. Lenox, AICP  
Director

Salisbury/Wicomico Planning & Zoning

cc: Mike Moulds, Director of City Public Works Department  
Bill Holland, Director of Building, Permits, and Inspections Assessments  
Pastor Mark Bunting/217 Beaglin Park Drive/Salisbury, MD 21804



MARYLAND

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND, PURSUANT TO CHAPTER 17.228 OF TITLE 17, ZONING OF THE SALISBURY MUNICIPAL CODE AND SECTION 4.04 OF ARTICLE 66B OF THE ANNOTATED CODE OF MARYLAND FOR THE PURPOSE OF AMENDING SECTION 17.04.120, DEFINITIONS, AND SECTION 17.28.020, USES PERMITTED IN THE LIGHT BUSINESS AND INSTITUTIONAL DISTRICT TO ADD SELF STORAGE.**

**WHEREAS**, the ongoing application, administration and enforcement of Title 17, Zoning of the Salisbury Municipal Code, demonstrates a need for periodic review, evaluation, and amendments that will keep Title 17 current; and

**WHEREAS**, the Mayor and City Council may amend Title 17, Zoning, of the Salisbury Municipal Code, pursuant to the authority granted by Article 66B of the Maryland Annotated Code and in accordance with specific provisions of Chapter 17.228, Amendments and Rezoning, of Title 17, Zoning; and

**WHEREAS**, the Mayor and City Council requested that the Salisbury Planning and Zoning Commission periodically review Title 17 in light of existing procedural practices and input from the City Council and members of the public; and

WHEREAS, Emanuel Wesleyan Church submitted an application to amend the text of Section 17.04.120 Definitions and Section 17.28.020, Uses permitted in the Light Business and Institutional District to add Self Storage; and

WHEREAS, a Public Hearing on the proposed amendments was held by the Planning Commission in accordance with the provisions of Chapter 17.228, of Title 17, Zoning, of the Salisbury Municipal Code on April 16, 2015; and

WHEREAS, the Planning Commission did recommend approval of the proposed text amendments to Sections 17.04.120 and 17.28.020.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND,** that Title 17, Zoning, of the Salisbury Municipal Code is hereby amended as follows:

**AMEND SECTION 17.04.120 BY ADDING THE FOLLOWING DEFINITION:**

**SELF STORAGE – A FACILITY CONSISTING OF INDIVIDUAL, SMALL, SELF-CONTAINED UNITS THAT ARE LEASED OR OWNED FOR THE STORAGE OF BUSINESS OR HOUSEHOLD GOODS OR CONTRACTOR SUPPLIES. THIS DEFINITION DOES NOT PRECLUDE SUCH SELF-STORAGE FROM INCLUSION WITHIN OTHER USE CATEGORIES (I.E. WAREHOUSING).**

**AMEND SECTION 17.28.020, USES PERMITTED IN THE LIGHT BUSINESS AND INSTITUTIONAL DISTRICT BY ADDING ITEM T – SELF STORAGE.**

**AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY, MARYLAND,** that this Ordinance shall take effect from and after the date of its final passage, but in no event until ten (10) days after the date of the Council's Public Hearing, and

**THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015, and thereafter, a statement of the substance of the ordinance having

been published as required by law, in the meantime, was finally passed by the Council on the  
\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Kim Nichols  
City Clerk

\_\_\_\_\_  
Jacob R. Day, President  
Salisbury City Council

Approved by me this  
day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
James Ireton, Jr.  
Mayor of the City of Salisbury

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**ORDINANCE NO. 2339**

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**AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND,  
PURSUANT TO CHAPTER 17.228 OF TITLE 17, ZONING OF THE  
SALISBURY MUNICIPAL CODE AND SECTION 4.04 OF ARTICLE 66B OF  
THE ANNOTATED CODE OF MARYLAND FOR THE PURPOSE OF  
AMENDING SECTION 17.04.120, DEFINITIONS, AND SECTION 17.28.020,  
USES PERMITTED IN THE LIGHT BUSINESS AND INSTITUTIONAL  
DISTRICT TO ADD SELF STORAGE.**

**WHEREAS**, the ongoing application, administration and enforcement of Title 17, Zoning of the  
Salisbury Municipal Code, demonstrates a need for periodic review, evaluation, and amendments that will  
keep Title 17 current; and

**WHEREAS**, the Mayor and City Council may amend Title 17, Zoning, of the Salisbury  
Municipal Code, pursuant to the authority granted by Article 66B of the Maryland Annotated Code and in  
accordance with specific provisions of Chapter 17.228, Amendments and Rezoning, of Title 17, Zoning;  
and

**WHEREAS**, the Mayor and City Council requested that the Salisbury Planning and Zoning  
Commission periodically review Title 17 in light of existing procedural practices and input from the City  
Council and members of the public; and

**WHEREAS**, Emmanuel Wesleyan Church submitted an application to amend the text of Section  
17.04.120 Definitions and Section 17.28.020, Uses permitted in the Light Business and Institutional  
District to add Self Storage; and

**WHEREAS**, a Public Hearing on the proposed amendments was held by the Planning  
Commission in accordance with the provisions of Chapter 17.228, of Title 17, Zoning, of the Salisbury  
Municipal Code on April 16, 2015; and

**WHEREAS**, the Planning Commission did recommend approval of text amendments to Sections  
17.04.120 and 17.28.020; and

**WHEREAS**, the Council supports a definition that does not include self storage in open lots.

31           **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF**  
32 **SALISBURY, MARYLAND**, that Title 17, Zoning, of the Salisbury Municipal Code is hereby amended  
33 as follows:

34 **AMEND SECTION 17.04.120 BY ADDING THE FOLLOWING DEFINITION:**

35  
36 **SELF STORAGE – A FACILITY USED FOR THE PURPOSE OF RENTING OR LEASING**  
37 **SECURE, INTERIOR, INDIVIDUAL STORAGE SPACE. THIS MAY**  
38 **INCLUDE ROOMS, COMPARTMENTS, AND LOCKERS IN WHICH**  
39 **INDIVIDUALS STORE AND REMOVE THEIR OWN GOODS, RECORDS,**  
40 **AND PERSONAL PROPERTY ON A SELF-SERVICE BASIS. THIS**  
41 **DEFINITION DOES NOT PRECLUDE SUCH SELF STORAGE FROM**  
42 **INCLUSION WITHIN OTHER USE CATEGORIES (I.E. WAREHOUSING).**  
43

44 **AMEND SECTION 17.28.020, USES PERMITTED IN THE LIGHT BUSINESS AND**  
45 **INSTITUTIONAL DISTRICT BY ADDING ITEM T – SELF STORAGE.**

46  
47           **AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY, MARYLAND**, that  
48 this Ordinance shall take effect from and after the date of its final passage, but in no event until ten (10)  
49 days after the date of the Council’s Public Hearing, and

50           **THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the 22 day of June,  
51 2015, and thereafter, a statement of the substance of the ordinance having been published as required by  
52 law, in the meantime, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

53  
54 **ATTEST:**

55  
56  
57 \_\_\_\_\_  
58 Kimberly R. Nichols  
59 City Clerk

\_\_\_\_\_

Jacob R. Day, President  
Salisbury City Council

60  
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62 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.  
63  
64

65 \_\_\_\_\_  
66 James Ireton, Jr.  
67 Mayor of the City of Salisbury



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
P.O. BOX 870  
125 NORTH DIVISION STREET, ROOMS 203 & 201  
SALISBURY, MARYLAND 21803-4860  
410-548-4860  
FAX: 410-548-4955



JAMES IRETON, JR  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

April 20, 2015

SALISBURY-WICOMICO  
FILE COPY  
PLANNING

**TO:** Tom Stevenson, City Administrator  
**FROM:** John F. Lenox, AICP, Director, Salisbury/Wicomico Planning & Zoning  
**SUBJECT:** PUBLIC HEARING – ORDINANCE PERMIT – Day Care Center Expansion – Bundles of Joy – 1409 South Division Street - Planning Commission Recommendation

### I. INTRODUCTION.

On April 16, 2015, the Salisbury Planning Commission held a public hearing on a request by Joy Bromley, Bundles of Joy, Inc. to expand a Day Care Center approved by Ordinance #1683 in 1998. (See Attachment A.)

### II. RECOMMENDATION.

After considering the staff report and following discussion by the Commission on the proposed amendments, the Salisbury Planning Commission forwarded a **Favorable** recommendation to the Mayor and City Council for adoption of the draft Ordinance. (See Attachment B.)

Unless you or the Mayor has further questions, please forward this memo and its attachments to the City Council.

### III. BACKGROUND.

The Commission noted that the Day Care Center was approved in 1996 under Ordinance #1640 and approved for expansion in 1998 under Ordinance #1683.

The proposed expansion is 432 sq. ft. and the Site Plan provides for the number of parking spaces required for the Code for 100 children and 18 employees. The play areas and landscaping are in place.

The adopted Ordinance requires Mayor and Council approval for transfer or relocation of the center and limited the size to the Site Plan approved in 1998.

#### Attachments

cc: Mayor James Ireton, Jr.  
William Holland, Director, Building, Housing and Zoning Dept.  
Mark Tilghman, City Solicitor



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT  
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JAMES IRETON, JR.  
MAYOR

BOB CULVER  
COUNTY EXECUTIVE

TOM STEVENSON  
CITY ADMINISTRATOR

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

## STAFF REPORT

### MEETING OF APRIL 16, 2015

**CASE NO.** SP-9602-15B

**APPLICANT:** Joy Bromley/Bundles of Joy, Inc.

**PROPERTY OWNERS:** Same

**LOCATION:** Easterly side of South Division Street, 1409 South Division Street  
Tax Map: #117; Parcel #3272;  
Grid #23

**ZONING:** Office and Service Residential District

**REQUEST:** **Public Hearing – Ordinance Permit – Expansion of approved Day Care Center.**

#### I. SUMMARY OF REQUEST:

##### A. Introduction.

The applicant proposes a 432 sq. ft. expansion to the approved Bundles of Joy Day Care Center. Section 17.84.030A of the Salisbury Municipal Code requires an Ordinance Permit to operate a day care center in this district. The Planning Commission is required to review the request and made a recommendation to the City Council. The Council will also hold a public hearing to review the request. Only the City Council can grant approval of an Ordinance Permit.

##### B. Development Scheme.

The Site Plan indicates the location of the building expansions at the front corners and the parking modifications. The play areas and landscaping are in place. (See Attachment #3.)

The plan proposes a 216 sq. ft. addition to each of the front corners of the building. A total of 19 parking spaces including one handicapped space and a loading/unloading area are shown on the Plan. A stormwater management facility is existing at the rear of the site and shared with the north adjoining property.

**C. Access to the site area:**

The site has a single access on the easterly side of South Division Street.

**D. Site Description:**

The property totals 0.765 acres and was developed in 1997 as Bundles of Joy Day Care center. In 1998, the Commission and Council approved a 1,750 sq. ft. expansion to the center. (See Attachment #1.)

**E. Surrounding Area Development:**

The surrounding area is a mixture of City and County properties and zoning districts. This property is part of a Conditional Rezoning under Ordinance #1431 which was approved by the City Council on April 11, 1988.

The adjoining properties to the north are zoned Neighborhood Business and developed with a doctor's office and the Royal Farm Store. Eireann Mhor subdivision to the east is in the City and zoned R-10 Residential. The property to the south is also zoned Office and Service Residential and developed with a doctor's office.

The residentially developed areas to the southeast, south, and southwest are in the County and zoned R-8 and R-15 Residential.

Other County properties farther north (north of Dykes Road) and zoned Light Business and Institutional. Other nearby City properties are zoned College University District. (See Attachments #2.)

**F. Background:**

The existing Bundles of Joy Day Care Center was approved under Ordinance#1640 on September 9, 1996 by the Salisbury City Council.

In November 1997, the Commission reviewed a proposed 1,750 sq. ft. expansion to the rear of the day care center. Ordinance #1683 was approved for the expansion in March 1998 by the City Council.

The proposed expansions will allow for better utilization of space on the northerly side of the building and a conference room and small storage area on the southerly side of the building. The potential number of enrollees will increase to 100. The parking area has been reconfigured to provide the minimum parking spaces required as well as a loading/unloading space.

**II. COMPREHENSIVE DEVELOPMENT PLAN REVIEW:**

**A. Zoning Code Requirements Analysis:**

Section 17.84.030A of the Salisbury Municipal Code requires Planning Commission review of an Ordinance Permit. A reduced copy of the Site Plan has been included as Attachment #3.

The Plan meets Code requirements with regard to setbacks, landscaping, and parking. The Planning Staff notes the following with regard to Code requirements:

1. **Refuse Disposal.** None is shown. If a dumpster is provided, screening is required on three sides.
2. **Parking.** The Code requires one parking space per 10 children and one parking space per two employees. The expansions will allow this center to have 100 children requiring 10 parking spaces and will have 18 employees requiring 9 spaces. One handicapped space is required, which is shown. However, the space does not meet the required width.
3. **Loading Space.** The Code requires a loading/unloading space for a day care center for drop-off and pick-up of children. The parking has been reconfigured to provide this space near the entrance.
4. **Fencing.** The Code requires the play area to be screened with a four (4) foot solid fence or a four (4) foot chain link fence with slats. The play area is enclosed with 6 ft. tall chain link fencing.
5. **Landscaping/Screening.** The Code requires a 10 ft. landscaping/screening area along adjacent lot lines. There is an existing wood fence along a portion of the rear property line. There are mature trees along the remainder of the rear property lines, however they appear to be on adjoining properties.

**B. Stormwater Management:**

This property shares a stormwater management pond with the north adjoining property.

**C. Forest Conservation Program:**

Forest Conservation Plan #9621 was approved on November 12, 1996 in which a fee was paid in lieu of plantings for both Lots 15A and 15B.

**III. PLANNING STAFF COMMENTS/CONCERNS:**

None. The applicant's engineer has met the minimum parking requirements for the proposed number of employees and children at this center.

**IV. RECOMMENDATION:**

Staff recommends that the Commission forward a **Favorable** recommendation to the Mayor and City Council for approval of the requested Ordinance Permit, subject to the following Conditions:

1. The site shall be developed in accordance with the approved Site Plan.
2. Subject to further review and approval by the Salisbury Public Works Department, if required.

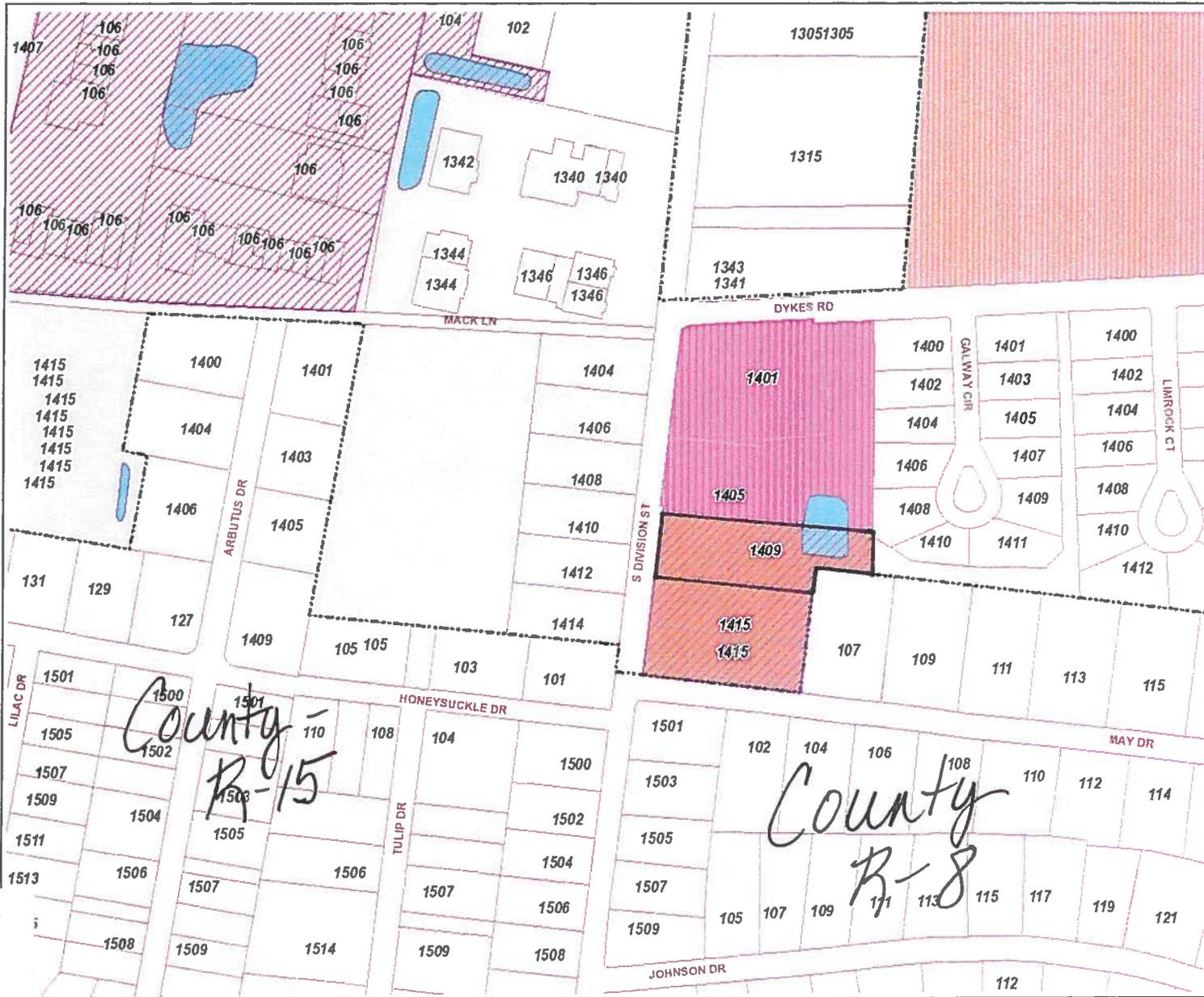


# Bundles of Joy

Attachment #1

# CITY OF SALISBURY

## Salisbury Zoning



- Paleochannel
- Wellhead Protection Area
- Streams
- Water Bodies
- Street Numbers
- Salisbury BZA Cases
- Municipal Areas**
- CAD**
- Delmar
- Fruitland
- Hebron
- Mardela
- Pittsville
- Salisbury
- Sharptown
- Willards
- Railroads**
- Parcels
- Critical Area
- Historic Districts**
- Dist\_Name**
- Camden Historic District
- Downtown Historic District
- Newtown Historic District
- Salisbury Zoning**
- CITY\_ZON**
- College & University
- Conservation
- CBD
- LBI
- General Commercial
- Reg Comm
- MUNR
- Select Commercial
- Hospital
- Ind
- Ind Park
- L Ind
- Neighborhood Business
- OSH
- OSR
- PDD
- PRD
- R-5
- R-5 A
- R-8
- R-8 A
- R-10
- R-10 A
- Riverfront Redevelopment
- Street Centerlines**

73 ft

## Bundles of Joy Zoning

# ***D R A F T***

**ORDINANCE NO. \_\_\_\_**

**ORDINANCE PERMIT**

**AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND, TO AUTHORIZE JOY BROMLEY/BUNDLES OF JOY, INC. TO EXPAND AN EXISTING DAY CARE CENTER AT 1409 SOUTH DIVISION STREET IN AN OFFICE AND SERVICE RESIDENTIAL DISTRICT AS REQUIRED BY TITLE 17, SECTION 17.84.030A OF THE SALISBURY MUNICIPAL CODE.**

**WHEREAS**, the City of Salisbury has received a request in accordance with the provisions of Section 17.84.030A of Title 17, Zoning, of the Salisbury Municipal Code, on behalf of Joy Bromley/Bundles of Joy Day Care to expand an existing day care center located at 1409 South Division Street in an Office and Service Residential District; and

**WHEREAS**, the Mayor and City Council may grant an Ordinance Permit for certain uses as specifically listed in Title 17, Zoning, of the Salisbury Municipal Code, particularly Section 17.84.030A, and City Council, Section 17.12.080D, and

**WHEREAS**, the Salisbury Planning and Zoning Commission held a Public Hearing on April 16, 2015, reviewed all information, and gave a favorable recommendation to the Mayor and City Council on the request to expand the day care center on this property; and,

**WHEREAS**, the City Council has determined that based upon a review of all testimony and evidence presented that the request should be granted pursuant to Section 17.84.030A of Title 17, Zoning, of the Salisbury Municipal Code,

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND,** that the Ordinance Permit authorizing Joy Bromley/Bundles of Joy, Inc. to expand an existing day care center at 1409 South Division Street is hereby granted, subject to the following Conditions of Approval originally imposed in Ordinance #1683:

**1. Name of Applicant.**

This Ordinance Permit is in the name of Joy Bromley only and shall not be transferred without approval of the City Council.

**2. Nature of Operation.**

This Ordinance Permit specifically authorizes Joy Bromley to operate a duly licensed Day Care Center for the number of children and infants authorized by State of Maryland Regulations at 1409 South Division Street seven days a week for 365 days a year as long as this Ordinance Permit is in effect.

**3. Place of Operation.**

The authority granted by the City Council in this Ordinance Permit shall pertain only to the premises known as 1409 South Division Street and shall not be relocated without compliance the Salisbury Municipal Code and approval of the City Council.

**4. Rules of Operation/Conditions.**

- a. This site shall be expanded in accordance with the approved Revised Site Plan dated April 2015.
- b. This Ordinance Permit shall be for children and infants subject to approval by the Office of Child Care Administration and Licensing and Regulations, Maryland Department of Human Resources.
- c. The day care center shall comply with all applicable State and local codes pertaining to licensing, health and safety, including building, fire, plumbing, and electrical codes whether or not shown on the Plans approved by the Planning Commission or City Council.
- d. A fence not less than six (6) feet in height shall be provided around the play area.

**5. Crowd Control.**

- a. The applicants shall be responsible for maintaining control of all users and visitors on site including any buildings and adjoining parking and play areas.
- b. In the event that company personnel feel there is an eminent danger to any enrollee or employee beyond their control, authorities are to be notified immediately.

**6. Council Review.**

- a. The Mayor and City Council hereby reserves the right to conduct a periodic review of the operation of the day care center in order to assure compliance with these conditions.
- b. The City Council shall be the sole determiner of compliance with these Conditions; and further reserves the right to revoke this permit upon its finding of non-compliance.

**7. Change of Conditions.**

No Conditions shall be altered or changed by any person other than by Ordinance, approved by the Mayor and City Council.

**AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** that this Ordinance shall take effect from and after the date of its final passage, and

**THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015, and thereafter, and having been published as required by law, in the meantime, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Kim Nichols  
City Clerk

\_\_\_\_\_  
Jacob R. Day, President  
Salisbury City Council

Approved by me this  
day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
James Ireton, Jr.  
Mayor of the City of Salisbury



# City of Salisbury – Wicomico County

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT

P.O. BOX 870

125 NORTH DIVISION STREET, ROOMS 203 & 201

SALISBURY, MARYLAND 21803 4860

410 548 4860

FAX: 410 548 4955



JAMES IRETON, JR  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

BOB CULVER  
COUNTY EXECUTIVE

R. WAYNE STRAUSBURG  
DIRECTOR OF ADMINISTRATION

May 1, 2015

Joy Bromley  
Bundles of Joy, Inc.  
1409 S. Division Street  
Salisbury, MD 21804

WICOMICO COUNTY  
PLANNING DEPARTMENT  
RECEIVED  
MAY 1 2015

**RE: #SP-9602-15B – PUBLIC HEARING – ORDINANCE PERMIT – Expansion of Bundles of Joy Day Care – 1409 S. Division Street – Office and Service Residential District – M-117; G-23; P-3272.**

Dear Ms. Bromley:

The Salisbury Planning Commission at its April 16, 2015, meeting, forwarded a **FAVORABLE** recommendation to the Mayor and City Council for approval of the requested Ordinance Permit, subject to the following revised Conditions of Approval:

**CONDITIONS:**

1. The site shall be developed in accordance with the approved Site Plan.
2. Subject to further review and approval by the Salisbury Public Works Department.

This request will now be forwarded to the City Council for scheduling. Additional advertising fees will be required. You will be notified of the scheduling of the request.

If you have any questions concerning this matter, please don't hesitate to contact Gloria Smith or myself at 410-548-4860.

Sincerely,

John F. Lenox, AICP  
Director

Salisbury/Wicomico Planning & Zoning

cc: Mike Moulds, Director of City Public Works Department  
Bill Holland, Director of Building, Permits, and Inspections  
Assessments



MARYLAND

ORDINANCE NO. \_\_\_\_

ORDINANCE PERMIT

**AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND, TO AUTHORIZE JOY BROMLEY/BUNDLES OF JOY, INC. TO EXPAND AN EXISTING DAY CARE CENTER AT 1409 SOUTH DIVISION STREET IN AN OFFICE AND SERVICE RESIDENTIAL DISTRICT AS REQUIRED BY TITLE 17, SECTION 17.84.030A OF THE SALISBURY MUNICIPAL CODE.**

**WHEREAS**, the City of Salisbury has received a request in accordance with the provisions of Section 17.84.030A of Title 17, Zoning, of the Salisbury Municipal Code, on behalf of Joy Bromley/Bundles of Joy Day Care to expand an existing day care center located at 1409 South Division Street in an Office and Service Residential District; and

**WHEREAS**, the Mayor and City Council may grant and Ordinance Permit for certain uses as specifically listed in Title 17, Zoning, of the Salisbury Municipal Code, particularly Section 17.84.030A, and City Council, Section 17.12.080D, and

**WHEREAS**, the Salisbury Planning and Zoning Commission held a Public Hearing on April 16, 2015, reviewed all information, and gave a favorable recommendation to the Mayor and City Council on the request to expand the day care center on this property; and,

**WHEREAS**, the City Council has determined that based upon a review of all testimony and evidence presented that the request should be granted pursuant to Section 17.84.030A of Title 17, Zoning, of the Salisbury Municipal Code,

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND**, that the Ordinance Permit authorizing Joy Bromley/Bundles of

Joy, Inc. to expand an existing day care center at 1409 South Division Street is hereby granted, subject to the following Conditions of Approval originally imposed in Ordinance #1683:

**1. Name of Applicant.**

This Ordinance Permit is in the name of Joy Bromley only and shall not be transferred without approval of the City Council.

**2. Nature of Operation.**

This Ordinance Permit specifically authorizes Joy Bromley to operate a duly licensed Day Care Center for the number of children and infants authorized by State of Maryland Regulations at 1409 South Division Street seven days a week for 365 days a year as long as this Ordinance Permit is in effect.

**3. Place of Operation.**

The authority granted by the City Council in this Ordinance Permit shall pertain only to the premises known as 1409 South Division Street and shall not be relocated without compliance the Salisbury Municipal Code and approval of the City Council.

**4. Rules of Operation/Conditions.**

- a. This site shall be expanded in accordance with the approved Revised Site Plan dated April 2015.
- b. This Ordinance Permit shall be for children and infants subject to approval by the Office of Child Care Administration and Licensing and Regulations, Maryland Department of Human Resources.
- c. The day care center shall comply with all applicable State and local codes pertaining to licensing, health and safety, including building, fire, plumbing, and electrical codes whether or not shown on the Plans approved by the Planning Commission or City Council.
- d. A fence not less than six (6) feet in height shall be provided around the play area.

**5. Crowd Control.**

- a. The applicants shall be responsible for maintaining control of all users and visitors on site including any buildings and adjoining parking and play areas.
- b. In the event that company personnel feel there is an eminent danger to any enrollee or employee beyond their control, authorities are to be notified immediately.

**6. Council Review.**

- a. The Mayor and City Council hereby reserves the right to conduct a periodic review of the operation of the day care center in order to assure compliance with these conditions.
- b. The City Council shall be the sole determiner of compliance with these Conditions; and further reserves the right to revoke this permit upon its finding of non-compliance.

**7. Change of Conditions.**

No Conditions shall be altered or changed by any person other than by Ordinance, approved by the Mayor and City Council.

**AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND,** that this Ordinance shall take effect from and after the date of its final passage, and

**THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015, and thereafter, and having been published as required by law, in the meantime, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

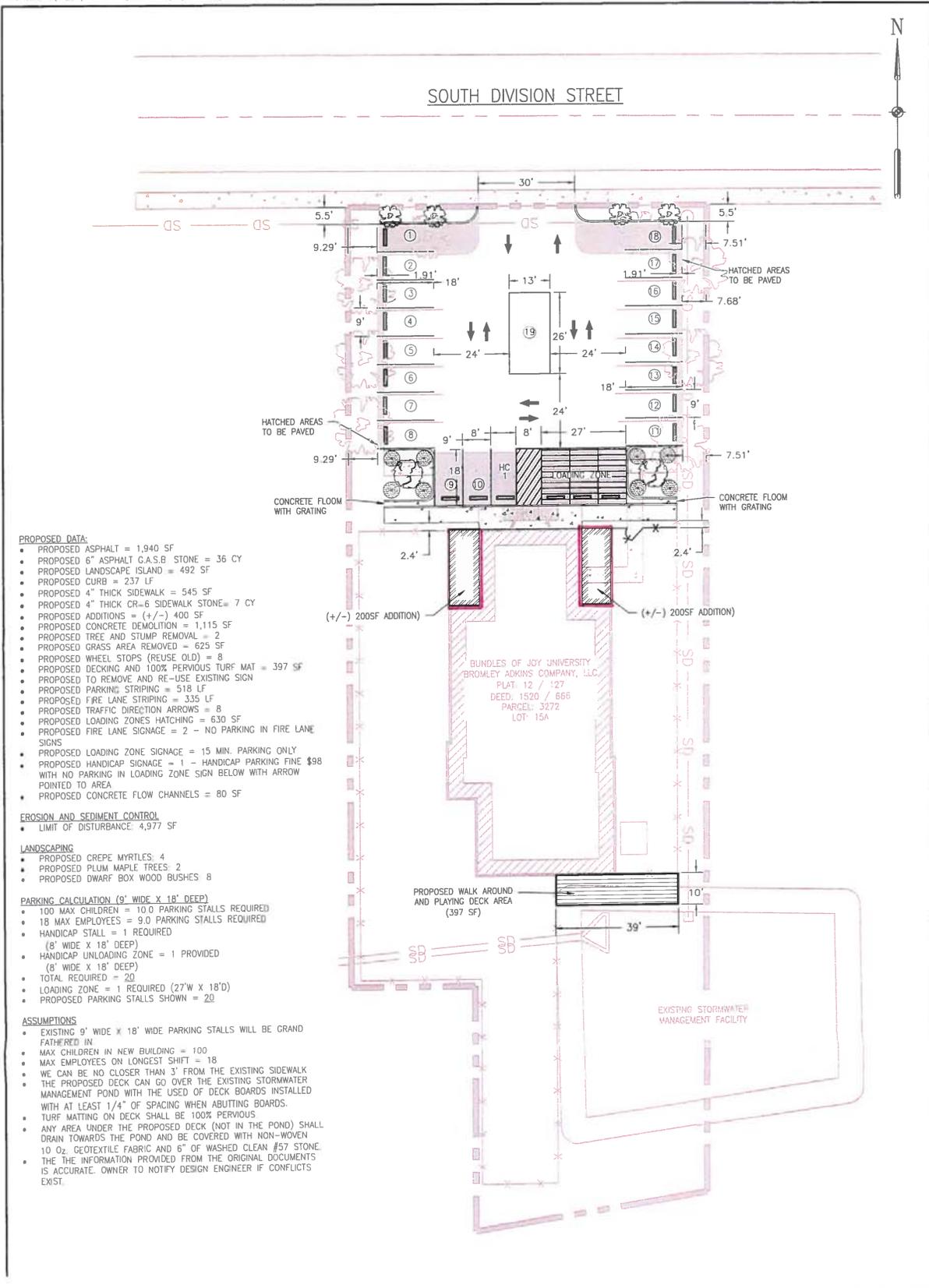
ATTEST:

\_\_\_\_\_  
Kim Nichols  
City Clerk

\_\_\_\_\_  
Jacob R. Day, President  
Salisbury City Council

Approved by me this  
day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
James Ireton, Jr.  
Mayor of the City of Salisbury



**PROPOSED DATA:**

- PROPOSED ASPHALT = 1,940 SF
- PROPOSED 6" ASPHALT G.A.S.B. STONE = 36 CY
- PROPOSED LANDSCAPE ISLAND = 492 SF
- PROPOSED CURB = 237 LF
- PROPOSED 4" THICK SIDEWALK = 545 SF
- PROPOSED 4" THICK CR-6 SIDEWALK STONE = 7 CY
- PROPOSED ADDITIONS = (+/-) 400 SF
- PROPOSED CONCRETE DEMOLITION = 1,115 SF
- PROPOSED TREE AND STUMP REMOVAL = 2
- PROPOSED GRASS AREA REMOVED = 625 SF
- PROPOSED WHEEL STOPS (REUSE OLD) = 8
- PROPOSED DECKING AND 100% PERVIOUS TURF MAT = 397 SF
- PROPOSED TO REMOVE AND RE-USE EXISTING SIGN
- PROPOSED PARKING STRIPING = 518 LF
- PROPOSED FIRE LANE STRIPING = 335 LF
- PROPOSED TRAFFIC DIRECTION ARROWS = 8
- PROPOSED LOADING ZONES HATCHING = 630 SF
- PROPOSED FIRE LANE SIGNAGE = 2 - NO PARKING IN FIRE LANE SIGNS
- PROPOSED LOADING ZONE SIGNAGE = 15 MIN. PARKING ONLY
- PROPOSED HANDICAP SIGNAGE = 1 - HANDICAP PARKING FINE \$98 WITH NO PARKING IN LOADING ZONE SIGN BELOW WITH ARROW POINTED TO AREA
- PROPOSED CONCRETE FLOW CHANNELS = 80 SF

**EROSION AND SEDIMENT CONTROL**

- LIMIT OF DISTURBANCE = 4,977 SF

**LANDSCAPING**

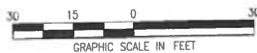
- PROPOSED CREPE MYRTLES = 4
- PROPOSED PLUM MAPLE TREES = 2
- PROPOSED DWARF BOX WOOD BUSHES = 8

**PARKING CALCULATION (9' WIDE X 18' DEEP)**

- 100 MAX CHILDREN = 100 PARKING STALLS REQUIRED
- 18 MAX EMPLOYEES = 9.0 PARKING STALLS REQUIRED
- HANDICAP STALL = 1 REQUIRED (8' WIDE X 18' DEEP)
- HANDICAP UNLOADING ZONE = 1 PROVIDED (8' WIDE X 18' DEEP)
- TOTAL REQUIRED = 20
- LOADING ZONE = 1 REQUIRED (27' W X 18' D)
- PROPOSED PARKING STALLS SHOWN = 20

**ASSUMPTIONS**

- EXISTING 9' WIDE X 18' WIDE PARKING STALLS WILL BE GRAND FATHERED IN
- MAX CHILDREN IN NEW BUILDING = 100
- MAX EMPLOYEES ON LONGEST SHIFT = 18
- WE CAN BE NO CLOSER THAN 3' FROM THE EXISTING SIDEWALK
- THE PROPOSED DECK CAN GO OVER THE EXISTING STORMWATER MANAGEMENT POND WITH THE USED OF DECK BOARDS INSTALLED WITH AT LEAST 1/4" OF SPACING WHEN ABUTTING BOARDS.
- TURF MATING ON DECK SHALL BE 100% PERVIOUS.
- ANY AREA UNDER THE PROPOSED DECK (NOT IN THE POND) SHALL DRAIN TOWARDS THE POND AND BE COVERED WITH NON-WOVEN 10 Oz. GEOTEXTILE FABRIC AND 6" OF WASHED CLEAN #57 STONE.
- THE INFORMATION PROVIDED FROM THE ORIGINAL DOCUMENTS IS ACCURATE. OWNER TO NOTIFY DESIGN ENGINEER IF CONFLICTS EXIST.

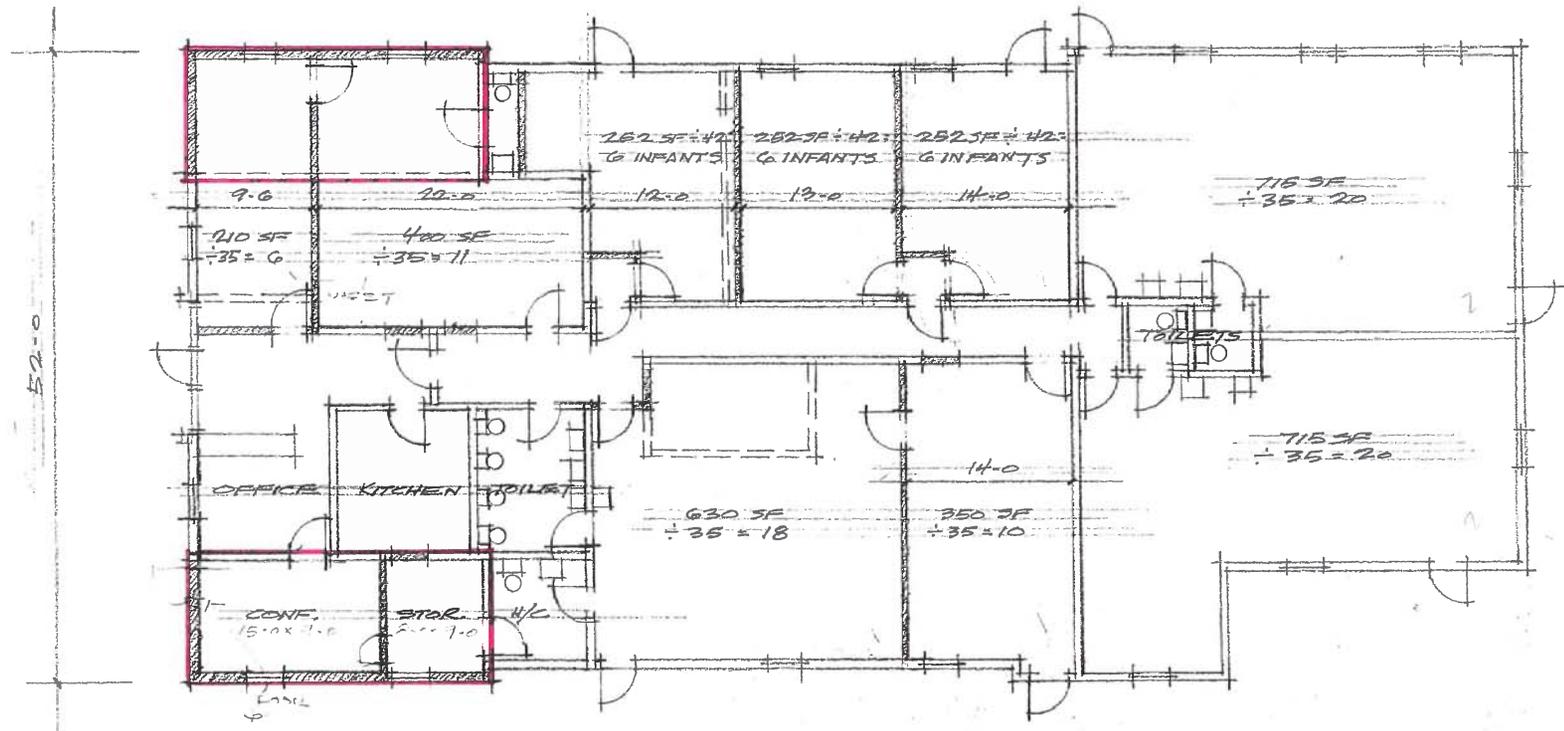


BUNDLES OF JOY  
UNIVERSITY LEARNING CENTER  
SAUSBURY, MARYLAND

PROPOSED SITE PLAN

SIGNED BY JOY	DRAWN BY NWH	CHECKED BY -	PROJECT MGR -	DATE APRIL 2015	PROJECT NO. -	DRAWING NO. 2 OF 3	FIGURE F-2
------------------	-----------------	-----------------	------------------	--------------------	------------------	-----------------------	---------------

Attachment #3



FLOOR PLAN 1/8" = 1'-0"

Charles W. Bowen, A.I.A.  
 Architect

513 Pine Bluff Road  
 Salisbury, Maryland 21801  
 410-749-6948

CWB 1501 3-2-75



36 State of Maryland Regulations at 1409 South Division Street seven days a  
37 week for 365 days a year as long as this Ordinance Permit is in effect.  
38

39 **3. Place of Operation.**

40 The authority granted by the City Council in this Ordinance Permit shall  
41 pertain only to the premises known as 1409 South Division Street and shall  
42 not be relocated without compliance the Salisbury Municipal Code and  
43 approval of the City Council.  
44

45 **4. Rules of Operation/Conditions.**

46 a. This site shall be expanded in accordance with the approved Revised  
47 Site Plan dated April 2015.

48 b. This Ordinance Permit shall be for children and infants subject to  
49 approval by the Office of Child Care Administration and Licensing  
50 and Regulations, Maryland Department of Human Resources.

51 c. The day care center shall comply with all applicable State and local  
52 codes pertaining to licensing, health and safety, including building,  
53 fire, plumbing, and electrical codes whether or not shown on the Plans  
54 approved by the Planning Commission or City Council.

55 d. A fence not less than six (6) feet in height shall be provided around the  
56 play area.  
57

58 **5. Crowd Control.**

59 a. The applicants shall be responsible for maintaining control of all users  
60 and visitors on site including any buildings and adjoining parking and  
61 play areas.

62 b. In the event that company personnel feel there is an eminent danger to  
63 any enrollee or employee beyond their control, authorities are to be  
64 notified immediately.  
65

66 **6. Council Review.**

67 a. The Mayor and City Council hereby reserves the right to conduct a  
68 periodic review of the operation of the day care center in order to  
69 assure compliance with these conditions.

70 b. The City Council shall be the sole determiner of compliance with these  
71 Conditions; and further reserves the right to revoke this permit upon its  
72 finding of non-compliance.  
73

74 **7. Change of Conditions.**

75 No Conditions shall be altered or changed by any person other than by  
76 Ordinance, approved by the Mayor and City Council.

77  
78           **AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF**  
79 **SALISBURY, MARYLAND**, that this Ordinance shall take effect from and after the date of its  
80 final passage, and

81           **THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the 22 day  
82 of June, 2015, and thereafter, and having been published as required by law, in the meantime,  
83 was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

84  
85 ATTEST:

86  
87  
88 \_\_\_\_\_  
89 Kimberly R. Nichols  
90 City Clerk

\_\_\_\_\_

Jacob R. Day, President  
Salisbury City Council

91  
92  
93 Approved by me this  
94 day of \_\_\_\_\_, 2015.

95  
96  
97  
98 \_\_\_\_\_  
99 James Ireton, Jr.  
100 Mayor of the City of Salisbury

ORDINANCE NO. 2341

AN ORDINANCE of the City of Salisbury, Maryland creating a bike route which will run along West Main Street from Mill Street to the intersection of Fitzwater Street and along Fitzwater Street to the intersection with Parsons Road and along Parsons Road to the intersection of Pemberton Drive; providing dedicated bicycle-only lanes and shared bicycle and motorized vehicle lanes as directed by MDMUTCD Chapter 9, Traffic Control for Bicycle Facilities (MDMUTCD); installing lane striping for dedicated lanes; installing shared lane markings for shared lanes; installing bicycle markings on-pavement; and installing bike route signage along the route per the MDMUTCD.

WHEREAS, the City of Salisbury desires to encourage cycling throughout the City; and

WHEREAS, the proposed bicycle route will consist of a route, in both directions, which will run along West Main Street from Mill Street to the intersection of Fitzwater Street and along Fitzwater Street to the intersection with Parsons Road and along Parsons Road to the intersection of Pemberton Drive; and

WHEREAS, in order to define the dedicated bicycle lane, appropriate lane striping and lane markings must be provided on the pavement; and

WHEREAS, in order to provide a bicycle route, portions of the roads must be marked as shared between motorized vehicular traffic and bicycle traffic; and

WHEREAS, in order to define the portions of the roadway that are to be available for usage by bicycles, appropriate shared markings will be installed on the pavement; and

WHEREAS, in order to clearly define the route, appropriate signage will be installed; and

WHEREAS, the curb-to-curb street width on affected streets shall be unchanged by the proposed bicycle route; and

WHEREAS, the Director of Public Works has determined that the impact of the proposed bicycle route on vehicular traffic flow will be minimal; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that a bicycle route be created, in both directions, which will run along West Main Street from Mill Street to the intersection of Fitzwater Street and along Fitzwater Street to the intersection with Parsons Road and along Parsons Road to the intersection of Pemberton Drive;

47 that bicycles be permitted to travel this route in dedicated/shared lanes; that  
48 appropriate pavement markings be provided in the form of lane striping and  
49 symbols where appropriate; and that signage be installed to identify the route.

50

51 AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF  
52 SALISBURY, MARYLAND, that this Ordinance shall take effect upon final  
53 passage.

54

55 THIS ORDINANCE was introduced and read at a meeting of the Council of the  
56 City of Salisbury, Maryland held on the 22 day of June, 2015, and, thereafter, a  
57 statement of the substance of the Ordinance having been published as required  
58 by law, in the meantime, was finally passed by the Council on the \_\_\_\_ day of  
59 \_\_\_\_\_, 2015.

60

61

62 ATTEST:

63

64

65

66 \_\_\_\_\_  
67 Kimberly R. Nichols  
68 CITY CLERK

\_\_\_\_\_   
Jacob R. Day  
PRESIDENT, City Council

69

70

71 APPROVED BY ME THIS

72

73 \_\_\_\_\_ Day of \_\_\_\_\_, 2015

74

75

76

77 \_\_\_\_\_

78

79 James Ireton, Jr.

80

81 MAYOR, City of Salisbury

82

83

1 **ORDINANCE NO. 2342**

2 AN ORDINANCE OF THE CITY OF SALISBURY TO REPEAL AND RE-ENACT  
3 SECTIONS 15.04.010 AND 15.04.020 OF CHAPTER 15.04 BUILDING CODE BY  
4 ADOPTING UPDATED STANDARD BUILDING CODES IN SECTION 15.04.010;  
5 CORRESPONDING AMENDMENTS TO THE INTERNATIONAL BUILDING CODE (2015)  
6 (IBC) IN SECTION 15.04.020; ENACTING SECTION 15.04.030 AMENDMENTS TO THE  
7 INTERNATIONAL PLUMBING CODE (2015) (IPC); AND DELETING CHAPTER 15.32  
8 PLUMBING STANDARDS IN ITS ENTIRETY.

9 **WHEREAS**, the ongoing application, administration and enforcement of Title 15,  
10 Buildings and Construction, of the Salisbury Municipal Code, demonstrates a need for its  
11 periodic review, evaluation and amendment to keep Title 15 current; and

12 **WHEREAS**, the Mayor and City Council may amend Chapter 15.04, Building Code,  
13 pursuant to the authority granted in SC 2-15 of the Salisbury City Charter and § 12-501, et seq.  
14 of the Public Safety Article, Maryland Annotated Code and related COMAR regulations; and

15 **WHEREAS**, the Mayor and City Council have requested that the Department of  
16 Building, Permits and Inspections periodically review Title 15 in light of existing building trends  
17 and practices and code updates; and

18 **WHEREAS**, the adoption of the International Plumbing Code (2015) (IPC) contains  
19 everything currently forming a part of Chapter 15.32 Plumbing Standards thereby making said  
20 chapter redundant after the adoption of the International Plumbing Code (2015) (IPC) under this  
21 ordinance; and

22 **WHEREAS**, the Department of Building, Permits and Inspections does recommend  
23 approval of the proposed code changes.

24 **NOW, THEREFORE**, be it enacted and ordained by the Council of the City of  
25 Salisbury, Maryland, that Sections 15.04.010 and 15.04.020 be repealed and re-enacted as  
26 outlined below, that Section 15.04.030 be enacted, and that Chapter 15.32 Plumbing Standards  
27 be deleted in its entirety:

28 **Chapter 15.04**

29 **BUILDING CODE**

30  
31  
32 15.04.010 Adoption of Standard Codes.

33  
34 The City of Salisbury adopts the following Standard Codes:

- 35  
36 A. International Building Code (2015) (IBC);

- 37 B. International Residential Code (2015) (IRC);
- 38 C. International Energy Conservation Code (2015) (IECC);
- 39 D. International Mechanical Code (2015) (IMC);
- 40 E. International Plumbing Code (2015) (IPC);
- 41 F. International Fuel Gas Code (2015) (IFGC);
- 42 G. International Fire Code (2015) (IFC); and
- 43 H. International Existing Building Code (2015) (IEBC).

44

45 15.040.020 Amendments to the International Building Code (2015).

46

47 The following additions and deletions are made to the International Building Code (2015):

48

- 49 A. Chapter 1 delete Section 101.2.1 Appendices. and replace with the following:
- 50 Paragraph 101.2.1 Appendix provisions on Appendix B, Board of Appeals and Appendix
- 51 I, Patio Covers are adopted as part of the IBC.
- 52 B. Chapter 1 delete [A] 101.4.4 Property Maintenance.
- 53 C. Chapter 1 amend [A] 102.6 Existing Structures. The legal occupancy of any structure
- 54 existing on the date of adoption of this code shall be permitted to continue without
- 55 change, except as otherwise specifically provided for in this code, the International
- 56 Building Code, or the International Fire Code.
- 57 D. Chapter 1 delete [A] 104.2.1 Determination of substantially improved or substantially
- 58 damaged existing buildings and structures in flood hazard areas.
- 59 E. Chapter 1 delete [A] 105.2 Work exempt from permit: 2. Fences not over 7 feet
- 60 (2134mm) high and replace with the following:
- 61 [A] 105.2 Work exempt from permit.
- 62 2. Fences less than fifty (50) lineal feet.
- 63 F. Chapter 1 add [A] 105.2.14 Work exempt from permit: 14. to read as follows:
- 64 “Replacement windows, doors, vinyl/aluminum siding and custom trim.”
- 65 Exception: Windows being replaced in bedrooms shall not be reduced in size or shall
- 66 comply with the minimum requirements of [A] 102.6.
- 67 G. Chapter 1 amend [A] 109.4 Work commencing before permit issuance. Any person who
- 68 commences any work on a building, structure, electrical, gas, mechanical or plumbing
- 69 system before obtaining the necessary permits may be subject to a permit fee two times
- 70 the amount of the original fee.

71

72 15.04.030 – Amendments to the International Plumbing Code (2015).

73

74 The following additions and deletions are made to the International Plumbing Code (2015):

75

- 76 A. Chapter 1 amend [A] 106.1. Any owner, owner’s authorized agent or contractor who
- 77 desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a
- 78 building or structure, or erect, install, enlarge, alter, repair, remove, convert or replace
- 79 any plumbing system, the installation of which is regulated by this code, or to cause any
- 80 such work to be performed, shall first make application to the code official and obtain the
- 81 required permit for the work. **All work as defined as plumbing in Chapter 2**

82 **Definitions, shall be performed by a Maryland registered master or Maryland**  
83 **registered journeyman plumber.**

84  
85 B. Chapter 1 amend [A] 106.3 Application for permit. Each application for a permit, with  
86 the required fee, shall be filed with the code official on a form furnished for that purpose  
87 and shall contain a general description of the proposed work and its location. The  
88 application shall be signed by the ~~owner or owners agent~~ **master plumber of record.**

89  
90 C. Chapter 10 delete Chapter 10 Traps, Interceptors and Separators in its entirety and  
91 replace with the following:

92  
93 The 2007 Washington Suburban Sanitary Commission Fats, Oils, and Grease Requirements,  
94 Section-1003 Interceptors and Separators with amendments.

95  
96 **Chapter 15.32**

97 **PLUMBING STANDARDS**

98  
99 **Sections:**

100

101• **~~15.32.010 – Adoption of plumbing code.~~**

102 ~~———— A. The Maryland State Plumbing/Gas Code —COMAR 09.20.01, which is hereby~~  
103 ~~incorporated by reference, be, and is hereby adopted as the plumbing code of the city of~~  
104 ~~Salisbury in the state of Maryland, for the control of buildings and structures as herein~~  
105 ~~provided, and each and all of the regulations, provisions, penalties, conditions and terms of the~~  
106 ~~Code of Salisbury are hereby referred to, adopted and made a part thereof. The plumbing code~~  
107 ~~so adopted is known as the "Salisbury Practical Plumbing Code."~~

108

109 ~~———— B. The following additions and deletions are made to the Maryland State~~  
110 ~~Plumbing/Gas Code:~~

111 ~~———— 1. Section 1.10.1 Fees Schedule shall be deleted in its entirety. Plumbing permit~~  
112 ~~fees shall be set by ordinance of the council from time to time.~~

113

114 ~~———— C. The 2007 Washington Suburban Sanitary Commission Fats, Oils, and Grease~~  
115 ~~Requirements, Section 103 – Interceptors and Separators, is hereby adopted, with amendments,~~  
116 ~~as part of the Salisbury Practical Plumbing Code.~~

117 ~~(Ord. 2001, 2006: Ord. 1964, 2005)~~

118 ~~(Ord. No. 2080, 7-27-2009)~~

119• ~~15.32.020 – Definitions.~~

120 For the purpose of this chapter, the following words shall have the meanings indicated:

121 "Food waste grinder" or "garbage disposal unit" means any device connected with the city  
122 sewerage system, which device reduces, by grinding, pulverizing, screening or like process,  
123 garbage or food waste, either or both, to smaller units suitable for passage in a sewerage system.

124(—(Prior code § 120-3)

125• ~~15.32.030 – Applicability of provisions.~~

126 The provisions of this chapter shall govern the installation and use of food waste grinders or  
127 garbage disposal units in the city.

128(—(Prior code § 120-4)

129• ~~15.32.040 – Permit required.~~

130 Prior to the installation of a food waste grinder or garbage disposal unit, a permit shall be  
131 obtained by the plumber or contractor making such installation in accordance with the  
132 regulations as set forth in [Section 15.32.010](#) of this chapter.

133(—(Prior code § 120-5)

134• ~~15.32.050 – Compliance with installation provisions required.~~

135 The provisions relative to installation of a food waste grinder or garbage disposal unit, as  
136 provided in [Section 15.32.010](#) of this chapter, shall be followed, the purpose of this chapter  
137 being further to define certain features of proper installation incident to the type of unit being  
138 installed.

139(—(Prior code § 120-6)

140• ~~15.32.060 – Installation to be made by registered plumber.~~

141 Installation of a food waste grinder or garbage disposal unit shall be made by a registered  
142 plumber as set forth in [Section 15.32.010](#) of this chapter.

143(—(Prior code § 120-7)

144• ~~15.32.070 – Size of drainpipe.~~

145 ~~Any household kitchen single compartment sink equipped with a food waste grinder or garbage~~  
146 ~~disposal unit shall be considered as having a value of three fixture units. For this reason, all food~~  
147 ~~waste grinders or garbage disposal units shall have a minimum of a one and one half inch drain,~~  
148 ~~and all dual grinders or units shall have a minimum of a two inch drain.~~

149(~~Prior code § 120-8~~)

150• ~~15.32.080 – Traps.~~

151 ~~All food waste grinders or garbage disposal units installed under this chapter shall each have an~~  
152 ~~independent trap not less than one and one half (1 ½) inches in size. In two compartment sinks~~  
153 ~~where one compartment is equipped with a food waste grinder or garbage disposal unit, each~~  
154 ~~compartment shall be equipped with an individual trap not less than one and one half (1 ½)~~  
155 ~~inches.~~

156(~~Prior code § 120-9~~)

157• ~~15.32.090 – Vents and venting.~~

158 ~~When a food waste grinder or garbage disposal unit is installed, all household kitchen sinks with~~  
159 ~~double or single compartments shall have a protecting vent so located that the developed length,~~  
160 ~~i.e., the length along the center line of the pipe and fittings, of the drain from the trap weir to the~~  
161 ~~vent fitting is not more than five feet. If the developed length exceeds five feet, there shall be a~~  
162 ~~back vent in compliance with [Section 15.32.010](#) of this chapter.~~

163(~~Prior code § 120-10~~)

164• ~~15.32.100 – Cleanouts.~~

165 ~~When a food waste grinder or garbage disposal unit is installed, a suitably located cleanout shall~~  
166 ~~be required in the drain line from the sink to the main waste stack. Such cleanout shall be~~  
167 ~~installed so that the entire waste drain from the sink to the main waste stack may be properly~~  
168 ~~cleaned.~~

169(~~Prior code § 120-11~~)

170• ~~15.32.110 – Granulation specifications.~~

171 ~~\_\_\_\_\_ A. All household food waste grinders or garbage disposal units installed under this~~  
 172 ~~chapter shall comply with the following granulation specifications:~~

0		½	12.70	Maximum allowable size
25	3		6.35	
80	40		0.42	No more than 20% shall pass No. 40 screen
Allowable Percentage to be Retained		Screen Size		
on Screen		Number	Inches	Millimeters
				Remarks

173 -

174 ~~\_\_\_\_\_ B. The granulation characteristics as stated by the manufacturer must be filed with~~  
 175 ~~and accepted by the plumbing inspector prior to the installation of any food waste grinder or~~  
 176 ~~garbage disposal unit of that particular manufacturer.~~

177 ~~(Prior code § 120-12)~~

178• ~~15.32.120 – Water supply – Air gap.~~

179 ~~All household food waste grinders or garbage disposal units installed under this chapter shall be~~  
 180 ~~installed in a manner that will assure a positive supply of water to the unit during the grinding,~~  
 181 ~~shredding, pulverizing or screening process. The source of water to the unit shall be such that a~~  
 182 ~~positive air gap exists between that unit and the source of water supply.~~

183~~(Prior code § 120-13)~~

184  
 185 AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY  
 186 OF SALISBURY, MARYLAND, that the Ordinance shall take effect \_\_\_\_\_, 2015.  
 187

188 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of  
189 Salisbury held on the 22 day of June, 2015 and thereafter, a statement of the substance of the  
190 ordinance having been published as required by law, in the meantime, was finally passed by the  
191 Council on the \_\_\_ day of \_\_\_\_\_, 2015.

192 ATTEST:

193

194 \_\_\_\_\_  
195 Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jacob R. Day, City Council President

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197

198

199 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

200

201

202 \_\_\_\_\_  
203 James Ireton, Jr., Mayor

1 **ORDINANCE NO. 2343**

2  
3 AN ORDINANCE of the City of Salisbury amending Sections *15.24.040 Referenced*  
4 *Codes* of the Salisbury Property Maintenance Code.

5  
6 **WHEREAS**, the ongoing application, administration and enforcement of Title 15,  
7 Buildings and Construction of the Salisbury Municipal Code, demonstrates a need for its periodic  
8 review, evaluation and amendment to keep Chapter 15 current; and

9  
10 **WHEREAS**, the Mayor and City Council is currently amending Chapter 15, *Building*  
11 *and Construction*, pursuant to the authority granted in Section 12-501, et seq. of the *Public Safety*  
12 *Article*, Maryland Annotated Code and related COMAR Regulations; and

13  
14 **WHEREAS**, the Department of Neighborhood Services and Code Compliance does  
15 recommend approval of these proposed code changes.

16  
17 **NOW, THEREFORE**, be it enacted and ordained by the Council of the City of  
18 Salisbury, Maryland, that Chapter 15.24.040, be amended as follows:

19  
20  
21 **15.24.40 Referenced standards.**

22  
23 A. Where the following codes are referenced within this code, they shall be considered part of the  
24 requirements of this code to the prescribed extent of each such reference:

- 25  
26 1. International Building Code (2015) (IBC);  
27 2. International Residential Code (2015) (IRC);  
28 3. International Energy Conservation Code (2015) (IECC);  
29 4. International Mechanical Code (2015) (IMC);  
30 5. International Plumbing Code (2015) (IPC);  
31 6. International Fuel Gas Code (2015) (IFGC);  
32 7. International Fire Code (2015) (IFC); and  
33 8. International Existing Building Code (2015) (IEBC).

34  
35 B. Where differences occur between provisions of this code and referenced standards, this code  
36 shall apply. Additionally, nothing herein shall be construed to repeal, modify or set aside any  
37 provisions of the city's zoning code.

38  
39 AND BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY  
40 OF SALISBURY, MARYLAND, that the Ordinance shall take effect \_\_\_\_\_, 2015.

41  
42 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of  
43 Salisbury held on the 22 day of June, 2015 and thereafter, a statement of the substance of the  
44 ordinance having been published as required by law, in the meantime, was finally passed by the  
45 Council on the \_\_\_ day of \_\_\_\_\_, 2015.

46 ATTEST:

47

48

49 \_\_\_\_\_  
Kimberly R. Nichols, City Clerk

\_\_\_\_\_   
Jacob Day, City Council President

50

51

52

53 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

54

55

56

57 \_\_\_\_\_  
James Ireton, Jr., Mayor

58

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-334-3028  
Fax: 410-548-3192

KEITH A. CORDREY  
DIRECTOR OF INTERNAL SERVICES

JAMES IRETON, JR.  
MAYOR

TOM STEVENSON  
CITY ADMINISTRATOR

JULIA GLANZ  
ASSISTANT CITY ADMINISTRATOR

**To:** Tom Stevenson, City Administrator  
**From:** Keith Cordrey, Director Internal Services   
**Date:** June 23, 2015  
**Re:** Community Development Project Fund

---

Please find attached an ordinance that establishes a Community Development Projects fund. This is the fund that will be used to account for revitalization efforts. Initial funding includes the \$200,000 approved to be transferred from the General Fund in the FY16 budget.

If you have no additional questions, please forward this ordinance to Council.

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ORDINANCE NO. 2344

AN ORDINANCE OF THE CITY OF SALISBURY ESTABLISHING A COMMUNITY DEVELOPMENT PROJECTS FUND.

WHEREAS, the City of Salisbury is interested in the revitalization of abandoned or troubled properties; and

WHEREAS, the City has identified that there are properties which have the potential to become a blighting influence on the neighborhood they are in; and

WHEREAS, the City believes that the revitalization of the areas they are in can be facilitated if the city is able to gain control of troubled properties; and

WHEREAS, the City believes that the properties have the potential to be redeveloped for low to moderate income house and community purposes; and

WHEREAS, the City agrees to establish a Community Development Projects fund to account for revenues and expenditures incurred related to purchase and redevelopment of troubled properties; and

WHEREAS, the Community Development Project fund will be a Capital Projects fund for financial reporting purposes; and

WHEREAS, the City's FY 2016 contains a \$200,000 transfer to the Community Development Project fund

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT A COMMUNITY DEVELOPMENT PROJECT FUND BE ESTABLISHED FOR THE PURPOSE OF PURCHASE AND REDEVELOPING TROUBLED PROPERTIES.

AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, THAT THESE FUNDS TO ESTABLISH THIS COMMUNITY DEVELOPMENT PROJECT FUND SHALL ONLY TO BE USED FOR THE PROJECT'S STATED PURPOSE AND SHALL NOT BE WITHDRAWN FOR OTHER USES UNLESS AUTHORIZED BY CITY COUNCIL AND MAYOR.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this \_\_\_\_ day of \_\_\_\_\_ 2015, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

\_\_\_\_\_  
Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jacob R. Day, President  
Salisbury City Council

APPROVED BY ME THIS \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
James Ireton, Jr., Mayor

---

INTER

OFFICE

# MEMO

---

*OFFICE OF THE MAYOR*

**To:** City Council  
**From:** Tom Stevenson  
**Subject:** Stanley Court (Land Conveyance)  
**Date:** July 1, 2015

---

The cul-de-sac portion of Stanley Court and the adjoining easement area was never opened or paved by the City of Salisbury and the owner desires to relocate the cul-de-sac and easement east of the existing undeveloped cul-de-sac.

The City of Salisbury Department of Public Works has determined that the aforementioned area of land has never been used by the public, is unimproved and unpaved, and the City believes it is in the best interest of the City to relocate such cul-de-sac area as desired by the adjoining property owner.

Attached please find an ordinance that will convey the aforesaid property.

**ORDINANCE NO. 2345**

1  
2  
3 AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO ABANDON  
4 AND RELOCATE AN AREA OF LAND BEING THE UNIMPROVED ROADBED  
5 OF THE CUL-DE-SAC PORTION OF STANLEY COURT AND THE EASEMENT  
6 THAT ADJOINS SAID ROADBED, LOCATED NEAR THE INTERSECTION OF  
7 SNOW HILL ROAD AND THE FORMER JOHNSON ROAD, NOW STANLEY  
8 COURT, IN THE CITY OF SALISBURY, NUTTERS ELECTION DISTRICT,  
9 WICOMICO COUNTY, STATE OF MARYLAND.

10  
11 WHEREAS, the cul-de-sac portion of Stanley Court and the adjoining easement area  
12 shown on the subdivision plat entitled “Subdivision of Parcel II and Dedication Plat for  
13 JWC Johnson Road, LLC, ET AL T/C”, dated January 3, 2008 and recorded among the  
14 Land Records of Wicomico County, Maryland, in Plat Cabinet M.S.B. 15, Folio 891,  
15 was never opened or paved by the City of Salisbury and the owner desires to relocate  
16 the cul-de-sac and easement east of the existing undeveloped cul-de-sac. Such area  
17 being more particularly described as the cross-hatched 2,952.81 square feet “To Be  
18 Conveyed From The City of Salisbury” along with the adjoining easement as shown on  
19 a plat entitled “Stanley Court Cul-De-Sac Owned By City of Salisbury To Be  
20 Conveyed To JWC Johnson Road, LLC, Et Al” attached as Exhibit “A”; and  
21

22 WHEREAS, the City of Salisbury Department of Public Works has determined that the  
23 aforementioned area of land has never been used by the public, is unimproved and  
24 unpaved, and the City believes it is in the best interest of the City to relocate such cul-  
25 de-sac area as desired by the adjoining property owner; and  
26

27 WHEREAS, the owner of all land adjoining the hatched portion of Stanley Court is  
28 JWC Johnson Road, LLC, et al T/C; and  
29

30 WHEREAS, the City of Salisbury has determined it to be in the interest of the City to  
31 abandon the aforementioned property in exchange for the conveyance to the City of  
32 adjoining property of equal value and suitable for similar use; and  
33

34 WHEREAS, the Salisbury Charter SC11-2 gives the City of Salisbury charge of all  
35 public ways in the City of Salisbury; and  
36

37 WHEREAS, SC16-8 allows the City of Salisbury to abandon or otherwise dispose of  
38 property that is not saleable; and  
39

40 WHEREAS, JWC Johnson Road, LLC, et al T/C has prepared and the City Solicitor  
41 has reviewed the proposed quitclaim deed to release the unneeded roadbed and utility  
42 easement area, a copy of which is attached hereto as Exhibit “B” and the proposed deed  
43 of dedication and easement to the City of Salisbury for the relocation of the cul-de-sac  
44 and utility easement area, a copy of which is attached hereto as Exhibit “C”.  
45

46 NOW, THEREFORE, be it ordained by the City of Salisbury, Maryland, as follows:  
47

48 1. That the City of Salisbury hereby relocates the 2,952.81 square feet roadbed area of the  
49 cul-de-sac area of Stanley Court and the 10' wide City utility easement adjoining said area  
50 as shown on the aforementioned Exhibit "A"; and  
51

52 2. That the Mayor of the City of Salisbury is hereby authorized to execute the attached  
53 Exhibit "B" to convey to JWC Johnson Road, LLC, et al T/C, all of the City's right, title  
54 and interest in the abandoned cul-de-sac and utility easement areas in exchange for the  
55 conveyance by JWC Johnson Road, LLC, et al T/C of the property described in the  
56 attached Exhibit "C" which conveys to the City of Salisbury the relocated area of the  
57 aforementioned cul-de-sac and easement.  
58

59 AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF  
60 SALISBURY, MARYLAND, that this Ordinance shall take effect from and after the date  
61 of its final passage.  
62

63 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of  
64 Salisbury held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, and thereafter a statement of  
65 the substance of this ordinance having been published as required by law, in the meantime,  
66 was finally passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2015.  
67

68  
69 ATTEST

70  
71 \_\_\_\_\_  
72 Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
Jacob R. Day, President  
Salisbury City Council

73  
74  
75 Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.  
76

77  
78 \_\_\_\_\_  
79 James Ireton, Jr., Mayor



**Exhibit B**

**QUIT CLAIM DEED**

THIS QUITCLAIM DEED, made this \_\_\_\_ day of \_\_\_\_\_ in the year 2015 by the CITY OF SALISBURY, a municipal corporation of the State of Maryland, Grantor, WITNESSETH THAT:

WHEREAS, by Ordinance No. \_\_\_\_ passed at a meeting of the Council of the City of Salisbury on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_, the City of Salisbury closed and relocated a portion of the unopened and unimproved public street known as Stanley Court on the north side of Lot 1A identified as “CROSS HATCHED AREA – 2,952.81 SQ. FT. TO BE CONVEYED FROM CITY OF SALISBURY TO LOT 1 OWNER” on a one (1) page plat prepared by Parker and Associates, Inc. titled “Resubdivision of Lots 1 & 2 & Stanley Court Relocation for JWC Johnson Road, LLC Et Al T/C” (herein the “Plat”) intended to be recorded in the Land Records of Wicomico County, Maryland simultaneously herewith; and

WHEREAS, the City of Salisbury is, by Ordinance No. \_\_\_\_\_, authorized to convey unto JWC Johnson Road, LLC, a Maryland limited liability company, an undivided one quarter (1/4) interest, GDM Johnson Road, LLC a Maryland limited liability company, an undivided one quarter (1/4) interest, RDD Johnson Road, LLC, a Maryland limited liability company , an undivided one quarter (1/4) interest and H & D Johnson Road, LLC , a Maryland limited liability company, an undivided one quarter interest (1/4) (collectively herein referred to as “Johnson”), all of the City's right, title and interest in and to the portion of the unopened Stanley Court depicted on the said Plat, in the manner described above.

NOW, THEREFORE, and in consideration of the sum of Zero Dollars (\$0.00) and other good, valuable and sufficient consideration, the receipt of which is hereby acknowledged, the CITY OF SALISBURY does hereby grant, convey, release, assign and quitclaim unto JWC Johnson Road, LLC, a Maryland limited liability company, an undivided one quarter (1/4)

interest, GDM Johnson Road, LLC, a Maryland limited liability company, an undivided one quarter (1/4) interest, RDD Johnson Road, LLC, a Maryland limited liability company, an undivided one quarter (1/4) interest and H & D Johnson Road, LLC, a Maryland limited liability company, an undivided one quarter interest (1/4) in equal shares, as tenants in common, their successors and assigns, the following described property:

All that tract or parcel of land situate, lying and being in Nutters Election District, of Wicomico County, State of Maryland, and binding upon the north side of Lot 1A as shown and described on said Plat as “CROSS-HATCHED AREA – 2,952.81 SQ. FT. TO BE CONVEYED FROM CITY OF SALISBURY TO LOT 1 OWNER on a one (1) page plat titled “Resubdivision of Lots 1 & 2 & Stanley Court Relocation for JWC Johnson Road, LLC Et Al T/C”, dated August 26, 2013, prepared by Parker & Associates, Inc. (the “Plat”) intended to be recorded in the Land Records of Wicomico County, Maryland and being more particularly described on Exhibit A, attached hereto.

AND THE CITY OF SALISBURY further grants, conveys, releases, assigns and quit claims unto Johnson all permanent and perpetual easements for the installation of utilities related thereto, including but not limited to, water mains and sanitary sewers (hereinafter the “Easements”), which Easements are more particularly described on the aforesaid Plat as “EXISTING 10’ WIDE CITY OF SALISBURY UTILITY EASEMENT TO BE RELOCATED” binding on the area conveyed above and shown and described on the said Plat, and being more particularly described on Exhibit B, attached hereto.

REFERENCE to the aforesaid deed and Plat and all prior deeds to and plats of the above property is hereby made for a more definite description of the property hereby granted and conveyed, or for any other purpose, to the same extent as though herein more fully set forth.

TOGETHER WITH all the rights, ways, alleys, waters, roads, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto JWC Johnson Road, LLC, a Maryland limited liability company, an undivided one quarter (1/4) interest, GDM Johnson Road, LLC a Maryland limited liability company, an undivided one quarter (1/4) interest, RDD Johnson Road, LLC, a Maryland limited liability company , an undivided one quarter (1/4) interest and H & D Johnson Road, LLC , a Maryland limited liability company, an undivided one quarter interest (1/4) in equal shares, as tenants in common, their successors and assigns, forever in fee simple.

AS WITNESS the hand and seal of the City of Salisbury the day and year first above written.

ATTEST

CITY OF SALISBURY

\_\_\_\_\_  
Kimberly R. Nichols, Clerk

\_\_\_\_\_  
By: James Ireton, Jr., Mayor

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the subscriber, a Notary Public for the state and county aforesaid, personally appeared James Ireton, Jr., Mayor of the City of Salisbury, who acknowledged the foregoing deed to be its act and deed.

AS WITNESS my hand and Notarial Seal.

(SEAL)

\_\_\_\_\_  
Notary Public

My Commission Expires:\_\_\_\_\_

**PREPARER CERTIFICATION**

I HEREBY CERTIFY that I am an attorney admitted to practice before the Court of Appeals of Maryland, and the foregoing instrument was prepared under my supervision.

\_\_\_\_\_  
Robert A. Benson

**EXHIBIT A**

**Legal Description of a portion of Stanley Court  
Cul-de-sac owned by the City of Salisbury to be conveyed to the JWC Johnson Road, LLC,  
et.al.**

All that tract or parcel of land situate, lying and being in Nutters Election District, of Wicomico County, State of Maryland, and binding upon the north side of Lot 1A as shown on a plat prepared by Parker and Associates, Inc. titled "Resubdivision of Lots 1 & 2 and Stanley Court Relocation for JWC Johnson Road, LLC, Et. Al. T/C" intended to be recorded in the Land Records of Wicomico County, Maryland and being more particularly described as follows:

Beginning at a point that is South 76 degrees 39 minutes 38 seconds East a distance of 152.46 feet from an iron pipe placed at the northwesterly corner of Lot 1A;

thence running by and with the south side of the Proposed Stanley Court South 76 degrees 39 minutes 38 seconds East a distance of 73.39 feet to an iron pipe placed;

thence running by and with the south side of the dedicated portion of the Proposed Stanley Court cul-de-sac to remain and owned by the City of Salisbury, an arc to the right with a radius of 35.00 feet and a distance of 41.57 feet with a chord bearing of South 42 degrees 38 minutes 02 seconds East with a chord distance of 39.17 feet to an iron pipe placed;

thence along the south side of the dedicated portion of the Proposed Stanley Court cul-de-sac to remain and owned by the City of Salisbury, an arc to the left with a radius of 40.00 feet and a distance of 1.04 feet with a chord bearing of South 09 degrees 20 minutes 49 seconds East and a chord distance of 1.04 feet;

thence leaving the intersection of the relocated portion and the platted proposed portion of the Proposed Stanley Court cul-de-sac and running by and with the southerly side of the platted portion of the Stanley Court cul-de-sac area to be conveyed by the City, an arc to the right with a radius of 40 feet and a distance of 80.34 feet and a chord bearing of North 85 degrees 40 minutes 12 seconds West and a chord distance of 67.50 feet;

thence by and with the easterly property line of the former Lot 1 and the westerly side of the platted portion of the Stanley Court cul-de-sac area to be conveyed by the City, an arc to the right with a radius of 40 feet and a distance of 13.62 feet with a chord bearing of North 18 degrees 22 minutes 12 seconds West with a chord distance of 13.55 feet;

thence running by and with the former Lot 1 on the southern side of the platted portion of the Stanley Court cul-de-sac an arc to the left with a radius of 35.00 feet and a distance of 41.57 feet, with a chord bearing of North 42 degrees 38 minutes 15 seconds West and a chord distance of 39.17 feet to the place of beginning, containing 2,952.81 sq. ft./0.07 acres.

**EXHIBIT B**

**LEGAL DESCRIPTION OF CITY OF SALISBURY UTILITY EASEMENT**

All those lots, tracts or parcels of land situate, lying and being in Nutters Election District, of Wicomico County, State of Maryland, and binding upon the south side of Stanley Court cul-de-sac, being the 10' Wide City of Salisbury Utility Easement to be relocated as shown on a plat prepared by Parker and Associates titled "Resubdivision of Lots 1 & 2 & Stanley Court Relocation for JWC Johnson Road, LLC, ET AL T/C" intended to be recorded in the Land Records of Wicomico County, Maryland and being more particularly described as follows:

Beginning on the south side of but not adjacent to Stanley Court at the intersection of the south side of the existing 10' City of Salisbury Utility Easement and the 10' City of Salisbury Utility Easement to be Relocated, thence running by and with the south side of the existing 10' City of Salisbury Utility Easement South 76 degrees 39 minutes 38 seconds East a distance of 24.49 feet to a point on a non-tangent curve, thence running by and with said non-tangent curve to the right a radius of 35.00 feet and a distance of 14.43 feet with a chord bearing of South 20 degrees 25 minutes 50 seconds East and a chord distance of 14.33 feet to a point at a reverse curve, thence by with said reverse curve a radius of 40.00 feet and a distance of 82.28 feet with a chord bearing of South 67 degrees 32 minutes 51 seconds East and a chord distance of 68.52 feet to a point on a non-tangent curve and being the northeasterly corner of the herein described easement, thence by and with the non-tangent curve to the left a radius of 50.00 feet and a distance 10.22 feet with a chord bearing of South 23 degrees 34 minutes 45 seconds East and a chord distance of 10.21 feet to a point on a non-tangent curve and the southeasterly corner of the herein described easement, thence by and with the non-tangent curve to the right a radius of 50.00 feet a distance of 100.58 feet with a chord bearing of North 66 degrees 14 minutes 30 seconds West and a chord distance of 84.46 feet to a reverse curve, thence by and with the reverse curve a radius of 25.00 feet a distance of 29.69 feet with a chord bearing of North 42 degrees 38 minutes 17 seconds West and a chord distance of 27.98 feet to the place of beginning, containing 1,100.17 sq. ft./0.03 acres.

**Exhibit C**

**DEED OF DEDICATION AND EASEMENT**

THIS DEED OF DEDICATION AND EASEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2015 by JWC Johnson Road, LLC, a Maryland limited liability company, GDM Johnson Road, LLC , a Maryland limited liability company, RDD Johnson Road, LLC, a Maryland limited liability company and H & D Johnson Road, LLC , a Maryland limited liability company (hereinafter collectively being referred to as “Grantor”); and

WHEREAS, Grantor is the owner of all that parcel or lot of land situate, lying and being in the City of Salisbury, Nutters Election District, Wicomico County, State of Maryland, and described as follows: all of Lot No. 1 shown on the plat entitled “Subdivision Plat for JWC Johnson Road, LLC et al T/C” which Plat is recorded among the Land Records of Wicomico County, Maryland, in Plat Cabinet 15 folio 673 and all of Lot No. 2 shown on the Plat entitled “Subdivision Plat for JWC Johnson Road, LLC et al T/C” which plat is recorded among the Land Records of Wicomico County, Maryland, in Plat Cabinet 15 folio 673; and being a part of the same property conveyed unto the within Grantor by a deed from Charles C. Carey Jr. et al dated April 29, 2005 and recorded among the Land Records of Wicomico County, Maryland, in Liber M.S. B. No. 2399 folio 699 (hereinafter the “Property”); and

WHEREAS, in order to facilitate the development of a portion of the Property, and the approval of same as required by the City of Salisbury (the “City”), Grantor intends to grant unto the City for road and utility purposes a parcel of land described as on the south side of Stanley Court (formerly Johnson Road) east of Snow Hill Road and, in addition, to grant unto the City certain additional City of Salisbury utility easements; and

WHEREAS, the parcel of land to be granted on the south side of Stanley Court (formerly

Johnson Road) east of Snow Hill Road and the aforesaid City of Salisbury utility easements are more specifically located and described on a one (1) page subdivision plat entitled “Resubdivision of Lots 1 & 2 & Stanley Court Relocation for JWC Johnson Road, LLC et al T/C”, dated August 26, 2013, made by Parker & Associates, Inc. (the “Plat”), which Plat is intended to be recorded in the aforesaid Land Records immediately prior hereto or simultaneously herewith.

NOW, THEREFORE, THIS DEED OF DEDICATION AND EASEMENT WITNESSETH:

THAT FOR AND IN CONSIDERATION OF ZERO DOLLARS (\$0.00) AND NO TAXABLE CONSIDERATION, and other good and sufficient consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants and conveys unto the City of Salisbury, a municipal corporation of the State of Maryland, its successors and assigns (sometimes, hereinafter, the “City”) in fee simple, all that street, parcel or lot of land situate, lying and being in the City of Salisbury, Nutters Election District, Wicomico County, State of Maryland for public ingress, egress and regress, and more particularly shown as “2,954.31 SQ. FT. TO BE CONVEYED FROM LOT 2 OWNER TO THE CITY OF SALISBURY” on a plat entitled “Resubdivision of Lots 1 & 2 & Stanley Court Relocation for JWC Johnsons Road, LLC et al T/C” dated August 26, 2013, made by Parker and Associates, Inc. which plat is intended to be recorded in the Land Records immediately prior hereto or simultaneously herewith, and being part of the same property conveyed unto the within Grantor by a deed from Charles C. Carey Jr. et al dated April 29, 2005, and recorded among the aforesaid Land Records in Liber 2399 folio 699, said land being more particularly described on Exhibit A, attached hereto and made a part hereof:

AND Grantor further grants and conveys unto the City a certain permanent and perpetual ten (10) foot utility easement for the installation of City owned underground utilities including, but not limited to, portions of the public water distribution system, public waste water collection system, storm water drainage systems, street lighting and roadway appurtenances (hereinafter the “Easement”), which Easements is described as “PROPOSED RELOCATED 10’ WIDE CITY OF SALISBURY UTILITY EASEMENT” on a one (1) page subdivision plat entitled “Resubdivision of Lots 1 & 2 & Stanley Court Relocation for JWC Johnson Road, LLC et al T/C”, dated August 26,

2013, made by Parker & Associates, Inc. (the "Plat"), which Plat is intended to be recorded in the aforesaid Land Records immediately prior hereto or simultaneously herewith, said Easement is more particularly described on Exhibit B attached hereto and made a part hereof.

REFERENCE to the aforesaid deeds, plats and declaration and to preceding deeds of the property hereby conveyed, and to the references therein contained, is hereby made for a more particular description of the property hereby conveyed.

TOGETHER WITH the right of ingress, egress and regress over the property of Grantor for the purpose of necessary construction, repair, maintenance and inspection and/or removal of the aforesaid utilities, provided, however, that the City shall restore the surface of the Grantor's property to its original condition upon completion of the said construction, repair, inspection and/or removal.

AND Grantor further covenants with the City that it will not construct any structural improvements, plant trees, shrubs, or place any landscaping other than grass in or on the easement area, or in the air rights over the easement hereby conveyed, without the prior written consent of the City.

TO HAVE AND TO HOLD the same for the purposes aforesaid unto the City of Salisbury, a municipal corporation of the State of Maryland, its successors and assigns, forever.

AS WITNESS the due execution hereof by the Grantor on the day and year above written.

WITNESS / ATTEST:

<p>Signed: _____ Print Name: _____</p> <p>Signed: _____ Print Name: _____</p>	<p>JWC Johnson Road, LLC A Maryland limited liability company</p> <p>By: _____ Print Name: <u>Charlotte T. Causey</u> Title: <u>Trustee of the Residual Trust under the Will of John W. Causey dated August 13, 2001, MEMBER</u></p> <p>Dated: _____</p> <p>By: _____ Print Name: <u>Glenn D. Marvel</u> Title: <u>Trustee of the Residual Trust under the Will of John W. Causey dated August 13, 2001, MEMBER</u></p> <p>Dated: _____</p>
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STATE OF MARYLAND  
COUNTY OF WICOMICO

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_, of \_\_\_\_\_, a \_\_\_\_\_, freely and voluntarily under authority duly vested in him by said company. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Typed, printed or stamped name of Notary Public

My Commission Expires: \_\_\_\_\_

Signed: _____ Print Name: _____  Signed: _____ Print Name: _____	GDM Johnson Road, LLC  By: _____ Print Name: <u>Glenn D. Marvel</u> Title: <u>Managing Member</u>  Dated: _____
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STATE OF MARYLAND  
 COUNTY OF WICOMICO

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by \_\_\_\_\_, the \_\_\_\_\_, of \_\_\_\_\_, a \_\_\_\_\_, freely and voluntarily under authority duly vested in him by said company. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_  
 Typed, printed or stamped name of Notary Public

My Commission Expires: \_\_\_\_\_

Signed: _____ Print Name: _____  Signed: _____ Print Name: _____	RDD Johnson Road, LLC  By: _____ Print Name: <u>Dale Dashiell, Jr</u> Title: <u>Managing Member</u>  Dated: _____
<p>STATE OF MARYLAND          COUNTY OF WICOMICO</p> <p>I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by _____, the _____, of _____, a _____, freely and voluntarily under authority duly vested in him by said company. He/she is personally known to me or has produced _____ as identification.</p> <p>WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2015.</p> <p>_____          Notary Public</p> <p>_____          Typed, printed or stamped name of Notary Public</p> <p>My Commission Expires: _____</p>	

Signed: _____ Print Name: _____  Signed: _____ Print Name: _____	H & D Johnson Road, LLC  By: _____ Print Name: <u>Henry H. Hanna, III</u> Title: <u>Managing Member</u>  Dated: _____
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STATE OF MARYLAND  
 COUNTY OF WICOMICO

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by \_\_\_\_\_, the \_\_\_\_\_, of \_\_\_\_\_, a \_\_\_\_\_, freely and voluntarily under authority duly vested in him by said company. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_  
 Typed, printed or stamped name of Notary Public

My Commission Expires: \_\_\_\_\_

Signed: _____ Print Name: _____  Signed: _____ Print Name: _____	Hebron Savings Bank  By: _____ Print Name: _____ Title: _____  Dated: _____
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STATE OF MARYLAND  
 COUNTY OF WICOMICO

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by \_\_\_\_\_, the \_\_\_\_\_, of \_\_\_\_\_, a \_\_\_\_\_, freely and voluntarily under authority duly vested in him by said company. He/she is personally known to me or has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
 Notary Public

\_\_\_\_\_  
 Typed, printed or stamped name of Notary Public

My Commission Expires: \_\_\_\_\_

**PREPARER CERTIFICATION**

I certify that this document was prepared by or under the supervision of the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

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Robert A. Benson

**EXHIBIT A**  
**LEGAL DESCRIPTION OF LAND BEING GRANTED**

All that tract or parcel of land situate, lying and being in Nutters Election District, of Wicomico County, State of Maryland, and binding upon the north side of Lot 1A and Lot 2A as shown on a plat prepared by Parker and Associates, Inc. titled "Resubdivision of Lots 1 & 2 and Stanley Court Relocation for JWC Johnson Road, LLC, ET AL T/C" intended to be recorded in the Land Records of Wicomico County, Maryland and being more particularly described as follows:

Beginning at a point that is South 76 degrees 39 minutes 38 seconds East a distance of 261.41 feet from an iron pipe placed at the northwesterly corner of Lot 1A;

thence running by and with the north side of the former Lot 2 South 76 degrees 39 minutes 38 seconds East a distance of 73.40 feet to an iron pipe placed;

thence along the Proposed Stanley Court and running by and with the north side of Lot 2A in an arc to the right with a radius of 40.00 feet and a distance of 116.31 feet with a chord bearing of South 86 degrees 36 minutes 00 seconds West with a chord distance of 79.45 feet;

thence at an intersection of the relocated portion, and the platted portion of the Stanley Court cul-de-sac and running by and with the east side of the dedicated portion of the Stanley Court cul-de-sac to remain owned by the City of Salisbury, an arc to the left with a radius of 40.00 feet and a distance of 23.37 feet with a chord bearing of North 20 degrees 02 minutes 59 seconds East with a chord distance of 23.03 feet to the place of beginning containing 2,954.31 sq. ft./0.07 acres.

**EXHIBIT B**  
**LEGAL DESCRIPTION OF CITY OF SALISBURY UTILITY EASEMENT**

All those lots, tracts or parcels of land situate, lying and being in Nutters Election District, of Wicomico County, State of Maryland, and binding upon the south side of Stanley Court, being the Relocated 10' Wide City of Salisbury Utility Easement as shown on a plat prepared by Parker and Associates, Inc. titled "Resubdivision of Lots 1 & 2 & Stanley Court Relocation for JWC Johnson Road, LLC, ET AL T/C" intended to be recorded in the Land Records of Wicomico County, Maryland and being more particularly described as follows:

Beginning on the south side of Stanley Court at a point that is South 76 degrees, 39 minutes, 38 seconds East a distance of 152.46 feet from an iron pipe placed at the northwesterly corner of Lot 1A thence running by and with the south side of the Proposed Stanley Court South 76 degrees 39 minutes 38 seconds East a distance of 73.39 feet to the beginning of a curve; thence running by and with the south side of the dedicated portion of Stanley Court cul-de-sac to remain owned by the City of Salisbury, a curve to the right with a radius of 35.00 feet and a distance of 41.57 feet with a chord bearing of South 42 degrees 38 minutes 02 seconds East with a chord distance of 39.17 feet; thence along the south side of the dedicated portion of Stanley Court cul-de-sac to remain and owned by the City of Salisbury, a curve to the left with a radius of 40.00 feet and a distance of 117.35 feet with a chord bearing of North 87 degrees 20 minutes 56 seconds East and a chord distance of 79.57 feet to an iron pipe placed; thence leaving Stanley Court and running by and with the northerly side of Lot 2A South 76 degrees 39 minutes 38 seconds East a distance of 10.12 feet to the northeast corner of the Relocated 10' Wide City of Salisbury Utility Easement; thence along the Relocated 10' Wide City of Salisbury Utility Easement the following four courses, (1) a curve to the right with a radius of 50.00 feet and a distance of 144.92 feet with a chord bearing of South 88 degrees 21 minutes 35 seconds West and a chord distance of 99.26 feet; (2) a curve to the left with a radius of 25.00 feet and a distance of 29.69 feet with a chord bearing of North 42 degrees 38 minutes 02 seconds West and a chord distance of 27.98 feet; (3) North 76 degrees 39 minutes 38 seconds West a distance of 48.89 feet; (4) a curve to the left with a radius of 35.00 feet and a distance of 27.13 feet with a chord bearing of North 54 degrees 27 minutes 10 seconds West and a chord distance of 26.46 feet to the place of beginning, containing 2,232.93 sq. ft./0.05 acres.