

**MEETING SUMMARY**  
**Carroll County Planning and Zoning Commission**

**January 17, 2017**

Location: Carroll County Office Building

Members Present: Matthew S. Helminiak, Chair  
Richard J. Soisson  
Jeffrey A. Wothers  
Alec Yeo (9:39 a.m.)  
Eugene A. Canale  
Daniel E. Hoff  
Cynthia L. Cheatwood  
Dennis E. Frazier, Ex-officio

Present with the Commission were the following persons: Philip R. Hager, Lynda Eisenberg, Mary Lane, Andrea Gerhard and Laura Bavetta, Department of Planning; Clay Black, Laura Matyas, John Breeding, and Price Wagoner, Development Review; and Gail Kessler, County Attorney's Office.

**CALL TO ORDER/WELCOME**

Chairman Helminiak called the meeting to order at approximately 9:01a.m.

**ESTABLISHMENT OF QUORUM**

Laura Bavetta took attendance and noted that 6 members of the Board were in attendance and a quorum was in attendance.

**PLEDGE OF ALLEGIANCE**

**OPENING REMARKS**

Secretary Hager greeted everyone and reminded them to silence their electronic devices.  
Secretary Hager stated that staff recommends approval of the Agenda as printed and distributed.

**REVIEW AND APPROVAL OF AGENDA**

The Agenda was approved via a motion by Mr. Wothers, seconded by Mr. Soisson, and carried.

**PUBLIC COMMENTS**

There were no public comments.

**COMMISSION MEMBER REPORTS**

**A. COMMISSION CHAIRMAN**

Chair Helminiak indicated that he had nothing to report.

**B. EX-OFFICIO MEMBER**

Commissioner Frazier indicated that he had nothing to report.

**C. OTHER COMMISSION MEMBERS**

There were no other reports.

**ADMINISTRATIVE REPORT**

**A. ADMINISTRATIVE MATTERS**

Secretary Hager stated there were no Administrative Matters

**B. EXTENSIONS**

There were no Extensions

**C. BZA CASES**

Secretary Hager reported that staff provided comments to the BZA for two cases that were subsequently approved: Case No. 5989, Case No. 5990. Case No. 5991 was denied.

Secretary Hager reported that there is one case to be heard in February, Case No. 5993.

**D. OTHER**

There were no further items to report upon within the Administrative portfolio.

**PRESENTATION OF STAFF REPORT - WESTMINSTER ANNEXATION NO.66 – CROWELL**

Andrea Gerhard presented a staff report to the Commission. Clark Shaffer, Attorney representing the Applicant, was also in attendance.

The Commission, on motion of Mr. Wothers, seconded by Mr. Hoff and carried, voted to forward Westminster Annexation No. 66 - Crowell to the Board of County Commissioners with a positive recommendation.

**FREEDOM COMMUNITY COMPREHENSIVE PLAN**

**A. Future Land Use (Element 7)**

Lynda Eisenberg and Mary Lane led further discussion about the Beatty property. Mr. Jack Lyburn, Economic Development, addressed the Commission concerning the Beatty property. Mr. Lyburn recommended to keep at least 40 acres of the property as Industrial (IR) land. Secretary Hager emphasized that the Beatty property is the last large parcel in this area of the County.

After much discussion, the Commission, on motion of Mr. Soisson, seconded by Mr. Yeo and carried, voted to remove the Residential buffer strip along Bennett Road from the northern portion of the Beatty property.

Staff recommendation is that the property should be all one designation but could be considered as an overlay zone as part of the Plan Implementation.

Heidi Condon, citizen, asked for clarification on what the overlay zone means.

After much discussion, Mr. Soisson made a motion to have the Beatty property Commercial except for the Conservation Zone with the understanding that there would also be an overlay mixed use zoning. Ms. Cheatwood seconded the motion. There was more discussion and Mr. Soisson and Ms. Cheatwood withdrew the motion and the second.

**B. Transportation (Element 11)**

The Commission discussed the alignment of Obrecht Road. The Commission decided to leave it in the Plan and make a recommendation to do a study looking at the viability of extending Obrecht to Route 32.

The Commission discussed the extension of Dickenson Road. Mr. Hoff suggested leaving as many of the parallel connections in the Plan as possible. After much discussion, the Commission decided to make a recommendation to continue Dickenson Road West to Georgetown Blvd.

After much discussion, the Commission, on motion of Mr. Wothers, seconded by Ms. Cheatwood and carried, voted on concurrence of the Transportation Element 11.

**C. Work Session – Public Facilities (Element 10)**

Ms. Lane reviewed modifications to the Public Facilities Element. Andrea Gerhard reviewed changes concerning water and sewer. Mr. Yeo asked how the designation for the Beatty property would affect the water and sewer recommendations. Ms. Gerhard stated she would need to know the approximate number of units for residential in order to see if that would change anything. She also stated that Industrial would increase the demand generated from the property.

The Commission, on motion by Mr. Soisson, seconded by Mr. Wothers and carried voted on concurrence of Element 10 with a note that some numbers may change based on the final land use designations.

**RECESS**

**PUBLIC COMMENTS**

Delores Buck, President of Nell's Acres Community Association, would like the Commission to extend Ridenour Road to Liberty Road. She would like this left on the Plan and for it to be a priority.

Linda Livesay, citizen, representing the owner of the parcel on the corner of Oklahoma, would like to purchase the lot that is impacted by Dickenson.

Marty Hackett, CLSI, stated that he believes "Commercial" is the best use for the Beatty property and would allow for residential, retail and business space.

Susan Rash, an owner of the Beatty property, is requesting "High Intensity Commercial" for their property.

### **CONCEPT SUBDIVISION REVIEW**

SUBJECT: P-16-0065 – Silver Run Estates, Resubdivision of Lot 4  
LOCATION: North side of Stone Road, west of Flickinger Road, E.D. 3  
OWNER: Bryan and Jennifer Lentz, 2636 Stone Road, Westminster, MD 21158  
DEVELOPER: James H. Belt, III, 185 Willis Street, Apartment 3, Westminster, MD, 21157  
SURVEYOR: Leon A. Podolak and Associates, L.L.C., 147 East Main Street, Westminster, MD 21157  
ZONING: Agricultural  
ACREAGE: 18.532 acres  
WATERSHED: Double Pipe Creek  
NO. OF LOTS: 2 lots (1 new, 1 existing)  
FIRE DISTRICT: Pleasant Valley  
MASTER PLAN: Agricultural  
PRIORITY  
FUNDING AREA: Outside  
DESIGNATED  
GROWTH AREA: Outside

Price Wagoner presented the staff report to the Commission.

❖ **Action Requested:**

The plan is before the Planning and Zoning Commission per Chapter 155 of the Code of Public Local Laws and Ordinances of Carroll County for consideration of a Concept Major Subdivision Plan. **No action is required.**

❖ **Existing Conditions:**

Silver Run Estates, Section 1 was recorded in Plat Book 11, Page 1 in 1972 creating four lots, Lot 1, a 16.943-acre property, Lot 2, a 14.943-acre property, Lot 3, a 16.375-acre property and Lot 4, a 18.532-acre property (see attached). Lot 4, the subject property, is developed with a single-family residence zoned Agricultural, and served by a private well and septic system. A majority of the 18.532 acres is currently vacant pasture. Floodplain and a forested area occupy the northwestern portion of the property along with a stream and its associated Non-Forested Water Resource Protection Easement. Current access is via Stone Road.

The surrounding properties are zoned Agricultural and are served by private well and septic. One parcel across Stone Road remains undeveloped while the surrounding properties are built with single-family residences.

❖ **Plan Review:**

The developer proposes one lot of subdivision from Lot 4 of Silver Run Estates. The existing structures will remain on Lot 4A and the lot will be reduced from 18.532 acres to 7.858 acres. The remaining portion will consist of 10.674 acres, the regulations for the Agricultural District prohibit further subdivision of the area designated on the final plat as the Remaining Portion and the lots shown for the purpose of creating additional lots for residential use.

Proposed access to the remaining portion will be from a new drive off of Stone Road, which will follow the southern and eastern fence line. Existing clear sight distances at Stone Road are shown to be 755 feet to the northwest and 490 feet to the southeast.

Upon verification of the stream buffer on Lot 4A, an easement will be required, excluding the existing driveway of Lot 4A.

Water resource review states that remaining portions qualify the area impacted by water resources for exemption from Chapter 154 Water Resource Management in accordance with §154.16(C) for this area only. The stream buffer is still required to be delineated on the remaining portion; however, no easement will be required.

Floodplain Review has approved the concept plan; however, a floodplain easement is required. As currently designed, the project will be exempt from Forest Conservation; however, an exemption request letter is required. The plan is exempt from Landscaping requirements. Stormwater Management will be achieved with drywells and sheet flow to vegetative areas.

Both Lot 4A and the remaining portion will be served by private well and septic. The replacement sewage disposal system for Lot 4A is proposed to be located on the remaining portion with a perpetual private sewerage disposal easement is proposed over the remaining portion for the benefit of Lot 4A. Although review staff does not prefer this arrangement, the Health Department has approved the concept plan.

The plan was subject to citizen involvement during a regularly held meeting of the Technical Review Committee on November 28, 2016. No citizens spoke at the meeting regarding this project. The Bureau of Development Review has received one phone call concerning this project. An adjacent property owner came in and inquired to the number of lots being proposed.

The proposed plan is consistent with the 2014 County Master Plan Land Use Map designation of Agricultural.

The project is subject to the provisions of Concurrency Management, Chapter 156 of the Code, and will be tested prior to presentation of the plan to the Commission for approval of the Preliminary Plan.

❖ **Action Required:**

No action is required.

**Discussion:**

Pete Podolak, Engineer and Jim Belt, the property owner, were present.

Mr. Hoff asked why the property is being divided the way it is.

Mr. Belt said it is a family project and they would like to keep as much of the pasture land in pasture.

Mr. Podolak stated the intention is to create two farmettes.

Chair Helminiak asked why the driveway takes the path it does.

Mr. Podolak stated it was because of site distance and to try and preserve the pasture area.

Mr. Yeo asked if the house could be moved northeast slightly and suggested the applicant move the house back as far as possible.

Mr. Podolak stated he could move the house back a bit but he was trying to keep it away from the septic area.

Mr. Yeo asked if the pasture would be fenced between the pasture and the road.

Mr. Podolak stated there is a fence there.

Mr. Yeo asked if there could be a pull off area.

Mr. Podolak stated it was flat and there was room for vehicles to pull off on the grass.

**Decision:**

No action is required.

**CONCEPT SITE PLAN REVIEW**

SUBJECT: S-15-0003, Detour Winery

LOCATION: South side of Forest and Stream Club Road, West of Keysville Road 10th E.D.

OWNER: Daniel W. and Patricia E. Tamminga Sr., 7933 Forest and Stream Club Road, Keymar, MD 21757

DEVELOPER: Same as Owner

ENGINEER: CLSI, 439 East Main Street, Westminster, MD 21157

ZONING: Agricultural

ACREAGE: 76.65 acres

WATERSHED: Double Pipe Creek

MASTER PLAN: Agricultural

PRIORITY FUNDING AREA: Outside

DESIGNATED GROWTH AREA: None

FIRE DISTRICT: Taneytown

Price Wagoner presented the staff report to the Commission

**❖ Action Required:**

This plan is before the Planning and Zoning Commission for concept review of a site plan. No action is requested.

**❖ Existing Conditions:**

The property is located on the south side of Forest and Stream Club Road, west of Keysville Road and is currently improved with a vineyard, winery and associated buildings. All

surrounding properties are zoned Agricultural. Adjoining properties consist of agricultural and residential uses. All properties in this area are served by private well and septic systems. There is existing well and septic on the property. The property has a tasting room and manufacturing buildings which are associated with the winery and an ornamental pond with multiple piers. Finally, an existing dwelling and garage are located along the eastern property line closest to Forest and Stream Club Road.

❖ **Background:**

The Board of Zoning Appeals (BZA) granted approval, case # 5478 for a winery on May 20, 2009 (attached). Buildings associated with the winery consist of a manufacturing building and tasting room which were previously approved under a simplified site plan. A 4,704 square foot building used for storage was constructed and subsequently converted to an event center without the appropriate permits. On May 25, 2014 the owner was granted BZA approval, case # 5744 and again on August 31, 2016, the owner was granted BZA approval, case # 5961 for creating a recreational area, and use as a Country Inn for weddings, wedding receptions, and similar one-day events (attached).

**Site Plan Review:**

A concept plan, Detour Winery was submitted to Development Review on December 5, 2015. County agencies presented plan review comments to the engineer at the July 25, 2016 Technical Review Committee meeting, no citizens were in attendance. Upon addressing review agency comments and identifying all uses approved in BZA case # 5961, the concept plan was re-submitted on December 17, 2016.

This site plan proposes a future recreational area located on the western portion of the property fronting Forest and Stream Club Road. Upon entering the site, the existing tasting room is on the right and the manufacturing building is on the left, both of which are associated with the winery. The existing 4,704 square foot building will be converted to multi-purpose use and wine storage. With this site plan, the building will be brought into compliance with Chapter 155.059, Site Plan Requirements, of the Code of Public Laws and Ordinances. Towards the middle of the property, a two-story 7,500 square foot event hall is also proposed. The existing dwelling will be used for the Country Inn.

Access to the overall site is via an existing entrance onto Forest and Stream Club Road. Site distance to the East meets criteria; however, underbrush will need to be removed and maintained to meet site distance looking west. Access to the event hall will be from the existing paved parking lot, via an 18 foot gravel drive thru the vineyard. The events are proposed to be held on the weekends. Engineering Review has reviewed the plan for site distance and is reviewing the need for a traffic impact study.

The proposed building will have a stucco façade, cast stone veneer along the foundation and around the arched aluminum storefront windows and entryway. The east elevation will have a stone chimney with a composite deck and railing along the south elevation. The roof will comprise of architectural shingles.

There is no new site lighting or signage being proposed. As noted on the plans the wine tasting room shall be closed during special events and the multipurpose building shall be used during concert events and shall not be utilized in conjunction with wedding events.

Parking requirements for the event hall require 1 parking space for every 3 persons, based on the maximum capacity, per Chapter 155.077 of the Carroll County Code of Ordinances. The

maximum capacity for the event hall is shown as 500 persons, which requires 167 parking spaces. The plan shows 19 existing paved parking places with 5 additional paved spaces proposed. Event parking shall be utilized via 238 temporary unmarked stalls within the grass areas shown, in conjunction with a total of 24 paved parking spaces. Based on clarification on the simultaneous use of the buildings, the number of parking spaces may be reduced. Country Inns require one parking space for every one room available to rent. The country inn will have one room available to rent; therefore, one parking space will be required.

With no new well and septic proposed for the site the Health Department has granted approval of the concept plan. Portable bathroom facilities will be utilized during events and removed once the event is over.

Forest conservation has been approved with on-site retention planned and Forest Conservation easements being granted. The site will need to be landscaped in accordance to the Landscape Manual, especially as it pertains to the multi-purpose building, tasting room, manufacturing building and the existing parking area.

The site is within Surface Water Protection Area; therefore, development of this site will need to address the requirements of the water resource ordinance. The site is exempt from the requirements of Chapter 153, Floodplain Management. Concept Stormwater management approval has been granted, stormwater management will be met through the use of level spreaders.

The property has a land use designation of Agricultural in the 2014 Carroll County Master Plan. Comprehensive Planning's review states that the development proposal is consistent with all applicable plan policies and recommendations and requires no further modifications at this time for approval from Comprehensive Planning.

All adjoining property owners have been contacted as of the date of this report. There has been one telephone inquiry pertaining to the scope of the project. No written comments have been received. The Bureau did receive one walk in and reviewed the plan with them. They did not have any opposition.

❖ **Action Requested:**

No action is required.

**Discussion:**

Marty Hackett, CLSI; David Bowersox, Attorney; and Dan Tamminga, Owner were present.

Mr. Soisson asked if there was a vineyard and where the grapes are planted.

Mr. Tamminga pointed out where the vineyard was located on the plan.

Chair Helminiak asked if there was a concrete pad.

Mr. Wagoner showed pictures of where the pad was and stated it was proposed for some parking.

Commissioner Frazier asked how many events they will be able to hold.

Mr. Bowersox stated the license allows 12 promotional events annually. This does not include weddings.

Mr. Yeo stated that they could have an unlimited amount of events per year.

Mr. Hoff expressed his concern for the winery to have too many events. He is worried about the intensity of this use.



Mr. Yeo expressed concern over the building occupancy capacity and the combined site capacity in relation to the trip generation numbers.

Mr. Hackett stated the site plan is bringing an existing building into compliance and showing the new building.

Mr. Yeo expressed concern about non-paved parking spaces in rain, snow, icy conditions.

Mr. Hoff stated the County should look at the intensity of these uses.

Ms. Cheatwood asked what the intention of the recreational areas is.

Mr. Bowersox stated the recreational areas are currently passive.

Mr. Yeo questioned the bathroom facilities.

Mr. Tamminga stated they will provide portable restrooms.

Mr. Jay Voight, Zoning Administrator, stated the winery and banquet facility are two different things. There are no restrictions on the number of events they can hold in the banquet facility.

**Decision:**

No action is required.

**RECESS**

The committee adjourned for a brief recess.

**SPECIAL REPORT**

**A. M-16-0087, Morgan Brook Farm**

SUBJECT: M-16-0087, Morgan Brook Farm

LOCATION: South side of Baker Road at Salem Bottom Road, E.D. 9

OWNER: Meadow-Second Wave, LLC, 7520 Main Street, Suite 201, Sykesville,  
MD 21784  
(LLC members: Paul Mueller Sr.)

DEVELOPER: Mueller Homes, Inc., 7520 Main Street, Suite 201, Sykesville, MD 21784

ENGINEER: CLSI, 439 East Main Street, Westminster, MD 21157-5539

ZONING: Agricultural

ACREAGE: 48.89 acres

WATERSHED: Liberty Reservoir

NO. OF LOTS: 3 lots + Remaining Portion

FIRE DISTRICT: Winfield

MASTER PLAN: Agriculture

PRIORITY

FUNDING AREA: Outside

DESIGNATED

GROWTH AREA: Outside

Laura Matyas presented the staff report to the Commission.

❖ **Action Required:**

The plan is before the Commission for direction on lot size in the Agricultural Zoning District.

❖ **Existing Conditions:**

The subject property is a single tract with a lot yield of 3 lots and the Remaining Portion. A 48.89-acre lot with no structures, it has road frontage at both Baker Road and Valley Drive and extensive forest cover at the southern and western areas with a stream running through. Situated in a valley, the stream bisects the northern part of the property from the southern and eastern parts. A 120-foot and an 80-foot elevation change exist between the valley and the high points at the north and east portions of the site.

Extensive forest on the subject property covers the valley and steep slopes and adjoins the Winfield Heights subdivision at Valley Drive. A lengthy tree line sits between the subject property and the adjoining Cantor Heights subdivision to the east.

❖ **Plan Review:**

The developer proposes to create three residential lots and a 33.12-acre Remaining Portion. Lot 1 is proposed as 3.62 acres. Lot 2 is proposed as 5.67 acres. Lot 3 is proposed as 1.28 acres. With this subdivision, the lot yield is exhausted; no further subdivision may occur. Lot 1 and Lot 2 will be accessed from an existing driveway at Baker Road. The 9.29 acres that comprise Lots 1 and 2 are situated between the forested stream valley and the eastern property line at the Cantor Heights subdivision. Lot 3 will be accessed from Valley Drive where the Winfield Heights subdivision hosts adjoining lots of 0.7, 0.9, and 1.4 acres in size.

The Rural Design Standards for Agricultural and Conservation Districts in the Code of Public Local Laws and Ordinances of Carroll County address the location and size of new lots with regard to the remaining portion and its land use. Since the property falls outside the descriptors in the Code, a determination from the Planning and Zoning Commission is requested.

📖 § 155.024 RURAL DESIGN STANDARDS FOR AGRICULTURAL AND CONSERVATION DISTRICTS.

(A) Unless otherwise determined by the Planning Commission, new residential building lots proposed to be created in the “A” and “C” Districts shall be:

- (1) Located in low priority woodlands or on pasture land rather than productive cropland;
- (2) Located to avoid prevailing winds from blowing odors toward homesites from existing or future barnyards, silos, and other similar farm buildings or related uses;
- (3) Designed at a minimum lot size of one acre and clustered to achieve the maximum possible amount of land remaining in cropland in the “A” District;
- (4) Designed at a minimum lot size as required by [Chapter 158](#) in the “C” District, unless clustered in accordance with this chapter. This minimum lot size shall apply to the remainder and all proposed lots; and
- (5) Designed, whenever possible, to avoid the construction of new streets or additional entrances onto a public street.

(B) In the Agricultural District, agriculture is the preferred use and a notice to this effect shall be stated on a final plat creating residential building lots in the district:

“Agriculture is the preferred use in the agricultural district. All agricultural operations shall be permitted at any time, including the operation of farm machinery and no agricultural use shall be subject to restriction because it interferes with other uses permitted in the district.”

(2004 Code, § 103-10) (Ord. 04-14, passed 4-20-2004)

As a minor subdivision, this project is not subject to a Technical Review Committee meeting or Concurrence Management and it may be approved as a preliminary/final plan by the Chairperson of the Planning and Zoning Commission.

Staff and the Developer are requesting direction from the Commission regarding lot size.

**Discussion:**

Paul Mueller, Owner and Linda Alexander, CLSI were present.

Mr. Soisson asked why Lots 1 and 2 are not in the wooded area near Lot 3.

Ms. Alexander stated the rest of the wooded area would not perc.

Mr. Soisson asked why the lot sizes are so big.

Ms. Alexander stated that surrounding wetlands made it harder for the farmer to access the land so they made the lot sizes bigger.

Mr. Soisson asked how many acres of tillable land were in the big part.

Mr. Mueller stated about 15 acres.

**Decision:**

The Commission agreed that the Owner could proceed with the current lot sizes.

**B. WAKEFIELD ACRES SOLAR FACILITY**

SUBJECT: Solar Energy Conversion Facility at Wakefield Valley Acres

LOCATION: West side of Wakefield Valley Road, North of New Windsor Road (MD Route 31) 11th E.D.

OWNER: Wakefield Valley Acres, LLC; 2117 Old New Windsor Pike, New Windsor, MD, 21776

DEVELOPER: Earth and Air Technologies; 60 Aileron Court, Suite 4, Westminster, MD 21157

ENGINEER: RTF Associates, Inc.; 142 East Main Street, Westminster, MD, 21157

ZONING: I-R (Industrial Restricted)

ACREAGE: 13.709 acres

WATERSHED: Double Pipe Creek

MASTER PLAN: Employment Campus (EC) – New Windsor Community Comprehensive Plan

PRIORITY FUNDING AREA: Inside

DESIGNATED GROWTH AREA: New Windsor

FIRE DISTRICT: New Windsor

Price Wagoner presented the staff report to the Commission

❖ **Action Required:**

This plan is before the Planning and Zoning Commission for informational purposes.

❖ **Site Plan Review:**

A simplified site plan for a solar energy conversion facility on property of Wakefield Acres, LLC was submitted December 21, 2016 for review. Solar energy conversion facilities are permitted by right in the I-R (Industrial-Restricted) district. The 13.709 acre site is a part of an 88.62 acre parcel. The site is zoned Industrial-Restricted and is not a part of the MALPF easement. Properties to the north and west of the site are also zoned Agricultural and are under MALPF easement, saving a 3.15 acre adjoining parcel that is zoned Industrial-Restricted. The properties across New Windsor Road are zoned Industrial-Restricted as well as one parcel across Wakefield Valley Road.

**§ 158.153 SOLAR ENERGY CONVERSION FACILITIES. (D) Solar energy conversion facilities, in industrial zones.**

(1) Solar energy conversion facilities shall be permitted in the I-G and I-R Districts whether roof mounted or ground mounted.

(2) Size limits:

(a) When roof mounted, the physical size of the system shall be limited to the size of the roof.

(b) There shall be no size limit for ground mounted systems.

(3) Setbacks:

(a) Setbacks shall be 200 feet from the boundaries of all adjoining residentially zoned properties, and 100 feet from the boundary lines of adjoining nonresidentially zoned properties.

(b) The Planning Commission may reduce required setback for any yard setback by up to 50% provided that supplemental landscaping, as may be determined by the Planning Commission, is provided.

(4) Height limits: No portion of the system shall extend more than 25 feet from the highest portion of the principal structure to which it is attached. The total height of the building, including all portions of the solar facility, shall comply with the height regulations as set forth in the bulk requirements for the individual district in which the use is proposed. Ground mounted system may not exceed a total height of 25 feet above existing grade.

(5) Miscellaneous provisions:

(a) Electrical connections:

1. Prior to interconnection with the local utility grid, a copy of the conditional approval from the local utility must be provided prior to or at the time of permit application.

2. All systems must meet all applicable construction and electrical codes.

3. All systems shall comply with all utility notification requirements.

4. A copy of the signed certificate of completion from the utility company shall be provided prior to occupancy permit issuance.

5. When batteries are included, they must be placed in a secure container or enclosure per manufacturer's specifications; screened from view.

(b) Appearance:

1. Color must remain as it was originally provided by the manufacturer, or match the exterior of the principal structure.
2. No signs other than the manufacturer's, or installer's identification, appropriate warning signs; and not more than two manufacturers' signs may be on the system.
3. Ground mounted systems may not be affixed to a block wall or a fence.
4. Roof mounted systems shall be installed in such a manner that there is no change in relief or projection.

### **Simplified Site Plan**

#### **General Criteria:**

1. Proposed new disturbance or single new building on existing impervious area is less than 5,000 square feet (cumulative from Dec. 8, 1992).
2. Entrance is existing and none being proposed.
3. Zoning is in place. (Principal permitted or approval by the Board of Zoning Appeals)

The developer proposes 110 ground mounted solar arrays, attached via 900 one square foot pile driven piers. A 500 square foot pad will be constructed to hold the two mega-watt inverter station; the power will be added to the existing grid from the inverter station via underground line to an adjacent utility pole at the direction of the utility company. A 750 square foot temporary stabilized construction entrance will be utilized during the installation process. The total area of disturbance is 2150 square feet.

Access to the solar facility site will be via the existing farm road and the site will be maintained by the land owner. The solar facility will be unoccupied and monitored remotely.

Landscaping is not required around solar energy conversion facilities; however, the developer voluntarily proposes landscaping fronting New Windsor Road (MD Route 31) and along Wakefield Valley Road adjacent to the intersection. The entire site will be within a six foot perimeter screened chain link fence.

#### **❖ Action Requested:**

Informational only.

### **Discussion:**

Ken Donothan, Developer and John Lemmerman, RTF were present.

Mr. Canale asked how many kilowatts will be produced.

Mr. Donothan, stated about two megawatts.

Mr. Canale asked how it would be distributed.

Mr. Donothan stated interconnection will be with transmitter lines on the property. He stated BGE will be monitoring it.

Mr. Lemmerman stated it is an unmanned facility and has very little impact on the surrounding area.

Mr. Lemmerman stated there is a FEMA floodplain that will have to be addressed.

Chair Helminiak asked if there would be a glare off the panels on sunny days.

Mr. Donothan stated the panels absorb the light, there is no reflection.

Mr. Canale asked how far off the ground the panels are.

Mr. Donothan replied they are 54"-7' tall.

Secretary Hager asked if any panels would overlap the floodplain area.

Mr. Lemmerman stated that has not been determined yet but they would probably be staying out of the floodplain easements. Also, if the Engineer certifies that the posts that may be in the floodplain are deep enough to withstand a 100 year storm they would be okay.

Secretary Hager asked if there is a safeguard for overloaded electrical components.

Mr. Donothan stated he wasn't aware of those issues. He stated there are UL requirements that the electrical components will have to meet.

Mr. Soisson asked how many subscribers there are.

Mr. Donothan stated they are not able to solicit subscribers yet but they have to be BGE customers.

Mr. Canale asked where the panels are coming from.

Mr. Donothan stated it depends on the pricing. They could come from overseas.

**Decision:**

No action required.

**PUBLIC COMMENTS**

There were no public comments.

**ADJOURNMENT**

There being no further business, the Commission, on motion of Mr. Soisson, seconded by Mr. Wothers, and carried, adjourned at approximately 12:03p.m.

---

Secretary

---

Approved