

**Town of Millington**  
**Allocations for Public Water and Sewer Capacity**  
**Policies and Procedures**

**Purpose:**

The purpose of this document is to provide guidance for the allocation of water and sewer capacity, recognizing that it is in the best interest of the Town of Millington (Town) to establish procedures for requesting allocations, and to establish policies that are equitable and serve the economic development and growth management goals established by the Town.

**Definitions:**

**Allocation –** a reservation for a particular building or project to draw a prescribed amount of water from the Town's water system and/or to discharge a prescribed amount to the Town's sewer system.

**Connection Fee -** A fee paid to the Town, normally in conjunction with a Building Permit Application, to help offset the capital costs of new treatment facilities, major water distribution lines, elevated storage tanks, sanitary sewer capacity expansion improvements, etc. The Connection Fee is charged on an Equivalent Dwelling Unit basis projected for the project and is based on the standards as set forth by Maryland Department of the Environment (MDE) Wastewater Design Guidelines.

The Connection Fee is separate from any costs the applicant may have with private contractors for the actual connection to the water or sewer lines and other associated development fees. All new or expanded users connecting or connected to the Town's water or sewer system must pay a Connection Fee.

**Equivalent Dwelling Unit (EDU) –** A unit of measure to equate flow demand to an equivalent of one single family home. An equivalent living unit is assumed to be equal to 250 gallons each per day of water use and sanitary sewage production.

**Gallons per Day (gpd) –** A unit of measure of the demand for water or sewer.

**Million Gallons per Day (mpd) -** A unit of measure of the demand for water or sewer.

Site Plan - As defined by the Millington Code.

**Allocation Capacity Calculation:**

- A. Every January the Town will determine, in accordance with MDE, available wastewater capacity utilizing a three (3) year rolling flow average minus previously allocated, unused taps.
- B. Beginning in 2023 and every three (3) years thereafter, the Millington Planning Commission will review and recommend to the Town Commissioners of Millington potential gallons per day allocatable capacity for that period as follows:
  - \_\_\_\_\_% Town Center Zoning.
  - \_\_\_\_\_% Town pending projects – projects approved by Town Council.
  - \_\_\_\_\_% Other residential sites outside of Town Center Zoning.
- C. During each review period, the Planning Commission will ensure that the percentage of allocations are in conformance with current growth and economic goals of the Town.
- D. The Millington Commissioners will review, revise, and approve the recommendations by resolution.
- E. In the event of unforeseen circumstances which limit or reduce the capacity, the Millington Commissioners may reduce, limit, or cease allocation granting.

**Allocation Request Eligibility:**

- A. An applicant must meet several eligibility criteria before an allocation request can be considered:
  - For a proposed commercial or institutional facility, a Site Plan must be approved by the Planning Commission, except where a site plan is not required by the Zoning Ordinance.
  - Where a Site Plan is not required by the Zoning Ordinance, a Building Permit application must be approved by the Town.
  - For a proposed residential Subdivision, as defined by the Subdivision Ordinance, a Preliminary Plan must be approved by the Planning Commission.
  - For an existing lot of record, a Building Permit must be approved by the Planning Commission.
- B. A written request should include the following information (where applicable). Fully detailed and supported allocation requests are required for consideration.
  - Name and address of the current property owner.

- Name and address of any future or transitional owners in progress.
- Name and address of the applicant, if different.
- Names and address of the developer, if different.
- Names, address, telephone, fax, and email address for designated contact.
- Project site's physical address with location map.
- Project site's tax map number, parcel number(s), and (if applicable) lot number(s).
- Copy of approved Site Plan, approved Preliminary Plat, or similar plan applicable to the project.
- Project description: level of detail will be dictated by the complexity of the project.
- For commercial uses, detail square footage, number of employees at full capacity, number of transient employees or guests, seats (as with restaurants), and meals prepared daily (restaurants, banquet halls, etc) as appropriate to the facility and any additional information the Town may request to aide in the decision to accurately account for an/or reconcile Town water and sewer capacity.
- Requested allocation amount (gpd).
- Projected timeframe for first occupancy and for completion of build-out.
- Proposed phasing of project, if applicable.
- Detailed description of how the project meets the Town's priorities set forth in the current Comprehensive Plan.

**Flow Projection Guidance:**

- A. The allocation request must include a properly estimated design flow for the project, including the detailed basis for the estimates. In many instances, this is best developed by the project engineer. The Town reserves the ability to require that the estimate for a project be prepared by a Professional Engineer or Architect licensed in the State of Maryland.
- B. Any allocation granted by the Town will be based on conservative estimates of the flow and the Town may use any and all data sources in its evaluation of the projected flow.
- C. Unreasonable, unsupported, or overly conservative estimates may unnecessarily consume treatment capacity and elevate Connection Fees for the applicant.

**Expanded Flow Demand:**

- A. A facility may not exceed its allocation without written authority from the Town.
- B. Users who plan to expand or change their operation in a manner that will increase their flow must request an expanded allocation in the same manner as a new allocation request.
- C. Allocations for a revision or change of use for an existing building may be credited for recent historic flow for the previous use. The historic flow shall be determined by examination of actual consumption reflected on utility bills from the facility and other information available from the Town. Typically, the previous two-year period will be examined to determine trends of the use; the Town maintains its rights and prerogatives to gather, assess, and make such determinations it deems necessary to render appropriate judgments on all applications for consideration.

**Authority to Allocate Water and Sewer Capacity:**

- A. The Millington Planning Commission will make recommendations to the Millington Council who are authorized to allocate capacity for the Town in accordance with the MDE and Millington Codes.
- B. No allocations are valid except those made in writing, constrained by the terms therein, and subject to all relevant local and state regulations.

**Allocation of Connections:**

- A. It has been determined that due to the scarcity of the resource, and as not to create unnecessary development pressure with “use or lose” deadlines, the general policy will be to allocate connections on a “first-come, first-serve” basis, subject to the ratio contained in the Allocation Capacity Calculation section above.
- B. Allocations are issued only for projects that have initial approval status, as detailed above, that are deemed “scheduled for completion” timely and in accordance with all planning estimates and projections.
- C. Allocations are issued as capacity is available and only to projects that meet the priorities of the Town.
- D. Generally, allocations will expire with plan expiration, prior to recordation, unless renewed for cause, in writing by the Town. If an applicant loses eligibility (e.g., the Plan expires), any issued allocations for the project will expire and a new application must be submitted.
- E. The Town will not extend the expiration date for projects that are not being diligently pursued.

- F. An expired allocation can be re-issued at the Town's discretion, upon request in writing, but the allocation shall be considered a new application as it pertains to any required documentation. When an allocation expires, any fees may not be retained or transferred to another project. Projects resubmitted are subject to re-order priority (first-come, first-serve) basis.

**Connection Fees:**

- A. Connection Fees are charged on an Equivalent Dwelling Unit basis projected for the project.
- B. Except as provided herein, connection charges are due and payable upon the lot recordation approval or issuance of a Town Building Permit for pre-recorded lots. These fees are non-refundable.
- C. For multiple lots or large projects that would create a hardship for the total connection fees to be collected upon recordation approval, the Millington Commissioners may enter into an agreement with a landowner or developer and request an irrevocable letter of credit or bond for at least fifty percent (50%) of the requested connection fees. For these applicants, the connection fee will be due upon the issuance of each Building Permit.

**TOWN OF MILLINGTON  
EDU CALCULATION BY ACTUAL USAGE**

	<b>2020</b>	<b>2021</b>	<b>2022</b>
January	2,331,936	799,087	722,224
February	1,862,193	950,360	857,681
March	693,324	703,229	740,071
April	928,017	852,127	763,624
May	788,178	832,711	895,059
June	920,348	856,519	882,821
July	903,893	906,596	988,171
August	878,335	904,118	895,173
September	820,408	818,362	968,502
October	881,814	783,349	720,327
November	917,444	838,272	765,387
December	815,565	729,328	
 Total Annual Flow	 12,741,455	 9,974,058	 9,199,040
 Gallons Per Day	 34,908	 27,326	 25,203
 EDU Average - gpd	 127	 100	 92
 <b>CURRENT WWTP PERMIT</b>	 105,000 gpd		
Standard EDU calculation	250 gpd		
Available EDUs	420		
 Current EDU - using standard calculation			
Town	274	(68,500 gpd)	
County	221		
Total Allocated	495	over permittable allowance	
 New Policy for Town EDU calculation			
Town (avg 106 gpd)	29,044	gpd average usage	
Town (available gpd)	68,500		
Town	39,456	gpd available for future use	
New EDUS	157	available	

# MILLINGTON EDU COUNT

Current permit with WWTP  
EDU – standard

105,000 gpd  
÷ 250 gpd

420

## Available EDUs

### Town of Millington

Current billable EDUs	274
Infill Lots – no current EDU allocated	3
Senior Housing Project	<u>20</u>

Total for Town

297

### Kent County Water & Wastewater Services

Purchased per agreement		221
Currently bill	155	
Chesterville Forest System	<u>50</u>	
Subtotal	205	

Available for development

6

**Total for Town and Kent County**

**518**