

**Worcester County Planning Commission
Meeting Minutes**

Meeting Date: March 2, 2017

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Mike Diffendal, Chair

Jay Knerr, Vice Chair

Marlene Ott

Betty Smith

Jerry Barbieri

Rick Wells

Staff

Maureen Howarth, County Attorney

Phyllis Wimbrow, Deputy Director, DDRP

Jennifer Keener, Zoning Administrator

Bob Mitchell, Director, DEP

I. Call to Order

II. Administrative Matters

- A. Review and approval of minutes, February 2, 2017**— As the first item of business, the Planning Commission reviewed the minutes of the February 2, 2017 meeting. Following the discussion it was moved by Mr. Barbieri, seconded by Ms. Smith and carried unanimously to approve the minutes as submitted. Mr. Wells abstained.
- B. Board of Zoning Appeals agenda, March 9, 2017** — As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for March 9, 2017. Mrs. Keener was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.

III. Water and Sewerage Plan Amendment

As the next item of business, the Planning Commission reviewed an application associated with the addition of certain informational items in *The Plan* for the Town of Ocean City's water system (SW 2017-2). Bob Mitchell, Director of Environmental Programs, presented the request along with Jim Parsons, Chief Deputy Public Works Director for Ocean City, who represented the applicant, the Town of Ocean City.

The request is to revise certain water system informational items in *The Plan*. Those changes would include: revised water system information text, revised water system profile figure, revised water storage tank schedule table, and revised water improvement schedules in the capital plan for the Town.

Mr. Parsons noted the need to add the updated pages into *The Plan* so the information for the Ocean City system is accurately reflected once capital projects in the schedule are completed.

Mr. Mitchell reviewed the staff report noting the consistencies found for such a development in the Comprehensive Plan and proposed improvements would be permitted in accordance with existing zoning.

Following the discussion, a motion was made by Mr. Knerr, seconded by Ms. Ott and carried unanimously to find this application consistent with the Comprehensive Plan and recommended that they forward a favorable recommendation to the County Commissioners.

IV. Utility Scale Solar System Step I and II

As the next item of business, the Planning Commission reviewed a concept and site plan for the Gateway Solar Project, proposed construction of a utility scale solar project located on the northerly side of Ocean Gateway (US Route 50), southerly side of Old Ocean City Road (MD Route 346) across from the intersection with Circle Road, Tax Map 19, Parcel 6, Tax District 3, A-1 Agricultural District. Tom Anderson, Community Energy Solar, Inc. and Steve Engel, Vista Design, Inc. were present for the review. Mr. Engel described the location and phasing of the project. He also noted that there would be landscape buffers along the majority of the project. Mr. Engel identified the area to be reserved in a Forest Conservation easement, and said that the wetland impact approvals had already been granted. Installation would be via pilings driven into the ground, then the panels would be attached to form the grid. For stormwater management, they would be utilizing non-roof disconnects with grass cover under and around the panels.

Mr. Knerr inquired about the existing structures. It was noted that they are not part of the proposed project area, rather the property owner's farm building group. They would not be touched as part of this development. Ms. Ott inquired about the type of landscaping that would be provided. Mr. Engel said that it would entail 4' to 5' tall evergreen trees with spacing as required depending upon the type. Mr. Anderson also said that they would be providing native species, and a mixture of planting types. Mr. Diffendal asked about the interconnection point, which will be the Delmarva Power grid on the southerly side of US Route 50 (Ocean Gateway). The interconnection location will be roughly at the same place as the current emergency cross-over point on Route 50. Mr. Barbierri inquired about the cleaning of the panels, which Mr. Anderson said would occur very rarely, since the area receives significant rainfall. However, if required, it would involve low flow water misting and rags. Mr. Barbierri also inquired about the requirement for the removal of the landscaping from the existing drainage easement areas that are under the control of the State Highway Administration. Mr. Anderson stated that they will comply with this requirement.

Following the discussion, a motion was made by Mr. Barbierri, seconded by Mr. Knerr, and carried unanimously to provide a favorable recommendation to the County Commissioners for the establishment of the utility scale solar energy system project for Gateway Solar, finding it consistent with the Comprehensive Plan.

The Planning Commission also finds that if there are no substantive changes to the overall plans as a result of the Worcester County Commissioners approval of the Step I Concept Plan, then the favorable recommendation granted by the Planning Commission at the Step I level will also constitute a conditional Step II site plan approval.

The Planning Commission then took a break at 1:15 P.M.

V. Text Amendment

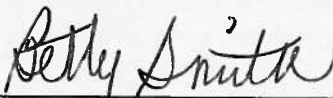
As the next item of business, the Planning Commission reviewed a revised text amendment for the new poultry regulations. Phyllis Wimbrow, Deputy Director, was present for the review. She gave a brief history of the submittal and review of the previous poultry regulations. The last version was presented to the County Commissioners, but not introduced as legislation due to various concerns. Based on those concerns and the discussion held at the Planning Commission's meeting relative to the proposed regulations, staff prepared revisions to the language. The new draft expands and clarifies the language with regard to vegetative buffers, eliminates the sliding density scale, reduces the number of poultry houses allowed from 12 to 8, and contains extensive new provisions with regard to existing poultry operations. The staff and Mrs. Howarth reviewed the language and made some minor changes for clarity that didn't change the intent of the provisions as written.

Mr. Barbierri inquired about the definition of the poultry housing unit size, as well as the description of the medium operations and the buffer establishment requirements. There was also discussion on the small versus medium operations with respect to tunnel ventilation. Mr. Knerr liked the detail provided in the landscape buffer description, as well as the consistency in setbacks for all size operations. Ms. Smith asked about the existing operations and provisions for the administrative hearing official.

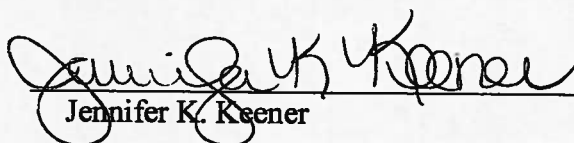
Mr. Diffendal noted that while this wasn't a public hearing, he would give the audience a chance to speak. Kathy Phillips was present. She noted that while she had not read the revised language, she would encourage native species within the buffer plantings instead of Leyland Cypress trees. Mrs. Keener noted that the language as written recommends buffer plantings per the Delmarva Poultry Industry's Vegetative Environmental Buffer document. She noted in review of the document, that there are no Leyland Cypress trees recommended.

Following the discussion, a motion was made by Mr. Knerr, seconded by Ms. Smith and carried unanimously to forward a favorable recommendation to the County Commissioners.

VI. Adjourn – The Planning Commission adjourned at 1:45 P.M.



Betty Smith, Secretary



Jennifer K. Keener