



County Commissioners Hearing Room
400 High Street
Chestertown, Maryland

AGENDA
August 3, 2023
1:30 p.m.

Members of the public are welcome to attend meetings in person or via conference call.

Public participation and audio-only call-in number:

- 1. Dial **1-872-239-8359**
- 2. Enter Conference ID: **691 407 699#**

Members of the public are asked to mute their phones/devices, until the Commission Chair opens the floor for comment.

MINUTES
July 6, 2023

PUBLIC HEARING

23-40 Sandra Donnelly – Zoning Text Amendment..... Rec to CCs
Include “Seasonal Outdoor Retreat” as a special exception in the Agricultural Zoning District (AZD), Rural Character (RC), Rural Residential (RR), Community Residential (CR), and Village (V) zoning districts.

APPLICATIONS FOR REVIEW

22-17 William and Valerie Ashmore – Major Site Plan – Extension of Approval..... PC Decision
Map 55, Parcel 128, Lot 1 – Fifth Election District – Marine (M)

23-34 Morgnec Road Solar, LLC – Major Site Plan (Concept)..... PC Review
Map 37, Parcel 40 and 174 – Fourth Election District – Intense Village (IV), Community Residential (CR), Rural Residential (RR), and Resource Conservation District (RCD)

23-32 Choptank Electric Cooperative Inc. – Major Site Plan (Preliminary)..... PC Review
Map 16, Parcel 61 – First Election District – Employment Center (EC)

23-48 Choptank Electric Cooperative Inc. – Lot Line Adjustment – Front Yard Setback..... PC Review
Pre-Application Materials
Map 16, Parcel 61 – First Election District – Employment Center (EC)

GENERAL DISCUSSION

- Comprehensive Rezoning – Draft LUO Review
- 5-Year Mid-Cycle Reporting (see attachments)

STAFF REPORTS

ADJOURN

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Planning Commission meetings can be held in closed session under the authority of the MD Open Meetings Law by vote of the members. Breaks are at the call of the Chairman. Meetings are subject to audio and video recordings.

All applications will be given the time necessary to assure full public participation and a fair and complete review of all projects. Agenda items are subject to change due to cancellations.

MINUTES

July 6, 2023

1:30 p.m.

An official recording of the Kent County Planning Commission meeting is available for viewing in its entirety on the County's YouTube channel: Kent County Government (<https://www.youtube.com/watch?v=2yGtHUj6Dd4>).

The Kent County Planning Commission met in regular session on Thursday, July 6, 2023, at 1:30 p.m. in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. The following members were in attendance: Chair F. Joseph Hickman, Vice Chair Paul Ruge, William Sutton, James Saunders, Ray Strong, and William Crowding. Cynthia L. McCann, Esquire, Planning Commission Attorney, was in attendance. Staff in attendance were William Mackey, AICP, Director; Carla Gerber, AICP, Deputy Director; Mark Carper, LEED Green Associate, Associate Planner; and Campbell Safian, Planning Specialist.

Other Kent County staff: Jamie Williams, CEcD, Economic Development Director.

Chair Hickman called the meeting to order at 1:30 p.m.

PUBLIC HEARING

*23-40 Sandra Donnelly – Zoning Text Amendment – Seasonal Outdoor Retreat
Recommendation to the County Commissioners*

Sandra Donnelly proposes to add “seasonal outdoor retreat” as a special exception use in the Agricultural Zoning District (AZD), Rural Character (RC), Rural Residential (RR), Community Residential (CR), and Village (V) districts.

The proposed amendment would add a new use to the Land Use Ordinance.

The proposed definition for a Seasonal Outdoor Retreat is “a lot, tract, or parcel of land containing up to fifteen cabins, cottages, or pods, designed for and utilized for seasonal, periodic, transient occupancy and not as a permanent residence, which may contain outdoor recreational accommodations, and which may contain dining facilities for guests, and a central bath house facility.”

Staff recommends sending a favorable recommendation of the zoning text amendment to the Kent County Commissioners as amended to delete Village as one of the permitted districts.

The Planning Commission heard from Lance Young, Esquire, with MacLeod Law Group, LLC, on behalf of Sandra Donnelly, and Sandra Donnelly, the applicant.

Discussion ensued regarding whether the proposal meets the Land Use Ordinance's definitions of retreat, resort, rural inn, or country inn. Staff determined that the proposal did not meet the definitions of lodging uses in the Land Use Ordinance.

The following members of the public spoke in opposition to the Zoning Text Amendment as presented: Patricia Langenfelder and Janet Christensen-Lewis.

Adopted on [version for review]

Chair Hickman moved to close the public hearing. Mr. Strong seconded the motion, and the motion passed unanimously, 6-0.

The Planning Commission requested that the proposed zoning text amendment be revised to include:

- Minimum lot size
- Maximum number of structures
- Minimum/maximum space between the structures
- Size restriction for the structures
- Maximum time period for visitors
- Setback requirements
- Requirement for a permanent bathroom facility
- Clarify the term “seasonal”
- Provide consistency to the term “patrons” or “guests”
- Clarify who can dine at the proposed dining facility
- Event, lighting, and noise restrictions

Mr. Ruge moved to postpone the decision until the August 3 meeting. Mr. Saunders seconded the motion, and the motion passed unanimously, 6-0.

APPLICATIONS FOR REVIEW

*23-32 Choptank Electric Cooperative Inc. – Major Site Plan (Concept)
Map 16, Parcel 61 – First Election District – Employment Center (EC)*

Choptank Electric Cooperative is requesting concept site plan review to expand an existing utility substation, which is to include a new 30-foot by 12-foot control building, new transformer, substation structure, and substation regulators. There is to be an addition of 38,756 square feet of gravel to the area. There is one existing entryway, and two additional entrances are proposed.

The applicant is requesting that the 100-foot front setback be reduced so that the substation equipment may be reconfigured to increase the spacing between energized equipment for safety as well as ease of operation.

Mr. Carper presented the staff report, recommending approval with conditions.

The Planning Commission heard from Robert Beadle with RGrid Power, PLLC, on behalf of Choptank Electric Cooperative Inc.

Mr. Beadle reported that Choptank Electric Cooperative would like to expand the existing breaker station into a substation to better serve the community. A reduction of the 100-foot front yard setback is requested in order to meet the National Electric Safety Code, increase operational safety precautions, and provide a sufficient distance between the equipment and the road.

Mr. Crowding spoke in favor of the front yard setback reduction as well as the additional entrances. Chair Hickman spoke in agreement.

Mr. Ruge queried whether the applicant would be willing to plant additional landscaping to screen the existing gravel area and equipment from the road. Additionally, Mr. Ruge expressed the idea of one additional entrance instead of two, allowing for ingress and egress from the site.

*22-53 Gillespie Precast, LLC – Major Site Plan (Concept)
27030 Morgnec Road – Second Election District – Industrial (I) and Industrial Critical Area – LDA
(ICA-LDA)*

Gillespie Precast, LLC/Morgan Creek Land Holdings, LLC is requesting concept site plan review for expansion of its contractor’s storage yard from approximately 5 acres to 13.5 acres; to construct two 200-foot by 81-foot concrete manufacturing plants, in separate phases; to construct an 80-foot by 200-foot storage building; to install aggregate bins and ramp and a crushed concrete pile; and to construct a new MDOT SHA entrance on to MD Route 291.

Mr. Carper presented the staff report, recommending approval with conditions.

The Planning Commission heard from Kevin Shearon with DMS & Associates, LLC, on behalf of Gillespie Precast, LLC, and Andrew Gillespie with Gillespie Precast, LLC.

Mr. Shearon reported that MDOT SHA approved the proposed entrance on to MD Route 291.

Mr. Crowding and Chair Hickman expressed concerns regarding the location of the proposed entrance. The topography of the land would limit the driver’s visibility as they approach the entrance.

Mr. Crowding and Chair Hickman spoke in favor of additional landscaping along the eastern property line and the front property line.

*23-39 Kent Manor Grain, LLC – Variance – Front, Rear, and Side Yard Setbacks
Map 14, Parcel 75 – Second Election District – Agricultural Zoning District (AZD)*

Gary Miller of Kent Manor Grain, LLC, is requesting a variance of the setback requirements to enable construction of a waste management structure on a 20-acre parcel located on Augustine Herman Highway in the Second Election District. The 152-foot by 75-foot building will be 247 feet from the front property line, 400 feet from the east side property line, and 290 feet from the rear property line. The surrounding farm is also owned by the Miller family as Kent Manor Farm, LLC.

Ms. Gerber presented the staff report, recommending approval with conditions.

The Planning Commission heard from Charles Miller with Kent Manor Grain, LLC.

Mr. Miller stated the waste management structure will be used to stockpile chicken manure. The chicken manure is currently stockpiled outside, thus damaging the quality of the manure and creating environmental concerns. The waste management structure would prevent these concerns.

Mr. Saunders expressed support of the variance request.

Mr. Crowding moved to send a favorable recommendation to the Board of Appeals to grant the setback variances from the required 600 feet: 353 feet from the front yard setback, 200 feet from the side yard setback, and 310 feet from the rear yard setback in order to construct a 152-foot by 75-foot waste management structure. The variance will not cause a substantial detriment to adjacent or neighboring property. The variance will not change the character of the neighborhood or district. The variance is consistent with the Comprehensive Plan and the general intent of this Ordinance. The practical difficulty is due to the size and shape of the parcel.

Mr. Sutton seconded the motion, and the motion passed unanimously, 6-0.

GENERAL DISCUSSION

MINUTES

Mr. Ruge moved to approve the minutes of May 4, 2023, as presented. Mr. Strong seconded the motion. The motion passed unanimously 6-0.

Discussion ensued regarding the preferred format of Planning Commission minutes going forward.

Chair Hickman moved that the minutes be concise, reflect the actions of the meeting, and a recording of the meeting be available if there are discrepancies.

Mr. Crowding seconded the motion, and the motion passed unanimously, 6-0

STAFF REPORTS

Mr. Mackey reported that a member of the public requested that the Bylaws of the Planning Commission be posted on the Planning Commission webpage. The Planning Commission spoke in favor of posting the Bylaws to the webpage.

Mr. Mackey noted a draft of the updated Land Use Ordinance will be available at the beginning of August. At the August 3 Planning Commission meeting, members will discuss their plan of action to review the document.

ADJOURN

Mr. Ruge moved to adjourn the meeting. Mr. Strong seconded. The meeting adjourned at approximately 3:53 pm.

Francis J. Hickman, Chair

/s/ Campbell Safian
Campbell Safian, Planning Specialist



TO: Kent County Planning Commission
 FROM: Bill Mackey, Director
 MEETING: August 3, 2023
 SUBJECT: Zoning Text Amendment – To add “seasonal outdoor retreat” as a special exception
Supplemental Memorandum

Executive Summary

Request by Applicant

Sandra Donnelly proposes to add “seasonal outdoor retreat” as a special exception use in the Agricultural Zoning District (AZD), Rural Character (RC), Rural Residential (RR), Community Residential (CR), and Village (V) districts. Revised language was submitted by the applicant’s counsel, Lance Young, Esq., in order to address issues raised by the Planning Commission at its meeting on July 6, 2023. This language is attached.

Staff Review

The submittal by applicant’s counsel provides responses to the issues raised by the Planning Commission. Staff had understood this as a special exception that would be reviewed by the Planning Commission and the Zoning Board of Appeals, so the language about the Planning Director should read Board of Appeals.

Recommendation

Staff recommends sending a favorable recommendation in general regarding the revised zoning text amendment to the Kent County Commissioners with an unfavorable recommendation regarding including Village in the list of zoning districts where a seasonal outdoor retreat may be considered and also clarifying that the special exception would be reviewed by both the Planning Commission and the Boards of Appeals.

ARTICLE VII. SPECIAL EXCEPTIONS

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SECTION 6 PROCEDURES

The application for a special exception shall include a site plan together with such data and information as may be required for a determination of the nature of the proposed use and its effect on the Comprehensive Plan, the neighborhood, and surrounding properties.

The Planning Director may hear and decide the following special exceptions:

- 1. Accessory storage structures

...

The Planning Commission shall review and send a recommendation to the Board of Appeals on the following special exceptions:

- 1. Aquaculture

...

- 39. Seafood processing

39.25 Seasonal Outdoor Retreat

- 39.5 Septic tank maintenance and excavation

...



From: Lance Young
Sent: Thursday, July 20, 2023 9:38 AM
Subject: Revised Outdoor Retreat

Redacted to remove email addresses
and references to individual persons

...

Attached is revised text amendment language for the Outdoor Retreat. One version shows, in red, what we added in response to Planning Commission comments. Thanks again for your help on this.

Lance M. Young, Esq.
Attorney



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110 North Cross Street
Chestertown, Maryland 21620

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300 Market Street, Suite 104
Denton, Maryland 21629

Phone: 410-810-1381
Fax: 410-810-1383

Article VII (Special Exceptions)

Outdoor Retreat in AZD, RC, RR, CR, and V provided:

- a. The project shall collectively consist of at least ten acres.
- b. The number of guest units provided on the *site* is limited to fifteen excluding resident management quarters. There shall be a maximum of twenty *structures*, including the guest units, on any permitted *site*.
- c. Dining services may be provided only to guests.
- d. The site has access to a public road. This access must be capable of supporting the passage of emergency vehicles. The Board may require improvements to existing access roads.
- e. There shall be sufficient acreage for the proposed use and activities.
- f. Adequate landscaping shall be provided to screen all parking areas from adjoining residential properties. Landscaping or screening proposed shall be shown on a site plan as required by this Ordinance.
- g. The use and occupancy of the guest units is inherently transient and guest occupancy shall be limited to two weeks. There shall be a maximum occupancy of two adult guests, and two additional children guests, in each guest unit.
- h. Accessory uses and *structures* shall be setback a minimum of 25' from any adjacent property line.
- i. The Planning Director may require a site plan and place conditions or restrictions on events as may be appropriate to assure the compatibility of the use within a district or location.
- j. All structures shall meet all applicable Kent County Codes, including the building code, and Health Department regulations.

Article V

Add "*Outdoor Retreat*" to Special Exceptions in: Section 1 (AZD), Section 3 (RC), Section 4 (RR), Section 6 (CR).

Article XI (Definitions)

OUTDOOR RETREAT

A lot, tract, or parcel of land containing up to fifteen guest units, designed for and utilized for periodic, transient occupancy and not as a permanent residence, and which may contain outdoor recreational accommodations, dining facilities for guests, and bathroom accommodations for guests.

OUTDOOR RETREAT (Revised) [with changes indicated in red text]

Article VII (Special Exceptions)

Outdoor Retreat in AZD, RC, RR, CR, and V provided:

- a. **The project shall collectively consist of at least ten acres.**
- b. The number of **guest units** provided on the *site* is limited to fifteen excluding resident management quarters. **There shall be a maximum of twenty structures, including the guest units, on any permitted site.**
- c. Dining services may be provided only to **guests**.
- d. The site has access to a public road. This access must be capable of supporting the passage of emergency vehicles. The Board may require improvements to existing access roads.
- e. There shall be sufficient acreage for the proposed use and activities.
- f. Adequate landscaping shall be provided to screen all parking areas from adjoining residential properties. Landscaping or screening proposed shall be shown on a site plan as required by this Ordinance.
- g. **The use and occupancy of the guest units is inherently transient and guest occupancy shall be limited to two weeks. There shall be a maximum occupancy of two adult guests, and two additional children guests, in each guest unit.**
- h. **Accessory uses and structures shall be setback a minimum of 25' from any adjacent property line.**
- i. **The Planning Director may require a site plan and place conditions or restrictions on events as may be appropriate to assure the compatibility of the use within a district or location.**
- j. **All structures shall meet all applicable Kent County Codes, including the building code, and Health Department regulations.**

Article V

Add “*Outdoor Retreat*” to Special Exceptions in: Section 1 (AZD), Section 3 (RC), Section 4 (RR), Section 6 (CR).

Article XI (Definitions)

OUTDOOR RETREAT

A lot, tract, or parcel of land containing up to fifteen **guest units**, designed for and utilized for periodic, transient occupancy and not as a permanent residence, and which may contain outdoor recreational accommodations, dining facilities for guests, and **bathroom accommodations for guests**.



TO: Kent County Planning Commission
FROM: Carla Gerber, Deputy Director
MEETING: July 7, 2022
SUBJECT: William and Valerie Ashmore – Major Site Plan – Private Destination/Residence Club (Final)

Executive Summary

Request by Applicant

Mr. and Mrs. Ashmore are requesting final site plan approval for the construction of a private destination/residence club with three guest suites and one owner's suite.

Public Process

Per Article VI, Section 5 of the Kent County *Land Use Ordinance*, the Planning Commission shall review and approve Major Site Plans.

Summary of Staff Report

Mr. and Mrs. Ashmore are proposing to construct a private destination/residence club on their 0.45-acre parcel located at the southeast corner of the intersection of Skinners Neck Road and Kelleys Park Road near Rock Hall. The residence club will have three guest suites and one owner's suite. The parcel is zoned Marine (M) and the surrounding area is a mix of residential and marine uses.

The application complies with the standards of the Land Use Ordinance.

Recommendation

Staff recommends granting final approval. Staff suggests the following conditions for final approval:

- Submission of all required sureties for stormwater management, sediment and erosion control, and landscaping.
- Recordation of the slip agreement.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: William and Valerie Ashmore – Major Site Plan – Private Destination/Residence Club (Final)
DATE: June 30, 2022

DESCRIPTION OF PROPOSAL

Mr. and Mrs. Ashmore are proposing to construct a private destination/residence club on their 0.45-acre parcel located at the southeast corner of the intersection of Skinners Neck Road and Kelleys Park Road near Rock Hall. The residence club will have three guest suites and one owner's suite. The parcel is zoned Marine (M) and the surrounding area is a mix of residential and marine uses.

Relevant Issues

I. Uses

A. *Comprehensive Plan*:

- "Retain and promote existing businesses and assist in their growth." (page 8)
- "Promote Kent County as a boating center." (page 16)
- "Enhance and expand locally based tourism that is rooted in the unique natural, cultural, and historic features and qualities of Kent County." (page 18)

B. *Applicable Law*: Article V, Section 13.2, #8.5 of the Kent County Land Use Ordinance permits private destination/residence clubs in the Marine District with the following conditions:

- a. The aggregate Marine zoned property shall consist of 4 or more acres.
- b. The facilities for such overnight accommodations shall pay the appropriate county taxes, including taxes payable under Article III or Chapter 152 of the Code of Public Local Laws if Kent County.
- c. The facilities for overnight accommodations shall use a reservation system.
- d. Permitted accessory uses may include clubhouse, restaurants, cafés or other dining facilities; bars, pubs or taverns; recreational facilities, such as tennis courts, swimming pools, and spas and other accessory uses that are customarily associated with a lodging facility. The permitted accessory uses shall not include trap, skeet, clay birds, paint ball, or other similar firearm activities. The applicant shall describe all proposed accessory uses in the application for site plan. Recreational facilities shall be at least twenty-five (25) feet from the nearest property line.
- e. Where they exist, listed historic structures shall be incorporated into the overall project.
- f. Significant view corridors, both from the site and onto the site, shall be preserved as far as possible.
- g. The height of all structures shall not exceed thirty-eight (38) feet.
- h. Parking lots shall be landscaped as required for commercial developments in Article V, Section 11 of this Ordinance.
- i. The approval of a facility for overnight accommodations shall not impose restrictions that will preclude the use of the marina and property for commercial marine uses permitted in the Marine Zoning District, including boat building, storage, and repair; however, the continuation of these uses shall not be required. The maintenance and continuation of boat slips will be required.
- j. The County may require connection to a public sewer system, if and when such system is available.
- k. Campgrounds, mobile homes, recreational vehicle and manufactured home parks shall not be considered private destination or residence clubs.

C. *Staff and TAC Comments:* Although the subject parcel is less than 4 acres, the aggregate area of adjacent parcels zoned Marine is approximately 8.3 acres. The parcel is vacant, and no accessory uses are proposed. The applicant is proposing low level landscaping and the proposed structure will resemble a single-family dwelling which will have minimal effect on view corridors. A landscaping plan has been submitted. An agreement for the use of three slips at the adjacent marina, also owned by the applicant, has been approved by the County Attorney. The property has access to public sewer.

II. Density, Area, Height, Width and Yard Requirements

A. *Applicable Law:* Article V, Section 13.5 of the Kent County Land Use Ordinance requires the minimum yard:

Front	30 ft (there is a front yard of 15 feet on the side street or a corner lot)
Side	8 ft (when adjacent to M)
Rear	10 ft (when adjacent to M)
Waterfront	Minimum 100 ft buffer

B. *Staff and TAC Comments:* The proposed improvements meet the setback requirements. Although this parcel isn't waterfront, the 100-foot buffer extends onto the property. There are no site improvements within the buffer.

III. District Environmental Standards

A. *Applicable Law:* Article V, Section 13.6 in the Kent County Land Use Ordinance establishes the Marine Environmental Design Standards, which include stormwater and Critical Area standards. The purpose of these standards is to provide for the proper stewardship of the County's natural resources. Specifically, it is the overall goal of the County to maintain the quality of the County's ecosystem in the face of continuing activity, growth and change.

Within the Land Use Ordinance, Article VI, Section 7 addresses Floodplain Management, Section 9 addresses Erosion and Sediment Control, and Section 10 addresses Stormwater Management.

B. *Staff and TAC Comments:*

Stormwater and sediment and erosion control plans are under review. Sureties are required.

Marine is an Intense Development Area within the Chesapeake Bay Critical Area. Lot coverage limits do not apply; however, all development must reduce pollutant loadings coming off the site by at least 10%. Stormwater management computation worksheets have been submitted showing compliance with the 10% reduction rule.

The applicants are proposing to use fill to raise the base for the foundation approximately 4 feet. The Base Flood Elevation is 6 feet, and the concrete slab for the garage will be 8.25 feet. The first-floor elevation will be 18.25 feet. As required by the floodplain regulations, the engineer for the applicant has stated in the attached letter that flooding risk will not increase to adjacent properties as existing drainage patterns will be maintained and there will be no measurable impact on increased flooding.

IV. Parking and Loading Requirements

A. *Applicable Law:* Article VI, Section 1.3 of the Kent County *Land Use Ordinance* establishes the parking standards. Lodging facilities require 1 space per guest unit, plus 1 per employee.

B. *Staff and TAC Comments:* The site plan has four parking spaces on the Skinners Neck Road side of the

property. The applicant has acknowledged that boat trailer parking will be allowed by the users of the public landing on the west side of Skinners Neck Road across from the proposed driveways and a note has been added to the site plan.

V. Landscaping

- A. *Applicable Law:* Article V, Section 13, #8.5.h of the Land Use Ordinance requires parking lots for private destination/residence clubs to be landscaped as required for commercial developments in Article V, Section 11. Article V, Section 13.7, #4 and 5 establishes the general landscaping and screening requirements in the Marine district.
- B. *Staff and TAC Comments:* The driveway/parking area is fully landscaped with holly shrubs lining the edges and landscape beds on the sides with single elm trees and perennials and a landscape bed between the garage doors with shrubs and perennials. Kelleys Park Road is screened with a mix of understory trees, evergreens, shrubs and perennials.

VI. Site Plan Review

- A. *Comprehensive Plan:* "Implement thorough design review for new development and major renovations." (Page 33)
- B. *Applicable Law:* Article VI, Section 5.3 of the Kent County *Land Use Ordinance* establishes site plan review procedures. The Planning Commission shall prepare findings of fact concerning the reasonable fulfillment of the objectives listed below.
 - a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan.
 - b. Conformance with the provisions of all applicable rules and regulations of county, state, and federal agencies.
 - c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
 - d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate lighting, and internal traffic control.
 - e. Reasonable demands placed on public services and infrastructure.
 - f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.
 - g. Protection of abutting properties and County amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.
 - h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.
 - i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.
 - j. The applicant's efforts to design the development to complement and enhance the rural and historic nature of the County including incorporating into the project forms and materials that reflect the traditional construction patterns of neighboring communities.
 - k. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and the natural landscape.
- C. *Staff and TAC Comments:*
 - The proposal is consistent with strategies and goals of the Comprehensive Plan.

- The property is served by public sewer and private well.
- Public works has approved the project.
- Stormwater management and erosion and sediment control plans have been submitted for review.
- Sufficient parking is provided on the property.
- The landscaping meets the requirements.
- Reasonable demands will be placed on public services and infrastructure.
- Proposed building elevations have been submitted. While the building is large, it contains features and colors compatible with existing waterfront development in the County.
- Exterior lighting will be attached to the building and will be dark sky compatible.
- No signs are proposed at this time.
- The proposed building complies with the setback requirements.
- A citizen participation conference call was held on April 12, 2022.

Staff Recommendation

Staff recommends granting final approval contingent upon:

- Submission of all required sureties for stormwater management, sediment and erosion control, and landscaping.
- Recordation of the slip agreement.

Kent County Department of Planning, Housing and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

SITE PLAN APPLICATION

File Number: _____ **Amount Paid:** \$200 **Date:** 6/27/23

Project Name: Grays Inn

District: 5th **Map:** 55 **Parcel:** 57, lot 1 **Lot Size:** .449 **Deed Ref:** 1079/197 **Zoning:** Marine

LOCATION: Grays Inn Ave, Rock Hall, MD 21661

PROPOSED USE: Destination Residence Club

OWNER OF LAND:

Name: William and Valerie Ashmore **Telephone:** (859) 322-1093

Address: 21979 Kelleys Park Rd, Rock Hall, MD 21661 **Email:** Bill@graysinncreek.com

APPLICANT:

Name: Same as owner **Telephone:** _____

Address: _____ **Email:** _____

AGENT/ATTORNEY (if any):

Name: _____ **Telephone:** _____

Address: _____ **Email:** _____

REGISTERED ENGINEER OR SURVEYOR:

Name: DMS and Assoc **Telephone:** 443-262-9130

Address: PO Box 80 Centerville, MD 21617 **Email:** Kjs@dmsandassociates.com

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: Bill@graysinncreek.com

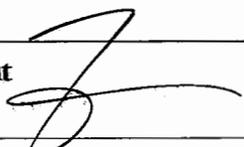
Water Supply: Public System On lot system

Sewerage: Public System On lot system

TELEPHONE SERVICED BY: Verizon

ELECTRIC SERVICED BY: Delmarva power

NOTICE: The Planning Office is not required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.

Signature of Applicant  **Date** 6/27/23

- Concept Plan **Approving Authority:** _____ **Date** _____
- Preliminary **Approving Authority:** _____ **Date** _____
- Final **Approving Authority:** _____ **Date** _____

June 27, 2023

Kent County Department of Planning, Housing and Zoning
Kent County Government Center
400 High Street
Chestertown, MD 21620

Planning and Zoning:

Due to economic conditions, ongoing labor shortages and supply constraints that have impacted our business and project, we are requesting a one year extension to our site plan approval to better position this project for success.

Thank you,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

William and Valerie Ashmore

PROJECT NARRATIVE

GRAYS INN Private Destination / Residence Club Skinners Neck Road Rock Hall, Maryland

In accordance with Article VI, Section 5.4.B of the Kent County Zoning Ordinance, we offer the following:

Name and address of the landowner, the developer and/or representative, if different from the owner

The property is owned by Mr. & Mrs. William Ashmore. They are the property owners and the developers.

Street address, tax map, parcel number, and subdivision if any

The site is located at the southeast corner of the intersection between Skinners Neck Road and Kellys Park Road near Rock Hall, Maryland. The property is identified as Tax Map 55 Parcel 128, Lot 1. A subdivision is not needed as part of this project.

Zoning of the site

The site is zoned Marin (M). The surrounding properties to the north, east, south, and west are also zoned Marine and account for a combined zoning district greater than four acres.

Current and proposed use of the property

The property is currently vacant. A Private Destination / Residence Club with three guest suites and one owner suite is proposed on the property. The club will be developed and operated in accordance with the conditions noted in the Land Use Ordinance, Section 13.2(8.5) which include:

- a. The aggregate Marine zoned property shall consist of 4 or more acres.
The Marine zone in this area consists of approximately 8.3 acres.
- b. The facilities for such overnight accommodations shall pay the appropriate county taxes, including taxes payable under Article III or Chapter 152 of the Code of Public Local Laws if Kent County.
It is understood that the overnight accommodations associated with this club will pay all applicable taxes.
- c. The facilities for overnight accommodations shall use a reservation system.
A reservation system will be used to book overnight accommodations.

- d. Permitted accessory uses may include clubhouse, restaurants, cafés or other dining facilities; bars, pubs or taverns; recreational facilities, such as tennis courts, swimming pools, and spas and other accessory uses that are customarily associated with a lodging facility. The permitted accessory uses shall not include trap, skeet, clay birds, paint ball, or other similar firearm activities. The applicant shall describe all proposed accessory uses in the application for site plan. Recreational facilities shall be at least twenty-five (25) feet from the nearest property line.
At this time no accessory uses are proposed. Should an accessory use be added later, the approval of such will be done so following review by the county.
- e. Where they exist, listed historic structures shall be incorporated into the overall project.
There are no historical structures on the property.
- f. Significant view corridors, both from the site and onto the site, shall be preserved as far as possible.
View corridors have been preserved to the extent possible. Only 1,940-sf of structure is proposed on the 0.45 acre parcel. The landscaping has been designed to be low-level.
- g. The height of all structures shall not exceed thirty-eight (38) feet.
The height of the proposed structure is less than 38-ft as defined by the code.
- h. Parking lots shall be landscaped as required for commercial developments in Article V, Section 11 of this Ordinance.
Landscape screening has been provided at the edge of the proposed parking area.
- i. The approval of a facility for overnight accommodations shall not impose restrictions that will preclude the use of the marina and property for commercial marine uses permitted in the Marine Zoning District, including boat building, storage, and repair; however, the continuation of these uses shall not be required. The maintenance and continuation of boat slips will be required.
The proposed club with overnight accommodations will not impede the rights of others to conduct permitted activities within the Marine Zoning District. An agreement has been drafted designating three boat slips at the nearby marina owned by the Ashmores for use by the paying guests of the Residence Club. The agreement will be recorded prior to final site plan approval.
- j. The County may require connection to a public sewer system, if and when such system is available.
As indicated on the site plan, the club will be connected to the existing public sewer system adjacent to the site.
- k. Campgrounds, mobile homes, recreational vehicle and manufactured home parks shall not be considered private destination or residence clubs.
The proposed club is not classified as any of the above mentioned uses.

An explanation of viewshed, open space, and conservation analysis undertaken during the design of the site plan

The placement of the proposed building will be near the intersection of Skinners Neck Road and Kelly's Park Road. It is located outside of the Critical Area 100-ft buffer. Only 1,940-sf of structure is proposed on the 0.45 acre parcel.

How the proposed development complies with the Comprehensive Plan and the design and environmental standards of the Ordinance

The development complies with the Comprehensive Plan in that it promotes tourism and lodging in the area.

Proposed type of water and sewer service

The site will be served by public sewer. A private well will be used for potable water as public water is not available in the area.

Number of employees

It is anticipated that one employee will be needed for this club.

The proposed development schedule and phases of development for all proposed construction

This project is intended to be constructed and operational upon receipt of all necessary permits. The construction will not be phased.

Statement of provisions for ultimate ownership and maintenance of all parts of the development including streets, structures, and open space.

The property is intended to remain in the ownership of and maintained by Mr. & Mrs. Ashmore.

Water dependent uses in the Critical Area

n/a

Critical Area density calculations

n/a

Citizen Participation Plan

A conference call is scheduled for Tuesday, April 12, 2022 at 6pm. Notification to property owners in the area was mailed along with a reduced-scale site plan. A report will be provided to the Planning Office following the conference call.

William and Valerie Ashmore
Skinners Neck Road/Kelleys Park Road



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2019. Map prepared April 2022.

1 inch = 100 feet

To: Kent County Planning Commission
From: Mark Carper, Associate Planner
Meeting: August 3, 2023
Subject: Morgnec Road Solar, LLC
Concept Site Plan Review – Utility-Scale Solar Energy System

Executive Summary

REQUEST BY THE APPLICANT

Morgnec Road Solar, LLC is requesting concept site plan review of a 245-acre utility-scale solar energy system. The proposed site is located at 616 Morgnec Road near Chestertown in the Fourth Election District and is zoned Intense Village (IV), Community Residential (CR), Rural Residential (RR), and Resource Conservation District (RCD).

PUBLIC PROCESS

Per Article VI, Section 5.2 of the Kent County *Land Use Ordinance*, the Planning Commission shall review and approve major site plans.

SUMMARY OF THE STAFF REPORT

The project site is currently in agricultural production. Adjacent to the west is the Intense Village zoning district. Across Morgnec Road is Commercial and Industrial districts, and to the east is critical area and Critical Area Residential district. The topography is largely gently rolling with a few areas of drainage with steep slopes. The anticipated output is from 45 to 55 MW. The solar array is to be installed on a pile-driven post-supported racking system that will allow for the panels to pivot to track the sun. Grid interconnection is to be at the Chestertown Substation directly across Morgnec Road. A perimeter landscaping buffer is required to screen the fenced facility, and, once in operation, traffic to and from the site will be minimal.

STAFF RECOMMENDATION

In order to receive preliminary site plan approval, the applicant must address and/or submit the following outstanding items:

- Preliminary sediment and erosion control and stormwater management plans.
- A calculation of the area gradients where solar panels are proposed to determine whether the proposed development on steep slopes is permissible.
- A Forest Conservation Plan and calculations of forested area within and out of the critical area.
- A landscape maintenance agreement and a landscape irrigation plan.
- Evidence that the design of the entranceway will ensure that neighboring properties, public rights-of-ways and roads are not exposed to an unscreened view of the onsite facilities.

At this meeting, the Planning Commission should consider the following:

- Waiver of the requirement for a 3-foot perimeter landscaping berm.
- The proposed partial overlap of the 150'-wide Chestertown Bypass right-of-way and the pollinator meadow portion of the 60'-wide landscape buffer along the western property line of the project site.
- The two breaks in the landscape buffer along the western property line to accommodate existing drainage.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: #23-34 – Morgnec Road Solar, LLC
Concept Site Plan Review – Utility-Scale Solar Energy System
DATE: July 26, 2023

DESCRIPTION OF PROPOSAL

Morgnec Road Solar, LLC is requesting concept site plan review of a 245-acre utility-scale solar energy system. The proposed site is located at 616 Morgnec Road near Chestertown in the Fourth Election District and is zoned Intense Village (IV), Community Residential (CR), Rural Residential (RR), and Resource Conservation District (RCD).

The project site is currently in agricultural production. Adjacent to the west is the Intense Village zoning district. Across Morgnec Road is Commercial and Industrial districts, and to the east is critical area and Critical Area Residential district. The topography is largely gently rolling with a few areas of drainage with steep slopes. The anticipated output is from 45 to 55 MW. The solar array is to be installed on a pile-driven post-supported racking system that will allow for the panels to pivot to track the sun. Grid interconnection is to be at the Chestertown Substation directly across Morgnec Road. A perimeter landscaping buffer is required to screen the fenced facility, and, once in operation, traffic to and from the site will be minimal.

RELEVANT ISSUES

I. Site Plan Review

- A. *Applicable Law:* Article VI, Section 5 of the Kent County Land Use Ordinance outlines the procedures and requirements for site plan review. Site Development Plans are required to ensure that new development complies with the Comprehensive Plan, Land Use Ordinance, Village Master Plans and other agency requirements, thereby promoting the health, safety, and general welfare of Kent County residents.

Section 5.3.B.4&6 establishes that after determining that the application is substantially complete, the Department of Planning and Zoning shall place the project on the appropriate meeting of the Kent County Planning Commission for concept site plan review. The concept plan review process will review at a conceptual level, the feasibility, design, and environmental characteristics of the proposal based on the standards set forth in this Ordinance, the Comprehensive Plan, and, where applicable, the Village Master Plan, with the understanding that additional technical engineering design material, survey work, and preparation of other site plan documents will be submitted for review at latter steps in the site plan review process. ... The Planning Commission will comment and provide guidance as to the feasibility, design, and environmental characteristics of the proposal based on the standards set forth in this Ordinance, the Village Master Plans, and Comprehensive Plan.

Section 5.3.B.16 establishes that the Planning Commission shall prepare findings of fact concerning the reasonable fulfillment of the objectives listed below.

- a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan.

- b. Conformance with the provisions of all applicable rules and regulations of county, state, and federal agencies.
- c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
- d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate lighting, and internal traffic control.
- e. Reasonable demands placed on public services and infrastructure.
- f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.
- g. Protection of abutting properties and County amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.
- h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.
- i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.
- j. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and the natural landscape.

B. *Staff and TAC Comments:*

- The applicant has provided commentary on the proposal's compliance with Maryland's Twelve Planning Visions as presented in the Kent County Comprehensive Plan and the project's consistency with the County's goals of economic development, meeting town and gateway standards through a public amenity enhancement, developing with a provision toward infrastructure by paying a share of providing public facilities and services, and providing for a renewable resource.
- The project is in conformance with applicable state regulations and has, or will be, submitting materials in conformance with Kent County regulations.
- The applicant reports that an existing entrance from State Highway 291 will be utilized and that the sight distance for oncoming traffic is ample. Vehicular and pedestrian movement within the proposed facility will be limited to operations and maintenance crews, which will perform all loading and unloading in the course of operations. No lighting is proposed.
- Sediment and erosion control will be utilized according to State and County regulations.
- After construction, there will be limited traffic to the property, no sewer or water is to be used, there will be very limited need for emergency services, and, as a condition of Public Service Commission approval, the applicant is responsible for any road damages due to construction. The demands placed on public services and infrastructure are reasonable.
- Noise will be very limited and inaudible off site. No smoke, fumes, dust, or odors will be created. The angle and solar tracking of panels will limit glare, and existing landscape and vegetation and the proposed peripheral landscaping buffer will mitigate for all glare.
- A conceptual stormwater management plan has been submitted, and a more detailed stormwater management plan is to be provided for preliminary site plan review.
- According to site plan notes, 0.249 acres of the area of disturbance is to be on slopes that are 15% to 25% in gradient. Sheet C-103 of the site plans indicates that a yet undetermined portion of the steep slopes are proposed to have solar placed on them.

- Article VI, Section 9.5.1 of the Kent County Land Use Ordinance allows for development to occur within steep slope areas provided that a minimum of the lot or parcel upon which the principal structure is to be situated is less than 10% grade and is contiguous to a road meeting Kent County design standards. A calculation of the area gradients where solar panels are proposed will determine whether the proposed development on steep slopes is permissible.
- Two existing hedgerows are to be removed for placement of panels. No trees are to be removed. A Forest Stand Delineation has been provided, and a Forest Conservation Plan will be submitted for preliminary site plan review.
- All elements of the solar energy collection system will be a minimum 200 feet from any property line. There will be no permanent employees on site, and parking will be limited to the proposed turnaround areas within the facility.
- The applicant has organized, advertised and sent out notices for, and held a public information meeting, and has submitted notes on the overview of the presentation and a summary of the comments and questions posed.

III. Countywide Standards for Utility-Scale Solar Energy Systems

A. *Applicable Law:* Article VI, Special Provisions, Section 11, details the requirements for setbacks, installation and maintenance standards, landscaping and irrigation requirements, and sureties.

B. *Staff and TAC Comments:*

- The proposed setback for the area of use is the required 200 feet or greater from any lot line of the project site.
- Notes on the site plan comply with the County requirements for installation and maintenance standards. Wiring will be underground except to connect to the public utility. The solar array shall be enclosed in a fence that will remain securely locked. The solar array will generate little to minimal noise. The solar arrays shall conform to all local, state, and national laws. A glare assessment has been submitted and is being reviewed.
- A Forest Stand Delineation has been provided, and a Forest Conservation Plan and calculations of forested area within and out of the critical area are to be provided for the preliminary site plan review.
- Panels will not be placed on wetland areas that are regulated by the MDE or the U.S. Department of the Interior nor on their associated buffer.
- Existing topsoil will not be removed from the site.
- A 60-foot-wide landscape buffer plan has been submitted and adheres to the requirements for size, species variety, and arrangement in the absence of the required 3-foot-high berm, for which the applicant is requesting a waiver.
- Along the western property line of the project site, a 150-foot-wide right-of-way is proposed for the Chestertown Bypass. It appears that a portion of the 60-foot-wide landscape buffer will encroach approximately 25 feet into the proposed right-of-way. This portion of the buffer is proposed to be a pollinator habitat meadow. Along that same western property line, there are two breaks in the landscape buffer in order to accommodate existing drainage.
- Much of the northern and eastern property lines are forested, and it is proposed that they be used to satisfy the specific buffer standards, as is allowed by the Kent County Land Use Ordinance.
- It is unclear from the submitted plans how irrigation is to be addressed. An irrigation plan will be required for preliminary approval.
- A maintenance agreement for the landscape plan is required for preliminary approval.

- Sureties for the landscaping plan must be provided in accordance with the requirements of the Land Use Ordinance before final site plan approval.
- Kent County Land Use Ordinance requires that the entryway be designed to ensure that neighboring properties, public rights-of-ways and roads are not exposed to an unscreened view through the entranceway.
- The proposed project has obtained a Certificate of Public Convenience and Necessity from the Public Service Commission.
- For final site plan approval, the proposed project must comply with the bond-related requirements, as specified in Article VI, Section 11.K of the Kent County Land Use Ordinance, which pertain to decommissioning and removal or non-vegetative improvements.

STAFF RECOMMENDATION:

In order to receive preliminary site plan approval, the applicant must address and/or submit the following outstanding items:

- Preliminary sediment and erosion control and stormwater management plans.
- A calculation of the area gradients where solar panels are proposed to determine whether the proposed development on steep slopes is permissible.
- A Forest Conservation Plan and calculations of forested area within and out of the critical area.
- A landscape maintenance agreement and a landscape irrigation plan.
- Evidence that the design of the entranceway will ensure that neighboring properties, public rights-of-ways and roads are not exposed to an unscreened view of the onsite facilities.

At this meeting, the Planning Commission should consider the following:

- Waiver of the requirement for a 3-foot perimeter landscaping berm.
- The proposed partial overlap of the 150'-wide Chestertown Bypass right-of-way and the pollinator meadow portion of the 60'-wide landscape buffer along the western property line of the project site.
- The two breaks in the landscape buffer along the western property line to accommodate existing drainage.

Kent County Department of Planning, Housing and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

SITE PLAN APPLICATION

File Number: _____ Amount Paid: \$6,300.00 Date: 4/26/2023

Project Name: Morgnec Road Solar, LLC

District: 2 Map: 37 Parcel: 40 & 174 Lot Size: 471 Deed Ref: 854/193 Zoning: IV,RR,CR,RC

LOCATION: 616 Morgnec Road Chestertown, Maryland 21620

PROPOSED USE: Utility-Scale Solar

OWNER OF LAND:

Name: Fair Promise Family Limited Partnership Telephone: _____

Address: 25260 Howell Point Road Betterton, MD 21610 Email: _____

APPLICANT:

Name: Morgnec Road Solar, LLC C/O Kevin Clark Telephone: 410-604-3603

Address: 337 Log Canoe Circle Stevensville, MD 21666 Email: kevin.clark@urbangridco.com

AGENT/ATTORNEY (if any):

Name: Joseph Stevens Telephone: 410-758-4600

Address: 114 West Water Street Centreville, MD 21617 Email: JStevens@spp-law.com

REGISTERED ENGINEER OR SURVEYOR:

Name: Lane Engineering, LLC Telephone: 410-822-8003

Address: 117 Bay Street Easton, MD 21601 Email: nhoxter@leinc.com

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: JStevens@spp-law.com

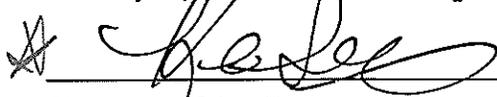
Water Supply: Public System On lot system

Sewerage: Public System On lot system

TELEPHONE SERVICED BY: N/A

ELECTRIC SERVICED BY: Choptank Electric

NOTICE: The Planning Office is not required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.



4/26/23

Signature of Applicant

Date

Concept Plan Approving Authority: _____ Date: _____

Preliminary Approving Authority: _____ Date: _____

Final Approving Authority: _____ Date: _____



LAW OFFICES OF

**STEVENS
PALMER, LLC**

114 West Water Street, Centreville, Maryland 21617

410-758-4600 www.spp-law.com

JStevens@spp-law.com

April 25, 2023

William Mackey, Director
Kent County Department of Planning and Zoning
400 High Street
Chestertown, Maryland 21620

Re: Concept and Site Improvement Plan, Morgnec Road Solar, LLC.

Dear Mr. Mackey,

Enclosed please find the Concept and Site Improvement Plan for the Morgnec Road Solar, LLC facility ("Concept Plan"). The following plans and information are included with the submittal:

1. Site Plan Application.
2. Concept and Site Improvement Plan dated 3/30/23.
3. Concept and Site Improvement Plan Narrative.
4. CPCN Conditions-Response.
5. Article VI, Section 11 of the Kent County Land Use Ordinance "COUNTYWIDE STANDARDS FOR UTILITY-SCALE SOLAR ENERGY SYSTEMS" Point by Point Response to each Item.
6. Letter from Wildlife dated (August 3, 2016)
7. Wetland delineation (completed December 12, 2016) and MDE jurisdictional determination (December 13, 2016).
8. Forest Stand Delineation (February 8, 2019)

We respectfully request that the application be scheduled for review in accordance with the County's policies. Should you have any questions or need additional information, please do not hesitate to contact myself, Nathan Hoxter, nhoxter@leinc.com, with Lane Engineering or the project manager Kevin Clark, kevin.clark@urbangridco.com.

Stevens Palmer, LLC

Joseph Stevens

Joseph A. Stevens

Urban Grid
April 25, 2023
Page 2

cc. Kevin Clark, Urban Grid Co. w/o enclosures
Nathan Hoxter, Lane Engineering, LLC w/o Enclosures

NARRATIVE FOR CONCEPT PLAN SUBMITTAL

Morgnec Solar, LLC

April 25, 2023

Revised July 20, 2023

Morgnec Road Solar, LLC (the “Applicant”) Project will be located within Tax Map 37, Parcel 40 (256.953 acres), and Parcel 174 (214.30 acres) presently owned by Fair Promise Family Limited Partnership (“Site”). Based on site limitations and environmental constraints mostly associated with the Critical Area Resource Conservation Area (RCA) designation on a portion of Parcel 40 and areas of wetlands that need to be avoided, the Project Limit of Disturbance (LOD) includes approximately two hundred forty-five (245) acres producing forty-five (45.0) megawatts (MW) alternating current (AC).

The Project has contracted to lease or purchase the underlying above referenced parcels, from the current property owner via an Option to Purchase Agreement. The Site primarily consists of agricultural fields surrounded by wooded areas and has been farmed for conventional agricultural crops for several decades.

The portion of the Site shown on Tax Map 37, Parcels 174 is not within the Critical Area; however, a portion of Tax Map 37, Parcel 40 is within the Critical Area and is in the Resource Conservation Area (RCA) designation. The Project has been designed to avoid the Critical Area and RCA.

In communications with the Wildlife and Heritage Services of the Department of Natural Resources, it was determined that no rare, threatened, or endangered species are onsite thus, the proposed Project will have no impacts on such protected species. Any habitat in the wooded areas surrounding the fringe of the property will not be impacted because the Applicant does not propose to cut any trees.

The Project is located in a mix of four different zoning classifications: Intense Village, Rural Residential, Community Residential, and Resource Conservation District. The Applicant will only be installing panels in three of those zoning classification: the Intense Village, the Rural Residential, and Community Residential Districts. It is the Applicant’s intent to ensure the Project substantially conforms to the substantive requirements of the Kent County Land Use Ordinance as required in CPCN License Conditions dated October 1, 2021 (“CPCN Conditions”) Specifically, the Project is designed in conformance with Kent County Land Use Ordinance Article requirements for utility-scale projects Section 11 Countywide Standard for Utility Scale Solar Energy Systems. (See “Point By Point Response Countywide Standards for Utility Scale Solar Energy Systems.”)

Unlike other solar projects in Kent County, the Project is not located in an Agricultural or Industrial Zoning District, or in a Priority Preservation Area. The area along Morgnec Road near the Project is a commercial and industrial mix. The properties across Morgnec Road from the Project site are zoned as an Industrial District and contain modern corrugated metal industrial

buildings, a junkyard, and other industrial facilities of no historical significance. The Project is also located close to the electric load center of the Town of Chestertown and enjoys minimal and low-cost interconnection requirements due to the presence of existing electric infrastructure.

Per PPRP Conditions of Approval a decommissioning plan would be required. The decommissioning plan stipulates at the end of the Project's useful life, all components must be removed, and the land restored to its original conditions. This would allow for continued farming practices or other uses permitted within the Rural Residential and Community Residential District.

The surface topography of the Site is gently sloping with average elevations between zero percent (0%) and five percent (5%). There are few areas internal to the property which has elevations that range from five percent (5%) to ten percent (10%), with even fewer at grades as high as fifteen percent (15%) to forty percent (40%). The property consists of moderately to well-draining Atlantic Coastal Plain Soils with classifications and soil characteristics as defined in Figure 4 below. These soils are ideal for the intended use to support the racking posts, grass covered internal drive aisles, and to support drainage systems and stormwater management.

From a wetlands standpoint the few farm ditches located onsite are interconnected with hydric soils/wetlands on the fringe of the property. Environmental Resources Inc. (ERI) performed a preliminary wetlands site investigation of these areas. A site visit was conducted with ERI, H&B, and a representative from the MDE. The panel layout has been configured to avoid most of these areas and maintains setbacks when required. The other ditches onsite are agricultural ditches which are not jurisdictional and may be filled as needed or incorporated into the site drainage design.

Aside from construction equipment traffic, little ground disturbance is anticipated associated with the installation of the racking and solar modules, as the posts can be installed on existing grades. Minimal earthwork will include the construction of all-weather gravel roads, concrete pads for the transformers, switch gear, and inverters. A Sediment and Erosion Control Plan will be approved by the Soil Conservation District Office in addition to a Stormwater NPDES NOI Permit which will be applied for prior to construction.

According to the current design, the Project is anticipated to be forty-five (45.0) MW AC output. However, the Applicant anticipates optimizing the design to find the best DC/AC ratio as well as the best panel for the Project, both efforts will likely increase the total capacity of the project. That being said, the Project will be bound by the PJM number of fifty-five (55.8) MW AC.

Per the most recent design, the Project would utilize approximately 140,000 Canadian Solar CS7N-650MB-AG modules (solar panels) as shown in the Solar Array Layout. The array will be installed using a pile-driven post-supported racking system utilizing galvanized steel posts with galvanized steel or aluminum structure for mounting the panels. A typical Solar Panel Racking Detail depicts the array with portrait racking with one row of modules positioned vertically on each rack. The space between the back of one row and the front of the next is approximately thirty feet (13'). The distance between rows from post to post measured from North to South is approximately twenty-four feet (24'). The solar arrays will continuously rotate around a

horizontal axis, oriented North-South, to orient the solar modules at an optimal angle to the incoming solar insolation during the day. In this configuration, the minimum leading- edge height (bottom edge of the modules) will be approximately two feet (2') from grade but in no event less than eighteen inches (18"), and the maximum (top-edge height of the modules) will be approximately eight (8') ft from grade, although other feasible configurations are possible with higher top-edge heights. The solar arrays will be designed to withstand snow load of twenty-five (25) pounds per square foot (psf) and wind of ninety (90) miles per hour (mph) (per IBC 2012 for Kent County). Prior to connecting to the DPL system/grid the power generated by the Project will tie into a new onsite substation which will be connected to the Chestertown Substation.

Interconnection will be to the Chestertown Substation located immediately across Route 291 from the Project site. No private easements are anticipated to be need from neighboring properties, and utilities will be located within the SHA right of way. The connection to the Chestertown Substation from the Project site will be made utilizing underground cabling to avoid any new overhead electrical cabling. The connection to the substation will involve offsite improvements pursuant to requirements specified as part of the CPCN. There will be approximately eighteen (18) inverters where the direct current from the arrays will be converted to alternating current as transmitted by the electric grid. Each power station will include an inverter pad with one (1) inverter and one liquid filled AC transformer. Each power station will make up 1/18 of the array AC capacity.

The Project will be fully fenced with a service entrance accessible from the existing farm road along Morgnec Road. There is no planned need for water and sewer for the Project since there will be no planned operations and/or maintenance facilities and no full-time personnel located at this Site. In order to more fully address screening needs and requirements of the Project, the Applicant has engaged Lane Engineering, LLC to prepare a landscape buffer plan using a certified/licensed Landscape Architect. This work will be integrated with the ongoing engineering of the civil site plans and the solar array designs. As with other solar generation facilities that have been approved through the CPCN process, the Applicant will seek approval of screening designs and use vegetation indigenous to the area. The fringes of the property on three (3) sides are heavily wooded which will provide a significant natural buffer. The screening along Morgnec Road will optimize opportunities to minimize the site's visibility from pedestrian and vehicular traffic.

In addition to the CPCN, the Project will require National Pollutant Discharge Elimination System (NPDES) stormwater permit coverage and other State Regulatory Approvals including conformance with stormwater management, sediment and erosion control. The Applicant is not proposing to cut any forested areas onsite and will only be removing a few hedgerows and isolated trees surrounding the existing farmhouse (See CPCN Conditions Response Item 10.)

(Responses to TAC comments in Italic below.)

**23-32 Morgnec Road Solar, LLC – Major Site Plan (Concept)
616 Morgnec Road, Chestertown – Fourth Election District – Intense Village
(IV), Community Residential (CR), Rural Residential (RR), and Resource
Conservation District (RCD)**

The Department of Finance has no comments on this application.
No Response necessary.

The Kent County Health Department has no objections.
No Response necessary.

The Department of Public Works comments:

a. The Stormwater Management Plan includes a detail that shows proposed non-rooftop disconnection on slopes greater than 5%. Per Chapter 5, Section N-2 of the Maryland Stormwater Design Manual: “Disconnections shall be located on an average slope of 5% or less.” It is noted that the areas exceeding 5% slope propose Turf Reinforcement Matting, which will be beneficial from a Soil Erosion standpoint; however, subject areas do not meet criteria for stormwater Disconnection. The plan is also somewhat unclear on exactly what areas exceed 5% due to overlapping linework. These areas should be clearly delineated and quantified to see if adjacent areas may be able to compensate.

The Maryland Department of Environment has provided additional stormwater design guidance for solar panel installations separate from the 2000 Maryland Stormwater Design Manual to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water resources by disconnecting rows of panels and directing runoff over vegetated area between the individual rows. This document also provides information on slopes exceeding 5%. Furthermore in 2018, the Maryland Department of the Environment released Technical Memorandum #8 which provides additional information for ESD related to the Turf Reinforcement Matting. Plans have been revised to better delineate slopes.

b. Narrative states “Minimum leading-edge height (bottom edge of the modules) will be approximately 2’ from grade” – recommended that at no location shall this dimension be less than 18”.

c. Stormwater Management Summary notes that M-8 Swales are proposed as part of the Water Quality Design. Location and size of the subject swales is not clearly shown on the plan, nor are they detailed to confirm sizing. This information should be provided.

The current plans are conceptual in nature, and a more detailed stormwater plan will be provided at preliminary site plan review.

d. Submerged Gravel Wetlands are proposed. These should be used in areas of Hydrologic Soil Group C or D, or in presence of a high groundwater table, hard pan, or other confining layer. Geotechnical confirmation of soil condition at location of proposed Submerged Gravel Wetlands is required.

A geotechnical report will be provided at preliminary site plan review if Submerged Gravel Wetlands are still proposed to be utilized over other stormwater features.

MDOT/SHA will require official submittals for review and permit issuance.

(Submittal will be made to MDOT/SHA for entrance permit.)

Response to CPCN License Conditions:

a. There need to be responses to each item and sub-item that describe how a condition will be met, the timeline for it being met, and the person or agency responsible. For example, Number 1. Applicability of Conditions, the response would identify the firm or person who is the lead on the applicant's team for compliance and who on the applicant's team is responsible for responding to conflicts if they should arise. For example, Number 4. Applicable Laws and Regulation, sub a. National Wetlands, the response would identify the firm or person responsible for reviewing the provisions in COMAR for compliance. For example, Number 23. re public amenities requirement, a response would identify a timeline for developing a proposal with more than one option and the firm or person who would be developing proposed options for enhancements. If you have any questions, please reach out to the Director for further information on PPRP conditions.

(See "Revised CPCN License Conditions dated July 20, 2023.")

b. Condition 5. Site Control: Please make available to Kent County a copy of the purchase agreement, land lease, or similar agreement with the owners of the project site and any assurances that the agreement meets or exceeds PPA term, to include time necessary for completed decommissioning.

(Included with Concept Plan resubmission.)

c. Condition 10. Forest Conservation: A Forest Stand Delineation Report and Site Plan has been submitted for review. Please submit a Forest Conservation Plan, as is required by this condition and the Kent County Land Use Ordinance. Please provide in the site plan calculations of forested areas within and out of the Critical Area.

The required Forest Conservation Plan and calculations will be finalized at preliminary site plan submission. The Project is still reviewing the available options for meeting the Forest Conservation Requirements.

d. Conditions 11. Vegetation Management Plan and 12. Pollinator Habitat: As these will be included in the review of the landscape plan, please provide these details to the Planning Department for consideration for the preliminary site plan review.

Agreed.

e. Condition 15. Critical Area: Please provide Kent County with a copy of the project review submittal to the CAC and any CAC approval and any conditions.

Included with resubmittal.

f. Condition 24. Visual Impact Complaint Resolution: The response states, "No visual impacts are anticipated at buffer maturity. However, Morgnec Road Solar will work with all listed entities to ensure this is the case." Aside from vegetative screening, which will take time to become fully effective, what other measures will be taken to proactively ensure that neighboring properties and the adjacent roadway will not be negatively impacted by glare. Has a glare or visual impact analysis been conducted? Article VI, Section 11.D.5 requires that landscaping buffers without a berm are to screen elevations of the site within two years.

A glare analysis has been conducted to evaluate the effects to nearby airports. A glare analysis or visual impact analysis to ensure neighboring properties will be provided during preliminary and final site plan approval.

Forest Stand Delineation Report: The stated location of Stand A is noted as being adjacent to the Chester River; it is adjacent to Morgan Creek.

The mislabeling of Morgan Creek will be correct with the submission of the forest Stand Delineation and Forest Conservation Plan at preliminary site plan submission.

Please provide a Citizen Participation Plan and apprise the Planning Department of scheduled meetings and results of the discussion.

The Public Participation meeting was held on June 20, 2023 – at Washington College. Attached please find the presentation outline, detailed notes of the discussions with attendees, Certification of mailing to adjacent property owner, posting of the property and a certification of advertising in the Kent County News.

Project Notes: Sheet G-102:

a. Under “Resource Protection Notes,” it’s stated that “No Development or Disturbance is Proposed on Steep Slopes.” However, under “Resource Protection Calculations” it indicates that approximately 0.25 acres of the total site will have slopes of 15% to 25% within the LOD. It’s unclear from the graduated greyscale on Sheet C-103 where the development or disturbance on steep slopes may be taking place. Please clarify.

Acknowledged, Resource protection notes have been revised. Additional clarification added to depict slopes.

b. Under “Section 11.B (Solar Array) Notes,” item 10, it is stated that evidence of solar panel design to avoid glare and or reflection is to be provided and, if necessary, that they have been evaluated with a solar glare hazard and analysis tool. Please provide this evidence.

The requested glare analysis documentation is attached.

Vegetative Buffer:

a. The Landscaping Plan indicates that installation of new plantings is to be along the southern, western, the western-most portion of the northern boundary, and a small portion of the southeastern boundaries of the project site’s property lines. Much of the north and eastern boundaries of the property is wooded and may be used to satisfy specific buffer standards. The exception to this is at the southern corner where Parcel 174, owned by Fair Promise Family Limited Partnership, and Parcel 488, owned by Baxter, Starkey, and Eshman, meet. The designated vegetative buffer area is not fully wooded and must be vegetated to meet screening requirements unless the adjacent woods are preserved and recorded on a plat (Article Vi, Section 11.C.4).

Area will be left to naturally regenerate.

b. In the northwest corner of Parcel 174 on the landscape plan (sheet L-101) there is one break in and another apparent variation in the width of the vegetative buffer. It appears that these are to preserve the function of existing drainage ditches, but it is not clear.

Correct, the break in the vegetative buffer was intended to not to disrupt the existing drainage.

c. The site plan indicates that on the western boundary of the project site the vegetative buffer is to be placed within the 150-foot Chestertown Bypass right of way, which would not be permitted. Staff anticipates placement of the vegetative buffer relative to the Chestertown Bypass will be a topic of discussion with the Planning Commission.

The vegetative buffer has been moved back to keep the larger vegetation out of the 150’ Chestertown bypass.

Temporary Staging Area: Sheet C-102 indicates that there is to be a temporary staging area. Given that there are no existing or proposed roads to that location and there is an apparent ravine between it and where the solar panels are to be installed, it is unclear as to why this was selected and how it may be utilized. The plan indicated that it is to be stabilized turf, but the landscape plan (sheet L-101) indicates that the area is proposed to be a pollinator meadow.

The temporary staging area was included to give more optionality for the contractor to organize construction materials, equipment, and vehicles. It's located on a cleared high ground which makes for an ideal staging area, and its feasibility to access this area without grading through the topographic valley. The current plans are conceptual in nature and required staging areas will be determined during detailed design by the EPC. Urban Grid request the temporary staging area to remain as shown to give the EPC flexibility in their selection for final staging areas. Upon completion of the project or it is determined the temporary staging area is no longer needed the area will be planted with a pollinator meadow mix as shown on the landscape plans.

Narrative: (Article VI, Section 5.4.B) A narrative has been provided.

a. Please include a listing of all the zoning districts of the project properties. The narrative states that the solar panels are to be installed only in the Rural Residential (RR) and the Community Residential (CR) districts; however, in comparing site plans V-101 and C-102, it appears that panels are to be placed in the Intense Village (IV) district as well. Sheet V-101 has the Critical Area line depicted but does not include the boundary lines of the Resource Conservation District (RCD), which does not align with the Resource Conservation Area (RCA) of the Critical Area. Please include.

(See revised Narrative.)

b. Please include a schedule and phases of the proposed development as well as a statement of provisions for ownership and maintenance of all parts of the development.

The construction phase is proposed to begin immediately following the issuance of final site plan approval and required local and state permits. The O&M plan will be finalized at preliminary site plan submission.

c. Please include details of the Citizen Participation Plan.

(Documents included with submittal.)

d. Where not already addressed in the narrative, please include comments that address each of the standards in an ordered list (a., b., c., etc.) corresponding with and reproducing the standards by which the Planning Commission will evaluate the proposal, as is listed in Article VI, Section 5.3.B (16) of the Kent County Land Use Ordinance. Please include conformance with the Comprehensive Plan, protection of abutting properties and County amenities from any undue disturbance (noise, dust, glare, etc.), and design of the development to complement and enhance the rural and historic nature of the County and to harmonize features of development with the surrounding townscape and the natural landscape.

(Included with Resubmittal.)

CPCN LICENSE CONDITIONS PSC CASE NO. 9499

(Below are the CPCN conditions for Morgnec Road Solar, LLC, and a description of how each condition is being met. The response to each expressed condition is in *Italic*. Many Conditions are requirements post site plan approval and both pre and post construction. In those instances the response is “*Agreed*” or “*So Noted.*”)

1. Applicability of Conditions - Except as otherwise provided for in the following provisions, the application (“Application”) for the Certificate of Public Convenience and Necessity (“CPCN”) is considered to be part of this CPCN for the Morgnec Road Solar, LLC (“Morgnec Road Solar”) Project (“project”). The Application consists of the original application filed with the Maryland Public Service Commission (“PSC” or “Commission”) on November 30, 2018, the amended site plan provided to PPRP on July 24, 2019 (in response to PPRP Data Request 1-7), and direct testimony filed on August 2, 2019. Construction and operation of the project shall be undertaken in accordance with these conditions, which have been prepared by the Power Plant Research Program (“PPRP”) in coordination with the reviewing State agencies. If there are any inconsistencies between the conditions specified below and the Application, the conditions in this CPCN shall take precedence. If CPCN conditions incorporate federal or State laws through paraphrased language, where there is any inconsistency between the paraphrased language and the actual State or federal laws being paraphrased, the applicable federal or State laws shall take precedence.

This is a statement for which no description of compliance is necessary. Kevin Clark, Morgnec Road Solar will be the point person for compliance with conditions of the CPCN

2. Project Scope – The project shall be constructed as a single-axis tracking photovoltaic (PV) system within the limit of disturbance and approximate dimensions (surface, in total acreage, and height) as described in the Application and as modified by these conditions and the Settlement Agreement submitted herewith. Modifications to the project’s specifications that are not covered by this CPCN should be reviewed by PPRP, but must be approved by the PSC.

Agreed.

3. CPCN Expiration –

a. Construction of the project shall commence within three (3) years of receiving the CPCN (established by the date of the Final Order), and the project shall be in operation no later than four (4) years after receipt of the CPCN; otherwise, the CPCN shall expire and no longer constitute authorization to construct and operate the project.

This is a statement for which no description of compliance is necessary.

b. This CPCN shall expire 30 years from the date of the beginning of commercial operations or 34 years from the date of the CPCN issuance (defined as receipt of a final unappealable Commission Order), whichever is sooner. Morgnec Road Solar may request that the PSC extend the expiration date if Kent County agrees to such an extension.

This is a statement for which no description of compliance is necessary.

4. Applicable Laws and Regulations - Construction and operation of the solar facility shall be undertaken in accordance with this CPCN and shall comply with all applicable local, State, and federal laws and regulations, including but not limited to the following:

a. Nontidal Wetlands – COMAR 26.23.01 applies to activities conducted in nontidal wetlands and wetland buffers. *There are no development activities being conducted in nontidal wetlands or wetland buffers.*

b. Waterway Construction – COMAR 26.17.04 applies to regulations governing construction activities in nontidal waters and floodplains. *NA as there is no waterway construction*

c. Water Quality and Water Pollution Control – COMAR 26.08.01 through COMAR 26.08.04 apply to discharges to waters of the State and maintenance of surface water quality. *Morgnec Road Solar.*

d. Erosion, Sediment and Stormwater Control – COMAR 26.17.01 and COMAR 26.17.02 applies to the preparation, submittal, review, approval, and enforcement of erosion, sediment and stormwater control plans, including any dewatering plans and associated water recycling plans. *Preparation of plans by Lane Engineering, LLC. Maintenance by Morgnec Road Solar.*

e. Oil Pollution Control – EPA 40 CFR 112 and COMAR 26.10.01.12 apply to the procedures for oil spill control. *Morgnec Road Solar.*

f. Forest Conservation – Maryland's Forest Conservation Act (FCA), Md. Code, Sections 5-1601 through 5-1613 of the Natural Resources Article. *Preparation of plans by ECS Mid-Atlantic, LLC maintenance of forest protected areas by Morgnec Road Solar.*

g. Threatened and Endangered Species – COMAR 08.03.08 applies to actions affecting threatened or endangered species on State or private lands. *The are no actions being conducted on the Property that have been determined to affect threatened or endangered species.*

h. Critical Area Commission for the Chesapeake and Atlantic Coastal Bays – COMAR 27 applies to development in the Critical Areas. *The will be no development within the Critical Areas, but to the extent coordination with the Critical Area Commission is required it will be undertaken by Morgnec Road Solar.*

i. Noise - Construction and operation of the proposed Project shall comply with the Maryland noise regulations in COMAR 26.02.03.

Agreed. Noise shall be monitored by Morgnec Road Solar.

5. Site Control - In accordance with COMAR 20.79.03.01, prior to construction, Morgnec Road Solar shall provide the PSC and PPRP a copy of the purchase agreement, land lease, or similar agreement with the owners of the properties on which the project site is located. Morgnec Road Solar shall also identify any applicable term of the purchase agreement, land lease, or similar agreement and provide assurances to PPRP and the PSC that such term of the purchase agreement, land lease, or similar agreement meets or exceeds any applicable Power Purchase Agreement (“PPA”) term and includes any time necessary for complete decommissioning closure and removal of the project facilities.

All site control documents have been, or will be supplied to PPRP/PSC, by Morgnec Road Solar, point person Kevin Clark.

6. Project As-Built Details – Within 60 days of commencing operations, Morgnec Road Solar shall provide to the PSC, PPRP, and Kent County, the following as- built details: engineering and construction plans for the project, including the total acreage of the project site; the PV panel and module type, dimensions, and locations; and consistent counts of the number of PV modules, and support posts for the PV modules, as well as a consistent depth of post/pile burial and height of the PV panels above grade. Where the as-built details are identical to those submitted with the CPCN application, Morgnec Road Solar shall provide a statement to this effect and not resubmit the information.

This is a future condition subsequent to construction and will be complied with at the applicable time by Morgnec Road Solar, point person Kevin Clark.

7. Access - Representatives of the PSC, PPRP, and Kent County shall be afforded access to the project site at any reasonable time, with appropriate notification, to conduct inspections and evaluations necessary to confirm compliance with the CPCN requirements. Morgnec Road Solar shall provide assistance as reasonably necessary to conduct inspections and evaluations effectively and safely, which may include, but need not be limited to, the following:

- a. Inspecting construction authorized under this CPCN;
- b. Accessing or copying any records that Morgnec Road Solar is required to keep pursuant to this CPCN or applicable regulations;
- c. Obtaining any photographic documentation and evidence; and
- d. Determining compliance with the conditions and regulations specified in the CPCN.

Agreed.

8. Spill Control – Morgnec Road Solar shall follow guidelines established by the U.S. Environmental Protection Agency (EPA) Spill Prevention, Control and Countermeasure and Facility Response Plan programs to prevent and control spills. All adjacent properties, streams and wetlands shall be protected from spills or leaks of transformer fluids or other biologically detrimental substances by appropriate containment structures.

Agreed.

9. Sediment Control – Morgnec Road Solar shall implement soil erosion and sediment control best management practices (BMPs) provided in the Maryland Department of the Environment (MDE) document, 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, and as otherwise may be approved or required by Kent County. All portions of the project site disturbed during construction shall be stabilized as soon as practicable after the cessation of construction activities within that portion of the site, followed by seed application, in accordance with the above-cited document.

Morgnec Road Solar shall prepare and submit Sediment Control plan to the applicable government agencies as required by applicable regulations.

10. Forest Conservation – To satisfy Forest Conservation Act Requirements for development, Morgnec Road Solar shall prepare and submit to Maryland DNR and Kent County for review and approval a Forest Stand Delineation (FSD) as described by NRA 5-1604 and a Forest Conservation Plan (FCP) as described by NRA 5-1605. In addition, the FSD and FCP shall be compliant with Kent County Forest Conservation regulations as stated in Kent County Regulations, Part III, Chapter 222.

ECS Mid-Atlantic, LLC has prepared FSD and FCP in accordance with applicable regulations which is being submitted to the County as part of the Site Plan review process.

11. Vegetation Management Plan – Morgnec Road Solar shall plant and establish the grounds of the project beneath and between the solar panels with native, warm season grasses and/or low-growing pollinator-friendly plant species. Further, Morgnec Road Solar shall, prior to commencement of project construction, develop and submit to PPRP for review a grounds management plan that incorporates an Integrated Vegetation Management (IVM) approach and specifically includes the following:

- a. Description of grasses and other plant species to be maintained at the site, with preference given to native (or naturalized) species;
- b. Schedule for mowing that avoids or minimizes mowing activities during the nesting season of most ground-nesting birds (i.e., May through August);
- c. Restriction of grass mowing height at all times to not less than 10 inches except in areas where this would present a fire hazard or impede required access to equipment;
- d. Protocol for managing invasive plant species, consistent with county regulations; and
- e. Description of the herbicides and pesticides to be used at the project site, details for avoiding or minimizing their use, and specific conditions under which these substances will be used. Herbicides and pesticides shall be EPA-registered at the time of application and shall only be applied in accordance with label recommendations, applicable law, and landowner requirements.

A vegetation management plan will be provided to Kent County for review with the Preliminary Site Plan approval and will be provided to PPRP within 30 days prior to the start of construction.

12. Pollinator Habitat – Morgnec Road Solar shall use native flowering plants to establish and maintain long-term pollinator habitats where possible throughout the solar facility. Morgnec Road Solar shall develop a Pollinator Habitat Plan that sets forth details of the pollinator habitat and includes the following:

- a. Maps of designated pollinator habitat areas on the project site;
- b. Lists and descriptions of all intended target native plant species for the pollinator areas;
- c. Methods for planting the pollinator areas;
- d. All management methods for the pollinator areas, including elimination of non-native invasive species, mowing, herbicides, and other pertinent criteria; and
- e. Projected success goals for the pollinator habitats, including expected percent survival statistics of all planted species during a period of five years after installation, and contingency planting for areas of nonestablishment.

Morgnec Road Solar shall submit the Pollinator Habitat Plan to PPRP and Kent County for review at least 30 days before completion of project construction and shall indicate if Morgnec Road Solar will participate in Maryland Department of Natural Resources' Pollinator-Friendly Designation Program for Solar Facilities.

A Pollinator Habitat Plan will be provided to Kent County for review with the Preliminary Site Plan approval and to PPRP for review within 30 days before completion of project construction.

13. Rare, Threatened, and Endangered Species – Morgnec Road Solar shall notify and consult with the Maryland Department of Natural Resources-Wildlife and Heritage Service to determine appropriate actions if any rare, threatened, or endangered species are encountered during planning, construction, operation, or maintenance of this facility.

Included with the Site Plan submittal is a letter from Maryland Department of Natural Resources-Wildlife and Heritage Service indicating no official State or Federal Records for listed plant or animal species. Morgnec Road Solar shall continue to notify and consult with the Department as required in this condition.

14. Grading and Stormwater Management – Morgnec Road Solar shall provide PPRP and the PSC Engineering Staff with copies of all plans that Morgnec Road Solar submits to Kent County in connection with the project for grading the site, and all permits received for such grading, within fifteen (15) calendar days of submitting such plans or receiving such permits. Grading and associated stormwater controls shall be designed to minimize hydrological changes to off-site streams and wetlands and to maintain the existing flow regime to these streams and wetlands. In no case shall such plans include removal of topsoil from the site.

Site improvement plans will be provided to the PPRP and PSC Engineering Staff as well as copies of all permits related to grading.

15. Chesapeake Bay Critical Area - Due to anticipated changes to Kent County's Critical Area Maps for this portion of Kent County, review by the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays is required prior to commencement of any development activity in the Critical Area to determine if the Project is consistent with Natural Resources Article 8-1801 et seq. and COMAR Title 27. Morgnec Road Solar shall submit the Project to the Critical Area Commission (CAC) for review. If the CAC determines that the Project requires approval, Morgnec Road Solar may not undertake development activity in the Critical Area until the required approval is obtained. A copy of the submittal to the CAC and any CAC approval and conditions shall be provided to PPRP and filed in the PSC docket for the case.

Morgnec Solar shall comply with these conditions, however, no Project activities will be conducted within the Critical Area. All grading, installation of infrastructure and construction of solar panels shall be outside of the Critical Area.

16. Site Plan Review - Morgnec Road Solar shall certify to the PSC and to PPRP that it has designed the facility in substantial conformity to Kent County Site Plan requirements, has obtained Site Plan approval from the Kent County Planning Commission and received all required local permits prior to the commencement of construction. This certification shall demonstrate that Morgnec Road Solar has complied with all requirements of Kent County Land Use Ordinance Article VI, Section 11, as amended on February 16, 2021, including but not limited to setback and screening provisions. Morgnec Road Solar shall comply with all standard development review requirements of Kent County.

Agreed.

17. Coordination with MDOT SHA - Morgnec Road Solar shall coordinate any future maintenance of traffic concerns during construction with the MDOT SHA District 2 Engineer.

Agreed

18. Construction Traffic Management Plan - Prior to construction, Morgnec Road Solar shall submit to the PSC and PPRP a copy of a traffic management plan. The plan shall restrict truck deliveries to non-peak hours, limit the number of trucks that can be onsite at any given time, and limit their duration at the project site. The traffic management plan shall designate MD 291 (River Road – Morgnec Road) as the primary truck route for all non-local construction truck traffic accessing the project area from US 301, and include the condition in all contracts with suppliers or contractors. If circumstances or conditions require construction traffic to temporarily access the project site from an alternative route, Morgnec Road Solar shall obtain prior approval from the Kent County Department of Public Works, and/or Maryland Department of Transportation State Highway Administration, as appropriate, and within 30 days, shall file a certification in the record that the alternative route used received prior approval. This compliance

filing shall document the approval required above, and describe the reason(s) for and duration of the alternative route.

Agreed.

19. Road Permits - Morgnec Road Solar shall comply with all permit requirements and restrictions for use, crossing and occupancy of State highways and obtain appropriate approvals, as necessary.

Agreed.

20. Road Damage - Prior to construction, Morgnec Road Solar shall document road, shoulder, and right-of-way (ROW) conditions on roads with direct access to the project site, and monitor road conditions weekly during the construction period, or when notified of damage or debris caused by construction vehicles. If it is determined that Morgnec Road Solar has caused damage during its work to any roadway under the authority of MDOT SHA, Morgnec Road Solar shall contact District 2 Maintenance to report such damage. Morgnec Road Solar shall reimburse MDOT SHA for repairs or correct all identified road damage that deviates from its initial reconnaissance within 48 hours of being detected or reported. Repairs performed by Morgnec Road Solar to roads, shoulders, and ROWs shall conform to MDOT SHA specifications.

Agreed.

21. Landscape Buffer – Morgnec Solar shall submit to the PSC and PPRP a landscaping plan that has been approved by Kent County prior to construction and complies with Kent County requirements for vegetated buffers set forth in the Land Use Ordinance Article VI, Section 11, as amended on February 16, 2021.

Landscape Buffer plans are included with the site plan submittal.

22. Landscape Maintenance - Prior to the commencement of construction, Morgnec Road Solar shall negotiate and execute a landscape maintenance and enforcement agreement with Kent County that ensures the landscape buffer is protected, monitored and maintained over the life of the project. Morgnec Road Solar shall submit to the PSC and to PPRP a copy of an executed Certificate of Maintenance Agreement for the landscape plan.

Agreed. A Landscape Maintenance and Enforcement Agreement will be prepared and agreed upon by the County. Copies of the executed agreement will be provided to the PSC and PPRP.

23. Within five years after obtaining a final unappealable CPCN, the Applicant shall coordinate with PPRP and/or a reviewing State Agency, and in consultation with the County and a representative of the local community, develop and implement a plan for one or more public amenities or enhancements, which may be located adjacent to Morgnec Road in the required 200-foot setback as a Gateway into the Town of Chestertown or another location in Kent County. The Applicant shall engage in these required activities in good faith and shall commit to

expending \$75,000 to implement the agreed upon plan.

The use of local artwork mounted outside the buffer or on the project fence has been discussed. Morgnec Road Solar will work closely with all stakeholders to develop the gateway plan.

24. Visual Impact Complaint Resolution - If Kent County, PPRP or any other party to the case provides information to Morgnec Road Solar indicating that reflective glare or visibility of structures within the perimeter fence is impacting a nearby road(s) or resident(s), Morgnec Road Solar shall coordinate with the PSC, PPRP and Kent County to determine a reasonable solution to mitigate negative impacts.

No visual impacts are anticipated at buffer maturity. However, Morgnec Road Solar will work with all listed entities to insure this is the case.

25. Exterior Lighting Plan - Morgnec Road Solar shall design a lighting distribution plan for the project to conform to standards in the Kent County Code for zoning districts where utility-scale solar energy systems are a permitted principal use, unless it is inconsistent with any other license condition of this CPCN, or any federal, State, or local laws or regulations.

No lighting is proposed for the project at this time. If lighting is proposed for the project it will be in compliance with the Kent County Code.

26. Archeological Discoveries - In the event that relics from unforeseen archeological sites are revealed and identified during construction, Morgnec Road Solar, in consultation with and as approved by the MHT, shall develop and implement a plan for avoidance and protection, data recovery, or destruction without recovery of such relics or sites.

Agreed.

27. Scenic Byways Coordination - Prior to construction, Morgnec Road Solar shall certify to the PSC and to PPRP that it has consulted with the MDOT SHA Scenic Byways Coordinator to ensure the project's site layout, landscaping, and lighting maintains the byway's visual quality.

Agreed.

28. Cycling Safety - Morgnec Road Solar shall instruct its suppliers and contractors to be aware of on-road bicycle route designations near the project and Maryland traffic laws regarding bicycles on the road, and include the condition in all contracts with suppliers or contractors.

Prior to construction Morgnec Road Solar will develop a delivery plan that will include provisions for cyclist safety.

29. MDOT SHA Bicycle and Pedestrian Coordination - Morgnec Road Solar shall certify to the PSC and to PPRP that it has consulted with the MDOT SHA Bicycle and Pedestrian Coordinator to ensure activity during construction minimizes conflict with bicyclists.

Prior to construction Morgnec Road Solar will develop a delivery plan that will include provisions for cyclist safety.

30. Fire Safety - Morgnec Road Solar shall install and maintain the project to meet the minimum guidelines set forth in the National Fire Protection Association's NFPA 1 Fire Code Handbook and NFPA 70 National Electrical Code.

Agreed.

31. Emergency Preparedness - Morgnec Road Solar shall contact the Kent County Office of Emergency Services, Chestertown Volunteer Fire Company and Kennedyville Volunteer Fire Company to develop appropriate protocols for addressing on-site emergencies.

All first responders shall be briefed on the site prior to construction.

32. Solar Decommissioning

a. At least 30 days prior to the start of construction, Morgnec Road Solar shall submit a decommissioning plan to the PSC and PPRP for review. The decommissioning plan shall describe the responsible party(ies), timeframes, and estimated costs for decommissioning, dismantling, and legal disposal of all components, including cables, wiring, and foundations below and above ground. The plan shall address site conditions after decommissioning, including stabilization, grading and seeding all disturbed areas and evenly distributing topsoil if stockpiled onsite. The plan shall maximize the extent of component recycling and reuse, where practicable, and ensure all materials are handled in accordance with applicable federal, State, county, and local requirements. Morgnec Road Solar shall not begin construction until Morgnec Road Solar has addressed all written comments from the PSC and PPRP, the PSC has approved the plan, and all specified financial guaranties are in place. The approved plan, and any updated plans, shall be filed in the PSC docket for Case No. 9499.

b. Morgnec Road Solar shall implement a financial mechanism to ensure that decommissioning costs are not borne by the State and/or the County at the end of the useful life of the project or in the event of abandonment of the project. The project will be considered to be abandoned if there is no electric generation provided to the grid for a period of twelve (12) consecutive months. The financial instrument may be in the form of a surety bond, a letter of credit issued by a financial institution, or other alternative arrangement and must be in place prior to the commencement of construction of the project. The financial mechanism is subject to the evaluation and approval of the PSC as to the credit-worthiness and financial capabilities of the counter-party(ies).

c. Morgnec Road Solar shall develop an estimate of decommissioning costs by a third-party consultant to determine the amount of the decommissioning surety bond letter of credit, or other alternative arrangement. The cost estimate shall address provisions for the safe removal and proper disposal of all components of the project, including any components containing hazardous or toxic materials.

d. Over the life of the project, Morgnec Road Solar shall update the decommissioning cost estimate and corresponding approved financial instrument every five (5) years after the issuance

of the CPCN to adjust for inflation and any other necessary changes. The salvage value of the panels may only be included in a five (5) year update as an offset to decommissioning costs if Morgnec Road Solar can provide evidence that a recycling market exists for such panels and the value is commercially supported. Morgnec Road Solar shall provide the revised cost estimate to the PSC for approval, file the revised cost estimate in the PSC docket for Case No. 9499, and execute an adjustment to the financial guarantee mechanism.

e. Morgnec Road Solar shall begin implementation of the approved decommissioning plan within 12 months after the project ceases to generate electricity for sale or upon expiration of the CPCN pursuant to Condition 3(b). Prior to starting implementation of the decommissioning plan, Morgnec Road Solar shall notify the PSC and PPRP of its intent to decommission.

Agreed.

33. Project Transfer - All provisions and requirements of this CPCN shall apply to any and all subsequent owners and/or operators of the project. In the event of any pending change in control or ownership, the current owner/operator shall notify the succeeding owner/operator of the existence of the requirements of this CPCN by letter and shall send a copy of this letter to the PSC and PPRP. Information provided to the PSC and PPRP shall also be filed in the PSC docket for Case No. 9499.

This is a statement for which no description of compliance is necessary.

34. Current Point of Contact – The Applicant or its legal successor shall specify a representative for project matters, including compliance with the CPCN conditions (“Representative”). The Applicant or its legal successor shall file in the PSC docket for Case No. 9499 the representative’s contact information, including the representative’s name, title, email address, and physical address. Any change in the representative or to the representative’s contact information shall be filed in the PSC docket within 30 days.

Agreed.

35. Compliance – Issues of non-compliance with CPCN conditions raised by Kent County, PPRP, or any other party to the case shall be addressed by the project’s Representative. Within 45 days of receiving notice, the project’s Representative shall submit, and file in the PSC docket for Case No. 9499, a summary of the non-compliance issue and a statement of how the project has addressed or is addressing the matter.

This is a statement for which no description of compliance is necessary.

36. Submissions to PPRP - Informational copies of the required communications, reports or studies referenced in the preceding license conditions shall be sent to PPRP by e-mail (and by mail if requested) at:

Director
Power Plant Assessment Division
Department of Natural Resources

July 20, 2023 Version

Tawes State Office Bldg., B-3
580 Taylor Avenue
Annapolis, Maryland 21401
e-mail: pprp.dnr@maryland.gov

This is a statement for which no description of compliance is necessary.

Article VI, Section 5.3.B(16)

The Planning Commission shall prepare findings of fact concerning the reasonable fulfillment of the objectives listed below.

a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan.

The Morgnec Road Solar Project is consistent with the following provision of the Kent County Comprehensive Plan.

- *The Project is consistent with Maryland's Twelve Planning Visions page 3 of the County Comprehensive Plan as noted here. Vision "1. Quality of Life and Sustainability: A high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment." The Project materially contributes to the State Renewable [Energy] Portfolio Standards ("RPS"). "2. Public Participation: Citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals." The Project has gone through an exhaustive public participation process at the Maryland Public Service Commission ("PSC"), and more recently initiated a public participation meeting to discuss the concept site plan. (see "public participation plan")... "4. Community Design: Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources." Approximately 139 acres located in Chesapeake Bay Critical Area shall be left in open space and not disturbed. The Project also avoids or minimizes impacts on wetlands, steep slopes, woodlands and other sensitive features. "5. Infrastructure: Growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner." The Project will have no impact on water resource infrastructure generating no wastewater demands. "6. Transportation: A well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers." There will be traffic due to construction activity, then only maintenance traffic will be generated by the Project, which will be minimal. Nonetheless, and as a conditions of it PSC approval, the Project will be providing the right of way for the future Chester River Boulevard (aka Chestertown By-pass)... "8. Economic Development: Economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged." The Project will provide employment opportunities in the field of sustainable energy. "9. Environmental Protection: Land and water resources, including the Chesapeake and Coastal Bays, are carefully managed to restore, and maintain healthy air and water, natural systems, and living resources." As stated previously there is no solar panels or land disturbance proposed in the Critical Area. "10. Resource Conservation: Waterways, forests, agricultural areas, open space, natural*

systems, and scenic areas are conserved.” The Project is not located in a Priority Preservation Area, retains all of the Critical Area as open space, and does not impact wetlands or woodlands. “11. Stewardship: Government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection.” The Project materially contributes to the State Renewable [Energy] Portfolio Standards (“RPS”). and “12. Implementation: Strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, State, and interstate levels to achieve these Visions.” The Project materially contributes to the State Renewable [Energy] Portfolio Standards (“RPS”). No disturbance is proposed within the Critical Area. There are no tidal or nontidal wetlands impacts. The Project has provided right of way for the future the Chester River Boulevard.

- The Project is consistent with the County’s Economic Development Goal (page 10) “Expand and Provide More Diversity in Size, Number and Type of Businesses” in that it will create another sustainable energy business in Kent County.
- The Project is providing extensive landscaping, buffer and setback from Maryland Route 291 in conformance with the County Comprehensive Plan goal to develop “town gateway standards” (page 28). Furthermore, the portion of the Project that cannot be screen due to the elevation of the property at that location, will not have any solar panels.
- Page 34 of the County Comprehensive Plan strategy states... “Coordinate future development with the provision of infrastructure.” While the Project will have little or no demand on County infrastructure (roads, sewer, schools) it will provide the right of way for the Chester River Boulevard. The same section of the County Plan also provides that the “The Planning Commission shall require suitable infrastructure for such development as part of its development review.” Again, while no impact on public facilities, the Project will nonetheless be providing for the Chester River Boulevard right of way. The County Comprehensive Plan then states the County should ... “Insure that development pays its share of the cost of providing public facilities and services.” As a condition of it PSC approval the Project will provide \$75,000 in funding toward “public amenity enhancements” in the area adjacent to Morgnec Road and Chestertown.
- The Project will enable the County citizens to have a more diverse, stable economy, and to demonstrate stewardship to the lands and waters. (Kent County Comprehensive Plan, Pages 87-88).
- The Project is consistent with the articulated goal to Promote Sustainable Building Practices and Provide an Effective Renewable Resource Strategy. Specifically, the Project supports the County strategies to encourage energy and water efficient building design and use of appropriate alternative energy sources, permit and encourage individual renewable energy use and to identify and zone locations suitable for larger/utility scale renewable resource facilities. The Project implements and promotes sustainable development (Kent County Comprehensive Plan, Pages 87-88).
- A principle strategy as part of the County Comprehensive Plan Transportation element is to “Support and encourage the construction of the Chester River Boulevard.” The Project will be providing on it’s property the right of way for the Chester River Boulevard.

b. Conformance with the provisions of all applicable rules and regulations of county, state, and federal agencies.

As evidenced throughout the PSC process approving the Certificate of Public Convenience and Necessity (CPCN) the Project is in conformance with applicable state regulations. Furthermore the conditions of PCS approval establish additional standards for the Project, all of which the applicant has demonstrated it has complied with, or will comply with at the appropriate time. Local agencies have reviewed the concept site plan and have found the plans to be compliant with applicable County regulations.

c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.

The client will be utilizing the existing entrance adjacent to the Maryland State Highway Administration District office along MD Route 291. The existing entrance is a long straight away with ample sight distance for oncoming vehicular traffic. For safety reasons, Vehicular and pedestrian movement within the fenced in array will be limited to only the operations and maintenance crews that are familiar with the site. The public will not be utilizing the site.

d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate lighting, and internal traffic control.

During normal course of operation loading and unloading would be performed by the Operation and Maintenance team consisting of lawn equipment etc. There will be no public use of the site, with exception to the possibility of a public amenity if later proposed. No lighting is proposed.

e. Reasonable demands placed on public services and infrastructure.

The Project will place little demand on public services or infrastructure. The Project will not generate any school children, use no sewer or water capacity, and have very limited need for emergency services. Except during construction, there will be little traffic to the property. Furthermore, Condition 20 of the PSC approval address road damage due to construction activities.

f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.

Sediment and Erosion control practices will be utilized following state regulations to minimize soil erosion. There is no sewage disposal proposed.

g. Protection of abutting properties and County amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.

The client will follow and comply with all local, state, and environmental to protect abutting properties and county amenities from undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, and stormwater runoff. Stormwater management and sediment control best management practices will be further detailed in preliminary and final site plan approval. A glare analysis has been conducted to evaluate the effects to any nearby airports, results are provided with this submittal.

h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.

Minimal tree removal is proposed for the project. Two existing hedgerows are being removed for array. The areas will be replanted in a pollinator habitat.

i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.

The applicant will be planting vegetative buffers and roadside planting to integrate the proposed development into the existing landscape. The applicant also intends to convert the areas under the solar panel from row crops into pollinator friendly habitat and livestock grazing land. Other areas previously tilled will become also become pollinator friendly habitat.

j. The applicant's efforts to design the development to complement and enhance the rural and historic nature of the County including incorporating into the project forms and materials that reflect the traditional construction patterns of neighboring communities.

No significant building structures proposed. This finding is not applicable to the proposed project.

k. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and the natural landscape.

The proposed solar array will maintain a 200' setback from all property lines. There are no permanent employees on-site, parking is limited to the proposed turn around areas within the fenced area of the solar array. Operations and Maintenance will utilize proposed turnaround areas for parking. Landscaping for the development will consist of a 60' landscape buffer planted generally along property lines consisting of native deciduous trees, evergreen trees, understory trees, and shrubs with pollinator meadow to fill in the remainder of the buffer. The remaining areas beyond the landscape buffer to the site fencing will consist of additional pollinator meadow with exception to the east property line where agricultural practices may continue.

December 5, 2016

ERI 0788#0664

Attn.: Ms. Melissa Hall
H & B Solutions, LLC
37534 Oliver Dr.
Selbyville, DE 19975

Re: Preliminary Wetlands Review
Morgnec Road, Kent County, Maryland

Dear Ms. Hall:

On behalf of Urban Grid, Environmental Resource, Inc. (**ERI**) completed a preliminary wetlands review at the noted project site as requested by H & B Solutions, LLC (**HBS**). The land under review is identified as Tax Map 37, Parcels 40, 174, and 232. This is only an initial review of the site to assist state and federal regulators regarding jurisdictional ditches and wetlands. Mr. Chris Pajak, MDE's representative for this area, made a site visit along with HBS and ERI on November 21, 2016. At that time, crops had been harvested and the fields disked (**Photograph 1**) making a number of smaller features visible for review.

A main reason for this review of the site is to avoid regulated impacts to wetlands, waters and their buffers. Work is proposed within the existing farm fields, outside of the Critical Area, that make up the majority of this site. To minimize delineation time in the field, a 35 foot buffer has been extended into field from the drip line of the woods to avoid possible buffer impacts. HBS will make sure that the solar panels, inverter pads, and other facilities are not constructed anywhere within the wetlands, waters or buffers. Further, directional drilling will be used to connect to the substation and any other subsurface wiring so that no wetlands, waters or their buffers will be impacted. Davis, Bowen & Friedel, Inc. (**DBF**) has prepared a project plan that illustrates these potential wetlands, waters, and buffers.

From USGS mapping dated 1953 the limit of the fields was greater than the extent currently being farmed. From the time of the pre- Clear Water Act (**CWA**) mapping to the present, woods have been allowed to expand such that the blue line features are now within the forest. That is, the fields were cleared, manipulated and farmed prior to the CWA. As a result, the normal condition is that these active agricultural fields are typically viewed as non-jurisdictional. Further, as noted in your Site Feasibility Report most of the soil mapped in the fields is better drained and not hydric. As a result most of the field area should not be regulated as wetlands.

During the visit on November 21 all crops had been harvested so we were able to review a number of grassed waterways that were noted on aerial photography. Precipitation for the year prior to this visit had been slightly above average based on NOAA data and all in-field drainage features were dry. Mr.

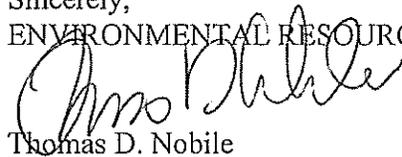
Pajak indicated that the many grassed waterways would not be identified as jurisdictional waters. An example of such a feature is provided in **Photograph 2** that is located in the west central field and grades east toward a blue line feature in the woods. There is one jurisdictional ditch at southwest corner of the property (**Photograph 3**); the 35 foot buffer will be added from the top of the ditch bank.

National Wetlands Inventory (**NWI**) mapping units are present onsite. These units are within the wooded portion of the tract. The NWI does not map any farmed wetlands (**Pf**), but on the Merlin wetland layer there is a Pf unit between Morgnec Road and the farmstead. Some hydric soil is mapped in this area. Available historic photos with regard to the mapped farmed wetland do not support this classification as it appears to be regularly farmed beginning prior to the CWA and not typically ponded with water for extended periods during the growing season. As a result, the grassed waterway in this area drains only upland field and is not jurisdictional; similar to the other grassed waterways. This grassed waterway grades to one of the two wildlife impoundments (**Photograph 4**) in the eastern field that are likely jurisdictional. Most of each impoundment is within the Critical Area; no work is proposed in the Critical Area portion of the property.

In summary, there are a few jurisdictional features within the active farming area. Buffers have been added and these features should be able to be avoided during design. The perimeter areas which can be designated as jurisdictional can be easily avoided. It is noted that Urban Grid typically purchases significant more acreage than is required for their solar project; therefore, the recommendation would be to delineate a limit of disturbance using setbacks and buffers in order to avoid any impacts. DBF has prepared a plan illustrating the site conditions reviewed in this letter.

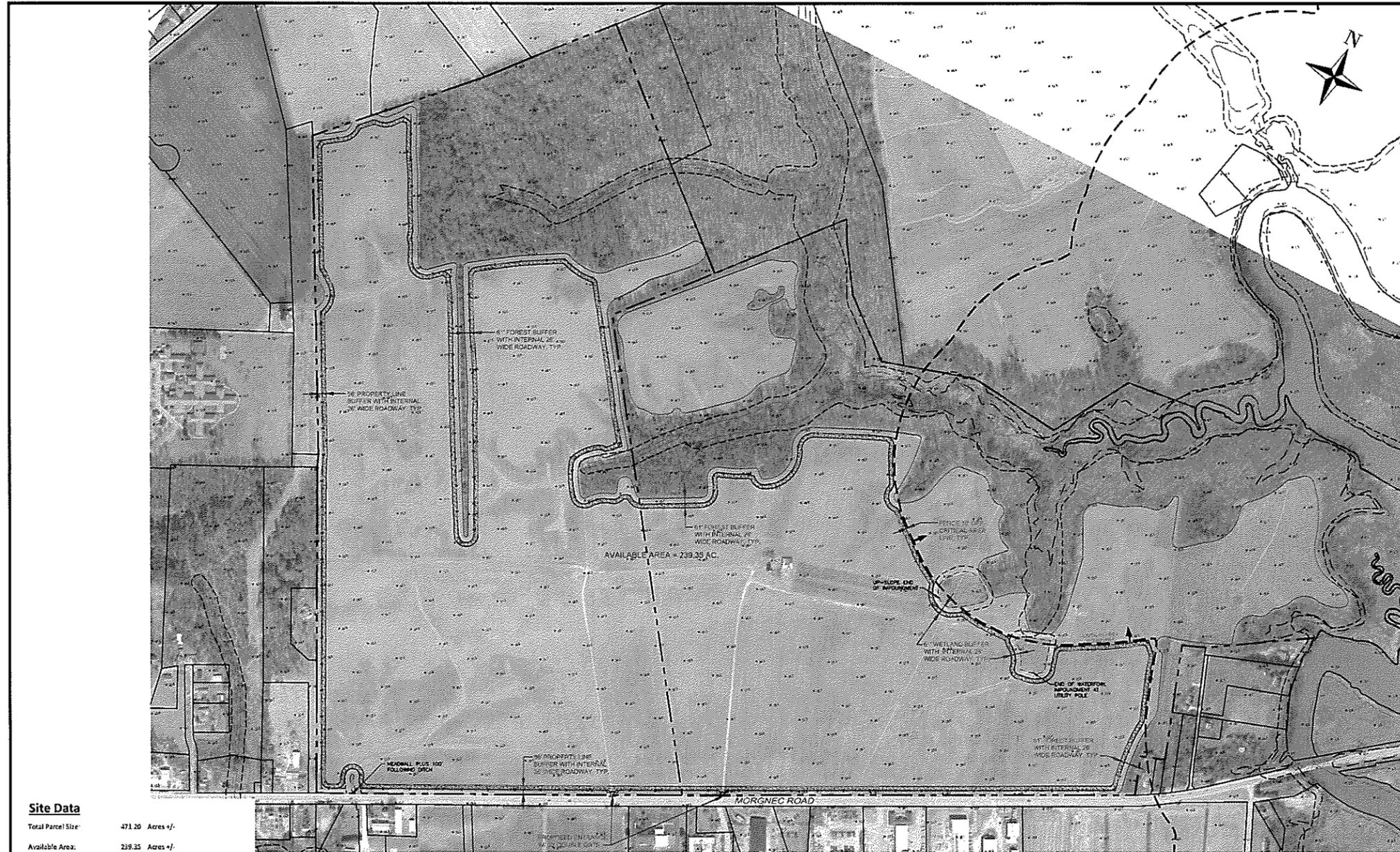
Do not hesitate to call me regarding this report or any issue that may help us improve our service to you and your client. Thank you for having ERI assist you with this regulatory review.

Sincerely,
ENVIRONMENTAL RESOURCES, INC.



Thomas D. Nobile
Professional Wetland Scientist 000389
Certified Professional Soil Scientist 03297

Encl: site photos



Site Data

Total Parcel Size:	471.20 Acres +/-
Available Area:	239.35 Acres +/-
Deed Reference:	654/193
Plat Reference:	--
Owner:	Fair Promise Family Limited Partnership 2526D Howell Point Road Betterson, MD 21613
Site Address:	616 Morgnec Road Chestertown, MD 21620
Zoning Classification:	AG
Existing Land Use:	Agricultural
Property Line Data:	GIS data from Kent County
Physical Feature & Elev. Data:	GIS data from Kent County
Wetlands Data:	Data from National Wetlands Inventory (NWI) and Environmental Resources, Inc. (ERI)

LEGEND

-----	PROPERTY LINE
-----	CRITICAL AREA LINE
-----	LIMIT OF FLOODPLAIN
-----	NWI WETLAND
-----	NWI WETLAND BUFFER
-----	WETLAND - from ERI
-----	WETLAND BUFFER - from ERI
-----	26' WIDE ROADWAY
-----	PROPOSED FENCE



NO.	DATE	REVISIONS	BY

Andrews, Miller & Associates
 ARCHITECTS ENGINEERS SURVEYORS
 10000 W. PATENT ROAD
 SUITE 200
 CHESTERTOWN, MD 21613
 TEL: 410-326-1100
 FAX: 410-326-1101
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DAVIS, BOWEN & FRIEDEL, INC.
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 1000 W. PATENT ROAD
 SUITE 200
 CHESTERTOWN, MD 21613
 TEL: 410-326-1100
 FAX: 410-326-1101
 WWW.DBF.COM

**SITE PLAN
 PROPOSED SOLAR FIELD
 MORGNEC ROAD**
 CHESTERTOWN - KENT COUNTY, MARYLAND
 This Map Sh. Parcel 46 & 174

DRAWN	DESIGNED	CHECKED
SKG	ISE	JR
DATE DECEMBER 2016		
SCALE 1" = 300'		
PROJ. NO. 23900003		
SHEET NO. C - 102		
2 of 2		

C:\Users\jbowen\Documents\2016\12\23900003\102_SITELAYOUT.dwg 12/23/2016 10:45:11 AM

Morgnec Road, Kent County, Maryland

Photo 1: Fields had been harvested and disked by the time of the November 21, 2016 visit. Also in this photo is a grassed waterway on a steep slope.



Photo 2: A grassed waterway, not jurisdictional per field review by Mr. Pajak, located upgradient of a blue line that is located within the woods.



Morgnec Road, Kent County, Maryland

Photo 3: In the southwest corner of the field, there is a short jurisdictional ditch that drains under Morgnec Road.



Photo 4: Some of the non-jurisdictional grassed waterways drain toward the wildlife impoundments in the eastern field.



MEMORANDUM

To: Dane Bauer/Melissa Hall; cc: Tom Noble

From: Chris M. Pajak/Project Reviewer
Maryland Department of the Environment/Nontidal Wetlands Division

Date: December 13, 2016

Re: Tax Map 37, Parcels 40, 174 and 232 – Morgnec Road, Kent County, Maryland

The Maryland Department of the Environment, Nontidal Wetlands Division has reviewed the project limits of disturbance and nontidal wetlands noted for a proposed solar facility at the subject location. The Department is in agreement with the wetlands delineation and that the project shall have no impacts to jurisdictional areas of the State, including regulated 25 foot buffer areas. The Department also concurs with the December 5, 2016 letter provided by Environmental Resources, Inc. regarding the project. If this project does not disturb wetlands or wetland buffers, then no authorization from this office is necessary. It is our desire to see that these types of projects can take place without sacrificing any wetland functions that might exist on potential sites within the region. The Department is pleased that these specific projects have been designed to avoid such wetland losses. If I can be of further assistance, please feel free to contact me at chris.pajak@maryland.gov or at 443-463-9810.

Chris Pajak

FORGESOLAR GLARE ANALYSIS

Project: **Morgnec**

Site configuration: **Morgnec**

Analysis conducted by Erin Walkowiak (erin@urbangridco.com) at 16:01 on 13 Nov, 2018.

U.S. FAA 2013 Policy Adherence

The following table summarizes the policy adherence of the glare analysis based on the 2013 U.S. Federal Aviation Administration Interim Policy 78 FR 63276. This policy requires the following criteria be met for solar energy systems on airport property:

- No "yellow" glare (potential for after-image) for any flight path from threshold to 2 miles
- No glare of any kind for Air Traffic Control Tower(s) ("ATCT") at cab height.
- Default analysis and observer characteristics (see list below)

ForgeSolar does not represent or speak officially for the FAA and cannot approve or deny projects. Results are informational only.

COMPONENT	STATUS	DESCRIPTION
Analysis parameters	PASS	Analysis time interval and eye characteristics used are acceptable
Flight path(s)	PASS	Flight path receptor(s) do not receive yellow glare
ATCT(s)	N/A	No ATCT receptors designated

Default glare analysis parameters and observer eye characteristics (for reference only):

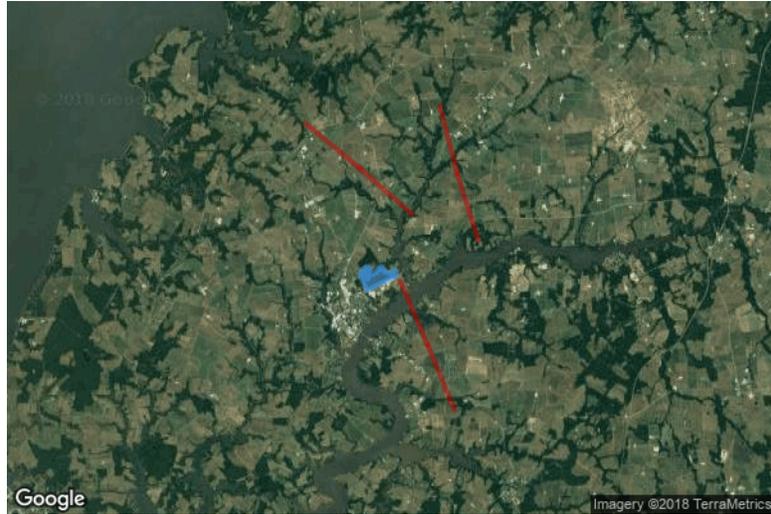
- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

FAA Policy 78 FR 63276 can be read at <https://www.federalregister.gov/d/2013-24729>

SITE CONFIGURATION

Analysis Parameters

DNI: peaks at 1,000.0 W/m²
Time interval: 1 min
Ocular transmission
coefficient: 0.5
Pupil diameter: 0.002 m
Eye focal length: 0.017 m
Sun subtended angle: 9.3
mrad
Site Config ID: 22661.3946



PV Array(s)

Name: Morgnec Solar

Axis tracking: Fixed (no rotation)

Tilt: 0.0°

Orientation: 180.0°

Rated power: -

Panel material: Smooth glass with AR coating

Reflectivity: Vary with sun

Slope error: correlate with material



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	39.226348	-76.058547	28.41	0.00	28.41
2	39.232399	-76.062109	70.32	0.00	70.32
3	39.235025	-76.061036	55.78	0.00	55.78
4	39.231202	-76.058246	72.00	0.00	72.00
5	39.231235	-76.057796	70.60	0.00	70.60
6	39.235340	-76.060585	64.32	0.00	64.32
7	39.236221	-76.058912	65.34	0.00	65.34
8	39.235920	-76.057814	64.81	0.00	64.81
9	39.234132	-76.056153	54.91	0.00	54.91
10	39.233815	-76.055890	48.08	0.00	48.08
11	39.233198	-76.056622	50.44	0.00	50.44
12	39.232714	-76.056338	55.47	0.00	55.47
13	39.232789	-76.056080	59.81	0.00	59.81
14	39.233665	-76.053709	53.55	0.00	53.55
15	39.234106	-76.053902	55.94	0.00	55.94
16	39.234372	-76.052980	59.47	0.00	59.47
17	39.234820	-76.052282	51.74	0.00	51.74
18	39.235519	-76.052465	27.79	0.00	27.79
19	39.236225	-76.050254	28.20	0.00	28.20
20	39.235926	-76.050061	31.12	0.00	31.12
21	39.234928	-76.050104	32.91	0.00	32.91
22	39.233748	-76.048109	25.35	0.00	25.35
23	39.233782	-76.046414	18.98	0.00	18.98
24	39.233449	-76.045727	18.89	0.00	18.89
25	39.233566	-76.045019	20.69	0.00	20.69
26	39.234181	-76.045405	18.93	0.00	18.93
27	39.234712	-76.043517	20.30	0.00	20.30
28	39.233782	-76.042916	17.94	0.00	17.94
29	39.232286	-76.042959	17.16	0.00	17.16

Flight Path Receptor(s)

Name: FP 1

Description:

Threshold height: 50 ft

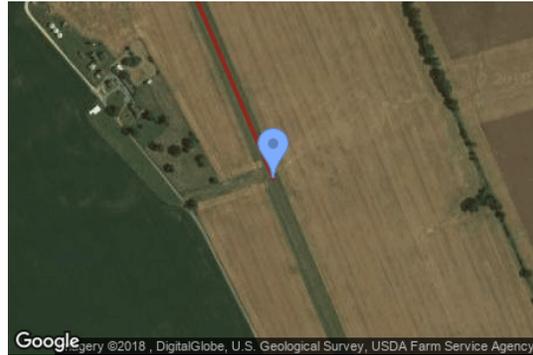
Direction: 156.7°

Glide slope: 3.0°

Pilot view restricted? Yes

Vertical view: 30.0°

Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	39.203613	-76.025877	56.16	50.00	106.16
Two-mile	39.230174	-76.040635	17.08	642.53	659.62

Name: FP 2

Description:

Threshold height: 50 ft

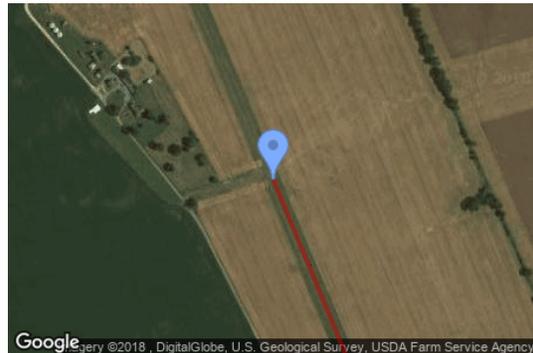
Direction: 337.6°

Glide slope: 3.0°

Pilot view restricted? Yes

Vertical view: 30.0°

Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	39.203580	-76.025877	56.19	50.00	106.20
Two-mile	39.176851	-76.011636	47.02	612.63	659.65

Name: FP 3

Description:

Threshold height: 50 ft

Direction: 129.6°

Glide slope: 3.0°

Pilot view restricted? Yes

Vertical view: 30.0°

Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	39.276986	-76.062485	79.74	50.00	129.74
Two-mile	39.295435	-76.091277	76.67	606.52	683.19

Name: FP 4

Description:

Threshold height: 50 ft

Direction: 311.1°

Glide slope: 3.0°

Pilot view restricted? Yes

Vertical view: 30.0°

Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	39.277003	-76.062506	79.56	50.00	129.57
Two-mile	39.257992	-76.034332	0.00	683.02	683.02

Name: FP 5

Description:

Threshold height: 50 ft

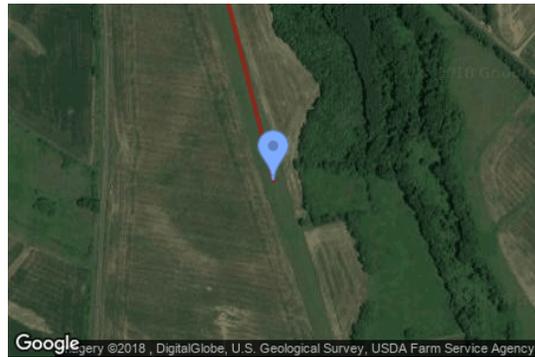
Direction: 165.6°

Glide slope: 3.0°

Pilot view restricted? Yes

Vertical view: 30.0°

Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	39.274764	-76.010167	66.09	50.00	116.10
Two-mile	39.302774	-76.019435	62.95	606.61	669.55

Name: FP 6

Description:

Threshold height: 50 ft

Direction: 342.3°

Glide slope: 3.0°

Pilot view restricted? Yes

Vertical view: 30.0°

Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	39.274697	-76.010124	66.10	50.00	116.10
Two-mile	39.247160	-75.998731	37.17	632.38	669.55

GLARE ANALYSIS RESULTS

Summary of Glare

PV Array Name	Tilt (°)	Orient (°)	"Green" Glare min	"Yellow" Glare min	Energy kWh
Morgnec Solar	0.0	180.0	0	0	-

Total annual glare received by each receptor

Receptor	Annual Green Glare (min)	Annual Yellow Glare (min)
FP 1	0	0
FP 2	0	0
FP 3	0	0
FP 4	0	0
FP 5	0	0
FP 6	0	0

Results for: Morgnec Solar

Receptor	Green Glare (min)	Yellow Glare (min)
FP 1	0	0
FP 2	0	0
FP 3	0	0
FP 4	0	0
FP 5	0	0
FP 6	0	0

Flight Path: FP 1

0 minutes of yellow glare
0 minutes of green glare

Flight Path: FP 2

0 minutes of yellow glare
0 minutes of green glare

Flight Path: FP 3

0 minutes of yellow glare

0 minutes of green glare

Flight Path: FP 4

0 minutes of yellow glare

0 minutes of green glare

Flight Path: FP 5

0 minutes of yellow glare

0 minutes of green glare

Flight Path: FP 6

0 minutes of yellow glare

0 minutes of green glare

Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.

Glare analyses do not account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.

Several calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare.

The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size.

Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)

Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.

Glare vector plots are simplified representations of analysis data. Actual glare emanations and results may differ.

The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual results and glare occurrence may differ.

Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.



Notice Criteria Tool

[Notice Criteria Tool - Desk Reference Guide V_2014.2.0](#)

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

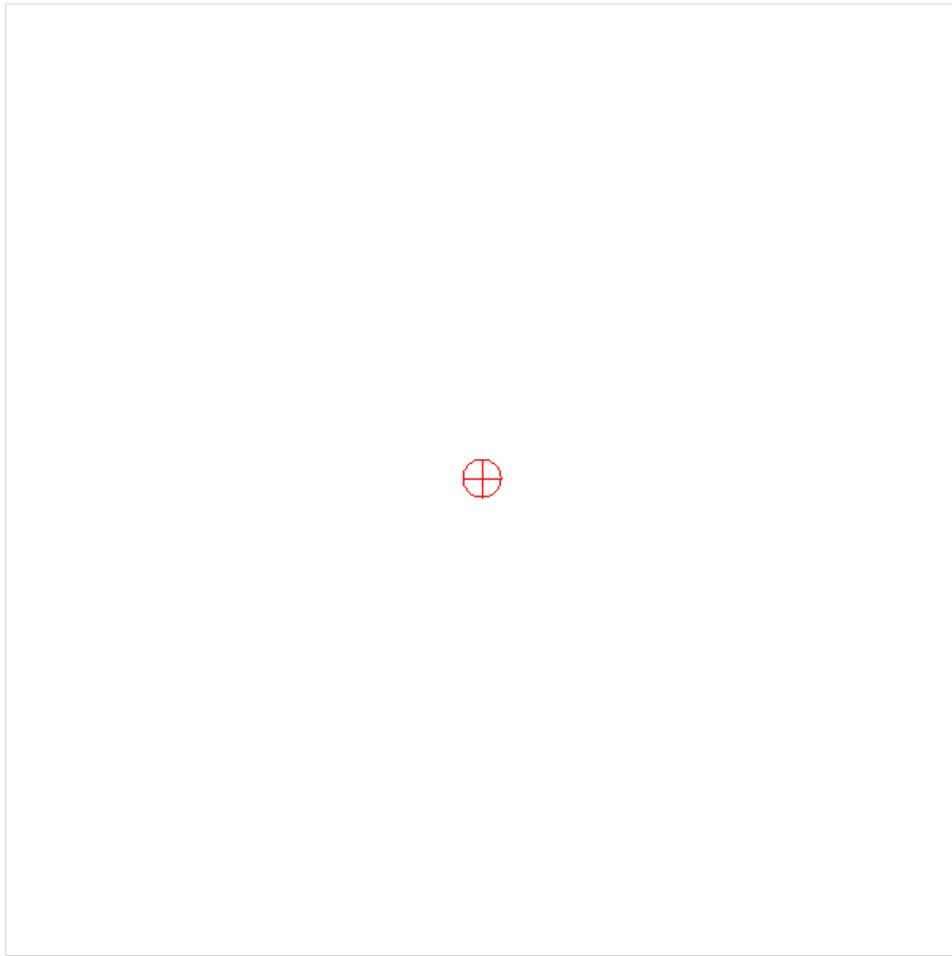
If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="39"/> Deg <input type="text" value="13"/> M <input type="text" value="44.6"/> S <input type="button" value="N ▼"/>
Longitude:	<input type="text" value="76"/> Deg <input type="text" value="03"/> M <input type="text" value="20.6"/> S <input type="button" value="W ▼"/>
Horizontal Datum:	<input type="button" value="NAD83 ▼"/>
Site Elevation (SE):	<input type="text" value="35"/> (nearest foot)
Structure Height :	<input type="text" value="20"/> (nearest foot)
Traverseway:	<input type="button" value="No Traverseway ▼"/> (Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes

Results

You do not exceed Notice Criteria.



CRITICAL AREA COMMISSION
 FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS
 1804 WEST STREET, SUITE 100
 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Kent County, MD

Date: 7/21/2023

Tax Map #	Parcel #	Block #	Lot #	Section
37	174 & 40			

FOR RESUBMITTAL ONLY	
Corrections	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>
*Complete Only Page 1 General Project Information	

Tax ID: 033918/034930/034922/051991/038480

Project Name (site name, subdivision name, or other) | Morgnec Road Solar, LLC Concept Plan

Project location/Address | 616 Morgnec Road

City | Chestertown | Zip | 21620

Local case number |

Applicant: Last name | First name |

Company | Morgnec Road Solar, LLC

Application Type (check all that apply):

- | | | | |
|---------------------------|--------------------------|-------------------|-------------------------------------|
| Building Permit | <input type="checkbox"/> | Variance | <input type="checkbox"/> |
| Buffer Management Plan | <input type="checkbox"/> | Rezoning | <input type="checkbox"/> |
| Conditional Use | <input type="checkbox"/> | Site Plan | <input checked="" type="checkbox"/> |
| Consistency Report | <input type="checkbox"/> | Special Exception | <input type="checkbox"/> |
| Disturbance > 5,000 sq ft | <input type="checkbox"/> | Subdivision | <input type="checkbox"/> |
| Grading Permit | <input type="checkbox"/> | Other | <input type="checkbox"/> |

Local Jurisdiction Contact Information:

Last name _____ First name _____

Phone # 410-778-7475 Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Proposed 200 acre solar array farm.

Yes Intra-Family Transfer <input type="checkbox"/> Grandfathered Lot <input type="checkbox"/>	Yes Growth Allocation <input type="checkbox"/> Buffer Exemption Area <input type="checkbox"/>
---	---

Project Type (check all that apply)

Commercial <input type="checkbox"/> Consistency Report <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Mixed Use <input type="checkbox"/> Other <input checked="" type="checkbox"/> <u>Solar Array</u>	Recreational <input type="checkbox"/> Redevelopment <input type="checkbox"/> Residential <input type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Water-Dependent Facility <input type="checkbox"/>
---	--

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft		Acres	Sq Ft
IDA Area			Total Disturbed Area	0	
LDA Area			# of Lots Created		
RCA Area	139.65				
Total Area	471.253				

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	161.50		Existing Impervious Surface	0	
Created Forest/Woodland/Trees	0		New Impervious Surface		
Removed Forest/Woodland/Trees	0		Removed Impervious Surface		
			Total Impervious Surface		

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

<p><u>Variance Type</u></p> Buffer <input type="checkbox"/> Forest Clearing <input type="checkbox"/> HPA Impact <input type="checkbox"/> Impervious Surface <input type="checkbox"/> Expanded Buffer <input type="checkbox"/> Nontidal Wetlands <input type="checkbox"/> Setback <input type="checkbox"/> Steep Slopes <input type="checkbox"/> Other <input type="checkbox"/> _____	<p><u>Structure</u></p> Acc. Structure Addition <input type="checkbox"/> Barn <input type="checkbox"/> Deck <input type="checkbox"/> Dwelling <input type="checkbox"/> Dwelling Addition <input type="checkbox"/> Garage <input type="checkbox"/> Gazebo <input type="checkbox"/> Patio <input type="checkbox"/> Pool <input type="checkbox"/> Shed <input type="checkbox"/> Other <input type="checkbox"/> _____
--	---

Plane that flew over DC crashes in rural Virginia

Four die, aircraft destroyed in crash

WASHINGTON (AP) — A loud sound, which some people said shook their homes, was felt and heard across the Mid-Shore Sunday afternoon. Shortly after the first report, Queen Anne's Department of Emergency Services said they received multiple calls and were investigating the source.

The pilot of a business jet that flew over Washington and crashed in a remote part of Virginia appeared to be slumped over and unresponsive, two U.S. officials said Monday, recounting observations by fighter pilots who intercepted the wayward flight.

The revelations came as federal investigators trudged through rugged terrain to reach the site where the plane slammed into a mountain Sunday, killing four people. *The New York Times* reported that the daughter and 2-year-old granddaughter of the company's owner were aboard the plane. The officials who said that the fighter pilots saw the civilian pilot slumped over had been briefed on the matter and spoke on condition of anonymity because they were not authorized to discuss details of the military operation.

On Sunday, the private plane's erratic flight path — inexplicably, turning around over New York's Long Island to fly directly over the nation's capital — had prompted the military to scramble fighter jets, which caused a sonic boom heard in Washington, Maryland and Virginia.

Remote terrain around the crash site posed major challenges to the investigation. Eric Weiss, a spokesperson for the NTSB, said Monday afternoon that it was taking investigators several hours to hike into the rural area near the community of Montebello, about 60 miles (97 km) southwest of Charlottesville. They expect to be on the scene for at least three to four days.

Speaking at a briefing Monday morning, NTSB investigator Adam Gerhardt said the wreckage is "highly fragmented" and investigators will examine the most

delicate evidence at the site, after which the wreckage will be moved, perhaps by helicopter, to Delaware, where it can be further examined. The plane is not required to have a flight recorder but it is possible that there are other avionics equipment that will have data that they can examine, Gerhardt said.

The Virginia State Police issued a statement saying that because of the severity of the crash, human remains will be transported to the state medical examiner's office for autopsy and identification. The Federal Aviation Administration said that the victims included the pilot and three passengers but didn't release their names. There were no survivors.

Investigators will look at when the pilot became unresponsive and why aircraft flew the path that it did, Gerhardt said. They will consider several factors that are routinely examined in such probes including the plane, its engines, weather conditions, pilot qualifications and maintenance records, he said. A preliminary report will be released in 10 days.

Meanwhile, the White House expressed its "deepest condolences" on Monday to the family of those on board the plane.

"We need to keep them front and center," National Security Council spokesperson John Kirby said.

Kirby deferred questions about a follow-up report on the security response over Washington airspace to the Pentagon and U.S. Secret Service. But he said, "What I saw was just a classic, textbook response."

The White House was continuously informed as the military jets tried to contact the pilot of the civilian plane and monitored the small aircraft's path from Washington airspace to rural Virginia, Kirby said.

Air Traffic Control audio from the half-hour before the plane crashed captures voices that identify themselves as military pilots trying to communicate with the pilot of the private plane, according to recordings on LiveATC.net.

"If you hear this transmission, contact us," said one pilot who identifies herself

as being with the Air National Guard.

Several minutes later, a military pilot says: "You have been intercepted. Contact me."

The FAA said the Cessna Citation took off from Elizabethton, Tennessee, on Sunday and was headed for Long Island's MacArthur Airport before it turned around to take a straight path to D.C. and crashed around 3:30 p.m.

The plane flew directly over the nation's capital. According to the Pentagon, six F-16 fighter jets were immediately deployed to intercept the plane. Two aircraft from the 113th Fighter Wing, out of Joint Base Andrews in Maryland, were the first to reach the Cessna to begin attempts to contact the pilot. Two F-16 aircraft out of New Jersey and two from South Carolina also responded.

Flight tracking sites showed the plane suffered a rapid spiraling descent, dropping at one point at a rate of more than 30,000 feet (9,144 meters) per minute before crashing in the St. Mary's Wilderness.

In Fairfax, Virginia, Travis Thornton was settled on a couch next to his wife, Hannah, and had just begun recording himself playing guitar and harmonica when they were startled by a loud rumble and rattling that can be heard on the video. The couple jumped up to investigate. Thornton tweeted that they checked in with their kids upstairs and then he went outside to check the house and talk to neighbors.

The plane that crashed was registered to Encore Motors of Melbourne Inc, which is based in Florida. John Rumpel, a pilot who runs the company said his family was returning to their home in East Hampton, on Long Island, after visiting his house in North Carolina.

Rumpel told the newspaper he didn't have much information from authorities but suggested the plane could have lost pressurization.

"It descended at 20,000 feet a minute, and nobody could survive a crash from that speed," Rumpel told the newspaper.



**MORGNEC
SOLAR**

**INFORMATIONAL
COMMUNITY MEETING
TUESDAY, JUNE 20TH @7PM**

**Gibson Center for the Arts
Washington College
Hotchkiss Recital Hall
300 Washington Avenue
Bldg# GCAC3
Chestertown, MD 21620**



URBAN GRID
A Brookfield Renewable Company

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FLYIN

From Page 16

Georgetown, Delaware, participated with three ex-military aircraft: two British trainers (de Havilland DHC-1 “Chipmunks”) and one U.S. Army observation plane (Cessna L-19/O-1 “Bird Dog”). Mark Stewart, Arnold, Maryland, brought three of his very early “Cubs” — two 40 hp Taylor Aircraft Co. and one 65 hp Piper. A rare treat

for aficionados of grass-roots aviation was seeing a formation flight of three (1935, '36 & '37) 40 hp “Cubs” including Carl Deakayne’s, Federalsburg, Maryland.

Even the Experimental Aircraft Association (EAA) convention in Oshkosh, Wisconsin will struggle to put three of these rare aircraft in the air at once. Plans are underway for next year’s fly-in. If you would like to be involved contact the Massey Aerodrome.



Three 40 hp 1930’s Cubs and one ‘46 aerobatic Cub (Starburst pattern on wings and tail) all taxi to take-off.



Daniel Wilkins’ of Portland, Pennsylvania, 1941 WACO.



A Stearman craft, far right, and two WACOS, all three are new restorations of the highest quality.

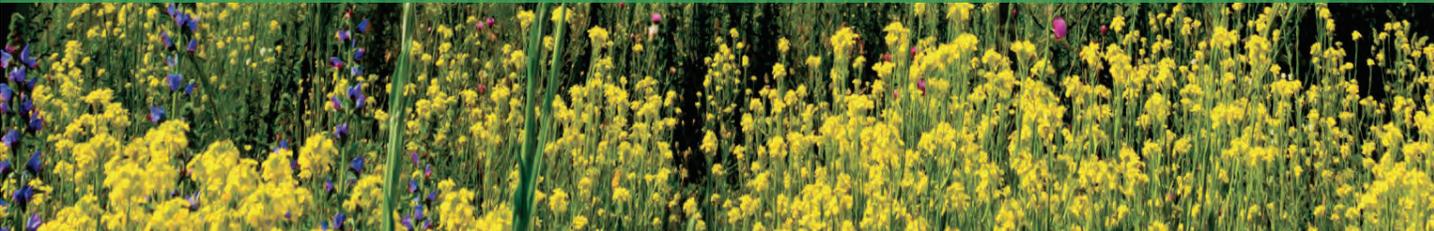
INFORMATIONAL COMMUNITY MEETING TUESDAY, JUNE 20TH @ 7PM



**Gibson Center for the Arts,
Washington College**

Hotchkiss Recital Hall
300 Washington Avenue, Bldg# GCAC3
Chestertown, MD 21620

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Kent County News

-A Direct Descendant Of The Chestertown Spy, Established 1793-

Thursday, June 15, 2023 Print Edition

Home News Sports Opinion Schools Obituaries Community Real Estate Multimedia e-Edition

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Ads for Informational Community Meeting (June 20, 2023) in Chestertown, MD

INFORMATIONAL COMMUNITY MEETING
TUESDAY, JUNE 20TH @ 7PM

Gibson Center for the Arts,
 Washington College

Hotchkiss Recital Hall
 300 Washington Avenue, Bldg# GCAC3
 Chestertown, MD 21620

MORGNEC SOLAR **URBAN GRID**

URBANGRIDSOLAR.COM

Jun 15, 2023. Informational Community Meeting (June 20, 2023) Events Ads from Kent County News

Other Ads from Informational Community Meeting (June 20, 2023)

Community meeting
 06-08-2023

Informational Community Meeting (June 20, 2023)

300 Washington Ave Bldg
 Chestertown, MD 21620
 (Gibson Center for the ARTs)

Get Directions

Street View



Categories

Events

Topics

- Morgnec Solar Meeting in Chestertown, MD
- Informational Community Meeting in Chestertown, MD
- Community Meeting in Chestertown, MD

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GOVERNMENT

Need a Ride?

Caroline, Dorchester, Kent, Queen Anne's and Talbot Counties

For Information: 866-330-6878

- Medical Appointment
- Shopping & Social
- Work & Training
- Chesapeake College

Safe efficient public transportation
Handicapped Accessible
Travel Trainer can teach you how

Need a Ride?

MUST- Maryland Upper Shore Transit

Publication Date: 06-15-2023

GOVERNMENT

Happy Father's Day

Johnny Ray Salling

Publication Date: 06-15-2023

CHURCH

HOLY ROSARY CHURCH PRESENTS

1ST ANNUAL POLISH BEER TASTING

\$25 ENTRY FEE

INCLUDES SAMPLING OF 7 MOST POPULAR POLISH BEERS (40Z)

06.24.23 • 6PM TO 10 PM

MUSIC • POLISH FOOD FOR PURCHASE • BEER

408 SOUTH CHESTER STREET, FELLOWS POINT

1st Annual Polish Beer Tasting

Holy Rosary Church

Publication Date: 06-15-2023

EVENTS

INFORMATIONAL COMMUNITY MEETING

TUESDAY, JUNE 20TH @ 7PM

Gibson Center for the Arts, Washington College

HOLIDAYERS RECREATION HALL
300 WASHINGTON AVENUE, RISEBT, CGAC3
CHESDORTOWN, MD 21620
URBANGRID

Community meeting

Informational Community Meeting (June 20, 2023)

Publication Date: 06-15-2023

GOVERNMENT

Maryland

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

The Maryland Department of Housing Project Based Senior waitlist is currently open. Applicants must be 62 or older to qualify for this program. To apply please visit <https://www.waitlistcheck.com/MD1645>. For more information or if you need assistance completing an online application contact us at 1-800-445-4340

Based Senior Waitlist Is Currently Open

Maryland Department of Housing and Commun...

Publication Date: 06-14-2023

ORGANIZATIONS

PUT LIFE BACK IN YOUR LIFE

Put Life Back in Your Life

Talbot County Health Department - Marci Stinson

Publication Date: 06-11-2023

ORGANIZATIONS

COLLEGE LOANS

The First Step to getting here...

Can start with us

The Thorn Foundation

The Columbus W. Thorn, Jr. Foundation has been lending money for over 30 years to worthy Cecil County students to attend college. Must be a resident of Cecil County.

College Loans

The Thorn Foundation

Publication Date: 06-09-2023

PUBLIC NOTICE

Seeking Unicorn Foster Homes!

We are looking for passionate, caring & committed animal lovers to be foster parents for the most amazing angels in Queen Anne's County.

Do You Have A Unicorn Foster Home?

- Students home from college
- Teachers off for the summer
- Can't your animals long-term
- No Dogs
- No Cats
- No Small Animals
- No Children

Scan Me to See Animals Available for Adoption at QAC

Seeking Unicorn Foster Homes!

Queen Anne's County

Publication Date: 06-09-2023

EVENTS

KENNARD LIBRARY PRESENTS

JUNETEENTH Festival

DEDICATION & Giving DAY

June 10, 2023
10am-4pm

410 Little Kidwell Avenue, Centreville, MD

NEW THIS YEAR! JUNETEENTH PARADE BEGINS AT OACHS • 11AM

FREE ADMISSION

FOOD TRUCKS • WORKSHOPS • MUSEUM

Free Admission

Juneteenth Festival (June 10, 2023)

Publication Date: 06-09-2023

EVENTS

PLAYERS FOR HEROES

ROTARY CLUB OF EASTON, MD

12TH ANNUAL FLAGS FOR HEROES

SPONSOR HERO SPONSOR HERO

12th Annual Flags for Heroes

Rotary Club of Easton

Publication Date: 06-09-2023

ORGANIZATIONS

IF YOU OR SOMEONE YOU KNOW IS STRUGGLING WITH ADDICTION.

Opioid Misuse

The Cecil County Prevention Project

Publication Date: 06-09-2023

MISC

Calvert Health

CALVERT COUNTY HEALTH DEPARTMENT

2023 Community Health Survey

Can you spare a few moments to take a survey Survey About Health Needs In Our Com...

2023 Community Health Survey

Publication Date: 06-09-2023

Name

- 1 SNK HOLDINGS LLC
- 2 Thomas Tucker
- 3 CROWN CASTLE USA INC
- 4 TRINITY EVANGELICAL LUTHERAN
- 5 BRAYTON FAMILY LIMITED PARTNERSHIP
- 6 Arthur Foster Sr and Anne Foster
- 7 Thomas and Patricia Unruh
- 8 Joan Baxter and Marlene Starkey
- 9 LEAVERTON I LIMITED PARTNERSHIP
- 10 MORGAN CREEK LAND HOLDINGS LLC
- 11 James Giordana
- 12 KENT REAL ESTATE LLC
- 13 BRICKYARD HOLDINGS LLC
- 14 Frank Rhodes
- 15 DAVID A BRAMBLE INC
- 16 CHOPTANK ELECTRIC COOPERATIVE INC
- 17 COOPER ENTERPRISES FAMILY PARTNERS
- 18 COUNTY COMMISSIONERS OF KENT CO
- 19 MORGAN FIELDS LLC
- 20 Jeremy Ferro
- 21 PARADOX INVESTMENTS LLC
- 22 James Yiannakis
- 23 Thomas O Neill
- 24 Rani Guttings
- 25 Nicholas and Connie Wood
- 26 Winfield and Cynthia Brown
- 27 Richard and Helen Nichols
- 28 Ronald Fithian (Commissioner)
- 29 Albert Nickerson (Commissioner)
- 30 John Prince (Commissioner)

Address

11779 AUGUSTINE HERMAN HWY, KENNEDYVILLE MD 21645
5307 ELBURN LN, ROCK HALL MD 21661
4017 WASHINGTON RD, MC MURRAY PA 15317
PO BOX 597, CHESTERTOWN MD 21620
141 BRAYTON LN, CHESTERTOWN MD 21620
12176 CHURCH LANE, CORDOVA MD 21625
9749 AUGUSTINE HERMAN HIGHWAY, CHESTERTOWN MD 21620
210 PINE ST, CHESTERTOWN MD 21620
9917 AUGUSTINE HERMAN HIGHWAY, CHESTERTOWN MD 21620
PO BOX 450, CHESTERTOWN MD 21620
26962 MORGNEC RD, CHESTERTOWN MD 21620
519 MORGNEC RD, CHESTERTOWN MD 21620
PO BOX 1000, CHESWOLD DE 19936
535 MORGNEC RD, CHESTERTOWN MD 21620
P.O. BOX 419, CHESTERTOWN MD 21620
PO BOX 430, DENTON MD 21629
6920 PENTRIDGE LN, CHESTERTOWN MD 21620
103 N. CROSS ST, CHESTERTOWN MD 21620
PO BOX 434, CHESTERTOWN MD 21620
26712 MORGNEC RD, CHESTERTOWN MD 21620
31884 MARK DR, GALENA MD 21635
10651 TINTAH RD, CHESTERTOWN MD 21620
9352 CREEK LN, CHESTERTOWN MD 21620
9383 CREEK LN, CHESTERTOWN MD 21620
9379 CREEK LN, CHESTERTOWN MD 21620
9315 CREEK LN, CHESTERTOWN MD 21620
9341 CREEK LN, CHESTERTOWN MD 21620
400 High St. Chestertown, MD 21620
401 High St. Chestertown, MD 21620
402 High St. Chestertown, MD 21620





URBAN GRID

INFORMATIONAL COMMUNITY MEETING

URBANGRID.COM

A rectangular sign is placed in a grassy area. The sign has a blue header with the 'URBAN GRID' logo. Below the header is a photograph of a solar farm with rows of panels stretching across a green field under a blue sky with light clouds. The text 'INFORMATIONAL COMMUNITY MEETING' is printed in white on a dark green background across the middle of the sign. At the bottom right corner, the website 'URBANGRID.COM' is printed in small white letters.





A Renewable Energy Project Proposal in Kent County, Maryland

PROJECT SIZE

45 MW

LOCATION

Located in the central portion of Kent County, just east of Chestertown.

ACREAGE

Approximately 250 acres

TIMING

Construction could begin in early 2024 with completion in 2025.

INTERCONNECTION

Morgnec Solar will interconnect to the power grid via an existing Delmarva Power Substation, located immediately adjacent to the project site.

ENVIRONMENTAL AND ECONOMIC BENEFITS

- Enables the development of a new source of domestic, clean energy, helping Maryland reduce the amount of energy imported from out-of-state
- The project proposes no impacts to wetlands, cultural resources, or threatened and endangered species.
- The project fencing is designed to accommodate the migration and movement of local wildlife.
- Vegetative buffer plantings provide screening of the project for residents and along thoroughfares, and provide an opportunity to plant native trees, shrubs, grasses and pollinator species.
- Morgnec Solar will yield significant Real Property Tax revenue for Kent County over its lifetime.

COMMUNITY COMMITMENT



We are committed to being good neighbors in the communities where we are developing and building clean energy projects and proud to be a new member of the Kent County Chamber of Commerce and a long time-supporter and sponsor of the Chesapeake Bay Foundation. We plan to continue to support Kent County and Chestertown through our Urban Grid Gives program alongside the tax benefits and clean energy provided by the Morgnec Solar project.



*Urban Grid Team & Chestertown College
Recipients of a \$5,000 Urban Grid Gives Grant in
support of Earth Day 2023 Solar Boat Race Event.*



Experienced developers of Morgnec Solar

2.5 GW_{DC}

OPERATIONAL/UNDER CONSTRUCTION/READY-TO-BUILD

15 GW_{DC}

PROJECT PIPELINE - SOLAR PV IN DEVELOPMENT ACROSS 12 STATES

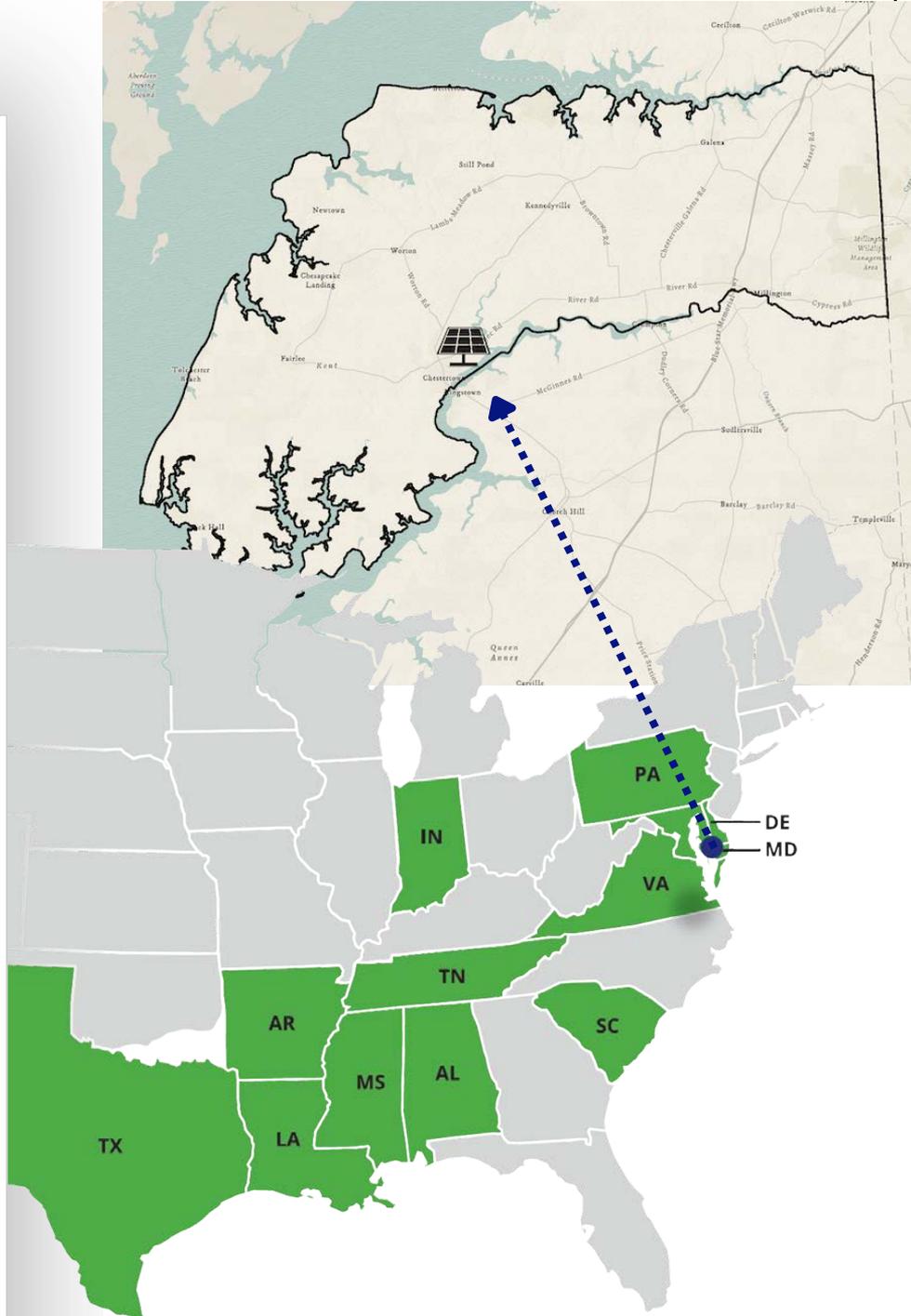
LEADING developer of utility-scale solar power facilities in the United States.

FOUNDED in Richmond, VA in 2011

OFFICES in Richmond, VA and Stevensville, MD

Contact

Kevin Clark
Solar Development Manager
T: 443.642.1280
E: kevin.clark@urbangridco.com



Scan here with the camera on your smartphone to easily access updates on MorgnecSolarMaryland.com

Morgnec Solar – Public Information Meeting

June 20th, 2023 – Washington College – Hotchkiss Hall

In attendance:

Urban Grid - Kevin Clark, Amanda Marple, Reeve Ashcraft, Nick Caffacus, Nate Hoxter, Joseph Stevens

Community members: Tom Dietz, David Sobers, Mrs. Liz Peterson, Mr. Peterson, Brad Hollomon, Caroline Bean, Hope Clark

Overview of presentation:

- About Urban Grid and Brookfield Renewables
- Morgnec Solar Project Overview
 - o Location: east of Chestertown on RT. 291
 - o Project Size: 45MW
 - o Footprint: approximately 250 acres
 - o Timing: early – mid 2024
 - o Dual Use: sheep grazing operations, bee keeping, bat boxes, and native pollinator plant habitats.
- Project Attributes
 - o Vegetative bufferings around project
 - o Continued use of land for agriculture – sheep grazing
 - o Native pollinators used for under-cover and in rain gardens.
 - o Tax revenue to county with no new infrastructure and services needed for solar facility
- UG Community Commitment
 - o Urban Grid Gives sponsorships and donations
 - o Supporting volunteering initiatives in local communities
 - o Public Amenity Contribution

Discussion with community members in attendance:

- Many folks in attendance recommending viewshed simulations to see how the Morgnec Solar project would look from main thoroughfares in Chestertown and Kent County.
 - o Questions regarding tree types – native vs non-native – were raised during this discussion. Native plantings are recommended and will be something Kent residents want to see implemented.

- A question was raised about a Citizen's Review Committee for Mognec Solar. Urban Grid does not currently form Citizen's Review Committees but would be open to researching how this could be implemented in Chestertown / Kent County if wanted to local community.
- Bat boxes and Purple Martin boxes were pointed out as being beneficial additions to the Mognec site as well as throughout the county (potential UG donation) to combat mosquito populations in the area. Collaboration with Washington College for the creation of these boxes is a potential.
- Public amenity contribution: many in attendance would like to contribute to the decision-making process to ensure those funds benefit Kent County residents to the highest degree.
 - o Walking trails / path on site
 - o Educational initiatives on site – agrivoltaics or signage along trails information about solar and benefits to environment and community
 - o Support for Chestertown Solar facility – many residents are interested in seeing Chestertown have its own solar facility to power public buildings / amenities.

PROJECT DATA

PROPERTY: TAX MAP 37, PARCEL 40 & 174
616 MORGNEC ROAD
CHESTERTOWN, MARYLAND 21620
OWNER: FAIR PROMISE FAMILY LIMITED PARTNERSHIP
25260 HOWELL POINT ROAD
BETTERTON, MARYLAND 21610
DEVELOPER: MORGNEC ROAD SOLAR, LLC
C/O MICHAEL WALTERS
337 LOG CANOE CIRCLE
STEVENSVILLE, MD 21666
(410) 604-3603
DEED REFERENCE: 854/193
PLAT REFERENCE:
ZONING CLASSIFICATION: IV - INTENSE VILLAGE, RR - RURAL RESIDENTIAL, CR - COMMUNITY RESIDENTIAL, RCD - RESOURCE CONSERVATION DISTRICT
SITE AREA: 471.253 ACRES±
BUILDING SETBACKS FOR CR & RR ZONING:
NON-TIDAL WETLANDS - 25'
POND - 25'
PERENNIAL STREAM - 100'
SOLAR ARRAY TO ANY LOT LINE - 200'
SOLAR ARRAY TO ANY ROAD/RIGHT-OF-WAY WITHIN 1/2 MILE OF A TOWN OR VILLAGE BOUNDARY THAT IS THE GATEWAY INTO A TOWN OR VILLAGE - 200'
SOLAR ARRAY TO ANY RESIDENTIAL USE OR ZONING DISTRICT - 200'
MAXIMUM BUILDING HEIGHT PERMITTED: 38'
BUILDING HEIGHT PROPOSED: NO BUILDING PROPOSED
EXISTING CONDITIONS: THE EXISTING SITE IS CURRENTLY USED FOR TILLED CROP PRODUCTION.
PROPOSED DEVELOPMENT: UTILITY-SCALE SOLAR POWER PLANT.
STORMWATER MANAGEMENT: STORMWATER QUANTITY AND QUALITY MANAGEMENT IS ADDRESSED IN ACCORDANCE WITH THE COUNTY STORMWATER MANAGEMENT ORDINANCE. DISCONNECTION OF NON-ROOFTOP RUNOFF (N-2) IS USED TO ADDRESS RUNOFF FROM THE SOLAR PANELS.
FOREST CONSERVATION: FOREST CONSERVATION REQUIREMENTS WILL BE MET ONSITE. SEE SEPARATE REQUIRED FOREST CONSERVATION PLAN.
SITE LIGHTING: NO LIGHTING IS PROPOSED

PROJECT NOTES

PROPERTY BOUNDARY AND EXISTING CONDITIONS SHOWN HEREON ARE BASED ON A PLAT ENTITLED "ALTA/NSPS LAND TITLE SURVEY OF THE LANDS OF FAIR PROMISE FAMILY LIMITED PARTNERSHIP", PREPARED BY DAVIS, BOWEN & FRIEDEL, INC. DATED 3/18/21, PROVIDED BY THE CLIENT AND ARE APPROXIMATE ONLY. THIS PLAN DOES NOT REPRESENT A BOUNDARY & EXISTING CONDITIONS SURVEY PERFORMED BY LANE ENGINEERING, LLC AT THIS TIME.
THE PERENNIAL STREAM, NON-TIDAL WETLANDS & TIDAL WETLANDS SHOWN HEREON ARE BASED ON A PLAT ENTITLED "SITE PLAN PROPOSED SOLAR FIELD MORGNEC ROAD", PREPARED BY DAVIS, BOWEN & FRIEDEL, INC. DATED 12/09/16, PROVIDED BY THE CLIENT AND ARE APPROXIMATE ONLY.
MEAN HIGH WATER WAS NOT ESTABLISHED BY THIS SURVEY. MEAN HIGH WATER IS DEFINED BY ELEVATION REFERENCED TO A TIDAL BENCH MARK. THE SHORELINE WAS LOCATED TO THE EDGE OF TIDAL VEGETATION. THE BOUNDARY IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND IT MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMIT OF TIDE.
THE CONTOURS SHOWN HEREON WERE TAKEN FROM TOPOGRAPHY PROVIDED BY KENT COUNTY AND ARE APPROXIMATE ONLY.
THE SOIL LINES SHOWN HEREON WERE TAKEN FROM THE USDA NRCS, WEB SOIL SURVEY AND ARE APPROXIMATE ONLY.
THE SITE IS LOCATED PARTIALLY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

THE PROPERTY SHOWN HEREON IS LOCATED IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. THE PROPERTY IS MAPPED IN THE "AE" (E1.7 & 6), "X" & "SHADED X" FLOOD ZONE(S) AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR COMMUNITY NO. 240045, MAP NO. 24029C0281D FOR KENT COUNTY, MARYLAND. THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SFHA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. THE SFHA INCLUDE ZONES A, AE, AH, AO, AR, A99, V & VE. THE BASE FLOOD ELEVATION (BFE) IS THE WATER SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD. FLOOD INSURANCE MAY BE REQUIRED FOR STRUCTURES LOCATED IN THE SPECIAL FLOOD HAZARD AREA.

FLOOD ZONE LEGEND
ZONES A, AE, AH, AO, AR, A99, V & VE - 1% ANNUAL CHANCE FLOOD
ZONE X (SHADED) - 0.2% ANNUAL CHANCE FLOOD
ZONE X - AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD

THE FLOOD DATA SHOWN HEREON IS BASED ON AVAILABLE MAPPED AND/OR DIGITAL INFORMATION AND IS DEPICTED AS DIRECTED AND REQUIRED BY FEDERAL, STATE AND LOCAL REGULATIONS. IT IS SUBJECT TO DATA INACCURACIES AND REGULATORY CHANGE AND SHOULD BE VERIFIED PRIOR TO FINALIZING DEVELOPMENT OR IMPROVEMENT PLANS FOR THE SUBJECT LANDS.

NO ABSTRACT OF TITLE, TITLE COMMITMENT, NOR RESULTS OF A TITLE SEARCH HAVE BEEN FURNISHED TO LANE ENGINEERING, LLC. THE BUILDING RESTRICTION LINES AS SHOWN HEREON ARE BASED SOLELY ON THE CURRENT KENT ZONING ORDINANCE APPLICABLE TO THE PROPERTY SHOWN HEREON AND ARE SUBJECT TO CHANGE WITH THE REVISION OF ZONING LAWS. OTHER DOCUMENTS OF RECORD MAY EXIST THAT MAY AFFECT THE SURVEYED PROPERTY REFLECTED HEREON, INCLUDING BUT NOT LIMITED TO EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, PLAT RESTRICTIONS OR ANY OTHER FACTS THAT AN ACCURATE, COMPLETE AND CURRENT TITLE SEARCH MAY DISCLOSE.

THERE ARE TWO HISTORIC PROPERTIES LISTED ON THE MARYLAND INVENTORY OF HISTORIC PROPERTIES ON THE SUBJECT PARCELS. INVENTORY NUMBER K-205 ON PARCEL 40 ALSO KNOWN AS HOPWELL FARM AND INVENTORY NUMBER K-121 ON PARCEL 174 ALSO KNOWN AS BLACKHALL'S HERMITAGE SITE. THE TWO HISTORIC PROPERTIES WERE PREVIOUSLY DEMOLISHED AND NO LONGER EXIST.

THERE ARE NO STEEP SLOPES APPROACHING 25%, STREAMS, TIDAL WETLANDS/NON-TIDAL WETLANDS OR KNOWN HABITAT PROTECTION AREAS IN PROXIMITY TO THE PROPOSED SITE IMPROVEMENTS.

REFER TO ECS MID-ATLANTIC, LLC. "PRELIMINARY REPORT OF SUBSURFACE EXPLORATION, LABORATORY TESTING AND GEOTECHNICAL ENGINEERING ANALYSES", DATED DECEMBER 12, 2016 FOR SITE SPECIFIC DETAILS AND PROCEDURES REGARDING EXISTING SOILS, EXCAVATION, PLACEMENT, COMPACTION, STRIPPING, TESTING, AND RELATED SERVICES AND INFORMATION.

WETLANDS NOTES

- 1. A WETLAND DELINEATION OF THE PROJECTS LIMITS OF DISTURBANCE WAS PERFORMED BY THOMAS NOBLE, A PROFESSIONAL WETLAND SCIENTIST AND CERTIFIED PROFESSIONAL SOIL SCIENTIST WITH ENVIRONMENTAL RESOURCE, INC. AND VERIFIED BY CHRIS PAJAK WITH THE MARYLAND DEPARTMENT OF THE ENVIRONMENT ON NOVEMBER 21, 2016.
2. THE NONTIDAL WETLANDS POND SHOWN IN THE VICINITY OF THE PROPOSED ARRAYS WAS FIELD DELINEATED AND SURVEY LOCATED BY ANDREWS, MILLER & ASSOCIATES ON 12/2016.

RESOURCE PROTECTION NOTES (LEASE AREA)

- 1. NO DEVELOPMENT IS PROPOSED WITHIN THE CRITICAL AREA.
2. NO DEVELOPMENT/FILL IS PROPOSED WITHIN THE 100 YEAR FLOODPLAIN.
3. THE MARYLAND DEPARTMENT OF NATURAL RESOURCES HAS DETERMINED THAT THERE ARE NO STATE OR FEDERAL RECORDS FOR RARE, THREATENED OR ENDANGERED SPECIES WITHIN THE BOUNDARIES OF THE PROJECT SITE AS DELINEATED.

RESOURCE PROTECTION CALCULATIONS (TOTAL SITE)

Table with 3 columns: RESOURCE, AREA, AREA TO BE DISTURBED. Rows include CRITICAL AREA, 100 YEAR FLOOD PLAIN, STEEP SLOPES TOTAL SITE, STEEP SLOPES 15-25% WITHIN LOD, STEEP SLOPES IN EXCESS OF 25% WITHIN LOD, NON-TIDAL WETLANDS, NON-TIDAL WETLANDS/POND BUFFER, STREAMS & STREAM BUFFERS, EROSION HAZARD AREAS, WOODLANDS.

SECTION 11.B. (SOLAR ARRAY) NOTES

- 1. IF SOLVENTS ARE REQUIRED FOR CLEANING OF THE SOLAR MODULES, THEY MUST BE BIODEGRADABLE. ANY UNUSED SOLVENTS MUST BE REMOVED FROM THE SUBJECT PARCEL.
2. ALL BROKEN OR WASTE SOLAR MODULES SHALL BE REMOVED FROM THE SITE SUBJECT PARCEL WITHIN 30 DAYS OF BEING TAKEN OUT OF SERVICE, INCLUDING ANY LEACHING PANELS, AND THE SUBJECT PARCEL SHALL BE MAINTAINED IN GOOD ORDER.
3. ALL WIRING NOT ON THE SOLAR ARRAYS SHALL BE UNDERGROUND EXCEPT WHERE NECESSARY TO CONNECT TO THE PUBLIC UTILITY. UTILITY PLANS FOR CONNECTION TO PUBLIC UTILITY FACILITIES ARE NOT INCLUDED IN THIS PLAN SET.
4. TRANSMISSION WIRES TO CONNECT THE PROJECT TO THE UTILITY INFRASTRUCTURE SHALL NOT CROSS A ROADWAY OVERHEAD.
5. CONNECTION FROM THE SOLAR ARRAY TO THE NEARBY DELMARVA POWER & LIGHT COMPANY SUBSTATION WILL UTILIZE THE MORGNEC ROAD RIGHT-OF-WAY WILL REQUIRE COORDINATION WITH DELMARVA POWER & LIGHT AND KENT COUNTY DEPARTMENT OF PUBLIC WORKS.
6. THE SOLAR ARRAY SHALL BE ENCLOSED BY A FENCE OR OTHER APPROPRIATE BARRIER AT THE INTERIOR EDGE OF THE REQUIRED LANDSCAPE BUFFER OR IMMEDIATELY ADJACENT TO THE SOLAR ARRAY. THE FENCE OR BARRIER SHALL:
A. SECURE THE FACILITY AT ALL TIMES TO PREVENT UNAUTHORIZED PERSONS OR VEHICLES FROM GAINING ACCESS.
B. ALL ACCESS GATES WILL PROVIDE A SIGN THAT IDENTIFIES THE RESPONSIBLE PARTIES OR OWNERS WITH CURRENT CONTACT INFORMATION.
8. NOISE GENERATED BY THE FACILITY SHALL BE LIMITED BY THE PROJECT DESIGN TO 45 DBA AS MEASURED AT THE PROPERTY LINE. TO BE INDICATED ON THE SITE PLAN BY THE ENGINEER, EXCEPT WHEN A BACK-UP GENERATOR IS NEEDED FOR MAINTENANCE. CONSTRUCTION ON THE SITE IS EXEMPT FROM THIS STANDARD.
9. SOLAR ARRAYS, INCLUDING THE ELECTRICAL AND MECHANICAL COMPONENTS, SHALL CONFORM TO RELEVANT AND APPLICABLE LOCAL, STATE, AND NATIONAL CODES.
10. TO PROTECT ADJACENT PROPERTIES, AND NOT INTERFERE WITH ROADWAYS OR CREATE A SAFETY HAZARD, EVIDENCE SHALL BE PROVIDED THAT THE SOLAR PANELS ARE DESIGNED TO AVOID GLARE AND OR REFLECTION WITH ANTI-REFLECTIVE COATING OR NON-GLARE TECHNOLOGY AND, IF NECESSARY, HAVE BEEN EVALUATED WITH SOLAR GLARE HAZARD AND ANALYSIS TOOL.
11. NON-ARRAY USES SUCH AS POWER STORAGE ARE NOT PERMITTED.

PARKING

PARKING IS LIMITED TO ONE 20' WIDE GRAVEL ACCESS LANES AS SHOWN WITHIN THE FENCED AREA OF THE SOLAR ARRAYS. PARKING IS ONLY REQUIRED FOR OCCASIONAL MAINTENANCE VEHICLES.

GENERAL NOTES

- 1. THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL VERIFY THEIR EXACT LOCATION PRIOR TO THE START OF CONSTRUCTION. ANY DAMAGE INCURRED TO SUCH UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL TEST PIT AS TO VERIFY THE LOCATION AND INVERT OF EXISTING UTILITIES.
2. CONTRACTOR IS TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH KENT COUNTY ENGINEERS, KENT COUNTY SEDIMENT AND EROSION CONTROL INSPECTOR AT 410-778-7437 AND OTHER INVOLVED PARTIES AT LEAST TWO (2) WEEKS PRIOR TO THE START OF WORK.
3. CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL COORDINATE CONSTRUCTION WITH THE UTILITY COMPANIES INVOLVED:
DELMARVA POWER & LIGHT COMPANY (800) 375-7117
MISS UTILITY (800) 441-8355
LANE ENGINEERING, LLC (410) 758-2095
MARYLAND DEPARTMENT OF THE ENVIRONMENT (410) 901-4020
KENT COUNTY DEPARTMENT OF PUBLIC WORKS (410) 778-3287
4. PRIOR TO THE START OF WORK, THE CONTRACTOR IS TO OBTAIN COUNTY APPROVAL OF ANY PROPOSED CHANGES AND SEQUENCE OF CONSTRUCTION, SPECIFICALLY RELATING TO INSTALLATION, INSPECTION, MAINTENANCE AND REMOVAL OF EROSION AND SEDIMENT CONTROL MEASURES.
5. SEDIMENT CONTROL MEASURES ARE NOT TO BE REMOVED UNTIL THE AREAS SERVED HAVE ESTABLISHED VEGETATIVE COVER, OR WITH THE PERMISSION OF THE COUNTY SEDIMENT CONTROL INSPECTOR.
6. WHEN PUMPING SEDIMENT-LADEN WATER, THE DISCHARGE MUST BE DIRECTED TO APPROVED SEDIMENT TRAPPING MEASURE PRIOR TO RELEASE FROM THE SITE.
7. ALL TEMPORARY STOCKPILES ARE TO BE LOCATED WITHIN AREAS PROTECTED BY SEDIMENT CONTROL MEASURES, AND ARE TO BE TEMPORARILY STABILIZED.
8. ALL SEDIMENT CONTROL DIKES, SWALES, BASINS AND FLOW LINES TO BASINS WILL BE TEMPORARILY SEEDED IMMEDIATELY UPON INSTALLATION TO REDUCE THE CONTRIBUTION TO SEDIMENT LOADING.
9. EXISTING TOPSOIL SHALL NOT BE REMOVED FROM THE SITE. DISPOSAL OF EXCESS EARTH MATERIALS ON STATE OR FEDERAL PROPERTY REQUIRES MDE APPROVAL. OTHERWISE MATERIALS ARE TO BE DISPOSED OF AT A LOCATION APPROVED BY THE LOCAL AUTHORITY.
10. TEMPORARY SOIL EROSION CONTROL AND SEDIMENT CONTROL MEASURES ARE TO BE PROVIDED AS PER THE APPROVED PLAN PRIOR TO GRADING OPERATION. LOCATION ADJUSTMENTS ARE TO BE MADE IN THE FIELD AS NECESSARY. THE MINIMUM AREA PRACTICAL SHALL BE DISTURBED FOR THE MINIMUM POSSIBLE TIME.
11. IF GRADING IS COMPLETED OUT OF SEEDING SEASON, GRADED AREAS ARE TO BE TEMPORARILY STABILIZED BY MULCH AND MULCH ANCHORING. MULCH MATERIAL SHALL BE UN-WEATHERED, UN-CHOPPED SMALL GRASS STRAW SPREAD AT THE RATE OF 1 1/2 TO 2 TONS PER ACRE. MULCH ANCHORING TO BE ACCOMPLISHED BY AN APPROVED METHOD. USE OF A MULCH ANCHORING TOOL IS RECOMMENDED WHERE POSSIBLE.
12. IMPLEMENTATION OF THE SEDIMENT CONTROL PLAN SHALL BE IN ACCORDANCE WITH THE '2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL', OF THE DEPARTMENT OF THE ENVIRONMENT.
13. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTATION AND MAINTENANCE OF THE APPROVED PLAN, AND ALL OTHER MEASURES NECESSARY TO CONTROL, FILTER, OR PREVENT SEDIMENT FROM LEAVING THE SITE.
14. IN CASES WHERE STORMWATER MANAGEMENT STRUCTURES ARE A PART OF SITE DEVELOPMENT, REMOVAL OF SEDIMENT CONTROL MAY NOT BE ACCOMPLISHED BEFORE THE CONTRIBUTING AREA TO THE STORMWATER MANAGEMENT STRUCTURE IS STABILIZED.
15. ON SITES WHERE INFILTRATION TECHNIQUES ARE UTILIZED FOR THE CONTROL OF STORMWATER, EXTREME CARE MUST BE TAKEN TO PREVENT ALL RUNOFF FROM ENTERING THE STRUCTURE DURING CONSTRUCTION.
16. SEDIMENT CONTROL FOR UTILITY CONSTRUCTION IN AREAS OUTSIDE OF DESIGNED CONTROLS:
A. EXCAVATED TRENCH MATERIAL SHALL BE PLACED ON THE HIGH SIDE OF THE TRENCH.
B. IMMEDIATELY FOLLOWING PIPE INSTALLATION THE TRENCH SHALL BE BACKFILLED, COMPACTED AND STABILIZED AT THE END OF EACH WORKING DAY.
C. TEMPORARY SILT FENCE OR STRAW BALE DIKES SHALL BE PLACED IMMEDIATELY DOWNSTREAM OF ANY DISTURBED AREA INTENDED TO REMAIN DISTURBED LONGER THAN ONE WORKING DAY.
17. ALL POINTS OF CONSTRUCTION INGRESS AND EGRESS SHALL BE PROTECTED TO PREVENT TRACKING OF MUD ONTO PUBLIC WAYS.
18. THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT, LABOR, AND MATERIALS FOR ANY MISCELLANEOUS OR TEST PIT EXCAVATIONS REQUIRED BY THE ENGINEER.
19. ALL CONSTRUCTION SHALL BE MARKED FOR TRAFFIC AND PEDESTRIAN SAFETY. ALL SIGNS SHALL BE PLACED IN ACCORDANCE WITH SECTION VI OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

- 20. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN CONFORMANCE WITH KENT COUNTY STANDARDS AND SPECIFICATIONS.
21. THE CONTRACTOR ASSUMES ALL RESPONSIBILITIES FOR ANY DEVIATIONS FROM THESE PLANS, UNLESS SAID DEVIATION IS APPROVED BY THE ENGINEER. THE CONTRACTOR SHALL RECEIVE WRITTEN PERMISSION FROM THE ENGINEER IF A DEVIATION OF THE PLAN IS NECESSARY.
22. ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROVIDE POSITIVE DRAINAGE IN THE DIRECTION OF FLOW ARROWS HEREIN AND STABILIZED WITH TOPSOIL, SEED, AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING AND MULCHING SHALL BE REPEATED UNTIL SETTLEMENT SUBSIDES (SEE EROSION AND SEDIMENT CONTROL SPECIFICATIONS).
23. ALL TRASH, TREES, AND UNDERBRUSH ARE TO BE CLEARED AND REMOVED OFF SITE TO AN APPROVED DUMP SITE BY THE CONTRACTOR.
24. ANY EXCESS EXCAVATED MATERIAL SHALL BE REMOVED OFF SITE BY THE CONTRACTOR OR MATERIAL SHALL BE PLACED ON SITE AS DIRECTED BY THE ENGINEER AND/OR OWNER.
25. ANY EXISTING SURVEY MONUMENTATION THAT IS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED BY A REGISTERED SURVEYOR AT THE CONTRACTOR'S EXPENSE.
26. ALL FILL AREAS WITHIN LIMITS OF ROADWAY CONSTRUCTION AND OTHER AREAS AS DESIGNATED ON THESE PLANS SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY AND LAID AND COMPACTED IN 8" LIFTS MAXIMUM.
27. TRENCHES SHALL NOT REMAIN OPEN OVERNIGHT. IF IT IS NECESSARY FOR TRENCHES TO REMAIN OPEN, STEEL PLATES, CAPABLE OF TRAFFIC BEARING, SHALL BE USED TO COMPLETELY COVER THE TRENCH.
28. PROJECT SPECIFIC APPROVALS AND PERMITS AS REQUIRED FOR CONSTRUCTION SHALL BE OBTAINED BY THE OWNER. APPROVALS INCLUDE SOIL EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT. PERMITS INCLUDE GRADING, STATE HIGHWAY ADMINISTRATION ACCESS, MDE-NOI AND MDE-WMA. CONTRACTOR SHALL NOT COMMENCE ANY PORTION OF THE WORK WITHOUT VERIFYING AND RECEIVING COPIES OF ALL REQUIRED APPROVALS AND PERMITS FROM KENT COUNTY OR THE ENGINEER.

INSPECTION CHECKLIST

THE CONTRACTOR SHALL NOTIFY THE KENT COUNTY SEDIMENT CONTROL INSPECTOR (410-778-5150) AT THE FOLLOWING POINTS:

- 1. THE REQUIRED PRE-CONSTRUCTION MEETING.
2. FOLLOWING INSTALLATION OF SEDIMENT CONTROL MEASURES.
3. DURING THE INSTALLATION OF THE SEDIMENT BASINS.
NOTIFICATION SHALL BE FOR EACH STEP.
A. CLEARING AND GRUBBING
B. CORE TRENCH INSTALLATION
C. PIPE AND ANTI-SEEP COLLAR INSTALLATION
D. DURING DAM FILL
E. EMERGENCY SPILLWAY INSTALLATION
F. COMPLETION OF STRUCTURE.
4. PRIOR TO REMOVAL OR MODIFICATION OF ANY SEDIMENT CONTROL STRUCTURE.
5. PRIOR TO REMOVAL OF ALL SEDIMENT CONTROL MEASURES.
6. PRIOR TO FINAL ACCEPTANCE.

PLANS ARE ISSUED FOR REVIEW ONLY

PLANS ARE NOT APPROVED FOR CONSTRUCTION

REVISIONS TO APPROVED PLANS

Table with 4 columns: No., DATE, DESCRIPTION, BY. Contains multiple empty rows for revisions.

WARNING!!

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THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY WORK ON-SITE. THE CONTRACTOR SHALL NOTIFY DEPT. OF PUBLIC WORKS OF ANY POSSIBLE CONFLICT AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK ON-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.



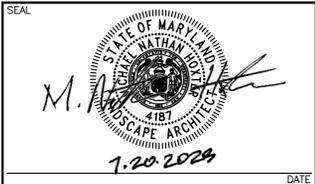
Lane Engineering, LLC

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Civil Engineers • Land Planning • Land Surveyors



117 Bay St., Easton, MD 21607 (410) 822-8003
15 Washington St., Centreville, MD 21613 (410) 221-0818
354 Pennsylvania Ave., Centreville, MD 21617 (410) 758-2095

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Landscape Architect under the laws of the State of Maryland, License No. 4187, Expiration Date: 01/13/2028.



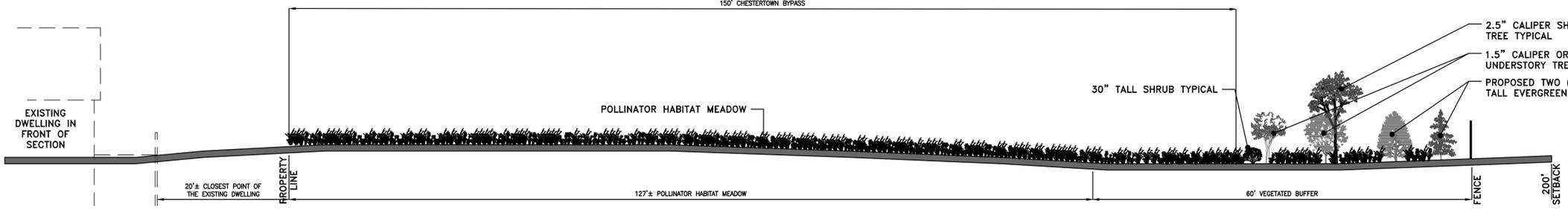
PROJECT NOTES

FOR MORGNEC ROAD SOLAR, LLC

IN THE SECOND ELECTION DISTRICT
KENT COUNTY, MARYLAND
TAX MAP 37, PARCEL 174 & 40

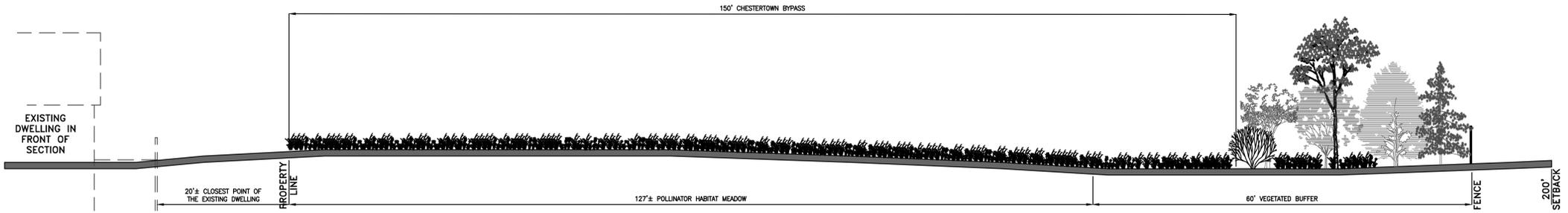
ISSUED/REVISED FOR: DATE: BY:
CONCEPT PLAN SUBMITTAL 3/30/23 BFG
PLANNING COMMISSION SUBMITTAL 7/21/23 BFG

SHEET No. G-102
JOB No. 220401
SCALE: AS NOTED
FILE No. B956



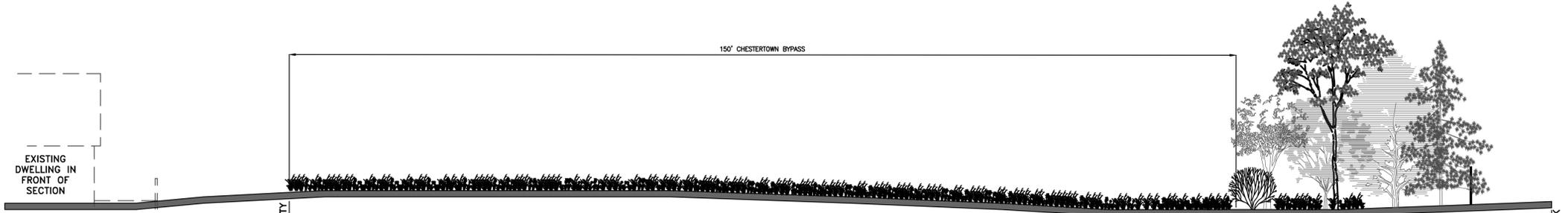
CROSS SECTION A-A' PARCEL 175 RESIDENTIAL BUFFERYARD - YEAR 1
SCALE 1" = 10'

NOTE: PLANTINGS DEPICTED IN THIS GRAPHIC ARE
RELATIVE OF PLANTINGS AT INSTALLATION.



CROSS SECTION A-A' PARCEL 175 RESIDENTIAL BUFFERYARD - YEAR 5
SCALE 1" = 10'

NOTE: PLANTINGS DEPICTED IN THIS GRAPHIC ARE
RELATIVE OF PLANTINGS AT 5 YEARS OF GROWTH.



CROSS SECTION A-A' PARCEL 175 RESIDENTIAL BUFFERYARD - YEAR 10
SCALE 1" = 10'

NOTE: PLANTINGS DEPICTED IN THIS GRAPHIC ARE
RELATIVE OF PLANTINGS AT 10 YEARS OF GROWTH.

CONCEPTUAL PLANT LIST

QUAN	SYM	SCIENTIFIC NAME	COMMON NAME	SPECIFICATION
CANOPY TREES				
304	-	2.5" CALIPER CANOPY TREES DISTRIBUTED BETWEEN THE SPECIES BELOW		
AN		ACER NEGUNDO	SENSATION MAPLE	2.5" CAL. MIN. 'SENSATION'
AR		ACER RUBRUM	'SUN VALLEY'	2.5" CAL. MIN.
CV		CRATAEGUS VIRIDIS	'WINTER KING'	2.5" CAL. MIN.
GT		GLEDITSIA TRIACANTHOS	IMPERIAL HONEYLOCUST	2.5" CAL. MIN.
PA		PRUNUS AMERICANA	'AMERICAN PLUM'	2.5" CAL. MIN.
PP		PRUNUS PENNSYLVANICA	'PIN CHERRY'	2.5" CAL. MIN.
PV		PRUNUS VIRGINIANA	'CHOKECHERRY'	2.5" CAL. MIN.
EVERGREENS				
2,327	-	8' TALL EVERGREEN TREES DISTRIBUTED BETWEEN THE SPECIES BELOW		
IX		ILEX OPACA	'AMERICAN HOLLY'	8' HGT. MIN.
JV		JUNIPERUS VIRGINIANA	'RED CEDAR'	8' HGT. MIN.
JVC		JUNIPERUS VIRGINIANA	'EMERALD SENTINEL RED CEDAR'	8' HGT. MIN.
PS		PINUS STROBUS	'WHITE PINE'	8' HGT. MIN.
TO		THUJA OCCIDENTALIS	'EASTERN ARBORVITAE'	8' HGT. MIN.

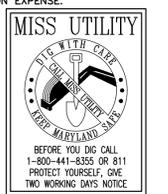
CONCEPTUAL PLANT LIST

QUAN	SYM	SCIENTIFIC NAME	COMMON NAME	SPECIFICATION
FLOWERING/UNDERSTORY TREES				
374	-	1.5" CALIPER OR 6' TALL UNDERSTORY TREES DISTRIBUTED BETWEEN THE SPECIES BELOW		
AC		AMELANCHIER CANADENSIS	'SHADBLOW SERVICEBERRY'	1.5" CAL. OR 6' HGT.
CC		CERCIS CANADENSIS	'EASTERN REDBUD'	1.5" CAL. OR 6' HGT.
MV		MAGNOLIA VIRGINIANA	'SWEETBAY MAGNOLIA'	6' HGT. MULTI-STEM
SA		SASSAFRAS ALBIDUM	'SASSAFRAS'	1.5" CAL. OR 6' HGT.
SHRUBS				
1,344	-	30" TALL SHRUBS DISTRIBUTED BETWEEN THE SPECIES BELOW		
CA		CALLICARPA AMERICANA	'BEAUTYBERRY'	30" HGT, 5' O/C
CR		CORNUS RACEMOSA	'GRAY DOGWOOD'	30" HGT, 5' O/C
HP		HYPERICUM X 'HIDCOTE'	'HIDCOTE ST. JOHN'S WORT'	30" HGT, 5' O/C
IG		ILEX GLABRA 'COMPACTA'	'INKBERRY HOLLY'	30" HGT, 5' O/C
IV		ITEA VIRGINIANA	'VIRGINIA SWEETSPICE'	30" HGT, 5' O/C
JVG		JUNIPERUS VIRGINIANA 'GREY OWL'	'GREY OWL JUNIPER'	30" SPREAD, MIN. 4' O/C
MC		MORELLA PENNSYLVANICA 'SILVER SPRITE'	'BAYBERRY'	30" HGT, 6' O/C
VD		VIBURNUM DENTATUM	'ARROWWOOD VIBURNUM'	30" HGT, 5' O/C

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REVISIONS TO APPROVED PLANS			
No.	DATE	DESCRIPTION	BY

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Lane Engineering, LLC
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354 Pennsylvania Ave., Centerville, MD 21617 (410) 758-2095

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Landscape Architect under the laws of the State of Maryland, License No. 4187, Expiration Date: 01/13/2025.

SEAL
STATE OF MARYLAND
M. [Signature]
LANDSCAPE ARCHITECT
4187
1-20-2025
DATE

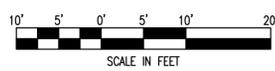
LANDSCAPE BUFFERYARD SECTIONS

FOR MORGNEC ROAD SOLAR, LLC

IN THE SECOND ELECTION DISTRICT
KENT COUNTY, MARYLAND
TAX MAP 37, PARCEL 174 & 40

ISSUED/REVISED FOR: CONCEPT PLAN SUBMITTAL
DATE: 3/30/23
PLANNING COMMISSION SUBMITTAL
DATE: 7/21/23

SHEET No. L-101.1	JOB No. 220401
SCALE: AS NOTED	FILE No. B956



Date: 07/20/2023 2:20pm User: nboxler Project Manager: BFG
Drawing Path: J:\2022\0406\220401\Civil\3D-220401\Draw\Plots\LP-101.1.dwg L-101.1
XREF File(s): CBS-BASE-220401\CSK-BASE-220401\NSL-BASE-220401\RLD-BASE-220401\LIP-BASE-220401\RSF-BASE-220401\LD-BASE-220401



**FOREST STAND DELINEATION REPORT
MORGNEC ROAD SOLAR SITE
CHESTERTOWN, KENT COUNTY, MARYLAND**

ECS PROJECT NO. 47:7392

FOR

MORGNEC ROAD SOLAR, LLC

FEBRUARY 8, 2019



February 8, 2019

Mr. James Crawford
Morgnec Road Solar, LLC (c/o H & B Solutions)
337 Log Canoe Circle
Stevensville, Maryland 21666

ECS Project No. 47:7392

Reference: Forest Stand Delineation Report, Morgnec Road Solar Site, 616 Morgnec Road,
Kent County, Maryland

ECS Mid-Atlantic, LLC (ECS) is pleased to present this Forest Stand Delineation (FSD) Report for the above-referenced project in general accordance with ECS Proposal No. 47:9995-EPR, dated December 13, 2018. Kent County requires forest stand delineation plans be submitted to the County as part of the proposed development of the site. County requirements for the forest stand delineation submittal are included within the text of this report and its appendices.

PROPERTY DESCRIPTION

The Morgnec Road Solar Site is located at physical address 616 Morgnec Road in Chestertown, Maryland. The site includes two parcels, identified as Maryland Parcel Account Nos. 1504000765 and 1504000773, totaling approximately 471-acres. The site currently is primarily agricultural fields with wooded areas in the northern portions and several structures in the center of the site. The surrounding parcels are generally rural-residential and agricultural in nature.

SECONDARY INFORMATION

Secondary information entails the background research and review of recorded data and mapping pertaining to the project site. Resources include but are not limited to:

- U.S. Geological Survey (USGS) Topographic Map, Chestertown, MD Quadrangle, 1973
- Kent County Online Resources; <https://www.kentcounty.com/maps/parcelviewer.html>
- Natural Resources Conservation Service (NRCS) online soils database; <http://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateid=MD>
- Available aerial photography and GIS information; NETR Online <http://www.historicaerials.com/>, Google Earth, MERLIN

The USGS Chestertown Quadrangle map shows elevations ranging between approximately 0 to 20 feet above mean sea level (MSL) in the northeastern and eastern portions of the site, and between 20 to 70 feet AMSL in the upland portions in the western and southwestern areas. Additional soil information will be updated when it is made available. The NRCS soil survey indicates that the site is underlain primarily by the soil units listed in Table 1 below:

Table 1: Soil Summary

Map Unit Symbol	Map Unit Name	Hydric Criteria	Natural Drainage Class	K-Value
Ax	Axis mucky silt loam	2, 3	Very poorly drained	0.32
Bs	Bibb silt loam	2, 4	Poorly drained	0.49
Bt	Bibb variant silt loam	2, 3, 4	Very poorly drained	0.28
BuA	Butlertown-Mattapex silt loams, 0 to 2 percent slopes	2	Well to moderately well drained	0.49
BuB2	Butlertown-Mattapex silt loams, 2 to 5 percent slopes, moderately eroded	2, 3	Well to moderately well drained	0.49
CgD3	Colts Neck gravelly loam, 10 to 15 percent slopes, severely eroded	0	Well drained	0.20
CnE	Colts Neck and Sassafras soils, 15 to 40 percent slopes	2, 4	Well drained	0.20
Em	Elkton silt loam, 0 to 2 percent slopes	2, 3	Poorly drained	N/A
Ik	Iuka silt loam, rarely flooded	0	Moderately well drained	0.55
KmA	Keyport fine sandy loam, 0 to 2 percent slopes	2	Moderately well drained	0.32
KmB2	Keyport fine sandy loam, 2 to 5 percent slopes	2	Moderately well drained	0.32
KpA	Keyport silt loam, 0 to 2 percent slopes	2	Moderately well drained	0.49
KpB2	Keyport silt loam, 2 to 5 percent slopes	2	Moderately well drained	0.49
MnA	Matapeake silt loam, 0 to 2 percent slopes	0	Well drained	0.49
MnB	Matapeake silt loam, 2 to 5 percent slopes	0	Well drained	0.49
MnC2	Matapeake silt loam, 5 to 10 percent slopes, moderately eroded	0	Well drained	0.55
MtcA	Mattapex silt loam, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain	2	Moderately well drained	0.49
MtcB	Mattapex silt loam, 2 to 5 percent slopes, Mid-Atlantic Coastal Plain	2	Moderately well drained	0.49
MxA	Mattapex-Matapeake-Butlertown silt loams, 0 to 2 percent slopes	2	Well to moderately well drained	0.49
MxB	Mattapex-Matapeake-Butlertown silt loams, 2 to 5 percent slopes	2	Well to moderately well drained	0.49
SacA	Sassafras sandy loam, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain	0	Well drained	0.20
SacB	Sassafras sandy loam, 2 to 5 percent slopes, Mid-Atlantic Coastal Plain	0	Well drained	0.20
SacC	Sassafras sandy loam, 5 to 10 percent slopes, Mid-Atlantic Coastal Plain	0	Well drained	0.49
SaD2	Sassafras sandy loam, 10 to 15 percent slopes, moderately eroded	0	Well drained	0.49

SfC3	Sassafras loam, 5 to 10 percent slopes, severely eroded	0	Well drained	0.49
SfD3	Sassafras loam, 10 to 15 percent slopes, severely eroded	0	Well drained	0.49
SgB	Sassafras gravelly loam, 0 to 5 percent slopes	0	Well drained	0.20
SgC2	Sassafras gravelly loam, 5 to 10 percent slopes, moderately eroded	0	Well drained	0.20
SgC3	Sassafras gravelly loam, 5 to 10 percent slopes, severely eroded	0	Well drained	0.20
SgD3	Sassafras gravelly loam, 10 to 15 percent slopes, severely eroded	0	Well drained	0.24
W	Water	0	N/A	N/A
WdcA	Woodstown sandy loam, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain	2	Moderately well drained	0.15

METHODS

ECS has performed the Forest Stand Delineation in general accordance with Kent County Codes, Chapter 185. Kent County requires a forest stand delineation to be prepared by a qualified professional for all new developments 40,000 square feet or greater in size per COMAR Article 17 of the State Code and according to the County FSD Plan Checklist.

Forests are defined in the Forest Conservation Act (Nat. Res. Art. 5-1601) as a biological community dominated by trees and other woody plants covering a land area of 10,000 square feet or more, having a minimum density of at least 100 trees per acre with a minimum of 50% of those trees having diameters at least 2 inches at breast height. Forest also includes areas in which the trees have been cut but not cleared of their stumps.

Prior to conducting the field study, ECS reviewed aerial photographs, soil, and topographic maps to determine possible stand boundaries, anthropogenic and environmental features (i.e. tidal and non-tidal wetlands, streams, slopes, K-values, etc.), and to create a sampling strategy for the site. Pre-selected plot points were adjusted in the field to ensure representative sampling of all forest stands on the site. A 10-factor wedge prism was used to calculate the basal area of trees in each plot and the overall forest stand density. A tree caliper was used to determine the diameter at breast height (DBH) of trees generally less than 28 inches in diameter, while diameter tape (D-tape) was used to measure larger trees.

Data collected at each sampling point and noted on the FSD data sheets include information such as basal area, the percent of downed woody debris, forest type, dominant size class, dominant trees, dominant canopy trees, number of trees per acre, number of dead trees per acre, common understory species, forest structure value, percentage of canopy coverage, understory coverage, herbaceous coverage, and invasive species. All specimen trees were identified, tagged, and assessed for their overall condition (Poor, Fair, Good, and Excellent) with their locations marked on the FSD plan.

The information collected in the field is used to calculate a structure value for each forest stand. The structure value places each forest stand in one of three categories: Poor, Good and Priority. This data aids in determining the overall value of each forest stand.

FINDINGS

ECS identified three (3) forest stands located within the project site containing woody vegetation. A FSD plan is attached showing the general location of these stand types. A stand summary sheet and data sheets for individual plots can also be found attached. Two-hundred specimen trees were identified for this site, along with nine (9) located offsite along the southern property boundary.

Stand A

Stand A is approximately 191,866-square feet (4.4-ac) in size and is on the eastern edge of the project area adjacent to the Chester River. Stand A is a mature successional forest dominated primarily by large sized Sweetgum trees, with an understory of Southern Red Oak, Sweetgum, Black Cherry, and American Beech. Stand density is relatively even in age and size throughout the forest stand. Stand A has a high amount of understory growth, with an herbaceous layer consisting of Greenbrier (*Smilax rotundifolia*) and Onion Grass (*Allum ascalonicum*), and a high amount of invasive herbaceous species consisting of a dense carpet of English Ivy (*Hedra helix*) throughout the stand with Japanese Honeysuckle (*Lonicera japonica*), Multiflora Rose (*Rosa multiflora*), and Bittersweet (*Celastrus orbiculatus*) also present. Dominant and subdominant species are listed in Table 2 below. The average basal area for the stand is 163 SF per acre (BAF 10). Seventeen (17) specimen trees were located in Stand A (ST-719-735).

Table 2 – Dominant Woody Vegetation: Stand A

Common Name	Scientific Name
Dominant Species	
Sweetgum	<i>Liquidambar styraciflua</i>
Subdominant Species	
Southern Red Oak	<i>Quercus falcata</i>
American Beech	<i>Fagus grandifolia</i>
White Oak	<i>Quercus alba</i>
American Elm	<i>Ulmus americana</i>
Pin Oak	<i>Quercus palustris</i>
Northern Red Oak	<i>Quercus rubra</i>
Mockernut Hickory	<i>Carya tomentosa</i>
Black Cherry	<i>Prunus serotina</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Tulip Poplar	<i>Liriodendron tulipifera</i>
Total Number of Species in Stand	11

The overall health of the woodland is fair with little evidence of insect or fungal infestation throughout the stand but with high levels of English Ivy overgrowth on existing mature trees and

saplings. Tree quality appears to be good for wildlife habitat, providing some food sources and adequate canopy cover.

The eastern and northeastern edge of the stand follows the floodplain of the Chester River. According to National Wetlands Inventory (NWI) Mapper, portions of Stand A are located within, or within 25 feet of, an Estuarine and Marine Wetland. According to the Kent County soils map, Stand A is underlain primarily by soil units SacB-Sassafras sandy loam, 2 to 5 percent slopes along the western side of the tree line, SaD2-Sassafras sandy loam, 10 to 15 percent slopes along the central and eastern side of the tree line, and Ax-Axis mucky silt loam along the eastern side of the subject site along Chester River. Axis mucky soils are hydric and are included in hydric soil group B/D.

The western edges of this forest stand were disturbed by previous site activity and had poorer tree quality and more vines and invasive plants. Due to the presence of significant environmental features (specimen trees, waters of the U.S., non-tidal wetlands, 25-foot wetland buffer, and Critical Area Buffer), Stand A would likely be classified as a Priority 1 Forest Retention Area.

Stand B

Stand B is approximately 3,300,564-SF (75.8-ac) in size and located in the northern portion of the site extending from the Chester River west along the northern portion of the subject site to the western boundary. Stand B is a mature successional forest dominated primarily by medium to large sized Chestnut Oak, Tulip Poplar and American Beech with an understory of primarily American Beech, American Holly, and Hickory species. Stand density is relatively even in age and size throughout the forest stand. Stand B has a high amount of understory growth with an herbaceous layer consisting of Greenbrier and Onion Grass, as well as a low amount of invasive herbaceous species consisting primarily of Japanese Honeysuckle and Wineberry (*Rubus phoenicolasius*). Dominant and subdominant species are listed in Table 3 below. Stand B has a basal area of approximately 160 SF per acre (BAF 10). One hundred and thirty-six (136) specimen trees were located in Stand B (ST-736 – 841, 894-794, 796- 931).

Table 3 – Dominant Woody Vegetation: Stand B

Common Name	Scientific Name
Dominant Species	
Tulip Poplar	<i>Liriodendron tulipifera</i>
Subdominant Species	
American Beech	<i>Fagus grandifolia</i>
Chestnut Oak	<i>Quercus montana</i>
Southern Red Oak	<i>Quercus falcata</i>
White Oak	<i>Quercus alba</i>
Northern Red Oak	<i>Quercus rubra</i>
Pignut Hickory	<i>Carya glabra</i>
Black Cherry	<i>Prunus serotina</i>
Sweetgum	<i>Liquidambar styraciflua</i>
Total Number of Species in Stand	9

The overall health of the stand is good with little evidence of insect or fungal infestation. Tree quality appears to be good for wildlife habitat, providing different food sources and adequate cover. The northeastern portion of the stand follows the flood plain of the Chester River. According to the NWI Mapper, this portion of Stand B is located in, or within 25 feet of, an Estuarine and Marine Wetland which transitions into a Freshwater Forested/Shrub Wetland along the northern side of the central portion of the Stand and continues north into the western portion of the Stand. According to the Kent County soils map, Stand B is underlain primarily by soil units SacC - Sassafras sandy loam, 5 to 10 percent slopes, MnC2- Matapeake silt loam, 5 to 10 percent slopes, MnA- Matapeake silt loam, 0 to 2 percent slopes, MnB- Matapeake silt loam, 2 to 5 percent slopes, SgD3- Sassafras gravelly loam, 10 to 15 percent slopes, BS- Bibb silt loam, and MTcB- Mattapex silt loam, 2 to 5 percent slopes. Bibb soils are hydric and are included in the hydrologic soil group B/D. Mattapex soils contain minor components of hydric soils of less than five (5) percent.

The southern edges of this forest stand were disturbed by previous site activity and had poorer tree quality and more vines and invasive plants relative to other areas. Due to the presence of significant environmental features (specimen trees, waters of the U.S., non-tidal wetlands, 25-foot wetland buffer, portions of Critical Area Buffer), Stand B should be classified as a Priority 1 Forest Retention Area.

Stand C

Stand C is approximately 1,196,787-SF (27.5-ac) in size and located in the central portion of the site. Stand C is an early successional forest dominated primarily by medium to large sized Tulip Poplar with an understory of primarily Black Cherry, Blackgum, and Green Ash species. Stand density is even in age and size throughout the forest stand. Stand C has a high amount of understory growth, with an herbaceous layer consisting of Christmas Fern (*Polystichum acrostichoides*), Wild Strawberry (*Fragaria vesca*), Onion Grass, and Wild Grape (*Vitis sp.*), and a high amount of invasive herbaceous species consisting of Japanese Honeysuckle, Multiflora Rose, and Wineberry. Dominant and subdominant species are listed in Table 4 below. Stand C has a basal area of approximately 90 SF per acre (BAF 10). Forty-seven (47) specimen trees were located in Stand B (ST-842-888).

Table 4 – Dominant Woody Vegetation: Stand C

Common Name	Scientific Name
Dominant Species	
Tulip Poplar	<i>Liriodendron tulipifera</i>
Subdominant Species	
Sassafras	<i>Sassafras albidum</i>
Blackgum	<i>Nyssa sylvatica</i>
Eastern Redcedar	<i>Juniperus virginiana</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
White Oak	<i>Quercus alba</i>
Black Cherry	<i>Prunus serotina</i>
Total Number of Species in Stand	7

The overall health of the stand is fair with little evidence of insect or fungal infestation. Tree quality appears to be fair for wildlife habitat, providing some food sources and adequate cover. Stand C is transected by a small stream and is located in, or within 25 feet of, an NWI Mapped Freshwater Forested/Shrub Wetland. Stand C is underlain primarily by soil units SgD3-Sassafras gravelly loam, 10 to 15 percent slopes, BS- Bibb silt loam, and MTcB- Mattapex silt loam, 2 to 5 percent slopes. Bibb soils are hydric and are included in the hydrologic soil group B/D. Mattapex soils contain minor components of hydric soils of less than five (5) percent.

The outer edges of this forest stand were disturbed by previous site activity and had poorer tree quality and more vines and invasive plants. Due to the presence of significant environmental features (specimen trees, waters of the U.S., non-tidal wetlands, 25-foot wetland buffer), Stand C should be classified as a Priority 1 Forest Retention Area.

OVERALL SUMMARY

Based on our site reconnaissance, the project site contains three (3) different forest stands with two stands (Stands B & C) dominated by Tulip Poplar and one stand (Stand A) dominated by Sweetgum. Two-hundred (200) specimen trees were identified onsite with nine (9) being located just outside of the wooded stands or offsite of the property boundary. All three stands are in generally fair condition with sapling, pole, medium, and large trees in good or fair condition. Overall tree quality appears to be fair for wildlife habitat, providing some food sources and cover. A limited review of historical photographs revealed that the property has been developed as agricultural land since at least 1981 with the current forest cover intact. The central portion of the site is currently fallow agricultural fields with the remnants of a barn, two grain silos and an above ground storage tank (AST) present in a cleared portion of the subject property. Some evidence of human disturbance is also visible in the forest stands (i.e. hunting blinds) and the presence of invasive species is moderate to high throughout the forested areas with Stand A dominated by a dense carpet of English Ivy. All three stands are classified as having priority forest structure with high retention potential. It is understood from the client that the project will not be cutting any forested areas, no specimen tree will be removed, afforestation requirements will be met, and wetland avoidance has been documented by the Maryland Department of Environment (MDE) following a field visit by H&B and Environmental Resources, Inc. (ERI).

During construction, standard erosion and sediment control methods (tree protection fencing and/or super silt fencing) should be used to protect any tree conservation areas. Additionally, encroachment into the conservation areas should not take place within the drip-line of the conserved trees. Trees proposed to be taken within 10-feet of the conservation area or adjacent to the proposed alignment boundary should be removed or pruned by hand away from the preserved trees. Mulching the perimeter of conservation areas should be incorporated in order to reduce the effects of erosion and sedimentation.

ECS would like to thank Morgnec Road Solar, LLC for the opportunity to provide you with this Forest Stand Delineation. We look forward to assisting you further with this project and other

environmental concerns you may have. If you have any questions, please feel free to contact the undersigned.

Sincerely,

ECS MID-ATLANTIC, LLC



Jennifer Anderson, QP
Environmental Project Manager
JAnderson4@ecslimited.com



Adam M. Meurer, CHMM, PWS
Principal
AMEurer@ecslimited.com

FSD DATA SHEETS

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Jannifer Anderson
 Stand #: A Plot#: 1 Plot Size: 1/10 ac Date: 1/7/2019

Tree Species	Size Class of Trees within sample plot															Total
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Quercus falcata</i>													1			1
<i>Liquidambar styraciflua</i>						4		4			1			1		10
<i>Ulmus americana</i>			1	1							1					3
<i>Carya tomentosa</i>			2													2
<i>Quercus palustris</i>				1												1
<i>Prunus serotina</i>			1													1
<i>Fraxinus pennsylvanica</i>									1							1
Total Number of Trees per Size Class	4			6			5			2			2			19
Number of standing dead trees 6" dbh or greater				9												9

1/100 Ac. Samples:																			
List of Common Understory Species 3'-20'								% Canopy Coverage				% Invasive Cover							
<i>Liquidambar styraciflua, Prunus serotina, Juniperus virginiana</i>								C	N	E	S	W	Total	C	N	E	S	W	Total
								90						100					
List of Herbaceous Species 0'-3'								% Understory Cover 3'-20'				% Herbaceous/ Woody Cover 0'-3'							
<i>Allum ascalonicum, Smilax rotundifolia</i>								C	N	E	S	W	Total	C	N	E	S	W	Total
								15						2					
List of Invasive Species								Down woody debris				Plot Successional Stage:							
<i>Lonicera japonica, Hedera helix, Rosa multiflora, Celastrus orbiculatus</i>								25%				Mature							

Comments: TPA:210
 Total number of tree species > 6": _____
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Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Jannifer Anderson
 Stand #: A Plot#: 2 Plot Size: 1/10 ac Date: 1/7/2019

Basal Area in sf/acre: 180	Size Class of Trees within sample plot															
	# of Trees			# of Trees			# of Trees			# of Trees			# of Trees			Total
Tree Species	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Quercus falcata</i>								1								1
<i>Liquidambar styraciflua</i>							1	3	2							6
<i>Fagus grandifolia</i>			3								1					4
<i>Liriodendro tulipifera</i>										1			2			3
<i>Quercus alba</i>								1								1
<i>Prunus serotina</i>								1				1				2
<i>Quercus rubra</i>						1										1
Total Number of Trees per Size Class	3			1			7			5			2			18
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:																			
List of Common Understory Species 3'-20'								% Canopy Coverage				% Invasive Cover							
<i>Liquidambar styraciflua, Fagus grandifolia</i>								C	N	E	S	W	Total	C	N	E	S	W	Total
								95						90					
List of Herbaceous Species 0'-3'								% Understory Cover 3'-20'				% Herbaceous/ Woody Cover 0'-3'							
<i>Allum ascalonicum, Smilax rotundifolia</i>								C	N	E	S	W	Total	C	N	E	S	W	Total
								20						2					
List of Invasive Species								Down woody debris				Plot Successional Stage:							
Lonicera japonica, Hedera helix								30%				Mature							

Comments:
 Total number of tree species > 6": TPA:300
 sheet of _____

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Jannifer Anderson
 Stand #: A Plot#: 3 Plot Size: 1/10 ac Date: 1/7/2019

Basal Area in sf/acre: 120	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			# of Trees			Total
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Quercus ruba</i>						1				1	2					4
<i>Quercus falcata</i>										2						2
<i>Fagus grandifolia</i>			2								1					2
<i>Carya tomentosa</i>						1										1
<i>Quercus alba</i>									1				1	1		3
Total Number of Trees per Size Class	2			2			1			5			2			12
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:															
List of Common Understory Species 3'-20'				% Canopy Coverage					% Invasive Cover						
<i>Fagus grandifolia, Fagus grandifolia</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				90						2					
List of Herbaceous Species 0'-3'				% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'						
<i>Smilax rotundifolia</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				5						2					
List of Invasive Species				Down woody debris					Plot Successional Stage:						
<i>Rosa multiflora</i>				5%					Mature						

Comments:
 Total number of tree species > 6": TPA:230
 sheet ___ of ___

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Jannifer Anderson
 Stand #: B Plot#: 1 Plot Size: 1/10 ac Date: 1/7/2019

Basal Area in sf/acre: 190	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			Total			
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh				> 30" dbh		
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Quercus prinus</i>						1		17	1		1			1		21
<i>Carya glabra</i>		1														1
Total Number of Trees per Size Class	1			1			18			1			1			22
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:															
List of Common Understory Species 3'-20'				% Canopy Coverage					% Invasive Cover						
<i>Carya glabra, Fagus grandifolia, Kalmia latifolia</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				90											
List of Herbaceous Species 0'-3'				% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'						
				C	N	E	S	W	Total	C	N	E	S	W	Total
				10						2					
List of Invasive Species				Down woody debris					Plot Successional Stage:						
				20%					Mature						

Comments: TPA:440
 Total number of tree species > 6":
 sheet of

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Anna Allie
 Stand #: B Plot#: 2 Plot Size: 1/10 ac Date: 1/8/2019

Basal Area in sf/acre: 150	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			# of Trees			Total
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Quercus alba</i>								1			1			2		4
<i>Quercus rubra</i>								1			1			1		3
<i>Quercus prinus</i>											3			1		4
<i>Fagus grandifolia</i>								2			1					3
<i>Liriodendron tulipifera</i>											1					1
Total Number of Trees per Size Class							4			7			4			15
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:															
List of Common Understory Species 3'-20'				% Canopy Coverage					% Invasive Cover						
<i>Fagus grandifolia</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				95											
List of Herbaceous Species 0'-3'				% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'						
<i>Smilax rotundifolia</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				10						2					
List of Invasive Species				Down woody debris					Plot Successional Stage: Mature						

Comments:
 Total number of tree species > 6": **TPA:290**
 sheet of

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Anna Allie
 Stand #: B Plot#: 3 Plot Size: 1/10 ac Date: 1/8/2019

Basal Area in sf/acre: 130	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			# of Trees			Total
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Quercus prinus</i>										1						1
<i>Fagus grandifolia</i>			1			2			2	2	2				3	12
Total Number of Trees per Size Class							4			7			4			15
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:															
List of Common Understory Species 3'-20'				% Canopy Coverage					% Invasive Cover						
<i>Fagus grandifolia, Ilex opaca</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				80						10					
List of Herbaceous Species 0'-3'				% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'						
<i>Smilax rotundifolia</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				10						2					
List of Invasive Species				Down woody debris					Plot Successional Stage:						
<i>Lonicera japonica</i>									Mature						

Comments:
 Total number of tree species > 6": **TPA: 190**
 sheet of

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Anna Allie
 Stand #: B Plot#: 4 Plot Size: 1/10 ac Date: 1/8/2019

Basal Area in sf/acre: 180	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			# of Trees			Total
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Liriodendron tulipifera</i>										4	2		1			7
<i>Fagus grandifolia</i>					1		3	2			1					7
<i>Quercus alba</i>										1	2					3
<i>Carya glabra</i>							1									1
Total Number of Trees per Size Class							4			7			4			15
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:															
List of Common Understory Species 3'-20'				% Canopy Coverage					% Invasive Cover						
<i>Fagus grandifolia</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				85											
List of Herbaceous Species 0'-3'				% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'						
<i>Smilax rotundifolia, Polystichum acrostichoides</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				10						2					
List of Invasive Species				Down woody debris					Plot Successional Stage: Mature						

Comments:
 Total number of tree species > 6": **TPA:210**
 sheet of

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Anna Allie
 Stand #: B Plot#: 5 Plot Size: 1/10 ac Date: 1/8/2019

Basal Area in sf/acre: 130	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			# of Trees			Total
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Quercus falcata</i>													1			1
<i>Liquidambar styraciflua</i>					1		1									2
<i>Liriodendro tulipifera</i>										3	3		1			7
<i>Prunus serotina</i>									1							1
<i>Quercus alba</i>					2											2
Total Number of Trees per Size Class				3			2			6			2			13
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:															
List of Common Understory Species 3'-20'				% Canopy Coverage					% Invasive Cover						
<i>Fagus grandifolia, Ilex opaca</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				90						10					
List of Herbaceous Species 0'-3'				% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'						
<i>Allum ascalonicum, Fragaria vesca</i>				C	N	E	S	W	Total	C	N	E	S	W	Total
				30						5					
List of Invasive Species				Down woody debris					Plot Successional Stage:						
Lonicera japonica, Rubus phoenicolasius				30%					Mature						

Comments:
 Total number of tree species > 6": TPA: 190
 sheet ___ of ___

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Anna Allie
 Stand #: C Plot#: 1 Plot Size: 1/10 ac Date: 1/8/2019

Basal Area in sf/acre: 130	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			Total			
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh						> 30" dbh
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Juniperus virginiana</i>						1		1								2
<i>Nyssa sylvatica</i>					1			1								2
<i>Fraxinus pennsylvanica</i>											2					2
<i>Liriodendron tulipifera</i>												1				1
<i>Quercus alba</i>								1								1
Total Number of Trees per Size Class				2			3			3						8
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:																	
List of Common Understory Species 3'-20'				% Canopy Coverage					% Invasive Cover								
<i>Prunus serotina, Juniperus virginiana, Linder benzoin</i>				C	N	E	S	W	Total	C	N	E	S	W	Total		
				70						90							
List of Herbaceous Species 0'-3'				% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'								
<i>Allum ascalonicum, Fragaria vesca, Vitis sp.</i>				C	N	E	S	W	Total	C	N	E	S	W	Total		
				60						20							
List of Invasive Species				Down woody debris 40%					Plot Successional Stage: Early								
<i>Lonicera japonica, Rubus phoenicolasius, Rosa multiflora</i>																	

Comments:
 Total number of tree species > 6": TPA:330
 sheet of ___

Forest Sample Plot Field Data Sheet

Property: Morgnec Prepared by: Anna Allie
 Stand #: C Plot#: 2 Plot Size: 1/10 ac Date: 1/8/2019

Basal Area in sf/acre: 130	Size Class of Trees within sample plot															
Tree Species	# of Trees			# of Trees			# of Trees			# of Trees			# of Trees			Total
	2-5.9" dbh			6-9.9" dbh			10-17.9" dbh			18-29.9" dbh			> 30" dbh			
Crown Position	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	DOM	COD	OTH	
<i>Sassafras albidum</i>			1			1		1								3
<i>Prunus serotina</i>								6			1					7
<i>Liriodendron tulipifera</i>											1					1
Total Number of Trees per Size Class	2			3			3						8			
Number of standing dead trees 6" dbh or greater																

1/100 Ac. Samples:																		
List of Common Understory Species 3'-20'							% Canopy Coverage					% Invasive Cover						
<i>Prunus serotina, Juniperus virginiana, Liriodendron tulipifera, Nyssa sylvatica</i>							C	N	E	S	W	Total	C	N	E	S	W	Total
							70						100					
List of Herbaceous Species 0'-3'							% Understory Cover 3'-20'					% Herbaceous/ Woody Cover 0'-3'						
<i>Polystichum acrotichoides, Fragaria vesca, Vitis sp.</i>							C	N	E	S	W	Total	C	N	E	S	W	Total
							40						20					
List of Invasive Species							Down woody debris					Plot Successional Stage:						
<i>Lonicera japonica, Rubus phoenicolasius, Rosa multiflora</i>							35%					Early						

Comments:
 Total number of tree species > 6": **TPA:330**
 sheet of

PHOTOGRAPHIC LOG



Photograph 1: View of Forest Stand (FS) A Plot 1.



Photograph 2: View of FS A Plot 2.



Photograph 3: View of specimen tree (ST) 726 in Stand A with ivy cover. This photograph shows a representative specimen tree within this stand.



Photograph 4: View of a wetland within Forest Stand A adjacent to the Chester River.



Photograph 5: View of ST-739 in FS A.



Photograph 6: Looking east at Chester River floodplain from FS A.



Photograph 7: View of Forest Stand B.



Photograph 8: View of ST-740 near FS Plot B2.



Photograph 9: View of ST-741 near FS Plot B1.



Photograph 10: View of ST-742 near FS Plot B1.



Photograph 11: View of FS Plot B2.



Photograph 12: Freshwater wetland located within FS B.



Photograph 13: View of ST-803 located within FS B.



Photograph 14: View of FS Plot B3.



Photograph 15: View of ST-832 within FS B.



Photograph 16: View of FS Plot C1.



Photograph 17: View of ST-855 within FS C.



Photograph 18: Dense undergrowth within FS C.

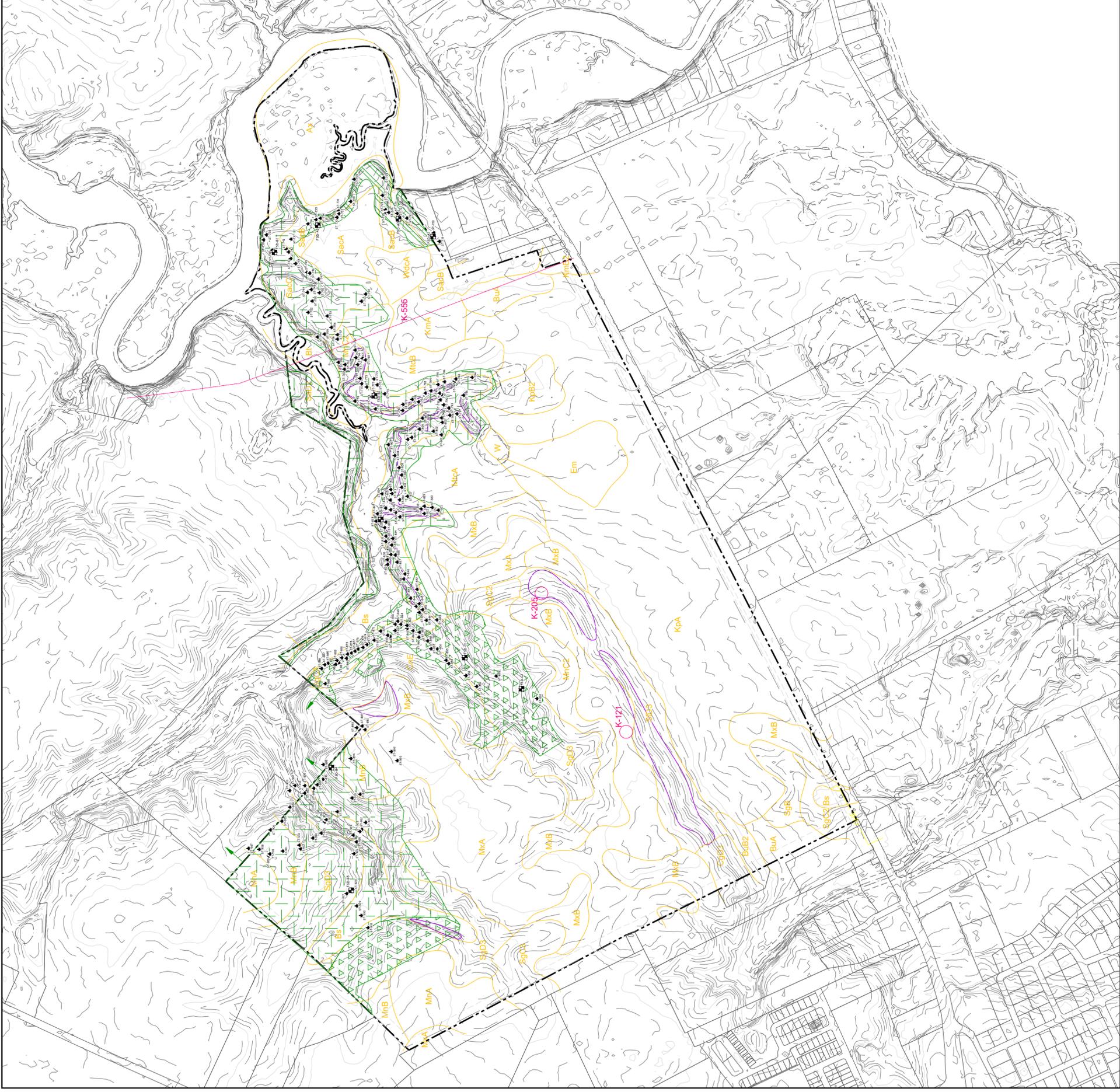


Photograph 19: Cleared agricultural land along southern edge of FS C.



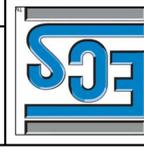
Photograph 20: View toward a wetland area within FS C.

FOREST STAND DELINEATION MAP



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MORGNEC ROAD SOLAR SITE 616 MORGNEC ROAD CHESTERTOWN, KENT COUNTY, MARYLAND

FOREST STAND
DELINEATION MAP
MORGNEC ROAD SOLAR, LLC

ECS REVISIONS	ENGINEER	DRAFTING
	AMM	JAA
SCALE	1" = 400'	
PROJECT NO.	47-7392	
SHEET	1 OF 2	
DATE	02/08/19	

Notes:
 -The Morgnec property is located on Tax Map 37, Grid ZF, Parcel 40 and Tax Map 37, Grid ZE, Parcel 174.
 -This Plan was prepared by Jessica Antos and Qualified Professional Jannifer Anderson.
Jannifer Anderson
 February 8, 2019

- LEGEND**
- SPECIMEN TREE LOCATION
 - FOREST STAND DATA POINT
 - PROJECT SITE
 - FOREST STAND A
 - FOREST STAND B
 - FOREST STAND C
 - SOIL UNITS
 - APPROXIMATE WETLAND/STREAM
 - WETLAND/STREAM BUFFER
 - 100-YEAR FLOODPLAIN
 - APPROXIMATE AREA OF SOIL WITH K VALUE >0.35 ON >15% SLOPES
 - MAPPED HISTORIC PROPERTY

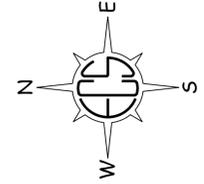
Site-Specific Notes:

- Critical habitats are not identified by USFWS on this property.
- Adjacent property uses are generally agricultural to the north, critical area to the east, light industrial to the south, and commercial/residential to the west.

VICINITY MAP



Source: Google Earth



SPECIMEN TREE DATA

The Number	Common Name	Scientific Name	DBH (inches)	Condition	Condition Comments
ST-719	Southern Red Oak	Quercus falcata	34	Fair	One dead limb
ST-720	Sweet Gum	Liquidambar styraciflua	63	Fair	Double leader, dead limbs, ivy cover
ST-721	Tulip Poplar	Liriodendron tulipifera	52	Fair	Ivy cover
ST-722	Tulip Poplar	Liriodendron tulipifera	50	Good	Few dead limbs, ivy cover
ST-723	Tulip Poplar	Liriodendron tulipifera	33	Fair	One dead limb
ST-724	Tulip Poplar	Liriodendron tulipifera	57.5	Good	Double leader
ST-725	Tulip Poplar	Liriodendron tulipifera	40.5	Fair	Dead limbs, ivy cover
ST-726	Tulip Poplar	Liriodendron tulipifera	40.5	Good	Dead limbs
ST-727	White Oak	Quercus alba	47	Good	Dead limbs, double leader
ST-728	Swamp Chestnut Oak	Quercus michauxii	37	Fair	Ivy cover
ST-729	Southern Red Oak	Quercus falcata	43	Good	n/a
ST-730	Southern Red Oak	Quercus falcata	32	Good	n/a
ST-731	Southern Red Oak	Quercus falcata	32	Fair	Ivy cover
ST-732	Southern Red Oak	Quercus falcata	33	Good	Dead limbs
ST-733	Southern Red Oak	Quercus falcata	32	Good	Dead limbs
ST-734	Southern Red Oak	Quercus falcata	34	Good	Dead limbs
ST-735	Southern Red Oak	Quercus falcata	48	Good	Dead limbs
ST-736	Southern Red Oak	Quercus falcata	42	Good	Dead limbs
ST-737	Southern Red Oak	Quercus falcata	41	Good	Dead limbs
ST-738	Chestnut Oak	Quercus montana	38	Good	Dead limbs
ST-739	Chestnut Oak	Quercus montana	34	Good	Dead limbs
ST-740	Southern Red Oak	Quercus falcata	36	Fair	Dead limbs
ST-741	Chestnut Oak	Quercus montana	34.5	Fair	Dead limbs, quadruple leaders
ST-742	Chestnut Oak	Quercus montana	33	Fair	Dead limbs, one-sided
ST-743	Tulip Poplar	Liriodendron tulipifera	60	Fair	Triple leaders, dead limbs, tree stand
ST-744	Southern Red Oak	Quercus falcata	32	Good	Multiple large dead limbs
ST-745	White Oak	Quercus alba	32	Good	Dead limbs
ST-746	White Oak	Quercus alba	32	Good	Dead limbs
ST-747	White Oak	Quercus alba	32	Good	Dead limbs
ST-748	American Beech	Fagus grandifolia	45	Fair	Dead limbs
ST-749	American Beech	Fagus grandifolia	38	Good	Double leader, dead limbs
ST-750	American Beech	Fagus grandifolia	38	Fair	Dead limbs
ST-751	Chestnut Oak	Quercus montana	38	Good	Dead limbs, double leader
ST-752	American Beech	Fagus grandifolia	33	Fair	Multiple large dead limbs
ST-753	American Beech	Fagus grandifolia	34	Fair	Large dead limbs
ST-754	Swamp Chestnut Oak	Quercus michauxii	32	Fair	Dead limbs
ST-755	White Oak	Quercus alba	38	Fair	Large dead limbs
ST-756	American Beech	Fagus grandifolia	31	Good	Dead limbs
ST-757	Tulip Poplar	Liriodendron tulipifera	53	Fair/Poor	Quadruple leaders, damage from fallen tree
ST-758	Chestnut Oak	Quercus montana	30	Good	Slight lean
ST-759	White Oak	Quercus alba	32	Fair	Large dead limbs
ST-760	Chestnut Oak	Quercus montana	32	Fair	Multiple large dead limbs
ST-761	White Oak	Quercus alba	37	Fair	Dead limbs
ST-762	Northern Red Oak	Quercus rubra	43	Fair	Dead limbs, water sprouts
ST-763	White Oak	Quercus alba	42	Poor	Split, many large dead limbs
ST-764	Southern Red Oak	Quercus falcata	33	Fair	Dead limbs, one-sided
ST-765	American Beech	Fagus grandifolia	32	Fair	Trunk damage, dead limbs
ST-766	American Beech	Fagus grandifolia	34	Good	Dead limbs
ST-767	Tulip Poplar	Liriodendron tulipifera	34	Good	Follow, large dead limbs
ST-768	Northern Red Oak	Quercus rubra	35	Poor	Large dead limbs
ST-769	American Beech	Fagus grandifolia	30	Fair	Large dead limbs
ST-770	American Beech	Fagus grandifolia	32	Fair	Large dead limbs
ST-771	Southern Red Oak	Quercus falcata	32	Fair	Large dead limbs
ST-772	Southern Red Oak	Quercus falcata	35	Fair	Double leader, large dead limbs
ST-773	White Oak	Quercus alba	31	Fair	Large dead limbs
ST-774	Northern Red Oak	Quercus rubra	32	Fair	Large dead limbs
ST-775	White Oak	Quercus alba	45	Fair	Large dead limbs
ST-776	Northern Red Oak	Quercus rubra	36	Fair	Large dead limbs
ST-777	White Oak	Quercus alba	40	Fair	Large dead limbs
ST-778	Chestnut Oak	Quercus montana	34	Fair	Triple leaders, dead limbs
ST-779	White Oak	Quercus alba	42	Fair	Multiple large dead limbs
ST-780	Northern Red Oak	Quercus rubra	34	Fair	Double leaders, dead limbs
ST-781	Northern Red Oak	Quercus rubra	30	Fair	Dead limbs
ST-782	American Beech	Fagus grandifolia	30	Poor	Hollow, large dead limbs
ST-783	Chestnut Oak	Quercus montana	40	Fair	Triple leader, dead limbs
ST-784	Northern Red Oak	Quercus rubra	37	Fair	Large dead limbs
ST-785	Southern Red Oak	Quercus falcata	33	Fair	Large dead limbs
ST-786	Southern Red Oak	Quercus falcata	38	Fair	Leaning, one-sided, dead limbs
ST-787	Northern Red Oak	Quercus rubra	41	Fair	Dead limbs
ST-788	Northern Red Oak	Quercus rubra	46	Fair	One-sided, dead limbs
ST-789	Tulip Poplar	Liriodendron tulipifera	35	Fair	Double leaders, dead limbs
ST-790	Tulip Poplar	Liriodendron tulipifera	34	Fair	Quadruple leaders, vines, dead limbs
ST-791	Tulip Poplar	Liriodendron tulipifera	38	Fair	Large dead limbs, no damage
ST-792	Tulip Poplar	Liriodendron tulipifera	30	Fair	Vines, large dead limbs
ST-793	Tulip Poplar	Liriodendron tulipifera	42	Fair/Poor	Triple leader, heavy vines, dead limbs
ST-794	Tulip Poplar	Liriodendron tulipifera	44	Fair	Vines, dead limbs, double trunk
ST-795	Northern Red Oak	Quercus rubra	47	Fair	Vines, dead limbs
ST-796	White Oak	Quercus alba	32	Poor	Large dead limbs
ST-797	White Oak	Quercus alba	32	Fair	Triple leader, large dead limbs
ST-798	White Oak	Quercus alba	31	Fair	Large dead limbs
ST-799	White Oak	Quercus alba	60	Fair	Vines, dead limbs
ST-800	White Oak	Quercus alba	30	Fair	Vines, dead limbs
ST-801	White Oak	Quercus alba	40	Fair	Large dead limbs
ST-802	Northern Red Oak	Quercus rubra	40	Fair	Large dead limbs, hole at base
ST-803	Northern Red Oak	Quercus rubra	42	Fair	Large dead limbs
ST-804	Northern Red Oak	Quercus rubra	41	Fair	Large dead limbs
ST-805	White Oak	Quercus alba	41	Fair	Large dead limbs
ST-806	White Oak	Quercus alba	37	Fair	Large dead limbs
ST-807	Chestnut Oak	Quercus montana	49	Fair	Double leader, dead limbs
ST-808	American Beech	Fagus grandifolia	31	Good	Dead limbs
ST-809	Southern Red Oak	Quercus falcata	32/47	Fair	Triple leader, tree stand
ST-810	Southern Red Oak	Quercus falcata	30	Fair	Leaning, one-sided
ST-811	Northern Red Oak	Quercus rubra	36	Fair	Large dead limbs
ST-812	American Beech	Fagus grandifolia	32	Fair	Large dead limbs
ST-813	Tulip Poplar	Liriodendron tulipifera	44	Fair	Large dead limbs, tree stand
ST-814	Tulip Poplar	Liriodendron tulipifera	33/30	Poor	Double leader, dead limbs
ST-815	Tulip Poplar	Liriodendron tulipifera	30	Fair	Large dead and broken limbs
ST-816	Tulip Poplar	Liriodendron tulipifera	36	Fair	Quadruple leaders, broken leader, trunk damage
ST-817	Northern Red Oak	Quercus rubra	34	Fair	Large dead limbs
ST-818	Tulip Poplar	Liriodendron tulipifera	31	Fair	Trunk hollow, large dead limbs
ST-819	Southern Red Oak	Quercus falcata	37	Fair/Poor	Vines, many large dead limbs
ST-820	Tulip Poplar	Liriodendron tulipifera	53	Fair	Double leader, vines
ST-821	White Oak	Quercus alba	43	Fair	Large dead limbs
ST-822	Black Walnut	Juglans nigra	49	Fair	Large dead limbs
ST-823	Northern Red Oak	Quercus rubra	41	Fair	Large dead limbs
ST-824	Northern Red Oak	Quercus rubra	33	Fair	Many large dead limbs
ST-825	American Beech	Fagus grandifolia	30	Good	Dead limbs
ST-826	American Beech	Fagus grandifolia	33	Fair	Large dead limbs
ST-827	American Beech	Fagus grandifolia	33	Fair/Poor	Broken leaders
ST-828	American Beech	Fagus grandifolia	32	Fair	Trunk damage, dead limbs
ST-829	American Beech	Fagus grandifolia	37	Fair	Large dead and broken limbs
ST-830	American Beech	Fagus grandifolia	41	Fair	Trunk damage, dead limbs

SOIL DATA

Map Unit Symbol	Map Unit Name	Hydric Soil (Y/N)	Prime Agricultural Soils (Y/N)	K-Value
Ax	Axis mucky silt loam	Y	N	0.32
Bs	Bibb silt loam	Y	N	0.49
Bt	Bibb variant silt loam	Y	N	0.28
BuA	Bulltown-Mattapox silt loams, 0 to 2 percent slopes	Y	Y	0.49
BuB2	Bulltown-Mattapox silt loams, 2 to 5 percent slopes, moderately eroded	Y	N	0.49
CpD3	Coils Neck and Sassafras soils, 15 to 40 percent slopes, severely eroded	N	N	0.2
ChE	Coils Neck and Sassafras soils, 15 to 40 percent slopes	Y	N	0.2
Em	Elkton silt loam, 0 to 2 percent slopes	Y	N	N/A
Ik	Iuka silt loam, rarely flooded	N	N	0.55
KmA	Keypoint line sandy loam, 0 to 2 percent slopes	Y	Y	0.32
KmB2	Keypoint line sandy loam, 2 to 5 percent slopes	Y	N	0.32
KpA	Keypoint silt loam, 0 to 2 percent slopes	Y	Y	0.49
KpB2	Keypoint silt loam, 2 to 5 percent slopes	Y	Y	0.49
MnA	Mattapoke silt loam, 0 to 2 percent slopes	N	Y	0.49
MnB	Mattapoke silt loam, 2 to 5 percent slopes	N	Y	0.49
MnC2	Mattapoke silt loam, 5 to 10 percent slopes, moderately eroded	N	N	0.55
MtA	Mattapox silt loam, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain	Y	N	0.49
MtB	Mattapox silt loam, 2 to 5 percent slopes, Mid-Atlantic Coastal Plain	Y	Y	0.49
MnA	Mattapox-Mattapoke-Bulltown silt loams, 0 to 2 percent slopes	Y	Y	0.49
MnB	Mattapox-Mattapoke-Bulltown silt loams, 2 to 5 percent slopes	Y	Y	0.49
SecA	Sassafras sandy loam, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain	N	Y	0.2
SecB	Sassafras sandy loam, 2 to 5 percent slopes, Mid-Atlantic Coastal Plain	N	Y	0.2
SecC	Sassafras sandy loam, 5 to 10 percent slopes, Mid-Atlantic Coastal Plain	N	N	0.49
SdD2	Sassafras sandy loam, 10 to 15 percent slopes, moderately eroded	N	N	0.49
SlC3	Sassafras loam, 5 to 10 percent slopes, severely eroded	N	N	0.49
SlD3	Sassafras loam, 10 to 15 percent slopes, severely eroded	0	N	0.49
SgB	Sassafras gravelly loam, 0 to 5 percent slopes	N	Y	0.2
SgC2	Sassafras gravelly loam, 5 to 10 percent slopes, moderately eroded	N	N	0.2
SgC3	Sassafras gravelly loam, 5 to 10 percent slopes, severely eroded	N	N	0.2
SgD3	Sassafras gravelly loam, 10 to 15 percent slopes, severely eroded	N	N	0.24
W	Water	N	N	N/A
WtA	Woodstown sandy loam, 0 to 2 percent slopes, Mid-Atlantic Coastal Plain	Y	Y	0.15

Notes:

-The Morgnec property is located on Tax Map 37, Grid 2F, Parcel 40 and Tax Map 37, Grid 2E, Parcel 174.
 -This Plan was prepared by Jessica Avinos and Qualified Professional Janifer Anderson.

Janifer Anderson
 February 6, 2019



EGS - ENVIRONMENTAL GEOSPATIAL SOLUTIONS, INC.
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MORNEC ROAD SOLAR SITE
 616 MORNEC ROAD
 CHESTERTOWN, KENT COUNTY, MARYLAND

FOREST STAND
 DELINEATION MAP
 MORNEC ROAD SOLAR, LLC

ECSS REVISIONS
 ENGINEER AMM
 DRAFTING JAA
 SCALE NTS
 PROJECT NO. 47-7392
 SHEET 2 OF 2
 DATE 02/08/19

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Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

August 3, 2016

Mr. Timothy J. Kellerman
Triad Engineering, Inc.
1075-D Sherman Avenue
Hagerstown, Maryland 21740

RE: Environmental Review for Morgnec Solar Electrical Generation Station, 616 Morgnec Road, Chestertown, Triad Project No. 03-16-0233, Tax Map 37, p/o Parcels 40 & 174, Kent County, Maryland.

Dear Mr. Kellerman:

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2016.1022.ke
Cc: F. Kelley, DNR
K. Charbonneau, CAC



To: Kent County Planning Commission
From: Mark Carper, Associate Planner
Meeting: August 3, 2023
Subject: Choptank Electric Cooperative
Preliminary Site Plan Review – Expansion of Electrical Substation
Lot Line Adjustment – Front Yard Setback

Executive Summary

REQUEST BY THE APPLICANT

Choptank Electric Cooperative is requesting preliminary site plan review to expand an existing utility substation, which is to include a new 30-foot by 12-foot control building, new transformer, substation structure, and substation regulators.

PUBLIC PROCESS

Per Article VI, Section 5.2 of the Kent County *Land Use Ordinance*, the Planning Commission shall review and approve major site plans.

SUMMARY OF THE STAFF REPORT

Choptank Electric Cooperative is requesting a preliminary site plan review to expand an existing utility substation. There is to be an addition of 38,756 square feet of gravel to the area. The expansion will allow for conversion from a transmission breaker station to an electric step-down station to reduce voltage to provide power delivery to members of the Choptank Electric Cooperative. The 4.22-acre property is located along Massey Rd (MD State Highway 299), just north of Massey, in the First Election District and is zoned Economic Center (EC).

The applicant is requesting that the 100-foot front setback be reduced so that the substation equipment may be configured to increase the spacing between energized equipment for safety as well as ease of operation. The submitted site plan shows the proposed setback of 60 feet and the proposed configuration of the substation transformers. There is one entry into the existing facility, and two additional entrances into the area of expansion are proposed so as to increase safety and ease of maintenance and operations.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approves the preliminary site plan for the proposed substation expansion and preliminarily approves the proposed lot line adjustment to establish a front yard setback of 60 feet. Prior to final site plan approval, the following items must be addressed:

- Lot line adjustment plat with requested 60-foot front yard setback.
- Approval of sediment and erosion control and stormwater management plans.
- Front, side, and rear elevations of all proposed structures.
- Citizen Participation Plan Report.
- MDOT SHA approval of proposed new entrances.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: #23-32 – Choptank Electric Cooperative
Preliminary Site Plan Review – Expansion of Electrical Substation
#23-48 – Lot Line Adjustment – Front Yard Setback
DATE: July 27, 2023

DESCRIPTION OF PROPOSAL

Choptank Electric Cooperative is requesting a preliminary site plan review to expand an existing utility substation. There is to be an addition of 38,756 square feet of gravel to the area. The expansion will allow for conversion from a transmission breaker station to an electric step-down station to reduce voltage to provide power delivery to members of the Choptank Electric Cooperative. The 4.22-acre property is located along Massey Rd (MD State Highway 299), just north of Massey, in the First Election District and is zoned Economic Center (EC).

The applicant is requesting that the 100-foot front setback be reduced so that the substation equipment may be configured to increase the spacing between energized equipment for safety as well as ease of operation. The submitted site plan shows the proposed setback of 60 feet and the proposed configuration of the substation transformers. If the Planning Commission provides preliminary approval of the request, a lot line adjustment plat reflecting the change will be produced and presented for the final site plan review. There is one entry into the existing facility, and two additional entrances into the area of expansion are proposed so as to increase safety and ease of maintenance and operations.

The proposed expansion will responsibly scale electric distribution to help meet the current and future energy needs of the County, and it is consistent with the objectives of the Comprehensive Plan.

RELEVANT ISSUES

I. Permitted Uses and Density, Height, Width, Bulk, and Fence Requirements

- A. *Applicable Laws:* Article V, Section 14.2 of the *Kent County Land Use Ordinance* establishes public utility buildings, structures, water treatment plants, and transmission lines as permitted uses and structures in the Employment Center.

Article V, Section 14.5 of the *Kent County Land Use Ordinance* establishes that the minimum front yard setback on non-primary roads in the Employment Center is as approved during subdivision review. The setback for primary roads is 100 feet.

B. *Staff and TAC Comments:*

- The applicant proposes to expand an existing utility substation.
- The parcel is not on a primary road.
- The June 1989 subdivision, in which this parcel was created, did not establish a front yard setback, and the default setback requirement is 100 feet. The applicant is requesting that the 100-foot setback be reduced to 60 feet so that the substation equipment may be reconfigured to increase the spacing between energized equipment for safety as well as ease of operation.
- If preliminarily approved by the Planning Commission, the applicant will produce a lot line adjustment plat reflecting the change for review and subsequent recordation.

II. Employment Center District Performance Standards

- A. *Applicable Law:* Article V, Section 14.6 of the *Kent County Land Use Ordinance* establishes the performance standards within the Employment Center District. These performance standards address noise, vibration, glare, air pollution, water pollution, radioactivity, electrical interference, smoke and particulate matter, toxic matter, and odorous matter limitations with compliance certified in an engineer's report.
- B. *Staff and TAC Comments:* The applicant has addressed the performance standards and has submitted a Certified Engineer's Report.

III. Employment Center District General Standards

- A. *Applicable Law:* Article V, Section 14.7 of the *Kent County Land Use Ordinance* establishes the general standards within the Employment Center District. These include a statement as to the materials associated with the process, identification of chemical and solids to be discharged into the sewage system, expected traffic, hours of operation, and depiction of all proposed structures.

The use shall not create highway hazards and visual clutter in so far as practicable. Any use in an employment center district shall have access at least 3,000 feet from any highway strip (two or more access points within 3,000 feet of each other), in so far as possible. The Planning Commission may waive this requirement when the Commission finds all of the following:

- i. The proposal complies with the spirit and intent of the Land Use Ordinance and the Comprehensive Plan.
 - ii. That the waiver will not cause a substantial detriment to adjacent or neighboring property.
 - iii. That the waiver will not create a safety hazard or increase traffic congestion.
 - iv. The waiver is the minimum necessary to relieve a practical difficulty and is not sought for reasons of convenience, profit or caprice.
- B. *Staff and TAC Comments:*
 - The applicant has provided comment that there will be no waste or by-products created during operation, that no chemical or solids will be generated or discharged, that the property is an unmanned controlled access site and that very little traffic will be generated when it becomes operational, and that the hours of operation will be 24 hours a day each day of the year.
 - The applicant has provided comment that the two proposed additional entrances along with the existing entrance are necessary for construction, maintenance, and operation of the electric substation. The site plan proposes equipment configuration with the reduced front yard setback.

IV. Employment Center District Environmental Standards

- A. *Applicable Law:* Article V, Section 14.8 of the *Kent County Land Use Ordinance* establishes the Employment Center District Environmental Standards which include agriculture, anadromous fish, forest conservation, natural heritage areas, nontidal wetlands, stream protection corridor, stormwater management, threatened and endangered species, and water quality standards.
- B. *Staff and TAC Comments:*
 - A parcel with less than 15% of its net tract area in forest cover shall be afforested to 15% of its net tract area. The property has no existing forest or woodlands. Because of safety

and maintenance risks around overhead electric circuits, on-site afforestation is not possible. The applicant agrees to pay a fee-in-lieu at a rate of \$0.305 per square foot to the Forest Conservation Fund.

- Development or redevelopment of land for commercial use shall provide for appropriate stormwater management measures that control or manage such developments. The applicant has submitted preliminary plans for erosion and sediment control and stormwater management for review.

V. Employment Center Design Standards

A. *Applicable Law:* Article V, Section 14.9 of the *Kent County Land Use Ordinance* establishes the Employment Center Design Standards which address site access, on-site circulation, floodplain, landscaping, screening, lighting, site planning, and subdivision.

B. *Staff and TAC Comments:*

- Access shall be consolidated whenever possible. There is one existing entrance. Two additional entrances into the expanded portion are proposed.
- Sites shall be designed to prevent awkward or dangerous flow. The applicant is requesting that the front yard setback be reduced so that the configuration of the proposed structures may be arranged to increase safety and ease of operations.
- The front yard shall be landscaped and shall be maintained in a neat and attractive condition. The applicant proposes to install a row of 5- to 6-foot-tall Leyland cypress trees spaced 8 feet apart on the exterior of the fencing of the new development as screening. Leyland cypress trees are not native to Maryland, and staff recommends that an alternative evergreen, such as the eastern red cedar, be installed.

VI. Site Plan Review

A. *Applicable Law:* Article VI, Section 5 of the *Kent County Land Use Ordinance* outlines the procedures and requirements for site plan review. Site Development Plans are required to ensure that new development complies with the Comprehensive Plan, Land Use Ordinance, Village Master Plans and other agency requirements, thereby promoting the health, safety, and general welfare of Kent County residents.

At each stage of review the Planning Commission shall review the site plan and supporting documents taking into consideration the reasonable fulfillment of the following objectives:

- a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan
- b. Conformance with the provisions of all applicable rules and regulations of county, state, and federal agencies.
- c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
- d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate lighting, and internal traffic control.
- e. Reasonable demands placed on public services and infrastructure.
- f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.
- g. Protection of abutting properties and County amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.

- h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.
- i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.
- j. The applicant's efforts to design the development to complement and enhance the rural and historic nature of the County including incorporating into the project forms and materials that reflect the traditional construction patterns of neighboring communities.
- k. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and natural landscape.

B. *Staff and TAC Comments:*

- The proposal is consistent with the Comprehensive Plan and conforms with all applicable rules and regulations.
- Areas for vehicular flow appear to be adequate for the use proposed.
- Demands on public services and infrastructure are reasonable, and there will be no undue disturbance by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, or stormwater runoff. A certified engineers report has been submitted.
- No sewage or refuse disposal is proposed, and protection from pollution of surface and groundwater is proposed through stormwater management.
- No lighting is proposed, and examples of the signage proposed for the site have been submitted.
- No vegetation is proposed to be removed, and vegetated perimeter screening is proposed.
- A Citizen Participation Plan has been developed, and letters to owners of adjacent properties have been sent inviting comments and/or questions.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approves the preliminary site plan for the proposed substation expansion and preliminarily approves the proposed lot line adjustment to establish a front yard setback of 60 feet. Prior to final site plan approval, the following items must be addressed:

- Lot line adjustment plat with requested 60-foot front yard setback.
- Approval of sediment and erosion control and stormwater management plans.
- Front, side, and rear elevations of all proposed structures.
- Citizen Participation Plan Report.
- MDOT SHA approval of proposed new entrances.

Kent County Department of Planning, Housing and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

SITE PLAN APPLICATION

\$225 to Kent Co. Commissioners

File Number: _____ Amount Paid: \$50 to Health Dept. Date: 4-17-2023

Project Name: Choptank Electric Cooperative - Massey 69kV Substation

District: 1st Map: 16 Parcel: 23 & 61 Lot Size: 4.221 Ac. Deed Ref: 293/320 & 88/427 Zoning: EC

LOCATION: 12305 Massey Rd., Massey, MD 21650

PROPOSED USE: Electric Utility (Transmission to Distribution) Step-down Substation

OWNER OF LAND:

Name: Choptank Electric Cooperative, Inc. Telephone: 877-892-0001

Address: 10384 River Rd., Denton, MD 21629 Email: nathans@choptankelectric.coop

APPLICANT:

Name: Michael Noh (of RGrid Power PLLC) on the behalf of Choptank EC Telephone: 984-202-9812

Address: 501 N. Main Street, Wake Forest NC 27587 Email: mnoh@rgridpower.com

AGENT/ATTORNEY (if any):

Name: _____ Telephone: _____

Address: _____ Email: _____

REGISTERED ENGINEER OR SURVEYOR:

Name: Bob Beadle, PE (RGrid Power PLLC) Telephone: 919-801-5859

Address: 501 N. Main Street, Wake Forest NC 27587 Email: rbeadle@rgridpower.com

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: mnoh@rgridpower.com

Water Supply: Public System On lot system N/A (none planned for project site)

Sewerage: Public System On lot system N/A (none planned for project site)

TELEPHONE SERVICED BY: N/A (non planned for this project site)

ELECTRIC SERVICED BY: Choptank Electric Cooperative Inc.

NOTICE: The Planning Office is not required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.



4/17/2023

Signature of Applicant (MICHAEL NOH)

Date

Concept Plan Approving Authority: _____ Date _____

Preliminary Approving Authority: _____ Date _____

Final Approving Authority: _____ Date _____

Choptank Electric Cooperative - Massey 69kV Electric Substation
Project Narrative & Summary for Kent Co. MD Conceptual Review

(June 21, 2023)

Introduction: Choptank Electric Cooperative is a not-for-profit, member owned, electric distribution cooperative that serves residential, commercial, and industrial members in Kent County Maryland.

The proposed Massey 69kV Substation project is an expansion of an existing Choptank Electric Cooperative transmission breaker station that connects to an existing Delaware Power & Light Company (DP&L) overhead transmission line. This site expansion and conversion to an electric substation site will allow for the step-down of high-voltage transmission to lower-voltage distribution to serve the needs of the community.

Owner: Choptank Electric Cooperative - 10384 River Rd., Denton, MD 21629

Owner's Engineer: RGrid Power PLLC. - 501 N. Main St., Wake Forest, NC 27587

Project Site Street Address: Massey Breaker Station - 12395 Massey Rd., Massey, MD 21650

Zoning Classification: (EC) Employment Center

Current & Proposed Use of Property: The property is currently being utilized as an electric transmission breaker station where Choptank Electric Cooperative taps Delaware Power & Light Company's overhead transmission circuit to feed its own transmission assets. The proposed site use is for conversion to an electric step-down station where transmission voltage is reduced to distribution voltage and to provide a power delivery point for its members.

(Article V, Sec. 14.7, #1):

- a) This substation will be constructed of concrete, steel, aluminum, and various polymer or ceramic bushings and insulators. Conductors will be aluminum and copper. There will be no waste or by-products created during the operation of this proposed substation. (See Certified Engineer's Report)
- b) No chemicals or solids will be generated or discharged.
- c) Very little traffic is expected at this substation once it is operational. Weekly traffic by Choptank Electric Cooperative employees or their subcontractors will be the norm. This is an unmanned controlled access site and will be locked and secured when no one is in attendance.
- d) The proposed hours of operation is 24 hours a day 365 days a year
- e) See Conceptual Plan drawings and Certified Engineer's Report for design graphic and narrative.

Forest Conservation Approach: There is no existing forest or woodlands on this property nor are there plans for afforestation due to safety and maintenance risks around overhead electric circuits. Choptank agrees to pay the fee-in-lieu at a rate of 30.5 cents per square foot.

Viewshed & Conservation Analysis: The proposed site resides on very gradual existing topography that is predominantly less than (1%) grades. The site is immediately adjacent to an existing DP&L overhead transmission line easement that encumbers the property and is along the road frontage of State Route 299, Massey Road, it is otherwise surrounded by agricultural fields. The viewshed comprises of mostly large-scale agricultural operations in all directions and one residential parcel that is on the opposite side of Massey Rd. from the site.

A proposed visual screening hedgerow of Leyland Cypress trees is planned for the proposed substation site, that when mature will block the view to the residential parcel across the street from the site. The proposed visual screening vegetation will be maintained by Choptank Electric to match the height of the proposed (8') tall substation security fence. The Leyland cypress trees will be installed at a planted height of (5'-6') and spaced (8') apart to allow the branches to fill in gaps in between plantings. Visual screening trees will not be placed where maintenance of the planted screening will create safety hazards due to proximity to existing and proposed overhead power lines.

To maximize conservation efforts, the planned substation has been designed to impact the very least amount of land within the fenced area based on required vehicle turning radii and electrical equipment spacing requirements. Proposed grading is minimized outside of the proposed fence line to just what is necessary to divert off-site stormwater runoff away from the proposed site and to isolate and direct runoff from the proposed gravel footprint into a planned permanent stormwater infiltration BMP that will be used as a temporary sediment trap during the construction phase.

Kent Co. Comprehensive Plan: This project will directly affect and enhance the State's Comprehensive Plan by responsibly scaling and bringing electric distribution to meet the current and future needs of the County's residents, businesses, and industries in a way that is compatible with the tenants of the Plan and promote economic growth by providing a power supply to future industries and residents.

This project has been designed to impact the least amount of area necessary to build and operate and electric substation of this type by placing it immediately adjacent to its power source, the existing DP&L electric overhead transmission line, instead of installing a transmission tap circuit several hundred feet or miles in length that would impact more land, to a proposed substation site further away. The proposed grading and project footprint has been minimized to work with the existing contour of the land and to mitigate stormwater discharges to the maximum extents practicable and maintain safe operating distances for electrical substation equipment.

Water & Sewer Service: None Planned. This is an unmanned electric utility facility.

Ownership & Maintenance Statement: This facility will be owned and maintained by Choptank Electric Cooperative.

Exceptions & Stormwater Mitigation Variance Requests for this Project:

1. **Stormwater Mitigation Variance Request:** Due to the arrangement of the electric substation facilities needing to be tied in with the existing breaker station site and equipment, the extent of proposed grading to convey stormwater runoff to a suitable off-site location is limited by existing topography, property boundary, DP&L easement, and most importantly the need to match the existing grade of the existing gravel yard of the breaker station for vehicular accommodations.

The maximum grade requirement of (4% or less) for the vehicles needed to operate within this facility, drive the grading design as shown on the conceptual plan. There is no practical way to slope the site to the north towards the unused portion of the property without creating grades well in excess of (4%) within the gravel yard to an offsite stormwater BMP capable of meeting the required stormwater criteria for water treatment, storage volumes, removal of total suspended solids and phosphorus removal.

In lieu of these design constraints, we have proposed an infiltration type stormwater BMP towards the rear of the site in this conceptual plan to mitigate the stormwater criteria mentioned above to the maximum extents practicable. There is not enough grade change on the property to facilitate an emergency spillway on the proposed stormwater infiltration BMP or temporary sediment trap. During the construction phase of this project, the area reserved for the infiltration BMP will be used as a temporary sediment trap/erosion & sediment control measure. The temporary sediment trap will be dewatered by mechanical pump-out through filtration bags to an area slightly downslope of the BMP within the DP&L easement on the Choptank Electric Cooperative parcel.

Choptank Electric Cooperative agrees to pay fees for stormwater criteria offsets not met by the planned stormwater design measures. *Final sizing, calculations and details of the proposed stormwater infiltration BMP will be prepared upon the County's acceptance of these design limitations or negotiation with Kent County governance. The infiltration basin shown on these drawings is conceptual. *

2. **Front Setback Penetration Request:** Choptank Electric Cooperative would like to request or negotiate a (60' front setback) in place of the required (100' front setback) to increase spacing between the electrical substation equipment for safety reasons. If granted, the proposed substation equipment shown within the substation fence will be reconfigured

and will penetrate no more than (40') into the (100' front setback). The conceptual plan currently shows the substation equipment arranged in a non-standard configuration and at minimum equipment spacing to abide by the existing (100' setback). The purpose of this request is primarily for safety by increasing the spacing between energized equipment and secondly to configure the substation in a more workable arrangement for ease of operation.

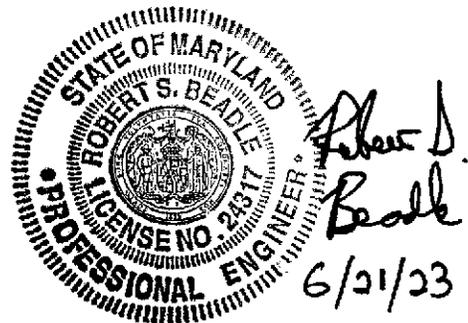
3. **Necessity for Dual Driveways (Article V, Sec. 14.7, #3):** Dual driveways are required for this project site due to the size of vehicles that will be needed to construct, maintain, and operate an electric substation. The substation equipment will require ingress/egress for semi-trucks with (53') lowboy trailers and wheeled cranes. These large vehicles will be operated and staged at the same instance such as a crane and a semi-truck at the same time. The dual driveways allow these vehicles to position themselves on either side of the substation equipment as required and would not be able to do so with just a single driveway. In an emergency such as a large transformer failure, a mobile transformer mounted on a semi-truck trailer will be required to back into the substation and connect to the infrastructure to temporarily restore power. Choptank Electric Cooperative understands that they will have to seek final permits and approvals through MDOT/SHA.

Conceptual Plan Site Areas & Measurements:

- Total Choptank Property Area: **4.22 Acres**
- Existing Impervious Surface (Gravel): 38,337.82 sft. or **0.88 acres**
- Proposed Additional Impervious Surface (Gravel): 38,755.94 sft. or **0.89 acres**
- Total Combined Impervious Surface (Gravel): 77,093.76 sft. or **1.77 acres**
- Limits of Disturbance (as revised): 77,828.95 sft. or **1.79 acres**
- Total Post-Developed Fenced Area: 72,037.50 sft. or **1.65 acres**

Certified Engineer's Report: Choptank EC Massey 69kV Substation

- 1.) Proposed Operation: This project is an expansion of the existing Massey Breaker Station and will include additional substation equipment such as a 69kV to 12kV step down transformer, a smaller 25kV to 12kV transformer, a 69kV circuit breaker, buswork, and various 25kV or 12kV reclosers and switches used to protect outgoing load from the station. This substation is intended to be in service at all times unless an outage is taking place or maintenance activity requires an equipment outage.
- 2.) Machines, Processes, and Products: None. This substation does not have any generation or rotating machinery on site.
- 3.) Expected Levels of Discharge or Emissions: None. No onsite generation is present.
- 4.) Electrical Impulses, Vibrations, and Noise Under Normal Operations: An electrical substation is not intended to have any electrical impulses except under some type of rare fault condition caused by equipment failure or natural phenomena such as lightning. The protective devices in the station, such as surge arrestors, breakers, or reclosers are designed to prevent an electrical impulse from cascading down past the substation. There would be a very small amount of EMF associated with the equipment in the station, but the level typically falls off rapidly to negligible levels at the edge of the substation. Due to the absence of any rotating machinery, this substation would not have any vibration. According to data published by the transformer manufacturer, the guarantee point for noise on the larger transformer is 72 dba. This is an absolute maximum value, and the typical range of noise would likely be at a much lower level.
- 5.) Specifications or Treatment Methods: Both transformers will have oil containment consisting of a concrete basin around the outside of the transformer pad that drains into a secondary containment tank. The basin is sized to capture the entire volume of oil within the transformer. The tank will also be able to sense the specific gravity of any liquid coming from the basin, and anything other than rainwater (such as transformer oil) would be immediately contained within the tank. The tank will be sized to handle the entire oil volume of the larger transformer.
The presence of vegetative screening around the front of the substation would also further reduce any impact from noise.



SHEET INDEX

DWG. SHEET

NO.	NO.	DESCRIPTION
1.	TS-1	TITLE SHEET & VICINITY MAP
2.	EN-1	EROSION & SEDIMENT CONTROL PLAN GENERAL NOTES
3.	EC-1	EXISTING CONDITIONS PLAN (PLAT BY OTHERS)
4.	EC-2	EXISTING CONDITIONS PLAN PRE-DEVELOPED STORMWATER FLOW
5.	ES-1	EROSION & SEDIMENT CONTROL PLAN
6.	ES-2	EROSION & SEDIMENT CONTROL DETAILS
7.	ES-3	EROSION & SEDIMENT CONTROL DETAILS
8.	ES-4	EROSION & SEDIMENT CONTROL DETAILS

SITE NOTES

- OWNER: CHOPTANK ELECTRIC COOPERATIVE
DENTON HEADQUARTERS
10384 RIVER ROAD
DENTON, MD 21629
- SITE 911 ADDRESS: MASSEY BREAKER STATION
12305 MASSEY ROAD
MASSEY, MD 21650
- ZONING CLASSIFICATION: EC (EMPLOYMENT CENTER)
- PROPERTY BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED BY LANE ENGINEERING LLC.
OF 354 PENNSYLVANIA AVE., CENTERVILLE, MD 21617 ON 1/06/2023
- SURVEY & PLAT INFORMATION:
 - PLAT TITLE: LOT LINE ADJUSTMENT PLAT ON THE LANDS OF ISE AMERICA, INC. & CHOPTANK ELECTRIC COOPERATIVE INC. IN THE FIRST ELECTION DISTRICT KENT COUNTY, MARYLAND - TAX MAP 16, GRID 4D PARCELS 23 & 61
 - SEALED BY REGISTERED PROPERTY LINE SURVEYOR: JEFFERSON EWELL HUBBARD, RLS MD REGISTRATION No. 363, SEAL DATE: 10-14-2022
 - APPROVED BY KENT COUNTY DIRECTOR OF PLANNING: WILLIAM A. MACKAY ON 11-18-2022
 - APPROVED BY KENT COUNTY HEALTH DEPT. APPROVING AUTHORITY: ERICA H. HERCHER ON 11-18-2022
 - SLK 6/119
- THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) SPECIAL FLOOD HAZARD AREA (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL FLOOD. THE PROPERTY IS MAPPED IN THE "X" FLOOD ZONE(S) AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR COMMUNITY NO. 240045, MAP NO. 24029C0215D FOR KENT COUNTY, MARYLAND, EFFECTIVE DATE JUNE 9, 2014. FLOOD ZONE LEGEND: (ZONE X) - AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD
- THIS SITE WILL NOT REQUIRE ANY TREE-REMOVAL OR DE-FORESTATION FOR CONSTRUCTION AND DEVELOPMENT. ASIDE FROM THE EXISTING FENCED CHOPTANK ELECTRIC COOPERATIVE BREAKER STATION, THE UNDEVELOPED PORTION OF THIS 4.22 ACRE PROPERTY WAS RECENTLY BEING USED FOR AGRICULTURAL PURPOSES AND CONSISTS OF EITHER PLANTED OR FALLOW CROP FIELDS.

GENERAL NOTES

- THESE DRAWINGS FEATURE INFORMATION OBTAINED FROM THE REFERENCED LOT-LINE SURVEY PERFORMED AND SEALED BY LANE ENGINEERING ON 10/14/2022 AND INCORPORATED AS A PART OF THIS DRAWING SET: SHEET (EC-1) EXISTING CONDITIONS PLAN (BY OTHERS). EXISTING OVERHEAD AND SURFACE MOUNTED ELECTRIC UTILITIES ARE SHOWN ON THE PLAN SHEETS AS CAPTURED IN THE REFERENCED SURVEY. NO UNDERGROUND UTILITIES ARE SHOWN ON THESE PLANS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE WITH MISS UTILITY & 811 LOCATES TO HAVE THE PROJECT SITE FLAGGED FOR EXISTING UNDERGROUND UTILITIES PRIOR TO THE COMMENCEMENT OF ANY EARTH WORK. THE GIVING OF THE INFORMATION ON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS/THEIR OBLIGATIONS TO PROTECT ALL PIPES, CONDUITS, OVERHEAD UTILITIES, UNDERGROUND UTILITIES, PEDESTALS, AND ALL OTHER EXISTING STRUCTURES.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL COORDINATE CONSTRUCTION WITH THE UTILITY COMPANIES INVOLVED AND IDENTIFIED DURING THE 811 UTILITY LOCATION PROCESS.

CHOPTANK ELECTRIC COOPERATIVE: NATHAN SCHREPPLE (410) 479-8646
RGRID POWER PLLC: BOB BEADLE, PE (919) 801-5859
MISS UTILITY: 1-800-257-7777
KENT COUNTY DEPT. PUBLIC WORKS: (410) 778-7439
KENT CO. SEDIMENT & EROSION CONTROL INSPECTOR: (410) 778-7457
MARYLAND DEPT. OF ENVIRONMENT: (410) 901-4024
- ALL CONSTRUCTION SHALL BE MARKED FOR TRAFFIC AND PEDESTRIAN SAFETY.
- THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT, LABOR, AND MATERIALS REQUIRED TO PERFORM THE WORK IN THESE GRADING SPECIFICATIONS.
- THE CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR ANY DEVIATIONS FROM THESE PLANS UNLESS SAID DEVIATION IS APPROVED BY THE ENGINEER (RGRID POWER PLLC.). THE CONTRACTOR SHALL RECEIVE WRITTEN PERMISSION FROM THE ENGINEER IF A DEVIATION OF THE PLANS IS NECESSARY.
- ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROVIDE POSITIVE DRAINAGE IN THE DIRECTION OF THE FLOW ARROWS HEREIN AND STABILIZED WITH TOPSOIL, SEED, AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING, AND MULCHING SHALL BE REPEATED UNTIL SETTLEMENT SUBSIDES. (SEE EROSION & SEDIMENT CONTROL SPECIFICATIONS).
- ALL OF THE ORGANIC SPOIL FROM GRUBBING ACTIVITIES (EXCEPT WHAT IS RETAINED FOR TOPSOIL REPLENISHMENT) IS TO BE REMOVED OFFSITE TO AN APPROVED DUMP SITE BY THE CONTRACTOR.
- ANY EXCESS EXCAVATED MATERIAL SHALL BE REMOVED OFF SITE BY THE CONTRACTOR. FILL MATERIAL BROUGHT IN FROM OFF SITE SOURCES SHALL BE PLACED ON THE SITE BY THE CONTRACTOR WITHIN THE LIMITS OF DISTURBANCE AND WITHIN THE SILT FENCE BOUNDARY.

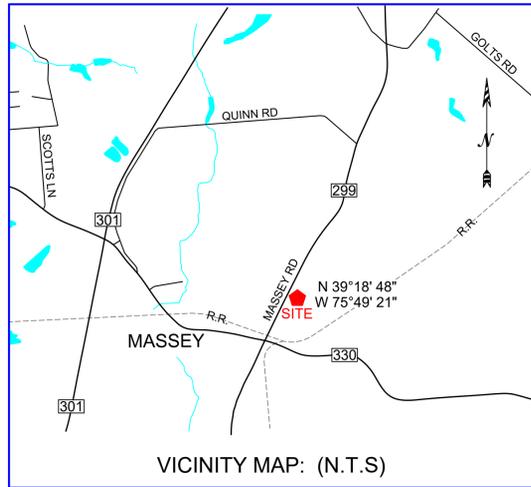
CHOPTANK ELECTRIC COOPERATIVE KENT COUNTY, MARYLAND MASSEY 69kV SUBSTATION

PRELIMINARY EROSION & SEDIMENT CONTROL - GRADING PLAN (TITLE SHEET) KENT COUNTY PROJECT NUMBER:

DISTURBED AREA QUANTITY

THE TOTAL AREA TO BE DISTURBED AS SHOWN ON THESE PLANS HAS BEEN DETERMINED TO BE APPROXIMATELY 1.79 ACRES, AND THE TOTAL AMOUNT OF EXCAVATION AND FILL AS SHOWN ON THESE PLANS HAVE BEEN COMPUTED TO BE APPROXIMATELY _____ CUBIC YARDS OF EXCAVATION AND APPROXIMATELY _____ CUBIC YARDS OF FILL. **THESE QUANTITIES ARE APPROXIMATED AND SHALL NOT BE USED BY THE CONTRACTOR FOR BIDDING PURPOSES. THE CONTRACTOR SHALL USE AND PROVIDE THEIR OWN MATERIAL TAKEOFF AND CALCULATIONS FOR CUT/FILL VOLUMES.

NAME _____ DATE _____



ENGINEER'S CERTIFICATION

I HEREBY CERTIFY THAT THE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH LOCAL ORDINANCES, COMAR 26.17.01 AND 2017 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL (LATEST VERSION AND REVISIONS)

SIGNATURE _____ DATE _____ REGISTRATION NO. _____

REVIEWED FOR THE KENT SOIL AND WATER CONSERVATION DISTRICT AND MEET TECHNICAL REQUIREMENTS

KENT SOIL & WATER CONSERVATION DISTRICT _____ DATE _____

KENT SOIL AND WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE EROSION CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.

NOTE TO CONTRACTOR: EROSION & SEDIMENT CONTROL WILL BE STRICTLY ENFORCED.

- ANY EXISTING SURVEY MONUMENT THAT IS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED BY A REGISTERED SURVEYOR AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL CONDUCT HIS/THEIR WORK WHOLLY ON THE CHOPTANK ELECTRIC COOPERATIVE PROJECT PROPERTY EXCEPT WHERE DRIVEWAYS ARE CONSTRUCTED WITHIN THE ROAD RIGHT-OF-WAY. ANY DISTURBED AREAS (AFTER DRIVEWAY INSTALLATION) SHALL BE RESTORED TO ITS ORIGINAL CONDITION WITHIN THE ROAD RIGHT-OF-WAY.
- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE DRAWINGS, SPECIFICATIONS, LOCAL BUILDING CODES, AND THE STANDARD SPECIFICATIONS AND DETAILS OF KENT COUNTY.
- ALL DRAINAGE STRUCTURES AND SWALES SHALL REMAIN FUNCTIONAL DURING CONSTRUCTION UNLESS OTHERWISE INDICATED ON THE PLANS.
- EROSION & SEDIMENT WILL BE STRICTLY ENFORCED BY THE KENT COUNTY SEDIMENT CONTROL INSPECTOR (410) 778-7457.

EXISTING UTILITIES

THE TYPE AND LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE FOR INFORMATION AND GUIDANCE ONLY. NO GUARANTEE IS MADE AS TO THE ACCURACY OF SAID LOCATIONS. CONTACT "MISS UTILITY" AT 1-800-267-7777 A MINIMUM OF TWO (2) WEEKS PRIOR TO THE START OF WORK.

WARNING!! ELECTROCUTION HAZARD-ENERGIZED UTILITIES

THIS SITE HAS EXISTING, HIGH-VOLTAGE, ENERGIZED UTILITY EQUIPMENT & OVERHEAD LINES THAT WILL REMAIN OPERATIONAL DURING ALL CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR SHALL NOTIFY CHOPTANK ELECTRIC COOPERATIVE PRIOR TO ENTERING THE PROJECT SITE ON A DAILY BASIS. CONTACT: NATHAN SCHREPPLE (410) 479-8646

PRELIMINARY STORMWATER PLAN NOTES AS OF JULY 19, 2023

PROPOSED STORMWATER INFILTRATION BMP NOTE: BASED ON A GEOTECHNICAL SUBSURFACE SOIL BORING REPORT PERFORMED BY JOHN D. HYNES & ASSOCIATES INC. ON APRIL 28, 2023, THE SOIL LAYERS BEGINNING AT ELEVATION (62') IN THE PROPOSED INFILTRATION BMP AREA SHOULD MEET THE MDE CRITERIA FOR AN INFILTRATION RATE OF (0.52") PER HOUR. TO COMPLY WITH MDE REQUIREMENT, CHOPTANK ELECTRIC COOP. IS IN THE PROCESS OF CONTRACTING WITH A GEOTECHNICAL ENGINEERING FIRM TO PERFORM A (MARYLAND STANDARD FALLING HEAD INFILTRATION TEST) AS REQUIRED BY MDE.

THE 4/28/2023 SOIL REPORT LOCATED THE WATER TABLE IN THE LOCATION OF THE PROPOSED STORMWATER INFILTRATION BMP AT (22') BELOW EXISTING GRADE.

STRUCTURAL EARTHEN FILL MEASURES

STRUCTURAL EROSION AND SEDIMENT CONTROL MEASURES SHALL INCLUDE BUT NOT BE LIMITED TO THOSE DESCRIBED AND DEPICTED IN THE BOOKLET ENTITLED "STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL IN DEVELOPING AREAS," AS APPROVED AND ADOPTED BY THE DEPARTMENT OF THE ENVIRONMENT. THIS BOOKLET, AS CURRENTLY AMENDED, IS READILY AVAILABLE AT OFFICES OF THE KENT COUNTY OFFICE OF SEDIMENT CONTROL, KENT COUNTY, COURTHOUSE, CHESTERTOWN; KENT SOIL CONSERVATION DISTRICT, CHESTERTOWN; AND SOIL CONSERVATION SERVICE, CHESTERTOWN.

- APPROVAL FOR CLEARING AND GRADING. APPROVAL FOR CLEARING AND GRADING SHALL BE OBTAINED FROM THE KENT COUNTY OFFICE OF SEDIMENT CONTROL (SUBJECT TO THE GRANTING OF TEMPORARY EASEMENTS AND OTHER CONDITIONS DEEMED NECESSARY BY SAID OFFICE) IN ORDER TO INSPECT AND ENFORCE THE PERFORMANCE OF THE SPECIFIED EROSION AND SEDIMENT CONTROL MEASURES.
- FILLS AND CLASSIFICATIONS. THE GRADING PLANS AND SPECIFICATIONS SHALL SPECIFY AND DELINEATE THE USE AND EXTENT OF FILLS IN ACCORDANCE WITH THE FOLLOWING CLASSIFICATIONS:
 - TYPE I FILL. LOAD-BEARING FILLS PROPOSED FOR SUPPORT OF BUILDINGS, WALLS AND OTHER STRUCTURES, THE FUNCTION THEREOF WHICH WOULD NOT BE ESPECIALLY IMPAIRED BY MODERATE SETTLEMENT.
 - TYPE II FILL. LOAD-BEARING FILLS PROPOSED FOR SUPPORT OF ROADWAYS, PAVEMENTS, UTILITY LINES AND STRUCTURES WHICH WOULD NOT BE ESPECIALLY IMPAIRED BY MODERATE SETTLEMENT.

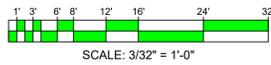
- TYPE III FILL. COMMON FILLS PROPOSED FOR LANDSCAPING OR FOR OTHER NON-LOAD-BEARING USAGE.
- MATERIALS. ALL LOAD-BEARING FILLS SHALL MEET THE FOLLOWING REQUIREMENTS:
 - NO INCLUSIONS OF ORGANIC OR OTHER DELETERIOUS MATERIAL WHICH MAY BE SUBJECT TO DECAY SHALL BE PERMITTED. ALL FILLS SHALL ALSO BE FREE OF INCLUSIONS OF ICE OR SNOW.
 - NO ROCK OR SIMILAR IRREDUCIBLE MATERIAL WITH A MAXIMUM DIMENSION GREATER THAN EIGHT (8) INCHES SHALL BE BURIED OR PLACED IN ANY LOAD-BEARING FILL WITHIN TWO (2) FEET OF FINISHED GRADE OR WITHIN TWO (2) FEET OF FOUNDATION BASE ELEVATION. WHEN SUCH MATERIAL IS PLACED IN FILLS, IT SHALL BE DONE UNDER THE DIRECTION AND SUPERVISION OF AN ENGINEER.
 - PREPARATION OF GROUND. THE NATURAL GROUND SURFACE SHALL BE PREPARED TO RECEIVE BY REMOVING ALL ORGANIC SURFACE MATERIALS, NON-COMPLYING FILL AND UNSUITABLE SOILS IN ACCORDANCE WITH THE FOLLOWING PROVISIONS, EXCEPT AS OTHERWISE APPROVED BY THE KENT COUNTY OFFICE OF SEDIMENT CONTROL:
 - PRIOR TO PLACING TYPE I AND TYPE II FILLS, THE GROUND SURFACE, IF WITHIN FIVE (5) FEET OF FINISHED GRADE OR FOUNDATION BASE, ELEVATION SHALL BE COMPACTED SO AS TO ACHIEVE A DENSITY OF NOT LESS THAN NINETY PERCENT (90%) OF MAXIMUM DENSITY AS DEFINED UNDER SUBSECTION E WITHIN THE TOP SIX (6) INCHES.

- NO TYPE I AND II FILL SHALL BE PLACED ON FROZEN GROUND.
- COMPACTION. ALL FILL WILL BE COMPACTED IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:
 - ALL TYPE I AND TYPE II FILLS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE PERCENT (95%) AND NINETY PERCENT (90%), RESPECTIVELY, AND MAXIMUM DENSITY AS DETERMINED IN THE LABORATORY OF ASTM TEST METHOD D1557-66T, ALSO KNOWN AS THE "PROCTOR TEST." TYPE III FILL SHALL BE COMPACTED SUFFICIENTLY SO AS TO BE STABLE AND TO PREVENT AN EROSION HAZARD.
 - IN PLACE (FIELD) DENSITY SHALL BE DETERMINED BY ASTM TEST OR AMERICAN SOCIETY OF HIGHWAY OFFICIALS EQUIVALENT TEST METHOD D1156-64T METHOD OR BY AN EQUIVALENT TEST APPROVED BY THE KENT COUNTY OFFICE OF SEDIMENT CONTROL.
 - FILLS SHALL BE PLACED IN APPROXIMATELY HORIZONTAL LAYERS, EACH LAYER HAVING A LOOSE THICKNESS OF NOT MORE THAN EIGHT (8) INCHES.

KENT COUNTY DEPARTMENT OF PUBLIC WORKS

DIRECTOR _____ DATE _____

DWG. No.	TS-1
SEAL	PRELIMINARY
GRID POWER PLLC 1501 N. MAIN STREET WAKE FOREST, NC 27787 (919) 605-3894	
Choptank Electric Cooperative A Truist Energy Company	CHOPTANK ELECTRIC COOPERATIVE 10384 RIVER ROAD DENTON, MARYLAND 21629 (410) 778-7457
CLIENT PROJ. REF. No.:	RGRID POWER PLLC
PROJ. No.:	DATE: 07/19/2023
SCALE:	NONE
DWN BY:	MSB
CKD BY:	RSB
APP'D BY:	PJR
CHOPTANK ELECTRIC COOPERATIVE DENTON, MARYLAND	CHOPTANK ELECTRIC COOPERATIVE - MASSEY 69KV SUBSTATION PRELIMINARY STORMWATER PLAN
	MASSEY 69KV SUBSTATION EROSION & SEDIMENT CONTROL PLAN - TITLE SHEET
DWG. No.	TS-1



POST-DEVELOPMENT TOTAL FENCE LENGTH: (425')

DRAWING NO.

S140



**PRELIMINARY
NOT FOR
CONSTRUCTION**



REV	DATE	DESCRIPTION
A	06/21/2023	INITIAL DRAWING
B	07/18/2023	ADDED STRUCTURE HEIGHTS, LIGHTING & 3P CABLES
C	07/19/2023	ADDED SECTION MARKERS
D	07/24/2023	UPDATED PHASING INFORMATION

CHOPTANK ELECTRIC COOPERATIVE
DENTON, MD
MASSEY SUBSTATION
GENERAL ARRANGEMENT

DRAWING NO.

S140

PROPOSED) MISSION & GUY HORNS

(PROPOSED) O/H ELECTRIC TRANSMISSION EXIT

POST-DEVELOPMENT TOTAL FENCE WIDTH: (169.5')

(PROPOSED) NEW GRAVEL LIMITS

(PROPOSED) FENCE TO BE INSTALLED

- NOTE:
- HEIGHTS SHOWN ARE ABOVE GROUND LEVEL (AGL).
 - HEIGHTS MAY VARY ±3 FEET.



PROPOSED GRAVEL AREA:
38,755.94 SFT.
OR 0.89 ACRES

(60') FRONT SET-BACK FROM EXISTING COLLECTOR ROAD

(PROPOSED) FENCE TO BE INSTALLED

(EXISTING) FENCE SEGMENT TO BE REMOVED

(EXISTING) FENCE RETAINED

(PROPOSED) DRIVEWAY, GATE & CULVERT

(PROPOSED) NEW GRAVEL LIMITS

(PROPOSED) DRIVEWAY, GATE & CULVERT

EXISTING O/H TRANSMISSION LINE

N 25°31'17" E 1558.55'(TOTAL)

I.P.F.

EXISTING TRANSMISSION POLE

EDGE OF PAVEMENT

EDGE OF PAVEMENT

MARYLAND ROUTE 299
(50' WIDE RIGHT-OF-WAY)

(PROPOSED) CONSTRUCTION LIMIT OF DISTURBANCE

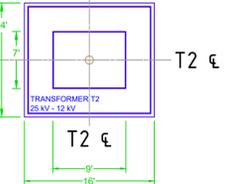
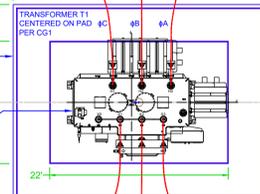
(PROPOSED) NEW GRAVEL LIMITS

(PROPOSED) FENCE TO BE INSTALLED

(EXISTING) FENCE RETAINED

(EXISTING) HIGH-SIDE STEEL A-FRAME STRUCTURE

(EXISTING) POLE & GUY ANCHORS (TO BE REPLACED BY POLE E1)



FUTURE VOLTAGE REGULATORS

EXISTING O/H TRANSMISSION LINE

(PROPOSED) GRAVEL BOUNDARY
(EXISTING) GRAVEL BOUNDARY

(PROPOSED) CONSTRUCTION LIMIT OF DISTURBANCE

EXISTING O/H TRANSMISSION LINE

Details on Signs: Choptank EC Massey Substation

UTILITY SAFETY SIGNS

Utility safety signs shall be in accordance with the provisions of ANSI Z535.2011 and any updated revision of these codes when it is released, Environmental and Facility Safety Signs shall be applied in accordance with RUS drawings. Copies of the ANSI Z535.2-2011 may be obtained from: National Electrical Manufacturers Association (NEMA) 1300 North 17th Street Suite 1847 Rosslyn, Virginia 22209.

Here are a few examples of the signage intended at this site (the 911 sign is already existing).



The following is from RUS Bulletin 1728F-806, Specifications and Drawings for Electric Distribution, and provides basic guidance on what to include on signs for substations.

<div style="border: 1px solid black; width: 80%; margin: 0 auto; padding: 10px; text-align: center;"> <p style="font-size: 1.2em; margin: 0;">DANGER HIGH VOLTAGE</p> </div> <div style="border: 1px solid black; width: 80%; margin: 0 auto; padding: 10px; text-align: center;"> <p style="font-size: 1.2em; margin: 0;">WARNING</p> </div>			
ITEM	QTY.	MATERIAL	NOTES: 1. ALL SIGNAGE SHALL BE IN ACCORDANCE WITH ANSI Z535.
Uhw	1	Safety Signs	
		SAFETY SIGNS	
		AUG 2016	
		RUS	UM3



July 24, 2023

Office of the Secretary
Maryland Department of Planning
Attn: David Dahlstrom, AICP
301 W. Preston St., Suite 1101
Baltimore, Maryland 21201-2305

Re: Annual Report Calendar Year 2022

Dear Mr. Dahlstrom:

The Kent County Planning Commission approved the following annual report for the reporting year 2022, as required under §1-207(b) and §1-208(c)(1)(i) and (c)(3)(ii) of the Land Use Article on ___Date___. In addition, the report has been filed with the local legislative body.

- 1. The County issued the following number of new residential permits inside and outside of the Priority Funding Area (PFA):

Table 1: New Residential Permits Issued Inside and Outside the Priority Funding Area (PFA)

Table with 4 columns: Residential - Calendar Year 2022, PFA, Non - PFA, Total. Row 1: New Residential Permits Issued, 13, 31, 44.

- 2. The County preserved the following number of acres using local agricultural land preservation funds, (if applicable):

Kent County does not have a locally funded land preservation program.

- 3. The County is scheduled to complete and submit a five-year mid-cycle comprehensive plan implementation review report this year? Y [] N [X]

The most recent Comprehensive Plan was adopted in April 2018.

- 4. The County is scheduled to update the Development Capacity Analysis this year? Y [X] N [] If no, indicate when the next development capacity analysis will be completed.

Staff has contacted our regional planner for assistance.

- 5. Were there any growth-related changes, including land use, zoning, new schools, water or sewer service, and annexations that change the unincorporated boundaries? If yes, describe or attach a

map of the changes, and describe how they are consistent with internal, state, or adjoining jurisdiction plans. Y N

22-89 Town of Millington – Annexation
Map 400, Parcel 258 – zoned Village (V)

Mountaire Farms of Delaware, Inc., requested that Map 400, Parcel 258 be annexed into the Town of Millington. Mountaire Farms of Delaware, Inc., owns a grain facility in Millington that is located on two parcels. One parcel is within the town limits and the other parcel is not. The parcel that is not within the Town is almost completely surrounded by the Town. The annexation parcel is included within the Municipal Growth Element of the Millington Comprehensive Plan and is considered a priority for annexation. The annexation is consistent with the goals and strategies in the Kent County Comprehensive Plan.

23-02 Town of Millington – Annexation
172 Sassafras Street, Millington – zoned Village (V)

Millington Elementary School, identified as Tax Map 32, Parcel 49, is located primarily outside the Town’s boundaries. A small area of the parcel is already located inside the Town. The proposal is consistent with the goals and strategies in the Kent County Comprehensive Plan. The annexation parcel is included within the Municipal Growth Element of the Millington Comprehensive Plan.

6. Did your jurisdiction implement recommendations to improve the local planning and development process? If yes, please describe. Y N

The County continued working on a Comprehensive Rezoning Update. It is anticipated that changes will be made to the planning and development process to clarify procedures, timelines, and alter the process by which some uses and site plans are reviewed.

7. Are there any issues that MDP can assist with in 2023? If yes, please describe. Y N

As the County undertakes comprehensive rezoning, we greatly appreciate the continued assistance of our MDP liaison, who is always helpful and ready to assist the County.

8. Have all Planning Commission and Board of Appeals members completed a training course?

Y N

Sincerely,



Francis J. Hickman
Chair, Kent County Planning Commission

5-Year Report Attachment

Plan Implementation and Development Process

(5-Year Mid-Cycle Report/5-Year Report)

(Name of Jurisdiction)

Year *(Identify 5-Year Period)* (i.e. 2015-2019)

Note: The 5-Year Mid-Cycle Report can be included as part of the Annual Report.

Include a summary of the following, pursuant to [§1-207\(c\)\(6\)](#):

- (i). Development trends contained in the previous (4) annual reports filed during the period covered by the narrative;
- (ii). The status of comprehensive plan implementation tools, such as comprehensive rezoning, to carry out the provisions of the comprehensive plan;
- (iii). Identification of any significant changes to existing programs, zoning ordinances, regulations, financing programs, or State requirements that will be necessary to achieve the visions and goals of the comprehensive plan during the remaining planning timeframe;
- (iv). Identification of any State or federal laws, regulations, or requirements that have impeded local implementation of the comprehensive plan and recommendations to remove any impediments;
- (v). Future land use challenges and issues; and
- (vi). A summary of any potential updates to the comprehensive plan.

Note: The 5-Year Mid-Cycle Review Schedule tables can be viewed in the Transition Schedule section at <https://planning.maryland.gov/pages/OurWork/compPlans/ten-year.aspx>. Planning strives to keep the Transition Schedule up to date. Please notify Planning if any corrections or updates to your Transition Schedule is necessary.

A copy of the 5-Year Report template (this form) can be found in the Report Template section at: <https://planning.maryland.gov/Pages/YourPart/sggannualreport.aspx>

Comprehensive Plan Report and Review Schedule – Counties
(Planning Commissions or Boards may update their Comprehensive Plan at any time)

Jurisdiction	Comprehensive Plan Adoption Date	Local Jurisdiction Annual Report	APFO Bi-Annual Report	5-Year Mid Cycle Report	10-Year Cycle Review	Jurisdiction	Comprehensive Plan Adoption Date	Local Jurisdiction Annual Report	APFO Bi-Annual Report	5-Year Mid Cycle Report	10-Year Cycle Review
Counties		Due July 1	Due July 1	Due July 1		Counties		Due July 1	Due July 1	Due July 1	
Allegany	2014	Annually	—	*	2025	Howard	2012	Annually	Every even year	*	2022-2023
Anne Arundel	2009	Annually	Every even year	*	2021-2024	Kent	2018	Annually	—	*	2028
Baltimore County	2010	Annually	Every even year	*	2021-2024	Montgomery¹	Regularly Amended	Annually	Every even year	*	Regularly Amended
Calvert	2019	Annually	Every even year	*	2028	Prince George's	2014	Annually	Every even year	*	2025
Caroline	2010	Annually	Every even year	*	2021-2024	Queen Anne's	2010	Annually	Every even year	*	2021-2024
Carroll	2015	Annually	Every even year	*	2025	Somerset	2010	Annually	—	*	2021-2024
Cecil	2010	Annually	—	*	2021-2024	St. Mary's	2010	Annually	Every even year	*	2021-2024
Charles	2016	Annually	Every even year	*	2026	Talbot	2016	Annually	—	*	2025
Dorchester	2009	Annually	—	*	2021-2024	Washington	2011	Annually	Every even year	*	2021-2024
Frederick	2010	Annually	Every even year	*	2021-2024	Wicomico	2017	Annually	—	*	2027
Garrett	2008	Annually	—	*	2021-2024	Worcester	2011	Annually	—	*	2021-2024
Harford	2016	Annually	Every even year	*	2026						

¹ A Mid-Cycle Report is due 5 years after the adoption date of a comprehensive plan, pursuant to Section 1-207(c)(6) of the Land Use Article. For more information or report inquiries, please contact David Dahlstrom at david.dahlstrom@maryland.gov.

¹ Montgomery County's General Plan is amended with each functional, master, sector, or neighborhood plan that is approved and adopted by the County Council and M-NCPPC. Since three to six such plans are typically adopted every year, over a 10-15 year timeframe the entire county is re-evaluated.