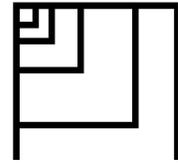


CBM Consulting

Creative and custom design solutions +
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July 17, 2020

Development Review Planning and Engineering
Frederick County Community Development Division
30 N. Market Street
Frederick, MD 21701
Attn: Tim Goodfellow

SUBJECT: Lawson Property, Town of New Market
Water Re-classification for Lawson Property
CBM Project No. 0070-00-001 (the "Project")

Dear Tim:

We are pleased to submit the enclosed Application for Water Plan Amendment on behalf of Jabez Properties, LLC (the "Applicant"). The project is located in the New Market Planning Region in Frederick County, Maryland (the "County") in the Town of New Market zoned Mixed Services Residential District. The property consist of an operational tractor sales and repair facility with associated storage and eight (8) mobile homes. The property currently has a County Water and Sewerage Plan classification of S-1/W-5.

In accordance with the County Water and Sewerage Plan as approved in November, 2011, the Applicant requests a Water Plan Classification change from the current W-5 category to the W-3 classification. Chapter 1, Section IV of the County Water and Sewerage Plan and its "Classification System" lists the criteria for the S-3/W-3 Concept Evaluation Phase.

The Applicant anticipates hooking up to water within three (3) years once purchase of property has been completed. The property has 92 fixture units which equals 9.2 taps.

The enclosed Application package includes the following:

- 2019 Application Form
- Letter of Authorization from Property Owner
- Letter of Support from Town of New Market, Maryland
- Description of Property - 8.5X11 highlighted Tax Map (Exhibit A) with SDAT listings, as well as a Water Map (Exhibit B) and Town Zoning Map (Exhibit C)
- Justification Statement
- Public Ethics Law form – Applicant Disclosure Form

The Property meets the following criteria for the W-3 classification and is outlined below.

- a. *Criteria required for the S-4/W-4 classification have been complied with (as explained below):*

The Property is located in the Town of New Market with the Mixed Services Residential District (MRS) zone and S-1 sewerage Plan classification. The property consist of an operational tractor sales and repair facility with associated storage and eight (8) mobile homes. The owner has paid for 92 fixtures which equals 9.2 taps.

- b. *Applicant shall provide a study of the components of the existing water and wastewater system and identify inadequacies that may result from the development of the property. This study may be performed in conjunction with the Adequate Public Facilities Ordinance (APFO) studies.*

The property can connect to the public water system now at the property line. As stated above the owner has paid for 92 fixtures which equals 9.2 taps.

- c. *A preliminary subdivision plan, site plan, or Phase II Plan (in the case of PUDs and MXDs), or equivalent plan in a municipality has been approved by the Planning Commission.*

The property consist of an operational tractor sales and repair facility with associated storage and eight (8) mobile homes.

- d. *A discharge permit, where appropriate, has been approved by all appropriate State agencies.*

No discharge permit will be required for this Project.

- e. *A hydrogeologic study, where appropriate, supports the establishment of a community water system, which will not be detrimental to adjoining wells or surface waters. The hydrogeologic study is typically required to appropriate both ground (well) or surface waters. A Water Appropriation and Use Permit, where appropriate, has been approved by all appropriate State agencies.*

Public water and sewer systems are at the site.

- f. *If County funded CIP project(s) are needed to provide service, then construction funds for each project must be contained in the first or second year of the County's approved CIP.*

No CIP project(s) are required to provide service. Water system is to the site.

- g. *If service is to be provided by developer initiated and funded projects, the developer must have approved and signed water/sewer improvement plans and an approved cost proposal*

for all improvements required to bring adequate water and sewer service to the site. This “service to the site” requirement is considered “met” if adequate water and sewer lines abut the site and are located within a public right-of-way or a public water/sewer easement which abut the site.

As stated above, the property can connect to the public water system now at the property line and the owner has paid for 92 fixtures which equals 9.2 taps.

- h. Satisfaction of Items f. and g. will create a rebuttable presumption in favor of the applicant that service will be available within 3 years.*

Noted.

In conclusion, the Applicant’s reclassification request from Water classification of W-5 to W-3 is fully consistent with the purpose, intent, objectives, and criteria of the County Water and Sewerage Plan. For all the reasons advanced by way of this Application, the Applicant respectfully requests approval of the proposed reclassification.

Sincerely,
CBM Consulting, LLC

A handwritten signature in blue ink, appearing to read 'Donavon Corum', with a stylized flourish at the end.

Donavon Corum, RLA, AICP, LEED AP