

RESOLUTION NO. 2009-28

A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS APPROVING A STORMWATER MANAGEMENT PLAN, INCLUDING A QUANTITATIVE WAIVER, FOR THE PROJECT KNOWN AS CHESAPEAKE REACH, OWNED BY WINDWARD INVESTMENTS, LLC

WHEREAS, the matter before the Commissioners of St. Michaels (the "Commissioners") involves a request for the approval of a stormwater management plan and a quantitative waiver for property owned by Windward Investments, LLC ("Windward") located immediately north of Canton Street and south of Railroad Avenue, lying easterly along Chesapeake Avenue with one lot lying westerly along Chesapeake Avenue, consisting of Lots 15-28 in Block B and Lots 12 and 13 in Block C, being part of the Willey's Terrace Subdivision recorded in 1913, identified on Tax Map 200, Grid 21 as Parcels 1783 and 1785 (the "Property"); and

WHEREAS, on or about March 25, 2009, the Commissioners approved, with conditions, an award of Growth Allocation to change the critical area designation of the Property from Limited Development Area to Intensely Developed Area, thereby utilizing 2.99 acres of Growth Allocation for Intensely Developed Area to be applied to the Property. One of the conditions of approval was that Windward obtain stormwater management approval prior to final subdivision approval. Another condition was that the Chesapeake Bay Critical Area Commission (the "CAC") approve Windward's request for Growth Allocation; and

WHEREAS, on July 8, 2009, the CAC approved Windward's request for Growth Allocation with the following conditions:

1. Prior to final subdivision approval, the Town shall submit final 10% Phosphorus Reduction calculations for review and approval by Commission staff, and if necessary, to the full Critical Area Commission.
2. Prior to final subdivision approval, the Applicant shall submit a Buffer Management Plan to Commission staff for review and approval that provides a fully vegetated Buffer area. The Buffer Management Plan shall include provisions for maintenance, survival, monitoring and replanting for three years and provisions for the collection of a bond by the Town in an adequate amount to ensure effective implementation for the full three-year period.
3. Prior to final subdivision approval, the applicant shall provide Commission staff with legal documentation including protective restrictions and/or covenants which ensure effective implementation and enforcement of the Buffer management provisions detailed in the approved BMP, as well as provisions, restrictions and/or covenants to maintain effective implementation and enforcement of all the stormwater management measures for the site, including the grass channels, wet swales and pocket pond. The documents shall be provided and amended so as to be deemed sufficient by the Office of the Attorney General.
4. The final subdivision plan shall be substantially in compliance with the conceptual plan submitted to Commission staff and dated June 30, 2009 (See CAC Approval Letter attached hereto as Exhibit A); and

WHEREAS, subsequent to the conditional approval of Windward's request for Growth Allocation, Windward submitted to the CAC and the Town final 10% Phosphorus Reduction

calculations, a Buffer Management Plan for the Property and proposed covenants to ensure the effective implementation and enforcement of the Buffer management provisions; and

WHEREAS, the CAC, by way of letter dated August 24, 2009, acknowledged receipt and approval of the required 10% phosphorus reduction plan. The plan included the required calculations. The CAC approval thereof met one of the Commissioners' conditions of Growth Allocation; and

WHEREAS, Town Staff reviewed the Buffer Management Plan, and Town Staff and the Town Attorney reviewed the proposed Covenants and submitted their comments to Windward. Windward has incorporated all of the requested revisions; and

WHEREAS, the CAC has reviewed and commented on the Buffer Management Plan and the proposed covenants; however, final approval thereof has not been obtained from the CAC as of this date. The Commissioners note that the CAC's conditions require these approvals prior to final subdivision, not stormwater management plan approval, and that Windward has submitted all requisite documents to the CAC, has received comments thereon, has responded thereto and is awaiting final approval of the Buffer Management Plan and the Covenants; and

WHEREAS, Windward's actions with respect to the submission of the Buffer Management Plan satisfy another condition of the Commissioners award of Growth Allocation for the Chesapeake Reach development requiring the submission of a Buffer Management Plan; and

WHEREAS, on September 24, 2009, the Town Planning Commission granted conditional preliminary subdivision approval for a nine lot residential subdivision with a stormwater management/mitigation parcel for the Property, one condition of which is the approval of a stormwater management plan by the Commissioners; and

WHEREAS, on September 10, 2009, Windward Investments, LLC submitted a request for approval of a stormwater management plan for the Chesapeake Reach subdivision, as well as a request for a quantitative stormwater management waiver (See September 10, 2009 letter from Lane Engineering.), which application was received by the COSM and deemed by the Town to be a complete submission on September 23, 2009 (See Minutes of Commissioners' September 23, 2009 meeting); and

WHEREAS, a stormwater management plan is required by Town Code, §281-5 which states that "no person shall develop any land for residential, commercial, industrial, or institutional uses without having provided stormwater management practices that control and manage stormwater runoff from such development in accordance with an approved stormwater management plan;" and

WHEREAS, since Chesapeake Reach involves the development of nine residential lots with houses on each lot it is considered a major project under Town Code, §281-4; and

WHEREAS, the Commissioners are charged with the review and approval of the Chesapeake Reach stormwater management plan under Town Code, §281-13 as the Town Commissioners are the enforcement authority for major projects; and

WHEREAS, the Commissioners are required, prior to granting approval, to review the plan to determine compliance with the requirements of Town Code, Chapter 281; and

WHEREAS, the process for the Commissioners' review shall be the same as for applications for subdivisions and shall include a review by the Technical Advisory Committee, which did occur in connection with this application; and

WHEREAS, it has been more than 45 days since the complete application was received by the Commissioners; and

WHEREAS, on November 18, 2009 the Commissioners conducted a public review of this matter at which time it heard a presentation by the Applicant and the Town's Consulting Engineer, and entertained questions and comments from the public; and

WHEREAS, the Commissioners review of the subject stormwater management plan and quantitative waiver included a review of all documents submitted by Windward in connection with its request, all additional information and documentation submitted by Windward subsequent to its original submission, the Technical Advisory Committee's comments; and reports generated by the Town's Consulting Engineer in connection with this matter; and

WHEREAS, on November 18, 2009, the Commissioners discussed the subject application and quantitative waiver request, and determined that based upon its review of the documents presented to it in connection with this matter, the presentation by Robert Kane, P.E., of Davis, Bowen & Friedel, Inc., the Town's Consulting Engineer, and the presentation of Rick Van Emburgh, P.E., Windward's Consulting Engineer, the requested stormwater management plan and quantitative waiver comply with all of the requirements of Town Code, Chapter 281 as is more fully set forth herein. The Commissioners then directed that a resolution be drafted encompassing its decision; and

WHEREAS, based upon its review of the Chesapeake Reach stormwater management plan and the quantitative waiver request and all documents submitted in connection therewith, the Town's Consulting Engineer's reports, and the presentations and documents submitted during the Commissioners' public review of the proposed stormwater management plan and the quantitative waiver, the Commissioners find that the requirements of Town Code, Chapter 281 regarding the criteria for approval of a stormwater management plan, including the granting of a quantitative waiver, have been met. Accordingly, the Commissioners desire to approve the proposed stormwater management plan and quantitative waiver for Chesapeake Reach.

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of St. Michaels that the foregoing "Whereas" clauses, also referred to as recitals, are incorporated by this reference into this Resolution as operative provisions hereof.

SECTION 2.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of St. Michaels that based upon the documents submitted and presentations made in connection with this matter, the Commissioners make the following findings of fact and conclusions of law regarding the stormwater management plan and quantitative waiver request submitted by Windward Investments, LLC for the Property:

1. Robert Kane, P.E., with Davis, Bowen & Friedel, Inc., the Town's Consulting Engineer (hereinafter the "Town's Consulting Engineer"), reviewed the stormwater management plan

and request for a quantitative waiver that was submitted by Windward for the Property for the development known as Chesapeake Reach. In connection therewith Mr. Kane reviewed all documents submitted by Windward, including a complete set of plans and a technical stormwater report. See November 17, 2009 letter from Mr. Kane to the Commissioners. Mr. Kane also reviewed the comments of the Technical Advisory Committee.

2. In accordance with Town Code, §281-15, the stormwater management plan was prepared and sealed by a professional engineer licensed in the State of Maryland.
3. The request for stormwater management approval and a quantitative waiver comply with the requirements of Town Code, §281-14 "Contents of Plan," Subsection A which address the minimum information required to be submitted for support of a stormwater management plan or application for a waiver. See November 17 Report entitled "Stormwater and Floodplain Management Review for the Chesapeake Reach Subdivision" (hereinafter referred to as the "November 17 Report"). The Commissioners note that Subsection A(8) thereof, "nonstructural computations for all curve number credits used to reduce the requirements of §281-10A" does not apply to this request.

Furthermore, the subject requests meet all of the requirements of Town Code, §281-14.B, which addresses the requirements of the construction drawings submitted in support of the stormwater management plan. See November 17 Report and presentation of Town's Consulting Engineer. The stormwater management plan was accompanied by a report that included sufficient information to evaluate the environmental characteristics of the proposed development and other affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of the stormwater management practices proposed for managing stormwater runoff as is required by Town Code, §281-14.C. See November 17 Report.

The waiver request contains the information and drawings required by Town Code, §281-7.

4. The stormwater management plan does not involve the direction or redirection of some or all runoff from the site, a change in stormwater runoff volume, and/or a change in the nature of such runoff, such that easements from adjacent property owners are necessary, thereby meeting the requirements of Town Code, §281-14.D. Stormwater from the site will be managed for quality and directed toward the preconstruction discharge location with non-erosive velocities. The Commissioners note that the stormwater management proposal actually collects runoff from adjacent properties. See November 17 Report.
5. The basic design criteria, methodologies, and construction specifications utilized are those of the Stormwater Design Manual, as modified without conflict by Chapter 281 as is required by §281-12. "Specific design criteria." See presentation by Town's Consulting Engineer. Additionally, Windward's Consulting Engineer stated during his presentation that the proposed stormwater management plan implements the 2007 Stormwater Design Manual and that he believes it is a complete design under the future rules. In support of his assertion he stated that Windward is providing infiltration in swales located around three sides of Lots A through H, is exceeding the minimum requirements for recharge volume, providing significantly more wetland mitigation than is required, and is providing at least 52% of stormwater management through nonstructural means. This representation was undisputed. At the end of the Town's Consulting Engineer's presentation to the Commissioners, Mr. Kane mentioned that the new stormwater management regulations implementing the 2007 Stormwater Design Manual are required to be adopted by the Town by May 4, 2010. He

further stated that if Windward does not have its building permits by May 4, 2010, Windward *may* need to redesign the site to comply with the new regulations. The Commissioners acknowledge that regardless of representations made at the public review of this matter, the relevant provisions of State law and the Code of Maryland Regulations and the Town Code shall govern the application of the 2007 Stormwater Design Manual to this Project.

6. The Critical Area 10% Rule has been applied to this project, and is also a condition of Growth Allocation.
7. Windward's stormwater management plan is summarized as follows:
Runoff from the proposed rooftops will convey through downspouts and spill to grade, providing the rooftop discharge an opportunity to flow through a grass area as sheet flow prior to reaching the stormwater management practices. The downspouts for each structure will spill to grade and be directed toward the proposed water quality wet swales, except for Lot I where the rooftop runoff should be directed toward the roadway, where it will eventually enter the pocket pond, which is built for stormwater management. The grass swales will convey the stormwater to the pocket pond by gravity. Runoff overflowing the pond will discharge by gravity to the culvert under Canton Street into tidally influenced receiving waters of San Domingo Creek. The disconnection of impervious areas described above will have the effect of decreasing runoff volume since the flow will have an opportunity to infiltrate the ground as it passes over pervious areas. It also has the advantage of increasing water quality because of the filtering effect that the grass has on water flow.

The Town's Consulting Engineer, in his presentation, confirmed Windward's assertion that the stormwater will discharge into tidally influenced receiving waters of San Domingo Creek.

8. Town Code, §281-10 "Minimum Requirements; qualitative treatment and quantity control" states that, as to qualitative treatment, that the recharge volume and the water quality volume as defined in Chapter 281 shall be addressed according to the Stormwater Design Manual and the Chapter 281 using the stormwater management practices as required by §281-11. In accordance with this requirement, Windward meets and exceeds the minimum requirements for recharge volume and water quality volume. In support there of the Town's Consulting Engineer proffered the following calculations provided by Windward, with which the Town's Consulting Engineer agrees:

Rev Proposed = 0.49 ac > Min. Rev Req'd = 0.12 ac (408% provided)
Water Quality Volume in Grass Channels (Nonstructural):
WQv Proposed = 0.49 ac, WQv Req'd = 0.947 ac (52% provided)
Water Quality Volume in Pocket Pond (Structural):
WQv Proposed = 3,185 cf > WQv Req'd = 2,554 cf (125% provided)

Section 281-10A(2) goes on to state, as to quantitative control, the channel protection storage volume shall be addressed according to the Stormwater Design Manual and Chapter 281 using the stormwater management practices as required by §281-11. The Town's Consulting Engineer has concluded that a quantitative waiver has been applied for, accordingly, channel protection storage volume (Cpv) is not required. The Town's Consulting Engineer stated that he supports the requested waiver.

9. Stormwater management has both a quantity and quality component. As for quantity management, the quantity requirements have been satisfactorily addressed through calculations submitted for each component of the stormwater collection and conveyance

system, and the request for a waiver. The required quality management requirements have been addressed by:

- a. Disconnecting the rooftops on each lot
- b. Providing flat bottom swales along three sides of Lots A through H to treat the stormwater runoff from the Lots
- c. Addressing runoff from adjacent properties by way of swales located at the rear of Lots A through H
- d. Wetland Mitigation

As stated by the Town's Consulting Engineer, the Commissioners find that the Project qualifies for a quantitative stormwater management waiver because the site discharges directly into tidally influenced receiving waters. Windward has presented documentation that the existing conveyance and receiving channels are stable and will remain so under the proposed development conditions and that there will not be erosive or settling stormwater velocities. This was confirmed by the Town's Consulting Engineer. See November 17 Report.

10. The various provisions of Town Code, §281-11 "Stormwater management practices" have been addressed as follows:
 - a. Both nonstructural and structural stormwater management practices established in Chapter 281 have been used in developing the stormwater management plan, employing nonstructural practices to the maximum extent possible (swales) before resorting to structural practices (stormwater management pond). The proposed stormwater management system provides 52% of the required water quality volume within the proposed grass channels, which are nonstructural practices under §281-11.B. The remaining percentage of water quality volume is achieved in the proposed pocket pond, which is a structural practice under §281-11.B. The grass swales provide greater than 100% of the required recharge volume. See November 17 Report.
 - b. The stormwater management plan does not include stormwater management practices that are inconsistent with the objectives and provisions of Chapter 281 or with other stormwater policies adopted by the Town. See presentation of Town's Consulting Engineer.
 - c. The plan relies upon up-to-date technology and proven science and follows the guidelines established in the 2000 stormwater design manual, as is required. The plan but does not include technologically unproven or experimental practices. See November 17 Report.
 - d. The plan tailors its practices to the natural conditions of the site, which can be seen by use of grass swales to convey stormwater by gravity to the pocket pond, then discharging by gravity to the culvert under Canton Street. Since the adjacent site drains toward the Property, the use of grass channels has allowed off site drainage to be captured and treated for maximized water quality. See November 17 Report. It is the Town's Consulting Engineer's opinion that the further use of non-structural practices may require non-typical stormwater applications and potentially deviate from proven technology.
 - e. There was no evidence that the plan's projected construction costs per unit or its annual operating and maintenance costs per unit are unreasonably high given the levels of pollutant removal and quantitative control it intends to achieve. In fact the Town's Consulting Engineer opined that the proposed practices have no measurable operation costs and a low maintenance cost. Swales are the least expensive to

- construct and to maintain over time. Furthermore, the Town's Consulting Engineer stated that the site is small so there is not much room left for additional practices.
- f. As for nonstructural stormwater management practices, the Commissioners find that grass channels, as nonstructural stormwater management practices, have been applied according to the Stormwater Design Manual: The Town's Consulting Engineer concludes that additional measures that could be classified as "natural area conservation" and the use of "natural topography" exist on the site plan, but were not applied by the Applicant.
 - g. A curve number (CN) credit was not applied to this Project.
 - h. The use of nonstructural stormwater management practices are in accordance with existing state or local laws, codes, ordinances, regulations, or policies. See presentation and November 17 Report of Town's Consulting Engineer.
 - i. As for structural stormwater management practices, the stormwater management pond has been designed according to the Stormwater Design Manual. In accord with §281-11A(1) and (2), structural practices have only been proposed after nonstructural practices were employed.
 - j. According to the Applicant and the Town's Consulting Engineer, the performance criteria specified in the Stormwater Design Manual with regard to general feasibility, conveyance, pretreatment, treatment and geometry, environment and landscaping, and maintenance were considered when selecting stormwater management practices, as is required by the Town Code.
 - k. The stormwater management facilities are not enclosed. The Commissioners are concerned that this will be an attractive nuisance for children and present a danger. Accordingly, at the hearing the Applicant proffered that it would be willing to protect against intrusions by the public through the erection of a gated fence around the stormwater management pond.
 - l. The minimum qualitative treatment requirements established in Town Code, §281-10 and the Stormwater Design Manual have been met, and the minimum quantity control requirements have been waived pursuant to Town Code, §281-7.
 - m. The hydrologic and topographic conditions have been adequately addressed by the Applicant. The stormwater management and development plans are consistent with flood management plans as approved by the Maryland Department of the Environment in accordance with the Flood Hazard Management Act of 1976, as amended from time to time. Since in its consideration of Growth Allocation for the Property, issues were raised concerning the floodplain status of the Property and the development potential of the Property given its location within the floodplain, the Town's Consulting Engineer thoroughly examined Town Code, Chapter 173 "Floodplain Management." See November 17 Report. The Town's Consulting Engineer concluded that the floodplain within the Property is tidal. No development is proposed within the flood protection setback, except for the stormwater pond outfall. According to the Town's Consulting Engineer, Windward should be able to develop the proposed lots so long as all necessary state and federal permits are obtained and presented to the Town. Furthermore, the lowest floor elevation should be noted on each lot with at least one foot of freeboard above the flood elevation of 7 feet, National Geodetic Vertical Datum. Chapter 173 requires certain documents and/or information; however, it is not required to be provided on the plans for stormwater management approval. The documents and information will be required of each lot owner/developer prior to obtaining a building permit.

11. The Town's Consulting Engineer recommends approval of the stormwater management plan and the quantitative waiver for all of the reasons set forth in his November 17 Letter and November 17 Report, and as stated by him at the public meeting of the Commissioners.
12. The Commissioners, after hearing from the Town's Consulting Engineer and Windward's Consulting Engineer, opened the floor to the public. Only one person spoke during the time for public comment.
13. For all of the reasons set forth above, the Commissioners find that the Chesapeake Reach stormwater management plan meets all of the criteria for stormwater management plan approval set for in Town Code, Chapter 281.
14. The Commissioners find that the stormwater management practices proposed will reasonably ensure that the development will not adversely impact stream quality. For all of the reasons set forth above, the Commissioners find that the Chesapeake Reach request for a quantitative waiver meets all of the criteria for approval set forth in Town Code, Chapter 281.
15. The Commissioners find that all of the procedural requirements relating to this application (Plan review and waiver review) have been met.

SECTION 3.

AND, BE IT FURTHER RESOLVED by the Commissioners of St. Michaels, that:

1. The Commissioners find that pursuant to Town Code, §281-7 quantitative stormwater management waivers can only be granted to projects which are within areas where watershed management plans have not been developed, and points of study that discharge directly into tidally influenced receiving waters, provided that the applicant demonstrates that the existing conveyance and receiving channels are stable and will remain stable under the proposed development conditions. A channel is considered stable when the design flows can be conveyed and received without excessive aggradation (sedimentation) or degradation (erosion) of the channel and when there is good vegetative cover of the channel banks. (See Town Code, §281-7.)
2. The Commissioners further find that the Town Code requires that waivers be granted on a case-by-case basis, considering the cumulative effects of the Town's waiver policy; and reasonably ensuring that the development will not adversely impact stream quality.
3. The Commissioners find that according to the testimony and evidence presented regarding this particular development proposal, this project is located in an area where watershed management plans have not been developed.
4. Furthermore, the Commissioners find that the point of discharge for the project is directly into the San Domingo Creek, which is "tidally influenced receiving waters." (See the Windward Stormwater Management Report, page 3, Item 4.)
5. The Applicant submitted drawings which show the stormwater collection system. Based upon the documentation submitted and presentations made, the Commissioners conclude that the design flows for Chesapeake Reach can be conveyed and received without excessive sedimentation or erosion of the channel. Accordingly, the Commissioners find that the

Applicant has demonstrated that the existing conveyance and receiving channels are stable and will remain stable under the proposed development conditions.

6. Furthermore, the Commissioners note that a waiver for quantitative stormwater management does not imply that the quantity of stormwater collected and or conveyed by a project has not been considered. The developer has provided specific calculations (as were required) to ensure water will not overflow each component in the 10-year design storm. Calculations of this nature are required by the Town's ordinance as well as by the 2000 Stormwater Manual.
7. Given a quantitative waiver for the Property and all of the qualitative stormwater management facilities provided as part of this development, such as the use of grass channels and a stormwater management pocket pond, the Commissioners find that the development will not adversely impact stream quality.
8. This waiver request is the second stormwater management quantitative waiver request that has been submitted to the Town, the first request being for the Hatton's Garden project.
9. For all of the above reasons the Commissioners hereby find that the Applicant's request for a quantitative stormwater management waiver for Chesapeake Reach meets all of the criteria for approval.

SECTION 4.

AND, BE IT FURTHER RESOLVED by the Commissioners of St. Michaels that the Chesapeake Reach stormwater management plan and quantity waiver, as submitted in connection with this matter, are hereby granted for all of the reasons articulated hereinabove, subject to the following conditions, which conditions the Commissioners deem necessary to ensure compliance with the provisions of Town Code, Chapter 281 and the preservation of the public health and safety, and as are authorized by Town Code, §281-18:

1. The Applicant shall comply with all prior Town and Critical Area Commission approvals, including but not limited to Growth Allocation and preliminary subdivision approvals.
2. The Applicant shall obtain approval of its Buffer Management Plan from the Critical Areas Commission and shall comply with any conditions of approval imposed thereon.
3. The stormwater management plan shall serve as a basis for all subsequent construction.
4. No building permit shall be issued for any Lot without:
 - a. The recordation of all easements required under Town Code, §281-16.
 - b. A recorded inspection, maintenance and operations agreement in accordance with Town Code, §281-25.
 - c. Performance bonds for the construction of all stormwater management practices in accordance with the approved stormwater management plan.
 - d. A site plan for each lot showing all proposed construction and delineation of all areas to be occupied by nonstructural stormwater management practices.
 - e. The lowest floor elevation being noted on each lot with at least one foot of freeboard above the flood elevation of 7 feet, National Geodetic Vertical Datum of 1929.

5. The Applicant shall comply with and all applicable Town, State and Federal laws, regulations and orders, including but not limited to those pertaining to permitting, bonding and requisite agreements.
6. The Applicant shall comply with the requirements and terms of any and all permits issued for the Chesapeake Reach project as of the date of this Resolution.
7. The Applicant shall comply with all of the requirements of Town Code, Chapter 173 "Floodplain Management."
8. Windward shall execute and record covenants as referenced hereinabove acceptable to the CAC and the Town Attorney.
9. The Applicant shall erect a fence around the proposed stormwater management pond and erect thereon signs of sufficient size and location to adequately warn the public that there shall be no trespassing.

The Commissioners hereby recognize and acknowledge, and so advise the Applicant that, in accordance with Town Code, §281-19, the stormwater management plan approval and the stormwater quantity waiver approval granted herein may be suspended or revoked by the Commissioners for the reasons set forth in Town Code, §281-19, which include but are not limited to a violation of the plan or any of the above conditions

SECTION 5.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon the date of its adoption.

THIS RESOLUTION NO. 2009-28 HAVING BEEN PASSED by the following yea and nay vote of the Commissioners of St. Michaels on the 16th day of December 2009, at 6:30 o'clock p.m. in the meeting room of the Town Office, 300 Mill Street, St. Michaels, Maryland.

Brady -	_____	yea
Clark -	_____	yea
Dinkel -	_____	yea
Hunt -	_____	yea
Snyder -	_____	yea

I HEREBY CERTIFY that Resolution No. 2009-28 was passed by a yea and nay vote of the Commissioners of St. Michaels on the 16th day of December, 2009.

ATTEST:


Cheryl S. Thomas, Town Clerk/Manager

THE COMMISSIONERS OF ST. MICHAELS

By:  (Seal)
Michael W. Brady, President