

RESOLUTION NO. 2020-07

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE TOWN OF PERRYVILLE TO ADOPT AN ANNEXATION PLAN ASSOCIATED WITH THE ANNEXATION OF 148.616 ACRES OF LAND, MORE OR LESS, INTO THE CORPORATE LIMITS OF THE TOWN OF PERRYVILLE.

WHEREAS, the Town of Perryville is the owner of two adjoining parcels of land known as the “Community Park,” consisting collectively of 148.616 acres, more or less, situate and lying in the Seventh Election District of Cecil County, Maryland, in the vicinity of lands owned by the Veterans Administration Hospital. The Town of Perryville is the owner of these two adjoining parcels of land by virtue of a Quit Claim Deed dated May 7, 1990 and recorded among the Land Records of Cecil County, Maryland in Liber NDS 306, folio 882, and a Quit Claim Deed dated November 20, 1972 and recorded among the Land Records of Cecil County, Maryland in Liber WAS 300, folio 364 (collectively “the Property”).

WHEREAS, the Property is depicted on a survey plan entitled, “Annexation Plan to the Corporate Limits of the Town of Perryville” prepared by McCrone in May, 2019, and is described by metes and bounds in a “DESCRIPTION OF 148.616 ACRES OF LAND, MORE OR LESS, FOR THE PURPOSE OF ANNEXATION OF TWO PARCELS. THE LANDS OF THE TOWN OF PERRYVILLE, MARYLAND, AND THE TOWN COMMISSIONERS OF PERRYVILE, MARYLAND SEVENTH DISTRICT, CECIL COUNTY, MARYLAND.” dated May 26, 2020, and prepared by McCrone; and

WHEREAS, the Board of Commissioners of the Town of Perryville desires to annex the Property into the corporate limits of the Town of Perryville and, to that end, consented to the initiation of annexation proceedings by Resolution 2020-04 adopted on June 2, 2020; and

WHEREAS, no persons reside on the Property and, thus, there are no other persons whose consent to the annexation of the Property is required; and

WHEREAS, the Board of Commissioners of the Town of Perryville desires to adopt an annexation plan as required by law for the Property proposed to be annexed into the corporate limits of the Town of Perryville. Now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF PERRYVILLE that the Board of Commissioners hereby adopts the Annexation Plan attached to this Resolution and the terms and conditions contained therein.

ATTEST:



Cary McCardell,
Assistant Town Administrator

BOARD OF COMMISSIONERS
OF THE TOWN OF PERRYVILLE

By: 

Robert R. Ashby, Jr., Mayor

Date Approved: September 1, 2020

ANNEXATION PLAN Perryville Community Park

GENERAL INFORMATION AND DESCRIPTION:

The Mayor and Commissioners of the Town of Perryville desire to officially annex the community park to be included within town boundaries.

Purpose of the Annexation

The purpose of this annexation is to officially recognize the community park as within Town boundaries. In 1972 the United States of America issued a quitclaim deed for 44 acres, more or less, of a portion of the Veterans Administration Hospital Reservation, to the Town of Perryville, Maryland, for a public park or public recreation purposes in perpetuity. Then, in 1990 another quitclaim deed was issued by the USA to the Town for the adjoining approximately 104.5 acres, more or less, for the same purposes in perpetuity. These properties have been used and maintained by the Town of Perryville as a community park for the public for many years but they have not been legally annexed into the Town's corporate limits. The community park is contiguous and adjacent to the Town's existing corporate limits and lies within the Town's growth area contemplated by the 2010 Comprehensive Plan. No persons reside on these community park properties. The Mayor and Commissioners believe that it is desirable and appropriate that the Town, as the owner of the properties, annex them into the Town's corporate limits.

Location

Perryville Community Park is the largest municipal park in Cecil County, with a total of 168.5 acres of land and features 44 cleared acres of active park amenities.

The park is located on the Perry Point peninsula at the top of the Chesapeake Bay, overlooking to the east the confluence between Mill Creek, Furnace Bay and the Northeast River and to the west the Susquehanna River. The area south where the waters from these sources mingle is called the Susquehanna Flats and to the north is Perry Point Veterans Administration Medical Center and the Town of Perryville.

ANNEXATION CRITERIA:

The Local Government Article of the Annotated Code of Maryland establishes standards for evaluating annexations. The code states that a municipal corporation may enlarge its corporate boundaries only to land: 1) Which is adjoining and contiguous to the existing corporate area; and 2) Which does not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the municipality as a result of the proposed annexation, or any combination of such properties.

This proposed annexation meets these requirements.

LAND USE PATTERNS OF AREA PROPOSED TO BE ANNEXED:

Existing and proposed zoning and land use:

These properties have been used and maintained by the Town of Perryville as a community park for the public for many years and will continue the same use in perpetuity. These properties currently have no Cecil County zoning classification. The Town zoning designation will be OS-Open Space District.

Compliance with Town's Comprehensive Plan:

The Comprehensive Plan's Community Facilities Element section provides goals and objectives. Goals include providing an appropriate array of community facilities and services required to maintain the health, safety and welfare of the residents of Perryville, and providing adequate parks, entertainment, recreation, open space and opportunities equitably distributed throughout the Town for the benefit of existing and future Town residents. Objectives encourage use of public lands for a variety of public purposes and assure community services and facilities are the least disruptive to the environmental qualities in the area.

The subject property is currently utilized as a community park. The Town will continue the use and maintenance of the property exclusively for public park or public recreation purposes in perpetuity. These amenities for recreation are important to the quality of life for the residents of Perryville and vital to the whole community.

ADEQUACY OF PUBLIC FACILITIES:

There are no plans for extension of public facilities to the property. No additional personnel or infrastructure is required.

Fire, EMS and Rescue Services

Police protection will continue to be provided by Perryville Police Department in conjunction with the Cecil County Sheriff's Department. Emergency services to continue as provided currently, primarily through The Community Fire Company of Perryville, Maryland, Inc.

School Services

There are no impacts on Cecil County Public Schools systems as a result of this annexation because the property to be annexed will not be developed for residential uses and no residents live on the property.

Parks and Recreations/Public Libraries

This annexation will continue the existing use for public recreational use with no immediate plans for redevelopment. Because the property to be annexed is not slated for residential development the annexation will have no impact on public libraries.

Storm Water Management

There are no impacts to storm water management as no improvements are part of the annexation.

ENVIRONMENT:

The annexation of the community park will not impact the natural features of the Town including streams, wooded areas, wildlife habitats, and any sensitive natural areas to any more extensive degree than has existed for many years. The Town will continue to maintain and manage these features in a manner consistent with the ongoing use of the property as a public park.

CONSISTENCY WITH MUNICIPAL GROWTH ELEMENT

The annexation of the community park into the corporate limits of the Town would be consistent with the municipal growth element of the Town of Perryville's 2010 Comprehensive Plan. The community park lies within the Town's growth area as depicted in the municipal growth element of the Comprehensive Plan.