Town of Millington
Incorporated 1890
P. O. Box 330 - Millington, Maryland 21651
Phone: (410) 928-3880 Fax: (410) 928-5764
E-Mail: Millington@atlanticbbn.net
Website: millingtonmd.us

July 5, 2018

RECEIVED
JUL 16 2018
PLANNING SERVICES

Charles C. Boyd, AICP
Director, Planning Coordination
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, Maryland 21201

Dear Mr. Boyd:

The Millington Planning Commission appreciates the instructive comments provided through the Clearinghouse Review process. Please be advised that in consideration of the comments provided by staff from the Maryland Department of Planning (MDP), Maryland Department of Transportation (MDDOT) and others the draft 2018 Millington Comprehensive Plan has been revised accordingly. A summary of revisions in response to specific comments and suggestions are outlined in the attachment hereto.

Also, be advised that the Planning Commission's public hearing on the draft 2018 Millington Comprehensive Plan is scheduled for July 26, 2018 at 7:00 PM and will be conducted in the Town Office located at 402 Cypress Street. For your convenience, PDF copies of the revised draft 2018 Millington Comprehensive Plan (version 6-29-18) are included on the enclosed flash drive.

Sincerely,

Elizabeth Jo Manning
Town Administrator

Enclosure

cc: Elizabeth H. Morris, Chairman Kent County Planning Commission
Jeffrey Reiss, Chairman Queen Anne's County Planning Commission
David Dahlstrom, AICP, Regional Planner
Oumy Kande, MDP Clearinghouse

Claude J Morales, Jr., Mayor
Kevin Hemstock, Council Michelle Holland, Council
Jason E. Manning, Council Wayne Starkey, Council

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July 5, 2018

Elizabeth H. Morris, Chairman
Kent County Planning Commission
Kent County Government Center
400 High Street
Chestertown, Maryland 21620

Dear Ms. Morris:

The Millington Planning Commission appreciates the instructive comments provided by the Kent County Planning Commission and staff. Please be advised that in consideration of the comments provided the draft 2018 Millington Comprehensive Plan has been revised. Among other revisions the plan now identifies anticipated annexation priorities/phases. Affiliated water and sewer service calculations in the Water Resource Element have been revised to reflect these priority designations.

Also, be advised that the Planning Commission's public hearing on this revised version of the draft 2018 Millington Comprehensive Plan is scheduled for July 26, 2018 at 7:00 PM and will be conducted in the Town Office located at 402 Cypress Street. For your convenience a PDF copy of the revised draft 2018 Millington Comprehensive Plan (version 6-29-18) is included on the attached flash drive.

Sincerely,

Elizabeth Jo Manning
Town Administrator

cc: David Dahlstrom, AICP, Regional Planner
Oumy Kande, MDP Clearinghouse
Jeffrey Reiss, Chairman Queen Anne's County Planning Commission

Claude J Morales, Jr., Mayor
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July 5, 2018

Jeffrey Reiss, Chairman
Queen Anne's County Planning Commission
110 Vincit Street, Suite 104
Centreville, Maryland 21617

Dear Ms. Reiss:

The Millington Planning Commission appreciates the instructive comments provided by the Kent County Planning Commission and staff. Please be advised that in consideration of the comments provided the draft 2018 Millington Comprehensive Plan has been revised. Among other revisions the plan now identifies anticipated annexation priorities/phases. Affiliated water and sewer service calculations in the Water Resource Element have been revised to reflect these priority designations.

Also, be advised that the Planning Commission's public hearing on this revised version of the draft 2018 Millington Comprehensive Plan is scheduled for July 26, 2018 at 7:00 PM and will be conducted in the Town Office located at 402 Cypress Street. For your convenience a PDF copy of the revised draft 2018 Millington Comprehensive Plan (version 6-29-18) is included on the attached flash drive.

Sincerely,

Elizabeth Jo Manning
Town Administrator

cc: David Dahlstrom, AICP, Regional Planner
Oumy Kande, MDP Clearinghouse
Elizabeth Morris, Chairperson, Kent County Planning Commission

Claude J Morales, Jr., Mayor
Kevin Hemstock, Council Michelle Holland, Council
Jason E. Manning, Council Wayne Starkey, Council

COMMENTS AND RESPONSE TO
A95 CLEARINGHOUSE REVIEW COMMENTS ON THE
DRAFT 2018 MILLINGTON COMPREHENSIVE PLAN
June 29, 2018

MDP COMMENT FUTURE LAND USE ELEMENT

In 2015, the Town annexed 11.30 acres of land in Queen Anne's County. Map 3-1, Existing Land Uses, and the text in the last paragraph on page 2 do not reflect this annexation. The Town should consider updating all maps, legends, tables and text references to reflect this boundary, land use and acreage change.

RESPONSE:

Map 3-1 amended to include annexed area.

MDP COMMENT FUTURE LAND USE ELEMENT:

Map 3-2 has been updated to reflect the annexed 11.30 acres but the description of the "Rural Residential Area" on page 8 has not been updated to reflect this change.

RESPONSE

The Map updated to include 11.30 acres of annexed land.

MDP COMMENT FUTURE LAND USE ELEMENT

The data source for existing land use from Maryland Property View (MPV) is 2005. We recommend using the most updated available data from MPV 2015/16 edition.

RESPONSE

Data source updated.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

Table 5-4, Development Capacity, page 4, should be updated to reflect the 2015 annexation described above.

RESPONSE

Table 5-4 reflects the annexation. A significant portion of the annexed area is in the floodplain, has been or is being acquired to be placed in the conservation category.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

More clarity on housing unit calculation is needed. Table 5-4 states 934 dwelling units as the total potential number for the Millington corporate area, but Table 5-6 totals dwelling units at 933. The permitted density in Table 5-4 ranges from 4.36 to 5 dwelling units per acre for the R-1 and R-2 zoning classifications; however, the density used for the Annexation Area on page 11 is 3.5 dwelling units per acre. It is not clear how potential dwelling units are calculated, or what the Acres, Lots, and Acreage columns represent. Also, consider explaining why the "Vacant AR" land from map 5-1 is not included in Table 5-4. This may impact the additional water and sewer demand projected in Table 5-6.

RESPONSE

Table 5-4 calculates development capacity based on an estimate of yield under current zoning of in town properties. This table has been modified to reflect subtraction of the R-2 zoned property on the Wick farm now State owned. Table 5-4 does not include Vacant AR land because this land has been acquired by the State and is not eligible for development.

Table 5-5 reflects anticipated yields based on a minimum density requirement (3.5 dwelling units per acre) for planned unit developments in Millington's zoning code. As densities approaching 3.5 dwelling units per gross or net acre have rarely been realized on the Eastern Shore it seems appropriate to set 3.5 dwelling units per acre as the upper limit of capacity.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

The text should clarify how the Additional Water and Sewer Demand are calculated in Table 5-5 (page 6). When using the multipliers found on page 4, the additional water and sewer demand totals do not match.

RESPONSE

Table 5-5 has been revised to reflect changes due to elimination of the Wick farm from a site with development potential. The multiplier for residential are 250 gallons per dwelling per day. The total water and sewer demand is increase by 8,750 gpd to account for new nonresidential uses.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

There is an acreage discrepancy for the growth area between pages 9 (stating 862) and pages 11 (tables 5-7 and 5-8, which state 863) as the totals.

RESPONSE

Addressed with recent revisions of Tables 5-7 and 5-8.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

Planning commends the Town for including the development capacity analysis for the annexation area. However, table 5-8 is not clear. A standard total for the number of DU should appear.

RESPONSE

The standard for "Agriculture" is 3.5 dwelling units per acre. The calculation of capacity is "Vacant" takes into account the number of lots that cannot be subdivided and small acreages that could yield more than one dwelling unit per acre but not 3.5 dwelling units per acre. It also takes into account site limitations.

On page 11 (table 5-8) identifies several land uses with DU calculations; however, the subtotal listed does not add up to what is stated on table 5-9 as the DU total (1569). The addition in these sections needs to be revisited so that totals add up correctly and match the discussion and other charts. The text on page 5-10 should be updated to match the revised land use categories in Table 5-8.

RESPONSE

Text and Tables 5-8 and 5-9 revised to agree.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

On page 14 there are text discrepancies with Table 5-9 (page 13). The additional recreation land is 92 in the text and 138 in the table. Also, the additional municipal staff are 14 in the text and 21 in the table.

RESPONSE

Corrected.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

Priority Funding Area, Page 16. Planning has revised its PFA determination process for annexed properties. Upon annexation, Planning will consider retaining PFA for qualifying properties that meet the PFA law, assuming the municipality desires to retain the designation.

RESPONSE

Noted.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

Planning commends the town for considering how the comprehensive plan amendment would affect the Town's growth tier map. Planning has the following technical feedback for the Town's consideration:

Tier Map, Page 16 and Map 5-6. The new Tier Map has changed the category names identified in the text and map from those used in Town's original Tier Map adopted by the Town on October 26, 2012. It is recommended to revise the tier category names, so they are consistent with the tier categories defined in Planning's Implementation Guidance for the Sustainable Growth and Agricultural Preservation Act of 2012, and the tier category names used by Kent County in their adopted Tier Map or explain through a footnote what the terms "county", "county addition" and "town" mean in the legend to the amended tier map. Planning recommends a designation of Tier IIA for municipal growth areas that are not yet in the County water and sewerage plan. A suggested footnote is: "Municipal Growth Area; not yet in County water/sewer plan." These designations should also be defined within the text reference on page 16 of the revised Municipal Growth Element.

RESPONSE

Map revised to show annexation areas as Tier IIA. Text added to page 16 "not yet included in the county master water and sewer plan".

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

Service Areas - Master Water and Sewer Plan, Page 16. On May 1, 2018, Planning met with staff from the Town, Kent County, Queen Anne's County, and MDE to discuss future sewer planning. Based upon the discussion at that meeting, Planning recommends that the text should be updated to clearly articulate that Map 5-7, Proposed Water and Sewer Service Areas are proposed categories and not approved categories. Further, sewer and water improvements are not yet programmed in either Kent County and/or Queen Anne's County Water and Sewer Plans, as might be suggested by the definition for W-5 delineation in Table 5-10.

RESPONSE

Text added.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

It should also be noted that Queen Anne's County does not utilize the same definition for their water and sewer map delineations. The name for Table 10 should be revised to identify it as "Kent County" Service Area Categories or expanded to also include the applicable Queen Anne County Service Area Categories and definitions. The text should also be revised indicate that amendments to the Queen Anne's County Water and Sewer Plan will also be required. It

should be noted that the Kent County W-5/S-5 Category includes "programmed" improvements. Based on the data in this amendment and our staff discussion on May 1, there are currently no programmed improvement identified.

RESPONSE

I think the COMAR definitions are appropriate for the plan as they reflect State regulations the apply to both counties.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

Map 5-7 could have a companion map to identify "Existing" Sewer and Water Service Area classifications, and potentially include a notation referencing the Kent and Queen Anne's County Water and Sewer Plan Maps as the official delineations. The Town should continue to work with Kent and Queen Anne's County to maintain updates to Sewer and Water Master Plans, such as, the need for studies for future water and sewer projects or identification of challenges with existing facilities.

RESPONSE

The W-1 and S-1 designations are the mapped existing water and sewer service areas. Why created another map that shows the same thing? Millington will continue to work with Kent and Queen Anne's County officials to coordinate water and sewer service planning.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

There is an inconsistency between the "Tier 1 Town" area (outlined in red in Image 1 below) and Map 5-7, where this area is proposed for sewer service. Areas with planned service should be designated Tier II. Section §9-206(i) of the Environment Article ("ENV"), establishes a process for resolving conflicting tier designations. As a first step, Planning suggests that the Town work with Kent County to resolve the conflicting tier designations. Please let us know as soon as possible how you propose to resolve this conflict. If the conflict is not resolved, Planning could proceed with the process established in ENV §9-206. Specifically, a meeting would be scheduled with the Maryland Department of the Environment (MDE) and the jurisdictions to seek resolution of the conflicting tier designations. If resolution cannot be achieved, Planning would recommend the preferred tier designations for the areas in question to MDE.

1 ENV §9-206(i) provides:

(1) If two or more local jurisdictions adopt conflicting growth tier designations for the same area, the Department [MDE] and the Department of Planning shall confer with the local jurisdictions to seek resolution of the conflicting designations.

(2) If a conflict in growth tier designations is not resolved, the Department of Planning shall recommend to the Department and the Department may approve the preferred local jurisdiction designations as recommended by the Department of Planning based on the following best planning practices or factors:

(i) The comprehensive plan, including the municipal growth element, the water resources element, the land use element, and, if applicable, the priority preservation element;

(ii) growth projections and development capacity; and

(iii) availability of infrastructure.

RESPONSE

Based on the Kent County's supportive responses to the draft Plan and Millington's subsequent prioritizing of annexation areas at the request of the Kent County Planning Commission there appears to be no conflicts at this time.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

Based on sewer service data received by the Maryland Department of Planning from Maryland's jurisdictions and the Maryland Department of the Environment, some proposed Tier II areas already have sewer service. In Image 2, the Maryland Department of Planning's GIS layer showing existing and planned service are hatched in black and red respectively:

RESPONSE

Regardless of what the State data indicates, the W-1 and S-1 designations are existing water and sewer service areas. The Wick farm (black hatch)is not served, an issue currently being discussed with DNR. The red hatch area is not served.

MDP COMMENT MUNICIPAL GROWTH ELEMENT (MGE)

The parcel outlined in Image 3 below is no longer included in the Town's annexation plan (municipal growth element). However, it is shaded as "W&S-5" on Map 5-7 showing proposed sewer service. The Town should clarify whether this property is included in the proposed annexation plan.

RESPONSE

Parcel included in revised maps.

MDP COMMENT MUNICIPAL WATER RESOURCES ELEMENT (WRE)

Millington Wastewater System, Page 6. The last paragraph should be updated to reflect the new annexation (total) area and as identified in Table 5-8 and the MGE. (677 acres vs 863 acres).

RESPONSE

Corrected

MDP COMMENT MUNICIPAL WATER RESOURCES ELEMENT (WRE)

Facilities Planning Section. Language similar to the text below from page 14 of the MGE should be incorporated into the Facilities Planning section of the WRE (on pages 6-7). The Facilities Planning section currently does not discuss options to address needed sewer capacity:

"Water and Sewer: Water and sewer demand associated with the build out of the annexation will exceed the current capacity of the town's facilities and will require substantial investments in the water and wastewater treatment systems. Water system upgrades may include new wells, storage tanks, and distribution facilities. Sewer treatment plant upgrades may include a development of additional treatment capacity that includes spray irrigation or rapid infiltration as part of the treatment systems."

RESPONSE

Text added.

MDP COMMENT MUNICIPAL WATER RESOURCES ELEMENT (WRE)

Also, the Facilities Planning section should discuss the constraint on sewer capacity posed by the Millington WWTP discharge permit and the Upper Chester River TMDL point source allocation and should put forward options to address this constraint. Lastly, the Facilities Planning section could discuss whether the WWTP is eligible for capacity credits through the connection of septic tanks under the state's point source trading policy.

RESPONSE

Language added.

MDP COMMENT MUNICIPAL WATER RESOURCES ELEMENT (WRE)

Finally, the Town should consider working with Kent County to complete an analysis of the changes to forest cover and impervious cover that would result from build-out of the municipal growth area. Planning encourages the Town to work with Kent County to analyze changes to forest cover and impervious cover of any alternative municipal growth scenarios that could also

meet the Town's economic development and other goals. The state's WRE Models and Guidelines encourage jurisdictions to choose a land use option that is least impactful to waterways; an analysis of multiple growth options can inform that choice.

RESPONSE

The best time to consider impacts and alternatives may be during the planned neighborhood master planning process where design considerations are most closely attuned to market conditions within the context of current best management practices for environmental protection. The Town must balance economic and community growth objectives with environmental considerations with tradeoffs viewed in a regional context.

MDP COMMENT TRANSPORTATION ELEMENT

Planning encourages Millington to focus on the maintenance of roads and as demand warrants, consider improving bicycle and pedestrian mobility by constructing missing sidewalks and implementing on-road bicycle facilities. You may wish to consider the following funding sources for sidewalk and bike infrastructure along MD-291 and/or MD-313:

- SHA's Transportation Alternatives Program may be a funding option for sidewalk construction on State roads. More information can be found at http://www.roads.maryland.gov/Index.aspx?PageId=144.

- MDOT's Bikeways program provides a funding source for bicycle facility improvements which could be used for facilities on local roads. More information on MDOT's Bikeways program can be found at: http://www.mdot.mmyland .gov/newMDOT/Planning/Bike Wal k/Bikeways.html

RESPONSE

Noted.

MDP COMMENT TRANSPORTATION ELEMENT

When roadway resurfacing is proposed, the town may want to consider adding marked bicycle lanes during a pavement project. This may be a quicker and lower cost option as opposed to constructing new pathways or sidewalks.

RESPONSE

Noted.

MDP COMMENT TRANSPORTATION ELEMENT

MD DOT COMMENT TRANSPORTATION

Page 134 - It is recommended the Average Daily Traffic (ADT) counts pertaining to State roadways be updated for this comprehensive plan update. Please coordinate with Ms. Lisa Shemer, MOOT SHA Travel Forecasting and Analysis Division Chief, at 410-545-5640 or via email at lshemer@mdot.state.md.us.

RESPONSE

AADT updated to 2015 counts

MD DOT COMMENT TRANSPORTATION

Page 134 - The Delaware Department of Transportation is actively constructing a project to dualize US 30I. It is recommended to change references to "301" to "US 301" and to replace the phrase "This improvement will ease access to Millington from the north and, according to the Maryland State Highway Administration, will increase current truck traffic..." with "This improvement will ease access to Millington from the north and is anticipated to increase current truck traffic along US 301 by providing an alternate route to 1-95." Studies from MOOT SHA are inconclusive regarding the increase in truck traffic associated with US 301 improvements in Delaware.

RESPONSE

Text revised as recommended.

MD DOT COMMENT TRANSPORTATION

Page 134 - The FY 2018-2022 Consolidated Transportation Program, the State's fiscally constrained six-year transportation plan, contains a Maryland Department of Transportation State Highway Administration (MOOT SHA) project for an urban reconstruction along MD 291 from west of School Street to east of Crane Street. This project includes pedestrian improvements and is also included in the Transportation Priority Letter for Kent County. Construction is anticipated to begin in the winter of 2019 and be complete by the winter of 2020. It is recommended this project be included in the Comprehensive Plan Update as an existing condition on MD 291.

RESPONSE

Project added to discussion of highways.

MD DOT COMMENT TRANSPORTATION

Page 136 The phrase "The Mass Transit Administration (MTA)" should be replaced with the "Maryland Department of Transportation Maryland Transit Administration (MDOT MTA)". Subsequently, all references to "MTA" in the document should be replaced with "MDOT MTA".

RESPONSE

Noted.

MD DOT COMMENT TRANSPORTATION

Page 146 - Maryland Upper Shore Transit (MUST) provides coordination efforts between Delmarva Community Transit and Queen Anne's County, County Ride. They do not provide any fixed or demand service as they are exclusively a coordinating body only. Page 146 - Per the MUSTBUS.org website, MUST Route 2 does not have regular stops in Chestertown, Crumpton or Sudlersville. Page 146 - Per the MUSTBUS.org website, Route 4 does not have fixed route service to Sudlersville as listed in the Amendment. Page 146 MDOT would also encourage the Town to list specific transit stop addresses and intersections instead of refencing landmarks that are not potentially permanent in nature.

RESPONSE

MD DOT COMMENT TRANSPORTATION

On Map 10-1, MDOT recommends the legend be updated to reflect the symbology on the map.

RESPONSE

Map 10-1 revised as recommended.