

COUNTY COMMISSIONERS *of* CAROLINE COUNTY, MARYLAND

ROGER L. LAYTON
VICE PRESIDENT

JOHN W. COLE
PRESIDENT

MARIO J. GANGEMI
ROADS BOARD CHAIRMAN

LEIGH SANDS
EXECUTIVE ASSISTANT

CHARLES C. CAWLEY
COUNTY ADMINISTRATOR

CHARLES D. MACLEOD
COUNTY ATTORNEY

February 28, 2006

Hon. Paula C. Hollinger
Chairman
Senate Education, Health
And Environmental Affairs Committee
Miller Senate Building
Annapolis, Maryland 21401-1991

Dear Senator Hollinger and Committee Members:

The County Commissioners of Caroline County strongly support *Senate Bill #536, Annexation Planning and Procedures Act of 2006.*

For many years, local governments have been able to rely on existing provisions of State law in order to provide a reliable and sufficient framework for growth in the State of Maryland.

Sadly, this is no longer the case.

We are all aware of the unrelenting growth pressure affecting virtually our entire state, and of housing developments of extraordinary and disproportionate size proposed in certain Eastern Shore counties. We cannot deny that eventually, perhaps even in our lifetime, the public pocketbook is likely to collapse under the voracious governmental service demands of unbridled residential growth, and that once the farms, fields and forests of our beautiful state are subsumed by development, they will not return.

With this awareness, the Maryland Department of Planning facilitated exhaustive negotiations between representatives of the Maryland Association of Counties and the Maryland Municipal League to encourage voluntary changes in the way we manage growth. *These negotiations have failed, and there is no reason to believe that resumption of such efforts will be productive.*

Courthouse

Telephone 410.479.0660

109 Market Street, Rm. 123

www.carolinemd.org

Denton, Maryland 21629

Facsimile 410.479.4060

Caroline County has an enormous stake in the growth issue, given its predominantly rural nature and the Town of Denton's recent annexation of approximately 853 acres intended for development of 3,000 residential units, in a county of only 32,000 people. ***This annexation will allow one of the largest residential developments in the history of the Eastern Shore.*** It encompasses an area that we feel does not meet the "adjoining and contiguous" requirement under the State's municipal annexation statute and we therefore have filed suit against the Town of Denton challenging the validity of the annexation.

Following this presentation, our County Planner will provide you with a synopsis of the development in our county that will demonstrate we are not "anti-growth." Caroline County and its municipalities have formed a new Council of Governments (COG), and are in the process of ratifying bylaws, but neither we nor many COG members are naïve enough to believe we can satisfactorily address a problem of such scope that it deserves a statewide solution.

Under current annexation law and given a relatively healthy economy, we can expect an endless series of developments, large and small, that will eventually consume the rural landscapes in our state. Even our Agriculture Preservation and Rural Legacy lands can be annexed, if only to be used as a steppingstone to the next annexation property. This scenario has created a loud and growing controversy in our county. Ordinary citizens are grasping the fact that beyond the 5-year postponement of zoning changes, county government is powerless to stop development by annexation, and they are asking county elected officials what they can do to help.

Therefore we join our fellow county governments in pursuing a legislative remedy in the form of Senate Bill #536, which is of critical importance even if Caroline County's lawsuit does result in a stricter interpretation of the current municipal annexation statute.

Senate Bill #536 recognizes that we cannot continue to communicate about and plan for growth at the level of sophistication that we did 50 years ago.

- It acknowledges that growth affects the entire county, and indeed the region.
- It provides a sensitive, flexible planning and communications framework with strong incentives for dialogue and broad vision.

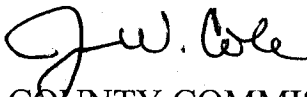
- It does not place one form of local government over another, but rather guarantees citizens, elected officials and developers a standard and predictable process in evaluating and approving growth.
- Annexations within the jointly approved growth boundary would be subject to less rigorous standards than now exist. And,
- For the first time, meaningful but reasonable referendum rights are afforded to county governing bodies, and to certain citizens outside the town.

One final point before we close: We take very seriously our half of the equation in controlling growth. Therefore, Caroline County has proposed an innovative transfer of development rights ordinance that will effectively end development of major subdivisions outside municipal boundaries. Although we do have the support of the Caroline County Farm Bureau on this initiative, we expect and are willing to weather the criticism this law will doubtless provoke.

We feel subsequent years will prove this to be one of the most important concepts to come before this Assembly. Please support Senate Bill #536.

Thank you.

Sincerely,



COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND
John W. Cole, President

C: Caroline County Website

Attachments

- Total Caroline County 2005 population is approximately 32,000 persons.
 - Caroline County's 10 municipalities range in size from a population 3,200 to as little as 80 persons.
 - Approximately 10,000 persons live in the 10 municipalities.
 - Town of Denton 2005 population is 3,200 persons or *only 10% of total population.*
 - Between 2000 and 2006, the Town of Denton has annexed over 1,700 acres, more than doubling the acreage within the town, even though 40% of the pre-2000 town acreage was undeveloped.
The majority of this annexed acreage has been developer driven.
 - Over the 30 year period from 1970 to 2000 only 3,800 homes were added to Caroline County's total housing stock (County and municipalities). Total county population increased by 10,000 persons representing a 1% annual growth rate.
County growth rate projected for 2000-2025 is 2.7% or 28,000 persons.
 - There are currently over 2500 proposed housing units in the development pipeline within the Town of Denton, plus an additional 3,000 units proposed in the contested Tuckahoe Neck annexation area. Over 6,000 new housing units could be built in the Town of Denton by 2025.
 - Historic and projected home construction in Town of Denton:

1990 thru 1994 -	26	
1995 thru 1999 -	27	
2000 thru 2004 -	174	
2005 thru 2010 est.	655	<i>Total 2000 thru 2025 – 6,029 homes built in Town of Denton (Includes Tuckahoe Neck 3,000 homes 250 per year for 15 years)</i>
2010 thru 2014 est.	1,600	
2015 thru 2019 est.	1,800	
2020 thru 2025 est.	1,800	
- Home construction in remaining 9 municipalities 2000-2025 est. – 2,500
- Home construction in unincorporated area 2000-2025 est. – 3,125
- The Town of Denton completed a new wastewater treatment plant in 1999 with enough capacity to double the town's population from the existing 3,000 persons and 1,300 households to approximately 6,000 persons and 2,600 households. This growth was to occur over a twenty year period, 2000-2020.
 - Since 2002, Denton has requested that the county amend the County's 10-year Water and Sewerage Plan to include its entire growth boundary and to allow upgrade of the town's water and sewer systems to accommodate a population of 25,000 -30,000 persons in 10,000 to 13,000 homes.