



*Queen
Anne's
County*

DEPARTMENT OF PLANNING & ZONING

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To: Planning Commission
From: Steven Johnson, Senior Planner
Meeting Date: June 12, 2025
File Number: SP# 24-12-0143
File Name: Ruthsburg Road Solar
Applicant/Lease Holder: Ruthsburg Rd Solar 1, LLC
55 Technology Drive, Suite 102
Lowell, MA 01851
Developer: New Leaf Energy, Inc.
55 Technology Drive, Suite 102
Lowell, MA 01851
Engineer: ARM Group, LLC
1129 West Governor Road
PO Box 797
Hershey, PA 17033
Property Owner: George and Moria Morris
211 Clarks Corner Road
Centreville, MD 21617

General Information:

Map / Parcel: 45 / 9
Location: Ruthsburg Road, Centreville, MD
Acreage: 88.89 ± acres (parcel), 29.56 ± acres (solar lease area)
Zoning District: Agricultural (AG)

Proposal and Requested Actions:

Proposing to construct a 5 MW (AC) utility scale solar array on a 29.56-acre lease area within an 88.89-acre parcel in the Agricultural zoning district.

The applicant is requesting Concept Plan approval and Favorable Recommendation to the Board of Appeals.

Project History:

- Original Plan Submitted: December 26, 2024
 - Initial STAC Review: February 5, 2025
 - 25-Day Submittal: May 9, 2025
 - Planning Commission Meeting: June 12, 2025

FACTS AND FINDINGS

- The subject site is located within the Agricultural (AG) zoning district and the Utility Scale Solar Array (USSA) district.
- The USSA district purpose is:
 - §18:1-38.1.A.(1): To create a zone to allow utility-scale solar arrays, as defined in Chapter 18App, Appendix A: Glossary, in a specified area of the County.
 - §18:1-38.1.A.(2): To add additional requirements for utility-scale solar arrays, including setbacks from residential and other uses.
 - §18:1-38.1.A.(3): To provide landscape screening from adjacent properties, roads, rights-of-way to prevent glare, noise, visually unattractive appearance or other adverse impacts to adjoining properties.
 - §18:1-38.1.A.(4): To provide for the removal of utility-scale solar arrays at the termination of the use.
- Chapter 18 Appendix A: Glossary
 - *UTILITY-SCALE SOLAR ARRAY*- A commercial production facility that converts sunlight into electricity, via photovoltaics or various other solar technologies on typically ground-mounted systems, for the purpose of wholesale or retail sale of generated electricity to a utility company and off-site customers.
- The applicant is proposing the installation of a ground mounted 5 MW alternating current solar array.
 - Per §18:1-95.S.(2), all applications for zoning permits for solar arrays requiring conditional use approval shall, in addition to what is otherwise required for a conditional use permit, present a special application in accordance with §18:1-143 to the Planning Commission during a public meeting. The Board of Appeals shall not render its decision until the Planning Commission recommendations have been received and reviewed.
 - In accordance with §18:1-14.C.(25), *Solar arrays* are a conditional use in the AG zoning district.
 - Additional requirements for a solar array conditional use are under §18:1-95.S.

EXISTING CONDITIONS:

- The subject parcel (Tax Map 45, Parcel 9) totals 88.89 acres and is currently utilized for agricultural production.
- There is no existing floor area or impervious surface area within the project lease area.
- There are no known historical structures or archeological significant resources on-site.

PROJECT DETAILS:

- Using 11,988 modules (panels) and 20 inverters, the project will provide 5 megawatts (MW) of alternating current (AC) electricity at the point of interconnection.
- The project is designed for a 30-year lifespan.
- The project will connect to existing Delmarva Power & Light overhead utility lines located along Ruthsburg Road.
- The proposed total limit of disturbance for the project is 29.56 acres. Within this limit of disturbance:
 - The area within the fence ----- 29.25 acres
 - The array area -----19.52 acres
- Non-residential Floor Area (FAR):
 - Maximum permitted (12%) ----- 3.55 acres

- Proposed ----- 0 acres
- Impervious surface area:
 - Maximum permitted (40%) ----- 11.82 acres
 - Proposed (12%) ----- 3.54 acres
- Building height:
 - Maximum permitted -----45’ 0”
 - Proposed solar panels (tracking system) ----- 9’ 6”
 - Proposed transformer ----- 8’ 0”
 - Proposed switchboard ----- 8’ 0”
- Permanent water and sewer facilities are not required.
 - Until the project is decommissioned, any owner, operator, or subcontractor performing work on the solar array site that lasts for a duration exceeding two (2) consecutive hours shall provide portable hand sanitizing and toilet facilities. These facilities shall be provided on-site for the duration of the work being performed and shall be utilized by all workers and/or site visitors during that time. The facilities shall be regularly serviced (monthly minimum) and all waste shall be disposed of properly off-site in accordance with applicable laws and regulations.
- The applicant has provided a written statement describing the proposed project to include the generating capacity, type of equipment and expected lifespan. The narrative is included in the packet. Code reference §18:1-95.S.(3)(a)[4].
- Ruthsburg Rd Solar 1, LLC will own and operate Ruthsburg Road Solar throughout the life of the project. Information regarding their renewable energy portfolio has been included in the written statement describing the project. Code reference §18:1-95.S.(3)(a)[5].
- Stormwater management (SWM) will be provided on site. Code reference §18:1-95.S.(3)(a)[6].
 - Stormwater management includes the following:
 - Disconnection of non-rooftop runoff,
 - Sheetflow, and
 - Vegetation, including the area underneath the panels.
 - The Department of Public Works (DPW) has reviewed all stormwater documents and plans. To assure that the SWM functions as intended, DPW will require a surety.
- No site lighting is proposed. Code reference §18:1-95.S.(3)(a)[7].
- No freestanding or wall signs are proposed. Code reference §18:1-95.S.(3)(a)[8].
- Parking for construction will be within the temporary staging areas (1 acre total) on the southern and western sides of the site. No parking will occur along adjacent roadways. Code reference §18:1-95.S.(3)(a)[9].
- Site access will be taken from Ruthsburg Road via a new paved access drive. A 20’ wide paved access drive and internal 20’ and 12’ wide gravel drives are provided for circulation. Code reference §18:1-95.S.(3)(a)[10].
- The project is planned for construction in quarter 1 of 2026 (pending approvals). Commercial operation will begin in quarter 4 of 2026. Code reference §18:1-95.S.(3)(a)[11].
 - US Route 301 and Ruthsburg Road will be utilized for equipment and construction deliveries.
 - Deliveries will be via tractor-trailers.

- Twenty-five (25) deliveries are anticipated for major materials and equipment.
- Remaining traffic will consist of the construction crews.
 - Fifteen (15) vehicles and/or trucks are anticipated on a daily basis.
- Once construction is completed a vegetation maintenance subcontractor will visit the site to water, prune, and inspect the site.
- Other traffic would be due to repair crews if any of the equipment were to fail.
- The applicant has provided information stating solvents for cleaning must be biodegradable. Code reference §18:1-95.S.(4)(a).
- The applicant has provided information stating broken modules will be removed from the site within 60 days of being taken out of service. Code reference §18:1-95.S.(4)(b).
- The applicant has indicated that all wiring not on the array will be underground except where connections may need to be made to the public utility. Code reference §18:1-95.S.(4)(c).
- Any required utility right of way shall be secured through a legally binding document. Code reference §18:1-95.S.(4)(d).
- The applicant is proposing an 8' black vinyl coated chain link fence with required signage. Signs identifying the owner and a 24-hour contact number will be installed on the access gates. There will also be other electrical equipment signage. Code reference §18:1-95.S.(4)(e).
- The applicant indicates that any operating noise generated by the solar facility will be less than 60 decibels at the property line as required. Code reference §18:1-95.S.(4)(f).
 - The on-site inverters and panels are proposed to be located more than 300' away from any neighboring residential property line.
 - The landscape buffer and existing woodlands will also assist in reducing any noise produced on-site.
- The applicant states that the solar arrays, including the electrical and mechanical components, shall conform to relevant and applicable local, state, and national codes. Code reference §18:1-95.S.(4)(g).
- According to information provided by the applicant, the solar panels are designed with an anti-reflective coating to prevent any potential for glare. Code reference §18:1-95.S.(4)(h).
- The applicant has provided a decommissioning plan as required by the County. Decommissioning involves removing the solar panels, panel racking, all cables/wiring, equipment pads, equipment as well as the roads, fences, SWM facilities, etc. Code reference §18:1-95.S.(5).

The decommissioning plan provides an estimated expenses associated with the decommissioning and restoration of the site.

An automatically renewable bond or other financial assurance is required to assure complete removal of a utility-scale solar array.

According to the information provided by the applicant, decommissioning and restoration of the site will cost \$858,127.

- The applicant intends to post a bond in the amount of \$1,184,302, which provides a 25% contingency for any unforeseen costs.

Landscape Plan:

- A landscape plan has been provided.

- The required 50' planted buffer is proposed to be installed outside of the perimeter fence along the southern, eastern, and western sides of the project. The northern side of the project has existing forest cover to serve as the landscape buffer. Code reference §18:1-95.S.(3)(c)[1].
- The 50' landscape buffer will total approximately 5.48 acres.
- Irrigation:
 - The applicant is proposing to utilize a well and on-site drip irrigation to water the plantings. Code reference §18:1-95.S.(3)(c)[1][1].
- The applicant shall provide a maintenance agreement and surety for the plantings. Code references §18:1-95.S.(3)(c)[1][m] and §18:1-95.S.(3)(c)[1][n].

Environmental Details:

- According to the applicant, no major grading requiring stockpiling is proposed. If stormwater management necessitates it, some “spot or fine” surface grading may be required.
- No existing topsoil will be removed from the site. Code reference §18:1-95.S.(3)(b)[5].
- The project lease area is not located within the Chesapeake Bay Critical Area and does not contain areas of 100-year floodplain, streams, wetlands, highly erodible soils, or steep slopes.
- The project lease area is partially located within the Sensitive Species Project Review Area. A letter dated December 28, 2023, from the Maryland Department of Natural Resources (DNR), indicates that the project site falls within the headwaters of Three Bridges Branch, which supports a population of the state and federally listed Dwarf Wedgemussel. Additionally, the letter states that the wooded areas of the subject property contain Forest Interior Dwelling Bird habitat.
 - The project will adhere to protection measures for aquatic habitats that have been provided by DNR.
- There are no forest/woodlands within the project lease area.
 - Forest conservation requirements are to be met through the on-site retention and long-term protection of 5.91 acres of existing forest that contain wetlands and a stream.

2022 COMPREHENSIVE PLAN:

- Chapter 4: Land Use
 - Map 4-8 Generalized Zoning 2021: Identifies the property as being zoned Agriculture.
 - *Utility scale solar array is a conditional use in the Agricultural zoning district.*
 - Map 4-9 Comprehensive Plan Map: Countywide Land Use: Identifies the property as Rural Agriculture Areas.
- Chapter 5: Environmental Resources
 - The Environmental Resources Vision indicates that the County remain a rural, agricultural, and maritime County that restores, enhances, protects, conserves, and stewards its valuable lands by conserving and protecting agricultural lands, open spaces, woodlands, wetlands, and wildlife habitat. Page 5-1
 - *The applicant is proposing long-term preservation of 5.91 acres of on-site woodlands that contain wetlands and a stream.*
 - The mitigation of future effects of climate change is identified as a plan theme. Page 5-1
 - *As an alternative to fossil fuels, solar energy is utilized to reduce carbon footprints. The reduction of carbon footprints may help mitigate the effects of climate change.*

- Map 5-4 Species Habitats: Identifies the property as being partially located within Sensitive Species Review Areas and containing Forest Interior Dwelling Species.
 - *Correspondence from DNR indicates the project site is partially located within the Sensitive Species Project Review Area and falls within the headwaters of Three Bridges Branch, which supports a population of the state and federally listed Dwarf Wedgemussel. Additionally, the wooded areas of the subject property contain Forest Interior Dwelling Bird habitat.*
 - *The project will adhere to protection measures for aquatic habitats that have been provided by DNR.*
 - *No wooded areas are proposed to be disturbed, and the applicant is placing 5.91 acres of on-site woodlands into a long-term preservation easement.*

CONCLUSION:

No agencies that have reviewed this Concept Plan have offered objections to its approval.

SUGGESTION FOR RESOLUTIONS:

Concept Plan:

RESOLVED, that the Planning Commission, regarding the request by Ruthsburg Rd Solar 1, LLC for Concept Plan approval to construct a 5 MW (AC) utility scale solar array on a 29.56-acre lease area within an 88.89-acre parcel in the Agricultural zoning district, and as more particularly described in Planning & Zoning file SP# 24-12-0143, hereby finds:

1. The Concept Plan is consistent with the intent, goals and objectives of the Queen Anne’s County Zoning & Subdivision Regulations and the 2022 Comprehensive Plan.
2. The Concept Plan is consistent with the purpose of the Utility Scale Solar Array District.

(*SELECT ANY OTHER FINDINGS FROM STAFF REPORT*)

...and hereby **GRANTS / DENIES** Concept Plan approval subject to the following conditions:

1. If by the time of construction, the panels proposed have changed from that provided on the plans, updated information must be submitted.
2. Applicant must notify P&Z when ownership of the solar array changes and the signage containing emergency contact information must be kept current.
3. Prior to final site plan signature, provide the finalized forest conservation plan and executed long-term protection documents for recordation.
4. Prior to final site plan signature, provide an automatically renewable decommissioning bond that is enforceable by the County.
5. Prior to final site plan signature, provide an automatically renewable landscape surety and maintenance agreement.
6. Provide documentation that connection to the public utility is approved.
7. Provide a finalized decommissioning plan that addresses all of the requirements provided in 18:1-95.S.(5)(e).
8. Per the Department of Environmental Health, until the project is decommissioned, any owner, operator, or subcontractor performing work on the solar array site that lasts for a duration exceeding two (2) consecutive hours shall provide portable hand sanitizing and toilet facilities. These facilities shall be provided on-site for the duration of the work being performed and shall be utilized by all workers and/or site visitors during that

time. The facilities shall be regularly serviced (monthly minimum) and all waste shall be disposed of properly off-site in accordance with applicable laws and regulations.

9. The project will adhere to protection measures for aquatic habitats that have been provided by the Maryland Department of Natural Resources.
10. As a condition of permit approval, the applicant must adhere to the watering requirements outlined in the approved landscape plan.
11. Any outstanding comments stemming from agency reviews are addressed during Board of Appeals submittal.

Recommendation to the Board of Appeals:

RESOLVED, that the Planning Commission, regarding the request by Ruthsburg Rd Solar 1, LLC for Concept Plan approval to construct a 5 MW (AC) utility scale solar array on a 29.56-acre lease area within an 88.89-acre parcel in the Agricultural zoning district, and as more particularly described in Planning & Zoning file SP# 24-12-0143, hereby forwards:

...a **FAVORABLE / UNFAVORABLE** Recommendation to the Board of Appeals under Sections 18:1-14.C.(25), 18:1-38.1, and 18:1-95.S