

**2016 CHESTERTOWN ANNEXATION RESOLUTION NO. 1**

WHEREAS, the Mayor and Council of Chestertown has authority to annex land pursuant to Art. 11-E of the Constitution of the State of Maryland and in accordance with § 4-401, et seq., of the Local Government Article, and

WHEREAS, the Mayor and Council of Chestertown, pursuant to § 4-403 of the Local Government Article, is desirous of annexing certain lands contiguous with the Town, and the proposed annexation will not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the Town, real property proposed to be within the corporate limits of the Town as a result of the annexation, or any combination of such properties, and

WHEREAS, the Mayor and Council of Chestertown has obtained the consent of more than 25% of the registered voters in the area to be annexed and the consent of owners of more than 25% of the assessed value of the area to be annexed.

**NOW BE IT THEREFORE RESOLVED THAT** the Mayor and Council amend the Charter of Chestertown by adding a new Section 2 (h) as follows:

**BEGINNING FOR THE SAME** at a point at the intersection of the division line between the lands of Chestertown Investments LLC. (see: M.L.M. 683/11) and the lands of Riverview Associates LLC. (see: M.L.M. 246/29) of which is the existing town boundary line (see: Section 2-F 1994 Annexation No.2), with the southeasternmost side of Maryland Route 213 (see: S.R.C. Plat 8840).

**THENCE**, leaving said division line and said existing town boundary line and binding on said southeasternmost side of Maryland Route 213 the following (5) five courses and distances: N 23°17'03" E a distance of 470.19' to a point, N 22°59'16" E a distance of 336.77' to a point, N 23°17'04" E a distance of 472.17' to a point, N 23°21'18" E a distance of 557.45' to a point, and N 23°40'59" E a distance of 102.99' to a point at the intersection of the division line between the lands of Trinity Evangelical Lutheran Church of Chestertown Maryland (see: M.L.M. 189/529) and the lands of Brayton Family Limited Partnership (see: M.L.M. 657/282).

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**THENCE**, leaving Maryland Route 213 and binding on said division line S 41°10'29" E a distance of 962.95' to a point at the intersection of the division line between the lands of Trinity Evangelical Lutheran Church of Chestertown Maryland, lands of Delmarva Power & Light Company of Maryland (see: E.H.P. 25/479) and the lands of Brayton Family Limited Partnership.

**THENCE**, leaving Trinity Evangelical Lutheran Church of Chestertown Maryland and binding on the division line between Delmarva Power & Light Company of Maryland, lands of Brayton Family Limited Partnership and the lands of The Town of Chestertown (see: E.H.P. 142/284) S 27°26'16" E a distance of 1278.26' to a concrete monument found at the intersection of the division line between the lands of Delmarva Power & Light Company of Maryland, lands of Department of Health & Mental Hygiene (see: E.H.P. 73/39) and the lands of The Town of Chestertown, and also being the existing town boundary (see: Section 2-C 1987 Annexation No. 2)

**THENCE**, leaving the lands of Delmarva Power & Light Co. of MD. and binding on the division line between Department of Health & Mental Hygiene, lands of KRM Development Corporation (see: M.L.M. 836/99) and the lands of The Town of Chestertown, with the said existing town boundary S 63°23'55" W a distance of 1039.58' to a concrete monument found at the intersection of the division line between Department of Health & Mental Hygiene, other lands of KRM Development Corporation (see: M.L.M. 829/163) and the lands of KRM Development Corporation.

**THENCE**, leaving the lands of KRM Development Corporation and binding on the division line between Department of Health & Mental Hygiene, other lands of KRM Development Corporation with the existing town boundary S 27°26'29" E a distance of 840.00' to a point.

**THENCE**, leaving the lands of Department of Health & Mental Hygiene and running through other lands of KRM Development Corporation with the existing town boundary S 63°23'01" W a distance of 990.88' to a point on the easternmost side of Haacke Drive (50' wide).

**THENCE**, binding on said Haacke Drive and the division line between other lands of KRM Development Corporation, Parcel 2 lands of Charles W. Sommers et ux. (see: E.H.P. 271/447) with the existing town boundary line the following (2) two courses and distances: N 25°25'25" W a distance of 193.82' to an iron rod found, and N 01°21'00" E a distance of 669.96' to a point.

**THENCE** leaving other lands of KRM Development Corporation and running through the lands of Sommers and binding on the division line between SMG Realty LLC. (see: M.L.M. 215/229) and the aforementioned KRM Development Corporation N 66°47'44" W a distance of 355.22' to an iron rod found at the intersection of the division line between the lands of SMG Realty LLC., lands of The Centreville National Bank

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of Maryland (see: M.L.M. 444/21), Parcel 1 lands of Charles W. Sommers et ux. (see: E.H.P. 271/447) and the lands of KRM Development Corporation.

**THENCE**, leaving SMG Realty LLC., and The Centreville National Bank of Maryland lands and binding on the division line between the Sommers lands and the lands of KRM Development Corporation with the existing town boundary line the following (2) two courses and distances: N 23°13'58" E a distance of 246.92' to an iron rod found, and N 66°52'06" W a distance of 48.18' to an iron rod found at the intersection of the division line between the lands of Sommers, lands of Mark E. Galasso et ux. (see: M.L.M. 173/185) and the lands of KRM Development Corporation, also at the intersection of the existing town boundaries (see: Section 2-C 1987 Annexation No.2 & Section 2-F 1994 Annexation No.2).

**THENCE**, leaving the Sommers lands and binding on the division line between Galasso lands and the aforementioned Chestertown Investments lands and KRM Development Corporation lands, with the existing town boundary line of (Section 2-F 1994 Annexation No.2) N 23°13'58" E a distance of 374.29' to a point at the intersection of the division line between the Chestertown Investments lands, the aforementioned lands of Riverview Associates LLC. and KRM Development Corporation lands.

**THENCE**, leaving KRM Development Corporation lands and binding on said division line between Chestertown Investments lands, the lands of Riverview Associates LLC. N 66°46'02" W a distance of 400.35' to the place of beginning. Containing in all 79.670 acres of land more or less as surveyed by Michael A. Scott Inc. in February 2016.

**BE IT PROVIDED** that the area to be annexed will become part of the Fourth Ward of Chestertown and that the persons residing in the area, and their property, and the owners of property herein, shall be subject to the provisions of the Charter of Chestertown and its Municipal Ordinances and Resolutions, and that such persons and their property shall be subject to municipal taxation and entitled to municipal services and facilities equal to such taxation imposed and such services and facilities provided to other residents and property owners of Chestertown, subject to the provisions contained herein, and

**BE IT FURTHER PROVIDED** that the property being annexed shall generally be zoned Professional Office to the south along Scheeler and Haacke extended, and LI-2 on the balance of the property. Property owners and developers wanting to utilize Town water and sewer will be responsible for the extension of Town water and sewer lines to their properties and the engineering

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of said water and sewer lines will be approved in advance by the Chestertown Utilities Commission and the Town of Chestertown.

**BE IT FURTHER RESOLVED**, that the new Section 2(h), "2016 Chestertown Annexation No.1" be added to the Charter of the Town of Chestertown as amended and the date of the passage of this Resolution is July 5, 2016, and the addition to this Charter of the Town of Chestertown, hereby enacted shall become effective on August 22, 2016 provided further that there shall have been published in the Kent County News, a newspaper of general circulation serving the community of Chestertown, once in each of the four weeks commencing May 19, 2016, a brief and accurate description of the area to be annexed and the conditions and circumstances applicable thereto, including notice of a public hearing to be held by the Mayor and Council of Chestertown on the proposed annexation on July 5, 2016, provided further that such public hearing shall have been held, and unless a proper petition for referendum shall have been filed as provided by § 4-408, § 4-409 or § 4-410 of the Local Government Article prior to such effective date.

**AND BE IT FURTHER RESOLVED**, that the Mayor of Chestertown is hereby specifically directed to carry out the provisions of the above section hereof regarding the giving of notice by publication of the material directed therein to be published, and, as evidence of that compliance, the Town Manager shall cause to be affixed to the Charter Amendment Resolution a certificate date, the publication of the newspaper in which such material shall have been published, and the Mayor, if there is no Petition for a Referendum, shall declare the Charter Amendment to be effective on the effective date herein provided for, which is August 22, 2016, by affixing his/her signature hereto in the space provided below the effective date thereof.

**AND BE IT FURTHER RESOLVED**, that, if a proper Petition for a Referendum on the Charter Amendment herein proposed is filed, the Mayor and Council and other the other proper officials of the Town of Chestertown shall comply with all the provisions set forth in § 4-408, et seq., of the Local Government Article.

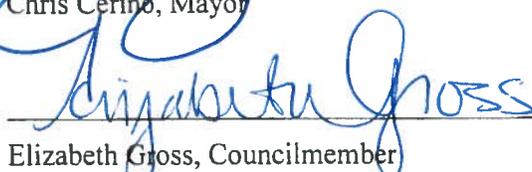
**AND BE IT FURTHER RESOLVED**, that within ten (10) days of the resolution taking effect,

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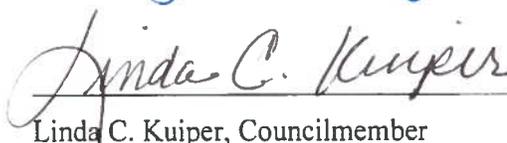
either as herein provided or following a Referendum, the Mayor of Chestertown shall promptly register both the original boundaries and the new boundaries with the Town Manager and with the Clerk of the Court of Kent County, Maryland, and shall send separately by registered mail to the Department of Legislative Services of Maryland, a complete certified copy of the text of this Resolution, the date of the Referendum, if any is held, a certificate showing the number of Councilmembers voting for and against it, and a report on the votes cast for or against the amendment hereby enacted at any Referendum hereon and the effective date of the Charter Amendment.

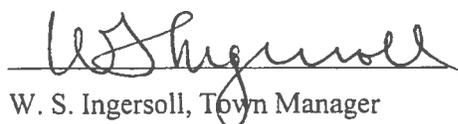
This Resolution introduced this 16th day of May, 2016, may be adopted on the 5<sup>th</sup> day of July, 2016 and would become effective on August 22, 2016.

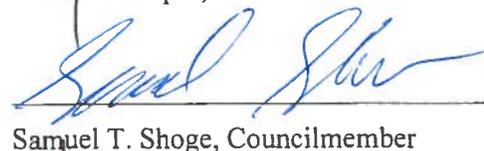
  
Chris Cerino, Mayor

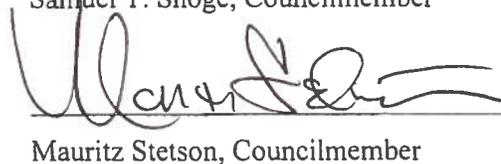
  
Elizabeth Gross, Councilmember

Witness:

  
Linda C. Kuiper, Councilmember

  
W. S. Ingersoll, Town Manager

  
Samuel T. Shoge, Councilmember

  
Mauritz Stetson, Councilmember

## ANNEXATION PLAN

### **2016 CHESTERTOWN ANNEXATION RESOLUTION NO.1**

In accordance § 4-415 of the Local Government Article, the Mayor and Council of Chestertown hereby adopt this Annexation Plan in support of 2016 Chestertown Annexation Resolution No. 1 (herein the "Plan"). Map 1 of the annexation area has been attached for informational purposes. Additional maps are attached as noted in this Plan.

#### **I. WATER AND SEWER**

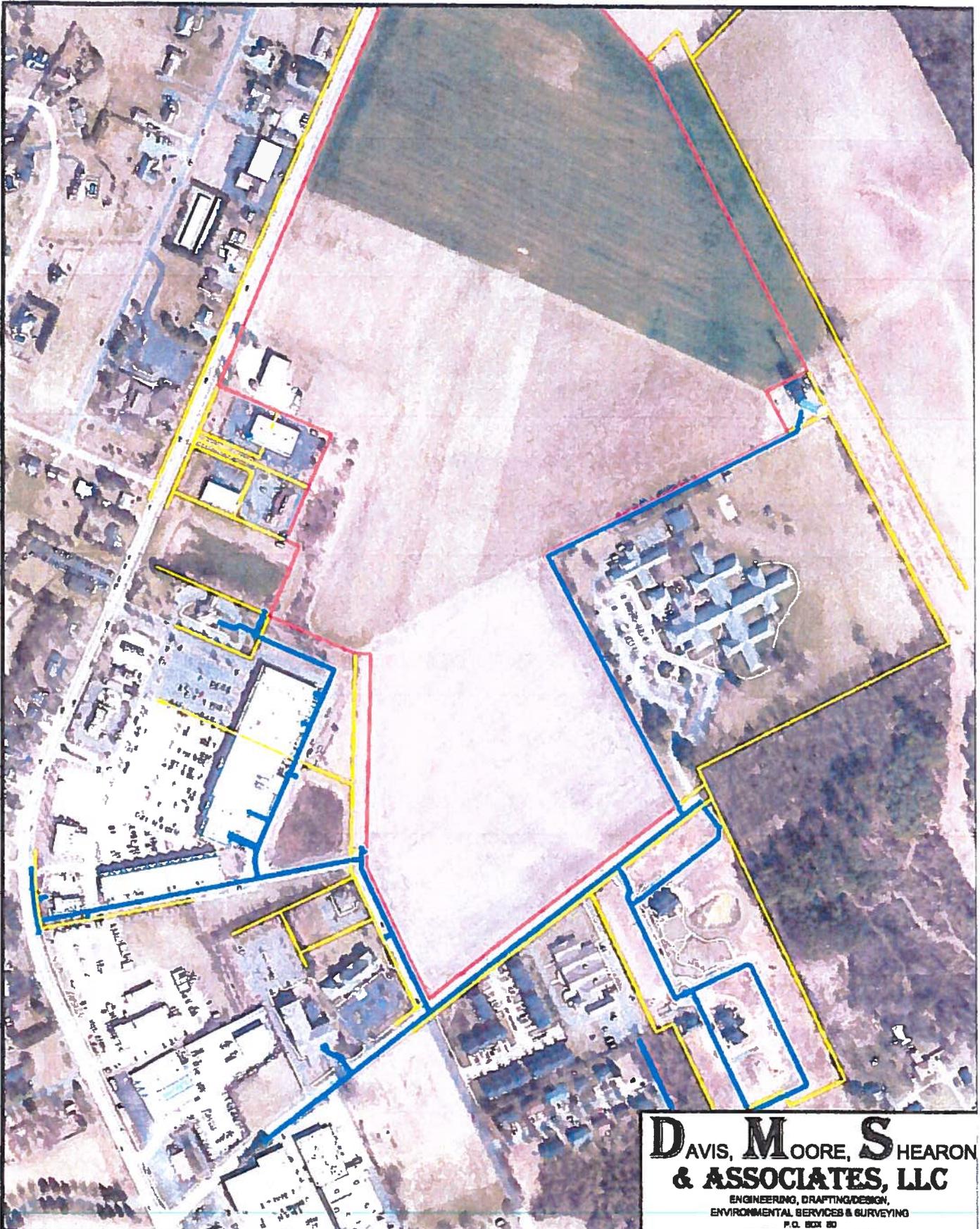
##### **A. Water**

1. The Town currently has major water lines and a 1,000,000 gallon storage standpipe abutting the property to be annexed. See Map 2.
2. The annexed area will be responsible for extending to the nearest town water lines consistent with the requirements of the Chestertown Utilities Commission. This extension to be at the expense of the owner or developer and in accordance with Town specifications and applicable ordinances. The hook-up fees shall be paid at the rates in effect when the development or hook-up occurs.
3. No further major facilities are anticipated to be required in the entire annexed area for the provision of water.
4. The current Town water supply and pressure are more than adequate for provision of water to the entire annexation area.

##### **B. Sewer**

1. The Town currently has major gravity sewer lines located along the perimeter of the area to be annexed. See Map 3.
  2. All currently undeveloped areas will be responsible for extending to the
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MAP 2 - WATER

SCALE 1" = 400'

**D**AVIS, **M**OORE, **S**HEARON  
& **A**SSOCIATES, **L**LC

ENGINEERING, DRAFTING/DESIGN,  
ENVIRONMENTAL SERVICES & SURVEYING

P.O. BOX 80  
CENTREVILLE, MARYLAND 21017  
PHONE : 1-443-282-0130  
FAX : 1-443-282-0148



MAP 3 - SEWER

SCALE 1" = 400'

**DAVIS, MOORE, SHEARON & ASSOCIATES, LLC**

ENGINEERING, DRAFTING/DESIGN,  
ENVIRONMENTAL SERVICES & SURVEYING

P.O. BOX 80  
CENTREVILLE, MARYLAND 21030  
PHONE : 1-443-282-9130  
FAX : 1-443-282-9148

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nearest Town sewer line consistent with the requirements of the Chestertown Utilities Commission, at the owner's or developer's expense, and in accordance with Town specifications and applicable ordinances. All easements for sewers and lift stations will be provided as required.

3. The extension of sewer lines over properties that may be out-of-town will in no way permit or allow out-of-town hookups to sewer in said areas.

4. The Town currently has sewer capacity adequate to provide sewer service to the entire annexed area.

## **II. LAND USE PATTERNS**

A. An existing land use map (Map 4) of the area has been provided and is attached.

B. The proposed land use of the area to be annexed is consistent with the Municipal Growth Element of the 2015 Town of Chestertown Comprehensive Plan. The Mayor and Council of Chestertown, favoring mixed use development, intend to expand the uses permitted in the LI-2 Zoning District to include compatible commercial uses.

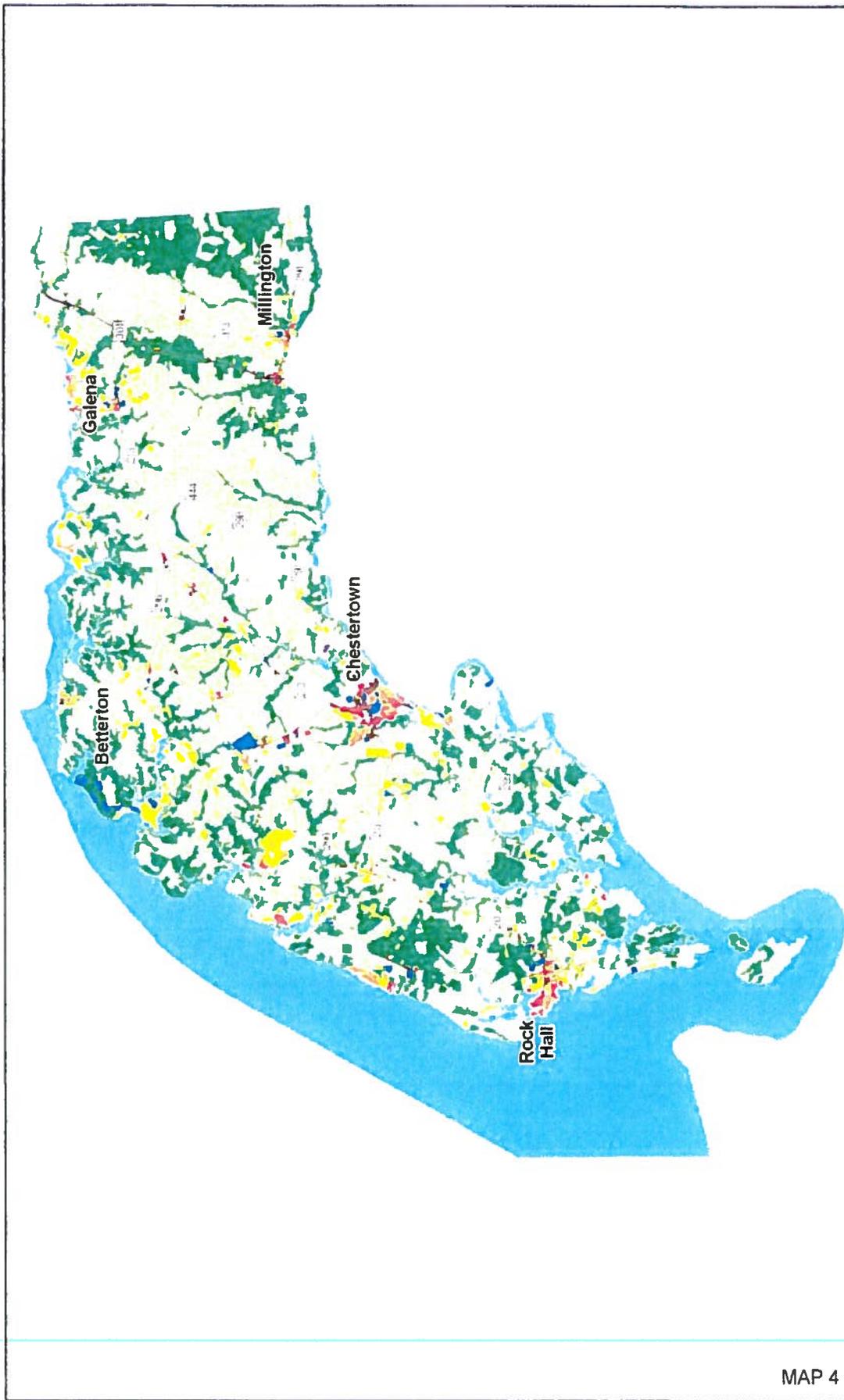
## **III. PUBLIC FACILITIES PROPOSED OR NECESSITATED BY ANNEXATION**

A. General- No additional public facilities will be necessitated by this annexation. Necessary facilities are already adequate and in place. In general they are County or Regional facilities.

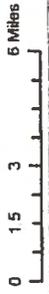
B. Facilities available and currently serving the area to be annexed:

1. Schools - County jurisdiction. There is an Elementary and a consolidated Kent

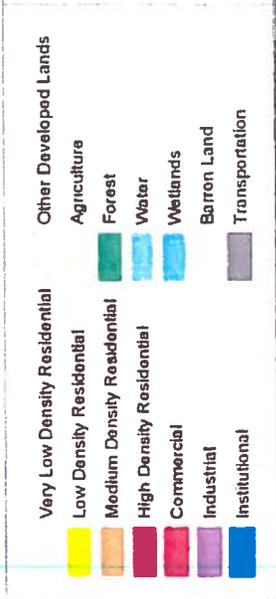
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1) Two new categories have been added to the 2010 Land Use/Land Cover layer update: very low density residential development (191, 192) and transportation (80).  
 2) Updates/modifications to the 2010 land use/land cover layers used the 2007 NAIP aerial imagery and parcel information from Maryland Property View 2008

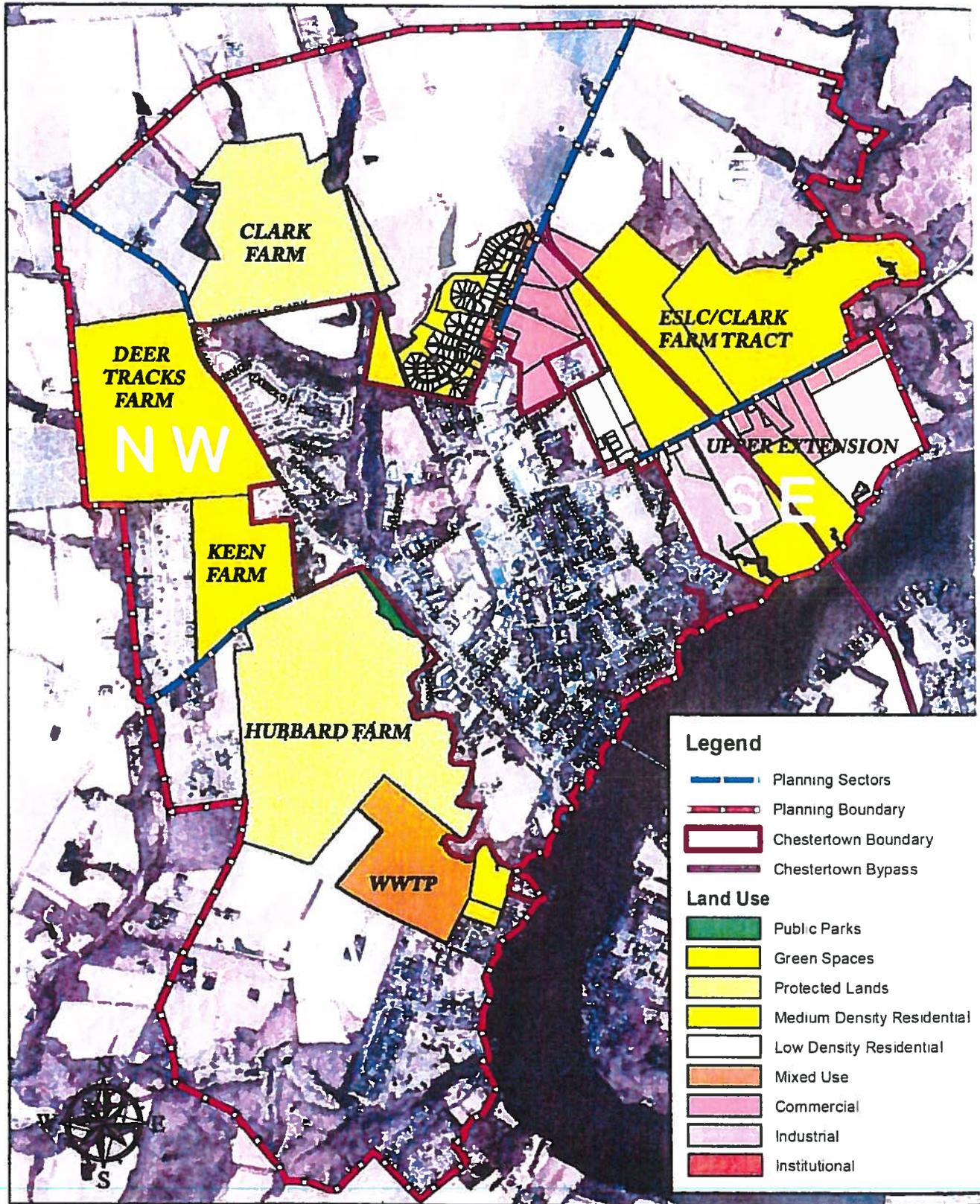


## Kent County 2010 Land Use/Land Cover



MAP 4

# FUTURE LAND USE OUTSIDE TOWN LIMITS



**Legend**

- Planning Sectors
- Planning Boundary
- Chestertown Boundary
- Chestertown Bypass

**Land Use**

- Public Parks
- Green Spaces
- Protected Lands
- Medium Density Residential
- Low Density Residential
- Mixed Use
- Commercial
- Industrial
- Institutional

0 0.125 0.25 0.5 1

County Middle School in Chestertown and a regional High School in Worton.

2. Fire - The Chestertown Volunteer Fire Company already serves area to be annexed.

3. Rescue Squad -The Kent and Queen Anne's Volunteer Rescue Squad already serves the area to be annexed.

4. Library - County jurisdiction. Located in Chestertown.

5. Jail- County jurisdiction. Located in Chestertown. Serves the entire county.

6. Hospital- The University of Maryland Shore Medical Center at Chestertown serves as a regional hospital. Located in Chestertown..

7. College - Washington College is in Chestertown. Chesapeake College in Wye Mills serves Kent and other counties.

8. Government Facilities - Chestertown is the County Seat. Federal, State, County, and Town facilities are interspersed throughout the Town.

9. Senior Center-County - On Schauber Road in Chestertown.

10. Post Office - In Chestertown on Spring Avenue.

11. Nursing Homes- Two large private nursing homes in Chestertown and service the area. Heron Point is a very large comprehensive care facility located in Chestertown.

12. Churches - There are over a dozen churches in Chestertown serving nearly all denominations.

13. Health Department - County jurisdiction. Located in Chestertown already

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servicing the area.

14. Police - The Chestertown Police Department has an authorized force capable of providing security to the area.

15. Street Lighting - Chestertown will pay the energy costs of street lighting after the developer or owner installs approved street lighting during the development of the infrastructure.

#### IV. ZONING

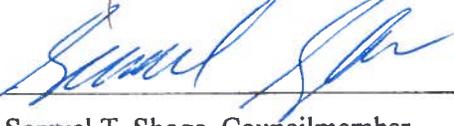
The current County zoning for Annexation 1-2016 is Crossroads Commercial. Map 5 shows the two (2) Town zones, i.e. Light Industrial and Professional Office, which will be designated for this area to become a mixed use employment zone.

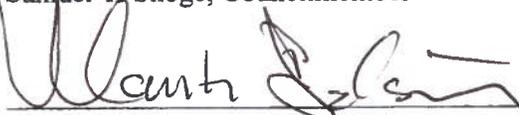
This Annexation Plan is adopted by the Mayor and Council of Chestertown this 5<sup>th</sup> day of JULY, 2016.

  
Chris Cerino, Mayor

  
Elizabeth Gross, Councilmember

  
Linda C. Kuiper, Councilmember

  
Samuel T. Shoge, Councilmember

  
Mauritz Stetson, Councilmember

Witness:

  
W. S. Ingersoll, Town Manager



**2016 CHESTERTOWN ANNEXATION NO.1**  
**CONSENT FOR ANNEXATION**

TO THE MAYOR AND COUNCIL  
OF CHESTERTOWN, MARYLAND:

In accordance with § 4-403 of the Local Government Article - *Proposal for annexation initiation by legislative body*, the undersigned hereby consent to the proposed action of the Mayor and Council of Chestertown, Maryland, to enlarge the corporate boundaries of the Town of Chestertown, to include therein all that part, parcel, or tract of land situate, lying and being in the Fourth Election District of Kent County, Maryland, contained within the metes and bounds, courses and distances described starting on page 5.

The undersigned hereby indicate their understanding that this consent agreement will not become effective until it shall have been signed by at least twenty-five per centum (25%) of the persons who reside in the above area and who are registered as voters in county elections, and by the owners of not less than twenty-five per centum (25%) of the assessed valuation of the real property located in the above area.

The undersigned further hereby indicate their understanding that this consent agreement, when it shall contain the required number of valid signatures, will authorize the Mayor and Council of Chestertown to introduce a resolution proposing a change of corporate boundaries as stated herein.





I hereby certify that I have caused to be verified the signatures hereon and have ascertained that the persons signing the consent represent at least twenty-five per centum (25%) of the persons who reside in the above area and who are registered as voters in county elections, and the owners of twenty-five per centum (25%) of the assessed valuation of this real property located in the above area. Dated this 16<sup>th</sup> day of May, 2016.

  
Chris Cerino  
Mayor

**2016 CHESTERTOWN ANNEXATION NO. 1**

**79.670 ACRES OF LAND MORE OR LESS  
FOURTH ELECTION DISTRICT, KENT COUNTY, MARYLAND**

**BEGINNING FOR THE SAME** at a point at the intersection of the division line between the lands of Chestertown Investments LLC. (see: M.L.M. 683 11) and the lands of Riverview Associates LLC. (see: M.L.M. 246 29) of which is the existing town boundary line (see: Section 2-F 1994 Annexation No.2), with the southeastemmost side of Maryland Route 213 (see: S.R.C. Plat 8840).

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**NOTICE OF PUBLIC HEARING  
2016 CHESTERTOWN ANNEXATION No. 1**

The Mayor and Council of Chestertown will hold a public hearing on the annexation proposal known as the 2016 Chestertown Annexation No. 1 on Tuesday, July 5, 2016 at 7:00 p.m. in the meeting room at Town Hall, 118 N. Cross Street. The annexation area contains 79.67 acres of vacant land to the northeast of Chestertown. The property is generally bounded on the south by Scheeler Road; on the west by Haacke Drive extended, Washington Square Shopping Center, the lands of : Charles Sommers, Pizza Hut, and Chestertown Investments (the former Happy Harry's and Walgreens), and MD Rt. 213; on the north by the lands of the Trinity Lutheran Church and Delmarva Power and Light; and on the east by the lands of the Maryland Department of Health and Mental Hygiene. When annexed the property will be added to the Fourth Ward of Chestertown. Information concerning Annexation No. 1 is available at the Town Hall. Citizens are encouraged to attend and comment or send written comments prior to the hearing.

By Authority of  
Chris Cerino, Mayor

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