

**RESOLUTION NO. 1991**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY  
MARYLAND APPROVING THE REACTIVATION OF THE EXISTING WELL  
AT 203 E. VINE STREET**

**WHEREAS**, the owner of the property located at 203 E. Vine Street and 300 Elmwood Street, NSAH Miller Holdings, LLC. (hereinafter referred to as OWNER), has made a formal application to reactivate the existing well at 203 E. Vine Street; and

**WHEREAS**, the use of the existing well shall be for industrial process water only in a beer production brewery; and

**WHEREAS**, the existing well shall not be increased in depth (approximately 85' deep), size (6" diameter) or capacity (not to exceed 100 gallons per minute) and shall not change locations from its current position; and

**WHEREAS**, the use of the existing well shall have no detrimental impact on the City's existing domestic water generation wells; and

**WHEREAS**, the OWNER and City shall enter into a Memorandum of Understanding to establish the requirements and conditions for domestic water, sewer and private well usage at a future date prior to placing the existing well in service and/or installing the domestic water meter; and

**WHEREAS**, no water generated from the use of the existing well shall enter into the City's sanitary sewer or storm drain system; and

**WHEREAS**, the OWNER shall be responsible for obtaining approval for reactivation of the existing well from the Maryland Department of the Environment and the Wicomico County Health Department and providing Salisbury Public Works a written copy of the approvals from both agencies; and

**WHEREAS**, the OWNER has supplied the attached well report and site information; and

**WHEREAS**, Section 13.20.070 of the City Code entitled "Use of Private Wells for Industrial Purposes" states that: .

- "A. Notwithstanding any of the provisions of this chapter, the use or replacement of existing private wells for industrial purposes may be permitted only upon specific prior approval of the city council after formal application thereto and hearing thereon at one or more regular meetings of the council. Such council approval shall be evidenced by a resolution adopted by the council and spread upon its minutes. Such resolution shall

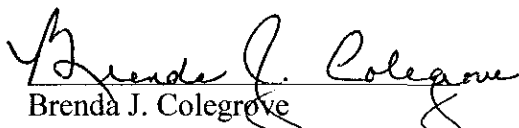
set forth in precise terms the exact size, location, depth, use or uses and all other pertinent details with respect to the particular private well approved.


- B. It shall be the intent of this section to permit the use of an existing well or to replace an existing well with one of equal depth, size and capacity but not to permit increased well capacity, except for uses permitted by this section. In the council's sole discretion, such resolution also may specify initial permit fees and annual permit renewal fees greater than those provided in Section 13.20.020 of this chapter, but such fees in no event shall exceed five times the amounts specified in such section.”

**NOW THEREFORE BE IT RESOLVED** that the Salisbury City Council approves and spreads upon its minutes the reactivation and use of the existing well at 203 E. Vine Street in accordance with Section 13.20.070 paragraph A of the City Code.

**THE ABOVE RESOLUTION**, was introduced and duly passed at a meeting of the Council of the City of Salisbury Maryland held on the 8<sup>th</sup> day of November, 2010 and is to become effective immediately upon adoption.

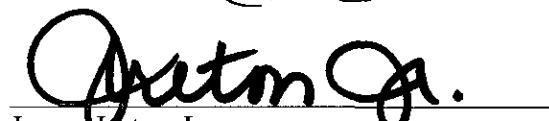
ATTEST

  
Brenda J. Colegrove  
CITY CLERK

  
Louise Smith  
PRESIDENT, City Council

APPROVED BY ME THIS

9<sup>th</sup> day of November, 2010

  
James Heton Jr.  
MAYOR, City of Salisbury

# City of Salisbury



MARYLAND

JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

LORÉ L. CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

Salisbury



2010

125 NORTH DIVISION ST., RM 202  
SALISBURY, MARYLAND 21801

Tel: 410-548-3170

Fax: 410-548-3107

PUBLIC WORKS  
TERESA GARDNER, P.E.  
DIRECTOR

November 3, 2010

## MEMORANDUM

**TO:** Teresa Gardner

**FROM:** Dallas Baker

**SUBJECT:** Resolution for Brewery / Old Ice Plant  
SPW Project No. 06-036

**CC:** Dale Pusey  
Matt Drew  
Bill Holland  
File

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Attached please find a Resolution for City Council consideration regarding the reactivation and use of an existing industrial well at 203 E. Vine Street. The existing well was used by the old Messick Ice Plant and the current owner NSAH Miller Holdings, LLC. would like to use the existing well to serve a new brewery interested in relocating to Salisbury. The well would provide industrial process water only, none of which would enter the City's sewer or storm drain system. City Code section 13.20.070 does allow for the use of existing industrial wells within limits contingent upon approval by a City Council Resolution. Salisbury Public Works does not believe the use of this well will set a precedent with other users requesting private well service because the City Code is very specific to existing industrial wells only.

In addition to the brewery, the owner is proposing to build a restaurant onsite which would use City standard domestic water and sewer for its half of the business. The brewery and restaurant would utilize the existing ice plant facility with the only new construction being the addition of six (6) handicap parking spaces. The owner has supplied the attached well report and site information for City use.

Please let me know if there are any questions.

## Brenda Colegrove

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**From:** John Pick  
**Sent:** Wednesday, November 03, 2010 12:38 PM  
**To:** Brenda Colegrove  
**Cc:** Dallas Baker  
**Subject:** FW: Background information for Evolution Brewing presentation to City Council (Nov 8)  
**Attachments:** evo brewery - water appropriation permit.pdf; Evolution Brewery - Site Rendering.pdf; sk01 Model (1).pdf; Well\_and\_Water\_Test\_Results.pdf; evolution - wic health dept.pdf; mde - exemption email.pdf

Brenda – these are the attachments to the resolution we will get from Dallas. Please use the e-mail from Matt as an attachment as well.

### John Pick

City Administrator  
125 N. Division St.  
Salisbury, MD 21801  
410-548-3100

### Salisbury



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**From:** Matt Drew [mailto:mdrew@awbengineers.com]  
**Sent:** Wednesday, November 03, 2010 11:56 AM  
**To:** Dallas Baker; John Pick  
**Cc:** Brent Miller CCIM CPM; Tom Knorr; John Knorr; Todd Van Geluwe  
**Subject:** Background information for Evolution Brewing presentation to City Council (Nov 8)

Dallas & John--

Attached is background information for the Evolution Brewery well resolution presentation for City Council.

#### Project Summary:

Evolution Brewing is planning to renovate the existing Reddy Ice building (201 East Vine Street, Salisbury MD) into a microbrewery and restaurant. The site is currently served with municipal water and sewer service. An existing well on the property was used previously to provide make-up water for industrial ice-making. The well has been dormant for over 10 years, but was recently tested and found to acceptable for use in the brewery. (See attached report).

The proposed project has been reviewed by Salisbury Public Works, Maryland Department of the Environment, and Wicomico Health Department.

MDE will be providing an exemption for this use, as the usage quantity is below 5000 gallons per day (See attached email). Wicomico Health Department has reviewed the project and will not be requiring any permitting for this use (See attached letter).

Proposal:

Recommission the existing well, and distribute the well water for into the brewery-portion of the building  
brewery process make-up water.

What is required from Council:

Provide an affirmative resolution in accordance with City Ordinance 13.20.070 allowing the use of this existing well.

Thanks,

Matt

---  
G. Matthew Drew, P.E.  
Exec. Vice-President  
AWB Engineers  
1942 Northwood Drive  
Salisbury, MD 21801  
[mdrew@awbengineers.com](mailto:mdrew@awbengineers.com)  
p:(410) 742-7299  
f: (410) 742-0273  
c:(443) 880-8304

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
 Water Management Administration - Water Rights Division  
 1800 Washington Blvd. • Baltimore, Maryland 21230  
 (410) 537-3591 • 1-800-633-6101 • <http://www.mde.state.md>

**APPLICATION TO APPROPRIATE AND USE WATERS OF THE STATE**

New Application     Change in Existing Permit

Application Number \_\_\_\_\_

**APPLICATION**

NSAH MILLER HOLDINGS LLC

410-543-2440

(Owners Name)

206 EAST MAIN ST.

SALISBURY

MD

(Daytime Phone Number)

21801

(Mailing Address) (Street)

(City)

(State)

(Zip Code)

**WITHDRAWAL of GROUNDWATER**

Appropriate and use an annual average of

2500 Gallons per day, and

(Total Annual Use / 365)

3200 gallons per day during

(Highest Monthly Use / 30)

month of maximum use, from 1 wells, having a

diameter of 6 inches, and a depth of 84 feet

(Estimate)

(Estimate)

**WITHDRAWAL of SURFACE WATER**

Appropriate and use an annual average of

\_\_\_\_\_ gallons per day, and a maximum use

(Total Annual Use / 365)

of \_\_\_\_\_ gallons in any one day, from

(Name of Stream or Waterway)

(Exact Location of Intake)

**PROJECT LOCATION**

200 ELMWOOD ST / 201 EAST VINE ST. MAP 12 GRID 8 PARCEL 1628

(STREET ADDRESS - MAP DIRECTIONS - ADC PAGE/GRID - TAX MAP PAGE/GRID/PARCEL)

County WILCOMING Subdivision or Town SALISBURY

Phone Number 410-251-3844

Name and Type of Business EVOLUTION CRAFT BREWING CO.

SUBDIVISIONS MUST INCLUDE PLAT - ALL PROJECTS MUST INCLUDE LOCATION MAP

**PURPOSE**

The water will be used for:

- Community Water Supply
- Non-Potable Supply (sanitary non Drinking Water)
- Potable Supply
- Cooling Water
- Irrigation
- Process Water
- Other, explain \_\_\_\_\_

**WASTEWATER TREATMENT AND DISPOSAL**

- Public Sewer
- Groundwater
  - Subsurface (Tilefield, Seepage Pit etc.)
  - Spray Irrigation
  - Other, Explain WATER USED FOR BEVERAGE PRODUCTION
- Surface Water \_\_\_\_\_  
(Name of stream)

DISCHARGE PERMIT # \_\_\_\_\_

**SIGNATURE**

ERENT C MILLER MANAGING MEMBER 11/2/10

PRINT (NAME)

(TITLE)

(DATE)

**THIS APPLICATION WILL NOT BE PROCESSED WITHOUT A SIGNATURE AND LOCATION MAP**

**REVIEW BY COUNTY ENVIRONMENTAL HEALTH OR DESIGNATED AGENCY**

THIS SECTION NOT TO BE COMPLETED BY APPLICANT

IS PROJECT CONSISTANT WITH THE COUNTY WATER AND SEWER PLAN AND LOCAL PLANNING AND ZONING?

YES     NO, Explain \_\_\_\_\_

Signature of County Representative \_\_\_\_\_

(Signature)

(Title)

(Date)



# ATLANTIC WELL DRILLING, INC.

Quality Drilling with Experience

P.O. Box 250  
DELMAR, DE 19940  
(302) 875-5017 (302) 846-3991  
(410) 749-0500 Fax (302) 846-3999

Mr. Brent Miller c/o Sperry Van Ness      410-543-2440 (410-749-7600)\*      10-20-10  
206 E. Main St      Redi Ice  
Salisbury, Md 21801      Vine St. and Eastern Shore Dr./ Salisbury

Brent,

The results of the well and pump test at the Redi Ice plant are as follows:

1. Water quality analysis: See Attached from Sharp Water. They look very good and are typical for this area. The pH of 6.2 is on the acidic side, with 7 being neutral, however depending on the quality needs for the brew-master, this is easily treated by an acid neutralizer, etc. from a treatment company.
2. Well data: The well is a 6" pvc well, at 84' deep inside a 12" surface casing. The static water level is 24' deep and after cleaning and redeveloping for 4.5 hrs, produces approx. 100 gpm of clear and clean potable water. It is a viable supply for the water needs as indicated by the user.
3. Pump data: The existing pump is not useable. It is a 15 hp Goulds submersible pump, 230v and 3 phase. The model is a 225H 15 4stage with Franklin motor I.D. # suggesting an installation of 1989 circa. The pump and motor and 3" galv riser pipe were heavily encrusted with corrosion and iron. The new water supply needs suggest a pump in the range of a 1.5 hp - 3 hp pump that can operate on 230v, 1 phase and produce 40 - 50 gpm, if the 2000 gals per day need is accurate.

Atlantic Well Drilling, Inc

Greg Fries

# *SharpWater*

*The Clear Difference*

October 20, 2010

## Redi – Ice Water Test Results

- Iron: 0.20 ppm
- Hardness: 2 gpg
- Nitrates: 5 ppm
- pH: 6.20
- Total Dissolved Solids: 80 ppm

**Sharp Water**

129 Columbia Road • Salisbury, Maryland 21801-3307 • 410.742.3333 • 800.439.3853 • 410.543.2222 / fax  
[www.sharpwater.com](http://www.sharpwater.com)



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BY: [Signature]

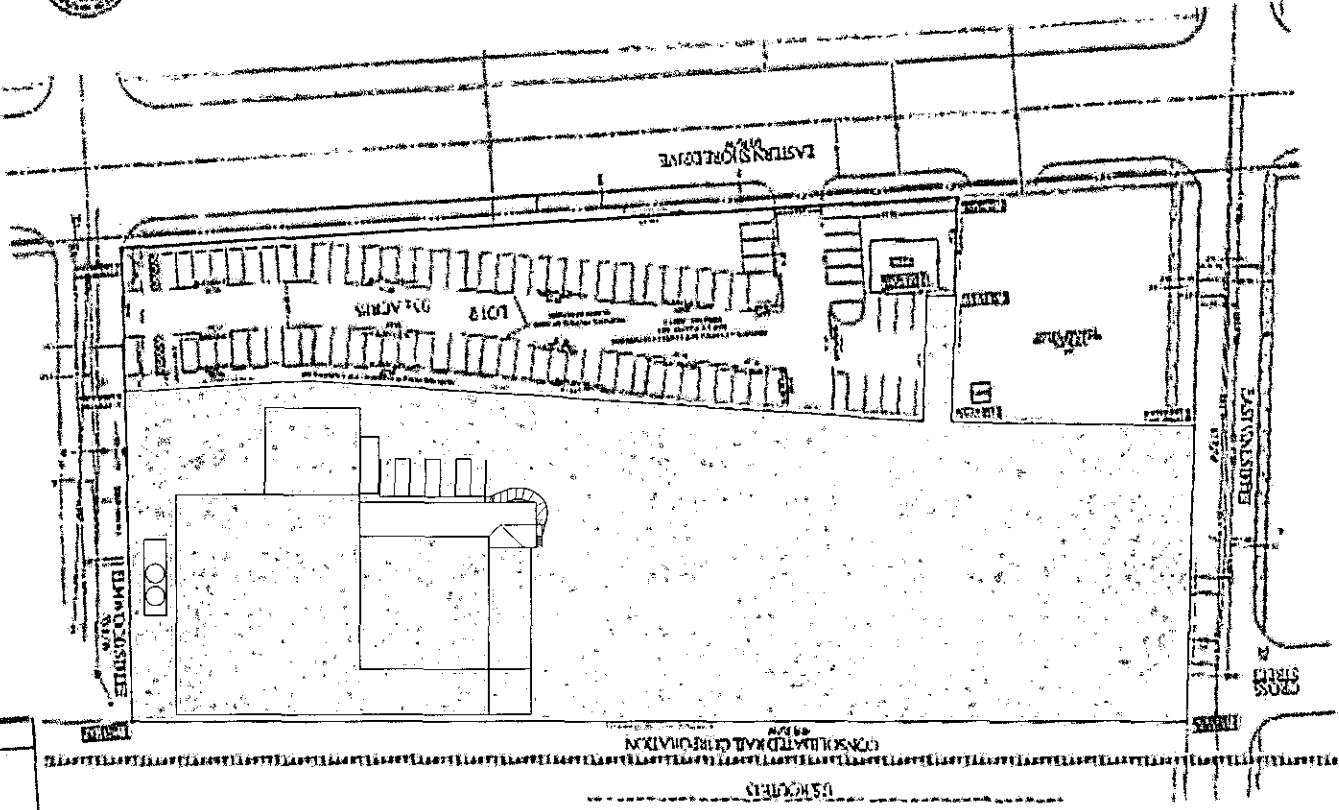
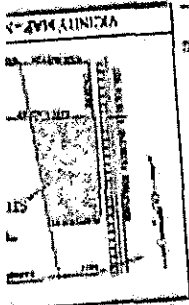


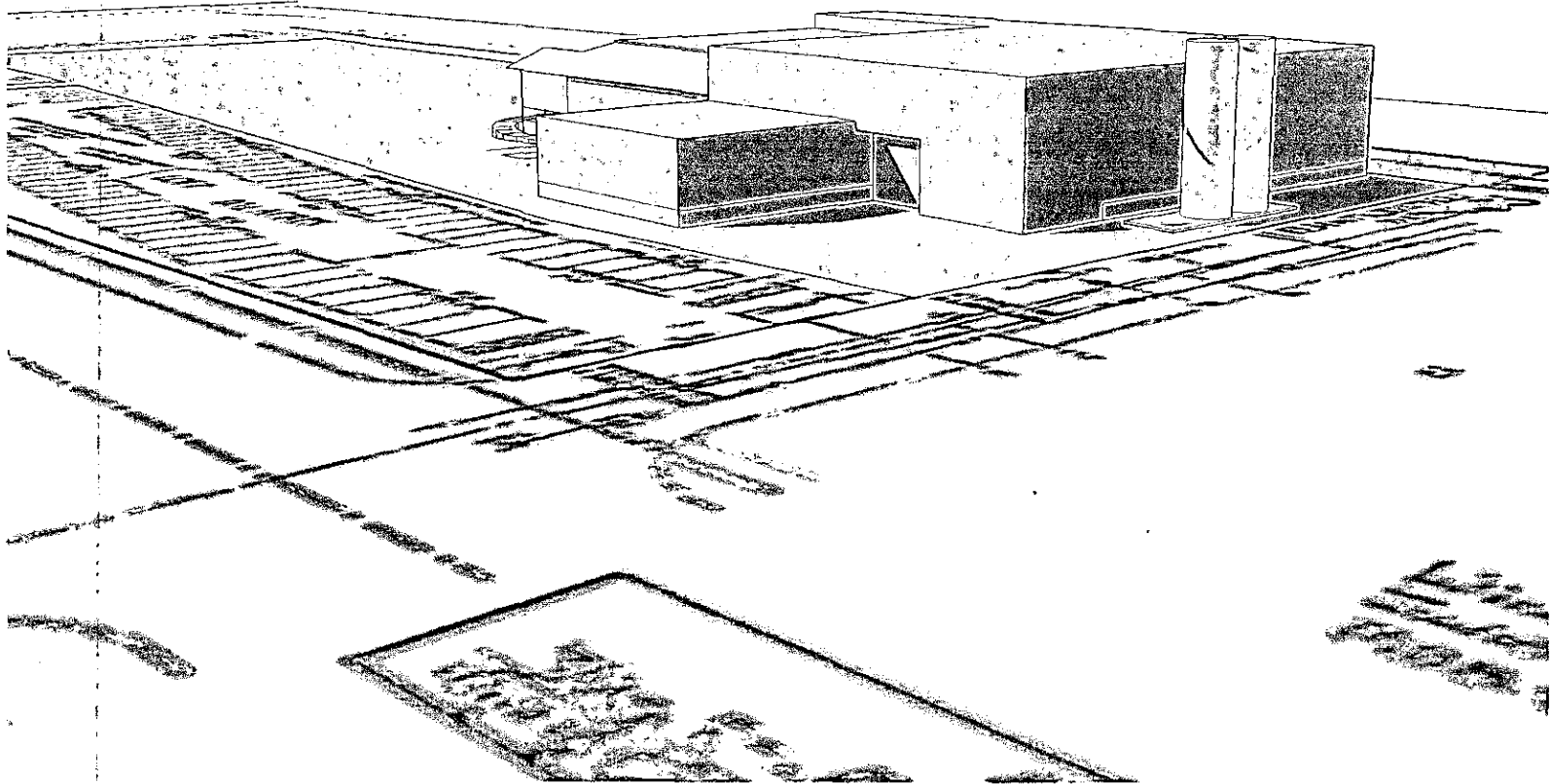
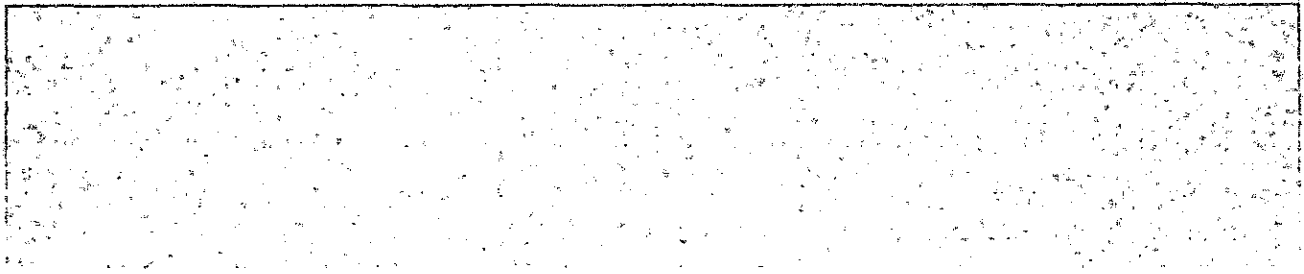
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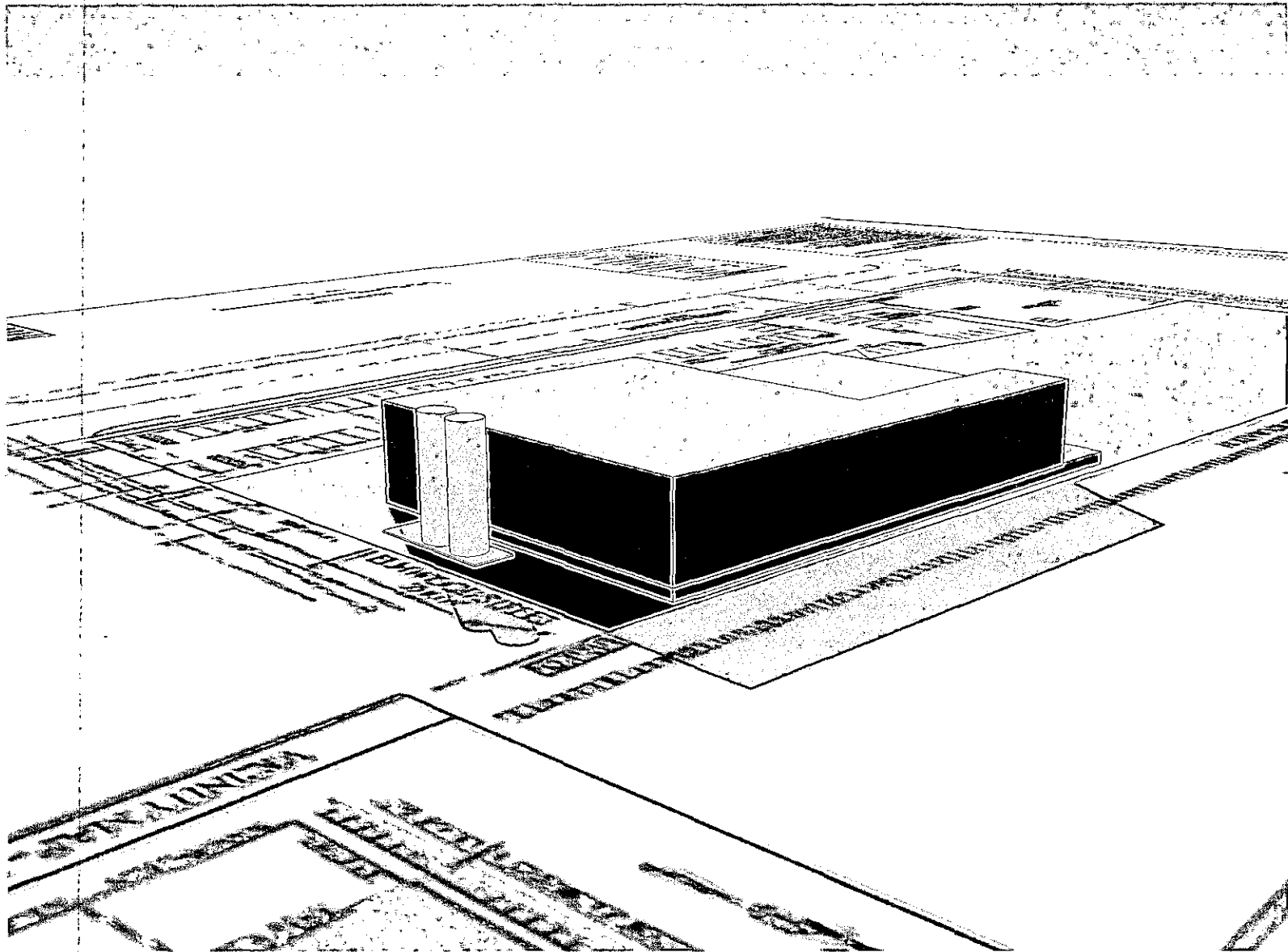
BALTIMORE

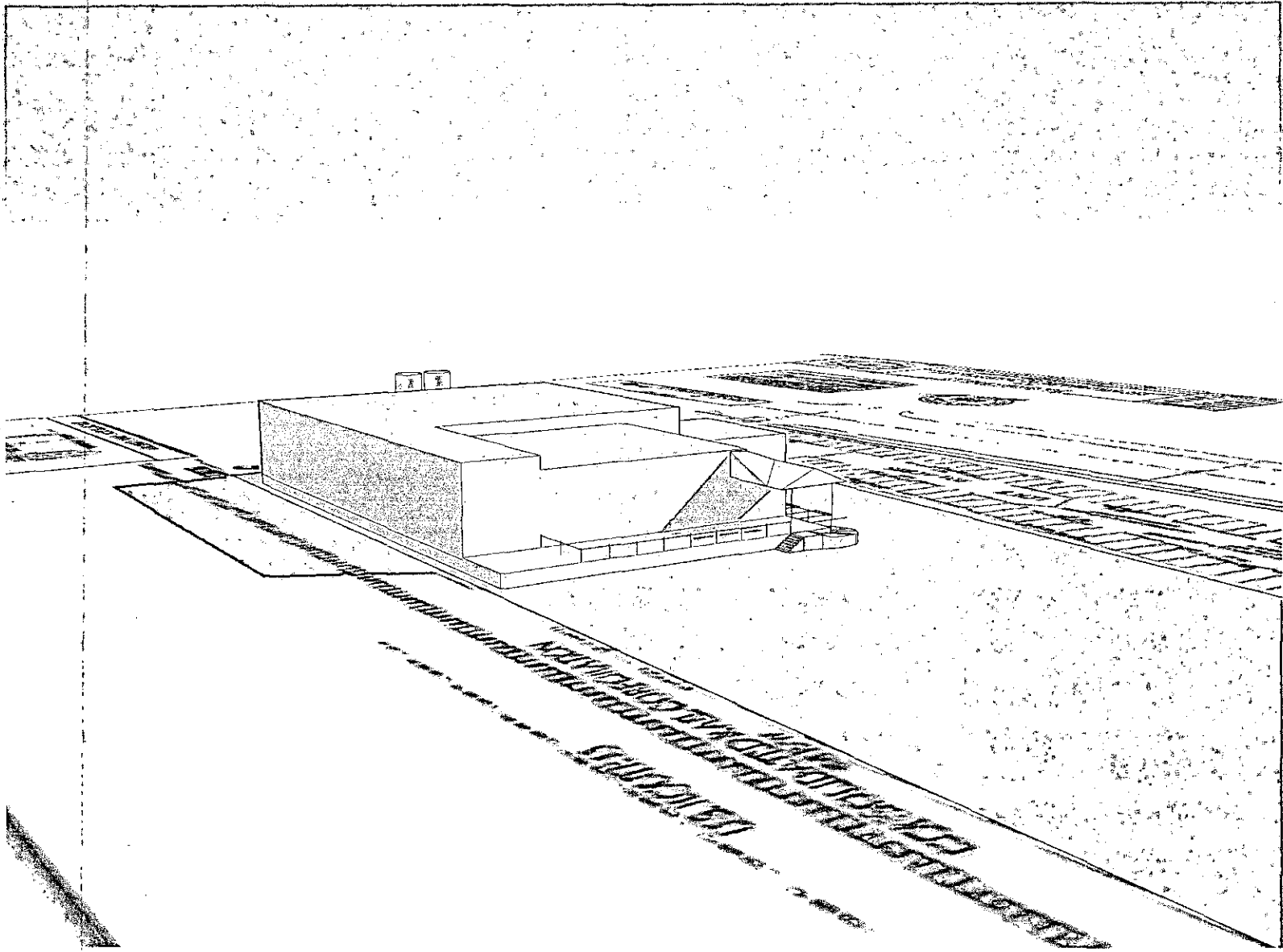
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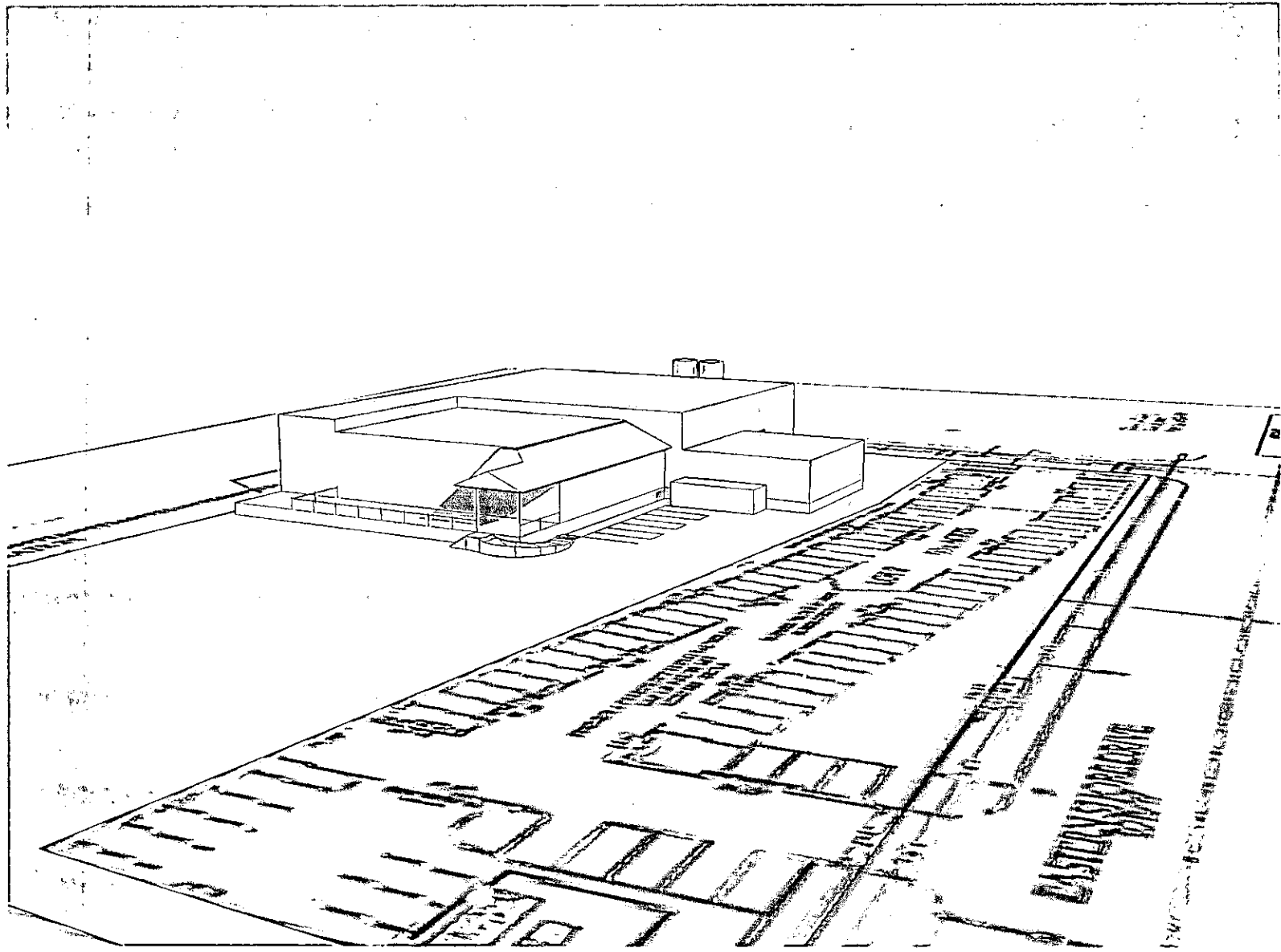
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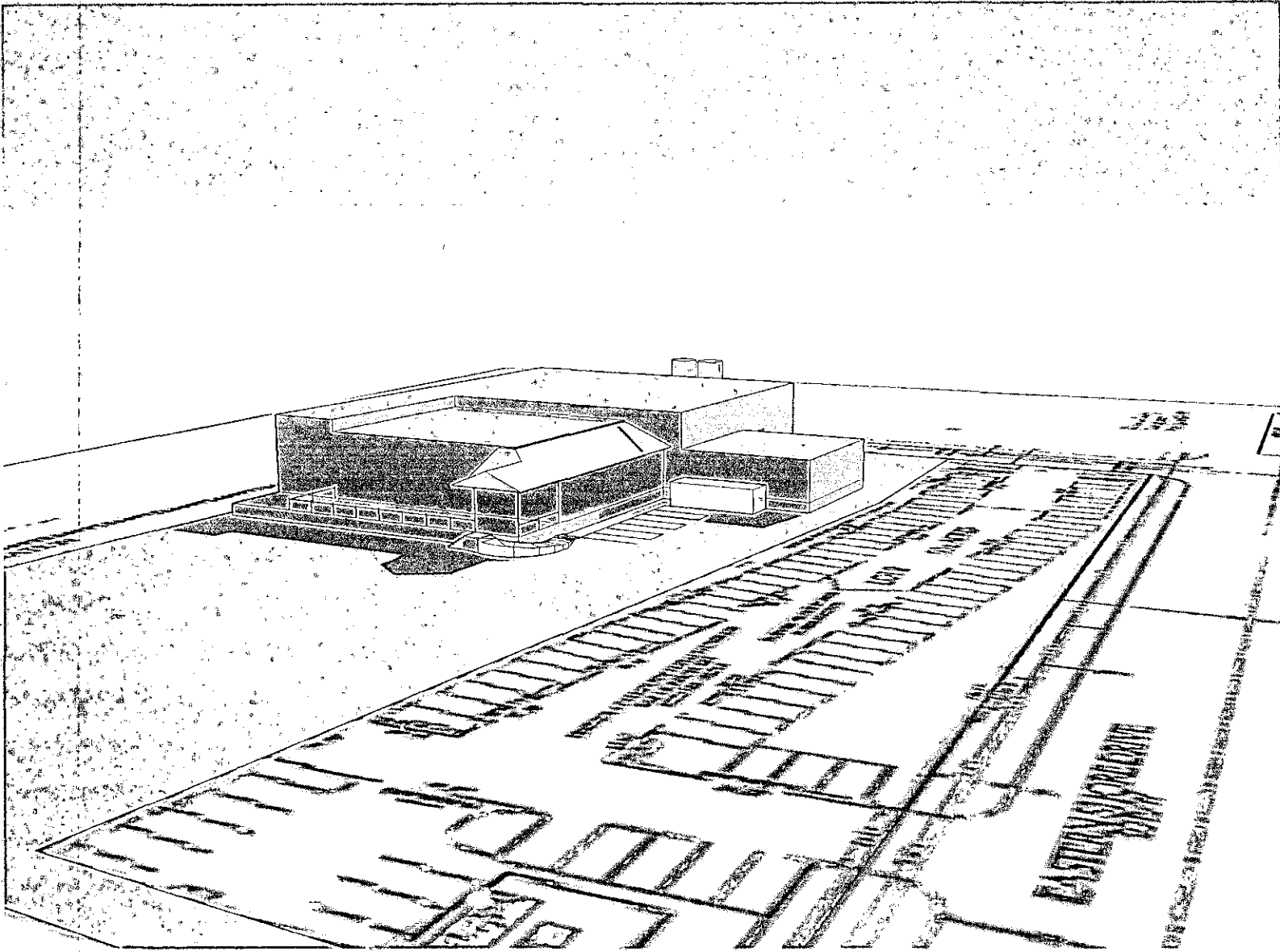


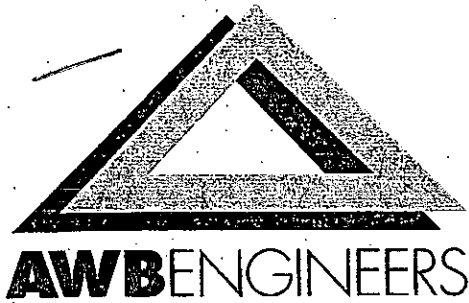












October 29, 2010  
10-GMD-1158

Mr. Dave Moreno  
Wicomico County Health Department  
Environmental Health  
108 East Main Street  
Salisbury, MD 21801

RE: Re-use of existing underground well  
Former Reddy Ice Property  
Elmwood & Vine Streets  
Salisbury, MD  
AWB Project #101015

Dear Dave,

Thanks for taking my call today.

As we discussed, AWB Engineers is working on a project to redevelop the former Reddy Ice building into a microbrewery and restaurant. The existing site is served by municipal water and sewer at the northern (Elmwood St) portion of the property. The site also has an existing 6" well located at the southern portion (Vine St) that was previously used as make-up water for an industrial ice making operation. The operation was ceased over 10 years ago, and the well has since been dormant.

Atlantic/Coastal Well has performed a capacity and water quality test on the well, and found that the well will be suitable for use in the microbrew operation. A copy of their report is enclosed with this letter.

Our team met with officials from Salisbury Public Works on October 28, 2010, and presented a conceptual development plan, where the well-sourced water would be used as process make-up water for the microbrewery and the municipal-sourced water would be used for all plumbing fixtures and other uses within the building. This concept was well received by City officials, and we were given conditional approval to proceed and one of the conditions was to review this project with MDE & Wicomico Health Department.

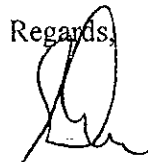
Mr. Dave Moreno  
10-GMD-1158  
Page 2 of 2

Based on our conversation, you stated that, since the use is a process use and that the planned water removal rate was below the 5000 gallons per day exemption level (controlled by MDE), that there would be no objections by your agency and no permitting would be required.

I have spoken with Mr. John Anthony of MDE today, and we will be making application for an exemption from the MDE water appropriations permit.

Thanks for your help in this matter. If you have any question, please contact me at (410) 742 7299.

Regards,

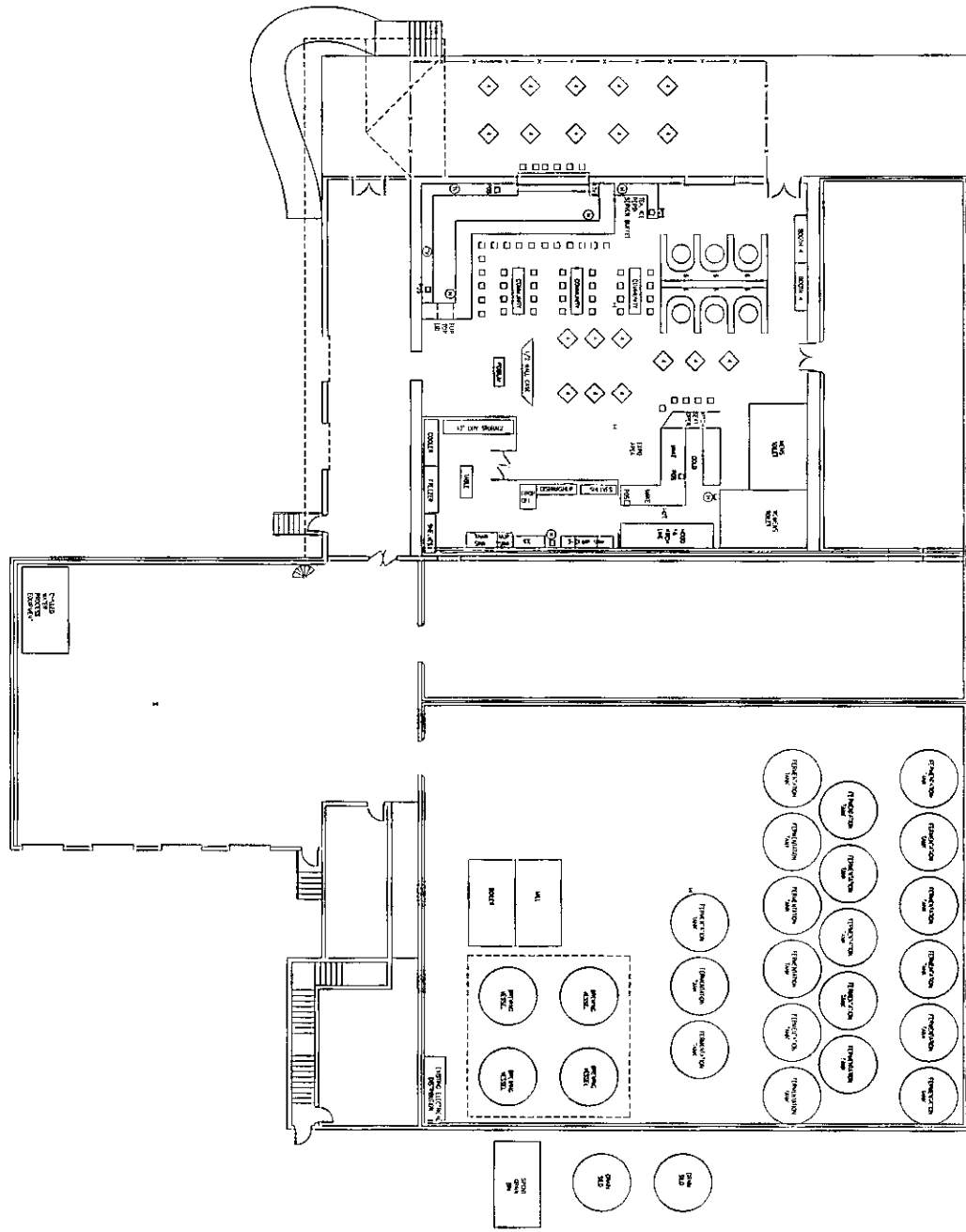


G. Matthew Drew, P.E.  
Exec. Vice President

CC (with Attach):

Mr. Todd Van Geluwe, Southern Boys Concepts  
Mr. Brent Miller, Sperry Van Ness  
Mr. Dallas Baker, Salisbury Public Works





- SCHEMATIC FLOOR PLAN

EVOLUTION BREWING  
SAUSBURY, MARYLAND



ANDREW W. BOOTH & ASSOCIATES, INC.  
ANDREW W. BOOTH & ASSOCIATES, INC.  
1912 WASHINGTON BLVD. SUITE 200  
ARLINGTON, VA 22202  
TEL: (703) 744-7800 FAX: (703) 744-7802

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DATE	DESCRIPTION
10/15/10	ISSUE FOR PERMIT
08/10/10	ISSUE FOR CONSTRUCTION
07/10/10	ISSUE FOR REVIEW
06/10/10	ISSUE FOR REVIEW
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04/10/10	ISSUE FOR REVIEW
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01/00/00	ISSUE FOR REVIEW

RELEASE  
BY  
DATE



Matt Drew <mdrew@awbengineers.com>

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## Application to Use Waters of the State from MDE

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John Anthony <janthony@mde.state.md.us>  
To: Matt Drew <mdrew@awbengineers.com>

Wed, Nov 3, 2010 at 11:34 AM

Matt,

We have reviewed the application for the brewery this morning and have deemed the project worthy of an exemption. I have attached the exemption form to this email. If you have any questions, please do not hesitate to call me!

-John

### EXEMPTION FORM

<http://www.mde.state.md.us/programs/Permits/WaterPermits/Documents/www.mde.state.md.us/assets/document/permit/MDE-WMA-PER077.pdf>

John J. Anthony, Geologist II  
MDE-Water Supply Program  
410-537-3794

"Between every two pines is a doorway to a new world." -Muir

>>> Matt Drew <mdrew@awbengineers.com> 11/2/2010 5:15 PM >>>

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