

**QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES**  
**May 13, 2021**

The Queen Anne's County Planning Commission met on Thursday, May 13, 2021, at 8:45 A.M. The following members were present: Sharon Dobson, Tom Leigh, Tom Jackson, Teddy Baker, Kathy Deoudes, and Arthur Ebersberger.

Also present were Amy Moredock, Director Department of Planning and Zoning; Rob Gunter, Development Review Principal Planner; Stephanie Jones, Long Range Principal Planner; Rob Tracey, Senior Planner; Steve Johnson, County Planner; John Shelton, Clerk; Christopher F. Drummond, Esquire; and Sharon H. Brinster, Esquire.

**1. Public Comment** – No comments received.

**2. Meeting Minutes Review** – Upon motion made by Commissioner Ebersberger, seconded by Commissioner Jackson and passed by voice vote, the April 8, 2021, Planning Commission Minutes were approved as presented.

**3. Extension Requests** – None.

**4. UPDATES:**

**(A) Legislation and Legal Matters** – Ms. Amy Moredock, Planning and Zoning Director, provided the following updates: (1) Citizen-sponsored TA #21-02 Major and Minor Multifamily Dwellings and Nonresidential Height Requirements in the Urban Commercial Zoning District, and TA #21-03 Self Storage Uses in the Town Center Zoning District are scheduled for Public Hearings before the Queen Anne's County Commissioners on June 22, 2021, (2) CO #21-05 was introduced as a map amendment for 1 property in the Kent Narrows that was inadvertently left out of the Kent Narrows Commercial Management and Waterfront Improvement District, and is set for Public Hearing before the Queen Anne's County Commissioners on June 22, 2021.

**(B) Miscellaneous Staff Items** – Director Moredock said she is a member of the State Sea Level Rise Advisory Group that is working to create a model guidance manual for districts to codify if they choose.

**5. Final Major Site Plan SP# 19-08-0034 – Bluegrass Solar, LLC.,** - Mr. Rob Gunter, Development Review Principal Planner, provided the highlights of the applicant's request for Major Site Plan approval to construct a utility solar project with an array and inverter area of approximately 266.04 acres within a 510.25-acre site boundary (lease area), on four (4) parcels on Sheriff Meredith Road in Chestertown and Pinder Hill Road in Church Hill.

Mr. Ryan Showalter Esq. and Mr. Brendan Mullaney, Esq., on behalf of the applicant, described the history of the project approvals including Certificate of Public Convenience and Necessity in 2019. Mr. Mullaney said they have attended 3 STAC meetings and all comments have been and will continue to be addressed. They went

on to detail the buffers, easements, substation, natural resources, internal drive aisles, and the landscape and irrigation plan. Mr. Showalter said landscape plantings must occur prior to irrigation installation or the water lines will break.

Mr. Trey Porter, Department of Public Works, said they completed environmental analysis and the run-off is reduced by the meadow crop and there is no advantage to removing the sediment basins. He said there is an overall reduction in run-off, and they have met with all downstream homeowners.

The Planning Commissioners, Planning Commission Attorney and applicant had an extensive discussion regarding the proposed Decommissioning, Mitigation, and Reclamation Plan, specifically the salvage value of modules in the Decommissioning Cost Estimate.

Mr. Nick Lefner, Kimberly Horne, said all topsoil will be spread or stockpiled for later grading, and will not be removed from the site. He added that all steps are called out on the Site Plan.

The Planning Commission took a short break at 10:15 A.M. and reconvened at 10:18 A.M.

Chairman Dobson asked if there were members of the public who wished to be heard, at which time no comments were received.

Upon further review and consideration, the following motion was made by Commissioner Deoudes, seconded by Commissioner Ebersberger, and passed by unanimous voice vote:

**RESOLVED**, that the Planning Commission, regarding the request by **Bluegrass Solar, LLC**, for Major Site Plan approval to construct a utility scale solar project with an array and inverter area of approximately 266.04 acres within a 510.25 acre site boundary, on four (4) parcels on Sheriff Meredith Road in Chestertown and Pinder Hill Road in Church Hill, and as more particularly described in **Department of Planning & Zoning file SP #19-08-0034**, hereby finds the Major Site Plan is consistent with the goals and objectives of the Queen Anne's County Zoning & Subdivision Regulations and the 2010 Comprehensive Plan, and hereby grants approval subject to the following conditions; (1) all conditions of the existing Board of Appeals Conditional Use approval are applicable, (2) if by the time of construction, the panels proposed have changed from that provided on the plans, updated information must be submitted, (3) the Applicant must notify the Department of Planning & Zoning when ownership of the solar arrays

changes, (4) the finalized Forest Conservation Plan and Protection Documents must be provided, (5) prior to Final Site Plan signatures, an automatically renewable decommissioning bond that is enforceable by the County must be provided, (6) prior to Final Site Plan signatures, an automatically renewable landscape surety and maintenance agreement must be provided, (7) any other required legal documents must be approved, signed and recorded, (8) any remaining edits and / or documents required by a reviewing agency, the Departments of Public Works or Planning & Zoning be reviewed and approved, (9) irrigation must be installed and operational within 30 days of landscaping installation on an array by array basis, and (10) the applicant is to work with Department of Planning & Zoning regarding the Decommissioning Plan and return to the Planning Commission for approval.

**6. Major Site Plan SP# 20-12-0070 – Postal Road, LLC.** – Mr. Rob Gunter, Development Review Principal Planner provided the history and highlights of the applicant's request for Major Site Plan approval to administratively combine six (6) parcels in order to construct two (2), 3-story, 30-unit residential apartment buildings with an 880 square foot utility building and the associated parking areas on the South side of Postal Road, in Chester.

Mr. Tom Davis, DMS & Associates, said they have been through several STAC meetings and addressed all comments and concerns.

Ms. Victoria Hoffman, Postal Road, LLC, said Moderately Priced Dwelling Units (MPDUs) are required at 10% so they will have 6 throughout the buildings. She described the plan to have flexible / floating MPDUs that can change depending on need.

Chairman Dobson asked if there were members of the public who wished to be heard, at which time no comments were received.

Upon review and further consideration, the following motion was made by Commissioner Deoudes, seconded by Commissioner Ebersberger, and passed by unanimous voice vote:

**RESOLVED**, that the Planning Commission, regarding the request by **Postal Road, LLC** for Major Site Plan approval for the redevelopment of six (6) parcels to include two, 30-unit residential apartment buildings and a utility building, along Postal and Cox Creek Roads in Chester, and as more particularly described in **Department of Planning & Zoning file SP #20-10-0070**, hereby finds the Major Site Plan is

consistent with the goals and objectives of the Queen Anne's County Zoning and Subdivision Regulations, the 2010 Comprehensive Plan, and the 2007 Chester / Stevensville Community Plan, and hereby grants approval subject to the following conditions; (1) any remaining edits and / or documents required by a reviewing agency, the Departments of Public Works or Planning & Zoning be reviewed and approved, (2) the architecture, lighting, signage and overall design must substantially reflect the documents provided, (3) the Administrative Subdivision must be approved and recorded prior to Final Site Plan signature, (4) the applicant shall provide information to indicate the apartment development rental rates comply with the County standards for workforce, age-restricted or other moderately priced housing, (5) any required legal documents must be approved, signed and recorded, (6) any required bonds, sureties, review, and inspection fees must be submitted to the Departments of Public Works and Planning & Zoning as appropriate, and (7) all required signatures must be obtained.

The Planning Commission to a short recess at 10:48 A.M. and reconvened at 10:56 A.M.

#### **7. COMPREHENSIVE PLAN WORKSHOP:**

Ms. Lauren Good and Mr. Ray Moravec of Wallace Montgomery lead the commission in a Comprehensive Plan work session in which they provided a status briefing including an update of their recent work, Visioning Workshop recap, Special Topic recap, recent public outreach, website interactions, and the schedule of future workshops. The Economic Development & Tourism draft chapter was reviewed and discussed.

#### **8. Public Comment** – No comments received.

There being no further business to come before the Planning Commission, the meeting was adjourned at 12:20 ~~A.M.~~ P.M.

RESPECTFULLY SUBMITTED,

  
Kathy Deoudes, Secretary