

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2021-\_\_

Introduced by \_\_\_\_\_ Council Member Ringsaker

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO SECTIONS 33 AND 34 OF THE CITY CHARTER AND THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND TO AUTHORIZE THE MAYOR TO ENTER INTO A LICENSE FOR CONSTRUCTION AND INSTALLATION OF A FREE STANDING SIGN ON THE CITY RIGHT OF WAY AT 669 REVOLUTION STREET**

**WHEREAS**, the owner of 669 Revolution Street, Havre de Grace, Maryland desires to utilize the City right of way to erect a freestanding sign that will be located in the City right-of-way for South Adams Street;

**WHEREAS**, the LICENSEE has completed a permit application to obtain City approval to encroach on City right-of-way to and,

**WHEREAS**, the sign is in accordance with the description in the permit application, is not a permanent structure, and will not adversely impact the right-of-way; and

**WHEREAS**, the sign will promote the health, safety, and welfare of the public and serve the City’s general purposes; and

**WHEREAS**, the License was listed on the agenda for this City Council meeting in accordance with Resolution No. 2020-21; and

**WHEREAS**, the License attached as Exhibit A conforms with the requirements of Resolution No. 2020-21 and the Department of Planning Memorandum attached as Exhibit B which describes the location of the sign.

**NOW THEREFORE**, it is *determined, decided, and resolved by the City Council* that the Mayor is authorized to execute such License, which License will not become binding until it is signed by the Mayor and attested by the Director of Administration.

44 *ADOPTED by the City Council of Havre de Grace, Maryland this \_\_\_\_ day of March, 2021.*

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46 *SIGNED by the Mayor and attested by the Director of Administration this \_\_\_\_ day of March, 2021.*

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49 ATTEST:

THE MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE, MARYLAND

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53 \_\_\_\_\_  
Patrick D. Sypolt  
54 Director of Administration

\_\_\_\_\_

William T. Martin  
55 Mayor

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57 Introduced: 03/\_\_/2021

58 Passed/Adopted: 03/\_\_/2021

59

60 Effective Date: 03/\_\_/2021

61

Exhibit A



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410-939-1800

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LICENSE AGREEMENT

67 This AGREEMENT (“LICENSE”) is made this \_\_ day of \_\_\_\_\_, 2021, between the  
68 Mayor and City Council of Havre de Grace, Maryland (“City”), and Euclid Enterprises LLC  
69 (“LICENSEE”).

70 WHEREAS, the LICENSEE is the owner of the property located at 669 Revolution Street  
71 in Havre de Grace, Maryland; and,

72 WHEREAS, the LICENSEE has completed a permit application and has obtained approval  
73 from the City to encroach on City right-of-way to erect a freestanding sign that will be located in  
74 the City right-of-way for South Adams Street; and,

75 WHEREAS, the sign is in accordance with the description in the permit application, is not  
76 a permanent structure, and will not adversely impact the right-of-way; and

77 WHEREAS, the sign will promote the health, safety, and welfare of the public and serve  
78 the City’s general purposes; and

79 WHEREAS, the LICENSE was listed on the agenda at a City Council meeting and the City  
80 Council has approved the general terms of the LICENSE in accordance with Resolution No. 2007-  
81 10; and

82 WHEREAS, the Council has authorized the Mayor to execute such LICENSE, which  
83 LICENSE will not become binding until it is signed by the Mayor and attested by the Director of  
84 Administration.

85 NOW THEREFORE, in consideration of the promises contained herein, the parties agree  
86 as follows:

87           **1. Property.**

88           The City grants to the LICENSEE a LICENSE to encroach into the City’s right-of-way for  
89 South Adams Street at 669 Revolution Street.

90           **2. Terms of Use.**

91           LICENSEE agrees:

- 92           a. Application for a LICENSE of City property shall be accompanied by a \$50.00  
93           administrative fee.
- 94           b. The LICENSEE is required to pay all costs associated with the LICENSE and the  
95           property, including but not limited to maintenance, repair, utilities, taxes, and  
96           insurance.
- 97           c. The sign shall be maintained in good condition at all times.
- 98           d. The City reserves the right to require the owner to remove the sign at any time at  
99           the owner’s sole expense.
- 100           e. Prior to installation of the sign, the applicant shall contact Ms. Utility to ensure that  
101           no utilities will be impacted. The report shall be forwarded to Ms. Marisa Willis.
- 102           f. The sign shall be removed upon the business ceasing operating at this location.
- 103           g. The LICENSE Agreement shall be executed by the property owner OR tenant, and  
104           shall be limited to the current business operator at 669 Revolution Street.
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112           **3. Indemnity.**

113           The LICENSEE shall indemnify and save harmless the City and its employees and agents  
114 from all claims and demands, suits, actions, loss, damages, recoveries, judgments, costs and  
115 expenses in any manner arising out of or in connection with any injury, death, loss, or damage  
116 related to the LICENSEE’s use of the right-of-way, the LICENSEE’s conduct, or the LICENSEE’s  
117 breach of the LICENSE.

118           **4. Restoration.**

119           The LICENSEE shall be responsible for all costs or expenses to restore the City right-of-  
120 way after termination of the permitted use. The City may undertake the restoration and all costs

121 and expenses shall be assessed against the LICENSEE and the property owner, and such costs will  
122 become a lien on the property until fully paid.

123 **5. Maintenance.**

124 The LICENSEE shall maintain any facility or object in, above, or in the City right-of-way  
125 and related to the use in a manner that is attractive, clean, safe, workmanlike, and in good repair.  
126 The LICENSEE shall insure that the facility or object in, above, or in the City right-of-way related  
127 to the use is in compliance with all applicable federal, State, County and City laws, rules,  
128 ordinances, or regulation which are hereby incorporated into this Agreement.

129 **6. Term**

130 This Agreement shall remain in force for a period not to exceed five (5) years, and shall  
131 expire December 31, 2025, unless the City terminates or modifies this Agreement. In its sole  
132 discretion, the City Council may renew or extend this Agreement upon the request of the  
133 LICENSEE.

134 **7. Permitted Use.**

135 The temporary permitted use allowed by this Agreement is limited to the following: *use of*  
136 *a portion of the S. Adams Street right-of-way for a freestanding sign.* Any disagreement between  
137 the parties about the type of use, the location of the use, or any special conditions required, shall  
138 be resolved by the City in its sole discretion.

139 **8. Entire Agreement.**

140 The Parties agree that this document contains the entire Agreement.

141 **9. No Waiver**

142 The LICENSEE agrees that the City's failure to enforce any of the terms herein shall not  
143 constitute a waiver.

144

145 **10. Venue/Choice of Law**

146 This is a Maryland contract and the parties hereto agree that the laws of Maryland shall  
147 apply to any disputes arising under the LICENSE. Harford County is the sole venue for any  
148 dispute.

149 **11. No Assignment**

150 This LICENSE may not be assigned by the LICENSEE without the express written consent  
151 of the City Council in its sole discretion, which continuation may be permitted if the proposed  
152 assignee continues the current use of the property for the remainder of the LICENSE term. Any  
153 renewal of this LICENSE must in accordance with Resolution 2007-10 or any superseding  
154 resolution or ordinance.

155 **12. Specific Enforcement/Breach of Contract/Attorneys' Fees**

156 In any legal action to enforce the terms of this LICENSE, for declaratory action, or to  
157 recover damages for breach of the terms of this LICENSE filed by any party, the City shall be  
158 entitled to recover reasonable attorneys' fees and costs from the LICENSEE or its successor or  
159 assigns for its successful prosecution or defense of such claims.

160 WITNESS our hands and seals.

161

162

163 WITNESS/ATTEST:

LICENSEE:

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Signature

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171 WITNESS/ATTEST:

MAYOR AND CITY COUNCIL OF  
HAVRE DE GRACE, MARYLAND

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\_\_\_\_\_  
William T. Martin, Mayor

176 Patrick D. Sypolt  
177 Director of Administration

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APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
April C. Ishak, City Attorney

THIS LICENSE AGREEMENT RELATES TO  
PERMIT # \_\_\_\_\_, IF APPLICABLE



# Exhibit B

## City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078

410- 939-

WWW.HAVREDEGRACEMD.COM

1800

### DEPARTMENT OF PLANNING MEMORANDUM

March 5, 2021

TO: Steve Gamatoria  
Chief of Staff

FROM: Shane P. Grimm, AICP  
Director of Planning

**Re: 669 Revolution Street - License Agreement  
Sign in Right-of-Way  
Permit No. 20210279**

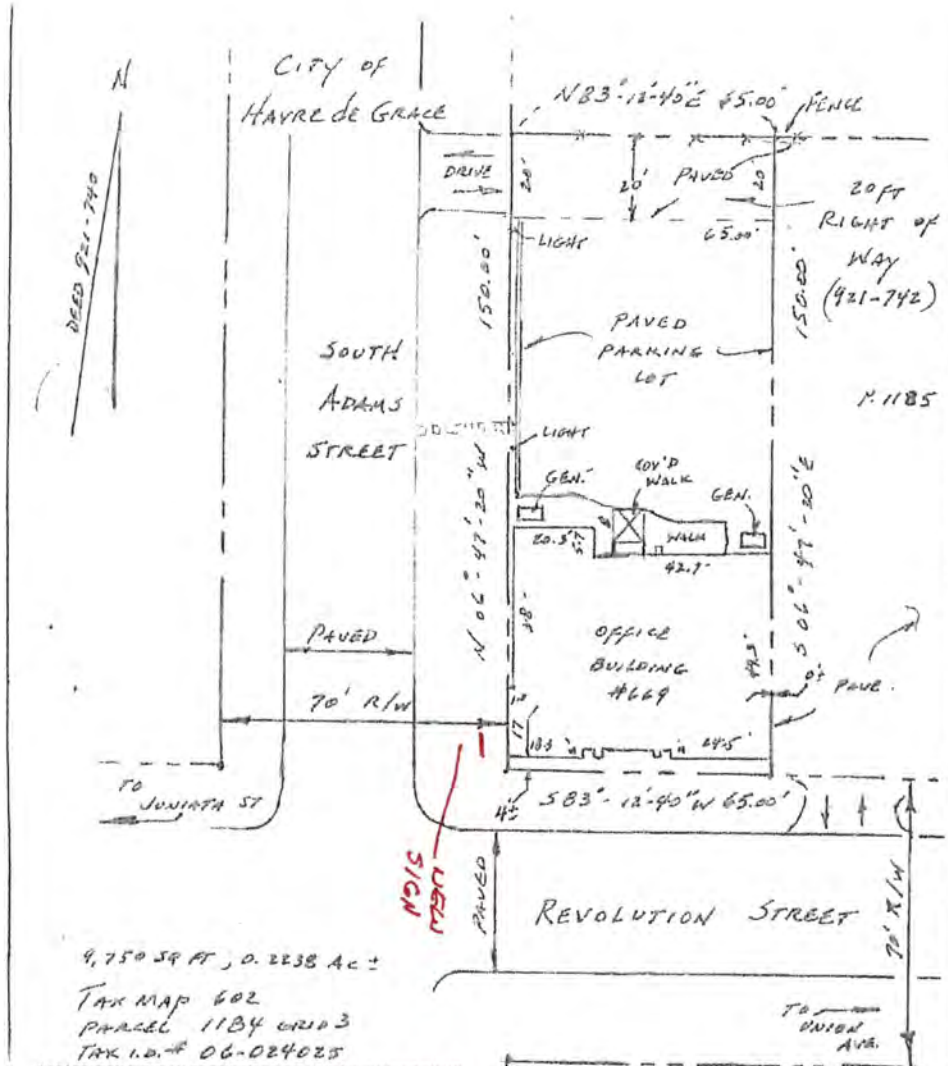
The Department of Planning has received a sign permit application for a freestanding sign that is proposed within the City right-of-way to identify a doctor's office at 669 Revolution Street. The sign meets Sign Code requirements for size and height. The Department of Public Works has reviewed the request and has no objections or comments. There may be a sewer cleanout in the vicinity of the proposed sign that should be avoided. I have reviewed the permit application with the Planning Committee, and they have no objections or comments as well. A copy of the site plan and graphic of the sign is attached to this memo.

The Department recommends the following conditions be included should the Mayor and City Council approve the request:

1. The sign shall be maintained in good condition at all times.
2. The City reserves the right to require the owner to remove the sign at any time at the owner's sole expense.
3. Prior to installation of the sign, the applicant shall contact Ms. Utility to ensure that no utilities will be impacted. The report shall be forwarded to Ms. Marisa Willis.

cc: Joe Conaway, DPW  
Jeff Keithley, DPW  
Marisa Willis, CFM, Planning Technician  
Colleen Critzer, Permits Clerk





9,750 SQ FT, 0.2238 AC ±

TAX MAP 602  
 PARCEL 1184 WRD3  
 TAX I.D.# 06-024025

THIS LOCATION SURVEY IS OF BENEFIT TO THE CONSUMER ONLY INsofar AS IT IS REQUIRED BY THE LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH A CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THIS LOCATION SURVEY IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS. NO TITLE SEARCH PROVIDED


THIS LOCATION SURVEY DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR FOR SECURING FINANCING OR REFINANCING. THE LEVEL OF ACCURACY COMPLIES WITH AT LEAST THE MINIMUM STANDARDS OF PRACTICE 2, etc.

I HEREBY CERTIFY THAT I HAVE EXAMINED THE FLOOD INSURANCE RATE MAP (FIRM MAP NO. 40052-0218) FOR THE PROPERTY THAT IS THE SUBJECT OF THE SURVEY AND THAT THE PROPERTY DESCRIBED HEREON DOES NOT LIE IN AN AREA IDENTIFIED BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT AS HAVING SPECIAL FLOOD OR MUDSLIDE HAZARDS. ZONE "X"

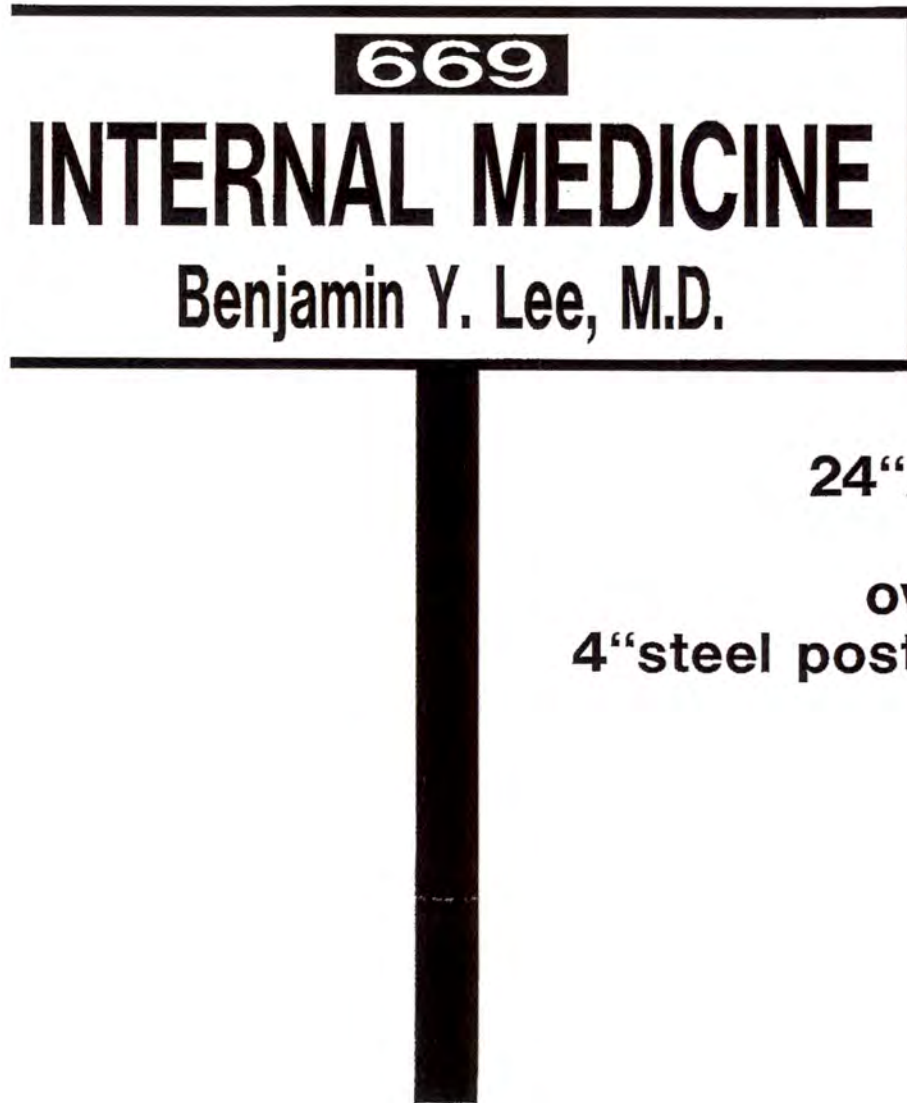
*Joseph E. Welsh*  
 JOSEPH E. WELSH

2-18-21  
 DATE

#669 REVOLUTION STREET  
 HAVRE DE GRACE, MD 21078  
 DEED REF: 13123/306  
 PLOT REF: PART OF  
 SQUARE NO. 220  
 Hopper's Map of the  
 City of Havre de Grace

Location Drawing Existing Improvements  669 Revolution Street Havre de Grace, Maryland  6 <sup>th</sup> Election District Harford County, Maryland	SURVEYOR SEAL  	<b>WELSH ENGINEERING</b> 2 PARADISE DRIVE HAVRE DE GRACE, MARYLAND 21078 410-939-1304 FAX 410-939-6480  SCALE: 1" = 30'    DATE: 2-16-21 DRAWN: JW    JOB: 221J
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**24"x60" single faced  
electric sign  
overall height 72"  
4"steel post with concrete foundation**

CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1049

Introduced by \_\_\_\_\_ Council Member Ringsaker \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER, FOR THE PURPOSE OF AMENDING CITY ZONING CODE §205-9 TO ESTABLISH MAXIMUM SETBACKS IN THE NATIONAL REGISTER HISTORIC DISTRICT AND PROHIBIT FRONT LOAD GARAGES ON CERTAIN STREETS.**

On: 2/16/2021

at: 7:00PM

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Ordinance having been published according to the Charter, a public hearing was held on 3/1/2021 at 7:00 p.m., and concluded on 3/1/2021 at 7:04 p.m.

**EXPLANATION**

Underlining indicates matter added to existing law.

**[Bold Brackets]** indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

§205-9 Height, lot, yard townhouse and cottage dwelling requirements.

A. Height, lot and yard requirements for each district and use shall be as specified in Table I[.], except for the following:

(1) Single-family and attached dwellings shall have a maximum front yard setback of 5-feet from the right-of-way line when located within the National Register Historic District in order to preserve historic streetscapes and context.

(a) The Director of Planning may require and approve a greater setback if the Director of Public Works identifies conflicts with existing or proposed utilities, or other City assets.

(b) The setback may be increased if the Director of Planning finds that the setback for the majority of existing structures along the block of a street is greater than 5-feet, or a generally consistent structure setback is not observed along the block of a street. If a generally consistent setback is not observed along the same block of a street, then the setback may be increased to a maximum of 10-feet.

(2) Front load garages shall be prohibited from being constructed on or adjacent to existing or proposed dwellings along Union Avenue, Washington Street or Congress Avenue when a lot or parcel also has access to an alley, lane or other side street, unless the proposed garage is setback a minimum of 15-feet from the front façade of the dwelling.

**NOW THEREFORE**, it is *determined, decided, and ordained by the City Council* that the amendments to City Code Chapter 205 Zoning as set forth above are hereby approved.

In accordance with the provisions of the Maryland Ann. Code, Land Use Article, §4-203 and the City Charter requirements, this ordinance shall become effective no earlier than ten days after the close of the public hearing on the Zoning Code amendments set forth herein.

*ADOPTED by the City Council* of Havre de Grace, Maryland this \_\_ day of \_\_\_\_, 2021.

*SIGNED by the Mayor and attested by the Director of Administration* this \_\_\_\_ day of \_\_\_\_, 2021.

ATTEST:

THE MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE, MARYLAND

\_\_\_\_\_  
Patrick D. Sypolt  
Director of Administration

\_\_\_\_\_  
William T. Martin  
Mayor

Introduced/First Reading: 2/16/2021  
Public Hearing: 3/1/2021  
Second Reading/Adopted: 3/15/2021  
Effective Date: [mm/dd/yyyy]



## INTER-CITY MEMORANDUM

To: City Council President David W. Glenn  
From: Mayor William T. Martin  
Date: February 22, 2021  
RE: Proposed Budget Amendment 2021-10

The City has a long standing commitment to participate the Ernest Burke statue construction and placement within the City. More specifically, the City has committed to selecting the placement site, temporary storage of the statue until the unveiling, and construction of the statue base. In addition, the City has committed to matching the County monetary contribution to the project, up to \$10,000.

The funding of the project expenses is being coordinated by the Community Projects of Havre de Grace – Ernest Burke Committee for services not performed by the City directly.

I am therefore requesting that the City Council approve a \$10,000 increase to expenditure account 01-2332-6253 [Community Projects of Havre de Grace] to cover the matching contribution. The City's costs for temporary storage and construction of the statue base are expected to be funded by the current maintenance budget already approved.

The funding will be accomplished through an increase to revenue account 01-0001-41-01 [Real Property Taxes]. Real property tax revenues have exceeded budget projections by more than the \$10,000 being requested in total.

Please contact George DeHority if you have any questions or require additional information regarding this budget amendment request.

→ Cost in Foundation

→ Groundbreaking in April

**BUDGET AMENDMENT**

February 22, 2021

Amendment # 2021-10

**SOURCE OF FUNDS**

Account Number	Account Title	Amount
	<b>General Fund 1</b>	
01-0001-41-01	Real Property Taxes	\$10,000.00
	<b>Total Sources</b>	<b>\$10,000.00</b>

**USE OF FUNDS**

Account Number	Account Title	Amount
	<b>General Fund 1</b>	
01-2332-6253	Community Projects of HdG - Ernest Burke	\$10,000.00
	<b>Total Uses</b>	<b>\$10,000.00</b>

**REASON FOR ADJUSTMENT**

To fund FY 2020 awarded contract not previously carried forward to FY 2021.

**AUTHORITY**

City Council on 3/15/20.

**APPROVAL**

MAYOR	_____	Date: _____
ADMINISTRATION	_____	Date: _____
FINANCE	_____	Date: _____



## INTER-CITY MEMORANDUM

To: City Council President David W. Glenn  
From: Mayor William T. Martin  
Date: February 22, 2021  
RE: Proposed Budget Amendment 2021-11

The City Police Department has determined that it is no longer feasible to continue using its current taser model as ammunition cartridges are no longer being manufactured (please see attached memo). In order to have reliable tasers, the PD has determined that a replacement program should be undertaken and has estimated the replacement program will cost \$111,500. The PD has negotiated a 5 year payment plan that includes 20,500 for the first year, provided we order the tasers by March 31.

The current ammunition budget is \$20,000 and is essentially for firearm ammunition.

I am therefore requesting that the City Council approve a \$20,500 increase to expenditure account 01-1112-6137 [Supplies and Materials] to allow immediate implementation of the replacement program.

The funding will be accomplished through a decrease to expenditure accounts 01-1112-5004 [Sworn Officer Overtime]. The City has reduced City Event activity during the pandemic and Sworn Officer overtime is \$35,000 below budget expectations.

Please contact George DeHority if you have any questions or require additional information regarding this budget amendment request.

→ shelf life expire next FY

→ 5-year plan



# HAVRE DE GRACE POLICE DEPARTMENT



Chief Teresa Walter  
715 Pennington Avenue  
Havre de Grace, Maryland 21078

Phone: 410-939-2121  
Balt. Area: 410-575-7043  
Fax: 410-939-2641  
[www.havredegracemd.com](http://www.havredegracemd.com)

**Date:** February 17, 2021  
**To:** Mr. George DeHORITY, Finance Director  
**From:** Teresa Walter, Chief of Police *T.W.*  
**Reference:** Proposed Budget Amendment

The Havre de Grace Police Department has an operational need for which I am requesting funding through a budget transfer.

Recently, it came to our attention the TASERs that our police officers use to de-escalate many serious and/or physical situations, are now obsolete. The manufacturer no longer produces the TASER model currently used by our department. This means the company will not be able to repair, replace, and provide cartridges, hardware, software, training or mandated certification on this model TASER.

Our current TASERs have been in use for approximately twelve (12) years and have far surpassed warranty. This model has been excellent, however, we are starting to experience problems with the TASERs which calls into question their dependability. It is not an exaggeration to say this is an important piece of equipment that has to be functioning properly every time it is deployed. An officer has to feel confident that the TASER is working as expected when the moment is critical.

The TASER has become an important and vital piece of less-lethal equipment for our personnel. In many instances the TASER produces a positive outcome when an officer is presented with a difficult situation. With the national hue and cry for police officers to use less-lethal equipment and de-escalating tactics and techniques, we cannot afford to go without this piece of equipment.

Since the Police Department has and is currently experiencing personnel vacancies I am requesting a budget transfer from employee-related expenses to non-employee related expenses (01-1112-6137) in order to purchase the new model TASER. The transferred funds will pay for the TASERs and all of the associated costs (Hardware, Cartridges, Software, Training, Certification, etc.) that go along with the purchase.

The total amount needed for the new model TASER for all law enforcement personnel is \$119,880.00. However, working with the manufacturer we can acquire all of the requisite number of TASERs needed for our Police Department at one time but extend the payments over a five (5) year period. The payment schedule is as follows:

## Summary of Payments

Payment	Amount
Year 1	\$20,520.00
Year 2	\$24,840.00
Year 3	\$24,840.00
Year 4	\$24,840.00
Year 5	\$24,840.00
Grand Total	\$119,880.00

The manufacturer was asked if we could have an additional discount if we chose to pay in full upon receipt of the TASERS. We can make a single payment for the entire amount but there would not be a discount. ***However, if we signed the contract for the TASERS prior to March 30, 2021, we can get a 7% discount. This discount is worth \$8,391.60 and would reduce the total cost of the purchase to \$111,488.40.*** Regardless of the "signing" discount, we can still make the payments on a five (5) year plan or make a single payment for the total amount.

I am asking for a favorable decision on my request for the budget transfer. Purchasing the TASERS is not something to be "piecemealed" over time. Since our current TASERS and cartridges are obsolete they are not compatible with the new model TASER. I need to ensure that our officers have a TASER that is reliable every time it becomes necessary to use one.

**BUDGET AMENDMENT**

February 22, 2021

Amendment # 2021-11

**SOURCE OF FUNDS**

Account Number	Account Title	Amount
	<b>General Fund 1</b>	
01-1112-5004	PD SO Salaries - Overtime	\$20,500.00
	<b>Total Sources</b>	<b>\$20,500.00</b>

**USE OF FUNDS**

Account Number	Account Title	Amount
	<b>General Fund 1</b>	
01-1112-6137	Supplies and Materials - Tasers	\$20,500.00
	<b>Total Uses</b>	<b>\$20,500.00</b>

**REASON FOR ADJUSTMENT**

To fund replacement tasers for out of date models.

**AUTHORITY**

City Council on 3/15/21.

**APPROVAL**

MAYOR	_____	Date: _____
ADMINISTRATION	_____	Date: _____
FINANCE	_____	Date: _____



## INTER-CITY MEMORANDUM

To: City Council President David W. Glenn  
From: Mayor William T. Martin  
Date: March 5, 2021  
RE: Proposed Budget Amendment 2021-12

The City has requested that funding for seven (7) shoreline restoration and stormwater management projects, totaling \$46,725 come from the Critical Area Taxing District funds. A copy of the request from the Critical Area Commission is attached.

This request has been granted, see the attached State notification, and I am therefore requesting we establish \$46,700 in additional funding for the following projects:

- Shoreline Buffer Management, 3/15/21 to 7/31/21 - \$37,125
- Lockhouse shad pond planting design - \$3,000
- Pennington Avenue planting design - \$800
- Green Street planting design - \$1,200
- Veteran's Park bio-retention replanting design - \$1,800
- Yacht Basin Promenade Entry Landscape Plan - \$1,200
- Lighthouse Keeper's Residence Buffer - \$1,600

A copy of the proposal for each project is also attached. All of these projects will be managed under the account 01-1251-7084 [Critical Area Remediation]

The funding will be accomplished through an increase to revenue account 01-0001-41-01 [Critical Area Fund Transfers]. There is currently almost \$285,000 in the fund. Of that amount, \$36,600 has already been committed for shoreline projects under Budget Amendment 2021-05.

Please contact George DeHority if you have any questions or require additional information regarding this budget amendment request.

Larry Hogan  
Governor  
Boyd K. Rutherford  
Lt. Governor



Charles C. Deegan  
Chairman  
Katherine Charbonneau  
Executive Director

STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS

January 26, 2021

Dianne Klair, Planner  
City of Havre de Grace  
711 Pennington Avenue  
Havre de Grace, Maryland 21078

Re: Critical Area Taxing District  
Buffer Management, Invasive Weed Management, Stormwater Practices Design and  
Maintenance

Dear Ms. Klair:

I have received your inquiry regarding the use of Critical Area Taxing District funds in the amount of \$46,725.00. Based on the information provided, the City proposes the use of these funds for design and maintenance of multiple projects on city-owned land.

It is my understanding that the proposed projects are not triggered by other Federal, State or local requirements. Section 49-11, I (2) (c) [1], [3], and [12] of the City's Critical Area Ordinance specifically include provisions that allow the use of funds for the requested projects that consist of planting design and redesign, tree replacement, maintenance and invasive weed management, installation of a bio-swale buffer, and installation of a proper splash area for an outfall. Therefore, this request appears to meet the requirements of the City's Ordinance.

Thank you for your continued coordination with this office. If you have any questions, please telephone me at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Hoerger".

Lisa A. Hoerger  
Regulations Coordinator

cc: Mr. Tim Whittie, Department of Public Works  
Mr. Joe Conaway, Department of Public Works  
Ms. Stephanie Noye, Department of Public Works  
Mr. Shane Grimm, Department of Planning



# City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078  
WWW.HAVREDEGRACEMD.COM

410- 939-1800  
410- 575-7043

January 20, 2021

Ms. Lisa Hoerger  
Regulations and Mapping Coordinator  
Critical Area Commission for the  
Chesapeake & Atlantic Coastal Bays  
1804 West Street, Suite 100  
Annapolis, Maryland 21401

Dear Ms. Hoerger:

This letter is a request for our use of Critical Area Taxing District funds for the purpose of Buffer management design and invasive weed management on projects related to the City's extensive shoreline. The City's Department of Public Works is pursuing small-scale improvement projects in multiple locations on city-owned land, utilizing these funds primarily for design but also for a portion of the yearly maintenance of past Buffer projects. We are asking for permission to utilize \$46,725.00 total in advance of for the City's budget adoption and the start of the busy spring season.

A total of \$9,600.00 of that cost would be for the design for six (6) small projects water quality projects in or near the Critical Area Buffer to be located as follows:

- Lock House shad pond planting design, \$3,000.00
- Pennington Avenue planting design, \$800.00
- Green Street planting design, \$1,200.00
- Veteran's Park bio-retention replanting design, 1,800.00
- Municipal Yacht Basin splash area for outfall, \$1,200.00
- Lightkeeper's House tree replacement and bio-swale buffer, \$1,600.00

In addition, we would ask that we be able to utilize \$37, 125.00 for half of the yearly cost maintenance and invasive weed management for the upcoming spring season for large shoreline projects that were installed within the past three years. The total proposed cost for maintenance is \$8,250.00 for nine months, mid-March to mid-December, for a total cost of \$74,250.00. The remainder, i.e. the other half of that cost, will be allocated through our operational budget for FY22. This maintenance allows new native plant material to get established and keeps these areas free of invasives.

Please let me know if you require contractor proposals or additional documentation for this requested use of Critical Area funds. When we have actual cost estimates in hand for these small design projects, we will be requesting additional use of Critical Area funds for implementation of these projects, specifically for the installation of native plant material, river stone, and mulch base.

Thank you in advance for your consideration.

Sincerely,

Dianne Klair, Planner  
City of Havre de Grace

Cc: Timothy Whittie, Department of Public Works  
Joe Conaway, Department of Public Works  
Stephanie Noye, Department of Public Works  
Shane Grimm, Department of Planning



# ECOLOGICALLY SOUND LANDSCAPES

December 17, 2020

Mr. Joe Conaway, Chief  
Construction and Program Management, DPW  
City of Havre de Grace, MD

Re: 2021 Critical Area Buffer Management Services Proposal

Dear Joe,

I offer this correspondence as a Proposal to provide monthly professional buffer management services throughout the City of Havre de Grace at the following areas:

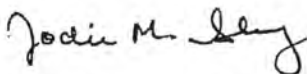
- Susquehanna Lockhouse: pond buffer, entire armored shoreline south of Hatem Bridge to marina fence, and currently unmanaged lock area adjacent to the new bridge
- Shorelines at rear of HDG water treatment plant (Warren St), Green St, and Pennington Avenue
- Concord Point Park SWM area
- Entire shoreline from Concord Point SWM area to promenade entry at Tydings Park
- Stream daylighting adjacent to Concord Point Park, RSC between Decoy and Maritime Museums, CBT/Underwood overlap project areas at Decoy and Maritime Museums

At a minimum, monthly professional buffer management services include:

- Weekly to Bi-weekly management and monitoring of each area
- Travel, manpower, herbicide, and any tools necessary to complete the task at hand
- Selective chemical control of undesirable and invasive plant material
- Selective hand weeding control of undesirable and invasive plant material
- Division of and relocation of existing plant material as needed
- Native perennial introduction and or over seeding where appropriate
- Selective pruning for aesthetics and plant health

The above services will be provided March 15 through December 15, 2021 for a monthly fee of \$8,250. Please let me know if you have any questions or if I have missed anything.

Sincerely,



Jodie M. Shivery, MD-LTE #1753, MDA #49926

Bringing *life* to your landscape through design, consultation & vegetation management

P.O. Box 11, Perryville, MD 21903 🌿 443-309-5483 🌿 [mail@gethabitat.net](mailto:mail@gethabitat.net)



# ECOLOGICALLY SOUND LANDSCAPES



January 15, 2021

Ms. Stephanie Noye  
MS-4 Permit Coordinator  
City of Havre de Grace  
711 Pennington, Avenue  
Havre de Grace MD 21078

Re: Lockhouse Shad Pond Planting Plan Design Proposal

Dear Stephanie,

Based on familiarity with the site and Critical Area requirements, I offer this correspondence as a Planting Plan Design Proposal.

## OBJECTIVES

Design a City/Maryland Critical area approved planting plan to provide native, aesthetic, 1 to 1 mitigation for 4,500 SF of invasive plant control.

## SCOPE OF SERVICES

Site visits, stakeholder meetings, research as necessary, planting plan development with up to 2 revisions

## DELIVERABLES

To scale Planting Plan (electronic .pdf file and up to 4 hardcopies)  
Planting estimate/proposal

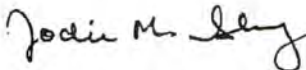
## SCHEDULE

Design work will commence immediately upon proposal acceptance

## FEES

The cost of the services outlined in this proposal will be completed for a fixed fee of \$3,000, with \$1,500 due upon proposal acceptance, and \$1,500 due upon City/MD Critical Area design acceptance.

Sincerely,



Jodie M. Shivery, MD-LTE #1753, MDA #49926



**ECOLOGICALLY  
SOUND LANDSCAPES**

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January 15, 2021

Ms. Stephanie Noye  
MS-4 Permit Coordinator  
City of Havre de Grace  
711 Pennington, Avenue  
Havre de Grace MD 21078

Re: Pennington Avenue Planting Plan Design Proposal

Dear Stephanie,

Based on familiarity with the site and Critical Area requirements, I offer this correspondence as a Planting Plan Design Proposal.

**OBJECTIVES**

Design a City/Maryland Critical area approved planting plan to enhance the biodiversity and aesthetics of the riparian buffer at the terminus of Pennington Avenue

**SCOPE OF SERVICES**

Site visits, stakeholder meetings, research as necessary, planting plan development with up to 1 revision

**DELIVERABLES**

To scale Planting Plan (electronic .pdf file and up to 4 hardcopies)  
Construction estimate/proposal

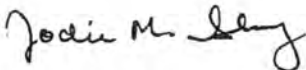
**SCHEDULE**

Design work will commence immediately upon proposal acceptance

**FEES**

The cost of the services outlined in this proposal will be completed for a fixed fee of \$800 due upon design/plan acceptance by The City/MD Critical Area

Sincerely,



Jodie M. Shivery, MD-LTE #1753, MDA #49926



**ECOLOGICALLY  
SOUND LANDSCAPES**

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January 15, 2021

Ms. Stephanie Noye  
MS-4 Permit Coordinator  
City of Havre de Grace  
711 Pennington, Avenue  
Havre de Grace MD 21078

Re: Green Street Landscape Plan Design Proposal

Dear Stephanie,

Based on familiarity with the site, Critical Area requirements, and bio retention, I offer this correspondence as a Landscape Plan Design Proposal.

**OBJECTIVES**

Design a City/Maryland Critical area approved landscape plan to enhance biodiversity, aesthetics and stormwater management/retention in a low impact attempt at slowing sheet flow from Green Street

**SCOPE OF SERVICES**

Site visits, stakeholder meetings, research as necessary, planting plan development with up to 1 revision

**DELIVERABLES**

To scale Landscape Plan (electronic .pdf file and up to 4 hardcopies)  
Construction estimate/proposal

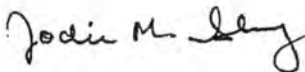
**SCHEDULE**

Design work will commence immediately upon proposal acceptance

**FEES**


The cost of the services outlined in this proposal will be completed for a fixed fee of \$1200 due upon design/plan acceptance by The City/MD Critical Area

Sincerely,



Jodie M. Shivery, MD-LTE #1753, MDA #49926

# ECOLOGICALLY SOUND LANDSCAPES



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January 15, 2021

Ms. Stephanie Noye  
MS-4 Permit Coordinator  
City of Havre de Grace  
711 Pennington, Avenue  
Havre de Grace MD 21078

Re: Veterans Park Bio Retention Planting Plan Design Proposal

Dear Stephanie,

Based on a site visit conducted January 14, 2021, experience with stormwater practice planting design and Critical Area requirements, I offer this correspondence as a Planting Plan Design Proposal.

#### OBJECTIVES

Design a City/Maryland Critical area approved planting plan to enhance the ecologically function and biodiversity of the bio retention area while providing an all season beautiful experience for park visitors

#### SCOPE OF SERVICES

Site visits, stakeholder meetings, research as necessary, planting plan development with up to 1 revision

#### DELIVERABLES

To scale Planting Plan (electronic .pdf file and up to 4 hardcopies)  
Planting estimate/installation proposal

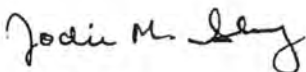
#### SCHEDULE

Design work will commence immediately upon proposal acceptance

#### FEES

The cost of the services outlined in this proposal will be completed for a fixed fee of \$1800 and due upon design/plan acceptance by The City/MD Critical Area

Sincerely,



Jodie M. Shivery, MD-LTE #1753, MDA #49926

# ECOLOGICALLY SOUND LANDSCAPES



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January 15, 2021

Ms. Stephanie Noye  
MS-4 Permit Coordinator  
City of Havre de Grace  
711 Pennington, Avenue  
Havre de Grace MD 21078

Re: Yacht Basin Promenade Entry landscape Plan Proposal

Dear Stephanie,

Based on familiarity with the site, Critical Area requirements, and stormwater runoff, I offer this correspondence as a Landscape Plan Design Proposal.

#### OBJECTIVES

Design a City/Maryland Critical area approved landscape plan to enhance biodiversity, aesthetics and address existing washout and slow stormwater

#### SCOPE OF SERVICES

Site visits, stakeholder meetings, research as necessary, planting plan development with up to 1 revision

#### DELIVERABLES

To scale Landscape Plan (electronic .pdf file and up to 4 hardcopies)  
Construction estimate/ proposal

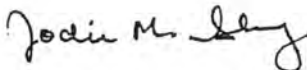
#### SCHEDULE

Design work will commence immediately upon proposal acceptance

#### FEES

The cost of the services outlined in this proposal will be completed for a fixed fee of \$1200 due upon design/plan acceptance by The City/MD Critical Area

Sincerely,



Jodie M. Shivery, MD-LTE #1753, MDA #49926



**ECOLOGICALLY  
SOUND LANDSCAPES**

---

January 15, 2021

Ms. Stephanie Noye  
MS-4 Permit Coordinator  
City of Havre de Grace  
711 Pennington, Avenue  
Havre de Grace MD 21078

Re: Lighthouse Keeper's Residence Buffer Planting Plan Design Proposal

Dear Stephanie,

Based on familiarity with the site, Critical Area requirements, and suitable plant material I offer this correspondence as a Planting Plan Design Proposal.

**OBJECTIVES**

Design a City/Maryland Critical area approved planting plan to provide a predominately native, low maintenance, mixed evergreen buffer to aesthetically and environmentally enhance the City Right of Way between the historic lighthouse keeper's residence and the adjacent property

**SCOPE OF SERVICES**

Site visits, stakeholder meetings, research as necessary, planting plan development with up to 1 revision

**DELIVERABLES**

To scale Planting Plan (electronic .pdf file and up to 4 hardcopies)  
Planting estimate/installation proposal  
Photographic Plant Palette (electronic .pdf file)

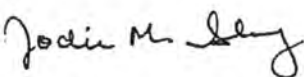
**SCHEDULE**

Design work will commence immediately upon proposal acceptance and be completed within 4 weeks, barring unforeseen delays.

**FEES**

The cost of the services outlined in this proposal will be completed for a fixed fee of \$1600 and due upon design/plan acceptance by The City/MD Critical Area

Sincerely,



Jodie M. Shivery, MD-LTE #1753, MDA #49926

**BUDGET AMENDMENT**

March 5, 2021

Amendment # 2021-12

**SOURCE OF FUNDS**

Account Number	Account Title	Amount
	<b>General Fund 1</b>	
01-0001-49-00	Fund Transfers - Critical Area	\$46,700.00
	<b>Total Sources</b>	<b>\$46,700.00</b>

**USE OF FUNDS**

Account Number	Account Title	Amount
	<b>General Fund 1</b>	
01-1251-7084	Critical Area Remediation	\$46,700.00
	<b>Total Uses</b>	<b>\$46,700.00</b>

**REASON FOR ADJUSTMENT**

To fund shoreline Critical Area Remediation contracts approved by CA Commission.

**AUTHORITY**

City Council on 3/15/20.

**APPROVAL**

MAYOR	_____	Date: _____
ADMINISTRATION	_____	Date: _____
FINANCE	_____	Date: _____