

RESOLUTION NO. 2024-09

A RESOLUTION BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE TO ADOPT AN ANNEXATION PLAN ASSOCIATED WITH THE ANNEXATION OF 21.18 ACRES OF LAND, MORE OR LESS, INTO THE CORPORATE LIMITS OF THE TOWN OF PERRYVILLE.

WHEREAS, Noah F. Stephens and Phyllis I. Stephens are the owners (“Owners”) of 21.18 acres, more or less, of real property situate and lying in the Seventh Election District of Cecil County, Maryland, located at 50 Mill Creek Road, by virtue of a Deed dated June 28, 1984, and recorded among the Land Records of Cecil County, Maryland in Liber 121, folio 694 (“the Property”).

WHEREAS, the Property is depicted on a plat entitled “Annexation Plat Lands of Noah F. Stephens & Phyllis I. Stephens, Joseph A. Ruff, Jr. & Kendall D. Ruff” dated 11-23-23 (signed 03/12/2024), and prepared by Morris & Ritchie Associates, Inc., and described by metes and bounds dated 1/26/2024, and prepared by Morris & Ritchie Associates, Inc.; and


WHEREAS, Owners have submitted a petition for the annexation of the Property into the corporate limits of the Town of Perryville; and

WHEREAS, the Mayor and Commissioners of the Town of Perryville desire to adopt an annexation plan as required by law for the Property proposed to be annexed into the corporate limits of the Town of Perryville. Now, therefore,

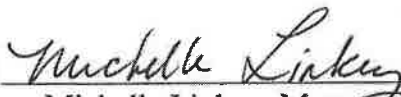
BE IT RESOLVED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that the Mayor and Commissioners hereby adopt the Annexation Plan attached to this Resolution and the terms and conditions contained therein.

ATTEST:

BOARD OF COMMISSIONERS
OF THE TOWN OF PERRYVILLE



Jackie Sample,
Town Clerk

By: 

Michelle Linkey, Mayor

Date Approved: 7/2/2024

ANNEXATION PLAN
LANDS OF NOAH F. STEPHENS AND PHYLLIS I. STEPHENS
21.18 Acres, Map 34C, Parcel 19
50 Mill Creek Road

PART I
INTRODUCTION

This report was prepared for the Town of Perryville to meet the requirements of the Annotated Code of Maryland, Local Government, Section 4-402. It includes a review and analysis of existing and proposed land use, existing and proposed zoning and a summary of the services and facilities currently available in the area, as well as an outline of the extension of municipal services upon annexation.

PART II
EXISTING LAND USE

The area proposed for annexation consists of 21.18 acres of land located on Mill Creek Road, near the intersection of Mill Creek Road and Principio Furnace Road, abutting the corporate limits of Perryville. The property is owned by Noah F. Stephens and Phyllis I. Stephens.

The property is presently in agricultural use, but is zoned as County's High Density Residential (RM) district, and is improved with a single family residence.

The purpose of the High Density Residential District. Section 3.6 of the Cecil County Comprehensive Plan provides for high and medium high density adjacent to Incorporated Municipalities with a mix of housing types, single family, town houses, and apartments. At Section 9.5 the Plan states that density housing offers the best opportunity for increasing the supply of affordable housing.

The property is currently zoned RM pursuant to the Cecil County Zoning Map and Ordinance. The property is located in the designated growth area of Cecil County. The

Cecil County Zoning Ordinance Schedule of Density found in Article VIII provides for a density of a maximum of six single family units per acre when served by public water and sewer. The County Zoning Ordinance at Section 28 provides that the purpose of the RM zone is to provide opportunities for high density development within a mix of housing types.

PART III
PROPOSED PLANNED LAND USE AND ZONING

The Town's Comprehensive Plan shows the property in a growth area with the future land use map indicating low density residential development. The 21.18 acres of the area proposed to be annexed are proposed to be zoned Mixed Residential District (R-2). The property is proposed to be developed as a subdivision of approximately sixty (60) affordable single family homes to accommodate the business and industry growth in and around Perryville. Section 93(2) of the Perryville Zoning Ordinance provides that the R-2 District in the Perryville Zoning Ordinance is to provide for medium density single family detached residences and attached residences. This zone is located in areas of the Town where medium density residential development patterns are generally established or where services and facilities will be adequate to serve the anticipated population. The permissible density is approximately 6 units per acres (7,000 square feet per lot) per the schedule of zone regulations found in section 238. The proposed zoning designation is consistent with the County land use plan designation and the municipal growth element of the Perryville Comprehensive Plan as required by Maryland Annotated Code, Local Government, Section 4-415.

PART IV
OUTLINE OF SERVICES AND FACILITIES

A. Existing Service and Facilities

1. Water/Sewer – The property is presently served by well and septic.
2. Protective services – Cecil County Sheriff's Department, and Maryland State Police.
3. Streets – The property currently has access to Mill Creek Road, a county public street with easy access to MD Route 7 and U.S. Route 40.
4. Sanitation – The current owner is served under a contract with a private waste hauler.
5. Schools – Perryville Elementary School, Perryville Middle School, and Perryville High School serve the property.
6. Parks – the Town has a large park and smaller parks easily accessible to the property.
7. Other services – The library located within the Town of Perryville services the property.

B. Proposed Services and Facilities.

1. Water/Sewer – Town of Perryville water and sewer service to be extended to the property.
2. Protective services – Town Police will gain jurisdiction upon annexation. Perryville Volunteer Fire Company will provide fire protection and ambulance service.
3. Street – Mill Creek Road is a county maintained road with easy access to MD Route 7 and U.S. Route 40.

4. Sanitation – Will be served by contract waste company under contract with Town of Perryville.
5. Schools – Perryville Elementary School, Perryville Middle School and Perryville High School will continue to service the property.
6. Parks – The Town has a large park and smaller parks easily accessible to the property.
7. Other services – The library located within the Town of Perryville will service the property.

PART V
METHODS OF FINANCING SERVICES AND FACILITY EXTENSIONS

Upon annexation, the property will be subject to Town taxes. Upon annexation, the Developer will be required to fund any needed upgrades to Mill Creek Road and the water distribution system and/or sewer collection systems.

PART VI
ROADS AND STREETS

The subject property is adjacent to Mill Creek Road, a County maintained road, and near State Route 7 and U.S. Route 40 thereby providing easy access to shops and for commuters. Mill Creek Road is a County maintained road.

PART VII
TIMING OF MUNICIPAL SERVICES

All municipal services performed within the municipality at the time of annexation shall be extended to the property upon annexation. Notwithstanding the foregoing the extension of water and sewer facilities shall be subject to the Annexation Agreement to be entered into by the Developer and the Town prior to annexation.

PART VIII
REAL PROPERTY TAXES

Property taxes payable to the Town will be assessed pursuant to conditions generally applicable to other properties within the corporate boundaries of the Town of Perryville. Using the current Perryville tax rate of .3634 per \$100 of assessed value and an anticipated sale price of \$300,000.00 per home, the proposed new sixty (60) homes would generate \$1,090.20 tax revenue per home or an annual tax revenue to the Town of \$65,412.00.

PART IX
PUBLIC WATER SERVICE

Standard average water usage allowance rate for a single family home is 250 gallons per day. Approximately 60 new homes are proposed, which represent water use of 15,000 gallons per day. The water demand for the project will be small relative to the capacity of the Town's facilities. Connection fees per current charge, which are subject to change, generated by this development would provide significant funds toward future improvements. In addition, the Developer will be providing some looping improvement to the water mains.

PART X
PUBLIC WASTEWATER SERVICE

As the water usage generally establishes the demand for wastewater treatment capacity, it has been established by a study that wastewater capacity for this development is available. The additional units added to the system will provide connection fees, subject

to change, and user fees that will provide additional revenue to the system to put toward needs as they may be determined in the future.

PART XI
TRASH

The residences within the annexed area shall receive Town trash removal service based upon rates and conditions applicable to other residences within the Town.

PART XII
PARKS AND RECREATION

Town parks are nearby. In addition open space will be included within the development.

PART XIII
FIRE SERVICE

Fire service will be provided by the Perryville Volunteer Fire Company.

PART XIV
POLICE

The Town will provide police service to the development. The addition of 60 single family homes should not add any significant additional burden for police coverage.

PART XV
LIBRARY

The Cecil County Public Library has a modern branch near where the proposed development is located.

PART XVI
SCHOOLS

The property will be served by schools within the Cecil County Board of Education. The impacted schools will be Perryville Elementary School, Perryville Middle School and

Perryville High School. Current capacity and enrollment figures indicate adequate capacity is available at all three schools.

| | Capacity | Enrollment |
|------------------------------|----------|------------|
| Perryville Elementary School | 500 | 412 |
| Perryville Middle School | 860 | 558 |
| Perryville High School | 944 | 858 |