



Maryland Department of Planning

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Secretary  
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Calvin Bonenberger, Jr.  
1 East Main Street  
PO Box 456  
Rising Sun, MD 21911

June 25, 2010

Dear Mr. Bonenberger:

The Maryland Department of Planning has completed the coordinated review of the draft Comprehensive Plan for the Town of Rising Sun dated April 26, 2010.

The Elements were sent to the Maryland Departments of Transportation, Environment, Natural Resources, Business and Economic Development, Housing and Community Development, and Agriculture. Comments received after the date of this letter will be forwarded to you upon receipt.

Our planning staff has also reviewed the proposed update for consistency with the Planning Act of 1992, the Smart Growth Areas Act of 1997, HB1141 and other State growth management principles and policies. Our review comments are attached for your consideration.

If you have any questions please feel free to contact me at (410) 767- 4500 or Shawn Kiernan at (410) 767-4573 with any questions or concerns.

The Maryland Department of Planning looks forward to our continued planning coordination with the Town of Rising Sun.

Sincerely,

Peter G. Conrad, AICP  
Director, Local Planning Assistance

Enclosure: Review comments

cc: Jason Dubow, Planner, WRE Coordinator  
Shawn Kiernan, Regional Planner  
Rich Josephson, Director, Planning Services  
Rita Elliot, MDP Clearinghouse



**Review Comments from the Maryland Department of Planning  
Draft Comprehensive Plan  
Town of Rising Sun  
June 25, 2010**

**Overview**

The Maryland Department of Planning (MDP) reviewed the draft Comprehensive Plan Update for the Town of Rising Sun dated April 26, 2010. The draft Plan was submitted for 60-day review in accordance with Article 66B of the Code of Maryland Regulations and was received by MDP on May 3, 2010. The 60-day review period ends on June 25, 2010. The Town has scheduled a public hearing on the draft Plan in accordance with §3.07(b)(1) of Article 66B for June 28, 2010.

MDP also reviewed the draft Plan for adequacy of the Water Resources Element (WRE) in accordance with the requirements of House Bill (HB) 1141. The following are review comments from the Maryland Department of Planning.

**General Comments on the Draft Comprehensive Plan**

- The map number is missing in a reference on page 39 “which are shown on Map\_”.

**Comments on Population and Growth**

- The Town has done a good job of including a development capacity analysis for the Town. It is estimated that the Town has capacity for an additional 1,236-1,676 dwelling units (du), which corresponds to an additional 2,030-2,470 people. MDP suggests presenting this information in a table that outlines acreage of vacant land, zoning, potential du, and corresponding population.
- MDP commends the Town for including population projections. The Town has selected a “high development pressure scenario”, which projects the 2030 total population to be 4,208 (page 56). The population projections from the MGE and those appearing in Chapter 2 (page 16), 2,252 persons do not match. Please review this information as this total should be consistent throughout the document.
- It would be helpful if a corresponding projection of housing units was listed. This number could appear in Table 5-2 alongside the population projection. Additionally, including the difference in population between the five-year intervals may also help to clarify projections for the reader; for example, the difference between 2030 and 2010 is 1,949 people.

- The draft Plan states that it is the Town’s intention to defer any growth until sufficient infrastructure exists to serve future populations.
- The Town has included a development capacity analysis for the growth area; however, the organization of this information is unclear. While Table 5-3 (page 57) lists two different scenarios, the methodology for these are not discussed. Please consider including a more enhanced discussion of how these numbers were derived would be helpful, considering the differences in residential yield and population are significant (2,810 people and 1,147 du).
- The additional charts 5-4 and 5-5 (page 57-58) are included as “as a purely academic exercise”. Since the Town does not believe that these scenarios are likely, the Town may wish to consider removing them from the Municipal Growth Element (MGE).
- Table 5-5 is titled (Development Capacity of Rising Sun Town based on Individual Parcel Analysis and Zoning,” whereas this table appears under the heading on page 57 as “HOLDING CAPACITY OF GROWTH AREA.” This title should either be changed to reflect its location within the MGE, or should be moved so that it supports the appropriate discussion.
- The draft Plan includes an analysis of the supply/demand ratio for the Town. The Town has twice the amount of land needed to support growth. While it is important to have adequate land supply, it is important to keep in mind the implications for this abundance of land; have too much land and development can occur inefficiently. Given this, the Town may wish to consider paring down some of the growth area outlined in map 2.
- The inclusion of two growth maps from the current and 2006 versions of the plan is beneficial to illustrate changes; however there is an inconsistency on page 74. The boundary of deferred growth area in graphic 6 is the same as graphic 1, page 68. Please consider editing this to reflect the boundary as shown in Map 2.

### Comments on Water Resources Element

The WRE is incomplete. The WRE will meet the requirements of HB1141 with recommended comments added. The most important comments to include are in **bold**. The WRE does not yet effectively address the following purposes of the law and/or State guidance, as follows:

- Does the WRE show or refer to the boundaries of relevant areas used for planning, including current sewer and water service areas (MDP Models and Guidelines or M&G, pages 27, 33).
- The WRE should, for each watershed, calculate the total forecasted nutrient load, which includes nutrient loads from current and future WWTP discharge, septic tanks, and stormwater runoff (MDP M&G 26, page 13).

- For municipalities, the WRE should consider the projected water and sewer capacity needs of the proposed growth areas identified in the municipal growth element (MDP M&G 26, page 15).
- Does the WRE estimate the future demand for water by reviewing population projections and associated commercial, industrial, and agricultural water demand (MDP M&G 26, page 27)?
- The WRE should include nonpoint source loading analyses that provide a preliminary assessment of potential changes in nonpoint source loads due to land use planning decisions and make general findings for alternative land use options (MDP M&G 26, page 39).
- Does the WRE describe the alternative future development options for which nonpoint source and point source loading estimates were performed (MDP M&G 26, page 40)?
- For each watershed, identify the current WWTP discharge location (MDP M&G 26, page 12).
- Does the WRE identify strategies to protect current and future water sources from pollution and over allocation (MDP M&G 26, page 27)?
- Does the WRE show the available permitted capacity of existing WWTPs (MDP M&G 26, page 33)?

Overall comments:

- **The WRE should provide a map of existing and proposed water and sewer service areas.**
- **The Town should provide an estimate of future water and sewer demand (both residential and non-residential) by 2030. If non-residential demand is not expected, the WRE should state this.**
  - The WRE does not estimate future water demand from commercial, industrial, or agricultural uses.
- To add clarity, the WRE should include a summary table that separates out current and future (2030) water and sewer demand.

Comments on the water demand analysis:

- The WRE should describe the available permitted capacity of existing community water systems and the general status of drinking water sources and uses.
  - The WRE states that the total water supply for the Town is 347,800 GPD. This figure is the total of “maximum water production” and “additional production from the Legion wells” (page 79). The WRE should state the permitted withdrawal capacity of these sources.

- The WRE should assess existing or potential water quality problems that may impact water supplies by reviewing source water assessment protection reports produced by MDE. Source water assessment protection reports identify vulnerabilities (e.g., susceptibility to pollution or naturally-occurring contaminants) specific to each public water system, including community and non-community water systems. Those making use of unconfined aquifers, may need to be addressed. For example, water quality concerns related to naturally-occurring arsenic, radionuclides and radon have been identified in certain regions of the state and regions underlain by limestone aquifers are vulnerable to surface water contamination.
- The WRE should identify the limiting factor in the Town’s water supply system.
  - Will expansion of the Town’s water supply system require either a new withdrawal permit or an expansion of the Town’s water treatment plant in order to produce the anticipated 559,800 GPD during the month of maximum usage to serve existing and future (2030) customers?
- **The WRE should estimate the future demand for water by reviewing population projections and associated commercial, industrial, and agricultural water demand.**
  - The WRE states that the Town needs 559,800 GPD of water to serve existing and future customers (page 78). It is not clear if this figure includes future non-residential demand.
  - The WRE states that the Town’s total water capacity is 347,800 GPD. The WRE should state that this represents, under the current 2030 growth plan, a future deficit of 212,000 GPD.
- The WRE states that 25% of water supply is unaccounted for (page 79).
  - The WRE should include possible actions for reducing the amount of lost water. The plan should state whether or not the Town believes this loss is due to water leaks.
- **The WRE should identify planning strategies to protect current and future water sources from pollution (e.g., wellhead protection policies) and over allocation.**
- The WRE does not state whether there are any private wells in the Town. Please add this information. If wells exist, please note whether there are any plans to connect any failing wells to the public water system and the capacity needed to serve them. The plan could then discuss whether they are susceptible to pollution and whether these might be included in future source water protection plans.

Comments on the sewer demand analysis:

- Please clarify the following figures
  - The WRE states that the Rising Sun lagoon “currently has about 42,000 GPD of discharge flow capacity as of three years ago” (page 81). However, table 6-2 indicates that the lagoon had 54,000 GPD discharge flow capacity as of three

years ago (p. 80). The current discharge flow capacity should be about 59,000 GPD (based on the 216,000 GPD figure given on page 81).

- The WRE states that the current WWTP has the capacity to accommodate 235 additional hookups and that a new WWTP would have the capacity to accommodate 170 additional hookups (page 81). Does this mean that the total additional capacity with a new WWTP would allow for 405 total additional hookups? What is the Town's capacity for new residents in this scenario?
- The WRE states that Cecil County projects that Rising Sun will experience a capacity shortfall of 186,000 GPD or 750 EDUs (page 81). The WRE should state whether or not the County projections take into consideration the capacity of a new WWTP. The Town should also note that the County projections are based on a population growth rate that is lower than the town's proposed growth rate; therefore, potential shortfalls could be even higher. (See Table 2.3, page 2-8 in the 2010 Draft Cecil County Comprehensive Plan).
- The WRE states that a new WWTP with upgraded ENR treatment will be able to accommodate 1,748 additional equivalent dwelling units (page 81). Does this figure include the 170 additional hookups mentioned earlier?
- Table 5-2 in the MGE indicates the 2030 population of Rising Sun will be 4,208 total people (page 56), an increase of only 1,949 additional people. This is less than half of the state's imposed growth cap of 4,370 additional people (page 81). If these figures are correct, the WRE should clarify that, with the new WWTP and upgrades, the Town has the capacity to accommodate the 2030 growth of 1,949 additional residents without surpassing the state's imposed growth cap. It is only the deferred growth area that is restricted by the cap.
- Table 6-3 on page 82 may have been included by mistake. It is not referred to in the text and is not clear.
- **The WRE should show the available permitted capacity of existing WWTPs.**
- The WRE should identify the limiting factor in the Town's WWTP capacity.
  - The design capacity of the WWTP is 0.257 MGD (page 80), however, a new plant is currently under design. Will future growth be limited by the design capacity of the new plant or by the Town's discharge permit?
- The Water Resource Goals and Objectives section (page 82) should include goals and objectives for Wastewater Treatment.

Comments on identifying suitable receiving waters:

- **The WRE should assess the combined point and non-point source pollution impact of more than one possible land use plan scenario, including the proposed land use plan. For example, different land use options or residential densities could be assessed within the current growth areas, or different growth areas could**

**be assessed. The Town's land use plan should be the least impactful with regard to impervious surface and pollution impacts.**

- The WRE should provide a review of the Town's stormwater management requirements and should briefly discuss the effectiveness of the Town's stormwater management program.
- **The WRE should include a map of the watersheds that drain into each of its major streams.**
- **For each watershed, identify current WWTP discharge locations and loads.**
- The WRE does not state whether there are any septic tanks in the Town. Please add this information. If septic tanks exist, please note whether there are any plans to connect any failing septic tanks to the public sewer system and the capacity needed to serve them.

### Comments on Transportation

- One of State's transportation policies is to support providing bicyclists and pedestrians with safe, convenient, and inviting routes and walkways to activity centers. On page 118, the Town may wish to consider planning for bikeways and sidewalks along appropriate Town streets, and trails as opportunities present themselves. MDP suggests that the Town consider including a more detailed pedestrian and bicycle plan that includes, but is not limited to, identifying existing sidewalks and bikeways, addressing improvement needs and locations, funding sources and timelines. Town should ensure the connectivity of pedestrian and bicycle facilities with activity centers.
- MDP applauds the Town's efforts in increasing coordination of the land use and transportation planning process. MDP recommends that the Town assess any negative impacts on growth in any unplanned area upon connectivity consideration. Also, the Town is encouraged to extend traditional grid system into newer development areas and future growth areas and avoid unnecessary connecting roads into the areas where growth is not planned. Along with pedestrian and bicycle facility systems, a traditional grid road system would better accommodate traffic and help to create more viable communities.
- The draft Plan rarely addresses existing transportation problems or issues in the Town, however it describes the truck traffic problem in the center of the Town. The draft Plan calls for providing bypass and peripheral roads to relieve through and truck traffic in the Town center, but without providing specific proposals. We recommend that any bypass or peripheral roads be carefully considered and ensuring such proposals would not facilitate unwanted development outside planned growth areas and businesses in the Town Center would not be adversely affected.

### Comments on Schools

- This section provides general information on school facilities recognizing that for now the schools in the area are adequate but it is important for the Town to facilities and

services to keep pace with future development. The table on page 102 entitled “Projected Growth and Children” shows a projected population for Rising Sun and the Rising Sun area, but does not give a year or timeframe for the projected population growth.

- It would be helpful if the draft Plan included the schools which serve the Town of Rising Sun, their current capacity and a discussion on how the Towns plans for growth would impact these facilities. Reference to the Cecil County Educational Facilities Master Plan (EFMP) and its future enrollment projections and school facilities needs for the schools that serve Rising Sun would be helpful. In addition a discussion of how the enrollment projections for the schools in the Rising Sun area are coordinated with the Town’s plans for growth is worth mentioning.
- The draft Plan recognizes the effect schools have on surrounding land use and their importance in attracting new families to the area. Keeping this in mind , in cooperation with the Board of Education, it would be beneficial to the Town to consider Land Banking new school sites are community-centered and sized to fit that community in your Planned Neighborhood District. MDP recommends our publications “*Smart Growth, Community Planning and Public School Construction Models and Guidelines*” to show *how many of the elements* promoted in your “PN” Planned Neighborhood District can be created around schools located in close distance to potential parks, libraries, museums and other public facilities that offer opportunities for co-location and shared use of school facilities; and maximize walking and biking.