

December 2, 2025

Philip Toussaint, Chairperson
Town of Easton Planning Commission
14 S. Harrison Street
Easton, MD 21601

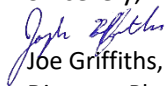
Dear Mr. Toussaint,

Thank you for the opportunity to comment on the draft Town of Easton Comprehensive Plan (Draft Plan). The Maryland Department of Planning (MDP) believes planning is important for creating sustainable communities that protect the environment and foster a high quality of life for all Maryland residents. MDP's attached review comments reflect the agency's thoughts on ways to strengthen the Draft Plan and satisfy the requirements of Maryland's Land Use Article.

MDP forwarded a copy of the Draft Plan to several state agencies for review, including the Maryland Historical Trust and the Departments of Transportation, Environment, Natural Resources, Commerce, Disabilities, and Housing and Community Development. To date, we have received comments from the Departments of Housing and Community Development, Environment, Transportation, Natural Resources, and the Critical Area Commission. These comments are included with this letter. Any plan review comments received after the date of this letter will be forwarded upon receipt.

MDP hopes that Easton considers the comments included in this review as a reflection of our desire to support its comprehensive planning efforts. Our suggestions are intended to help further the implementation of state, county, and the town's own visions. MDP staff are available to assist Easton in any Draft Plan revisions, including meeting the housing element requirements of HB1045 and HB90. Please let the department know if the town would like to meet with us to discuss our comments. MDP respectfully requests that this letter and accompanying review comments be made part of the town's public hearing record. When the Draft Plan is adopted, please send a PDF copy of the final document to mdp.planreview@maryland.gov. If you have any questions regarding these comments, please email MDP's Eastern Maryland Director, Michelle Koenig, at michelle.koenig@maryland.gov

Sincerely,



Joe Griffiths, AICP
Director, Planning Best Practices

Enclosures: Review Comments Town of Easton Draft Plan
cc: Miguel Salinas, Director, Town of Easton Planning & Zoning
Lynn Thomas, AICP, Town Planner
Brennan Tarleton, Talbot County Planning Officer



**Maryland Department of Planning
Review Comments
December 2025
Easton Draft Comprehensive Plan**

The Maryland Department of Planning (MDP) received the Draft Comprehensive Plan (Draft Plan) from the Town of Easton (Easton) on October 7, 2025. These comments are offered as suggestions to improve the Draft Plan and better address the statutory requirements of the Land Use Article (LUA). Other state agencies, as noted below, have contributed comments and others may submit comments separately. If comments are subsequently received by MDP, the department will forward them to the town.

Draft Comprehensive Plan Summary

This Draft Plan is a full update to the 2010 Comprehensive Plan and while it reaffirms guiding principles from the 2010 Comprehensive Plan, the updated Draft Plan highlights the desire to focus future growth away from isolated, suburban style subdivisions and toward “Traditional Neighborhoods” by reforming the zoning ordinance to encourage more integrated, mixed-use development and prioritize infill redevelopment. The Draft Plan also shifts away from a ranked system for Priority Growth Areas and instead will evaluate future annexations based on how well the parcel fits into the town’s urban form, fills infrastructure or connectivity gaps, and meets functional needs. Though the town has identified growth areas in the Municipal Growth Chapter, little, if any, annexations are expected to occur.

Maryland Sustainable Growth Principles Synopsis

Land Use Article Section 1-201 requires Maryland jurisdictions with planning & zoning authority to implement the state’s eight planning principles (Principles) through a comprehensive plan. The Principles reflect the state’s ongoing aspiration to create sustainable communities and to protect the environment to foster a high quality of life for all residents of Maryland. The Principles are land, transportation, housing, economy, equity, resilience, place, and ecology.

Plan Analysis

The Draft Plan acknowledges the newly enacted Principles and includes a graphic and summary of each Principle on pages 2-3. Overall, the town does a fine job incorporating the Principles in the Land Use, Place, Economic Development, Parks, Ecology, Sustainability, and Municipal Growth chapters. This section could be strengthened by the inclusion of the information provided in the documentation of changes between the 2010 Comprehensive Plan and the draft 2025 Comprehensive Plan.

- Since the Principles became effective on October 1, 2025, the town should consider revising the referenced date of April 2025 in the last paragraph on page 1 to October 1, 2025.
- Chapter 1, Section E: The Equity Principle stresses the importance of ensuring that all sectors of the community are involved in plan development and that the needs of underserved

populations are prioritized. How did the town ensure that underserved populations were involved in developing the Draft Plan?

Minimum Planning Requirements

Land Use Article Section 3-102 describes the required and optional elements for non-charter county and municipal comprehensive plans but does not mandate how they are to be addressed. The following checklist identifies required plan elements and how the Draft Plan addresses them.

Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities			
Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Town of Easton Reference
(1) A comprehensive plan for a non-charter county or municipality must include:	L.U. § 3-102(a)		Municipality
(a) a community facilities element	L.U. § 3-102(a)(1)(i)	L.U. § 3-108 -- Community facilities element.	Pages 102-114
(b) an area of critical state concern element	L.U. § 3-102(a)(1)(ii)	L.U. § 3-109 -- Areas of critical State concern element	
(c) a goals and objectives element	L.U. § 3-102(a)(1)(iii)	L.U. § 3-110 -- Goals and objectives element	Contained within each chapter.
(d) a housing element	L.U. § 3-102(a)(1)(iv)	L.U. § 3-114 -- Housing element	Pages 55-74
(d) a land use element	L.U. § 3-102(a)(1)(v)	L.U. § 3-111 -- Land use element	Pages 12-31
(e) a development regulations element	L.U. § 3-102(a)(1)(vi)	L.U. § 3-103 -- Development regulations element	Chapter 2: Place (Pages 32-47) with mentions in Chapter 3: Economic Development (Pages 48-54)
(f) a sensitive areas element	L.U. § 3-102(a)(1)(vii)	L.U. § 3-104 -- Sensitive areas element	Within Chapter 9: Ecology (Pages 135-136) and Chapter 11: MGE (Pages 189-190)
(g) a transportation element	L.U. § 3-102(a)(1)(viii)	L.U. § 3-105 -- Transportation element	Pages 75-101
(h) a water resources element	L.U. § 3-102(a)(1)(ix)	L.U. § 3-106 -- Water resources element	Within Chapter 9: Ecology (Pages 125-138)
(i) a mineral resources element, IF current geological information is available	L.U. § 3-102(a)(2)	L.U. § 3-107 -- Mineral resources element	Within Chapter 9: Ecology (Pages 134-135)
(j) for municipalities only, a municipal growth element	L.U. § 3-102(a)(3)	L.U. § 3-112 -- Municipal growth element	Pages 160-198
(k) for counties only if located on tidal waters, a fisheries element	L.U. § 3-102(a)(4)	L.U. § 3-113 -- Fisheries element	N/A
Optional:	L.U. § 3-102(b)	L.U. § 3-102(b)(2)(i)	

Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities			
Comprehensive Plan Requirements	MD Code Reference	Additional MD Code Reference	Town of Easton Reference
(2) A comprehensive plan for a non-charter county or municipality MAY include: (a) a community renewal element; (b) a conservation element; (c) a flood control element; (d) a natural resources element; (e) a pollution control element; (f) information concerning the general location and extent of public utilities; and (f) a priority preservation area (PPA) element			
(3) Visions -- A local jurisdiction SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	L.U. § 3-201(c)	L.U. § 1-201 -- The 12 Planning Visions	New Sustainable Growth Principles are highlighted on pages 1-3
Optional: (4) Growth Tiers -- If the local jurisdiction has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	L.U. § 1-509		Pages 187-188

Conformance with Section 3-102 of the Land Use Article

The following analyzes whether the Draft Plan meets the requirements of municipal comprehensive plan elements, in accordance with the Land Use Article.

1. Development Regulations Element – Synopsis

The element is required to include the planning commission's recommendations for land development regulations to implement the plan. Regulations are required to be flexible to promote innovative and cost saving site design, protect the environment and identify areas of growth. The areas identified for growth are required to encourage flexible regulations, which should further promote economic development using innovative techniques, streamlining the review of applications, including permit review and subdivision processing.

Plan Analysis

The Draft Plan addresses development regulations primarily in Chapter 3: Place (Community Character). Easton's goals include encouraging mixed-use development, promoting infill and redevelopment, supporting the Easton Historic District, and improving the appearance and design of existing and new development. Central to this is the reintroduction of a Traditional Neighborhood Development (TND) Zoning District as the default zoning for undeveloped and annexed land. The Draft Plan also includes a thorough discussion of Easton's historic and cultural assets. MDP encourages the town to contact Nell Ziehl (nell.ziehl@maryland.gov) with Maryland Historical Trust when ready to pursue Certified Local Government status.

- Page 37: The Draft Plan encourages preservation and rehabilitation of historic structures and acknowledges that this could cause property values to increase which would also increase property taxes, potentially pushing long-term residents out of their homes (gentrification). The Draft Plan specifically mentions the Hill neighborhood, which is one of the oldest free African American neighborhoods in the U.S. still in existence. Easton could further their commitment to ensuring residents are not forced to leave their homes due to gentrification by translating the last sentence of paragraph 3 into a goal and objective(s). This could include monitoring property values in the Hill and other historic and/or underserved neighborhoods and creating a tax incentive for homeowners.
- The Draft Plan outlines objectives to advance social sustainability and equity in Chapter 10: Sustainability, including: ensuring equitable access to housing, transportation, and public services; prioritize infrastructure investments in underserved neighborhoods; and include equity considerations in project evaluation and planning. Other than transportation, has the town collected data on where inequities exist?

2. Housing Element - Synopsis

The housing element is required to address the need for housing within the jurisdiction that is affordable to low-income and workforce households. The housing element is also required to assess fair housing and ensure that a jurisdiction is affirmatively furthering fair housing through its housing and urban development programs.

Plan Analysis

Affordable Housing

Land Use Article § 3-114 requires that a municipal comprehensive plan housing element address the need for affordable housing within the jurisdiction, including low-income housing and workforce housing. It defines low-income housing as "housing that is affordable for a household with an aggregate annual income that is below 60% of the area median income". It defines workforce housing as (1) rental housing that is affordable for a household with an aggregate annual income between 50% and 100% of the area median income or (2) homeownership housing that is affordable to a household with an aggregate annual income between 60% and 120% of the area median income (Housing and Community Development § 4-1801).

The Draft Plan includes an analysis of housing affordability that begins on page 55 and includes the statutory definitions of low-income housing and workforce housing cited above. While the Draft Plan provides data related to cost burdens for income categories, it does not seem to address affordability for the specific income categories as defined in the Maryland Code. To meet the statutory requirement, MDP recommends that Easton refer to Maryland's [Housing Data Dashboard](#), which includes data specific

to those income categories in addition to other useful information that could assist in revision of the plan's housing element.

MDP applauds Easton for including data that would be standard to a housing needs assessment. MDP recommends that Easton find data specific to the town using the [Housing Needs Assessment tool provided by Local Housing Solutions](#) and include any important data not included in this draft.

Fair Housing

Land Use Article § 3-114 also requires that local jurisdictions affirmatively further fair housing in their housing and urban development programs. To affirmatively further fair housing means taking meaningful actions aimed at combating discrimination to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to housing and opportunity based on protected characteristics (Housing and Community Development § 2-401). To this end, the plan is required to include an assessment of fair housing).

The Draft Plan acknowledges the statutory requirement to affirmatively further fair housing and assesses fair housing in the community on page 70. It also identifies policies, goals, and objectives to further fair housing. However, the Draft Plan does not seem to include an assessment of fair housing in the community. Land Use § 3-114 does not define what an assessment of fair housing entails, but MDP recommends referring to [its guidance on affirmatively furthering fair housing](#), which describes fair housing best practices and how jurisdictions might consider using them in their housing elements. In particular, MDP has published a [self-assessment](#) for communities like Easton with populations too small to conduct a quantitative assessment of fair housing using publicly available data. MDP recommends that Easton use this self-assessment to guide its plans and any future public engagement on housing in the community.

Other Recommendations

- HB 1466 (2025) requires that local governments adopt a local law authorizing development of accessory dwelling units by October 1, 2026. The Draft Plan does not address this new legislation but should to notify the public of this aspect of housing on the community. MDP will release guidance on [its ADU webpage](#) over the next year in advance of the 2026 effective date to prepare local jurisdictions for implementation of HB 1466. It is state policy to support ADU development to meet Maryland's housing needs, so MDP recommends that the plan include additional details regarding Easton's approach to ADUs. MDP also recommends that Easton follow [best practices](#) in design of its ADU law in order to be consistent with its stated goal of expanding missing middle housing types.
- The Draft Plan identifies two housing challenges: a shortage of housing for low- and extremely low-income households, and a shortage of housing for first-time and "move-up" homebuyers. The two goals identified for housing focus on housing conditions and low-income housing. Considering the two identified challenges, it would be appropriate for Easton to also include a goal and objectives in support of first-time and move-up homebuyers. Such strategies could include technical assistance for such homebuyers, revisions to local ordinances to reduce or remove barriers to developing appropriate housing, and local housing programs that directly subsidize first-time homebuyers.

3. Sensitive Areas Element – Synopsis

The sensitive areas element is required to include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts). The LUA also assigns sensitive areas element data provision and review responsibilities to the Maryland Departments of the Environment and Natural Resources.

Plan Analysis

The Draft Plan addresses the sensitive areas element in multiple sections but primarily in Chapter 9: Ecology and Chapter 10: Sustainability. The Draft Plan recognizes the importance of preserving Delmarva's mix of upland and wetland ecosystems and acknowledges the importance of these habitats for native and migratory species. The Draft Plan also acknowledges how ornamental landscaping has led to more invasive and non-native species. MDP commends Easton for including objectives aimed at preserving and restoring habitat and ensuring future development is designed with native wildlife in mind.

- Page 140 - A. Purpose, Table 13: The Draft Plan specifies that a public survey was conducted with the community to provide feedback. The survey results showed that sea level rise was among the top concerns that participants wanted addressed in the plan. While the planning activity showed sea level rise was an issue the community wanted reflected in the updated comprehensive plan, there is minimal information throughout the Draft Plan about whether this risk is substantiated or of minimal consequence to planning activities. MDP recommends that Easton include an analysis of local coastal flood risk and projected changes which the jurisdiction may prepare for today. If this risk is minimal, MDP recommends that Easton share why the risk is low and highlight this as an asset/advantage for resilience planning moving forward.
- Page 189 - N. Protection of Sensitive Areas: This section lists standards that will apply to any future development within the Growth Area. If appropriate, the town should also consider using the Coast Smart Climate Ready Action Boundary (CS-CRAB) (tidal and riverine) layers, nuisance flood plan (county), and sea level rise projections in its review of development proposals.
- Page 189 - N. Protection of Sensitive Areas: The Draft Plan states that the development review process considers the 100-year floodplain and that floodplains are regulated under the town's Floodplain Ordinance, but there are few floodplain areas within town limits. While adhering to the Federal Emergency Management Agency (FEMA) 100-year floodplain is a great practice, the changing climate has led to more intense and more frequent extreme weather events that aren't always reflected in conservative modeling. MDP recommends that the town consider the 500-year floodplain (0.2% Annual Chance) which is a scenario of increased precipitation, inundation, and other hazards. The consideration for the 500-year floodplain is not regulatorily required, but it is the growing standard for advancing local resilience. The town may find that the 500-year floodplain extends beyond the current 100-year floodplain maps and may highlight flooding in areas that were not previously mapped. The town would be well prepared to advance resilience even further once an assessment of 500-year floodplains has been conducted and overlaid with current local planning initiatives.

4. Transportation Element - Synopsis

The transportation element is required to reasonably project into the future the most appropriate and desirable location, character, and extent of transportation facilities to move individuals and goods, provide for bicycle and pedestrian access and travelways, and estimate the use of proposed improvements.

Plan Analysis

The Draft Plan addresses transportation in Chapter 6. The primary goals are to reinforce the Town Council's commitments to mobility, access, and connectivity; support multimodal improvements across Easton and designated growth areas; and advance a "Complete Networks" approach to improve transportation options while emphasizing safety, connectivity, and equity.

MDP notes that though the transportation element identifies car dependency as the town's greatest transportation challenge and seeks specifically to "reduce reliance on single-occupancy vehicles" and move away from an "auto-oriented layout", the majority of the proposed improvement projects are road projects intended to increase traffic flow. While several projects include pedestrian improvements or are focused outside of the town center, MDP notes that slowing down traffic within the town and improving walking and biking facilities and environment, such as providing safe crosswalks and street furniture, are desirable to improve conditions for non-motorized modes.

The transportation element identifies Easton as a job center with more than 9,000 inbound commuters. The town should seek to identify where these trips begin and use it to inform the planned update to the Easton Bicycle and Pedestrian Master Plan and coordinate with Talbot County, rather than focusing only on recommendations within the town. Likewise, identifying trip origin locations could also provide information on the need for future additional bus route planning. MDP suggests that Easton's size and density could potentially support a circulator bus route to increase mobility within the town.

MDP suggests including an analysis of the existing Greyhound stop, including station conditions, ridership potential, and the need for new destinations. Goal #4 supports transit-oriented development along "primary transit routes". Considering Easton's limited bus service, MDP suggests that this type of mixed-use development could also support a walkable town center.

MDP suggests that the Land Use Element could further support the reduction of car dependency by supporting changes to the zoning code that allow for the reduction of parking minimums, a mix of uses that support people's day-to-day needs (including grocery stores, retail, and a variety of services) within smaller building footprints.

5. Water Resources Element (WRE) – Synopsis

The water resource element is required to consider available data provided by the Maryland Department of the Environment (MDE) to identify drinking water that will be adequate for the needs of existing and future development proposed in the plan, as well as suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs. MDE and MDP are available to provide technical assistance to prepare the water resources element, ensuring consistency with MDE programs and goals. MDE and MDP jointly developed WRE guidance to demonstrate how local governments can ensure compliance with the WRE requirements. Local

jurisdictions are expected to implement the most important aspects of the MDE/MDP WRE guidance (please see attached checklist).

Plan Analysis

The Draft Plan includes a Water Resources section within Chapter 9: Ecology. Easton's water and sewer service policy is that water and wastewater services are not extended beyond municipal boundaries. Developers who want to connect to Easton's system must annex into the town, and all development within Easton must connect to the municipal system. There are two exceptions where properties within the town have well and septic, including Ratcliffe Farm Subdivision (15 large lots) and fewer than 12 other homes previously annexed into Easton. There are also two areas (one subdivision and one other property) that are served by town water and/or sewer outside the municipal boundary.

- Page 126: Water system capacity is not stated in the WRE, but it does indicate that a new well will be needed around 2043 to meet maximum daily demand. Has Easton considered reporting water system permitted capacity and how/whether current capacity can meet demand projections through the planning period?
- Page 127: The ENR WWTP's design capacity is 4.0 MGD, and current demand is 2.3663 MGD. The WRE estimates that capacity will be reached in 2055, or 2051 if the planned regional hospital is fully operational by 2035. Approximately in 2031, when flows are expected to reach 3.2 MGD, capacity expansion planning will begin. WWTP capacity in the WRE is labeled design capacity, but permitted capacity is not included. Has Easton considered reporting the permitted capacity of the WWTP in the WRE?
- Page 128: The WRE states that it is challenging for Easton to assess current and future water sources and strategies to prevent pollution or over-allocation because water supply sources are outside the town's jurisdiction and because the aquifers are shared regionally and by some high-demand users; therefore, the Draft Plan "assumes the MDE-issued groundwater permit for EUC represents the maximum safe yield of the system." The WRE does not provide demand and capacity comparison tables for water or wastewater supply. Has Easton considered providing tables to demonstrate current and future EDUs and non-residential uses compared to water and wastewater capacity and demand?

Easton's stormwater management system complies with Maryland's Stormwater Management Act of 2007 and the State's NPDES permit requirements, including their emphasis on Environmental Site Design (ESD) practices to reduce runoff by mimicking natural hydrology. Easton also applies Chesapeake Bay Critical Area pollutant reduction standards town-wide. Easton has a Stormwater Management Ordinance, which will need to be amended per the state's updated Stormwater Management Design Manual. Although no TMDL Implementation Plan currently applies directly to Easton, the town enforces the Chesapeake Bay Critical Area's 10% pollutant reduction standard town wide. The three 8-digit watersheds that the town is located within are all nutrient-impaired. Enhanced stormwater management is enforced for development within the Tanyard Branch basin, where a large portion of the town drains.

- Based on the Talbot County WRE, Easton's WWTP has sufficient nitrogen and phosphorus discharge capacity to support growth through at least 2030. Pages 132 and 133 include Nutrient Loading Scenarios tables. (Note that there appears to be a typo on both tables for Growth Scenario 2—it says 1% instead of 1.75%.) Has Easton considered displaying the nitrogen and phosphorus capacities in the table on page 133 so readers can readily understand how the

projected loads under each growth scenario compare to capacity? Also, has Easton forecasted whether it will be able to accommodate growth through a longer-term planning period (e.g., through 2045) given the nitrogen and phosphorus constraints?

- The WRE recognizes that “[c]ompact development combined with effective stormwater management and agricultural BMPs can help limit nutrient increases” (page 134). Since the Draft Plan discusses potential increases in use intensity and development/redevelopment density, has Easton conducted an analysis of the impact of the increased intensity/density (including non-residential growth) to future demand and capacity for water and sewer resources? Has Easton considered how the increases in intensity/density will impact stormwater, nutrient loading, and climate change considerations? Also, the Draft Plan mentions climate change adaptation in the Sustainability chapter but does not mention it in the WRE section. MDP’s [Water Resources Element \(WRE\) Guidance Update](#) can be used to guide the town regarding best practices for water resources planning, including climate change adaptation.

6. Goals and Objectives Element - Synopsis

This element requires that comprehensive plan goals, objectives, principles, policies, and standards guide the development, economic growth, and social well-being of the community.

Plan Analysis

The Draft Plan incorporates goals and objectives in each of the major sections, including an implementation chapter that describes how Easton will achieve its overall vision. MDP recommends that all policies and recommendations meet the needs of the community in an equitable and inclusive manner and be data driven, with qualifiable metrics to assist in annual reporting as required by the LUA Section 1-207(c)(6), which requires jurisdictions to submit a comprehensive plan implementation report five years after plan adoption.

7. Land Use Element - Synopsis

The land use element is required to reasonably project into the future the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and private land.

Plan Analysis

The Land Use element is incorporated through Chapter 2 of the Draft Plan. This chapter provides a thorough overview of the history of land use in the town and how the past has shaped Easton’s current land use patterns. The Draft Plan acknowledges that there is limited undeveloped space remaining within town boundaries and that strategic infill and redevelopment are essential to future growth. The Draft Plan also uses a novel tool, value-per-acre modeling, which evaluates the long-term fiscal impacts of land use decisions.

- Page 16: Adding a legend to Map 3 would improve readability.
- Page 18: The text references Table 7 when it should reference Table 2.
- Page 22: The first full paragraph references Table 2 when it should reference Table 3.

- Page 30: Goal 3, Objective 2 states new development will be balanced with infrastructure capacity by using water, sewer, transportation, and stormwater data to guide land use decisions. MDP recommends that the town also consider where land use may support energy development. As the state of Maryland continues to face an energy crisis in terms of capacity and affordability, Easton could explore options for small-scale energy generation such as solar, easing the energy burden of new development.

8. Community Facilities Element - Synopsis

The community facilities element is required to propose, as far into the future as is reasonable, the most appropriate and desirable patterns for the general location, character, and extent of public and semipublic buildings, land, and facilities. These facilities may include, but are not limited to fire stations, libraries, cultural facilities, hospitals, places of worship, school and education facilities, and parks.

Plan Analysis

The majority of this element is covered by Chapter 7: Community Facilities and Services, as well as Chapter 8: Parks. Easton adequately describes the facilities and services offered and the impacts future growth may have. The primary goal described in the Draft Plan is to maintain and expand community facilities and services that protect public health and safety while enhancing quality of life.

Green Infrastructure and Parks

There are numerous references and goals to 'Green Infrastructure' throughout the Draft Plan in support of expanding upon existing green and open space, integrating green infrastructure, and using green infrastructure for water quality and stormwater management. However, development of a Green Infrastructure Plan does not appear to be included in the Implementation Chapter. It would seem to be a missed opportunity to not include its development as one of the implementation goals.

There are references to the 'State recommendation of providing 30 acres of parkland per 1,000 residents' (p. 115 and p. 182). This standard had been used in previous Land Preservation, Parks and Recreation Plans (LPPRPs) but beginning with the 2022 LPPRPs, local jurisdictions were allowed to define their own criteria for determining if they are meeting their acquisition goals. (This has implications for Program Open Space funding.) The LPPRPs now include an analysis to support local jurisdiction determinations.

The 2022 Talbot County LPPRP provided the following park equity analysis for the Town of Easton: *Easton (Map II-13) is the County's largest municipal area with 44.2% of the population living within its boundaries. Based on the State equity layers of concentrations of children and older adults, and households with income levels below the poverty threshold, there is one area of Easton that is considered Medium High Need. Within this area, there are well distributed park locations which offer a variety of amenities and features. Other areas of Medium to Medium-Low need also have access to parks within a ½ mile radius. Overall, Easton's network of parks provides equitable access to parks and open space for its residents, particularly within the population centers where need is higher, there are few barriers to access. These parks provide access to sports fields, playgrounds, and a public swimming pool. Consideration should be given to other factors which could pose barriers including walkable routes to parks. The town is currently involved in developing a master plan of walking trails that will connect more areas of the town and increase access to parks and open spaces. Easton's Rail to Trail also provides*

access between the population centers and the town's sports field complex located on the western edge of the town.

The next round of LPPRPs is being developed and updates will be submitted in 2027. Since the state is not recommending a standard 30 acres of parkland per 1,000 residents, MDP suggests the town remove that standard and reference the 2022 LPPRP analysis.

Public Schools

The Draft Plan acknowledges that Easton is a “significant source of students attending public schools” in Talbot County and that the 2025 Annual Educational Facilities Master Plan (EFMP) can “accommodate expected growth in Easton, albeit barely, at the middle and high schools, and the just constructed elementary school would require additional capacity either through a physical addition or through redistricting” (page 107). The Draft Plan also states that the residential developments planned in Easton are “primarily planned to target high-end or age-restricted markets” which could impose demand on public-school systems. The Draft Plan continues to explain that “high-end projects may very well have children living in the development, but oftentimes these children attend one of Easton’s private schools, thus the impact of these developments on the public school system is also diminished” (page 107).

- This doesn’t seem to consider goals related to affordable housing, specifically Chapter 5, Goal #2: Expand the supply of low-income housing in Easton (page 73). Has Easton considered how achieving its affordable housing goals may impact the number of students attending Talbot County public schools?

9. Municipal Growth Element - Synopsis

The municipal growth element (MGE) is only required in Maryland municipal comprehensive plans. The MGE is required to plan for and describe the municipality’s past growth patterns, the capacity of land available for new and infill development, and areas outside of the existing corporate boundaries into which the municipality wishes to grow. The MGE is required to calculate the land area needed to satisfy the demand for growth based on population projections and desired densities. The MGE needs to consider and include any rural buffers, transition areas, and sensitive areas to be protected. MGEs are also required to consider and plan for the community facilities and public infrastructure, as well as their financing mechanisms, required to accommodate desired growth. If a municipality wishes to annex land, such areas are required to be included and described in the MGE.

Plan Analysis

The Municipal Growth Element is covered in Chapter 11: Municipal Growth. This section provides a thorough analysis of development and population trends and the town’s capacity for future growth. Growth in Easton is contained through the establishment of an Urban Growth Boundary (UGB) which was first implemented in the 2004 Comprehensive Plan. Throughout the Draft Plan, Easton has stated that annexation is not a priority and instead, infill and redevelopment will be prioritized to accommodate for future growth. With that said, the Draft Plan does include future growth areas and outlines scenarios where annexation may prove beneficial.

10. Mineral Resources Element - Synopsis

If current geological information is available, a comprehensive plan is required to include a mineral resources element. It should identify land that remains undeveloped to provide a continuous supply of minerals, which are defined in the Environment Article. They include clay, diatomaceous earth, gravel, marl, metallic ores, sand, shell, soil, and stone. The element is required to further identify post excavation land uses and incorporate strategies that balance resource extraction with other land uses and prevent, as much as possible, preempting mineral extraction in the jurisdiction.

Plan Analysis

Mineral resources are discussed in Chapter 9 Section E, which describes the general location of sand and gravel deposits. This section provides a general statement that extraction is not allowed in already developed areas and where feasible, “sand and gravel should be removed early in the development process, prior to construction, to make efficient use of resources” (page 134-135). The section notes that ongoing extraction of mineral resources is not compatible with land use goals and will not be permitted.

11. Growth Tiers - Synopsis

A growth tiers map is not considered adopted until it is incorporated into a comprehensive plan. Therefore, a growth tiers map is required to be included in a jurisdiction’s comprehensive plan.

Plan Analysis

Easton administratively adopted a Growth Tier Map on December 28, 2012, which identified the entire town as Tier I or Tier II, and identified Tier IIA areas “Not yet in County W&S Master Plan, Municipal or Growth Area.” Map 10: Easton Sewer Tier Designations is included in the Draft Plan on page 188 and appears somewhat different from the 2012 map in that it shows the vast majority of the town as Tier 1, and some areas outside the town boundary as Tier 2, but no Tier IIA areas.

- Assuming the Tier 2 areas in the Draft Plan map are in the Municipal Growth Area (MGA), has the town considered indicating in the map legend that the Tier 2 areas are in the MGA to ensure that readers understand that the Tier 2 areas meet the definition of Tier 2?

Easton is a Sustainable Community

The Town of Easton has designated a portion of town as a Sustainable Community. As part of the Sustainable Community designation, quality of life, environment, economy, transportation, housing, planning and land use, and local capacity are all subjects of the action plan. MDP suggests the Town of Easton review the action plan(s) for consistency with the Draft Plan and consider how the action plan and the financial incentives provided in the Sustainable Communities designation can support plan implementation.

Contact the Maryland Department of Housing and Community Development, Sustainable Communities Program for more information: <https://dhcd.maryland.gov/Communities/Pages/dn/default.aspx>

**Maryland Department of Planning Review Comments
Draft Plan**

STATE AGENCY COMMENTS

The following are state agency comments in support of MDP's review of the Draft Plan. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by MDP, the department will forward them to Easton as soon as possible.

Attachments

Maryland Department of Housing and Community Development

Maryland Department of Transportation

Maryland Department of the Environment

Maryland Department of Natural Resources

Critical Area Commission for the Chesapeake and Atlantic Coastal Bays

November 3, 2025

Ms. Michelle Koenig
Director, Eastern Maryland Planning Region
Maryland Department of Planning
201 Baptist Street, Suite 24
Salisbury, MD 21801

Dear Ms. Koenig:

Thank you for the opportunity to review and comment on the Town of Easton 2025 Comprehensive Plan Draft (the “Plan”). When reviewing plans, the Maryland Department of Housing and Community Development (“DHCD”) comments on items for which political subdivisions can strategically leverage DHCD’s resources to accomplish their housing and community development goals. DHCD also reviews comprehensive plans for consistency with relevant statutes and, if appropriate, Sustainable Communities Plans.

Overall, DHCD staff were impressed with the quality of the Plan. Staff in the DHCD Division of Neighborhood Revitalization reviewed the Plan and provided the following comments, which are meant to help realize the Plan’s goals. We present the following in no particular order:

1. The housing and economic development components of the Plan are consistent with and build upon the Sustainable Communities Plan. However, the draft Plan includes some new elements such as proposed redevelopment or adaptive reuse of large commercial sites and the existing hospital site that could be discussed in the Sustainable Communities Plan, which is due for renewal in 2028.
2. The Plan identifies a need to revitalize the community through adaptive reuse of existing structures for which the DHCD’s Community Legacy Program grants could assist. Planning staff can learn more about Community Legacy online at <https://dhcd.maryland.gov/Communities/Pages/programs/CL.aspx> or contact Maria Mougridis, maria.mougridis@maryland.gov.
3. The Plan identifies a goal to support the vitality of its downtown. DHCD’s Maryland Facade Improvement Program (MFIP) provides funding for aesthetic improvements to the exteriors of businesses located in Maryland’s Sustainable Communities in order to stimulate local economic activity and support community development. Planning staff can learn more about MFIP online at <https://dhcd.maryland.gov/Communities/Pages/StateRevitalizationPrograms/MFIP.aspx> or by contacting Maria Mougridis, maria.mougridis@maryland.gov.

4. The Plan notes that seniors comprise nearly 25 percent of the Town of Easton's population. DHCD can assist with home repairs that improve comfort, livability, and accessibility for homeowners through its Special Loan Programs. Planning staff and residents can learn more about these programs at <https://dhcd.maryland.gov/Energy-Home-Repair/pages/homeowner-loans/default.aspx> or contact the program directly at 301-429-7409 or DHCD.SpecialLoans@maryland.gov.
5. The Plan identifies a need to address blighted properties for which DHCD's Strategic Demolition Fund (SDF) grants could assist. In particular, the program can assist with site preparation and predevelopment costs. Planning staff can learn more about SDF online at <https://dhcd.maryland.gov/Communities/Pages/programs/SDF.aspx> or by contacting Maria Mougridis, maria.mougridis@maryland.gov.
6. The Plan does not show that Easton has conducted a point-in-time count to identify the total number of people experiencing homelessness in Easton, and the Plan does not identify goals or actions regarding services for people experiencing homelessness. For information on DHCD's programs addressing homelessness, please see more online at <https://dhcd.maryland.gov/HomelessServices/Pages/GrantFunding.aspx> or contact the Homelessness Solutions Program Manager, Suzanne Korff, at 410-209-5850 or Suzanne.Korff@maryland.gov. Persons experiencing homelessness who need assistance should 211 for information and referral to services.
7. The Plan identifies the community's needs with respect to income and poverty. The Town of Easton or non-profits active in Easton may be eligible to apply for discretionary Community Services Block Grant (CSBG) funds administered by DHCD in order to provide services for low-income individuals and families at or below 125% of poverty. Planning staff can learn more about CSBG programs online at <https://dhcd.maryland.gov/Communities/Pages/programs/CSBG.aspx> or contact the Poverty Solutions Team at 301-429-7525 or csbg.dhcd@maryland.gov.
8. The Plan identifies a need for affordable housing, including workforce and low-income housing. A portion of Easton is within a HUD Qualified Low-Income Housing Tax Credit (LIHTC) Census Tract and currently has six LIHTC properties and 178 units. If planning staff want to support further affordable housing development with LIHTC or other DHCD programs, information is available online at <https://dhcd.maryland.gov/HousingDevelopment/Pages/lihtc/default.aspx> or contact Edward Barnett, Director of Rental Lending, at 301-429-7740 or edward.barnett@maryland.gov.
9. A portion of Easton is within a Maryland Mortgage Program ("MMP") target area and residents therefore have enhanced eligibility for the state's homeownership incentives.



Planning staff and residents may learn more about Maryland's homeownership programs at <https://mmp.maryland.gov/pages/default.aspx>.

10. Easton's downtown has been designated as a Maryland Main Street. More information on the revitalization benefits associated with this designation can be found online at <https://dhcd.maryland.gov/communities/pages/programs/mainstreet.aspx>.
11. The Plan identifies a need to support businesses in the town's core. Info on DHCD's support for businesses can be found online at <https://dhcd.maryland.gov/Business/Pages/SmallBusinesses.aspx> or by contacting 301-429-7408 or email: dhcd.businesslending@maryland.gov.

We in the Division of Neighborhood Revitalization look forward to continuing our productive partnership with the Town of Easton in its future initiatives. Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding the comments above, please contact me at john.papagni@maryland.gov or 443-257-1682.

Sincerely,



John Papagni
Program Officer
Division of Neighborhood Revitalization

Cc: Olivia Ceccarelli, Maryland Department of Housing and Community Development
Joseph Griffiths, Maryland Department of Planning
Maria Mougridis, Maryland Department of Housing and Community Development
Rita Pritchett, Maryland Department of Planning



November 10, 2025

Ms. Michelle Koenig
c/o Rita Pritchett
Maryland Department of Planning
201 Baptist Street, Suite 24
Salisbury MD 21801

Dear Ms. Koenig:

Thank you for coordinating the State of Maryland's comments on the Town of Easton, Maryland, 2025 Comprehensive Plan (the Plan). The Maryland Department of Transportation (MDOT) offers the following comments on the Plan for consistency with the State of Maryland and MDOT's goals and objectives:

General Comments

- In general, the Plan is consistent with MDOT plans and programs. The MDOT supports the purpose of the Plan, which includes:
 - Strategic commitments to mobility and access,
 - Supporting multimodal improvements, and
 - An emphasis on safety, connectivity, and equity.
- Shifting transportation mode choice towards transit and active transportation, shortening automobile trips, and increasing carpooling and vanpooling, are critical components to building efficient, equitable, and sustainable places, and is also essential to accommodating Maryland's changing demographic composition. The MDOT manages several active transportation programs:
 - Transportation Alternatives (TA) Program: a reimbursable, federally funded program for local sponsors to complete community projects designed to strengthen the intermodal transportation system. The program provides funding for projects that enhance the cultural, aesthetic, historic, and intermodal transportation system. The program can assist with projects that create bicycle and pedestrian facilities, restore historic transportation buildings, convert abandoned railway corridors to pedestrian trails, mitigate highway runoff, and other transportation-related enhancements. Project sponsors are required to provide a minimum 20% of the total project as a match.

- Recreational Trails Program: a federally funded program that the State Highway Administration (SHA) administers on a reimbursement basis. Like the TA Program, the Recreational Trails Program may reimburse a local project sponsor up to 80% of the project's total eligible costs to develop community-based, motorized, and non-motorized recreational trail projects.
- The MDOT's Kim Lamphier Bikeways Network Program: a program that allocates State transportation funds administered by the MDOT Secretary's Office to promote biking as an alternative transportation mode.
- For more information on MDOT's active transportation planning and programming efforts, please see our Maryland's Bicycle and Pedestrian Plans and Programs web page:
<https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=24>.
- Commuter Choice Maryland is MDOT's Travel Demand Management (TDM) program, and it could be incorporated into the Plan as a strategy to support the Plan. The program offers an extensive menu of commuter transportation services, such as ridesharing and incentives. Please visit the Commuter Choice Maryland web site at <https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=29> for more information.
- The MDOT supports continued improvements to expand and enhance transit options. Please coordinate with the Maryland Transit Administration (MTA) Office of Statewide Planning for any coordination regarding regional transit and the coordination of MDOT supported locally operated transit services (LOTS). The MTA also supports park and ride (with SHA), demand response services, paratransit, medical services, and senior-center transportation options. For regional transit planning, please contact Mr. Stephen Miller, Chief of Strategic Planning, via email at SMiller6@mdot.maryland.gov or phone at 410-767-3869. For local transit service planning, please contact Mr. Jason Kepple, MTA Regional Planner, via email at Jkepple@mdot.maryland.gov.
- The MDOT has an ongoing Transit Oriented Development (TOD) Program to provide services including identifying potential TOD opportunities and evaluating existing and future needs of public transportation facilities. For TOD related data resources please visit the Transit-Oriented Development in Maryland web page: <https://data-maryland.opendata.arcgis.com/pages/tod>

Chapter 6: Transportation Comments

- It is recommended to refer to Transportation System Management and Operations (TSMO) strategies that focus on operational improvements that can maintain and even restore the performance of the existing transportation system before extra capacity is needed (per the Federal Highway Administration (FHWA)).

Ms. Michelle Koenig
Page Three

- Relative to MDOT implementing resilience strategies and initiatives to withstand the impacts of climate change on transportation infrastructure, please review the SHA Climate Change Vulnerability Viewer online ArcGIS web application map: <https://www.arcgis.com/apps/webappviewer/index.html?id=86b5933d2d3e45ee8b9d8a5f03a7030c>. The map showcases geospatial data products related to climate change and the potential impacts on State transportation infrastructure. The purpose of this application is to support efforts to avert and mitigate potential impacts of sea-level rise that result from global climate change on State roadway and bridge infrastructure. To review other MDOT Climate Change programs and to access this information please visit: <https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=169>.
- Consider mentioning that Easton is included in a Rural Context Zone. It is recommended that any roadway improvements include appropriate bicycle and pedestrian accommodations. For all roadway and sidewalk improvements to SHA roadway facilities, please provide for and maintain bicycle facilities as well as full Americans with Disabilities Act (ADA) compliant pedestrian facilities. To determine an appropriate bicycle accommodation, please reference: https://www.mdot.maryland.gov/OPCP/MDOT_State_Bike_Ped_Master_Plan_FULL_FINAL_VERSION.pdf Appendix D: Bicycle Facility Selection Guide of the 2050 Maryland Bicycle and Pedestrian Master Plan.
- Consider adopting the MDOT Complete Streets initiative. The Complete Streets initiative identifies a range of options for multimodal transportation, which includes active transportation (i.e., human-powered mobility such as biking or walking) during roadway improvement delivery. To review other resources and access this information, please visit: <https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=207>

Thank you again for the opportunity to review the Plan. If you have any additional questions or concerns, please do not hesitate to contact Mr. Dan Janousek, Regional Planner, MDOT Office of Planning, Programming, and Project Delivery (OPPPD) at 410-230-6614, or via email at djanousek@mdot.maryland.gov. Mr. Janousek will be happy to assist you.

Sincerely,



Geoff Anderson
Chief, OPPPD, MDOT

cc: Ms. Nicole Condol, Transportation Planner, OPPPD, MDOT
Mr. Dan Janousek, Regional Planner, OPPD, MDOT
Mr. Jason Kepple, Regional Planner, MTA
Mr. Stephen Miller, Chief of Strategic Planning, MTA



Local Plan Review: Town of Easton 2025 Comprehensive Plan Draft

Maryland Department of the Environment – WSA/WPRPP

REVIEW FINDING: **R1 Consistent with *Qualifying Comments***
(MD20251007-0638)

Flooding:

Please be advised, the property or properties in MD20251007-0638 is/are in close proximity to Flood Zone AE (100-year Floodplain) and X (500-year Floodplain). The project coordinator(s) should follow local floodplain ordinances and Federal Emergency Management Agency's guidelines and standards.

It is advised that the coordinator(s) consider climate resiliency, which could include but not limited to the following steps (<https://toolkit.climate.gov/>):

- Explore Hazards: Identify climate and non-climate stressors, threats, and hazards and how they could affect assets (people and infrastructure).
- Assess vulnerability and risks: Evaluate assets vulnerability and estimate the risk to each asset.
- Investigate options: Consider possible solutions for your highest risks, check how others have responded to similar issues, and reduce your list to feasible actions.
- Prioritize and plan: Evaluate costs, benefits, and capacity to accomplish each action integrating the highest value actions into a stepwise plan.
- Take action: Move forward with your plan and check to see if your actions are increasing your resilience with monitoring.

The coordinator(s) is advised to contact Dave Guignet, State National Flood Insurance Program Coordinator, of MDE's Stormwater, Dam Safety, and Flood Management Program, at (410) 537-3775 for additional information regarding the regulatory requirements for Floodplains and Storm Surges.

The coordinator(s) is advised to contact Matthew C. Rowe, CC-P, Deputy Director of MDE's Water and Science Administration, at (410) 537-3578 for additional information regarding Climate Change and Resiliency.



Direct any questions regarding the Antidegradation Review to Angel Valdez via email at angel.valdez@maryland.gov, or by phone at 410-537-3606.

Special protections for high-quality waters in the local vicinity, which are identified pursuant to Maryland's anti-degradation policy.

Anti-degradation of Water Quality: Maryland requires special protections for waters of very high quality (Tier II waters). The policies and procedures that govern these special waters are commonly called "anti-degradation policies." This policy states that "proposed amendments to county plans or discharge permits for discharge to Tier II waters that will result in a new, or an increased, permitted annual discharge of pollutants and a potential impact to water quality, shall evaluate alternatives to eliminate or reduce discharges or impacts." Satisfactory completion of the Tier II Antidegradation Review is required to receive numerous State permits, such as those for wastewater treatment, nontidal wetlands disturbance, waterways construction, and coverage under the general construction permit.

The Tier II review is applicable to all portions of the project within the Tier II watershed of **Kings Creek 1**. The Review consists of (1) a no-discharge alternatives analysis which considers if the activity can avoid any impacts to Tier II waters, i.e., an alternative site or strategic design, (2) a minimization alternatives analysis to limit associated water quality degradation, and potentially (3) a mitigation analysis to account for net loss of vital resources such as forest cover. If there is no assimilative capacity within the Tier II watershed identified above, additional social and economic justification for unavoidable impacts is required. No assimilative capacity means that new water quality data indicates that the Tier II stream segment has degraded below Tier II standards.

To ensure that essential information is provided to MDE when conducting the Tier II Review, MDE has developed forms to assist applicants in completing the no-discharge alternatives analysis, minimization analysis, and mitigation analysis. Adequate completion of these forms and accompanying Tier II report is required to successfully satisfy the Review and is necessary for State permitting and other approvals. A Tier II report template, which uses the information from the completed forms, is also available to help with document formatting and information organization. There are some activities that may require MDE permitting and approval but may not warrant additional Tier II review. Applicants are encouraged to review the Tier II Preliminary Report Form and its applicability to the project before proceeding with the more detailed review analysis explained below.

Tier II Preliminary Report Form ¹

1. Code of Maryland Regulations (COMAR) 26.08.02.04-2 (G(1)) states that "If a Tier II antidegradation review is required, the applicant shall provide an analysis of reasonable alternatives that do not require direct discharge to a Tier II water body (no-discharge

¹

alternative). The analysis shall include cost data and estimates to determine the cost effectiveness of the alternatives”.

2. This form is for the evaluation of land disturbing activities such as those requiring a nontidal wetlands or waterways construction permit, or a general stormwater construction permit (NOI). To qualify for a determination of no additional Tier II review, at a minimum 8(c) on the form, must apply.

Tier II No-Discharge Analysis Form:²

1. Code of Maryland Regulations (COMAR) 26.08.02.04-2 (G(1)) states that “If a Tier II antidegradation review is required, the applicant shall provide an analysis of reasonable alternatives that do not require direct discharge to a Tier II water body (no-discharge alternative). The analysis shall include cost data and estimates to determine the cost effectiveness of the alternatives”.

2. For land disturbing projects that result in permanent land use change, this ‘no discharge’ analysis specifically evaluates the reasonability of other sites or alternate routes which could be developed to meet the project purpose, but are located *outside* of the Tier II watershed. Reasonability considerations, as applicable, may take into account property availability, site constraints, natural resource concerns, size, accessibility, and cost to make the property suitable for the project.

3. This analysis shall be performed regardless of whether or not the applicant has ownership or lease agreements to a preferred property or route.

Tier II Minimization Alternative Analysis Form:³

1. Code of Maryland Regulations (COMAR) 26.08.02.04-2 (G(3)) states that “If the Department determines that the alternatives that do not require direct discharge to a Tier II water body are not cost effective, the applicant shall: (a) Provide the Department with plans to configure or structure the discharge to minimize the use of the assimilative capacity of the water body”.

2. This form helps to ensure that water quality impacts due to the proposed project are comprehensively identified and minimized.

3. To demonstrate that appropriate minimization practices have been considered and implemented, applicants must identify any minimization practices used when developing the project, calculate major Tier II resource impacts, consider alternatives for impacts, and adequately justify unavoidable impacts.

²

https://mde.maryland.gov/programs/water/TMDL/WaterQualityStandards/Documents/Tier-II-Forms/No_Discharge_Alternatives_Analysis.pdf

³

https://mde.maryland.gov/programs/water/TMDL/WaterQualityStandards/Documents/Tier-II-Forms/TierII_Minimization_Analysis_Form.pdf

Tier II Mitigation Analysis Form:⁴

1. Code of Maryland Regulations (COMAR) 26.08.02.04-2 (G(3)) states that “If the Department determines that the alternatives that do not require direct discharge to a Tier II water body are not cost effective, the applicant shall: (a) Provide the Department with plans to configure or structure the discharge to minimize the use of the assimilative capacity of the water body”.
2. No net change in Tier II water quality is the overarching goal of the Tier II Review, and mitigation is an essential part of the analysis process to reduce cumulative degradation prior to justification of unavoidable impacts.
3. This form helps to ensure that alternatives to mitigate or offset unavoidable impacts to Tier II watersheds and streams are identified and properly implemented.
4. Mitigation and offsets are required before MDE can evaluate any social and economic justifications.
5. Additional guidance and forms to help navigate the mitigation process are now available for download from the Tier II High Quality Waters⁵ webpage under the “Other Tier II Resources” tab.

Kings Creek 1, which is located within the vicinity of the Project, has been designated as a Tier II stream. The Project is within the Catchment (watershed) of the segment. (See attached map).

Currently, there is assimilative capacity in this watershed; therefore at this time, for all projects that will not require a nontidal wetlands or waterways construction permit or authorization, no detailed social and economic justification is needed.

Fee Legislation Update⁶ (Nontidal Wetlands and Waterways Construction Permits)

1. The Maryland General Assembly approved updates to the fee structure established in the Maryland Environment Article 5–203.1 for Wetlands and Waterways projects during the 2025 Legislative Session (House Bill 352⁷ of 2025, beginning on pg. 40). These adjustments will ensure the continued high level of service to the regulated community by supporting program capacity and resources. The updated fees aim to reduce delays and improve the overall efficiency of the permit review process.
2. The fee for a minor project or minor modification is **\$400.00**, and the fee for a major project or major modification is **\$1,600.00**. Certain public entities are fee-exempt. This will be determined at the time of permit application.
3. This review is required regardless of assimilative capacity status.

⁴ https://mde.maryland.gov/programs/water/TMDL/WaterQualityStandards/Documents/Tier-II-Forms/TierII_Mitigation_Analysis_Form.pdf

⁵ https://mde.maryland.gov/programs/water/tmdl/waterqualitystandards/pages/antidegradation_policy.aspx

⁶ <https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/Fee-Schedule.aspx>

⁷ <https://mgaleg.maryland.gov/2025RS/bills/hb/hb0352e.pdf>

Planners should be aware of legal obligations related to Tier II waters described in the Code of Maryland Regulations (COMAR) 26.08.02.04 with respect to current and future land use plans. Information on the Antidegradation Policy can be obtained online at:

<https://dsd.maryland.gov/regulations/Pages/26.08.02.04.aspx>

and Tier II Waters are located at

<https://dsd.maryland.gov/regulations/Pages/26.08.02.04-2.aspx>

Planners should also note as described in the Code of Maryland Regulations (COMAR) 26.08.02.04-2(B), "Compilation and Maintenance of the List of High Quality Waters", states that "When the water quality of a water body is better than that required by water quality standards to support the existing and designated uses, the Department shall list the water body as a Tier II water body. *All readily available information may be considered to determine a listing. The Department shall compile and maintain a public list of the waters identified as Tier II waters.*"

Additional Tier II resources are available on the Maryland's High Quality Waters (Tier II) website:

https://mde.maryland.gov/programs/water/tmdl/waterqualitystandards/pages/antidegradation_policy.aspx.

The public list is available in PDF from the following MDE website:

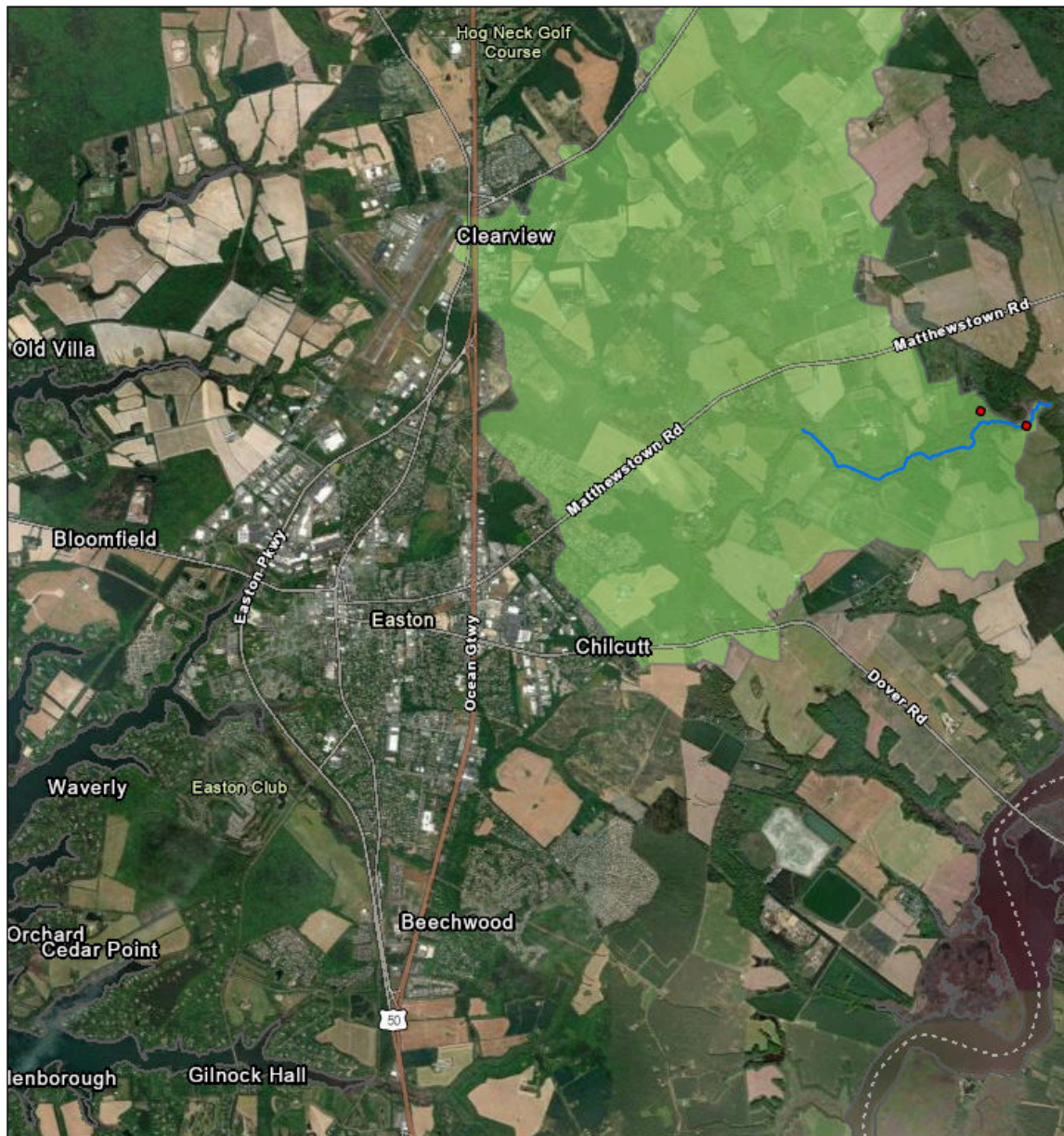
http://mde.maryland.gov/programs/Water/TMDL/WaterQualityStandards/Documents/Tier_II_Updates/Antidegradation-Tier-II-Data-Table.pdf.

The interactive Tier II webmap is located at the following website:

(<https://mdewin64.mde.state.md.us/WSA/TierIIWQ/index.html>).

Direct any questions regarding the Antidegradation Review to Angel Valdez via email at angel.valdez@maryland.gov, or by phone at 410-537-3606.

MD20251007-0638 - Kings Creek 1



10/17/2025, 1:11:55 PM

TierII_Assimilative_Capacity_Catchments

Assimilative Capacity Remaining

TierII Stream Segments

TierII Baseline Stations

Maryland County Boundaries



Earthstar Geographics, Creator: Maryland Department of the Environment, Water and Science Administration (MDE WSA), Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community, MD IMAP, SHA, DoIT

Web AppBuilder for ArcGIS

MD IMAP, SHA, DoIT | Creator: Maryland Department of the Environment, Water and Science Administration (MDE WSA) | MD IMAP, MDP, SDAT | Earthstar Geographics | VGIN, Esri, TomTom,

**Local Plan Review: Town of Easton 2025 Comprehensive
Plan Draft
MD20251007-0638**

Response Code: R-1 AND C-1

1. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land and Materials Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.
2. If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at (410) 537-3442 for additional information.
3. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Resource Management Program at (410) 537-3314 for additional information regarding recycling activities.
4. The Solid Waste Program should be contacted directly at (410) 537-3315 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.
5. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please Land Restoration Program at (410) 537-3437.
6. Borrow areas used to provide clean earth back fill material may require a surface mine permit. Disposal of excess cut material at a surface mine may requires site approval. Contact the Mining Program at (410) 537-3557 for further details.



*Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary*

Maryland Department of Planning
301 West Preston Street
Suite 1101
Baltimore, MD 21201

Memo: MD DNR comments on Town of Easton draft comprehensive plan

To: Michelle Koenig
cc: Rita Pritchett

On behalf of the Department of Natural Resources, thank you for the opportunity to comment on the Draft Town of Easton Comprehensive Plan. The draft document was distributed to appropriate contacts at the Maryland Department of Natural Resources and reviewed. DNR offers the following comments:

The Wildlife and Heritage Service appreciates the continued support within this draft comprehensive plan for the conservation of habitats that harbor important local and statewide biodiversity, especially the known habitats of rare, threatened, and endangered species. We look forward to working with the Town on implementing the recommendations on page 195, section "N. Protection of Sensitive Areas" and encourage consultation with DNR's Wildlife and Heritage Service on the protection of these habitats occurs as early as possible during the annexation stage for properties currently outside of Town limits, as well as for properties within Town limits.

The Fisheries Ecosystem Assessment Division (FEAD) recommends that Easton proceed with infill development in the portion of town that is in the Tred Avon River drainage. We ask that the town protect the portion of the eastern growth district that drains into the upper Choptank River by eliminating or minimizing growth there. This region drains into the Choptank River Striped Bass spawning area. This represents an ecological tradeoff to target growth away from an area of sensitive fish spawning habitat to an area that is already degraded. Details for this request are supplied below.

FEAD agrees with the statement in the town's comprehensive growth plan that "Easton functioning as a growth center improves the chances of Talbot County successfully avoiding sprawling development throughout unincorporated parts of the County and enhances the likelihood of successful agricultural preservation" (Page 197). The Easton Plan provides a receiving area for county growth where infrastructure exists, conforming to good smart growth principles. Maintaining rural watersheds is necessary to conserve the productivity of fisheries but growth has to go somewhere.

Terrestrial biodiversity concerns are described in the plan, but the plan lacks recognition of development's impacts and potential impacts on aquatic habitat and fisheries of Easton's adjacent waterways. TMDLs are typically oriented toward nutrients and sediment and their effect on the main Bay; they deal with some stressors but they don't completely address the local complex mix of ecological stressors associated with development that affect aquatic life. Over two decades of research by FEAD on Chesapeake Bay tributaries has defined the negative impact of development (indicated by percent impervious surface or IS) on fish habitat. As trees are replaced by impervious surfaces, runoff temperature increases. Excess nutrients washed from developed lands can cause algae blooms that deplete oxygen. Expanding road networks require more salt to melt winter's ice which then pollutes streams and threatens freshwater organisms, including fish. Other pollutants such as toxic metals (lead, cadmium, etc.) and organic pollutants (oil, grease, and pesticides) enter waterways in urban runoff

and wastewater. These compounds may reduce the success of fish spawning and make fish less safe to eat. As watershed development increases, fish diversity declines and desirable species can become less abundant. Impervious surface itself increases runoff volume and intensity in streams, leading to increased physical instability, erosion, sedimentation, thermal pollution, contaminant loads, and nutrients. To maintain healthy fish communities, the goal for the watershed development for productive fishery habitat should be a target IS of 5% or less. Ten percent IS represents a threshold for increasingly intractable negative aquatic habitat issues as development continues. These guidelines apply to the whole watershed.

Anadromous fish (fish that live in saltwater and ascend freshwater rivers and streams to spawn) are of particular concern because of their vulnerability to spawning and larval habitat loss, and their past, present, and future importance to Maryland. Striped Bass, White Perch, Yellow Perch, Alewife, Blueback Herring, American Shad, and Hickory Shad are anadromous fish important to Maryland.

The plan recognizes that Easton's drainage primarily impacts the Tred Avon River and, to a minor extent, Miles River. Easton also impacts an important region of upper Choptank River to the east of town through the outfall of its wastewater treatment plant (WWTP). Future development to the east will impact this region as well. The Tred Avon River is at 10% IS. It supports a wide range of gamefish and forage fish as juveniles, and fisheries for Striped Bass, White Perch, Blue Crab, and Oysters have been or are important. A large Oyster restoration project is located in the lower half of the river. Restoration activities should be considered in highly impaired locations in the watershed.

FEAD has been monitoring the impact of development on water quality and fish in Tred Avon River between Oxford and Easton during summer since 2006 (just prior to construction of Waterside Village). The area from the Port of Easton to Jacks Creek has exhibited chronic low dissolved oxygen in bottom channel waters since the beginning of our study and frequency of poor measurements has increased with time. These low oxygen conditions are reflected by poor fish survey catches in channel waters. We recognize that the town has been diligent in the application of stormwater BMPs even as habitat conditions have worsened. Stormwater management is going to be the primary means of managing polluted runoff.

Easton WWTP effluent empties into the Choptank River in its Striped Bass spawning area. This spawning area ranges from Windyhill to Martinak State Park and to the Route 328 bridge over Tuckahoe Creek. The Choptank River is the fourth largest spawning area in Maryland and Maryland's 12 spawning areas are important for producing Striped Bass for fisheries in Maryland and along the Atlantic coast from North Carolina to Maine. This area also includes important habitat for larvae of anadromous fish. These early life stages are sensitive to a variety of water quality issues. Maintaining effluent quality as the WWTP approaches capacity will be important.

In addition to the WWTP, the east side within the town boundary is where much of the remaining land for Easton's growth exists. Some portion of this land does not drain into Tred Avon River, but into streams that drain into the tidal-fresh Striped Bass spawning area that is also upper Choptank River's anadromous fish larval nursery: Kings Creek, Williams Creek, and Barker Creek. King's Creek is an anadromous fish spawning stream (Yellow Perch, White Perch, and Herring). Hosewells Branch, a tributary of Kings Creek, runs through developments around Route 328 and Black Dog Alley, is at 9% IS; it transitioned from 2% IS to 8% IS between 1995 and 2006. Our current estimate of 9% IS may be low due to extensive new development in this area. The remainder of the watershed is rural and at a low level of development.

These watersheds have been or can be delineated and FEAD can assist the town in determining these boundaries. These streams are at a low level of development for the most part (3% IS) and should be protected even though they are in the growth district. We are not comfortable with the notion that stormwater BMPs offer enough protection to maintain fish habitat quality based on our experience.

In addition to limiting growth, roads that fall into the upper Choptank River drainage should be managed to reduce and minimize the application of road salt. Road salt can be toxic to freshwater organisms and

anadromous fish eggs and larval presence is reduced as stream salinity increases. The Maryland Statewide Salt Management Plan (https://www.roads.maryland.gov/OOM/Statewide_Salt_Management_Plan_2018.pdf) and Izaak Walton League's Salt Watch (<https://iwl.org/salt-watch/>) offer guidance. Stormwater BMPs do not treat salt runoff and may end up storing and releasing it at later dates. Saltwater runoff is not a concern for Easton's Tred Avon River drainage since anadromous fish spawning is absent and the receiving waters are brackish.

The plan mentions a future Eastern bypass. It is likely that this would run along low development lands and wetlands that drain into the upper Choptank River with its resources described previously. This is not a resource friendly option unless it can be routed through the Tred Avon drainage in Easton.

Finally, we offer links to planning recommendations for (1) anadromous fish spawning areas, (2) natural resource friendly comprehensive growth plans, and (3) the Maryland Non-tidal Stream Anadromous Fish Spawning Tool. If these links are not working, contact Jim Uphoff (jim.uphoff@maryland.gov), Jeff Horne (Jeffrey.horne@maryland.gov), or Marek Topoloski (marek.topolski@maryland.gov).

- Watershed Development Guidelines for Anadromous Fish Spawning: https://dnr.maryland.gov/fisheries/Documents/FEAD%20Reports/WatershedDevelopmentGuidelines_AnadromousFishSpawningStreams.pdf
- Maryland Department of Natural Resources Planning Guidance to Promote Resource Protection in Sensitive Watersheds https://dnr.maryland.gov/fisheries/Documents/FEAD%20Reports/GeneralizedRecommendations_complete.pdf
- Maryland Non-tidal Stream Anadromous Fish Spawning Tool (mapping) <https://experience.arcgis.com/template/8b13df5918be4e288fb3439a2afc3153/>

The Maryland Forest Service commends the Town of Easton's protection of perennial and intermittent streams through use of buffers greater than Maryland's Best Management Practice standards. This is one of many steps the Town has taken towards tracking and meeting the TMDL and Chesapeake Bay pollution reduction goals. We agree with the Town's recognition that natural buffers improve water quality and planting of unbuffered areas takes priority followed by planting to augment existing forest areas. Maryland Forest Service can help identify sites and programs that can assist this effort.

The Maryland Forest Service appreciates the goals to promote afforestation, improve protection of sensitive areas, and expand on existing greenways. The Town's understanding of valuable forest resources including the use of protecting sensitive areas including endangered species habitat, is to be applauded. With urban plantings, thought should be given to climate change and what species would thrive in an altered climate.

- Resource from USDA: <https://www.climatehubs.usda.gov/hubs/northern-forests/topic/climate-change-projections-individual-tree-species>

The Maryland Forest Service recommends implementing a Forestry Program, would promote the [State Forest Action](#) plan and the community could benefit from the addition of a town Forestry Conservation Ordinance. Easton already has a Critical Areas Ordinance but the Maryland Forest Service believes the town would benefit from a Forestry Conservation and a Tree Care Ordinance. While Easton is not listed as a Tree City USA or as a recipient of the Maryland PLANT Award, the Maryland Forest Service strongly suggests the Town investigate these fantastic opportunities. This Plan is evidence of the care and attention that Easton dedicates to its forest resource protection. Programs like Tree City USA and Maryland PLANT Award could be a great way for Easton city to receive recognition for their tree planting and care efforts.

- Tree City USA: <https://www.arborday.org/programs/treecityusa/>
- Maryland PLANT Award: <https://dnr.maryland.gov/forests/Pages/programs/plantinfo.aspx>

The Maryland Forest Service Supports the implementation of a forestry program to promote forest health. Maryland Forest Service and Maryland Department of Agriculture staff can assist the town in identifying prevalent forest health needs such as emerald ash borer (EAB), invasive and noxious plants, and encouraging the town's use of native plant species

[USFS Wildland urban interface](#) is an important concept to consider. On further review based on this map, urban wildland interface is not significant for Easton at this time, however with changing climate would benefit with further review and addition of an urban wildland protection plan, reach out to Maryland Forestry Fire Staff for more information.

Finally, DNR encourages the Town to continue to monitor existing Land Acquisition and Planning assisted land purchases and development projects. Acquisition projects must remain park land in perpetuity and development projects must be maintained for 20 years.

Once again, thank you for the opportunity to provide comments. If you have any questions about these comments or would like further information, please do not hesitate to contact me at 443-534-4151 or christine.burns1@maryland.gov.

Best,
Christine Burns



Michelle Koenig -MDP- <michelle.koenig@maryland.gov>

Easton Comp Plan Review Comments

1 message

Charlotte Shearin (she/her/hers) <charlotte.shearin@maryland.gov>

Mon, Nov 3, 2025 at 9:07 AM

To: Michelle Koenig -MDP- <michelle.koenig@maryland.gov>

Cc: Rita Pritchett -MDP- <rita.pritchett@maryland.gov>

Hi Michelle,

Critical Area Commission staff has reviewed the Town of Easton's Comprehensive Plan and have no specific comments or concerns. We are excited about the changes proposed with this plan, particularly the equity and resiliency focus, and look forward to seeing how the Town implements these goals. Given recent changes to Critical Area law, and future subsequent changes to Critical Area regulations, related to equity and climate resiliency, there may be opportunities for using the Town's Critical Area program to assist in implementing some of the goals of the Comp Plan. We would be very happy to work with the Town on that effort.

Thanks,
Charlotte

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dnr.maryland.gov/criticalarea

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