



**SALISBURY CITY COUNCIL
WORK SESSION AGENDA**

AUGUST 2, 2021

Government Office Building, Council Chambers, Salisbury, MD and Zoom Video Conferencing

- 4:30 p.m. Chesapeake Utilities Corporation- Somerset Natural Gas Project update- Department of Infrastructure and Development (DID) Director Amanda Pollack
- 4:40 p.m. Fortune Telling License legislation- Business Development Director Laura Soper
- 4:50 p.m. Summersgate Amended and Restated Annexation Agreement- DID Director Amanda Pollack
- 5:05 p.m. Update on First Street house fire- Fire Marshal Eric Cramer and Housing & Community Development (HCDD) Director Ron Strickler
- 5:25 p.m. Administration and Council Remarks
- 5:30 p.m. Adjournment

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 3-305(b).*

Join Zoom Meeting
<https://us02web.zoom.us/j/5362772908>
Meeting ID: 536 277 2908
Phone: 1.301.715.8592

Posted 7/28/21



July 21, 2021 Somerset Project Update

- **Work completed in past month**
 - Ongoing construction activities:
 - Grading
 - Stringing/welding/fabrication
 - HDD pipeline installation
 - Open trench pipeline installation
- **Work to be completed in next month**
 - Ongoing construction activities at various locations:
 - Grading
 - Stringing/welding/fabrication
 - Open trench pipeline installation
- **Work performed in Salisbury**
 - Ongoing construction activities:
 - Grading
 - Stringing/welding/fabrication
 - HDD pipeline installation
 - Open trench pipeline installation
 - **Approximately 98% of pipeline installed within town of Salisbury as of 7/20/21**
- **Anticipated project completion date (Salisbury specific)**
 - Construction completion estimates are weather dependent
 - HDD Complete: 2Q21
 - North Salisbury Tie-ins: 3Q21
 - Restoration to be completed as construction is completed in sections
- **Coordination with Salisbury City Staff on Rails to Trails**
 - A small Chesapeake Utilities team is working directly with Will White, of the City of Salisbury to see if there are any areas where the trail aligns with our right of way
 - We learned from RailPros that crossing the rail road discussion will need to be coordinated with the Norfolk Southern Public Projects group
 - Chesapeake Utilities Vice President Shane Breakie shared a contact name and phone number was shared with Councilwoman Blake last week

Memo

To: City Council
From: Hannah Prugh, Mayor's Office Intern
Laura Soper, Director of Business Development
Date: 8/1/21
Subject: Changes to Chapter 5.28 - Fortune Telling

Under Chapter 5.28 of the City Code, anyone who is looking to perform acts of Fortune Telling within City limits are required to get a Fortune-telling permit from the City. The multi-step process of getting this license is typically lengthy and expensive. It has been brought to our attention by a community member that this extensive process, along with the outdated language should be updated for the benefit of our citizens and community as a whole. In addition to abridging the multi-step process and using more inclusive verbiage, we propose reducing required fees, as well as charges and penalties for violations. These revisions will provide a better opportunity for members of our community who seek a career in fortune-telling practices to pursue their aspirations as well as express Chapter 5.28 of the City Code in a fair, inclusive, and professional manner.

ORDINANCE No. _____

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 5.28 – FORTUNE-TELLING OF THE SALISBURY MUNICIPAL CODE TO AMEND THE REQUIREMENTS FOR FORTUNE-TELLING.

RECITALS

WHEREAS, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code demonstrates the need for periodic review, evaluation and amendment; and

~~WHEREAS, the City of Salisbury desires to require all applications for licensure for Fortune-Telling in City limits~~

~~WHEREAS~~WHEREAS, the City of Salisbury ~~would like~~desires to amend ~~the~~ Chapter 5.28 to update the requirements and process by which ~~f~~Fortune-~~t~~Telling is permitted.

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter 5.28 of the City of Salisbury Municipal Code be amended as follows:

Chapter 5.28 - FORTUNE-TELLING

5.28.010 - Definitions.

For the purpose of this chapter, the following terms shall have the meanings indicated:

"Fortune-telling" means the telling of fortunes, forecasting of futures, or reading the past, by means of any occult, psychic power, faculty, force, clairvoyance, cartomancy, psychometry, phrenology, spirits, tea leaves, tarot cards, scrying, coins, sticks, dice, sand, coffee grounds, crystal gazing or other such reading, or through mediumship, seership, prophecy, augury, astrology, palmistry, necromancy, mindreading, telepathy or other craft, art, science, talisman, charm, potion, magnetism, magnetized article or substance, or by any such similar thing or act for pay or compensation.~~the practice of revealing the past, present or future fortune or events of anyone's life by palmistry, phrenology or by any other means or device whatsoever, including revealing a person's character or personality characteristics by means of the analysis of handwriting, for pay or compensation.~~

5.28.020 - License required.

It is unlawful for any person to engage in the business of fortune-telling within the corporate limits of the city without first obtaining a license therefor as provided in this chapter.

5.28.030 - Application for license—Contents—Filing.

31 A. Each applicant for a fortune-telling license under this chapter shall file, in duplicate, with the
32 ~~city clerk~~Director of Business Development a written, sworn application therefor, signed by the
33 applicant, showing the following:

34 1. The name and a description of the applicant;

35 2. ~~Address~~ The applicant's, legal and local address;

36 3. The address of the place where the business of fortune-telling is to be carried on;

37 4. A photograph of the applicant taken within sixty (60) days immediately prior to the date
38 of the filing of the application, which picture shall be two by two inches, showing the head
39 and shoulders of the applicant in a clear and distinguishing manner;

40 5. The fingerprints of the applicant;

41 6. The names of at least two ~~residents of the city~~people, one known personally to the
42 applicant, and one known professionally, who will certify as to the applicant's good
43 character and business respectability;; and

44 7. A statement as to whether or not the applicant has been convicted of any crime,
45 misdemeanor or violation of any municipal ordinance, the nature of the offense and the
46 punishment or penalty assessed therefor. ;

47 ~~8. A statement by a reputable physician of the city, dated not more than ten days prior to submission~~
48 ~~of the application, certifying the applicant to be free of contagious, infectious or communicable~~
49 ~~disease.~~ B. ~~The city clerk~~Director of Business Development shall retain and file one copy of such
50 application and shall forward the second copy thereof to the ~~chief of police~~Salisbury Police
51 Department.

52 5.28.040 - Investigation by ~~chief of police~~Salisbury Police Department.

53 Upon receipt of an application, as referred to in Section 5.28.030, the ~~chief of police~~Salisbury
54 Police Department shall cause such investigation of the applicant's business and moral character
55 and of the facts stated in and the contents of such application to be made as ~~he~~ they ~~it~~ deems
56 necessary for the protection of the public good.

57 5.28.050 - Fee for ~~costs of investigation~~Application.

58 A. At the time of filing an application, as referred to in Section 5.28.030, a fee of ~~ten~~ one hundred
59 dollars (\$100.00) shall be paid to the ~~city clerk~~Director of Business Development to cover the
60 costs of processing the application and the requisite investigation.

61 ~~A.B.~~ The license fee required to be paid at the time of the issuance of any license under this chapter
62 shall cover a period of one year from the date of issuance.

~~BC.~~ No rebate of the fees shall be made to the holder of any license once issued under this chapter.

5.28.060 - Disapproval of application—Nonissuance of license.

If, as the result of the investigation as referred to in Section 5.28.040, the ~~character background~~ or business responsibility of the applicant for a fortune-telling license under this chapter is found to be unsatisfactory or the facts stated in or the contents of the application are found to be untrue, the ~~chief of police~~Salisbury Police Department shall endorse ~~his~~ ~~their~~its disapproval and ~~his~~ ~~their~~its reasons therefor on the application in question and return such application to the ~~city clerk~~Director of Business Development, who shall notify the applicant that ~~his~~ ~~the~~ application is disapproved and that no license will be issued.

5.28.070 - Appeal from disapproval of license—Hearing.

Any person aggrieved by the action of the ~~chief of police~~Salisbury Police Department in the ~~refusal~~ ~~disapproval~~ of a fortune-telling license under the provisions of this chapter shall have the right of appeal to the ~~city council~~City Administrator. Such appeal shall be taken by filing with the ~~city council~~City Administrator, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The ~~city council~~City Administrator shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in Section 5.28.130~~120~~(B).

5.28.080 - Approval of application—Issuance of license.

If, as a result of the investigation as required in Section 5.28.040, the ~~character background~~ and business responsibility of the applicant for a fortune-telling license under this chapter are found to be satisfactory and the facts stated in and the contents of the application are found to be true, the ~~chief of police~~Salisbury Police Department shall endorse ~~his~~ ~~their~~ approval on the application filed by the applicant in question and return such application to the ~~city clerk~~Director of Business Development, who shall, upon payment of the license fee prescribed in Section 5.28.100~~050~~, issue such fortune-telling license to the applicant.

5.28.090 - Recording of licenses issued.

The ~~city clerk~~Director of Business Development shall keep a permanent record of the issuance of all fortune-telling licenses issued under this chapter.

~~5.28.100 - License fees - Rebate.~~

~~A. The license fee required to be paid at the time of the issuance of any license under this chapter shall cover a period of one year from the date of issuance and shall be as follows:~~

~~1. For fortune-telling: one thousand dollars (\$1,000.00);~~

~~2. For palm reading: one thousand dollars (\$1,000.00);~~

~~3. For practicing spiritualism: one thousand dollars (\$1,000.00).~~

99 B. ~~No rebate of the fees shall be made to the holder of any license once issued under this chapter.~~

100
101 5.28.1010 - Information required on license.

102 Each fortune-telling license issued under this chapter shall contain the signature and seal of the
103 issuing officer and shall show the name, address and photograph of the licensee, the purpose for
104 which the license is issued, the amount of fee paid, the date of issuance and the length of time for
105 which such license shall be operative.

5.28.120-110 - Duration of license—Renewal.

No license shall be issued for a shorter period than one year and/or longer than one year. Renewals of licenses may be had for additional one-year periods upon compliance with the same terms and conditions and upon payment of new license fees, provided that the ~~city council~~ City Administrator reserves the right to refuse to grant any such new license.

5.28.130-120 - Revocation of license.

A. A fortune-telling license issued under this chapter may be revoked by the ~~city council~~ Mayor, after notice and hearing, for any of the following reasons:

1. Fraud, misrepresentation or false statement contained in the application for such license;
2. Any violation of this chapter;
3. Conviction of any ~~crime~~ felony or misdemeanor involving moral turpitude, to include, but not limited to, child pornography, theft, first degree sex offenses, fraud, cruelty to animals, robbery, kidnapping;
4. Knowingly permitting any person other than the licensee to practice fortune-telling in the place of business of such licensee.; and/or
5. Two sustained complaints from the public within a calendar year.

B. Notice of the hearing for revocation of a fortune-telling license issued under this chapter shall be given in writing, setting forth specifically the grounds ~~of complaint~~ for revocation and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at the address set forth as the place of business of such licensee at least five days prior to the date set for hearing.

5.28.140-130 - Exhibition of license.

Each licensee under this chapter shall exhibit ~~his~~ their fortune-telling license issued under this chapter in ~~his~~ their place of business.

5.28.150-140 - Unauthorized practice of fortune-telling prohibited.

It is unlawful for any person other than the person named in a fortune-telling license under this chapter to practice fortune-telling under such license.

~~5.28.160 - Unauthorized use of premises for fortune telling prohibited.~~

~~It is unlawful for the holder of any license issued under this chapter to practice fortune-telling pursuant to such license at any location other than that described in the license issued to him.~~

~~5.28.170-150~~ - Reporting and recording of violations.

~~The chief of police~~Salisbury Police Department shall report to the ~~city clerk~~Director of Business Development all convictions for violation of this chapter, and ~~the city clerk~~Director of Business Development shall record the reports of violation thereof.

~~5.28.180-160~~ - Sign regulations.

No person holding a license under the terms and conditions of this chapter shall erect or post any sign advertising said business on the premises ~~occupied and used by said licensee containing an area greater than twenty-four (24) square feet, subject, nevertheless, to all other rules and regulations of their violation of the Salisbury zoning code., and no more than one such sign shall be erected or posted on the premises.~~

~~5.28.190 - Conditions applicable to applicants.~~

~~When applying for a fortune-telling license, the following conditions shall apply to each applicant:~~

- ~~A. Said applicant has been a bona fide resident of the city of Salisbury and/or Wicomico County, Maryland, for a period of five years prior to the date of an application;~~
- ~~B. Said applicant has been a registered voter of the city of Salisbury and/or Wicomico County, Maryland, for a period of five years prior to the date of an application;~~
- ~~C. Said applicant has been and is the owner of real estate within the city of Salisbury and/or Wicomico County, Maryland;~~
- ~~D. Said applicant shall conduct the services of fortune-telling, palm reading and/or spiritualism at the location listed on the application and the license and no other location, unless a new license has been obtained.~~

~~5.28.200 - Applicability of conditions to prior licensees.~~

~~The conditions set forth in Section 5.28.190(A) through (C) shall not be applicable to any person holding a license to practice fortune-telling, palm reading and spiritualism issued by the city of Salisbury, Maryland, upon enactment of this chapter and so long thereafter as such person shall renew his license each year prior to any expiration date thereof.~~

~~5.28.210-170~~ - Violations—Penalties.

On and after the date of the final passage of this chapter, it is unlawful for any person or persons to practice fortune-telling, palm reading and spiritualism, when not practiced by recognized religious bodies or ordained ministers, inside the corporate limits of the city of Salisbury, Maryland without a license. Any person or persons violating any provision or provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof before any court of Wicomico County, Maryland, shall be subject to a fine of not less than one thousand five hundred dollars (\$1,500.00) nor more than two thousand five hundred dollars (\$2,500.00) or imprisoned for not more than thirty (30) days, or both, for each such offense.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this ____ day of _____ 2021, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols
CITY CLERK

John R. Heath
PRESIDENT, City Council

APPROVED BY ME THIS _____ day of _____, 2021

Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: July 23, 2021
Re: Annexation Amendment request from Summersgate

AP

The City has received a request from Vantage Point Retirement Living Inc. to modify the terms of their annexation agreement. The letter dated July 22, 2021 is attached. The properties were annexed via Resolution No. 1190 dated March 14, 2005. The resolution is attached for reference.

The annexation agreement included a statement that "A 750' portion of Johnson Road will be required to be relocated so that it intersects Snow Hill Road opposite Robins Avenue." The agreement did not state when this had to be completed, or which properties that were annexed were responsible. On August 22, 2007, the initial Public Works Agreement for Summersgate was executed. It contained a requirement that the developer could only build Phase 1 prior to constructing the road relocation. This requirement has resulted in the development stalling after building Phase 1. Vantage Point would like to proceed with additional phases of the development, however the road relocation is cost prohibitive. From research performed by the department, it has been determined that the road relocation was imposed by the City, not the State Highway Administration.

The City has recently approved requests by other property owners to amend an older annexation agreements to align with our current annexation agreement format. In this circumstance, the requirement to realign the road would be removed and would be replaced with the Development Assessment that is typical in current annexations. We propose to provide tiers to the Development Assessment that it tied to the speed for which the properties can be developed to incentivize fast development.

Unless you or the Mayor has further questions, please forward a copy of this memo and the related documents to the City Council.

AS AMENDED ON JANUARY 24, 2005

RESOLUTION NO. 1190

A RESOLUTION of the Council of the City of Salisbury proposing the annexation to the City of Salisbury of a certain area of land situate contiguous to and binding upon the Southeasterly corporate limits of the City of Salisbury, to be known as the "Snow Hill Road - Causey and Carey Annexation" being an area located on the Northeasterly and Southwesterly sides of Snow Hill Road.

WHEREAS the City of Salisbury has received a petition to annex, signed by at least twenty-five percent (25%) of the persons who are resident registered voters and of the persons who are owners of at least twenty-five percent (25%) of the assessed valuation of the real property in the area sought to be annexed, and being located on the Northeasterly and Southwesterly sides of Snow Hill Road, said parcel being contiguous to and binding upon the Southeasterly corporate limits of the City of Salisbury;

WHEREAS the City of Salisbury has caused to be made a certification of the signatures on said petition to annexation and has verified that the persons signing the petition represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all as of January 14, 2005, as will more particularly appear by the certification of W. Clay Hall, Surveyor, of the City of Salisbury, attached hereto; and

WHEREAS it appears that the petition meets all the requirements of the law.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT it is hereby proposed and recommended that the boundaries of the City of Salisbury be changed so as to annex to and include within said

City all that parcel of land together with the persons residing therein and their property, contiguous to and binding upon the Northeasterly and Southwesterly sides of Snow Hill Road, and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

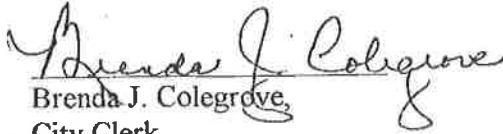
SECTION 2. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the annexation of the said area be made subject to the terms and conditions in Exhibit "B" attached hereto and made a part hereof.

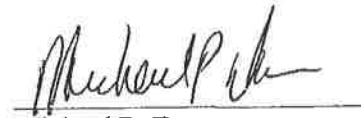
SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT the Council hold a public hearing on the annexation hereby proposed on March 14, 2005, at 6:00 o'clock p.m. in the Council Chambers at the City-County Office Building and the Executive Officer shall cause a public notice of time and place of said hearing to be published not fewer than four (4) times at not less than weekly intervals, in a newspaper of general circulation in the City of Salisbury, of the area to be annexed, accurately describing the proposed annexation and the conditions and circumstances applicable thereto, which said notice shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution.

SECTION 4. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT this resolution shall take effect upon the expiration of forty-five (45) days following its final passage, subject, however, to the right of referendum as contained in Article 23A of the Maryland Code.

The above resolution was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 24th day of January, 2005, and having been

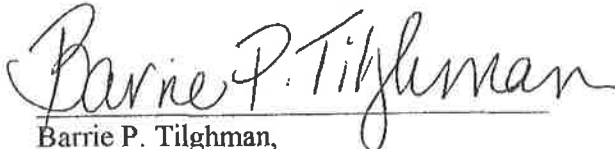
duly published as required by law in the meantime, was finally passed after a public hearing at its meeting held on this 14th day of March, 2005.


Brenda J. Colegrove,
City Clerk


Michael P. Dunn,
Council President

APPROVED BY ME this 16th day of

March 2005.


Barrie P. Tilghman,
Mayor of the City of Salisbury

Snow Hill Road – Causey and Carey Annexation

A CERTAIN AREA OF LAND contiguous to and binding upon the southeasterly Corporate Limit of the City of Salisbury to be known as "Snow Hill Road – Causey and Carey Annexation" beginning for the same at a point on the Corporate Limit, said point being the southwesterly corner of the lands of H & R Pepsi, LLC. X 1,206,754.81 Y 187,006.76; thence running by and with said lands the three following courses: (1) South forty-nine degrees eight minutes fifty-five seconds East (S 49° 08' 55" E) six hundred and sixty-four decimal six, three (664.63) feet to a point X 1,207,257.54 Y 186,572.03; (2) North forty-two degrees fifty-nine minutes one second East (N 42° 59' 01" E) two hundred and sixty decimal five, six (260.56) feet to a point X 1,207,435.19 Y 186,762.63; (3) South forty-seven degrees twenty minutes six seconds East (S 47° 20' 06" E) seven hundred and sixty decimal one, two (760.12) feet to a point on the northwesterly right of way line of Toadvine Road X 1,207,994.13 Y 186,247.49; thence generally with the northwesterly right of way line of said road the two following courses: (1) North thirty-six degrees forty minutes one second East (N 36° 40' 01" E) two hundred and six decimal five, one (206.51) feet to a point X 1,208,117.45 Y 186,413.13; (2) North thirty-eight degrees fifty-eight minutes zero seconds East (N 38° 58' 00" E) nine hundred and thirty-seven decimal three, zero (937.30) feet to a point on the northeasterly right of way line of Snow Hill Road X 1,208,706.88 Y 187,141.89; thence running generally with the northeasterly right of way line of said road the following three courses: (1) South forty-seven degrees thirty minutes forty-seven seconds East (S 47° 30' 47" E) five hundred and sixteen decimal one, eight (516.18) feet to a point X 1,209,087.53 Y 186,793.26; (2) North forty-two degrees thirty minutes nine seconds East (N 42° 30' 09" E) fifteen decimal zero, zero (15.00) feet to a point X 1,209,097.66 Y 186,804.31; (3) South fifty-three degrees twelve minutes twenty-nine seconds East (S 53° 12' 29" E) seventy decimal two, one (70.21) feet to a point at the southeasterly corner of the lands of Allen Memorial Baptist Church X 1,209,153.89 Y 186,762.27; thence running with the southerly boundary line of said lands North forty-four degrees twelve minutes seven seconds East (N 44° 12' 07" E) one thousand six hundred and twenty-two decimal zero, five (1,622.05) feet to a point X 1,210,284.77 Y 187,925.09; thence running across said lands the two following courses: (1) North forty-three degrees sixteen minutes fifty-seven seconds West (N 43° 16' 57" W) two hundred and eighty-nine decimal four, six (289.46) feet to a point X 1,210,086.31 Y 188,135.82; (2) North thirty-nine degrees fourteen minutes one second East (N 39° 14' 01" E) ten decimal zero, one (10.01) feet to a point on the northerly boundary line of the Allen Memorial Baptist Church property X 1,210,092.64 Y 188,143.57; thence with said boundary line North forty-three degrees thirty-nine minutes fifty-eight seconds West (N 43° 39' 58" W) seven hundred and forty-nine decimal seven, seven (749.77) feet to a point at the northwest corner of said lands X 1,209,574.96 Y 188,685.93; thence running with the northerly boundary line of the lands of H & R Pepsi, LLC North forty-three degrees forty-three minutes thirty-six seconds West (N 43° 43' 36" W) five hundred and eleven decimal six, two (511.62) feet to a point at the northwest corner of said lands X 1,209,221.32 Y 189,055.65; thence running with the lands of Clifford Smith North eighty-seven degrees twenty-seven minutes eleven seconds East (N 87° 27' 11" E) one hundred and fifty-one decimal three, five (151.35) feet to a point at the southwest corner of the lands of Joyce W. Webster X 1,209,372.52 Y 189,062.38; thence running with said lands North three degrees four minutes sixteen seconds East (N 03° 04' 16" E) three hundred and sixty-nine decimal zero, nine (369.09) feet to a point on the southerly right of way line of Johnson Road X 1,209,392.29 Y 189,430.94; thence running generally with the southerly right of way line of said

road the three following courses: (1) North eighty-four degrees eight minutes fifty-seven seconds West (N 84° 08' 57" W) three hundred and twelve decimal zero, eight (312.08) feet to a point X 1,209,081.84 Y 189,462.75; (2) North eighty-five degrees fifteen minutes seven seconds West (N 85° 15' 07" W) four hundred and seventy decimal eight, three (470.83) feet to a point X 1,208,612.62 Y 189,501.72; (3) North eighty-five degrees eighteen minutes twenty-two seconds West (N 85° 18' 22" W) one hundred and thirty-six decimal zero, six (136.06) feet to a point X 1,208,477.02 Y 189,512.85; thence crossing Johnson Road and running North four degrees thirteen minutes twenty-three seconds East (N 04° 13' 23" E) twenty-eight decimal seven, seven (28.77) feet to a point on the Corporate Limit and near the northerly right of way line of Johnson Road X 1,208,479.14 Y 189,541.55; thence with the Corporate Limit North eighty-five degrees fifteen minutes thirty-seven seconds West (N 85° 15' 37" W) one thousand six hundred and six decimal three, five (1,606.35) feet to a brass City survey marker stamped "SNOJO" and set in concrete near the southwesterly right of way line of Snow Hill Road and approximately opposite the northerly right of way line of Johnson Road X 1,206,878.29 Y 189,674.27; thence continuing with the Corporate Limit and generally with the southwesterly right of way line of Snow Hill Road the two following courses: (1) South twenty-four degrees fifty-eight minutes twenty-five seconds East (S 24° 58' 25" E) six hundred and twenty-six decimal seven, four (626.74) feet to a point X 1,207,142.90 Y 189,106.13; (2) South thirty-three degrees one minute fifteen seconds East (S 33° 01' 15" E) one thousand seventy-two decimal one, six (1,072.16) feet to a point X 1,207,727.17 Y 188,207.15; thence continuing with the Corporate Limit South thirty-nine degrees zero minutes thirty-one seconds West (S 39° 00' 31" W) one thousand five hundred and forty-four decimal eight, zero (1,544.80) feet to the point of beginning and containing 159.605 acres, all of which being the lands of Charles C. Carey, Jr. and Carolyn P. Carey, as Trustees of the Charles C. Carey, Jr. Living Trust Agreement, Ronald Jaynes Carey, Samuel Wilmer Carey, Jeffrey Wade Carey and Jana Lynn Carey, ENJ Partnership, H & R Pepsi, LLC, Deaf Independent Residences, Inc., Frederick C. and Margaret S. Wilson, Charles E. and Cora E. Haight and a portion of the lands of the Trustees of the Walter Kendall Allen Memorial Baptist Church of Salisbury, Md. and portions of Johnson Road and Snow Hill Road. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

Exhibit "B"

CONDITIONS OF ANNEXATION

"SNOW HILL ROAD – CAUSEY AND CAREY ANNEXATION"

A. SERVICES AND TAXES

1. Property taxes will be assessed at the first normal taxing period following annexation with the exception of the petitioners of Parcels 482, 280 and 413 who are granted exemption until the property is sold, developed or a request made for water and/or sewer service.
2. Existing development areas will be given City services upon request. Services requiring engineering design, construction or budget funding will be initiated with the request and completed as soon as practical.
3. Services for developing areas will be made available in accordance with City policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved. Note: No request for water and sewer service will be considered complete until all applicable fees, charges and assessments are paid.

B. GENERAL PROVISIONS

1. All EXISTING DEVELOPMENT which is served by onsite water and/or sewer systems may maintain those systems as long as they are in good working order and pose no threat to the environment, City water supply or until ordered to abandon the system(s) by the County Health Department or State Department of the Environment. Prior to connection, the property owner must initiate and complete a request for service with the City Department of Public Works. The application is not considered complete until all appropriate fees, charges and/or assessments are paid.
2. NEWLY DEVELOPING PROPERTIES will be required to use any City water and sewer system available at the time of construction or made available in conjunction with construction. All appropriate fees, charges and/or assessments must be paid before connection to the City service lines is completed.
3. WATER AND SEWER and other improvements and services will be made available to the extent possible to all parcels within the newly annexed areas in accordance with the City Policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved.

CONDITIONS OF ANNEXATION

" SNOW HILL ROAD – CAUSEY AND CAREY ANNEXATION "

4. ZONING of the entire annexation area will be as follows, pending recommendation by the Salisbury/Wicomico County Planning & Zoning Commission: A Zoning classification of General Commercial shall be applied to Parcels 279, 282, 285, 415, 414, 482, 413, 280 and 492 for a distance of 500 ft. from Snow Hill Road. The zoning classification of R-8A Residential shall be applied to the remainder of Parcels 279, 282, 285, 415, 413, 280 and 492. Light Business and Institutional shall be the zoning classification applied to Parcel 286.

C. MISCELLANEOUS

1. As a condition of annexation, the petitioners shall pay the cost of annexation including, but not limited to, advertising costs associated with the annexation.
2. The City of Salisbury accepts no responsibility for the construction, maintenance or upkeep of any existing roadway, public or private, until such is brought up to City standards at the expense of the developer(s) and accepted by the Director of Public Works
3. All new streets or roadways shall be constructed at the expense of the developer(s) to City standards and accepted by the Director of Public Works prior to dedication. Dedication shall be by fee simple ownership.

D. SPECIAL CONDITIONS

1. Development of this site shall be in accordance with Comprehensive Development Plans approved by the Salisbury Planning Commission.
2. Petitioners of Parcels 414, 413, 280 and 482 shall not be responsible for the cost of extending water and sewer service adjacent to Snow Hill Road.

Causey and Carey
Cond.ann.

Exhibit "C"

OUTLINE OF SERVICES AND FACILITIES
"SNOW HILL ROAD – CAUSEY AND CAREY ANNEXATION"1. LAND USE PLAN

The land to be annexed, consisting of eight parcels shown on Tax Map 48, is currently zoned R-20 Residential under Wicomico County Zoning regulations and is undeveloped with the exception of two single family homes and a pavilion-type structure. Zoning shall be as follows, upon annexation to the City of Salisbury, as recommended by the Salisbury/Wicomico County Planning and Zoning Commission: A Zoning classification of General Commercial shall be applied to Parcels 279, 282, 285, 415, 414, 482, 413, 280 and 492 for a distance of 500 ft. from Snow Hill Road. The zoning classification of R-8A Residential shall be applied to the remainder of Parcels 279, 282, 285, 415, 413, 280 and 492. Light Business and Institutional shall be the zoning classification applied to Parcel 286.

Development plans include commercial development, mixed use residential development and a church complex for this site.

2. LAND FOR PUBLIC FACILITIES

Utility easements for water and sanitary sewer mains throughout the site may be required to be deeded to the City of Salisbury. These lands will be identified on the final approved site plan and will be dependent upon development configuration. No other public facilities are anticipated.

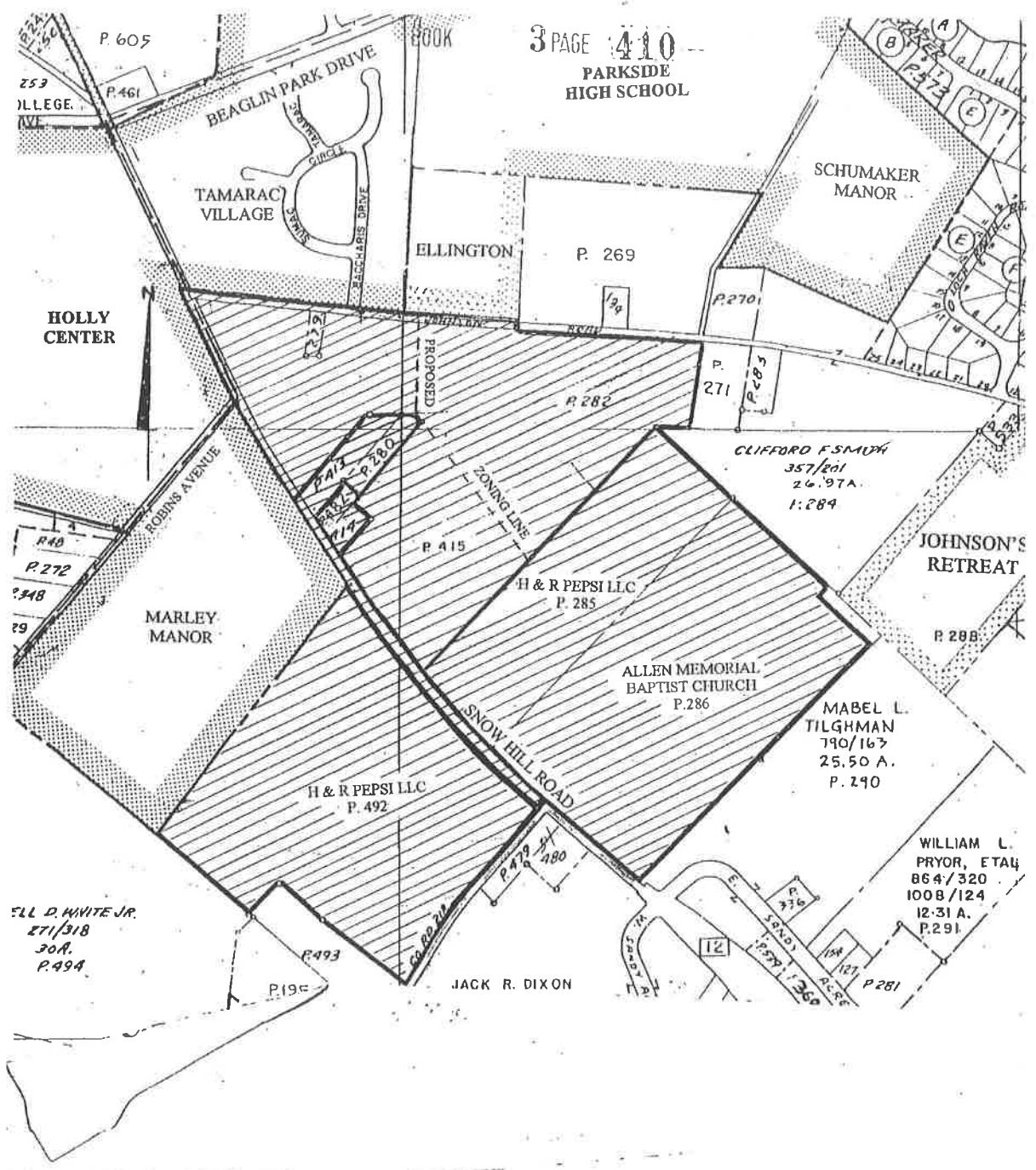
3. EXTENSION OF MUNICIPAL SERVICES

Existing water and sewer mains located adjacent to this site in Johnson Road and along the westerly side of Snow Hill Road can serve this site.

A 750' portion of Johnson Road will be required to be relocated so that it intersects Snow Hill Road opposite Robins Avenue.

Stormwater will be managed for quality and quantity on site and will discharge into Schumaker Pond via a proposed main to be located within the future road area shown on "Mallard Landing Condominium" plats, within the Johnson Road right of way and along the southeasterly property line of the Causey property.

All City services can be available.



VANTAGE POINT - SUMMERSGATE
CONCEPTUAL SITE PLAN
JANUARY 20, 2021



VANTAGE POINT
RETIREMENT LIVING, INC.



KIMMEL BOGRETTE
Architecture + Site
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VANTAGE POINT

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411 Eagleview Boulevard
Suite 114
Exton, PA 19341

July 22, 2021

City of Salisbury
Department of Infrastructure and Development
Attn: Amanda H. Pollack, Director
125 N. Division Street, Room 202
Salisbury, MD 21801

Dear Ms. Pollack:

At our meeting on July 16, 2021 we discussed the best path forward for freeing up development of the parcels that Vantage Point owns in the area of Snow Hill and Johnson Roads in Salisbury, including the Summersgate Retirement Community in that location. As you know we have been discussing this issue for over ten years. These parcels were included in a 2005 annexation agreement and the conditions included in that agreement have been an obstacle that we have not been able to get past over this time.

We discussed pursuing an Amended and Restated Annexation Agreement as the best option to address this situation. I would like to request that we start this process as soon as possible.

Vantage Point owns the parcels depicted on the attached site plan totaling approximately 40 acres to provide you with background for this request.

I appreciate your efforts on this.

Sincerely,



Greg Stevens

President, Vantage Point Retirement Living

