

Office of the County Executive

Tari Moore
County Executive

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Acting, Director of Administration



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CECIL COUNTY GOVERNMENT

Office of the County Executive
200 Chesapeake Boulevard, Suite 2100, Elkton, MD 21921

December 14, 2012

Richard E. Hall, Secretary
Maryland Department of Planning
301 West Preston Street, 11th Floor
Baltimore, MD 21201

RE: Tier Map – Cecil County

Dear Secretary Hall:

Pursuant to the requirements of the Sustainable Growth and Agricultural Preservation Act of 2012, enclosed please find the Tier Map for Cecil County. This map was administratively adopted on December 14, 2012 in accordance §2.2.4 of the implementation guidance document for the Act.

Included for your information is the approving resolution as well as the GIS data associated with the Tier map. It should be noted that the Tiers will be incorporated into the Cecil County Comprehensive Plan during our next 6 year review.

Sincerely,

A handwritten signature in cursive script that reads "Tari Moore".

Tari Moore
Cecil County Executive

CC: Alfred C. Wein, Jr. – Acting Director of Administration
Eric S. Sennstrom – Director Planning & Zoning

**CECIL COUNTY GOVERNMENT
RESOLUTION**

WHEREAS, SB 236 was approved by the General Assembly of Maryland as part of the State's process for developing a Watershed Implementation Plan (WIP) to meet the Total Maximum Daily Load (TMDL) established by the U. S. Environmental Protection Agency (EPA) for the Chesapeake Bay and the Governor has signed the legislation into law; and

WHEREAS, the Maryland Department of the Environment (MDE) and the Maryland Department of Planning (MDP) have counseled the State to adopt the WIP that does not appear to be based on sound science and technology and that appears to be based on loading allocations which are not scientifically supported and which EPA cautioned against doing and which exceed the EPA's requirements; and

WHEREAS, the State has not shared with Cecil County any peer reviewed scientific studies which establish that any growth control or septic system restrictions imposed by SB 236 will have any discernible or measurable impact on the water quality of the Chesapeake Bay or otherwise will have a measurable or quantifiable environmental benefit; and

WHEREAS, the County is committed to pursuing improvements to the water quality of the Chesapeake Bay in a prudent and fiscally responsible manner that is balanced and cognizant of private property rights; and

WHEREAS, the County is concerned that SB 236 may infringe on private property rights and may unnecessarily burden private property rights; and

WHEREAS, SB 236 requires the County to approve a Tier Map in order for the County to be permitted to approve a residential subdivision that is not served by public sewer system; and

WHEREAS, the County desires to preserve the maximum legally permissible ability to approve major and minor subdivisions that are not served by public sewer in the unincorporated portion of the County; and


WHEREAS, Articles 25A & 66B of the Annotated Code of Maryland empowers Cecil County to adopt and amend development regulations and to implement and enforce Planning and Zoning authority and provides for the County to adopt a Comprehensive Plan; and

WHEREAS, Articles 25A 66B of the Annotated Code as amended by SB 236 requires all counties that exercise planning and zoning authority to implement the requirements of the legislation if such counties desire to maximize their ability to have input into the subdivision of land; and


WHEREAS, the Sustainable Growth and Agricultural Preservation Act of 2012 requires Counties to plan for future growth and indentify areas served by on-site sewage disposal systems and where major subdivisions served by on-site sewage disposal systems and shared facilities can be located;

NOW, THEREFORE, BE IT RESOLVED, by the County Executive of Cecil County, State of Maryland, acting under duress and protest, that the Tier Map for Cecil County is hereby adopted administratively pursuant to Section 2.2.4 of the implementation guidance for SB 236.

ATTEST:

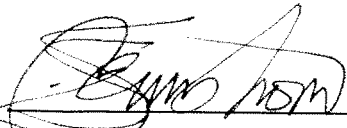


Alfred C. Wein, Jr. -Acting Director of Administrator



Tari Moore, County Executive

DATE:



Eric S. Sennstrom, Director Planning & Zoning

