



Maryland Department of Planning

Sustainable _____ Attainable

November 9, 2012

Joyce A. Spratt, Mayor
Town of Hurlock
311 Charles Street Hurlock, MD 21643

Dear Mayor Pratt,

RE: MDP's review of adopted tier maps; No comments

Thank you for providing the Department of Planning with a copy of Resolution 2012-2 adopted by the Town of Hurlock on October 9, 2012. This resolution establishes growth tiers under the Maryland Sustainable Growth and Agricultural Act of 2012 for the Town of Hurlock and references the official map displaying the Growth Tier areas.

The Act allows the Department to comment on mapped growth tiers when the Department determines that the growth tiers do not meet the criteria established by the Act.

The Maryland Department of Planning is pleased to advise you that the map adopted by the Town of Hurlock satisfies the criteria for designation of growth tiers under the Maryland Sustainable Growth and Agricultural Act of 2012. The Department therefore has no comments on the adopted map.

Please be advised that the growth tiers shall be incorporated into the Town's comprehensive plan or an element of the plan when the Town conducts its six year review of the plan. If the growth tiers are not incorporated into the comprehensive plan or an element of the plan during that 6-year review, Senate Bill 236 provides that the growth tiers may not be considered as adopted and the restrictions on major subdivisions outside sewer areas shall apply.

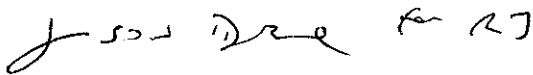
Dorchester County may be submitting growth tier maps to the Department. To date, we have not received a tier map from the County. Should there be any conflicts between the Town's mapping and that of the County, the Act provides a process for resolution. We do not anticipate that such maps would be in conflict with the criteria under the Act or with the County's adopted map.

Although MDP has no comments on the Town's adopted tier map, we would like to reiterate our previous stance on the Town's Municipal Growth Element (MDP's September 18, 2009 comments on the Town's draft Comprehensive Plan). The Department expressed concern that the amount of land in the Town's designated growth areas is too large compared to MDP's population projections for the Town. Focus on infill and redevelopment, infrastructure maintenance and upgrade, neighborhood and downtown revitalization, and historic preservation, will ensure that the Town can accommodate future population growth within its current municipal boundaries.

We would like to recognize the Town for being among the first jurisdictions in the State to have adopted a Growth Tier map as called for under the Maryland Sustainable Growth and Agricultural Act of 2012 .

Should you have any questions, please don't hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rich Josephson".

Rich Josephson
Director of Planning Services

cc: Steve Dodd, Dorchester County Planning Director
Tracey Gordy, Director, MDP LES Regional Office
Jay Sakai, Director, Water Management Administration, MDE
Jason Dubow, Director, Environmental Planning Division, MDP



Maryland Department of Planning
Review Comments
Draft 2009 Hurlock Comprehensive Plan
September 18, 2009

The Visions

- Maryland's Planning Act of 1992 and subsequent legislation in 2000 requires that the eight Visions be included and implemented through the Comprehensive Plan. Overall, the Town did a good job of incorporating the Visions into meaningful Plan goals, policies, and recommendations, rather than simply listing the visions with no further elaboration. However, please note that SB 273/HB294, which passed during the 2009 session of the Maryland General Assembly replaces the State's existing eight visions with twelve new visions. The effective date of this legislation is October 1, 2009.

Chapter One: Introduction

- Page 5: Under the *2009 Maryland General Assembly* section, the Plan states that the 2009 legislation was introduced by the Maryland Department of Planning (MDP). The Smart, Green, and Growing legislation was an Administration package submitted by the Governor, not MDP. Also, in this same section, training sessions are also required of Board of Appeals members, not just Planning Commission members.

Chapter Two: Past and Future Vision

- The MDP has no review comments for this chapter.

Chapter Three: Hurlock Today

- Page 14: Table 3.2 indicates that the 1970 population of Hurlock is 1,065, while the previous page (within Table 3.1) shows this population at 1,056.

Chapter Four: Community Facilities

- Page 28: Within the *Public Transportation* section, it is recommended that a reference be made to the Transportation Element, as is done within the MGE.

Chapter Five: Land Use

- Within the discussion of "Existing Land Uses" (pages 34-37) there exists an apparent disconnect to the Plan's *Existing Land Use Map*. The map indicates a land use designation of "Vacant"; however, this designation is not discussed within the Land Use Element. Furthermore, it is unclear what the difference is between "Vacant" and "Undeveloped" land use designations, both of which are shown on the *Existing Land Use Map*. Also, the *Existing Land Use Map* and the *Future Land Use Map* show a specific land use designation, entitled "Municipal/Agricultural", but this land use designation is not described within the text of the Comprehensive Plan, nor is it reflected within *Table 5.1: Existing Land*

Uses and Acreages 2009. As with the difference between “Vacant” and “Undeveloped”, it is unclear as to the distinction between “Agricultural” and “Municipal Agricultural”.

- Page 38: The final bullet on this page references an urban street-tree program “as an alternative to the Forest Conservation Program, however, the Sensitive Areas Element does not address the Forest Conservation Act (as it should), and therefore, this objective seems to lack context. As a part of the Sensitive Areas Element there should be discussion of the Forest Conservation Program and how it is administered within the Town.

Chapter Six: Municipal Growth Element (MGE)

Population Projections and Household Capacity

- In general, the social, economic, and housing data presented in the draft Plan are U. S. Bureau of the Census based. These data are comparable to data MDP maintains. MDP has produced population projections for Dorchester County municipalities, for planning purposes, and the Department generally recommends incorporating these MDP projections in the MGE. However, the draft Plan makes a valid argument that the MDP projections, in the short term, have underestimated the recent development activity in the Town. As a result the MDP population projection for the outlying years, are considered low. The Plan offers its own projection series that is substantially higher than the Department’s series of projections for Hurlock. These projections are presented in Table 1, below.

Table 1. Hurlock Comprehensive Plan Population Projections and MDP Municipal Projections for Hurlock and Specified Areas

	<u>2000</u>	<u>2030</u>	Change		
			<u>Net</u>	<u>Percent</u>	Average Annual Growth Rate
Comprehensive Plan	1,874	2,916	1,042	55.60%	1.4847
MDP Hurlock Projection	1,874	2,377	503	26.84%	0.7957
Dorchester County	30,674	38,850	8,176	26.65%	0.7908
Maryland	5,296,486	6,684,250	1,387,764	26.20%	0.7787

- Using different methodologies, the Department has developed two additional reference projections for the Town of Hurlock. Each of these projections take into account recent development activity as presented in the Comprehensive Plan. Each projection suggests an increased level of development relative to the original MDP municipal projection, but still considerably lower than that suggested by the draft Plan. The two new reference projections along with the Department’s municipal population projection suggest a population size between 2,400 and 2,500 persons in Hurlock by the year 2030, as found in Table 2, below.

Table 2. MDP Reference Projections for Hurlock Review
and Specified Areas

	2000	2030	Change		
			Net	Percent	Average Annual Growth Rate
Reference 1. Regression	1,874	2,407	533	28.44%	0.8378
Reference 2. Ratio Proportion	1,874	2,472	598	31.91%	0.9274
Dorchester County	30,674	38,850	8,176	26.65%	0.7908
Maryland	5,296,486	6,684,250	1,387,764	26.20%	0.7787

- MDP also recommends that the Town of Hurlock participate in the U. S. Bureau of the Census' Annual Boundary and Annexation Survey so that the accurate Town boundaries are delineated for the upcoming 2010 Census of Population and Housing.

Development Capacity Analysis / Growth and Annexation Plan

- MDP commends the Town on incorporating a development capacity analysis into their Municipal Growth Element; however, the development capacity methodology is unclear. The draft Plan indicates that MDP's growth model was used to run the capacity analysis for the Town's consultant; however MDP does not recall working with the consultant on completing this analysis.
- The Development Capacity states that there is enough capacity to support 604 dwelling units (1,538 persons) within the Town boundaries. The Town's projected growth of 250-300 dwelling units can easily be accommodated within the corporate limits.
- Page 45: Even though the Town recognizes that the projected growth may be accommodated in the corporate limits it has chosen to designate nearly 1,000 acres of residential growth, with a potential of over 4,140 dwelling units as "an immediate growth priority". While the Town has attempted to take a phased approach with the growth areas, the fact that both Growth Area 1 and Growth Area 2 are eligible for annexation within the 20 year horizon of this Plan may create an imbalance between land supply and population demand.
- The growth area slated for consideration within 15 to 40 years is also a concern, given the 20 year horizon of this Plan (as an example, consider *Table 6-4* which addresses increases in school enrollment to year 2030, a 20-year horizon). This would indicate these areas may also be considered for annexation within the horizon of this Plan. The Town may want to change this to be "beyond the 20 year horizon of this Plan" or state that these areas will not be considered for annexation within the Plan horizon.

Parks and Recreation

- It may prove beneficial to discuss the County's LPPRP and that Plan's relationship to the Town's park needs. This may also be an appropriate place to discuss inter-jurisdictional coordination with the County and the Maryland Department of Natural Resources (e.g. POS funding) to meet the Town's needs.

Public Schools

- Page 54: The third paragraph of the *Public Schools* section states that the increased capacity (595) for North Dorchester Middle School is the official State Rated Capacity (SRC); however, this is not the case. That number (595) is considered the local school capacity. In accordance with the Public School Construction Program Administrative Procedures and Guidelines, the SRC of an existing school may change annually depending on room assignments and use. Public School Construction Program staff may project the SRC of a school during design, but the SRC is not determined formally until the building is complete, occupied and floor plans are reviewed and approved by MDP. Also, it is recommended, for consistency purposes, that the official SRC (705) for North Dorchester High School be included in the narrative.
- According to MDP's School Projections, Dorchester County enrollments for grades K through 10th are expected to increase by 2,018. The Local Educational Agency (LEA) agreed to use MDP's school projections, yet the projections shown in the Educational Facilities Master Plan are out-dated. Page 54 of the Comprehensive Plan states "the County anticipates continued slow but steady long term growth in the county population for the foreseeable future". MDP recommends that the Town and LEA work closely with MDP to ensure that up-to-date actual and projected enrollments are available and consistent.
- As outlined in MDP's "*Smart Growth, Community Planning and Public School Construction Models and Guidelines*" Town officials are encouraged to begin working with their Local Educational Agency to adopt measures that examine:
 - "Land Banking" for school sites which are community-centered and sized to fit that community.
 - Availability of public water and sewer services.
 - Priority Funding Area status of the potential sites.
 - Schools are 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.
 - The potential for joint use of parks, libraries, museums, community health centers, and other public uses.

Public Safety and Emergency Services

- Discussion about the provision of Emergency Medical Services (EMS) is warranted within this section of the MGE.

Urban Growth Boundary

- Page 50: The fourth full paragraph within this section states the County will "incorporate and adopt" Hurlock's Comprehensive Plan "as a regional sub-element"; however, MDP is unaware of any plans by the County to do so. If the Town is recommending that this occur, it is suggested that this

paragraph be worded in such a manner to be construed as a “recommendation” in the context of inter-jurisdictional cooperation, and indeed, be carried over to the *Policies and Recommendations* section of this Element.

- Pages 50 and 51: These pages differ in terminology relating to an Urban Growth Boundary, versus an Urban Development Boundary. It is suggested, for clarity, that a universal term (and acronym) be used in relation to this concept.

Priority Funding Areas (PFA)

- The Plan should include a current PFA map and the Town should be notified that State funding is generally limited to PFA areas meeting the requirements of the State Finance and Procurement Article, with some exceptions.

General MGE Comments:

- Page 41: The third paragraph states that the “Town’s population, which had remained nearly level for forty years, increased by 65% during the 1970’s...”, however Table 3-1 of the draft Plan indicates a 60% change during that period.
- Page 42: This page starts by describing what a Development Capacity Analysis is; however the analysis is not presented until page 45, therefore, it may make sense to put these two discussions together.
- Page 44: The graph entitled *Hurlock Population Projection (2010 – 2030)* has an unidentified gray line. Furthermore, directly adjacent to the y-axis of the graph there is a yellow dot (followed by the number 2916) and a red dot (followed by the number 2590) which are not identified on the graph.
- Page 53: *Table 6-3, Growth Area Summary*, there is an error in the “Estimated Acreage” column, the acreage for Industrial Growth Area is indicated as 268, however, it is suspected that this figure should be 686 acres.
- Page 58: Within the *Library* section of the MGE, the recommendation to “have developers contribute toward keeping the library centrally located” does not seem clear, in that, nowhere within the Plan is there discussion which would result in such a recommendation. Furthermore, it is unclear as to how a developer would make such a contribution “toward keeping the library centrally located”; please clarify this recommendation (which is also found within the Implementation Element).
- Page 58: Within the *Land Use and Zoning* section, it is unclear (in the context of industrial uses) what is meant by “determine which uses may be more suitable for urban and non-urban areas”, in that within the discussion on page 49, dealing with Growth Area 2, there is no text which gives this recommendation any context.
- Page 58: Within the *Greenbelt* section, first bullet, there is a reference to a “10-year priority area of the designated growth area”, while elsewhere in the Plan there is discussion of a “current to 15-year” and a “15 to 40-year” growth area.
- There exists within the Town two “functional” County enclaves (functional in that only a “flag stem” of County land connects the County proper to these areas surrounded by Municipal land). It is

recommended, at a minimum, some discussion is merited as to the circumstances that resulted in these enclaves. However, it appears (by reviewing the maps) that the Town does not intend to cure this circumstance, and it is suggested that consideration be given to bring these functional enclaves into the Town, or otherwise address why this should not be done.

- In considering the proposed growth areas, and specifically reviewing the *Growth Areas Map*, it is unclear as to the intent of the “Potential Water and Sewer Areas”. If these areas are not specifically intended to be within a growth area, as seems to be shown on the *Growth Area Map*, this would ultimately create a County enclave, which is not permitted by State Law. To further confuse the issue, in reviewing the *Future Land Use Map*, this “Potential Water and Sewer Area” is shown as a “Single-Family Residential” land use designation, which would imply this area is intended for incorporation into the Town. Please clarify the distinction between “Potential Water and Sewer Areas” as they relate to growth areas.
- Within the *Capacity Analysis* section of the MGE, the very first sentence states, “[p]er the analysis discussed above, the Town has ample capacity within its existing limits to accommodate future growth”. However, the Town proposes a future (immediate growth priority) growth area of 935 acres for residential growth, with a potential range of an additional 1,586 to over 4,140 residential dwelling units. MDP suggests that the proposed residential growth area is far beyond that which can be reasonably supported by the Town. One of the principle purposes of HB1141, and more specifically the development of a MGE, is for the municipality to plan for, and provide, a rational nexus between the amount of anticipated growth, the size of proposed growth areas and the ability to accommodate such growth (to include the provision of, and funding for, required services and infrastructure). MDP would suggest that the Plan’s anticipated increase of 250 residential dwelling units during the planning horizon, in relation to the proposed growth areas (able to accommodate in excess of 4,140 dwelling units) may cause Hurlock to become “over-bounded”, thus causing an undesirable, sprawl-like, effect on the Town. Using a more moderate approach to contain and direct growth, by reducing the size of the proposed growth areas, will help to meet the goals of the Town, as stated on pages 10 and 11 of the draft Plan. MDP suggests that the growth areas be reduced to ensure that residential sprawl is minimized, and that a more detailed accounting of the water and wastewater needs for the Town, as a result of the proposed increase in residential and industrial growth, be presented.
- Notwithstanding the Department’s concerns outlined above, with respect to the size of the residential growth area, it is unclear as to the potential magnitude of additional residential units realized by the conversion of land currently within the Town’s municipal limits, from an Agricultural to Mixed Use land use designation. It seems reasonable to assume that the proposed conversion of several hundred acres of agriculture land to mixed use would further satisfy projected growth, within the current municipal boundaries, thereby bringing further question as to the appropriateness of the proposed size of the growth areas. At a minimum, the MGE should present some description as to the type and scale of uses that are anticipated within the Mixed Use designated lands, and an analysis of the impacts associated with the conversion of such a large area from an Agricultural to a Mixed Use land use designation.
- Within the MGE, there is a proposed 686-acre Industrial Growth Area. While it is correct to assert, as is done in the Plan, that there is not a “capacity analysis” for non-residential uses, MDP would suggest that there should be some discussion, within the MGE, about the status of the existing lands designated as Industrial. It seems relevant to analyze how much of this industrial land within the Town is underutilized or undeveloped, historic industrial growth rate (to make reasonable projections as to how long it would take to accommodate future industrial growth), and other measures of

adequacy of existing industrial land, to reasonably account for an approximate increase of 170% of industrially designated land as an “immediate growth priority”.

- The analysis of required services and infrastructure within the MGE, with respect to the potential impacts of future growth, seems to be inadequate. As an example, the analysis of impacts to Public Schools only discusses impacts associated with 250 households, while the projected potential growth in the “immediate growth priority” area is up to 4,140 households. Another example where MDP suggests that the future impacts are not adequately addressed is with respect to fire protection. It seems reasonable to assume (especially if some generalized analysis were performed) that creating an additional 686 acres of industrial uses (notwithstanding infill and redevelopment of existing industrial land use areas) would place a significant burden on water supply and storage requirements for fire protection, beyond that of a commensurate amount of residential growth area (due to building code and fire code sprinkler requirements). HB1141 requires that an analysis be performed, in the context of the ability to provide for (and fund) “public services and infrastructure needed to accommodate growth within the proposed municipal growth areas” (Article 66B 3.05(a)(4)(x)(5)). Restated, if a growth area has the potential for 4,140 dwelling units, an analysis as to how to accommodate services and infrastructure for 4,140 dwelling units must be provided. Or, if it is anticipated that an additional 686 acres of Industrial uses would accommodate “x” million square feet of building space, an analysis as to the potential impacts to needed services and infrastructure must be provided.
- In light of the information put forth in the Future Vision and the Goals and Objectives of the draft Plan (page 10), the analysis of the Town’s public water and wastewater capacities within the Community Facilities Element (pages 25-27), discussion within the Water Resources Element, and the focus of the Plan to encourage infill and a traditional growth pattern, it appears that the growth area for Hurlock is overly expansive.
- It is suggested that some analysis of Town staffing requirements (personnel and office space) be provided. As an example, is there an expectation for the need for new or expanded Town offices, additional staffing, or additional public works equipment should an additional 1,586 to 4,130 dwelling units come to fruition, as is proposed within the “immediate growth area”?

Chapter Seven: Water Resources Element (WRE)

The Town of Hurlock has met the majority of the WRE requirements of HB1141; however, the WRE is incomplete. By addressing the following comments, the WRE will conform to the requirements of HB1141. The most important comments to address are in **bold**.

The WRE does not yet effectively address the following purposes of the law and/or State guidance, as follows:

- Identify suitable receiving waters and land areas to meet the stormwater management and wastewater treatment and disposal needs of existing and future development proposed in the Land Use Element of the Plan, considering available data provided by MDE (Section 1.03(iii), Article 66B).
- 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, p. 13).
- Does the WRE describe the alternative future development options for which nonpoint source and point source loading estimates were performed? Does the WRE make general findings for alternative land use options (MDP M&G 26, pp. 39-40)?

- Does the WRE show or refer to the boundaries of relevant areas used for planning, including current water and sewer service areas (MDP M&G 26, pp. 27)?

Comments on the water demand analysis include:

- The Plan uses multiple water planning figures to estimate future demand such as 497 GPD/EDU and 390 GPD/EDU. The WRE should pick one water planning figure and be consistent throughout the Plan.
- The Plan does not state whether there are any private wells in the Town. Please add this information to the WRE. 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.
- Please clarify whether the 250 residences in Table 7.1 (p. 64) represent infill development within the Town.

Comments on the proposed methods for protecting the Town's source water include:

- The WRE states that the Town has established a Wellhead Protection Area to prevent source water contamination (p. 62).

Comments on the sewer demand analysis include:

- The Plan states that Inflow and Infiltration (I&I) is a problem for the WWTP during periods of wet weather (p. 26). Please clarify whether the sewer demand figures include demand from Inflow and Infiltration (I&I) (p. 66).
- Current and projected sewer demand figures are discussed in the text of the WRE (p. 66). It would be helpful to the reader to also include tables with the sewer demand data.

Comments on identifying suitable receiving waters include:

- The WRE should make reference to the point source loading projections in Appendix A.
- **The Plan does not yet include a combined point source and non-point source pollution table. Please add this to the Plan.**
- **The Plan does not yet discuss the suitability of the receiving waters.** Since a nutrient TMDL has been set for the Marshyhope Creek, the WRE should discuss the suitability of the creek in the context of the TMDL. Please add this discussion to the Plan.
- **The WRE should evaluate the forecasted pollution impacts (point and non-point source pollution combined). In this evaluation, at least two land use plan options (including growth areas) should be evaluated to determine which land use plan would have the least impact on receiving waters.**

General WRE Comments

- **The Plan does not yet include maps of the water and sewer service areas. Please add these maps to the Plan.**
- Page 67: Within the *Hypothetical Build-Out Scenario* section, the WRE states, “[h]ypothetically, 2,628 additional residential units are possible in the growth areas and including all undeveloped and underdeveloped parcels within the existing Town limits”. This statement does not seem accurate when considering the MGE Table 6-3, which indicates that (for just the growth areas) there is a potential for over 4,140 residential units. Please address this apparent inconsistency.
- Future water and sewer amendments will be evaluated against the goals and objectives and the text of the Plan versus the *Future Land Use Map*. The draft Plan text seems out of sync with the *Future Land Use Map*, in that the Town’s new growth area(s) and the Town’s infill and redevelopment potential project a buildout that is greater than a 50 year expectation of growth.
- In light of the current available land for development within the Town’s corporate limits, the absence of an allocation process, inaccurate water usage figures, incomplete commercial and industrial demands, and an imbalance between proposed supply and expected demand, the potential expansion of the Hurlock Water and Sewer Service Areas create growth patterns that challenge conformance with the State’s Smart Growth principles or visions.
- The consideration of installing water meters for “public use awareness” (efforts towards conservation?) should be secondary to the Town’s concern to monitor and regulate the system for water loss and accurate billing needs. The water supply appears to be adequate to meet the projected demands, however, system inadequacies will likely be exacerbated, and provision of services will be less cost effective, absent a reduced service/growth area.
- The Town should institute an allocation process to better monitor the use and future planning needs for its water and sewer capacities.

Chapter Eight: Transportation

- Page 72: Within the *Functional Classification of Streets* section, there are no identified Rural Minor Arterials; however, Maryland State Highway’s 2008 Highway Location Reference defines MD 307, MD 331 or MD 392 as Rural Minor Arterial in the Hurlock area. Please check the following link for the highway information in Dorchester County:
<http://www.marylandroads.com/keepingcurrent/performtrafficstudies/dataandstats/hwylocationref/oppe/hlr.asp>
- Page 75: Within the *Levels of Service Standards* section, it is suggested the Plan address what Level Of Service (LOS) the Town would consider as an acceptable level (and perhaps discuss the means to ensure such LOS is maintained). In general, LOS “D” is commonly used by municipalities in Maryland; however, the Town may want to identify certain roads and/or intersections targeted for a higher LOS.
- Page 75: Within the *Pedestrian and Bicycle Paths* section, there is a reference to a “*Sidewalk Location Map (6a)*” that does not appear within the Plan.

- Page 80: Within the *Intermediate Range* section, the second sentence states “[w]hile many of the local streets will likely maintain their integrity, collectors and **arterials**, in the Town...” (emphasis added), however, earlier within the Transportation Element there is a statement that the Town does not have any arterial classified roads. This issue is further complicated, in that the *Transportation Map* indicates three “Major Arterials” within the Town, while the Transportation Element (page 72) states that “[t]here are no roadways that expressly meet this definition” (that is, “Major Arterials”). Perhaps the *Transportation Map* incorrectly identifies Major Collectors as Major Arterials.
- The Town should include a transportation policy that requires roadway improvements in new development areas to be well interconnected and form logical extensions of the existing type of roadway patterns.
- MDP suggests the Town consider developing a pedestrian and bicycle access plan instead of “a sidewalks plan” that targets only pedestrians. Creation of the pedestrian and bicycle plan will help the Town to seek and obtain state and federal pedestrian/bicycle facility funding sources.

Chapter Nine: Housing

- Page 85: *Figure 9-1*, it is recommended that a description be added to indicate what the x-axis of the figure represents (e.g. “persons per household”).
- Page 86: *Figure 9-2*, it is recommended that a description be added to indicate what the x-axis of the figure represents (e.g. “persons per household”).
- Page 86: The Plan states that “[a]ccording to Census and HUD statistics, the following is a summary of workforce and affordable housing needs in the Town of Hurlock”, and is followed by four bullets. It seems that, indeed, the first three bullets are summaries of statistics, and these three bullets address “workforce and affordable housing needs”. However, it appears that the fourth bullet is not well placed within this section, as it is not a statistically based conclusion, but more of a programmatic issue, perhaps best discussed elsewhere within this Element.

Chapter Ten: Sensitive Areas

- Page 89: Within the *Natural and Environmental Features* section, the Plan correctly indicates, “Article 66B requires that every municipality have a Sensitive Areas Element, which describes how the jurisdiction will protect... agricultural and forest lands intended for resource protection or conservation”, however, it does not appear that the Sensitive Area Element addresses this issue.
- Page 89: Within the *Wetlands and Wetland Buffers* section, the first paragraph of this section states “[i]f wetland mitigation is not possible, a 25-foot vegetated buffer should be implemented...”. This statement seems out of place, in that there is no discussion of State wetland law requirements of ordinal consideration of “avoidance, minimization and mitigation”, and regardless of this order of protecting wetlands, a 25-foot buffer is already required whether “mitigation is not possible” or is possible. It is suggested that this section be expanded upon and clarified.
- Page 91: Within the *Habitat of Rare, Endangered or Threatened Species* section, it may be appropriate to discuss the two large Sensitive Species Project Review Areas (SSPRA’s) independently, as one SSPRA is located within the center of Hurlock (highly developed) and the other SSPRA is on the very edge

of the Town limits (relatively undeveloped). Given the differences between the location and circumstance of these SSPRA's, it may be appropriate to discuss and/or recommend different consideration or processes in reviewing and approving development activity within and proximate to these two distinct areas.

- The Town of Hurlock is located within the Heart of Chesapeake Country Heritage Area. As such, the Plan should discuss the Heritage Area Program in general and its effect upon Hurlock, and must add the following specific statement to this Comprehensive Plan:
 - The Heart of Chesapeake Country Heritage Area Tourism Management Plan, dated June 2002, and as may be amended from time to time in the future, is hereby incorporated, by reference, in the Town of Hurlock Comprehensive Plan.
- The Sensitive Areas Element should briefly discuss the Forest Conservation Program and how this program is administered in the Town, especially in that elsewhere in the Plan the use of urban street trees is discussed as an alternative to the Forest Conservation Program.

Chapter Eleven: Mineral Resources

- Page 96: Within the *Wellhead Protection Areas* section of the Mineral Resources Element there is a statement that “[t]here are also small water systems located in and around Hurlock that should be considered” (emphasis added), however, there does not appear to be any discussion within the Water Resources Element about these small water systems (ownership or magnitude).

Chapter Twelve: Plan Implementation

- Page 102: Within the *Potable Water* section, it is unclear what is meant by “[a]dopt a well head protection and excellent recharge areas protection ordinance...” (emphasis added). This phrase is also found within the WRE, on page 70.
- Page 106: The first funding recommendation suggests that the Town “[t]ry to budget the plans, studies and infrastructure improvements discussed above into the general budget”. While a laudable goal, it is recommended that dedicated funding sources (such as enterprise funds) be used for infrastructure improvements, and therefore, perhaps greater specificity is warranted.

