



County Commissioners Hearing Room
400 High Street
Chestertown, Maryland

AGENDA
May 2, 2024
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: **645 057 333#**

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

Members of the public may also watch the live video feed and view the video after the meeting at the County’s YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>.

MINUTES

- April 4, 2024
- April 11, 2024

APPLICATIONS FOR REVIEW

- 23-51 Minary’s Dream Alliance Inc. – Major Site Plan (Preliminary).....PC Decision
9155 American Legion Drive, Chestertown – Fourth Election District – Critical Area Residential (CAR)
- 24-17 MDL 153 Mason Solar – Major Site Plan (Concept) – Utility-Scale Solar Energy System in AZD.....PC Review
9425 Fairlee Road, Chestertown – Sixth Election District – Zoned Agricultural Zoning District (AZD)
- 24-18 MDL 153 Mason Solar – Special Exception – Utility-Scale Solar Energy System in AZD.....Rec to BOA
9425 Fairlee Road, Chestertown – Sixth Election District – Zoned Agricultural Zoning District (AZD)

GENERAL DISCUSSION

- Map Change Requests for review by Planning Commission
- Town of Betterton Annexation Request

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 applicants 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

April 4, 2024

1:30 p.m.

Video recordings of the Kent County Planning Commission meeting are available online for viewing on the County's YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>.

The Kent County Planning Commission met in regular session on Tuesday, April 4, 2024, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. Members of the public were invited to attend in person or via conference call.

The following members were in attendance: Vice Chair Paul Ruge, Sean Jones, Paula Reeder and William Crowding. Planning Commission Attorney Cynthia L. McCann, Esquire was present. Staff in attendance included William Mackey, AICP, Director; Carla Gerber, AICP, Deputy Director; Mark Carper, LEED Green Associate, Associate Planner; Rob Tracey, AICP, Associate Planner; Beth Grieb, Office Manager, and serving as Acting Clerk; and Tyler Arnold, GIS Coordinator.

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

MINUTES

Ms. Reeder moved to approve the minutes from the March 7, 2024, meeting with a minor correction to reflect that Mr. Crowding was absent from that meeting. Mr. Jones seconded the motion, and it passed unanimously.

CLOSED SESSION SUMMARY

At 1:34 p.m., a motion was made by Paula Reeder, seconded by Sean Jones, and carried unanimously to go into a closed session. Members who voted to meet in closed session: Paula Reeder, Sean Jones, Paul Ruge, and William Crowding. The meeting was closed pursuant to the Annotated Code of Maryland, General Provisions Article, § 3-305 (b)(7) “[t]o consult with counsel to obtain legal advice.”

Planning Commission Vice-Chair Paul Ruge, and Planning Commission members Sean Jones, Paula Reader, and Bill Crowding were in attendance. William Mackey, AICP, DPHZ Director, and Carla Gerber, AICP, DPHZ Deputy Director, Robert Tracey, AICP Community Planner, Beth Grieb, Acting Clerk, and Cynthia L. McCann, Planning Commission Attorney, were also in attendance. The topic discussed: legal advice concerning a question about ethics posed by a member of the Planning Commission. Reason for closing: the advice of counsel is confidential and certain details should be shielded. Ms. McCann responded to the question posed and offered legal advice. The Planning Commission took no action in the closed session.

At 1:45 p.m., the Planning Commission reconvened in open session.

Adopted on [Insert date]

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APPLICATIONS FOR REVIEW

Ag Preservation District Applications

The Commission reviewed five Agricultural Preservation Districts applications and made recommendations to the Board of County Commissioners:

ALP Number	Name	Location
#23-01	BGM Farms, LLC	33824 Bradford Johnson Road, Golts
#23-02	E & D Land Holdings, LLC	29243 River Rd, Millington
#23-03A	Bloomfield Ventures, LLC	11791 Blacks Station Rd, Kennedyville
#23-03B	Bloomfield Ventures, LLC	11720 Locust Grove Rd, Kennedyville
#23-04	Harmony Woods Farm, LLC	12655 Augustine Herman Highway, Kennedyville

- #23-01 BGM Farms, LLC: Mr. Crowding moved, and Mr. Jones seconded. The Commission voted 3-1 to send a favorable recommendation.
- #23-02 E & D Land Holdings, LLC: Mr. Crowding moved, and Mr. Jones seconded. The Commission voted to send a favorable recommendation with three in favor and one abstention.
- #23-03A Bloomfield Ventures, LLC: Mr. Jones moved, and Mr. Crowding seconded. The Commission voted unanimously to send a favorable recommendation.
- #23-03B Bloomfield Ventures, LLC: Mr. Jones moved, and Mr. Crowding seconded. The Commission voted unanimously to send a favorable recommendation.
- #23-04 Harmony Woods Farm, LLC: Mr. Crowding moved, and Mr. Jones seconded. The Commission voted 3-1 to send a favorable recommendation.

24-12 Delmarva Power and Light Co. of MD -- Site Plan Review (Concept)

The applicant presented plans for substation upgrades including new opaque enclosure, reconfiguring equipment, consolidating driveways, replacing fencing, and modifying landscaping. The Commission provided feedback regarding landscaping, fencing, circulation, and safety, specifically requesting taller trees so they would appear to be mature more quickly. No vote was taken since this was a concept plan.

23-67 Brickyard Land Holdings/Gillespie Precast -- Office Addition -- Major Site Plan (Prelim. & Final)

The Commission voted unanimously to grant combined preliminary and final site plan approval for a 7,296 square foot, two-story office addition, with conditions related to stormwater, sediment control, utility connections, and bicycle parking requirements.

Mr. Crowding moved and Ms. Reeder seconded as follows:

“I make a motion that we grant preliminary and final site plan for Brickyard Land Holdings LLC to construct a two-story 7,290 square foot addition to the rear of an existing structure. We find that the proposal is consistent with the Comprehensive Plan. The proposal conforms with the provisions of applicable rules and regulations. We've determined the area of vehicular flow appears to be adequate for the use proposed. Demands on public services and infrastructure appear to be reasonable. Standard waste from the office will discharge into the Chestertown

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sewage system, and we are awaiting the review from the utility connections for utility connections from the town of Chestertown. Soil and stormwater management plans have been submitted, however, not approved. A citizens participation report has been submitted along with a sample copy of the letter that was mailed to adjacent property owners, and no responses were received. With the condition that complete review by the Chestertown utilities for connection to the public water and wastewater, approval of the soil and erosion control, stormwater management plans and submission of all required securities for stormwater management, sediment and erosion control and that we also waive the requirement for bicycle parking."

24-14 ESSD-M, Inc./Camp Fairlee -- Sensory Cabins -- Major Site Plan (Concept)

The applicant presented a concept plan for a 2,100 square foot sensory cabin, access lane, and walkway to serve campers with sensory sensitivities. The project is part of a master plan including additional cabins and a laundry facility. The Commission was generally supportive of the project and provided input on items needed for preliminary site plan review. No vote was taken.

23-68 KNR -- Convenience Store/Deli -- Major Site Plan (Concept)

The applicant presented a concept plan for a 2,960 square foot convenience store and deli with 15 parking spaces on a constrained site. The Commission expressed concerns and provided extensive feedback regarding site circulation, parking lot design, pedestrian and vehicle safety, landscaping, and screening. The applicant and the applicant's representative responded with information about railroad-imposed restrictions. No vote was taken.

GENERAL DISCUSSION

Map Change Requests process for review by Planning Commission

Staff provided an update on the Map Change Requests special meeting scheduled for April 11, including information to be provided to applicants and preparations being made. The Commission requested additional information to assist their review, including data on acreages of specific zoning districts and maps showing current conditions.

STAFF REPORTS

There were no staff reports at this time.

ADJOURN

Mr. Crowding made a motion to adjourn. Ms. Reeder seconded. The meeting adjourned at approximately 4 p.m.

/s/ Paul Ruge
Paul Ruge, Vice Chair

/s/ Bill Mackey
William Mackey, AICP, Director

Please note that 95% of this document was created by Claude 3 from Anthropic, utilizing a transcript created by Microsoft Teams. The DPHZ team then reviewed the document prior to its distribution to the Planning Commission.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)
with Instructions**

Instructions to presiding officer: To meet in a closed session under the Act, the public body must first meet in open session, after providing proper notice. Make sure that the open session is attended by a member designated to receive open meetings training. If a designated member cannot attend, complete the Compliance Checklist.¹ If the public body has never designated a member for training, it must do so **before closing the session**.

Before closing the session, take two steps: (1) conduct a recorded vote on a motion to close; and (2) make a written "closing" statement. If the public body might return to open session afterwards, be sure to tell the public that. During the closed session, keep the discussion topics within the confines of the closing statement. After the closed session, the events of the closed session must be disclosed in the next open-session minutes.

The top part of this form is a model closing statement. **It has two sides.** Before closing the open session, complete items 1 through 4 on this form or in any writing with the same information. If someone pre-prepared the form for you, make sure it reflects the public body's own intended topics and reasons for closing the meeting. A member of the public may inspect the closing statement at the time of the closing and may object to the decision to close the meeting. Once the meeting is closed, the closing statement sets the agenda and may not be changed.

The bottom part of the form is a worksheet that provides a checklist of the disclosures that must be made in the next open-session minutes. The worksheet is not part of the closing statement.

1. Recorded vote to close the meeting: Date: 1/4/24; Time: ^{1:34 PM}~~7:40~~; Location: Commr's Hrg Room;
Motion to close meeting made by: PAULA REARDOR Seconded by SEAN SOWAS;
Members in favor: ALL; Opposed: 0;
Abstaining: 0; Absent: 3

2. Statutory authority to close session (check all provisions that apply):

This meeting will only be closed under the provision or provisions checked below, all from General Provisions Art. § 3-305(b):

(1)___ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2)___ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3)___ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4)___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5)___ "To consider the investment of public funds"; (6)___ "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8)___ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9)___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10)___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11)___ "To prepare, administer, or grade a scholastic, licensing, or qualifying

¹ http://www.marylandattorneygeneral.gov/OpenGov%20Documents/Openmeetings/COMPLIANCE_CHECKLIST%20.pdf

examination”; (12)___ “To conduct or discuss an investigative proceeding on actual or possible criminal conduct”; (13)___ “To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter”; (14)___ “Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, *if* public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process”; (15)___ “To discuss cybersecurity, *if* the public body determines that public discussion would constitute a risk to” (i) “security assessments or deployments relating to information resources technology”; (ii) “network security information,” such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) “deployments or implementation of security personnel, critical infrastructure, or security devices.”

3. For *each* provision checked above, the corresponding topic to be discussed and the public body’s reason for discussing that topic in closed session, in as much detail as possible without disclosing the information that may be discussed behind closed doors:

Citation (insert # from above)	Topic <i>We expect to discuss these matters:</i>	Reason for closed-session discussion - <i>We are closing the meeting to discuss this topic because:</i>
§ 3-305(b)(A)	<i>Legal advice</i>	<i>Legal advice on an ethics question</i>
§ 3-305(b) ()		
§ 3-305(b) ()		
§ 3-305(b) ()		

4. This statement is made by *Paul J. Ruzicka*, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN SESSION (§ 3-306)(c)(2) or § 3-104

For meetings closed under an exception, as disclosed above:

Time of closed session: _____ Place: _____

Purpose(s): _____

Members who voted to meet in closed session: _____

Persons attending closed session: _____

Authority under § 3-305 for the closed session (see chart above): _____

Topics actually discussed: _____

Each action Taken: _____



To: Kent County Planning Commission
From: Carla Gerber, Deputy Director
Meeting: May 2, 2024
Subject: Minary’s Dream Alliance, Inc. – Site Plan Review – Preliminary

Executive Summary

Request by the Applicant

Minary’s Dream Alliance, Inc. (MDA) is requesting preliminary review of a proposed Site Plan that will function as MDA’s master plan for projects on the site and would be implemented over the next three years as funding allows. If required, building permits will be issued for individual projects.

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

MDA is proposing site improvements including the creation of a “Sacred Place” sitting area, labyrinth, living shoreline, reconfigured garden with added greenhouse and garden storage garage, wooden platform for outdoor classroom or performance, and reconfigured entrance/parking area. The site plan in this case must be considered with respect to Judge Murphy’s order concerning the legal non-conforming use of the property and as to permitted uses currently allowed within the Critical Area Residential district.

Staff Recommendation

Staff recommends granting preliminary approval with the following conditions for final approval:

- 1) Approval of new septic system
- 2) Granting of variance for proposed greenhouse
- 3) Granting of special exception for structures in the front yard of a waterfront property.

PRELIMINARY STAFF REPORT

To: Kent County Planning Commission
Subject: Minary's Dream Alliance, Inc.
Site Plan Review – Preliminary
Date: April 26, 2024

Description of Proposal

The applicants are seeking site plan review for their property at 9155 American Legion Drive near Chestertown. The Site Plan identifies a number of improvements that will be implemented over the next three years as funding allows. The proposed improvements for 2024 are the sacred place seating area, labyrinth, garden relocation, and septic system upgrade. The proposed improvements for 2025 are the living shoreline and greenhouse, and the proposed improvements for 2026 are the driveway/entrance relocation, parking area, and at-grade deck. More details may be found in the applicant's narrative. If required, building permits will be issued for individual projects.

The 8.12-acre property is zoned "CAR" Critical Area Residential and is located on American Legion Drive adjacent to Morgan Creek. There are residential uses on either side along the creek and an agricultural field across the road. The property is currently improved with an existing main building, plus accessory buildings used as an office and garage. There is also a camping and picnic area and dock that runs parallel to the shoreline.

History

The property was developed in the 1960s and owned by the American Legion until it was sold to the applicants. Under current zoning regulations, the Legion's use as a social, charitable, business, and civic organization was a legal non-conforming use. A decision of the Zoning Administrator that the use of the property by the applicant to provide education to families, community services, and youth services was consistent with the uses conducted by the American Legion and could continue was appealed to the Kent County Board of Appeals, which was then appealed to Kent County Circuit Court. The Court ruled that use of the property consistent with the historic uses could continue with some contingencies. Judge Murphy's order is included in the applicant's documentation.

Relevant Issues

I. Uses

- B. *Applicable Law:* Article VIII, Nonconformities, Section 1.1 establishes that nonconforming uses may continue. Article V, Section V, Critical Area Residential establishes the permitted and accessory uses within the district.
- C. *Staff and TAC Comments:* The Zoning Administrator made a determination that the proposed uses outlined on the Applicant's site plan were permitted by right. This determination was appealed to the Board of Appeals, which affirmed the Zoning Administrator's decision.

II. District Environmental Standards

- A. *Applicable Law:* Article V, Section 5.7 in the Kent County Land Use Ordinance establishes the Critical Area 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.

Article VI, Section 9 of the Kent County Land Use Ordinance sets forth the provisions for Erosion and Sediment Control and Section 10, Stormwater Management.

- B. *Staff and TAC Comments:* The proposed site plan includes enhanced landscaping along the perimeter of the property and within the proposed parking lot. No clearing of existing forest is proposed. Proposed improvements are located outside of the floodplain and proposed structures are outside of the Critical Area buffer and the non-tidal wetlands buffer. The living shoreline will enhance water quality.

Stormwater management and sediment and erosion control plans will be submitted with individual projects, as applicable.

The total existing lot coverage exceeds the 15% limit and is grandfathered. The proposed lot coverage is 10 square feet less than the existing lot coverage and will establish a new limit of 61,472 square feet. MDA will not be allowed to exceed the new limit in the future without a variance.

IV. Parking and Loading Requirements

- A. *Applicable Law:* Article VI, Section 1.3 of the Kent County *Land Use Ordinance* establishes the parking standards. Community Centers/Civic Clubs/Museums require one parking space per 50 square feet of gross floor area. There are no parking standards for parks or greenhouses.
- B. *Staff and TAC Comments:* There are currently 75 standard parking spaces and 4 handicapped-accessible spaces, which is less than the required number of spaces for community centers or civic clubs. The reconfigured parking lot will have 73 standard spaces and 6 handicapped-accessible spaces. As there are no proposed changes to the existing building and the total number of spaces is not decreasing, it has been the practice of DPHZ that additional parking is not required in order to comply with the current standards.

V. 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 programs offered by MDA, support the goal of the Comprehensive Plan to develop an educated workforce with the skills and training required to serve current and future employers. In addition, MDA programs are intended to fill gaps in services provided by other community facilities such as schools, libraries, and parks and recreation. The proposed shoreline and landscaping improvements support the goals of the Environment section to protect sensitive resources and expand forests.
- The property is served by private well and septic. The applicant is working with the Health Department to establish a new septic reserve area. The application to construct an on-site sewage system has been submitted to the Health Department and is included with the applicant’s submittal.
- The redesign of the parking lot is intended to improve traffic patterns and the safety of pedestrians within the site.
- Stormwater management and erosion and sediment control plans will be reviewed with individual projects, as applicable.
- The applicant has designed the project with the goal to complement the neighborhood and to enhance habitat and improve water quality.
- Existing vegetation will not be removed.
- Design charrettes, which were open to the public, have been conducted.
- As located on the site plan, the greenhouse will require a variance. Greenhouses are permitted in CAR but require a 200-foot setback from all property lines. If the variance is less than 50% of the required setback, then it may be reviewed administratively. Staff recommends that granting of the variance be required prior to final approval.
- As located on the site plan, the garden storage and garage will require a special exception as it is an accessory structure in the front yard of a waterfront parcel. Special exceptions for structures in the front yard of waterfront properties may be reviewed administratively. Staff recommends that granting of the special exception be required prior to final approval.
- The applicant has included a new note on the site plan concerning the existing camping area. It is now noted as a “Primitive Campground and Picnic Area” with “Tent camping only by private groups.” The Land Use Key has been updated for consistency.
- On April 22, 2024, staff became aware that MDA had submitted an application to MDE for the living shoreline with a sheet showing a proposed pier. Upon asking for clarification, MDA indicated that they have decided against pursuing a new pier and will design the living shoreline around the existing pier. Their letter to this effect is attached.

Staff Recommendation

Staff recommends granting preliminary approval with the following conditions for final approval:

- 1) Approval of new septic system
- 2) Granting of variance for proposed greenhouse
- 3) Granting of special exception for structures in the front yard of a waterfront property.

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: _____ Date: 8-30-23

Project Name: MINARY'S DREAM ALLIANCE

District: _____ Map: 38 Parcel: 57 Lot Size: 8.12 Deed Ref: 01230 Zoning: CAR

LOCATION: 9155 AMERICAN LEGION DR. CHESTERTOWN, MD

PROPOSED USE: NO USE CHANGES PROPOSED

OWNER OF LAND:

Name: MINARY'S DREAM ALLIANCE, INC. Telephone: 302-566-8160

Address: 9155 AMERICAN LEGION DR. CHESTERTOWN, MD 21620 Email: minarys dream alliance@gmail.com

APPLICANT:

Name: MILES BARNARD, SOUTH FORK STUDIO Telephone: 410-778-1098

Address: 10810 CLIFF RD. CHESTERTOWN, MD Email: miles@southforkstudio.com

AGENT/ATTORNEY (if any):

Name: _____ Telephone: _____

Address: _____ Email: _____

REGISTERED ENGINEER OR SURVEYOR:

Name: DAVIS, BOWEN & FRIEDEL Telephone: 410-770-4744

Address: 106 N. WASHINGTON ST. EASTON, MD 21601 Email: _____

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: _____

Water Supply: [] Public System [x] On lot system

Sewerage: [] Public System [x] On lot system

TELEPHONE SERVICED BY: _____

ELECTRIC SERVICED BY: _____

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.

D. Mike Barnard

8-30-23

Signature of Applicant

Date

[] Concept Plan Approving Authority: _____ Date _____

[] Preliminary Approving Authority: _____ Date _____

[] Final Approving Authority: _____ Date _____

Investing in our community's future

Minary's Dream Alliance

Campus Master Plan

Chestertown, MD



A future oasis...

Minary's Dream Alliance (MDA) is a nonprofit dedicated to supporting youth and families on Maryland's Eastern Shore who are at risk of disconnecting from school, family, and community. Its headquarter campus in Chestertown sits amid quiet homes and farmland on more than 8 tranquil acres of waterfront property on Morgan Creek, a tributary of the Chester River. The campus provides MDA participants with a beautiful and peaceful home-away-from-home space where they can heal and learn as they connect with mentors, each other, and the natural world.

In partnership with Nature Sacred, South Fork Studio, and ShoreRivers - MDA embarked on a community-led design process for their campus Master Plan. *This Master Plan is an integral part of MDA's mission to transform the lives of youth, families and communities through education, resource development, and community engagement.*

A community vision...

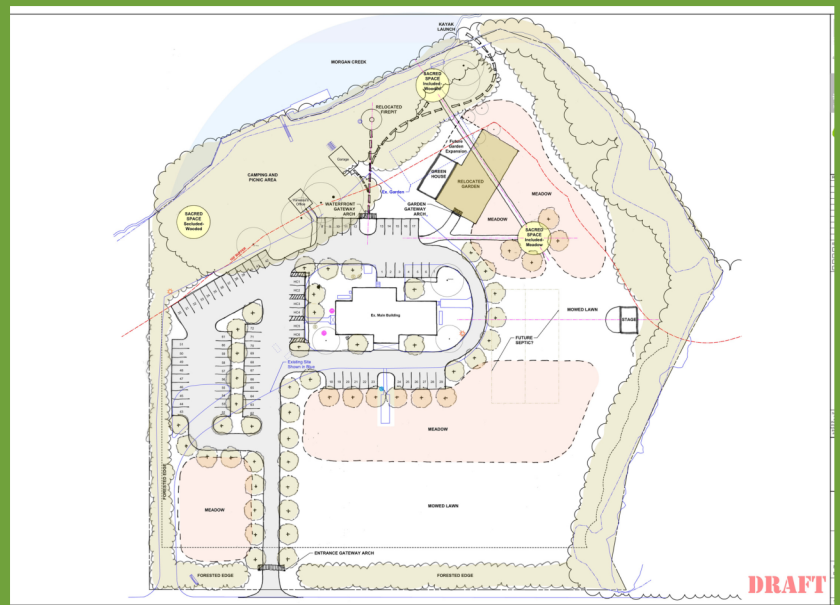
Nature Sacred's design process includes two charrette workshops where everyone is welcome!

Community members participated in Nature Sacred's multi-phase, community-led design process to create a Master Plan for the property. The process included small and large community design workshops, activities and crafts that cultivate ideas, feedback and visions for the space.



These ideas were used by South Fork Studios to formulate a final design, which reflects as much of the community's wishes as possible.

The Master Plan details the footprint and features for the future multifunctional community space.



The Master Plan

A Plan for Community

Minary's Dream Alliance's mission of reshaping lives at its core is clear and is reflected in the final design, harmoniously integrating both function, sustainability and beauty into the space. Features such as the community garden beds, meditative labyrinth, picnic area and living shoreline with water access will not only enhance the property's natural beauty but will serve the community's diverse needs.



A Plan for Healthy Waterways

Conservation initiatives planned for the property address the pressing issue of stormwater pollution, showcasing a future where our rivers are preserved and protected. The design emphasizes habitat enhancement, water quality improvement, and versatile use, ensuring harmony with adjacent properties.



A Plan for our Future

This initiative is a visionary investment in Kent County's future. A future where our youth are deeply connected to the land, where community spirit flourishes through shared acts of kindness, and waters teem with life, inviting activities like fishing and canoeing and mucking about. It is a vision we believe is worth investing in, as it promises to deliver societal healing, environmental rejuvenation, and elevated property values.



We invite you to join this vision!

The Minary's Dream Alliance Master Plan is an investment in our community, our waterways, and our shared vision for the future of the youth of Maryland's Eastern Shore and their deeper connection to the land.

How you can help:

Volunteer or Donate!

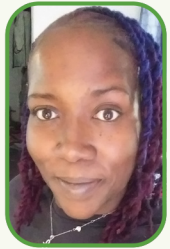
Visit minarysdreamalliance.org for more information.

Minary's Dream Alliance Master Plan leadership team



Doncella Wilson

A native of Maryland's Eastern Shore, Doncella completed her primary education in Queen Anne's County and holds an Associate degree in Human Services from Chesapeake College, a Bachelor of Arts and a master's degree in Social Work from Salisbury University. Ms. Wilson is a state of Maryland Board Approved and Licensed Master Social Worker with more than twenty years' experience in the Human Services profession. She is currently the Co-Founder of Minary's Dream Alliance, Inc. (MDA) where she serves as the Executive Director. Doncella seeks to live her life as the Maya Angelou quote encourages... "When you learn teach, when you get give."



Vanessa Holloway-Truxton

Vanessa is a Queen Anne's County native and is the Keeper of the Garden at Minary's Dream Alliance. She has always found peace and comfort in nature, and wants to provide that same space to others. Her goal is to provide a safe space for people to ground, relax and find clarity — in nature.

Project Partners



Nature Sacred

www.naturesacred.org

For 25 years, Nature Sacred has provided support for over 100 community-designed green spaces, what we call Sacred Places, in the Baltimore/DC area and across the country. Nature Sacred has partnered with Minary's Dream Alliance to lead a transformative community-led design process aimed at spurring creativity, bolstering learning and reconnecting people with nature.



South Fork Studio

www.southforkstudio.com

Based in Chestertown, MD, South Fork Studio Landscape Architecture is dedicated to creating inviting, innovative and environmentally sustainable human spaces and native landscapes throughout the Mid-Atlantic region. D. Miles Barnard, ASLA RLA, Firm Principal and lead designer on this Master Plan Project seeks out projects aimed at incorporating the principles of sustainability (water conservation and reuse), ecological restoration (reduction of impervious surfaces) and the use of native plant material.



ShoreRivers

www.shorerivers.org

A non-profit dedicated to protecting and restoring Eastern Shore waterways through science-based advocacy, restoration, and education. Shore Rivers remains inspired by Minary's Dream Alliance's unwavering commitment to restoration, education, and access — principles that align closely with ShoreRivers' mission of safeguarding our waterways.

Minary's Dream Alliance Site Plan Timeline

YEAR	PROJECT	FUNDING APPLIED? Y/N	PERMITTING APPLIED? Y/N
2024	1. Sacred Place: a peaceful, tranquil area for meditative space near the shoreline	Y	N
	2. Labyrinth: one small meditative walking labyrinth	Y	N
	3. Relocated garden	n/a	n/a
	4. Septic upgrade	Y	Y
2025	5. Living Shoreline	Y	Y
	6. Greenhouse	Y	N
2026	7. Parking Lot reconfig with stormwater elements	N	N
	8. Outdoor classroom / event deck	N	N

April 18, 2024

Kent County Department of Planning, Housing and Zoning
300 High Street
Chestertown, MD 21620

Re: Minary's Dream Alliance
9155 American Legion Drive
Chestertown, MD 21620
Map 38 – Parcel 57 8.12 Acres

NARRATIVE

We are submitting this project for Major Site Plan approval of a proposed Master Plan for 9155 American Legion Drive in Chestertown which is the headquarters for Minary's Dream Alliance (MDA). *We are asking for Preliminary Site Plan approval.* MDA was founded in 2020, and their mission is to transform the lives of youth, families, and communities through education, resource development, and community engagement. In 2022 they purchased the American Legion property to serve as their home where they have offices and hold events such as food drives, movie nights, and back-to-school giveaways. They provide indoor and outdoor education, teach about sustainable gardening and renewable energy, and provide other community support.

MDA is the recipient of a grant from an Annapolis-based organization called Nature Sacred which has been funding design services that have resulted in the attached drawings showing an overall property Master Plan. The intention of the Master Plan is to provide a road map for property improvements over the next 3 years.

Property Specifics

The property sits along the banks of Morgan Creek, a tributary of The Chester River, and is 8.12 acres. It is entirely located within the Chesapeake Bay Critical Area, zoned Critical Area Residential, and is served by private water and sewer. While operating as the American Legion

from 1978 until 2021, nonconforming uses were taking place and accepted by Officials and citizens. However, when MDA was under contract to buy the property in 2021, some neighbors challenged the validity of ongoing nonconforming uses. This challenge resulted in a lawsuit which ended with a ruling from Judge Harris Murphy which is included with this submission. In that ruling, Judge Murphy acknowledges the historic nonconforming uses, and allows for those nonconforming uses to continue under the MDA ownership with some contingencies. Those contingencies are that the nonconforming uses cannot be intensified and includes some specific examples such as not constructing new athletic facilities or creating new access points on Morgan Creek.

Proposed Improvements

The Master Plan includes improvements to existing features and the addition of some new ones. The overall theme of site improvements is to maintain harmony with adjacent properties, enhance and expand habitat for animals, birds, and insects, improve water quality of Morgan Creek, incorporate sustainable construction where possible, and in general honor the site's existing attributes. All the improvements on the Master Plan result in a zero net change in Lot Coverage which is detailed on the drawing worksheets.

Implementation Schedule

2024

Sacred Place: First and foremost is the creation of what is called a Sacred Place. This is an important part of the Nature Sacred design philosophy and will be a place where people can sit alone on a bench and write in a weatherproof journal, gather as a group to discuss current events or attend an outdoor class, or simply sit to commune with nature, enjoy the view, and read a book. The Sacred Place will have a bench (on the drawings), boulders for sitting, native plantings, and a mulch walking surface. The Sacred Place installation would be phase 1 of implementation and a detailed drawing of this space is included in the package.

Labyrinth: The labyrinth is a meditative walking experience that can be done alone or with other people. The labyrinth path would be built in the grass with flagstone as the walking path. The Labyrinth would be built as part of phase 1 and a detailed drawing of this space is included in the package. If this Master Plan is approved, we would immediately submit a building permit for the Labyrinth.

Garden Relocation: The current vegetable garden would be relocated and rotated to sit outside the 100' buffer. In the long term there would be a greenhouse built beside the garden and a storage building for garden equipment. Behind the greenhouse would be composting bins to support garden activities. In the garden, kids would learn how to grow their own food, generate their own power, and build a garden of their own using sustainable practices.

Septic System Upgrade: Minary's Dream Alliance has applied for a permit with the Kent County Environmental Health Department to upgrade the existing septic system. See Exhibit B for full documentation of permit application.

2025

Living Shoreline: What makes this property special is its location along Morgan Creek. We plan to celebrate and enhance this special and sensitive habitat with a living shoreline. This is a project within the project and would require approvals from The State along with the County. This project would stabilize the undercut bank along Morgan Creek and restore native plantings in the tidal zone. In addition, it allows children access to shallow water. This type of shoreline stabilization is preferred over a traditional stone revetment. The construction of the living shoreline may result in the relocation of water dependent access from the currently existing stairs to the currently existing naturally graded slope to the creek. All these details would be provided in a separate prepared building permit application in the future.

Greenhouse: A 10'x16' greenhouse is proposed to be constructed inside the vegetable garden area. The greenhouse will be used to overwinter sensitive plants, start early spring plants from seed, and store garden equipment. The greenhouse will be an uninsulated building constructed using recycled windows and door. It will also be constructed with an extensive green roof to reduce runoff and serve as a demonstration for educational programs. Detailed drawings of the greenhouse can be found in the included drawing package.

2026

Driveway Entrance Relocation: The proposed shift to the entrance off American Legion Drive would allow for a better parking lot design as seen on the drawings. The existing entrance would be removed and planted with trees.

Parking Area: The existing parking lot is an aging expanse of asphalt. The proposal is to remove all this asphalt and reconfigure the paving as shown. If budget allows, a large portion of the new parking lot would be built using porous pavers to aid in stormwater management. The parking lot would also be designed to drain water to a series of bioretention areas which would further treat stormwater. The end result is a parking lot with less paving and more parking, trees, and environmental benefits.

At-Grade Deck: This low wooden deck (12" off the ground) would provide clean dry space for outdoor classroom activities as well as outdoor performance space for something like community theatre.

Phased With Each Project

Meadows: As part of the plan to enhance and create habitat, a series of small warm season grass meadows would be created throughout the property. Warm Season grass meadows provide habitat for declining populations of Bobwhite Quail and provide forage for insects and nesting habitat for other ground dwelling bird species.

Mowed Lawn: The drawings show ample area of mowed lawn to provide for freeform play and activities.

Tree Planting: In addition to tree planting around the proposed parking lot, the drawings indicate that the long-term goal is to surround the site with a forest edge to provide habitat and privacy. Some areas show expanding existing forest cover.

In summary, the proposed improvements to the property are meant to enhance habitat, improve water quality, and improve use without negatively impacting adjacent properties.

Thank you're your consideration of this proposed Master Plan at 9155 American Legion Drive.

Sincerely,



D. Miles Barnard, ASLA RLA

Cc: Doncella Wilson - Minary's Dream Alliance
Vanessa Holloway-Truxon - Minary's Dream Alliance
Paul Tue - Minary's Dream Alliance
Kim Righi - Minary's Dream Alliance
Darran Tilghman – Shorerivers
Neha Srinivasan – Nature Sacred

Exhibit A – Letter from Judge Harries Murphy

Exhibit B – Septic System Upgrade permit application

Exhibit C – Land Use Ordinance Specifics

Exhibit D – Existing Parking Space Count

EXHIBIT A – 01/04/2022 Letter from Judge Harris Murphy

IN THE CIRCUIT COURT FOR KENT COUNTY, MARYLAND

In the Matter of Thomas Voshell, et al.

for Judicial Review of the Kent County

Case No: C-14-CV-21-44

Board of Appeals

* * * * *

ORDER

Having considered the record and pleadings, and for the reasons more fully articulated on the record at the hearing on December 30, 2021, it is, this 01/04/2022 2:54:00 PM, by the Circuit Court for Kent County,

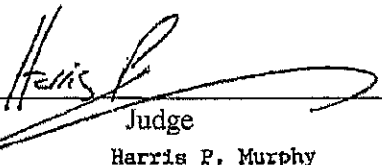
ORDERED, that Appellee, Frank M. Jarmen American Legion Post 36's, Motion to Strike Petitioners' Amendment to Petition for Appeal is DENIED; and it is further,

ORDERED, that Appellee, Minary's Dream Alliance's, Motion for Reconsideration of the Motion to Dismiss is GRANTED with respect to Petitioner, Thomas Voshell, as his property has been transferred. However, the Court will permit substitution of the new owner as one of the Appellants, if requested within 30 days of the date of this order; and it is further,

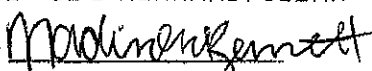
ORDERED, that the decision of the Kent County Board of Appeals (hereinafter "the Board") is AFFIRMED IN PART and REVERSED IN PART as indicated below.

The Court finds that the Board's determination that there were certain existing and legal non-conforming uses of the property was based on substantial evidence. The uses for which there was substantial evidence of an existing and legal non-conforming use are: social, charitable, business and civic meetings, events and functions of a character and nature consistent with the established non-conforming use (i.e.: Cancer Society fundraisers, Red Cross Blood Dives, food drives, cotillion, and various other dinners, dances, meetings and events).

However, to the extent that the Board addressed uses other than the legal non-conforming uses indicated above, the Court finds that the Board was incorrect as a matter of law in determining that other uses – current, anticipated or contemplated – constituted, or could constitute, a permissible intensification of the non-conforming use. By way of example, the Court finds that the implantation of a program that includes any services involved in substance abuse treatment, or the use of the property for sporting events, particularly where that may involve the construction of new facilities for that purpose, or the creation of a new point of access to the Chester River or facilities at that location, or any similar development or use would be an impermissible transmogrification of, and inconsistent with, the nature and character of the established and legal non-conforming use of the property.


Judge
Harris P. Murphy

TRUE COPY TEST
SHERISE L KENNARD, CLERK

BY 
DEPUTY CLERK

51 Case # 22-11

Real Property Data Search ()
Search Result for KENT COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 04 Account Number - 019075

Owner Information

Owner Name: MINARY'S DREAM ALLIANCE INC **Use:** COMMERCIAL
Principal Residence: NO
Mailing Address: PO BOX 35 **Deed Reference:** /01230/ 00242
DENTON MD 21629-0000

Location & Structure Information

Premises Address: 9155 AMERICAN LEGION DR **Legal Description:** L-4-8&24-30-8.12 AC 3
CHESTERTOWN 21620-0000 9155 AMERICAN LEGION DR
CHESMAR

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: G2 15
0038 0003A 0057 30000.15 0000 4 2021 **Plat Ref:** SLK6/ 0070

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1978 5,613 SF 8.1200 AC

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
FRATERNAL BUILDING/ C3

Value Information

	Base Value	Value As of 01/01/2021	Phase-in Assessments	
			As of 07/01/2021	As of 07/01/2022
Land:	495,800	495,800		
Improvements	292,500	246,400		
Total:	788,300	742,200	760,900	742,200
Preferential Land:	0	0		

Transfer Information

Seller: FRANK M JARMAN LEGION HOME **Date:** 02/15/2022 **Price:** \$647,000
Type: ARMS LENGTH IMPROVED **Deed1:** /01230/ 00242 **Deed2:**

Seller: **Date:** **Price:** \$0
Type: **Deed1:** /00064/ 00226 **Deed2:**

Seller: **Date:** **Price:**
Type: **Deed1:** **Deed2:**

Exemption Information

Partial Exempt Assessments: Class 07/01/2021 07/01/2022
County: 000 760,900.00
State: 000 760,900.00
Municipal: 000 0.00|0.00 0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**



Find address or place



Queen Anne's Co



40m

200ft

-76.035 39.228 Degrees

EXHIBIT B – Septic System Upgrade Permit Applications



Minary's Dream Alliance, Inc.
9155 American Legion Rd
Chestertown, MD 21620
Kim.Righi@minarysdreamalliance.org
Fed Tax ID: 85-0988396

April 15, 2024

Kent County Health Dept
Erika Hercher, Acting Director
125 S. Lynchburd St
Chestertown, MD 21620

Dear Erika,

Minary's Dream Alliance applied for Septic Upgrade and Bay Restoration Funds earlier this year. This letter is to provide, in writing, details about our facility usage that we exchanged via email on March 7, 2024.

Our contractor, Ward Plumbing, is working on an installation plan and estimate for the SeptTech Class I BAT system we selected for our site. We hope to submit that final piece to you within the next two weeks.

Health Department Q&A:

1) What is the fire marshal limit on capacity for the building?

200

2) Offices - how many people and how many days of week?

5 staff members are in and out 5 days/week (working mostly offsite), so:

1 staff member is here 9-5 Mon-Fri

4 staff members are here 2-3 days/week 4-6 hours at a time at most

3) Food Drives - how often and the number of visitors?

a. We run a weekly grocery delivery service: 2 staff members are here 2 half days/week (counted above) + 5-10 volunteers for 2-4 hours per week

b. We have up to 3 big food drives/year - but no one came into the building, they drive in to pick up apples, watermelons, turkeys.

4) Movie nights - how often and the number of visitors? Food/beverage available?

Yes, we always serve food and beverages at our events. We have 1-2 events per year, approximately 50-70 in attendance (at most). These dinner events are catered; our caterers prepare the food off-site and warm it up on-site at our facility. We do not use the ovens or the fryer in our commercial kitchen, as they are currently not operational.

It is important to note that we do not intend to start a commercial kitchen operation nor operate as a banquet facility, as most of our work is with working with youth in schools and on field trips.

5) Indoor/Outdoor education - how often and the number of visitors?

Up to 10 per year, typically during “gardening” season – up to 25 people at a time.

6) Outdoor class - how often and the number of visitors?

See above, same

7) Outdoor performances - how often and the number of visitors? Food/beverage available?

To date, we have only had one outdoor performance event, in September 2023, that had approximately 300-400 people in attendance. We rented 5 portapots for that event and will continue to do so should we have future outdoor performance events.

We had outside food vendors for that event, and occasionally have food trucks on-site during other smaller events for visitors to purchase their own food. None use our kitchen.

8) What other events would the facility host and what would be the frequency and number of visitors?

We rent the space to community groups, families, government agencies & the like. The frequency & # of visitors vary widely – nothing is consistent! This provides a good estimate of annual activity expected at our facility:

- 3 large events/year up to 200 people
- 52 church services every Sunday up to 20 people (max)
- 50 rentals per year (anniversaries, birthdays, gov agency & other community groups) btw 50-100 people each (max estimate)

Please let me know if you require additional information to complete our application for both the upgrade and supplemental funding.

Thank you,



Kim Righi, Finance Director



KENT COUNTY HEALTH DEPARTMENT

Environmental Programs

125 S. Lynchburg Street

(To be completed By Chestertown, MD 21620

(Phone) 410-778-1361 (Fax) 410-778-7017



APPLICATION TO CONSTRUCT AN ON-SITE SEWAGE SYSTEM

OWNER'S NAME: Minary's Dream Alliance
 PROPERTY ADDRESS: 9155 American Legion Rd
Chestertown
 Email: Kim.RIGHI@minarysdreamalliance.org
 APPLICATION DATE: 2/29/2024 PHONE#: _____
 SEPTIC INSTALLER: WARD Plumbing Licensed/Certified Y N
 LICENSE#: _____ PHONE#: _____ E-MAIL: _____
 # OF BEDROOMS: n/a BASEMENT: Y N

TAX MAP/PARCEL: _____
 PROPERTY ID: _____
 DATE ISSUED: _____
 DATE EXPIRES: _____
 APPROVED BY: _____
 DATE INSPECTED: _____
 INSPECTED BY: _____
 PERMIT#: _____

(To be completed By KCHD)

CHECK ALL THAT APPLY: A. New house B. Repair C. I/A D. BAT E. OTHER _____

SEPTIC CONTRACTOR TO SUBMIT SITE PLAN OF PROPOSED REPAIR

SITE PLAN TO INCLUDE: PROPOSED & EXISTING SEPTIC SYSTEM, PROPOSED & EXISTING WELLS, HOUSE LOCATION, DRIVEWAY, BURIED UTILITY'S, SURROUNDING WELLS & SEPTICS WITHIN 100'

I, Kim Righi OWNER SIGNATURE, HEREBY APPLY TO CONSTRUCT AN ON-SITE SEWAGE SYSTEM, AGREE TO CONTACT THE KENT COUNTY HEALTH DEPARTMENT 24 hours PRIOR TO STARTING CONSTRUCTION OF SYSTEM, GRANT KENT COUNTY HEALTH DEPARTMENT OFFICIALS THE RIGHT TO ENTER THE PROPERTY TO COMPLETE THE INSPECTION, AND SHALL COMPLY WITH ALL REQUIREMENTS OF OTHER STATE AND LOCAL JURISDICTIONS,

(To be completed By Homeowner)

(To be completed By KCHD)

TYPE OF SYSTEM: A. Trench B. Sand mound C. At grade D. Holding tank E. Other _____

USE: A. Single Family B. Commercial C. OTHER _____

SEPTIC TANK: CAPACITY: _____ TYPE: _____ FILTER BAFFLE: _____

PUMP STATION: Y N TYPE: _____ SIZE: _____

METHOD OF DISTRIBUTION: A. Distribution Box B. Low Pressure Dose C. Drip D. OTHER _____

BACKFILL: Conventional Y/N Non-Conventional Y/N Approved Sand Sieve Analysis: Y/N

DRAIN FIELD: LENGTH: _____ WIDTH: _____ DEPTH: _____ INVERT ELEVATION: _____

BRF GRANT RECIPIENT: Y/N BAT UNIT- _____ A&E RECORDED Y N

COMAR 26.04.02.03(K)

The Maryland Department of the Environment recommends septic tanks, BAT and other pretreatment units be pumped at a frequency to ensure that solids are not discharged to the disposal area

SYSTEM DEPTHS MAY VARY DEPENDING ON SOIL CONSISTENCY WITHIN AN APPROVED SDA. IN ACCORDANCE WITH COMAR 26.04.02 YOU ARE REQUIRED TO INSTALL THE SYSTEM INTO A MINIMUM OF 12 INCHES OF PERMEABLE SOILS.

CONTACT KCHD IF YOU HAVE QUESTIONS.

SYSTEM "AS PROPOSED"

SYSTEM "AS CONSTRUCTED"

--	--

APPLICATION DATE: _____

RECEIVED BY: _____

FEE PAID: _____

EH-129 (REVISED 1/2019)

BAT Class I Technology List

The following technologies have successfully completed field verification and are classified as BAT Class I units. All BAT Class I units are eligible for funding through the Bay Restoration Fund onsite sewage disposal system grant program.

Model	Contact Information	Certifications	MDE Field Performance Analysis for Total Nitrogen
Fuji Clean CEN-Series	<p>Manufacturer Fuji Clean USA www.fujicleanusa.com</p> <p>Local Distributor - Bay Area Environmental Don Jones - (410) 836-9206 manager@jonespumpservice.com</p>	<p><u>NSF 245</u></p> <p>And</p> <p>Other 3rd Party</p>	<p>Mean % Reduction of TN: 77%</p> <p>Mean Effluent Concentration: 14.1 mg/l</p> <p><u>Data & Analysis</u></p>
Advantex®-RT	<p>Manufacturer Orenco Systems®, Inc. www.orenco.com/</p> <p>Local Distributor - Atlantic Solutions Bob Johnson - 1 (877) 214-9283 bjohnson@septicssystems.net</p>	<p><u>NSF 245</u></p> <p>And</p> <p>Other 3rd Party</p>	<p>Mean % Reduction of TN: 76%</p> <p>Mean Effluent Concentration: 14.5 mg/l</p> <p><u>Data & Analysis</u></p>
Advantex®-AX20	<p>Manufacturer Orenco Systems®, Inc. www.orenco.com/</p> <p>Local Distributor - Atlantic Solutions Bob Johnson - 1 (877) 214-9283 bjohnson@septicssystems.net</p>	<p><u>NSF 245</u></p> <p>And</p> <p>Other 3rd Party</p>	<p>Mean % Reduction of TN: 71%</p> <p>Mean Effluent Concentration: 17 mg/l</p> <p><u>Data & Analysis</u></p>
K.R. SeptiTech®	<p>Manufacturer SeptiTech, Inc. www.septitech.com</p> <p>Local Distributors Eastern Region - Gillespie & Sons Inc. Jim Gillespie - (410) 778-0900 jimg@gillespieandson.com</p> <p>Central Region - Bay Area Environmental Don Jones - (410) 836-9206 manager@jonespumpservice.com</p>	<p><u>ETV</u></p> <p>And</p> <p><u>NSF 245</u></p>	<p>Mean % Reduction of TN: 67%</p> <p>Mean Effluent Concentration: 20 mg/l</p> <p><u>Data & Analysis</u></p>
Hydro-Action® - AN Series	<p>Manufacturer Hydro-Action/AK Industries Inc. www.hydro-action.com</p> <p>Regional Distributor - Blue Water Environmental, LLC Mark O'Rourke - (240) 444-6401 Email: mark@bwenvironmental.com</p> <p>Local Distributors Central-Eastern Region - Sample Excavating Co. Inc. Mike Sample - (443) 807-8639 Email: sampleexcavating@aol.com</p> <p>Southern Region - Outback Porta-Jon, Inc. Steve Willson - (410) 257-1600 Email: willson05@comcast.net</p>	<p><u>NSF 245</u></p>	<p>Mean % Reduction of TN: 66%</p> <p>Mean Effluent Concentration: 20.3 mg/l</p> <p><u>Data & Analysis</u></p>

Hoot® BNR	<p>Manufacturer Hoot Aerobic Systems, Inc. www.hootsystems.com</p> <p>Local Distributor - Mayer Bros. Nancy Mayer - (410) 796-1434 nancy@mayerprecast.com</p>	<p><u>NSF 245</u></p> <p>And</p> <p>Other 3rd Party</p>	<p>Mean % Reduction of TN: 64%</p> <p>Mean Effluent Concentration: 21 mg/l</p> <p><u>Data & Analysis</u></p>
RetroFAST	<p>Manufacturer Bio-Microbics, Inc. http://www.biomicrobics.com</p> <p>Local Distributors Eastern Region - Gillespie & Sons, Inc. Jim Gillespie - (410) 778-0900 jimg@gillespieandson.com</p> <p>Central Region - Bay Area Environmental Don Jones - (410) 836-9206 manager@jonespumpservice.com</p>	<p><u>ETV</u></p> <p>And</p> <p><u>NSF 245</u></p>	<p>Mean % Reduction of TN: 58%</p> <p>Mean Effluent Concentration: 25.4 mg/l</p> <p><u>Data & Analysis</u></p> <p>Limited to households of 1 to 4 occupants and 3 bedroom or less</p>
Singulair TNT & Singulair Green (plastic tank)	<p>Manufacturer Norweco, Inc. www.norweco.com</p> <p>Local Distributors Eastern Shore - Towers Concrete Products Jeffrey Powell - (800) 773-9128 towersconc.jp@gmail.com</p> <p>Southern Region - Superior Tank Jeff Earnshaw - (301) 274-3772 superiortank@primary.net</p> <p>Western Region - C.R. Semler Charlie Semler - (301) 824-2780 crsemmler@crsemmler.com</p> <p>Western Region - Garrett & Allegany Co. Pile's Concrete Products Co. Inc. Brett Zimmerman - (814) 445-6619 brett_zimmerman@hotmail.com</p> <p>Central Region - Back River Pre-Cast LLC Matt Geckle - (410) 833-3394</p>	<p><u>NSF 245</u></p> <p>And</p> <p>Other 3rd Party</p>	<p>Mean % Reduction of TN: 55%</p> <p>Mean Effluent Concentration: 27 mg/l</p> <p><u>Data & Analysis</u></p>
AquaKlear	<p>Manufacturer AquaKlear Inc http://www.aquaklear.net/</p> <p>Local Distributor - BayStar Precast Corp. Dave Care - (410) 977-3453 careless32@comcast.net</p>	<p><u>NSF 245</u></p> <p>And</p> <p>Other 3rd Party</p>	<p>Mean % Reduction of TN: 54%</p> <p>Mean Effluent Concentration: 27.5 mg/l</p> <p><u>Data & Analysis</u></p>

Last Updated: 7/15/2021

Homeowner Signature: Kim Rigbi Tax Map 38 Parcel 57 Lot 4
 I have chosen and initialed an MDE field verified BAT system. I understand that funding is income based and is available according to current fiscal year Bay Restoration Fund Implementation Guidance.
 Kim Rigbi, Finance Director
 Minary's Dream Alliance

BAY RESTORATION FUND RANKING DOCUMENTATION December 1, 2021

VENDOR IN ASCENDING ORDER INSTALLATION AND 2 YEAR COST OF PURCHASE,	VERIFIED BY	VENDOR IN DESCENDING ORDER			VERIFIED BY
		MEAN % REDUCTION TN (Using 60mg/L influent)	MEAN EFFLUENT CONCENTRATION	OPERATION AND MAINTENANCE PER YEAR AFTER THE 2 YEAR CONTRACT	
Fuji Clean CEN5 \$12,244	Vendor	77%	14.1 mg/L	Advantex AX20 \$225.00	Vendor
Singular TNT \$13,383	Vendor	77%	14.1 mg/L	Advantex AX20RT \$225.00	Vendor
Singular Green \$13,542	Vendor	76%	14.5 mg/L	Fuji Clean CEN 7 \$225.00	Vendor
Aquaklear AK6S245 \$13,592	Vendor	71%	17 mg/L	Fuji Clean CEN 5 \$225.00	Vendor
BioMicrobics RetroFast** \$14,109	Vendor	67%	20 mg/L	Advantex AX20RT \$225.00	Vendor
Hydro Action AN series \$15,104	Vendor	66%	20.3 mg/L	Advantex AX20 \$250.00	Vendor
Fuji Clean CEN 7 \$16,140	Vendor	64%	21 mg/L	Fuji Clean CEN 7 \$225.00	Vendor
Hoot BNR \$17,426	Vendor	64%	21 mg/L	Advantex AX20RT \$225.00	Vendor
SeptiTech M400D \$17,794	Vendor	58%	25.4 mg/L	Fuji Clean CEN 5 \$225.00	Vendor
Advantex AX20 \$18,560	Vendor	55%	27 mg/L	Advantex AX20 \$250.00	Vendor
Advantex AX20RT \$21,130	Vendor	54%	27.5 mg/L	Advantex AX20RT \$225.00	Vendor

All prices are Estimate Averages across Maryland and subject to change per county, contact Manufacturer.
The BRF Program no longer funds the non field verified systems for installation.
Price does not include electrical costs per year.
** RetroFast unit limited to households of 1-4 occupants with 3 bedrooms or less.
tank. For use of existing tank, manufacturer must certify tank suitable and watertight.

As the data for non-field verified systems is incomplete, MDE has classified the % reduction of TN and the Price per Pound of N Reduced for non-field verified systems as Deliberative Data.
** RetroFast unit limited to households of 1-4 occupants with 3 bedrooms or less.

VENDOR IN ASCENDING ORDER PRICE PER POUND OF N REDUCED	VERIFIED BY	VENDOR IN ASCENDING ORDER		
		OPERATION AND MAINTENANCE PER YEAR AFTER THE 2 YEAR CONTRACT	MEAN EFFLUENT CONCENTRATION	MEAN % REDUCTION TN (Using 60mg/L influent)
Fuji Clean CEN 5 \$79.41	MDE	\$225.00	1	1
Fuji Clean CEN 7 \$91.03	MDE	\$225.00	2	2
Hydro Action AN series \$100.50	MDE	\$225.00	2	2
Aquaklear AK6S245 \$106.68	MDE	\$225.00	2	2
Advantex AX20 \$109.19	MDE	\$250.00	1	1
Singular TNT \$109.31	MDE	\$250.00	1	1
Singular Green \$110.31	MDE	\$275.00	1	1
BioMicrobics RetroFast** \$11.49	MDE	\$275.00	1	1
SeptiTech M400D \$11.99	MDE	\$275.00	1	1
Advantex AX20RT \$13.94	MDE	\$325.00	1	1
Hoot BNR \$15.91	MDE	\$325.00	1	1
Singular TNT \$18.84	MDE	\$325.00	2	2
SeptiTech M400D \$124.16	MDE	\$300.00	2	2

Price per pound of N reduced equals [(Price of technology plus (increased electrical costs multiplied by Ten))divided by Ten] divided by (24.32 lbs of N per year multiplied by percent reduction of N by system)
As the data for non field verified systems is incomplete, MDE has classified the % reduction of TN and the Price per Pound of N Reduced for non field verified systems as Deliberative Data.
** RetroFast unit limited to households of 1-4 occupants with 3 bedrooms or less.

VENDOR IN ASCENDING ORDER YEAR CONTRACT MAINTENANCE PER YEAR AFTER THE 2 YEAR CONTRACT	VERIFIED BY	VENDOR IN ASCENDING ORDER		
		OPERATION AND MAINTENANCE PER YEAR AFTER THE 2 YEAR CONTRACT	MEAN EFFLUENT CONCENTRATION	MEAN % REDUCTION TN (Using 60mg/L influent)
Advantex AX20 \$225.00	Vendor	\$225.00	1	1
Advantex AX20RT \$225.00	Vendor	\$225.00	2	2
Fuji Clean CEN 5 \$225.00	Vendor	\$225.00	2	2
Fuji Clean CEN 7 \$225.00	Vendor	\$225.00	2	2
Aquaklear AK6S245 \$250.00	Vendor	\$250.00	1	1
BioMicrobics RetroFast** \$275.00	Vendor	\$275.00	1	1
SeptiTech M400D \$275.00	Vendor	\$275.00	1	1
Hoot BNR \$325.00	Vendor	\$325.00	1	1
Singular TNT \$325.00	Vendor	\$325.00	2	2
Singular Green \$325.00	Vendor	\$325.00	2	2
Hydro Action AN series \$300.00	Vendor	\$300.00	2	2

All prices are estimates and based on the 2-yr O&M BAT bid submitted to the State. Some prices have been rounded.
Prices are subject to change and may vary based on location. Contact manufacturer for O&M price details.
* Based off manufacturer-required service visits per year
Additional Charges may apply with certain manufacturers. It is the responsibility of the homeowner to contact the manufacturer for precise details of contract.

VENDOR IN ASCENDING ORDER 1 YEAR ELECTRICAL CONSUMPTION (represented as kWh/year)	INCREASED ELECTRICAL COSTS PER YEAR ASSUMING \$0.14 PER KWH	VERIFIED BY	VENDOR IN ASCENDING ORDER		
			OPERATION AND MAINTENANCE PER YEAR AFTER THE 2 YEAR CONTRACT	MEAN EFFLUENT CONCENTRATION	MEAN % REDUCTION TN (Using 60mg/L influent)
Advantex AX20RT 210.2 kWh/year	\$29.43	OSET NTP	\$29.43	1	1
Advantex AX20 210.2 kWh/year	\$29.43	OSET NTP	\$29.43	2	2
Aquaklear AK6S245 298.7 kWh/year	\$41.82	Vendor	\$41.82	2	2
Fuji Clean CEN 5 448.7 kWh/year	\$62.54	Manufacturer	\$62.54	2	2
Fuji Clean CEN 7 648.2 kWh/year	\$90.75	Manufacturer	\$90.75	2	2
Hydro Action AN series 734.26 kWh/year	\$102.80	Pump Manufacturer	\$102.80	2	2
Hoot BNR 765.77 kWh/year	\$107.21	Pump Manufacturer	\$107.21	2	2
Singular TNT 979.66 kWh/year	\$137.15	NAT Testing Lab	\$137.15	2	2
Singular Green 979.66 kWh/year	\$137.15	NAT Testing Lab	\$137.15	2	2
BioMicrobics RetroFast** 1401.6 kWh/year	\$196.22	Pump Manufacturer	\$196.22	2	2
SeptiTech M400D 1741.05 kWh/year	\$243.75	Vendor	\$243.75	2	2

** RetroFast unit limited to households of 1-4 occupants with 3 bedrooms or less.
HydroAction utilizes a mixer pump during start up. Pump use is discontinued after start up. Usage data will vary after start-up period.
\$0.14 is an assumed average kWh/h rate for Maryland 2021.

Before selecting a technology for use on the property in question, please contact each vendor to verify the information is current and accurate. MDE is only a facilitator in presenting this information in accordance with HB347. MDE strongly advises that the applicant contact the vendor directly for more information.
Please contact the county Environmental Health Division for specific process on submitting an application
For a list of county contact information, 410-537-3599
Please contact the Maryland Department of the Environment for specific questions regarding becoming a Best Available Technology in Maryland.
For MDE contact information, 410-537-3599
RED Font = Technologies that have successfully completed Maryland's Bay Restoration Fund Field Verification process.

Homeowner Signature: Kim I. Kim (Kim Rghy, Finance Dir.) Tax Map 38 Parcel 57 Lot 4

EXHIBIT C

LAND USE ORDINANCE SPECIFICS (Art. VI, Section 5.4.B)

1. *Name and address of the landowner, the developer and/or representative, if different from the owner.*
 - a. Minary's Dream Alliance 9155 American Legion Drive, Chestertown, MD 21620.
2. *Street address, tax map, parcel number, and subdivision if any.*
 - a. 9155 American Legion Drive, Chestertown, MD 21620. Map 38 – Parcel 57. 8.12 Acres.
3. *Zoning of site.*
 - a. Critical Area Residential
4. *Current and proposed use of the property.*
 - a. Current/Past use: Property served as American Legion Post from 1978-2021.
 - b. Proposed use: Minary's Dream Alliance intends to use the property to serve as their home where they: have offices; hold events such as food drives, movie nights, and back-to-school giveaways; provide indoor and outdoor education; teach about sustainable gardening and renewable energy; and provide other community support.
5. *An explanation of the viewshed, open space, and conservation analysis undertaken during the design of the site plan.*
 - a. The most significant feature of the site is its proximity to Morgan Creek. The Master plan was developed with the intent to harmonize the existing property with the natural environment. It includes improvements to existing features and the addition of new ones as described in the Narrative. The intent of site improvements are: to maintain harmony with adjacent properties; to enhance and expand habitat for animals, birds, and insects; to improve the water quality of Morgan Creek; to incorporate sustainable construction where possible; and honor the site's existing attributes. All the improvements on the Master Plan result in a zero net change in lot coverage. The viewshed is enhanced by adding a Sacred Place and Outdoor Classroom to the area near Morgan Creek and relocating the existing vegetable garden. The property's large existing area of Open Space will be preserved and enhanced by the addition of native meadows. Warm season grass meadows provide habitat for declining populations of Bobwhite Quail and provide forage for insects and nesting habitat for other ground dwelling bird species.
6. *How the proposed development complies with the Comprehensive Plan and the design and environmental standards of this Ordinance.*
 - a. As outlined in the Comprehensive Plan, this design has elements that include:
 - i. Stewardship of our lands and waters: This is accomplished by adding native plantings and habitat, along with educational space and programming, as well as using sustainable building techniques, all without increasing lot coverage.
 - ii. Supporting agriculture and promoting working landscapes: This is a key element of the design, which includes a revamped vegetable garden, added greenhouse, and spaces to provide educational opportunities about sustainable agriculture.
 - iii. Preserving cultural and historic resources: This plan carefully and respectfully re-uses the American Legion property.
 - iv. Preserve the County's unique quality of life: This positive re-use of an existing facility is in harmony with the "slow, steady growth" philosophy of the Comprehensive Plan. Rather than building a new facility on otherwise open land, MDA is proposing to carefully re-use and improve an existing site.
7. *Proposed type of water and sewer service.*
 - a. The site is currently served by private water and sewer service. A permit application for upgraded septic has been submitted to Kent County Department of Health.
8. *Number of employees.*
 - a. MDA is primarily a volunteer organization, and the number of volunteers will vary depending on the type of activity. The leadership team consists of five employees.
9. *The proposed development schedule and phases of development for all proposed construction.*
 - a. The schedule is outlined as follows (details in narrative)

- i. 2024: Construction of Sacred Place and Labyrinth, Garden Relocation and Septic upgrades.
 - ii. 2025: Living Shoreline and Greenhouse
 - iii. 2026: Driveway entrance relocation, parking improvements and deck area
10. *Statement of provisions for ultimate ownership and maintenance of all parts of the development including streets, structures, and open space.*
 - a. Ownership and responsibility for the development resides in MDA and their donors and members. MDA is a non-profit organization with strong ties to the local community.
11. *Water dependent uses in the Critical Area:*
 - a. A Living Shoreline is planned for Phase Two of the project, estimated to occur in 2025. This would require approvals from the State along with the County. This project would stabilize the undercut bank along Morgan Creek and restore native plantings in the tidal zone. In addition, it allows children access to shallow water. This type of shoreline stabilization is preferred over a traditional stone revetment (armoring of the shoreline). The construction of the living shoreline may result in the relocation of water dependent access from the currently existing stairs to the currently existing naturally graded slope to the creek. All these details would be provided in a separate prepared building permit application in the future.
12. *Critical Area density calculations based on the original parcel.*
 - a. Critical Area Residential zoning allows 1 Dwelling Unit per acre. The existing parcel contains 1 Dwelling Unit on 8.12 acres. This will remain constant in the proposed Master Plan, for a final density of 0.123 DU/Acre.
13. *Citizen Participation Plan.*
 - a. The development of this Master Plan has included two charrette workshops where citizen participants voted on features of the possible design that were important to them. In partnering with Nature Sacred, MDA has committed to a community-led and community-focused design process. MDA's mission is specifically community based.

EXHIBIT D – Existing Parking Spaces



EXHIBIT E – MDE Living Shoreline Acknowledgement Letter



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

March 13, 2024

Keith Binsted
Underwood and Associates
1787 Severn Chapel Rd
Millersville, Maryland 21108

Project Name: Minary's Dream Alliance
Project Address: 9155 American Legion Dr
Chestertown, MD 21620

Tracking Number: 202460378
Permit Number: 24-WL-0267
AI Number: 181037
Application Received: March 08, 2024
County: Kent

The Regulatory Services Coordination Office of the Maryland Department of the Environment's Wetlands and Waterways Protection Program (WWPP) has received your Joint Federal/State Application for the Alteration of Any Floodplain, Waterway, Tidal or Nontidal Wetland (or buffer) in Maryland. Based on the information in your application your project is considered a Minor project for fee purposes and anticipated processing time, and is considered a Category Alt project under the Army Corps of Engineers (USACE) Maryland State Programmatic General Permit-6 (MDSPGP-6). Since your project has been determined to qualify for review by the USACE and to expedite review of your project, the USACE requests that you email a copy of your submitted Joint Federal/State Application for the Alteration of Any Floodplain, Waterway, Tidal or Nontidal Wetland (or buffer) in Maryland along with a copy of this letter to: NAB-Regulatory@usace.army.mil. For files that are too large to email, USACE requests that you send an email that describes the proposed project, including the project location to the above email address, and additional instructions on submission of application materials will be provided after assignment of the request to a project manager. Our goal at MDE is to complete the MDE review of your application within 90 days of the date of receipt. If your project is a nontidal stream or wetland restoration/ rehabilitation project, the Department's goal is to complete the State review of your application within 90 days from the date of receipt. The following WWPP project managers have been assigned to review your application:

Tidal Wetlands Division: Savanna Spirt at savanna.spirt@maryland.gov or 410-537-3834

If available, please forward an electronic copy of the Joint Permit Application and supporting documentation to the email address listed for your WWPP project manager.

Your application has been forwarded to the following groups for review:

Tidal Wetlands Division

Nontidal Wetlands Division

Waterway Construction Division

Dam Safety Permits Division
(410) 537-3552

U.S. Army Corps of Engineers
(410) 962-3670

Compliance Division
(410) 537-3510

You will be contacted individually or jointly by the groups that have been checked above within 45 days to advise you as to whether WWPP has all the information it needs to complete its review and what, if any, additional information is needed. In order to continue to process your application in a timely manner, it is important that you or your agent respond to such information requests promptly. Many delays in processing applications can be attributed to delays in MDE receiving the necessary requested information.

A primary function of WWPP is to convey and store flood waters and buffer adjacent land and water from related impacts. With climate change increasing precipitation, sea level rise and flooding in Maryland, the hydrology of wetland and waterway systems are also expected to change, possibly increasing flood risks to projects in or near wetlands, waterways, or their regulated buffers. The Department is incorporating the best available flooding information and science into WWPP application decisions. However, as an applicant proposing regulated activities in a possible flood prone area, you are also responsible for considering your project's flood vulnerability and risks, and including such considerations in your project's design, location, and scope. If your project changes the course, current, or cross-section of waters of the State in a mapped tidal or nontidal Federal Emergency Management Agency (FEMA) 100-year floodplain you are required to notify the appropriate local government and the state National Floodplain Insurance Program (NFIP) coordinator at MDE, Mr. Dave Guignet, by email at dave.guignet@maryland.gov of the proposed work and the impacts to the FEMA floodplain. Additionally, if the work/construction activity will change or alter the FEMA 100-year boundaries or elevations, you are fully responsible for and required to contact FEMA and apply for a Conditional Letter of Map Amendment (CLOMR) which may necessitate a separate hydrologic and hydraulic study (determined by FEMA) before construction; and complete the FEMA Amendment process with a Letter of Map Amendment or Revision (LOMR) after construction is completed. This includes coordinating and informing the local government/community throughout the process. This requirement is in addition to any MDE authorization. If you have any questions regarding this FEMA requirement, please contact Dave Guignet by email at dave.guignet@maryland.gov.

Please note that if the proposed project changes during the course of processing, or if WWPP determines that other regulated resources may be impacted, your application may be recategorized and/or forwarded to other entities for their review and input (for example, Maryland Historical Trust, Tribal nations, Maryland Department of Natural Resources, U.S. Environmental Protection Agency, National Marine Fisheries Service, U.S. Fish and Wildlife Service, and/or U.S. Coast Guard). Reviews by these other groups may add additional time to the review period. Your WWPP reviewer will let you know if your application has been forwarded to other groups for their review. If the Compliance box is checked, this application has been identified to contain after-the-fact work or is subject to a pending or ongoing compliance or enforcement action and has been forwarded to the Water and Science Administration, Compliance Program, for review and comment. Prior to issuance of the authorization, WWPP will consult with the Compliance Program. If a Tidal Wetlands License issued by the State Board of Public Works is required for your project, you will be advised by that agency regarding any additional required license fee.

Obtaining the authorizations checked above will satisfy the requirements of WWPP and the federal permit requirements from USACE. We suggest that you retain this letter for future reference.

When multiple permits are required for a particular project, WWPP may consolidate all permit reviews into one process. You should not proceed with any work on your project until you have received the required written authorizations. You are still obligated to obtain any other required authorizations including any other federal and state approvals as well as local grading and building permits.

For information on the status of your application, you may call the Regulatory Services Coordination Office at (410)537-3752 (Baltimore/Annapolis). Please reference your tracking number listed above for all written and telephone correspondence. You may also contact the individual review groups that are processing your application at the listed telephone numbers to obtain or provide specific information relating to this application.

Sincerely,

Regulatory Services
Coordination Staff



Minary's Dream Alliance, Inc.
9155 American Legion Rd
Chestertown, MD 21620
Kim.Righi@minarysdreamalliance.org
Fed Tax ID: 85-0988396

April 26, 2024

William A. Mackey
Director, Department of Planning, Housing, and Zoning
Kent County, Maryland
400 High Street, Suite 103
Chestertown, MD 21620

Dear Mr. Mackey,

On March 6, 2024 we applied to MDE for a permit to construct a living shoreline in which the concept design indicated that our existing pier would be removed and new pier constructed in a different location. This application is on hold pending funding to continue the project.

Should funding be secured, however, Minary's Dream Alliance does not intend to pursue a new pier in a new location and will instead work with our design contractor – Underwood and Associates – to create a living shoreline project around our existing pier.

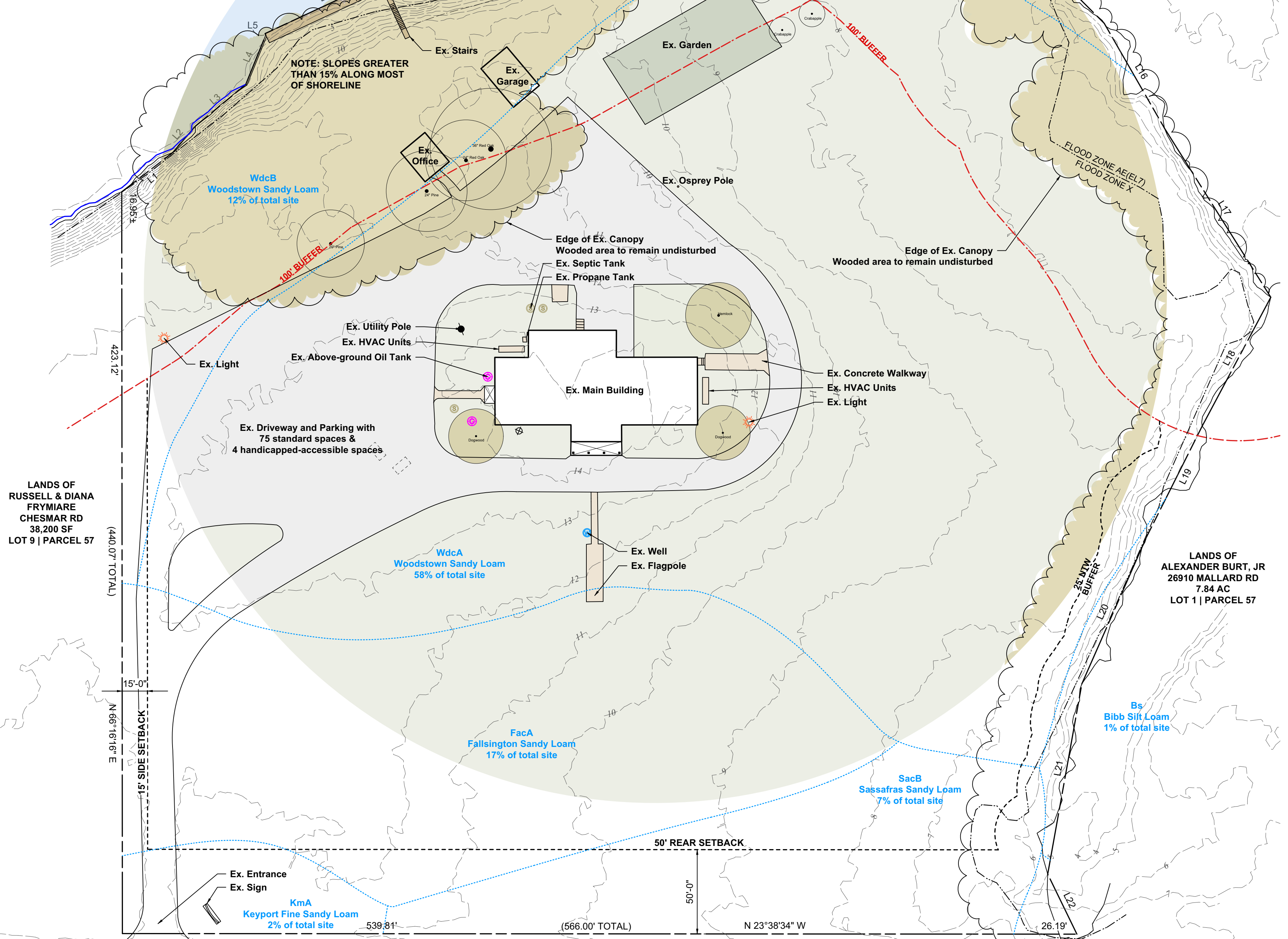
Please let me know if you require anything further to complete our application for Site Plan Preliminary Approval.

Thank you,

Kim Righi
Director of Finance

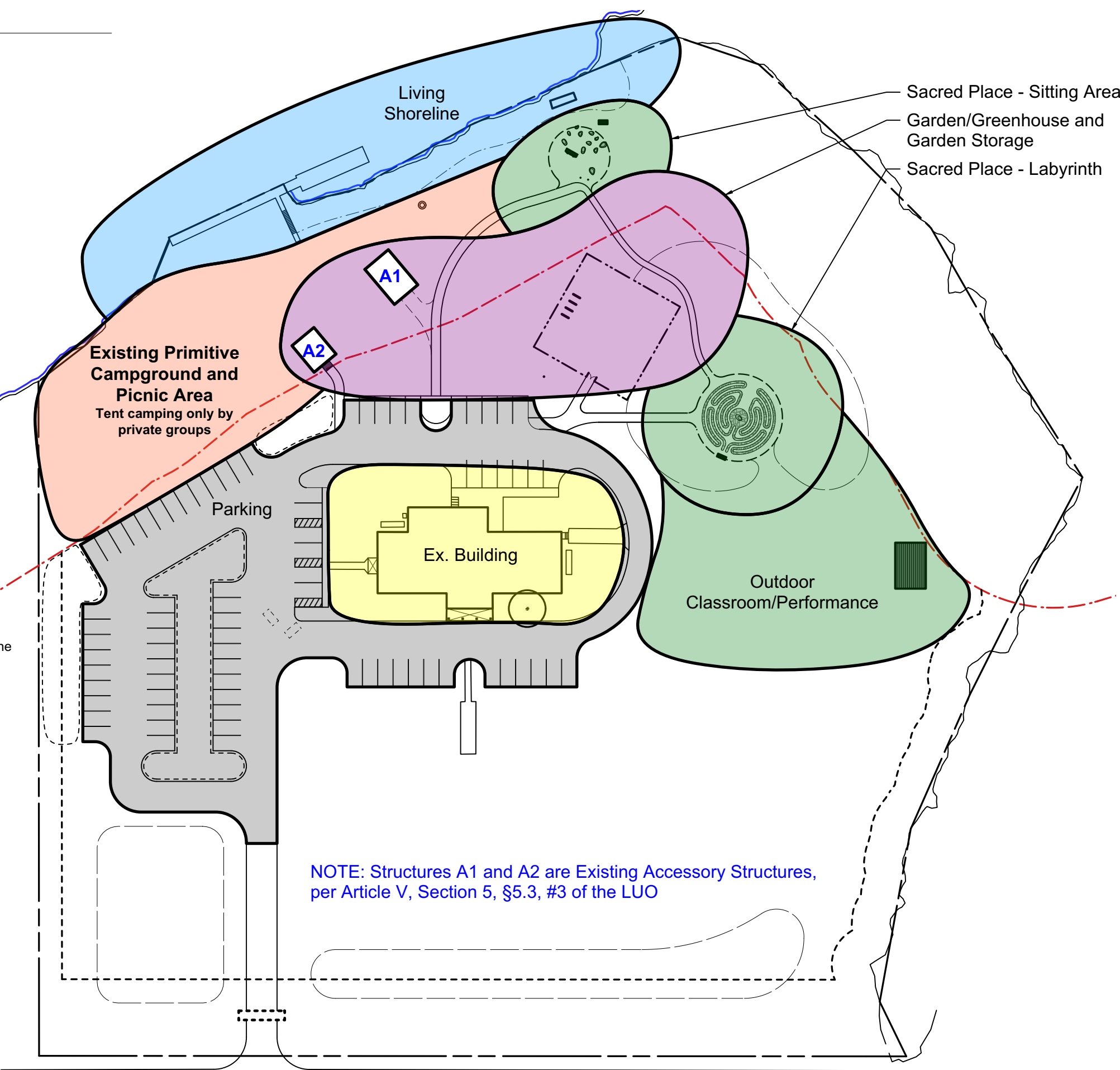
Pre-development Lot Coverage - Minary's Dream Alliance	
Total Land Area (SF)	353,707 SF
Zoning Classifications	CAR
Allowed Lot Coverage (15%)	53,056 SF
Area Description	
Ex. Main Building	6,310 SF
Ex. Garage	499 SF
Ex. Office	420 SF
Ex. Driveway	52,950 SF
Ex. Walkways and other Paving	1,204 SF
Total Lot Coverage	61,482 SF

LINE	BEARING	DISTANCE
L1	S 61°16'24" E	38.22'
L2	S 73°06'49" E	20.57'
L3	S 63°15'21" E	38.73'
L4	N 88°20'41" E	31.75'
L5	N 41°19'41" E	0.91'
L6	S 48°40'19" E	82.60'
L7	S 41°19'41" W	6.00'
L8	S 27°04'26" W	9.62'
L9	S 37°26'34" E	39.06'
L10	S 52°47'37" E	86.50'
L11	S 47°42'22" E	84.27'
L12	S 45°28'35" E	62.32'
L13	S 05°07'58" E	56.00'
L14	S 18°34'50" W	83.07'
L15	S 21°17'24" W	72.31'
L16	S 36°27'56" W	71.76'
L17	S 34°10'17" W	118.46'
L18	N 85°39'18" W	86.61'
L19	N 87°02'20" W	73.58'
L20	N 89°54'56" W	95.14'
L21	S 76°29'30" W	114.72'
L22	S 40°24'28" W	39.60'



LEGEND

- Ex. Tree to remain
- Proposed Tree
- Existing 1' Contour
- Property Line
- Setback
- Telephone
- Water
- Electric
- Propane
- Sewer
- Flood Boundary
- Soil Boundary
- Mean High Water Line
- Ex. Tree Canopy



1 Proposed Land Use Diagram
Scale: 1" = 80'-0"

LAND USE KEY

- Public or Private Park, per Article V, Section 5, §5.2, #7 of the LUO
- Existing Primitive Campground and Picnic Area
- Garden, Greenhouse and Garden Storage
- Living Shoreline / Public or Private Park
- Existing Building - Nonconforming
- Accessory off-street Parking, per Article V, Section 5, §5.4, #2 of the LUO



VICINITY MAP

REVIEWED FOR KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS

KENT SOIL AND WATER CONSERVATION DISTRICT DATE _____

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

APPROVED: _____ DATE _____

KENT COUNTY PLANNING COMMISSION CHAIR

APPROVED: _____ DATE _____

HEALTH DEPARTMENT APPROVING AUTHORITY

Property Information:
9155 American Legion Drive
Chestertown, MD 21620
Map 38 Grid 3A Parcel 57
8.12 Acres

County: Kent
Election District 4, Precinct 1

SOUTH FORK STUDIO
LANDSCAPE ARCHITECTURE, INC.
10810 CLIFF ROAD
CHESTERTOWN, MD 21620
410 778 1098 410 778 6848(F)
www.southforkstudio.com

MINARY'S DREAM ALLIANCE

Nature Sacred

REVISIONS

03-01-23	Design Questionnaire
03-29-23	Steering Comm. #2
08-30-23	Site Plan Review
09-26-23	Planning Commission
12-29-23	Planning Commission

ISSUED FOR:

<input type="checkbox"/> Client Review	<input type="checkbox"/> Revision
<input type="checkbox"/> Bid	<input type="checkbox"/> Approval
<input type="checkbox"/> Permit	<input type="checkbox"/> Coordination
<input type="checkbox"/> Construction	

Minary's Dream Alliance, Inc
9155 American Legion Drive
Chestertown, MD
Election District 4

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Existing Conditions

Scale: 1" = 40'
Drawn by: DMB

L0.1

1st Issue Date 01-12-23

Pre-Development Lot Coverage - Minary's Dream Alliance	
Total Land Area (SF)	353,707 SF
Zoning Classifications	CAR
Allowed Lot Coverage (15%)	53,056 SF
Area Description	
Ex. Main Building	6,310 SF
Ex. Garage	599 SF
Ex. Office	420 SF
Ex. Driveway	52,960 SF
Ex. Walkways and other Paving	1,204 SF
Total Lot Coverage	61,482 SF

Post-Development Lot Coverage - Minary's Dream Alliance	
Total Land Area (SF)	353,707 SF
Zoning Classifications	CAR
Allowed Lot Coverage (15%)	53,056 SF
Pre-Development Lot Coverage	61,482 SF
Area Description	
Ex. Main Building	6,310 SF
Ex. Garage	599 SF
Ex. Office	420 SF
Ex. Walkways and other Paving to Remain	797 SF
Proposed Driveway	43,485 SF
Proposed Walkways	2,532 SF
Proposed Labyrinth	1,197 SF
Proposed Greenhouse	169 SF
Net Lot Coverage	55,509 SF
Lot Coverage Reserves	5,974 SF
Total Lot Coverage	61,482 SF
Lot Coverage Change	0 SF

LEGEND

- Ex. Tree to remain
- Proposed Tree
- Existing 1' Contour
- Property Line
- Setback
- Telephone
- Water
- Electric
- Propane
- Sewer
- Flood Boundary
- Soil Boundary
- Mean High Water Line
- Existing, to be removed
- Ex. Tree Canopy
- Proposed Tree Canopy
- Proposed Planting Bed
- Proposed Bioretention
- Proposed Lawn
- Proposed Warm Season Meadow
- Proposed Walkways
- Proposed Driveway

REVIEWED FOR KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS

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

APPROVED:

DATE _____ KENT COUNTY PLANNING COMMISSION CHAIR

APPROVED:

DATE _____ HEALTH DEPARTMENT APPROVING AUTHORITY

PRE-DEVELOPMENT PARKING SPACES
 Standard Spaces: 75
 Handicap Spaces: 4

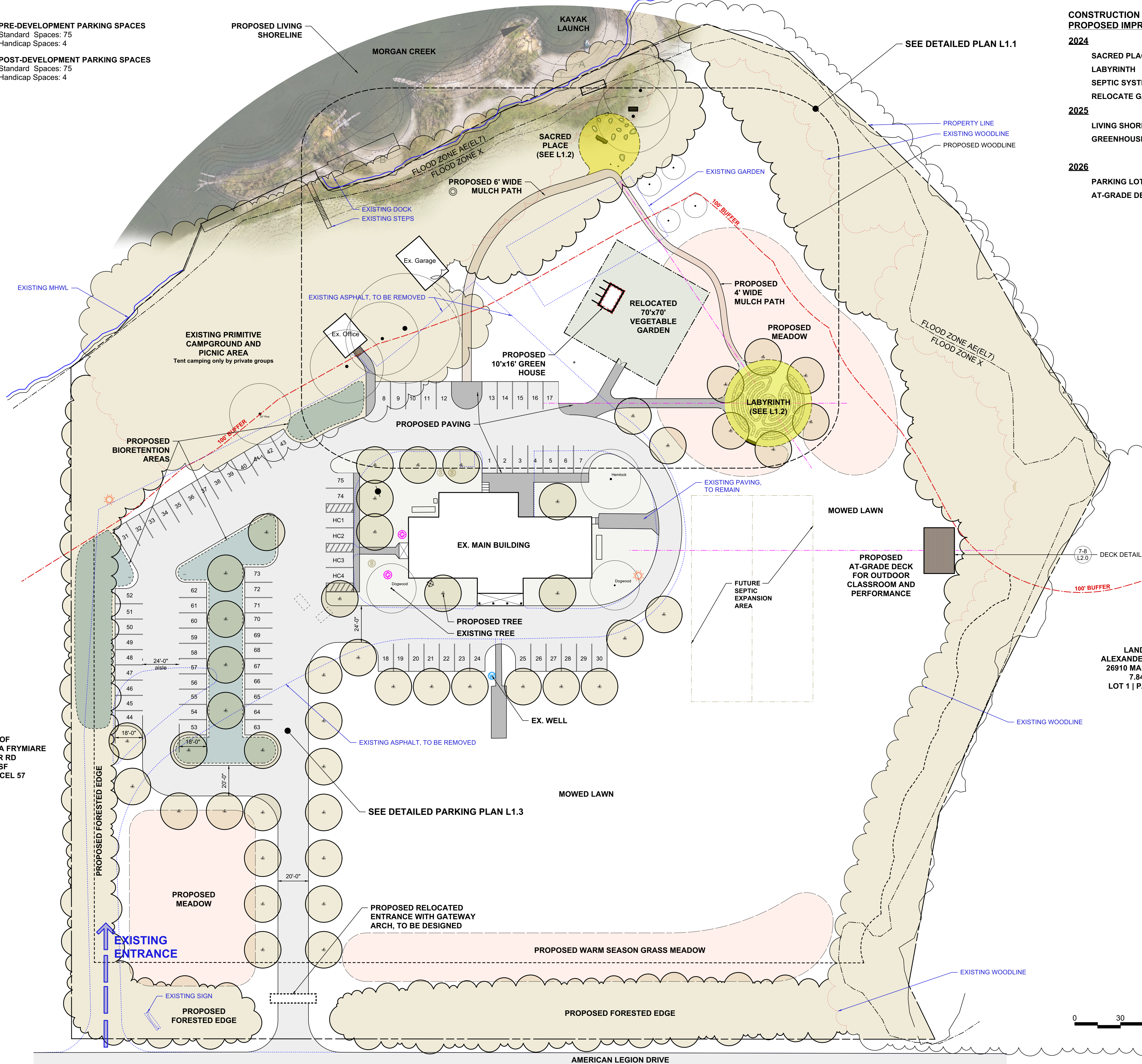
POST-DEVELOPMENT PARKING SPACES
 Standard Spaces: 75
 Handicap Spaces: 4

LANDS OF RUSSELL & DIANA FRYMARE
 CHESMAR RD
 38,200 SF
 LOT 9 | PARCEL 57

LANDS OF ALEXANDER BURT, JR
 26910 MALLARD RD
 7.84 AC
 LOT 1 | PARCEL 57

Property Information:
 9155 American Legion Drive
 Chestertown, MD 21620
 Map 38 Grid 3A Parcel 57
 8.12 Acres
 County: Kent
 Election District 4, Precinct 1

0 30 60 90 FT



CONSTRUCTION PHASING FOR PROPOSED IMPROVEMENTS

2024

- SACRED PLACE
- LABYRINTH
- SEPTIC SYSTEM UPGRADE
- RELOCATE GARDEN

2025

- LIVING SHORELINE
- GREENHOUSE

2026

- PARKING LOT
- AT-GRADE DECK



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MINARY'S DREAM ALLIANCE



Nature Sacred

REVISIONS

DATE	DESCRIPTION
03-01-23	Design Questionnaire
03-29-23	Steering Comm. #2
08-30-23	Site Plan Review
09-26-23	Planning Commission
12-14-23	Planning Commission
12-29-23	Planning Commission
04-18-24	Planning Commission

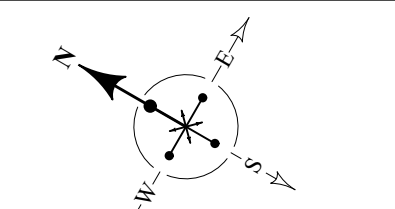
ISSUED FOR:

- Client Review
- Bid
- Permit
- Construction
- Revision
- Approval
- Coordination

Minary's Dream Alliance, Inc
 9155 American Legion Drive
 Chestertown, MD
 Election District 4

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Not for Construction



Contractors to Verify Dimensions on Site
 Do Not Scale the Drawing

Master Plan

Scale : 1" = 30'

Drawn by: DMB

L1.0

1st Issue Date 01-12-23



REVISIONS	
04-18-24	Planning Commission

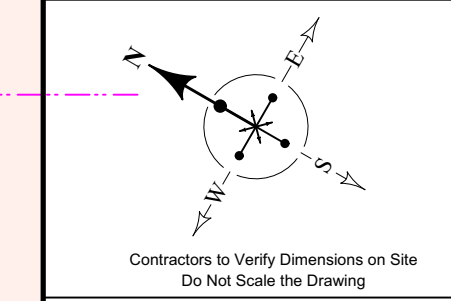
ISSUED FOR:

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<input type="checkbox"/> Bid	<input checked="" type="checkbox"/> Approval
<input type="checkbox"/> Permit	<input type="checkbox"/> Coordination
<input type="checkbox"/> Construction	

Minary's Dream Alliance, Inc
 9155 American Legion Drive
 Chestertown, MD
 Election District 4

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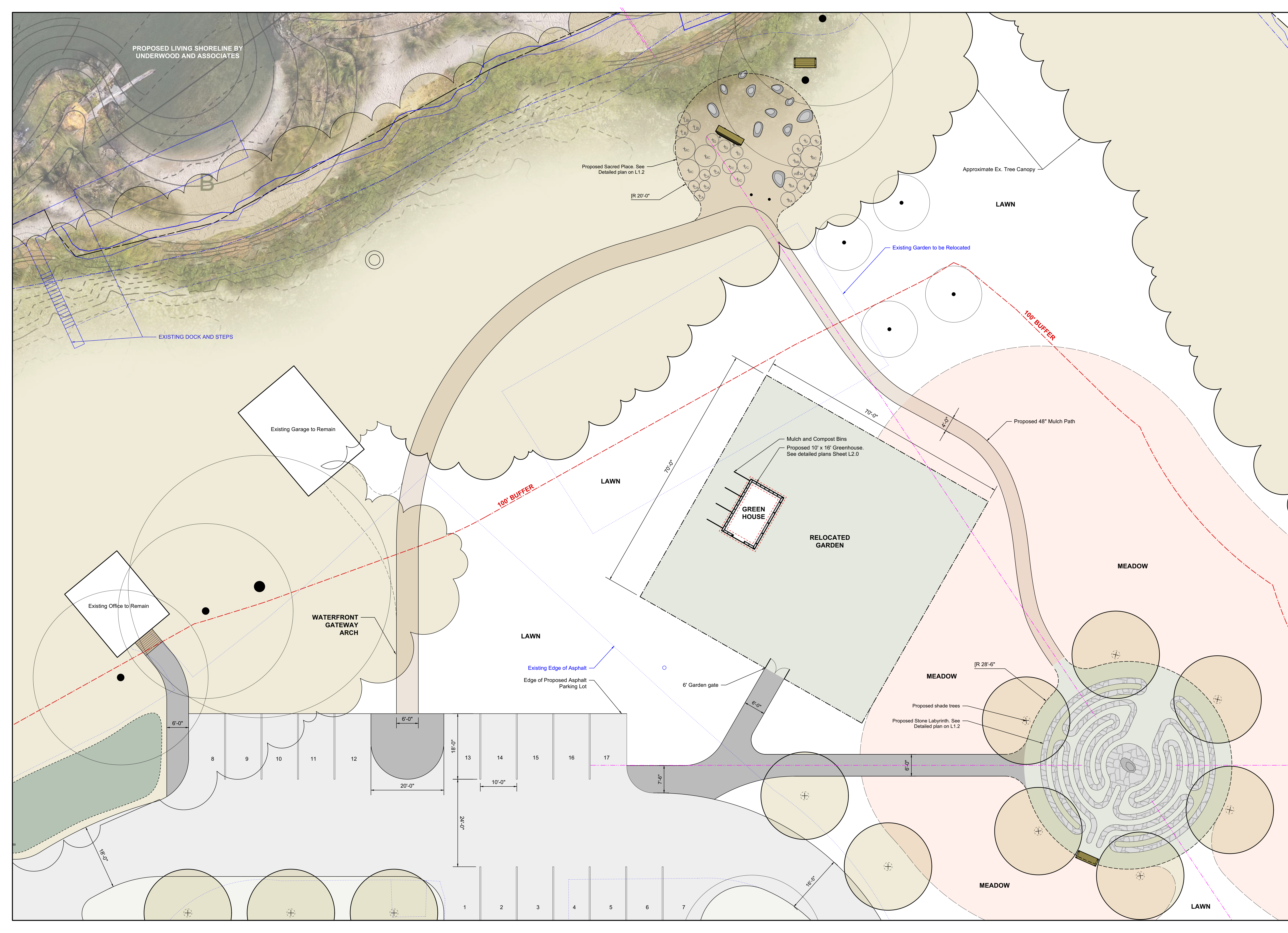
Not for Construction



Detailed Plan

Scale : 3/32" = 1'-0"
 Drawn by : DMB

L1.1
 1st Issue Date 04-18-24



REVISIONS

03-29-23	Steering Comm. #2
08-30-23	Site Plan Review
09-26-23	Planning Commission
04-18-24	Planning Commission

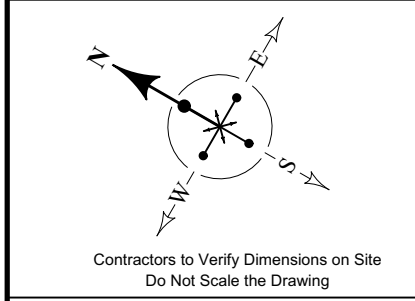
ISSUED FOR:

<input type="checkbox"/> Client Review	<input type="checkbox"/> Revision
<input type="checkbox"/> Bid	<input checked="" type="checkbox"/> Approval
<input type="checkbox"/> Permit	<input type="checkbox"/> Coordination
<input type="checkbox"/> Construction	

Minary's Dream Alliance, Inc
 9155 American Legion Drive
 Chestertown, MD
 Election District 4

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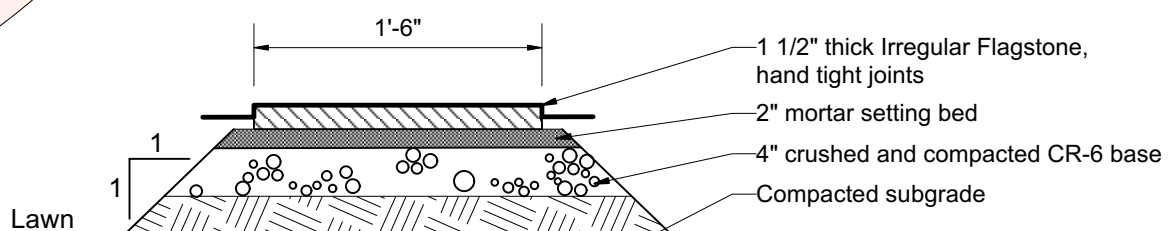
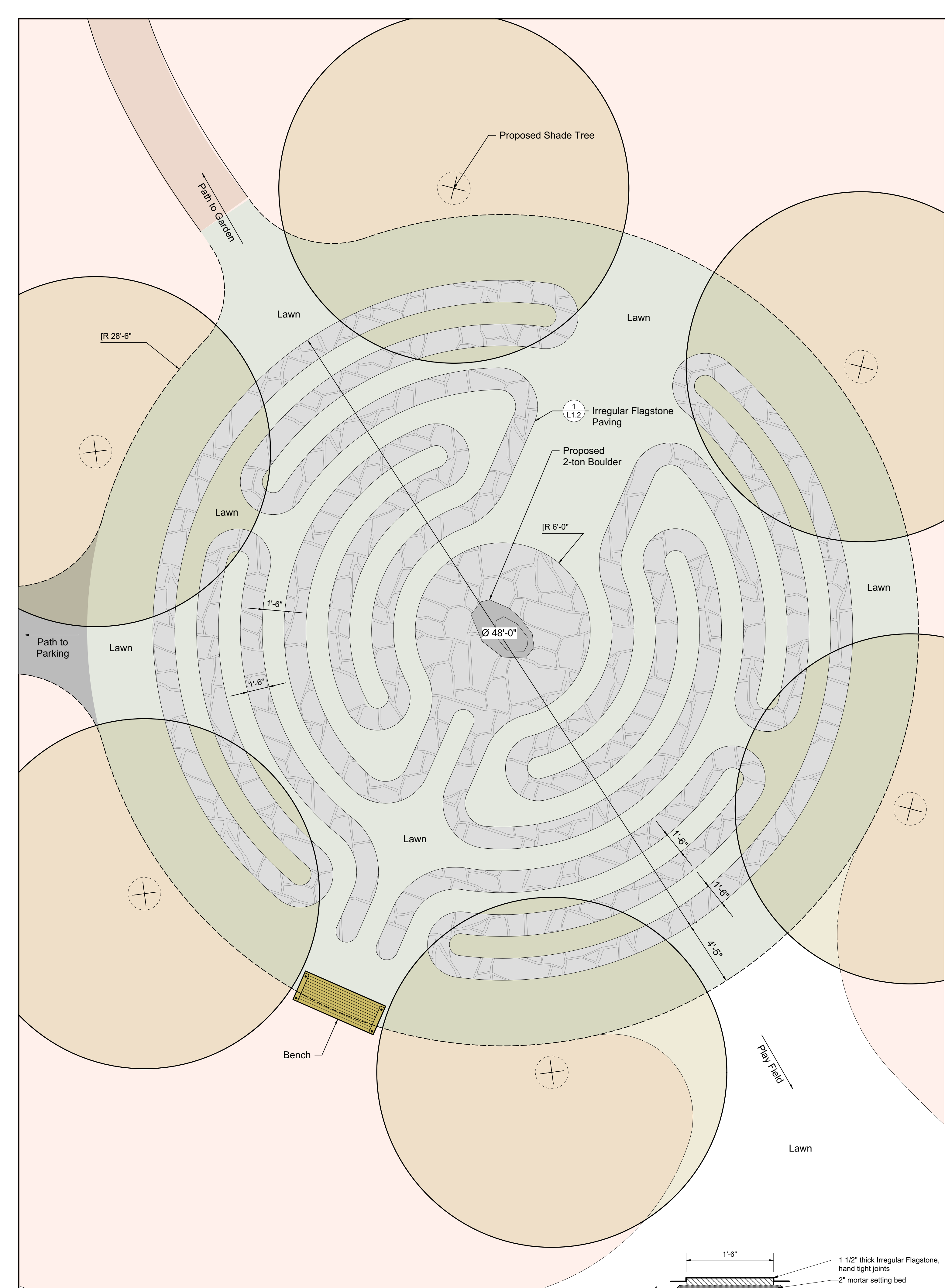
Not for Construction



Detailed Plans

Scale: 1/4" = 1'-0"
 Drawn by: DMB

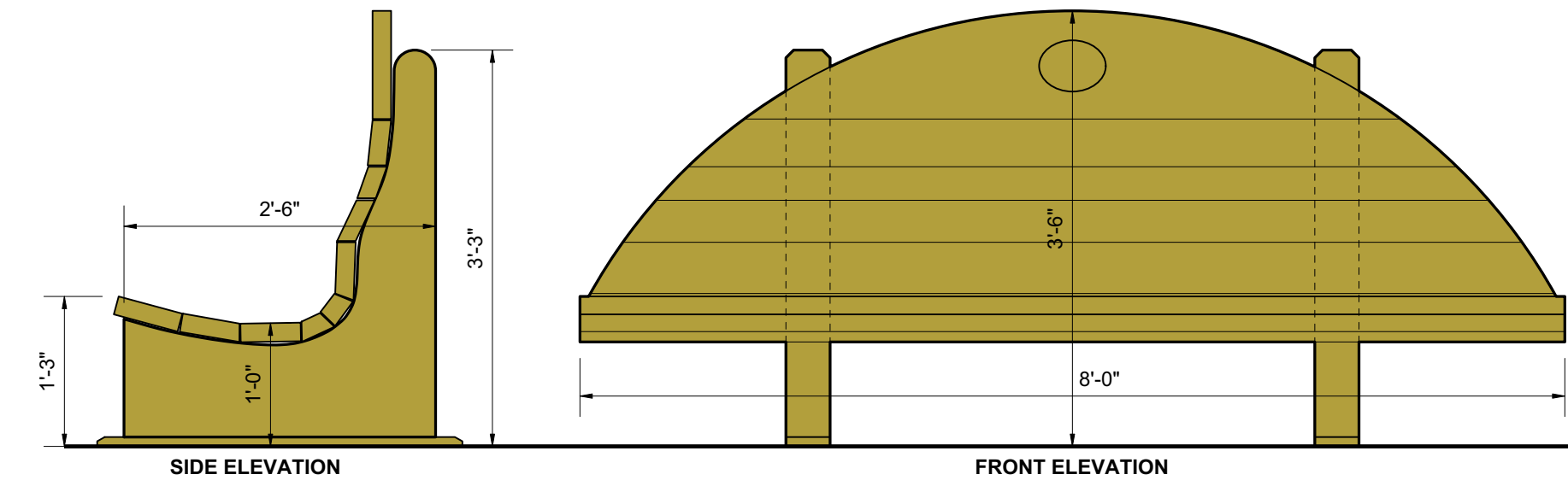
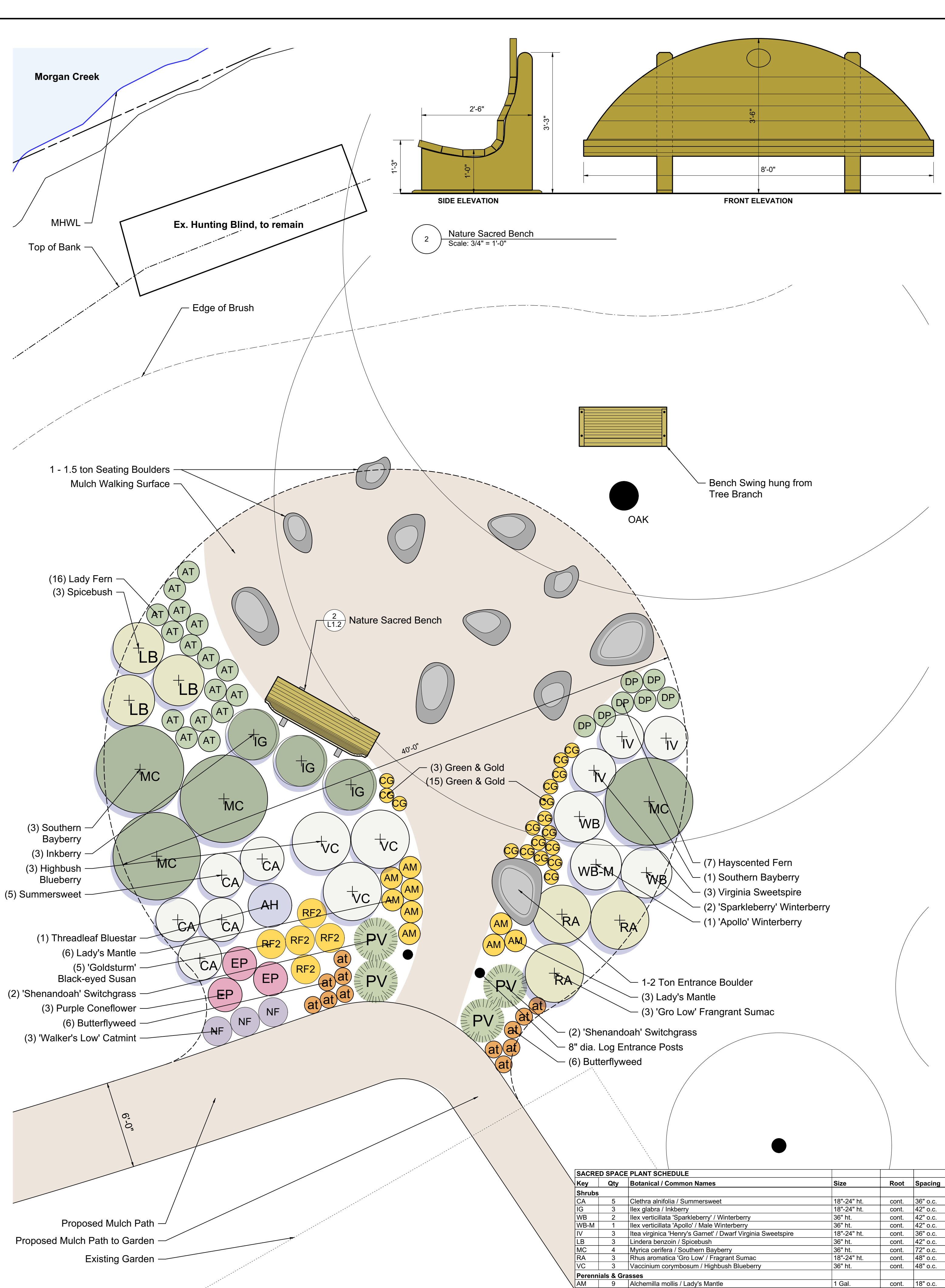
L1.2
 1st Issue Date 03-29-23



1 Irregular Flagstone Paving
 Scale: 3/4" = 1'-0"

LABYRINTH

1/4" = 1'-0"



2 Nature Sacred Bench
 Scale: 3/4" = 1'-0"

SACRED SPACE

1/4" = 1'-0"

Property Information:
 9155 American Legion Drive
 Chestertown, MD 21620
 Map 38 Grid 3A Parcel 57
 8.12 Acres
 County: Kent
 Election District 4, Precinct 1

SACRED SPACE PLANT SCHEDULE

Key	Qty	Botanical / Common Names	Size	Root	Spacing
Shrubs					
CA	5	Clethra alnifolia / Summersweet	18"-24" ht.	cont.	36" o.c.
IG	3	Ilex glabra / Inkberry	18"-24" ht.	cont.	42" o.c.
WB	2	Ilex verticillata 'Sparkleberry' / Winterberry	36" ht.	cont.	42" o.c.
WB-M	1	Ilex verticillata 'Apollo' / Male Winterberry	36" ht.	cont.	42" o.c.
IV	3	Itea virginica 'Henry's Garnet' / Dwarf Virginia Sweetspire	18"-24" ht.	cont.	36" o.c.
LB	3	Lindera benzoin / Spicebush	36" ht.	cont.	42" o.c.
MC	4	Myrica cerifera / Southern Bayberry	36" ht.	cont.	72" o.c.
RA	3	Rhus aromatica 'Gro Low' / Fragrant Sumac	18"-24" ht.	cont.	48" o.c.
VC	3	Vaccinium corymbosum / Highbush Blueberry	36" ht.	cont.	48" o.c.
Perennials & Grasses					
AM	9	Alchemilla mollis / Lady's Mantle	1 Gal.	cont.	18" o.c.
AH	1	Arisaema hubrichtii / Threadleaf Bluestar	1 Gal.	cont.	36" o.c.
AT	12	Asclepias tuberosa / Butterflyweed	1 Gal.	cont.	14" o.c.
CG	18	Chrysogonum virginianum / Green & Gold	1 Gal.	cont.	12" o.c.
EP	3	Echinacea purpurea / Purple Coneflower	1 Gal.	cont.	28" o.c.
NF	3	Nepeta x faassenii 'Walker's Low' / Catmint	1 Gal.	cont.	24" o.c.
PV	4	Panicum virgatum 'Shenandoah' / Switchgrass	1 Gal.	cont.	36" o.c.
RF2	5	Rudbeckia fulgida 'Goldsturm' / Black Eyed Susan	1 Gal.	cont.	24" o.c.
Ferns					
AT	16	Athyrium filix-femina / Lady Fern	1 Gal.	cont.	18" o.c.
DP	7	Dennstaedtia punctilobula / Hayscented Fern	1 Gal.	cont.	18" o.c.

REVISIONS

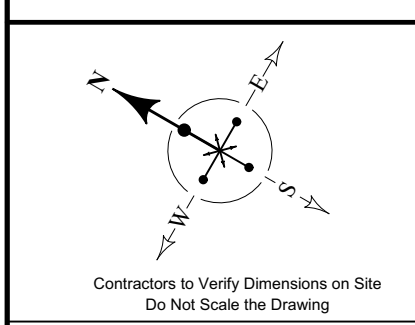
NO.	DATE	DESCRIPTION
04-18-24	Planning Commission	

ISSUED FOR:
 Client Review Revision
 Bid Approval
 Permit Coordination
 Construction

Minary's Dream Alliance, Inc
 9155 American Legion Drive
 Chestertown, MD
 Election District 4

These drawings and specifications and the ideas represented thereby are and shall remain the property of the Landscape Architect. No part thereof shall be copied or used in connection with any work or project or by any other person for any purpose other than for the specific project for which they have been prepared and developed without the written consent of the Landscape Architect.

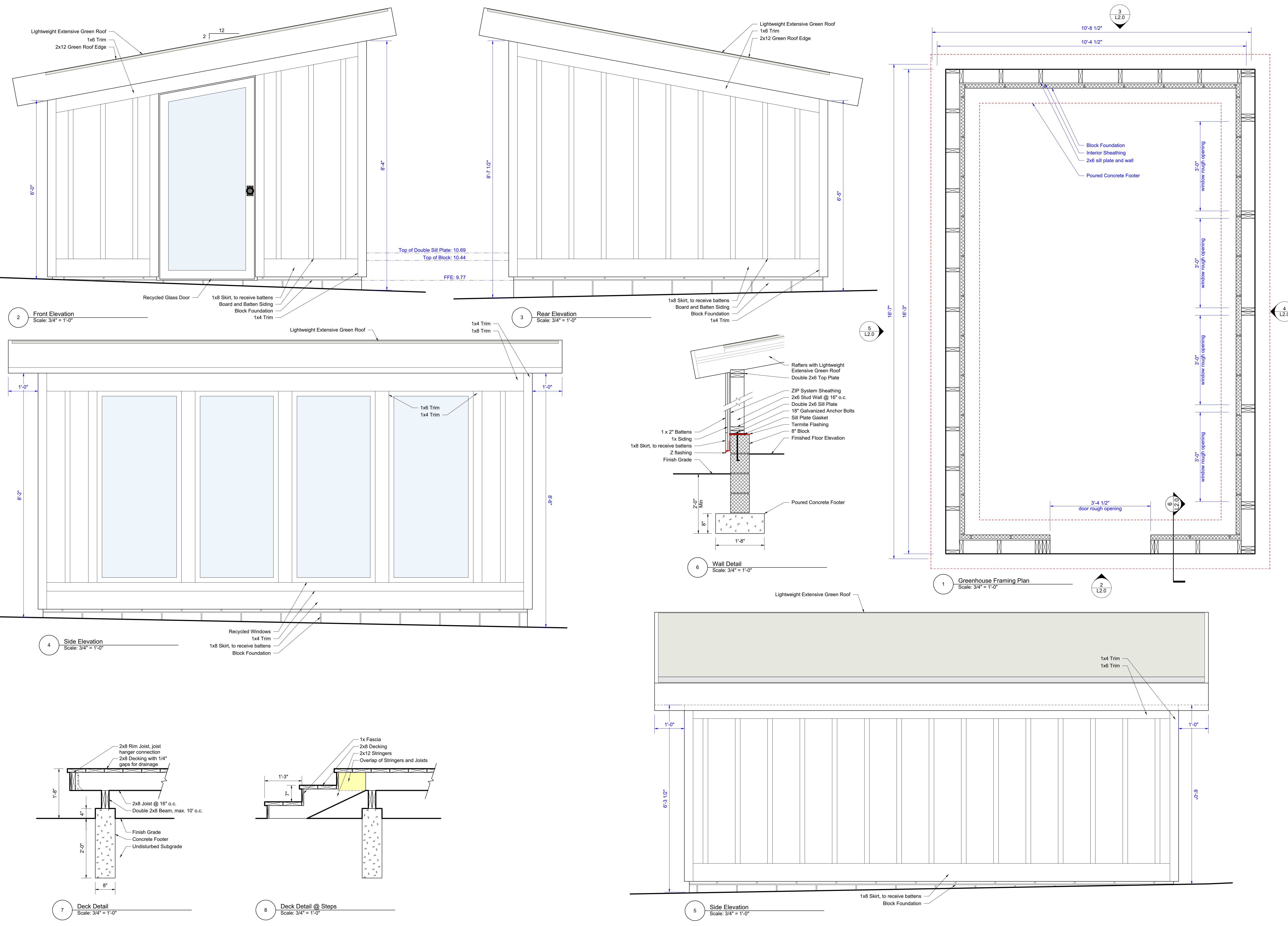
Not for Construction



Greenhouse Plan & Details

Scale : 3/4" = 1'-0"
 Drawn by : DMB

L2.0
 1st Issue Date 04-12-24





TO: Kent County Planning Commission
FROM: Mark Carper, Associate Planner
MEETING: May 2, 2024
SUBJECT: MDL 153 Mason Solar, LLC
24-18, Special Exception and 24-17, Concept Site Plan – Utility-Scale Solar in the AZD

Executive Summary

REQUEST BY APPLICANT

The applicant, MDL 153 Mason Solar, LLC, is requesting a special exception and concept site plan review to construct and operate a utility-scale solar energy system in the Agricultural Zoning District (AZD). The 335.16-acre farm is located at 9425 Fairlee Road, Chestertown, and is owned by Thomas and Alice Mason. The property is divided by Fairlee Road. The proposed development is on the 131-acre portion north of Fairlee Road.

PUBLIC PROCESS

Per Article VI, Section 5 and Article VII, Section 6 of the Kent County *Land Use Ordinance* the Planning Commission shall review and approve Major Site Plans and shall review and send a recommendation to the Board of Appeals on Special Exceptions.

SUMMARY OF THE STAFF REPORT

The proposed 1 MW array of panels will encompass approximately 5 acres near the intersection of Fairlee Road and Fish Hatchery Road. The property is a mix of woodlands and cultivated fields. The area is predominantly farmland, but the site is adjacent to the unincorporated Village of Fairlee. Residential properties abut the location of proposed development. The Mt. Pleasant Church and Mt. Pleasant Cemetery are across Fairlee Road from the proposed site of development. Plans for sediment and erosion control, stormwater management, landscaping, and Forest Conservation have been submitted.

STAFF RECOMMENDATION

Staff recommends sending a favorable recommendation for the special exception to the Kent County Board of Zoning Appeals with the following conditions:

- Provide evidence that glare or reflection onto adjacent properties and adjacent roadways shall not interfere with traffic or create a safety hazard.
- Demonstrate that the proposed energy system will not interfere with the view of, or from, sites of significant public interest, and that that the proposed development integrates into the existing landscape.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
SUBJECT: MDL 153 Mason Solar, LLC
24-18, Special Exception and 24-17, Concept Site Plan – Utility-Scale Solar in the AZD
DATE: April 22, 2024

DESCRIPTION OF PROPOSAL

The applicant, MDL 153 Mason Solar, LLC, is requesting a special exception and concept site plan review to construct and operate a utility-scale solar energy system in the Agricultural Zoning District (AZD). The 335.16-acre farm is located at 9425 Fairlee Road, Chestertown, and is owned by Thomas and Alice Mason. The property is divided by Fairlee Road. The proposed development is on the 131-acre portion north of the road.

The proposed 1 MW array of panels will encompass approximately 5 acres near the intersection of Fairlee Road and Fish Hatchery Road. The property is a mix of woodlands and cultivated fields. The area is predominantly farmland, but the site is adjacent to the unincorporated Village of Fairlee. Residential properties abut the location of proposed development. The Mt. Pleasant Church and Mt. Pleasant Cemetery are across Fairlee Road from the proposed site of development. Plans for sediment and erosion control, stormwater management, landscaping, and Forest Conservation have been submitted.

RELEVANT ISSUES

I. Special Exception General Review Criteria

A. *Applicable Laws:* Article V, Section 1.3.26.5 of the *Kent County Land Use Ordinance* establishes that solar energy systems, utility scale on farms, may be granted as a special exception in the Agricultural Zoning District (AZD).

Article VII, Section 2 of the *Kent County Land Use Ordinance* establishes the following standards for consideration of special exceptions:

The Board shall make findings on the following where appropriate:

1. The nature of the proposed *site*, including its size and shape and the proposed size, shape, and arrangement of *structures*;
2. Traffic Patterns;
3. Nature of surrounding area;
4. Proximity of dwellings, *houses of worship*, schools, public *structures*, and other places of public gathering;
5. The impact of the *development* or project on community facilities and services;
6. Preservation of cultural and historic landmarks, significant *natural features* and trees;
7. Probable effect of noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties;
8. The purpose and intent of this Ordinance as set forth in Article II;
9. Design, environmental, and other standards of this Ordinance as set forth in Article V;
10. The most appropriate use of land and *structure*;
11. Conservation of property values;
12. The proposed *development's* impact on water quality;
13. Impact on fish, wildlife and *plant habitat*;
14. Consistency with the *Comprehensive Plan*, Land Use Ordinance, and where applicable the Village Master Plan;

15. Consistency with the *Critical Area Program*; and
16. Compatibility with existing and planned land use as described in the *Comprehensive Plan*, Land Use Ordinance, and where applicable the Village Master Plan.

B. *TAC and Staff Comment:*

- The proposed entrance is from Fish Hatchery Road, where there is an existing compacted gravel culvert.
- Once construction is completed, there are no known disruptions expected to impact traffic patterns.
- There is no known impact on community facilities and services.
- The proposed facility will be adjacent to the Village of Fairlee.
- Mt. Pleasant Cemetery is across Fairlee Road from the proposed facility.
- Fish Hatchery Road and Fairlee Road (Route 298) run adjacent to and through the unincorporated village of Fairlee.
- Fish Hatchery Road and Fairlee Road are gateways into the Village of Fairlee.
- Mt. Pleasant Church, which is listed in the Maryland Inventory of Historic Properties (K-405), is located at the intersection of Fish Hatchery Road and Fairlee Road.
- The Kent County Comprehensive Plan lists "significant views" as an important village characteristic, elements of which may "...include an identifiable icon of the community's character, prominent views within the community, and special entranceway features and/or waterfront areas." (Page 31)
- A goal of the Comprehensive Plan is to ensure that "... all new development or redevelopment meets high standards for planning, workmanship, and design." (Page 31)
- A proposed strategy to fulfill that goal is to ensure "...that future development, redevelopment, and infill is completed in an environmentally and context sensitive manner. The County will encourage techniques ... to protect ... historic archeological and cultural resources, and scenic viewsheds. (Page 31)
- The proposed facility and associated buffer may impact the vista associated with this village entryway.
- The proposal may be inconsistent with the intent of the comprehensive plan to ensure development in a context sensitive manner.
- The applicant will need to demonstrate that the proposed energy system protects cultural resources and scenic viewsheds.
- The proposal is consistent with the goal of the comprehensive plan in promoting sustainable building practices and providing an effective renewable resource strategy.
- The proposal is consistent with the general intent of, use, design, and environmental standards found in the Kent County Land Use Ordinance.

II. Utility-Scale Solar Energy Systems Special Exception Review Criteria

A. *Applicable Law:* Article VII, Section 7. 57.25 of the *Kent County Land Use Ordinance* establishes the following standards by which a utility-scale solar energy system on farms in AZD and RCD may be authorized as a special exception:

- a. A solar collection device or combination of devices are designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard.
- b. Screening, capable of providing year-round screening, is provided along all sides that do not collect energy.

- c. Roof mounted solar collection devices shall not extend more than 10 feet from the top of the roof. The total height of the building, including the solar collection devices, shall comply with the height regulations established for each zoning district.
- d. Solar collection devices shall not exceed 38 feet in height.
- e. The solar collection system shall be incidental to the use of the farm.
- f. Installation of the solar collection system shall not adversely impact adjacent properties.
- g. All structures associated with the solar collection system shall be neither visually intrusive nor inappropriate to their setting.
- h. All solar collection devices shall register with the Department of Emergency Services and shall submit a map noting the location of the solar collection devices and the panel disconnect.
- i. Other than wire size, there shall be no alteration of utility infrastructure to accommodate the system.
- j. The area of solar panel arrays may not exceed 5 acres. The area of the solar panel arrays shall be measured as to the area within the solar panel arrays' security fence. Adjacent properties shall not aggregate solar collection panels to achieve an area exceeding 5 acres.
- k. In AZD, only the five-acre maximum area of solar panel arrays, as measured in Subsection j., is considered development and counted toward the maximum percentage of the property in lots.
- l. Tree removal shall be minimized and any removal shall be mitigated in accordance with the Critical Area Program requirements.
- m. The applicant shall demonstrate that a utility scale solar energy system shall not unreasonably interfere with the view of, or from, sites of significant public interest such as public parks, a national or state designated scenic byway, a structure listed in the Kent County Historic Site Survey, an historic district, or the Chesapeake Bay and its tributaries.

B. *TAC and Staff Comment:*

- The applicant has submitted an application for a special exception for utility-scale solar energy system in the AZD.
- No glare or sight analysis has been submitted.
- Year-round screening, as specified in the Land Use Ordinance, has been proposed, and the panel array will be lower than the maximum allowable height.
- The area of use, as defined by the perimeter fence per Article VII, Section 7, #57.25, §j. will not exceed 5 acres. The area of disturbance, encompassing the solar array and the landscape buffer, will not exceed 9.27 acres. There are no proposed changes to the remainder of the 335.16-acre property that is in agricultural production. The solar collection system will be incidental to the use of the farm.
- No tree removal is proposed.
- The applicant will need to demonstrate that the proposed energy system will not interfere with the view of, or from, sites of significant public interest.

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 Comments:*

- The proposed setback for the solar array panels is the required minimum 200 feet from any lot line, road/right-of-way, gateway into town or village, or residential use or zoning district.
- The site plan states that installation and maintenance standards are to meet the standards as established in Article VI, Section 11.B.
 - Any solvents used for cleaning are to be biodegradable, and any unused solvents will be removed from the parcel.

- All broken or waste solar panels shall be removed from the parcel within 30 days of being taken out of service.
- Wiring will be underground except to connect to the public utility, and transmission wires for connection shall not cross a roadway overhead.
- The solar array shall be enclosed in a fence that will remain securely locked. Gates will provide a sign that identifies responsible parties and contact information.
- The solar array will generate little to minimal noise.
- The solar arrays shall conform to all local, state, and national laws.
- Evidence that the solar panels are designed to avoid glare and/or reflection is to be provided.
- A Forest Stand Delineation and a Forest Conservation Plan have been submitted. A Forest Conservation deed restriction of 1.39 acres is proposed along the northern property line.
- A 60-foot-wide landscape buffer plan has been submitted and adheres to the requirements for size, species variety, and arrangement. In order to maintain natural drainage, the applicant is requesting a waiver from the requirement for a berm. The landscape plan must meet the required heights and arrangement of plants.
- No irrigation plan or vegetative maintenance agreement has been submitted.
- A landscaping surety must be provided for final site plan approval.
- The entrance is designed to ensure that neighboring properties, public rights-of-ways and roads are not exposed to an unscreened view through the entranceway.
- The project must comply with all applicable federal and state regulations.
- A decommissioning bond in accordance with Article VI, Section 11.K is required for final approval.

IV. Site Plan Review

A. *Applicable Laws:* Article VI, Special Provisions, Section 5.2, General Requirements, establishes that special exceptions require a Major Site Plan Review, to include Concept, Preliminary, and Final Plans.

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 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.

Article VI, Special Provisions, Section 5.3.B.10-11 establishes that for concept review 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.

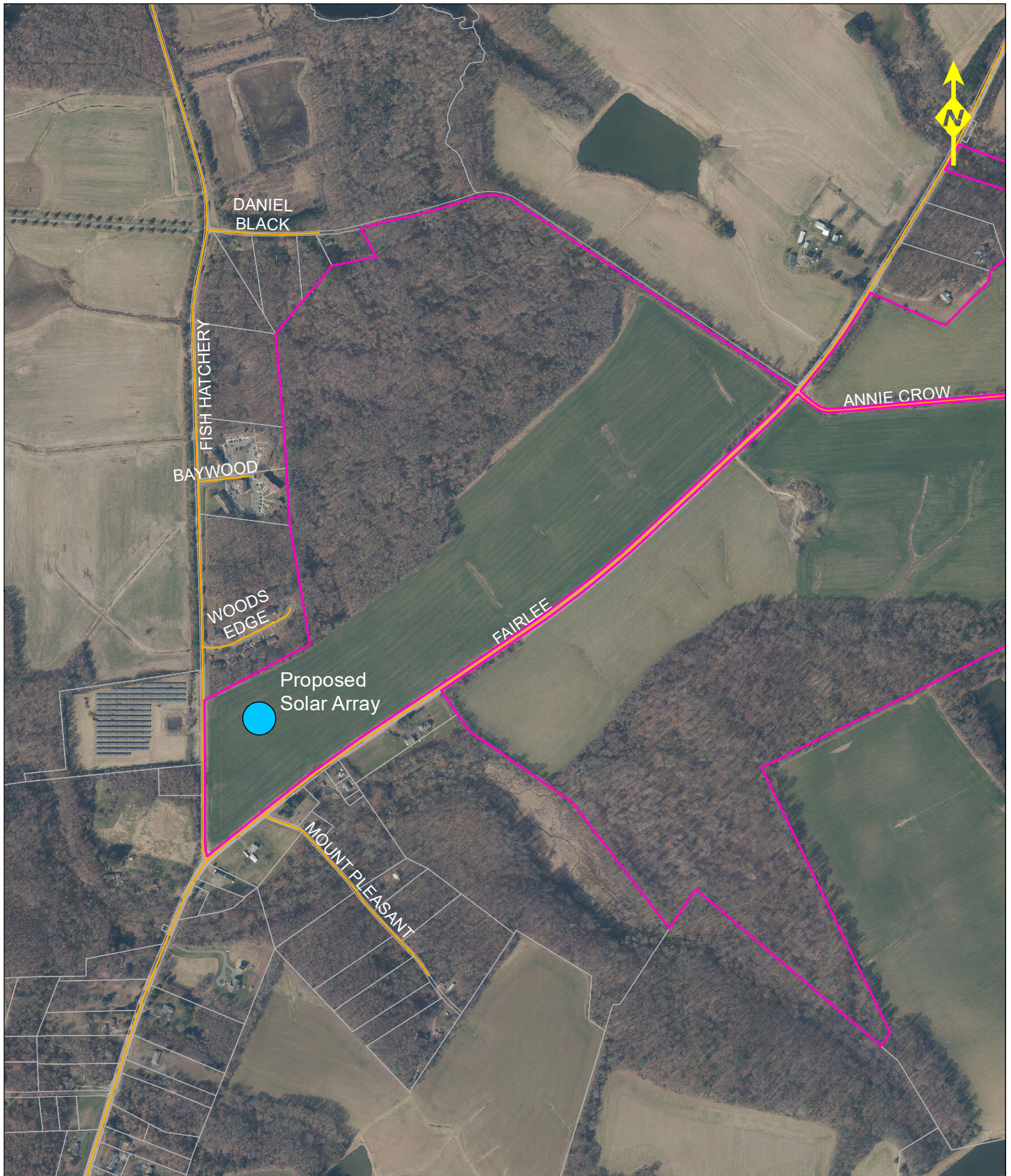
B. Staff Comments:

- The proposal is consistent with the goal of the Kent County Comprehensive Plan in promoting sustainable building practices and providing an effective renewable resource strategy.
- The applicant must demonstrate that the proposed development will not interfere with the view of, or from, sites of significant public interest, and that the proposed development integrates into the existing landscape.
- The proposal is consistent with the general intent and the use, design, and environmental standards found in the Land Use Ordinance. The project must acquire all County, state, and federal permits and licenses.
- Internal traffic is anticipated to be minimal and will be restricted to maintenance of equipment and landscaping.
- There are no known unreasonable demands on public services and infrastructure.
- No sewage or refuse disposal activities are proposed.
- Noise is anticipated to be very limited and inaudible off site. No smoke, fumes, dust, or odors are anticipated.
- A stormwater management plan has been submitted.
- Sureties for soil and erosion control and stormwater management will be required for final site plan approval.
- No existing vegetation is to be removed. A 60-foot-wide landscape buffer will surround the fenced-in solar array.

STAFF RECOMMENDATION:

Staff recommends sending a favorable recommendation for the special exception to the Kent County Board of Zoning Appeals with the following conditions:

- Provide evidence that glare or reflection onto adjacent properties and adjacent roadways shall not interfere with traffic or create a safety hazard.
- Demonstrate that the proposed energy system will not interfere with the view of, or from, sites of significant public interest, and that that the proposed development integrates into the existing landscape.



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2022. Map prepared April 2024.

1 inch = 750 feet

BOARD OF APPEALS APPLICATION

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)

**IN THE MATTER OF THE APPLICATION OF:
(Name, Address and Telephone Number of Applicant))**

MDL153 Mason Solar
9425 Fairlee Road
Chestertown, MD 21620
Email: jspencer@pivotenergy.net

For Office Use Only:	
Case Number/Date Filed:	_____
Filed by:	_____
Applicant:	_____
Planning Commission:	_____
Date of Hearing:	_____
Parties Notified:	_____
Notice in Paper:	_____
Property Posted:	_____

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: jspencer@pivotenergy.net

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article 1 Part 8 Section 11

of the Kent County Zoning Ordinance, as amended, request is hereby made for:

Appealing Decision of Kent County Zoning Administrator Variance
 Special Exception Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) Fish Hatchery Road and Fairlee Road

In the 6 Election District of Kent County.

Size of lot or parcel of Land: 335.16

Map: 36 Parcel: 9 Lot #: _____ Deed Ref: 774/ 474

List buildings already on property: N/A

If subdivision, indicate lot and block number: N/A

If there is a homeowner's association, give name and address of association: N/A

PRESENT ZONING OF PROPERTY: Agricultural Zoning District (AZD)

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) N/A

If appealing decision of Zoning Administrator, list date of their decision: _____

Present owner(s) of property: Thomas & Alice Mason Telephone: _____

If Applicant is not owner, please indicate your interest in this property: MDL 153 Mason Solar, LLC is to
Lease a portion of the property to install and solar array.

Has property involved ever been subject to a previous application? N/A

If so, please give Application Number and Date: N/A

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.

List all property measurements and dimensions of any buildings already on the property.

Put distances between present buildings or proposed buildings and property lines.

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: Kent Housing Associates, LP
726 Yorklyn Road, Suite 150, Hockessin, DE 19707

Owner(s) on the South: Fairlee Road borders the property to the south

Owner(s) to the East: Hoadgland Family Limited Partnership
9522 Fairlee Road, Chestertown, MD 21620

Owner(s) to the West: Fish Hatchery Road borders the property to the west

Homeowners Association, name and address, if applicable: N/A

BY SIGNING THIS APPLICATION, I GRANT MEMBERS AND ALTERNATE OF THE BOARD OF ZONING APPEALS THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION OR APPEAL.

 3/26/2024
Signature of Owner/Applicant/Agent or Attorney Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$350.00** filing fee made payable to the **County Commissioners of Kent County**. The filing fee for appeals of a Zoning Administrator's decision is \$250.00. If you have any questions, please contact the Clerk at 410-778-7467.

NOTICE: Neither the Board of Appeals nor the Planning Department is required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.

Applicants arriving more than 10 minutes after the scheduled hearing will not be heard and will be re-scheduled at the applicant's expense.

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: _____ Date: _____

Project Name: MDL153 Mason Solar

District: 6 Map: 36 Parcel: 9 Lot Size: 335.16 Deed Ref: 774/474 Zoning: AZD

LOCATION: 9425 Fairlee Road, Chestertown, MD 21620

PROPOSED USE: Utility Scale Solar Energy System

OWNER OF LAND:

Name: Thomas & Alice Mason Telephone: _____

Address: 23991 Melitota Road, Chestertown, MD 21620 Email: _____

APPLICANT:

Name: MDL 153 Mason Solar, LLC (attn: Josh Spencer, PE, PMP) Telephone: 410-546-9100

Address: 6865 Deerpath Road, Suite 330, Elkridge, MD 21075 Email: jspencer@pivotenergy.net

AGENT/ATTORNEY (if any):

Name: _____ Telephone: _____

Address: _____ Email: _____

REGISTERED ENGINEER OR SURVEYOR:

Name: Becker Morgan Group, Inc Telephone: 410-546-9100

Address: 312 West Main Street, Suite 300, Salisbury, MD 21801 Email: thastings@beckermorgan.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: jspencer@pivotenergy.net

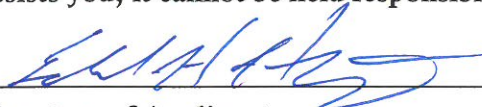
Water Supply: Public System On lot system N/A

Sewerage: Public System On lot system N/A

TELEPHONE SERVICED BY: N/A

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.

 3/26/2024
Signature of Applicant Date

Concept Plan Approving Authority: _____ Date _____

Preliminary Approving Authority: _____ Date _____

Final Approving Authority: _____ Date _____



PROJECT NARRATIVE

MDL153 Mason Solar
Project Number: 2023293.00
Date: March 13, 2024

Becker Morgan Group, Inc.

312 West Main Street
Suite 300
Salisbury, Maryland 21801
410-546-9100

BECKER
MORGAN
GROUP

ARCHITECTURE
ENGINEERING

1.0 GENERAL SITE INFORMATION

PROJECT NAME: MDL153 – Mason Solar

PROJECT LOCATION:
 Address: 9425 Fairlee Road
 City, State, Zip: Chestertown, Maryland 21620
 County: Kent
 Nearest Intersection: Fairlee Road and Fish Hatchery Road
 Primary Street: Fairlee Road
 Secondary Street: Fish Hatchery Road

TAX MAP/GRID/PARCEL: Tax Map 36, Grid 2A, Parcel 9

DEED(S): 774/ 474

PLAT(S) 3/ 655

JURISDICTION: Kent County

DATE PREPARED: March 13, 2024

PREPARED BY: Becker Morgan Group, Inc.
 Address: 312 West Main Street, Suite 300
 City, State, Zip: Salisbury, Maryland 21801
 Contact Person: Edward (Ted) Hastings, PMP
 Phone: 410-546-9100
 Email: thastings@beckermorgan.com

LANDOWNER: Thomas & Alice Mason
 Address: 23991 Melitota Road
 City, State, Zip: Chestertown, MD 21620
 Contact Person: Thomas Mason
 email: N/A

DEVELOPER: MDL153 – Mason Solar, LLC
 Address: 6865 Deerpath Road, Suite 330
 City, State, Zip: Elkridge, Maryland 21075
 Contact Person: Joshua Spencer, P.E., PMP
 Phone: (850) 450-9895
 Email: jspencer@pivotenergy.net

PROPOSED BUILDING AREA: N/A

LOT SIZE: 335.16 acres

TYPE OF PROJECT: Community Solar System

2.0 EXISTING SITE CONDITIONS:

- Total Site 131.32 ± North of Fairlee Road (Total Parcel 335.16 acres±)
- Wooded 64.33 acres±
- Agricultural Use 66.99 acres±
- Impervious None
- Hydraulic Soils Rating C Soils (project area)
- FEMA 24029C0260D
- Flood Zone Determination Zone X – Areas outside the 0.2% annual chance flood.
- Existing Zoning AZD – Agricultural Zoning District
- Adjacent Zoning
 - North V – Village & AZD – Agricultural Zoning District
 - South V – Village & AZD – Agricultural Zoning District
 - East AZD – Agricultural Zoning District
 - West V – Village
- Environmental Concerns: None Found
- Road Frontage(s) Fairlee Road and Fish Hatchery Road
- Site Access Fish Hatchery Road
- State Wetlands Yes, but well outside the project area.
- Streams No.
- Stream Buffer No.
- Water N/A
- Sewer N/A
- Natural Gas N/A
- Electric Delmarva Power
- Communications N/A

SYNOPSIS

The existing site is predominantly an active farm field with 64.33-acre wooded area located on the northernly portion of the parcel. Numerous wetlands areas are in the wooded area but outside the project area. An existing compacted gravel culvert crossing located off Fish Hatchery Road will be utilized for the site access.

3.0 PROPOSED SITE CONDITIONS:

The site is to be the location for a 1 MW Solar Array. The array footprint will be a maximum of five acres in size inclusive of the fencing encompassing the entire array. The site is in conformance with the following requirements as stated in SECTION 11. COUNTYWIDE STANDARDS FOR UTILITY-SCALE SOLAR ENERGY SYSTEMS:

- 200 feet from any lot line
- 200 feet from any road and/or right-of way
- 200 feet from any road / right-of-way within ½ mile of a town or village boundary that is the gateway into a town or village
- 200 feet from any residential use or zoning district
- 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:
 - Secure the facility at all times to prevent unauthorized persons or vehicles from gaining access.
 - All access gates will provide a sign that identifies the responsible parties or owners with current contact information.
- Landscaping will be provided as follows:
 - A 60-foot-wide landscaped buffer will be provided on all sides of the array.
 - We are respectfully requesting a waiver for the 3-foot-tall berm to protect and maintain the existing drainage patterns of the site. The conditions for elimination of the berm as stated in SECTION 11. COUNTYWIDE STANDARDS FOR UTILITY-SCALE SOLAR ENERGY SYSTEMS will be met and shown in a landscaping plan, as designed by a licensed Landscape Architect.
- The Forest Conservation requirements will be met by on-site conservation. A Forest Stand Delineation has been submitted to Kent County for review.
- Stormwater management will be met by utilizing non-structural practices and by following MDE Stormwater Design Guidance for Solar Panel Installations. A Stormwater Report has been submitted to Kent County for review.
- The limits of disturbance for the site does not contain any wetlands, wetland buffers, streams, and stream buffers.
- Installation and maintenance will follow the Solar Standards, as stated in Section 11.
- Noise levels produced will be below the 45 dBAs threshold, as measured at the property line.

COMPLIANCE WITH KENT COUNTY ARTICLE VII, SECTION 7.57.25

- A single axis tracking system is being proposed for this site. The panels will remain perpendicular to the sun, therefore reducing glare to any surrounding properties and roadways.
- Screening is being provided on all sides of the array in accordance with Section 11. View of the array will be completely obscured by both landscaping and fencing.
- The array will not exceed 38 feet in height.
- The array is situated so that the rest of the land can continue to be utilized for agricultural use.
- The installation for the system will take place entirely on the parcel it is to be located with only one access off of Fish Hatchery Road.
- The area within the fencing is no larger than the 5-acre.
- Other than wire size, there shall be no alteration of utility infrastructure to accommodate the system.
- No trees are to be removed as part of the project.
- The site is located outside the Critical Areas.

COMPLIANCE WITH KENT COUNTY COMPREHENSIVE PLAN

The project has taken into consideration Maryland's Twelve Planning Visions, as stated in the Kent County Comprehensive Plan and are as follows:

- **Quality of Life and Sustainability:** The use of solar energy generating facilities help protect the environment by creating emission free energy source that does not impact the environment.
- **Public Participation:** Pivot Energy intends to send a letter to the adjoining property owners explaining the project and that DP&L customers would be eligible to sign up for the Community Solar benefits with a potential savings up to 10% on their electric bill.
- **Growth Areas:** Not applicable to this project.
- **Community Design:** Not applicable to this project.
- **Infrastructure:** This additional electric infrastructure will allow residents to subscribe to the solar program to decrease their current electric bill.
- **Transportation:** Not applicable to this project.
- **Housing:** Not applicable to this project.
- **Economic Development:** Not applicable to this project.
- **Environmental Protection:** Though this project will utilize existing farmland, once the life cycle of the solar array is completed, the site will be decommissioned and returned to the existing conditions. The site could be returned to agricultural use after the removal of the system.
- **Resource Conservation:** A portion of the site will be put into a forest conservation area as a result of this project.

- Stewardship: The Community Solar provides the community with an opportunity to reduce their electric bill while protecting the natural resources since the site can be returned to agricultural use once the site has been decommissioned.
- Implementation: This site is in line with the State of Maryland goal of 50% of the State's energy coming from renewable sources by the year 2030.

SCHEDULE (PRELIMINARY)

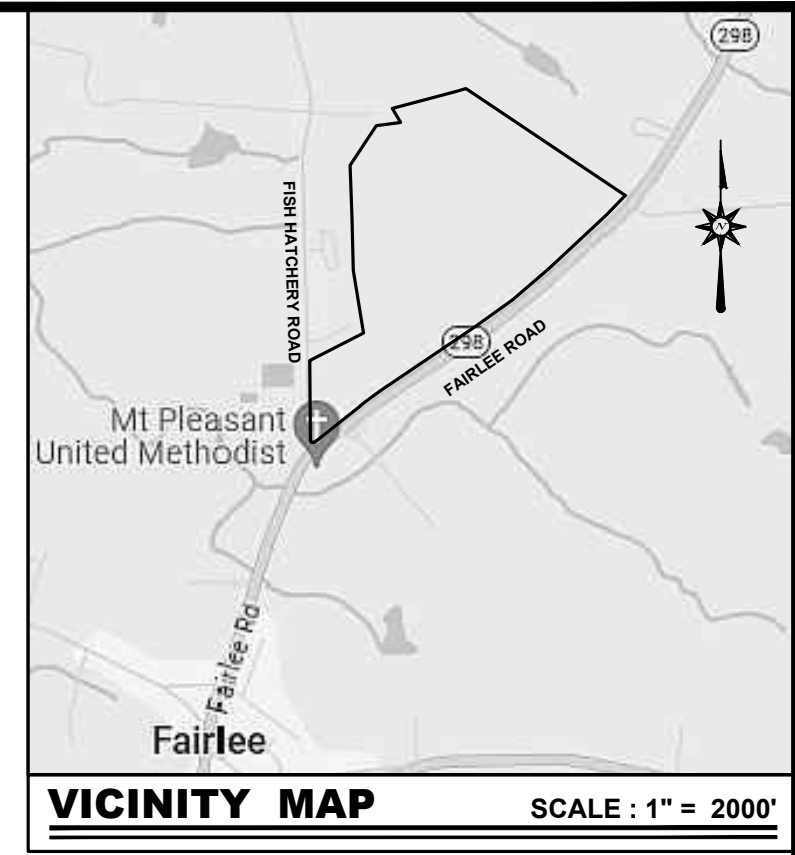
Approval from all Agencies	November 2024
Obtain Permits	January 2025 – February 2025
Notice to Proceed	February 2025
Start Construction	March 2025
End Construction	October 2025

Note: These dates are estimated and may vary dependent on availability of materials and contractors.

MDL153 - MASON SOLAR

KENT COUNTY, MARYLAND

THIRD ELECTION DISTRICT



LEGEND		
ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	EX. 10" S	10" S
SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.M.H.)	⊙	⊙
SANITARY SEWER CLEANOUT	⊙	⊙
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT	F.H.	F.H.
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M. W.V.
STORM DRAIN MANHOLE (S.D.M.H.)	⊙	⊙
STORM DRAIN LINE (CMP OR RCP)	---	---
CATCH BASIN	⊙	⊙
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)	U	U
UNDERGROUND ELECTRIC	U.E.	U.E.
UNDERGROUND TELEPHONE	U.T.	U.T.
UNDERGROUND GAS MAIN	EX. 2" G	2" G
PAVEMENT TO BE REMOVED	N/A	---
CONCRETE CURB & GUTTER	---	---
CONCRETE SIDEWALK, SLAB / PAVING	---	---
IMPERVIOUS SURFACED ROAD, DRIVE OR LOT	---	---
INDIVIDUAL TREE OR BUSH	EVERGREEN DECIDUOUS	N/A
WIRE FENCE	---	---
AGRICULTURAL FENCE	---	---
STOCKADE FENCE	---	---
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)	---	---
DRAINAGE DITCH OR SWALE	---	---
EMBANKMENT SLOPES (DOWN)	49	55
ELEVATION SPOT SHOT	43.55	25.10 (25.50 T.C. 25.00 B.C.)
BENCH MARK	---	---
PROPERTY OR RIGHT-OF-WAY LINE	---	---
CENTERLINE	---	---
LIGHT POLE	☆	☆
CONSTRUCTION NOTE	N/A	+

SITE INFORMATION	
1. SITE NAME:	MDL153 - MASON SOLAR
2. SITE ADDRESS:	9425 FAIRLEE ROAD
3. SITE OWNER:	THOMAS & ALICE MASON 23991 MELITOTA ROAD CHESTERTOWN, MD 21620
4. DEVELOPER:	MDL153 MASON SOLAR, LLC JOSH SPENCER, PE, PMP 6865 DEERPATH ROAD, SUITE 330 ELKRIDGE, MD 21075 850-450-9895
5. ENGINEER:	BECKER MORGAN GROUP, INC. C/O EDWARD (TED) HASTINGS, PMP 312 WEST MAIN STREET, SUITE 300 SALISBURY, MD 21801 410-546-9100
6. GEOGRAPHIC COORDINATES:	LATITUDE: 39°13' 57.18"N LONGITUDE: 76°10' 02.15"W
7. TAX MAP:	36
8. PARCEL:	9
9. DEED BOOK/PAGE:	774/474
10. PARCEL AREA:	335.16 ACRES ±
11. LEASE AREA:	9.00 ACRES ±
12. ARRAY AREA:	4.98 ACRES
13. LIMIT OF DISTURBANCE:	9.27 ACRES ±
14. JURISDICTION:	KENT COUNTY
15. ZONE:	AGRICULTURAL ZONING DISTRICT (AZD)
16. MINIMUM YARD AND SETBACK REQUIREMENTS FOR UTILITY SCALE SOLAR IS AS FOLLOWS:	
FRONT:	200 FEET
REAR:	200 FEET
SIDE:	200 FEET
17. FLOOD ZONE DETERMINATION: (BASED ON FLOOD INSURANCE RATE MAPS PROVIDED BY FEMA)	
FIRM MAP:	24029C0260D
EFFECTIVE DATE:	JUNE 9, 2014
FIRM ZONE:	"X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
18. WATER AND SEWER NOT PROPOSED FOR THE SITE.	

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING
Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28405
910.341.7600

www.beckermorgan.com

PROJECT TITLE

MDL153 MASON SOLAR

9425 FAIRLEE ROAD
CHESTERTOWN
KENT COUNTY, MARYLAND

SHEET TITLE

COVER SHEET

0 100 200 400

SCALE: 1" = 200'

ISSUE BLOCK

MARK DATE DESCRIPTION

PROJECT NO.: 2023293.00

DATE: 01/30/2024

SCALE: 1" = 200'

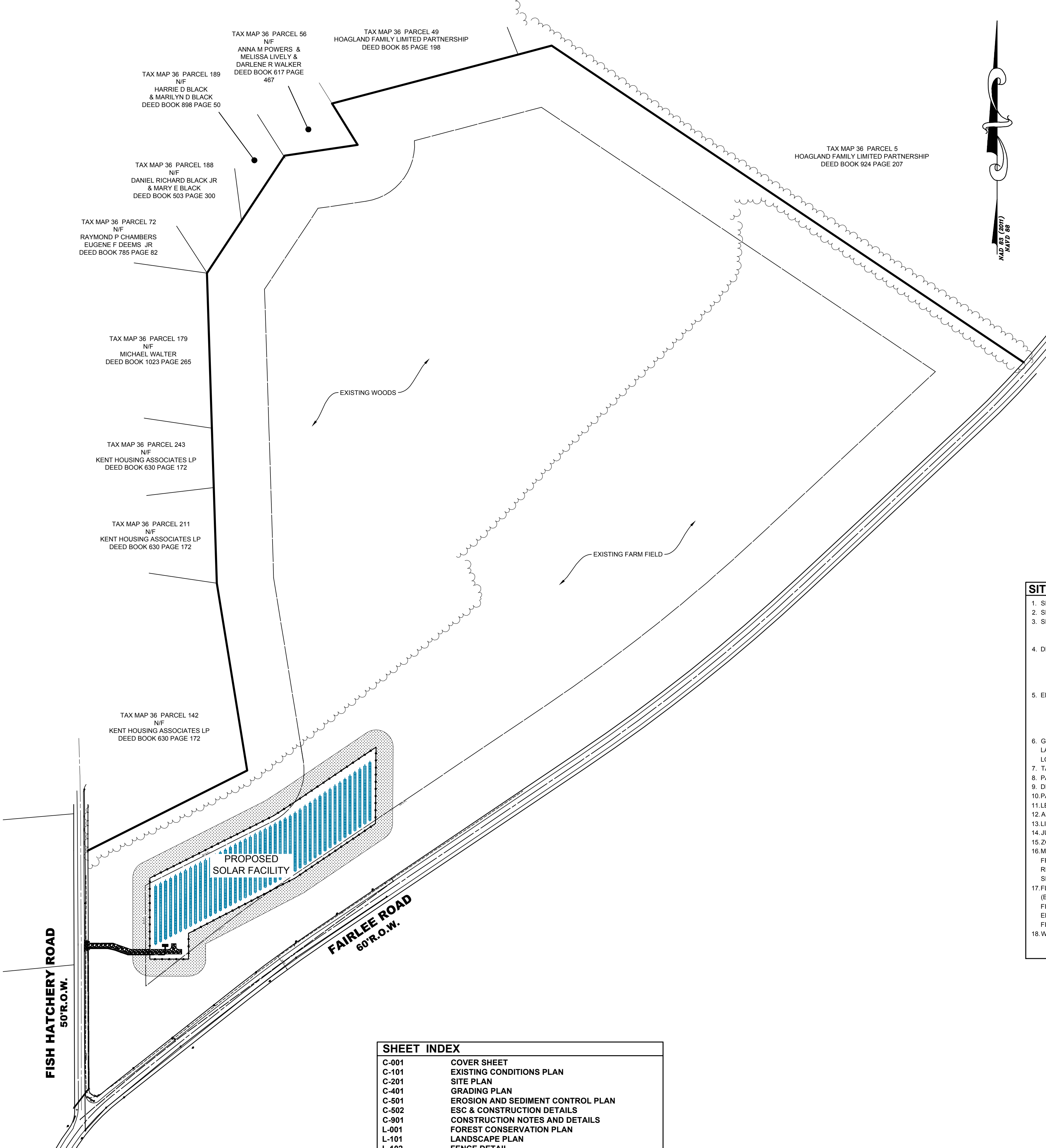
DRAWN BY: E.H.H. / PROJ. MGR.: E.H.H.

SHEET

C-001

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- GENERAL NOTES : SOLAR ENERGY SYSTEMS**
- A. SETBACKS TO ACCOMMODATE REQUIRED LANDSCAPE BUFFER
- 200 FEET FROM ANY LOT LINE
 - 200 FEET FROM ANY ROAD/AND OR RIGHT-OF-WAY
 - 200 FEET FROM 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 FEET FROM ANY RESIDENTIAL USE OR ZONING DISTRICT
5. SETBACKS MAY BE REDUCED TO 100 FEET FOR NON-RESIDENTIAL DEVELOPMENT WITH WRITTEN CONSENT FROM THE PROPERTY OWNER. THE SETBACK REDUCTION IS SOUGHT. THE PLANNING COMMISSION SHALL BE THE REVIEW AGENCY TO DETERMINE THE APPLICATION OF THIS PROVISION.
6. SETBACKS SHALL BE MEASURED FROM THE OUTERMOST EDGE OF THE NEAREST SOLAR PANEL STRUCTURE WITHIN THE SOLAR ARRAY INCLUDING SUBSTATIONS.
- B. INSTALLATION AND MAINTENANCE STANDARDS
- SOLAR ARRAYS SHALL BE CONSTRUCTED AND MAINTAINED ACCORDING TO THE FOLLOWING:
- IF SOLVENTS ARE REQUIRED FOR CLEANING OF THE SOLAR MODULES, THEY MUST BE BIODEGRADABLE. ANY UNSOLVED SOLVENTS MUST BE REMOVED FROM THE SUBJECT PARCEL.
 - 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.
 - ALL WIRING NOT ON THE SOLAR ARRAYS SHALL BE UNDERGROUND EXCEPT WHEN NECESSARY TO CONNECT TO THE PUBLIC UTILITY.
 - TRANSMISSION WIRES TO CONNECT THE PROJECT TO THE UTILITY INFRASTRUCTURE SHALL NOT CROSS A ROADWAY OVERHEAD.
 - ANY REQUIRED UTILITY RIGHT OF WAY SHALL BE SECURED THROUGH AN EASEMENT, LEASE, SERVICE AGREEMENT OR OTHER LEGALLY BINDING DOCUMENT.
 - 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:
 - SECURE THE FACILITY AT ALL TIMES TO PREVENT UNAUTHORIZED PERSONS OR VEHICLES FROM GAINING ACCESS.
 - ALL ACCESS GATES WILL PROVIDE A SIGN THAT IDENTIFIES THE RESPONSIBLE PARTIES OR OWNERS WITH CURRENT CONTACT INFORMATION.
 - NOISE GENERATED BY THE FACILITY SHALL BE LIMITED BY THE PROJECT DESIGN TO 45 DBAS 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.
 - SOLAR ARRAYS, INCLUDING THE ELECTRICAL AND MECHANICAL COMPONENTS, SHALL CONFORM TO RELEVANT AND APPLICABLE LOCAL, STATE, AND NATIONAL CODES.
 - 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 A SOLAR GLARE HAZARD AND ANALYSIS TOOL.
 - NON-ARRAY USES SUCH AS POWER STORAGE ARE NOT PERMITTED.
- C. LANDSCAPE BUFFER FOR UTILITY-SCALE SOLAR ENERGY SYSTEMS
- ANY UTILITY SCALE SOLAR FACILITY SHALL COMPLY WITH THE REQUIREMENTS OF THE FOREST CONSERVATION ACT. RESTORATION PLANTINGS MAY BE INCORPORATED AS PART OF THE LANDSCAPING.
 - THE GROSS USABLE AREA FOR PANELS WILL EXCLUDE WETLAND AREAS THAT ARE REGULATED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT OR THE U.S. DEPARTMENT OF THE INTERIOR. IMPACTS ASSOCIATED WITH ACCESS OR INTERIOR ROADS AND UTILITY CROSSINGS SHALL PROVIDE THE NECESSARY AUTHORIZATION FOR ANY DISTURBANCES.
 - EXISTING TOPSOIL SHALL NOT BE REMOVED FROM THE SITE.
 - A VEGETATED BUFFER THAT IS A MINIMUM OF 60 FEET WIDE AROUND THE PERIMETER OF THE SITE AREA FRONTING ON ROAD OR RIGHTS OF WAY THAT ARE CONSIDERED GATEWAYS TO TOWNS OR VILLAGES AND A MINIMUM OF 50 FEET FOR ALL OTHER APPLICATIONS. THIS BUFFER MAY BE LOCATED WITHIN THE SETBACK AND SHALL EXTEND AROUND THE ENTIRE PROJECT WITH THE EXCEPTION OF ANY BOUNDARIES CONTIGUOUS TO PRESERVED, FORESTED LANDS THAT ARE RECORDED ON A PLAT.
 - HEALTHY EXISTING VEGETATION WITHIN THE DESIGNATED BUFFER AREA MAY BE USED TO SATISFY THE SPECIFIC BUFFER STANDARDS.
 - NON-NATIVE PLANT MATERIAL SHALL NOT TOTAL MORE THAN 10% OF ALL PLANTINGS.
 - WHERE A PHASED CONSTRUCTION PLAN IS PROPOSED, THE LANDSCAPE PLAN SHALL IDENTIFY THE PHASING OF THE PLANTINGS APPLICABLE TO EACH CONSTRUCTION PHASE.
 - NOT MORE THAN 25% OF ANY SINGLE PLANT SPECIES SHOULD BE INCLUDED IN THE BUFFER TO PROMOTE THE GROWTH OF A NATURAL LANDSCAPE AND AVOID MONOTONY AND UNIFORMITY OF THE VEGETATION SHALL BE THICKLY PLANTED AND OF SUCH SPECIES THAT IT WILL PROVIDE AN OPAQUE VISUAL BARRIER THAT OBSCURES THE UTILITY SCALE SOLAR ARRAY FROM SIGHT ONCE THE VEGETATION REACHES MATURITY OR WITHIN FIVE YEARS, WHICHEVER COMES FIRST. A MIX OF EVERGREEN AND DECIDUOUS TREES, SHRUBS AND BENEFICIAL HABITAT SHALL BE INCLUDED:
 - A MINIMUM OF TWO STAGGERED ROWS OF EVERGREEN TREES THAT AT INSTALLATION SHALL BE AT LEAST 6 FEET IN HEIGHT, EACH PLANTED NO MORE THAN 10 FEET APART. EVERGREEN TREE SPECIES SHALL BE A VARIED MIXTURE OF COMPATIBLE TYPES AND ACHIEVE A HEIGHT OF EIGHT FEET IN A MINIMUM OF 2 YEARS.
 - IN ADDITION TO THE EVERGREEN TREES, NATIVE DECIDUOUS OR SHADE TREES WITH A MINIMUM SIZE AT INSTALLATION OF 2-INCH CALIPER SHALL BE INTERSPERSED TO ENHANCE THE EVERGREEN SCREENING ALONG WITH UNDERSTORY TREES WITH A MINIMUM SIZE OF INSTALLATION OF 1-INCH CALIPER OR 6 FEET IN OVERALL HEIGHT IF REQUIRED BY THE PLANNING COMMISSION TO ADDRESS GATEWAY AREAS.
 - SHRUBS WITH A MINIMUM SIZE AT INSTALLATION OF 24 INCHES IN HEIGHT OR 30 INCHES IN SPREAD.
 - THE BUFFER SHALL INCLUDE A FLOWERING GROUND COVER FOR POLLINATORS, WARM SEASON GRASSES AND OTHER PERENNIAL HABITAT. THE GROUND COVER SEED MIXTURE SHALL INCLUDE A MINIMUM OF 10 PLANT SPECIES WITH A MINIMUM OF 2 FLOWERING SEASONS. LAWN OUTSIDE THE REQUIRED BUFFER ARE DISCOURAGED; PLANTINGS FOR POLLINATORS ARE ENCOURAGED IN ALL PLANTED AREAS.
 - THE HEIGHT OF PROPOSED PLANTING MAY REQUIRE ALTERNATIVES BASED UPON THE SITE ELEVATION AND VISIBILITY FROM ADJACENT PROPERTIES AND ROADS AND/OR RIGHTS OF WAYS. IF NECESSARY, AN ELEVATION OR PERSPECTIVE ILLUSTRATION EXHIBIT SHALL BE PROVIDED WITH VIEWPOINTS FROM RELEVANT LOCATIONS AROUND THE SITE FOR THE PLANNING COMMISSION TO CONSIDER.
 - A LANDSCAPE BERM SHALL BE PROVIDED AT A MINIMUM OF THREE (3) FEET HIGH TO ASSIST IN SCREENING. THE DESIGN OF THE BERM SHALL BE SUCH THAT THE NATURAL DRAINAGE PATTERNS OF THE SITE WILL NOT BE ALTERED. THE BERM REQUIREMENT MAY BE WAIVED IN PART OR TOTAL SUBJECT TO THE FOLLOWING CONDITIONS:
 - A MINIMUM OF TWO STAGGERED ROWS OF EVERGREEN TREES THAT AT INSTALLATION ARE AT LEAST 6 FEET IN HEIGHT AND PLANTED NO MORE THAN 10 FEET APART
 - INTERSPERSED SHADE TREES HAVE A MINIMUM SIZE AT INSTALLATION OF 2.5-INCH CALIPER
 - UNDERSTORY STORY TREES WITH A MINIMUM SIZE AT INSTALLATION OF 1.5-INCH CALIPER OR 6 FEET IN OVERALL HEIGHT
 - SHRUBS WITH A MINIMUM SIZE AT INSTALLATION OF 30 INCHES IN HEIGHT.
 - THE LANDSCAPING PLAN IS DEEMED TO SCREEN ELEVATIONS OF THE SITE ADEQUATELY WITHIN 2 YEARS.
 - IRRIGATION SHALL BE PROVIDED TO ASSIST IN MAINTAINING PLANT MATERIALS IN A HEALTHY CONDITION FOR ALL NEWLY CREATED LANDSCAPE BUFFER AREAS. PLANTS SHALL BE WATERED IN A MANNER ADEQUATE TO ENSURE ESTABLISHMENT AND SURVIVAL. THE LANDSCAPE PLAN SHALL INCLUDE A WATERING SCHEDULE APPROPRIATE FOR THE PROPOSED PLANTINGS, WHICH MAY INCLUDE SERVICE BY ON-SITE IRRIGATION OR WATER TRUCK, UNTIL THE PLANT MATERIAL IS SUFFICIENTLY ESTABLISHED TO SURVIVE ON NATURAL SOIL MOISTURE. AN IRRIGATION SYSTEM IS SUBJECT TO THE FOLLOWING:
 - THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PREVENT RUNOFF, LOW HEAD DRAINAGE, OVERSPRAY, OR OTHER SIMILAR CONDITIONS WHERE IRRIGATION WATER FLOWS ONTO NONTARGETED AREAS SUCH AS ADJACENT PROPERTIES, ROADWAYS, OR STRUCTURES.
 - ALL AUTOMATIC IRRIGATION SYSTEMS SHALL BE DESIGNED TO MINIMIZE WATER USAGE AND SHALL BE MANUALLY SHUT OFF DURING WATER EMERGENCIES OR WATER RATIONING PERIODS.
 - AN ALTERNATIVE FORM OF IRRIGATION FOR A PARTICULAR SITE MAY BE APPROVED THROUGH THE APPLICABLE REVIEW PROCESS UPON DETERMINING THAT UNDERGROUND IRRIGATION IS NOT NECESSARY OR AVAILABLE FOR THE TYPE OF PLANT MATERIAL BEING PROPOSED.
 - A MAINTENANCE AGREEMENT FOR THE LANDSCAPE PLAN SHALL BE PROVIDED WITH A SURETY OR OTHER FINANCIAL ASSURANCE TO COVER REPLACEMENT OF THE PLANTINGS AND IRRIGATION SYSTEMS. ALL PLANTINGS SHALL BE MAINTAINED IN A LIVE, HEALTHY CONDITION FOR THE DURATION OF THE SOLAR ARRAY LIFE AND SHALL BE REPLACED BY THE SOLAR ARRAY OPERATOR AS NECESSARY WITH APPROPRIATELY SIZED PLANT MATERIAL AS NECESSARY TO MAINTAIN ALL REQUIRED BUFFER STANDARDS.
 - THE SURETY MAY BE PROVIDED ON A PHASED BASIS PER THE LANDSCAPE PHASING PLAN AND SHALL BE HELD BY THE COUNTY FOR A PERIOD OF THREE YEARS FOLLOWING PLANTING. AFTER WHICH THE COUNTY, UPON SATISFACTORY INSPECTION OF THE LANDSCAPE BUFFER MAY RELEASE 50% OF THE SURETY, AND THE REMAINING 50% MAY BE RELEASED AFTER AN ADDITIONAL TWO YEARS. THE COUNTY THEN RESERVES THE RIGHT TO INSPECT AND REQUIRE REPLACEMENT FOR THE DURATION OF THE SOLAR ARRAY.
 - ENTRANCES TO THE PROJECT SHOULD BE DESIGNED TO ENSURE THAT NEIGHBORING PROPERTIES, PUBLIC RIGHTS-OF-WAYS AND ROADS ARE NOT EXPOSED TO AN UNSCREENED VIEW THROUGH THE ENTRANCEWAY. THE USE OF A WIRE MESH OR CHAINLINK GATE OR FENCE WITH VINYL INTERWOVEN STRIPS IS NOT ACCEPTABLE.
 - THE PROJECT SHALL COMPLY WITH ALL APPLICABLE FEDERAL AND STATE REGULATIONS, INCLUDING BUT NOT LIMITED TO OBTAINING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FROM THE PUBLIC SERVICE COMMISSION IF REQUIRED, AND IN THE REMOVAL AND DISPOSAL OF THE UTILITY SCALE SOLAR ARRAY AND ALL OF ITS COMPONENTS.
 - THE PROJECT SHALL COMPLY WITH ALL OTHER APPLICABLE REGULATIONS, AS CONTAINED IN THE PUBLIC LAWS OF KENT COUNTY.
 - THE PROJECT SHALL COMPLY WITH THE BOND-RELATED REQUIREMENTS BELOW:
 - A BOND, SURETY LETTER, OR OTHER FINANCIAL INSTRUMENT FOR REMOVAL OF ALL SOLAR-RELATED STRUCTURES AND NON-VEGETATIVE IMPROVEMENTS ON THE SITE AND FOR THE RESTORATION OF THE SITE TO ITS PREPROJECT CONDITION SHALL BE SUBMITTED. TO BE BASED ON BONA FIDE WRITTEN ESTIMATES PREPARED BY THIRD-PARTY CONSULTANTS.
 - 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 INCLUDING LEACHATES.
 - AN ESTIMATE FOR REVIEW BY COUNTY SHALL BE SUBMITTED.
 - BOND SHALL BE MAINTAINED FOR THE LIFE OF THE PROJECT.
 - BONDING MAY BE IN COORDINATION WITH OTHER REQUIRED BONDING BY THE STATE OF MARYLAND, PSC, PULJ, PPRP, ETC.,
 - IN THE EVENT THAT NO OTHER BONDING IS REQUIRED, THEN A BOND IN FAVOR OF THE COUNTY SHALL BE REQUIRED.
 - SAID BONDING SHALL INCLUDE AN ESCALATOR PROVISION BASED ON CHANGES TO THE COST OF RESTORATION, WHICH SHALL BE EVALUATED AND UPDATED EVERY FIVE YEARS.
 - SAID BOND SHALL BE FOR 110% OF THE ABOVE ESTIMATE(S) AND/OR UPDATED ESTIMATE(S) FROM FIVEYEAR REVIEWS.
 - SAID BOND SHALL BE REDEEMABLE BY THE COUNTY UPON A FINDING THAT THE PROJECT HAS BEEN ABANDONED, WITH OR WITHOUT NOTICE FROM PROJECT OPERATORS, IF PROJECT HAS, IN FACT, BEEN ABANDONED BY ITS OPERATORS; AND
 - 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.



SHEET INDEX	
C-001	COVER SHEET
C-101	EXISTING CONDITIONS PLAN
C-201	SITE PLAN
C-401	GRADING PLAN
C-501	EROSION AND SEDIMENT CONTROL PLAN
C-502	ESC & CONSTRUCTION DETAILS
C-901	CONSTRUCTION NOTES AND DETAILS
L-001	FOREST CONSERVATION PLAN
L-101	LANDSCAPE PLAN
L-102	FENCE DETAIL

APPROVED:

DATE: KENT COUNT PLANNING DIRECTOR

APPROVED:

DATE: KENT COUNT PLANNING COMMISSION

APPROVED:

DATE: KENT COUNT HEALTH DEPARTMENT APPROVING AUTHORITY



FISH HATCHERY ROAD
50'R.O.W.

FAIRLEE ROAD
60'R.O.W.

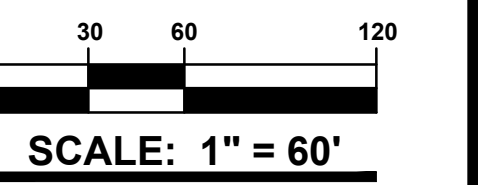
PROJECT TITLE

**MDL153
MASON SOLAR**

9425 FAIRLEE ROAD
CHESTERTOWN
KENT COUNTY, MARYLAND

SHEET TITLE

**EXISTING
CONDITIONS PLAN**



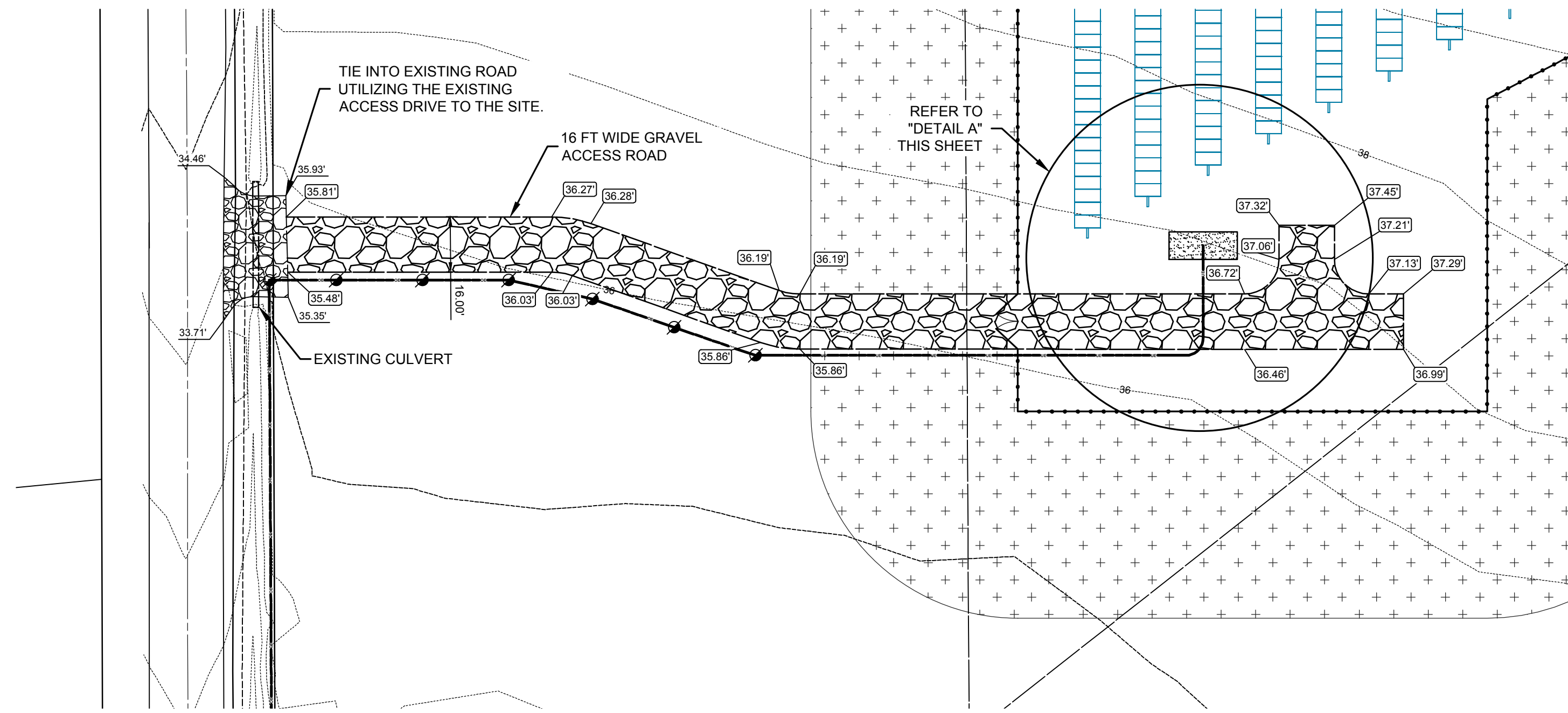
ISSUE BLOCK

MARK	DATE	DESCRIPTION

PROJECT NO.: 2023293.00
DATE: 01/30/2024
SCALE: 1" = 60'
DRAWN BY: E.H.H. | PROJ. MGR.: E.H.H.

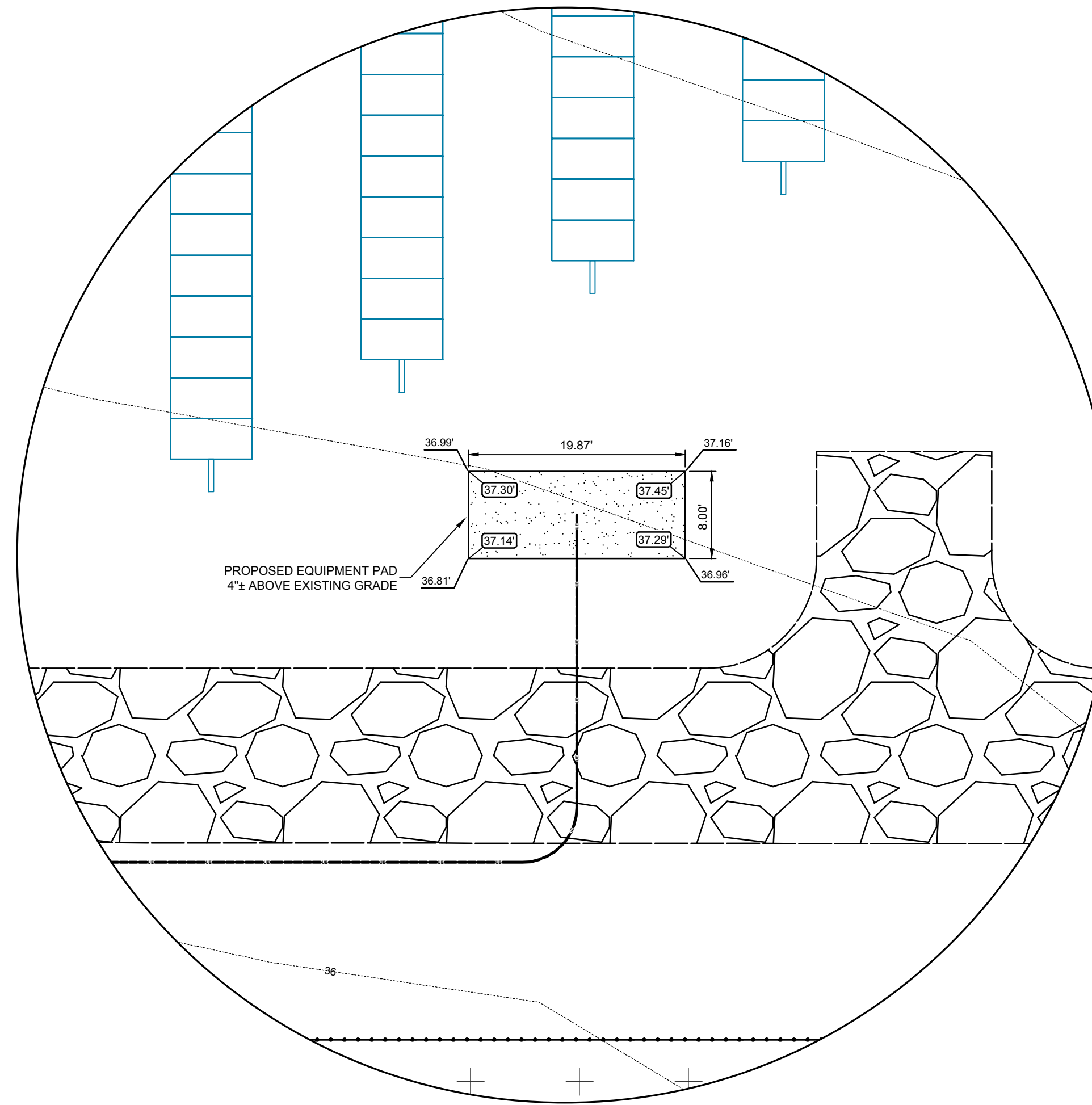
SOIL TYPE LISTING		
MTcA	MATTAPEX SILT LOAM, 0 TO 2 PERCENT SLOPES, MID-ATLANTIC COASTAL PLAIN	C
MTcB	MATTAPEX SILT LOAM, 0 TO 5 PERCENT SLOPES, MID-ATLANTIC COASTAL PLAIN	C

C-101
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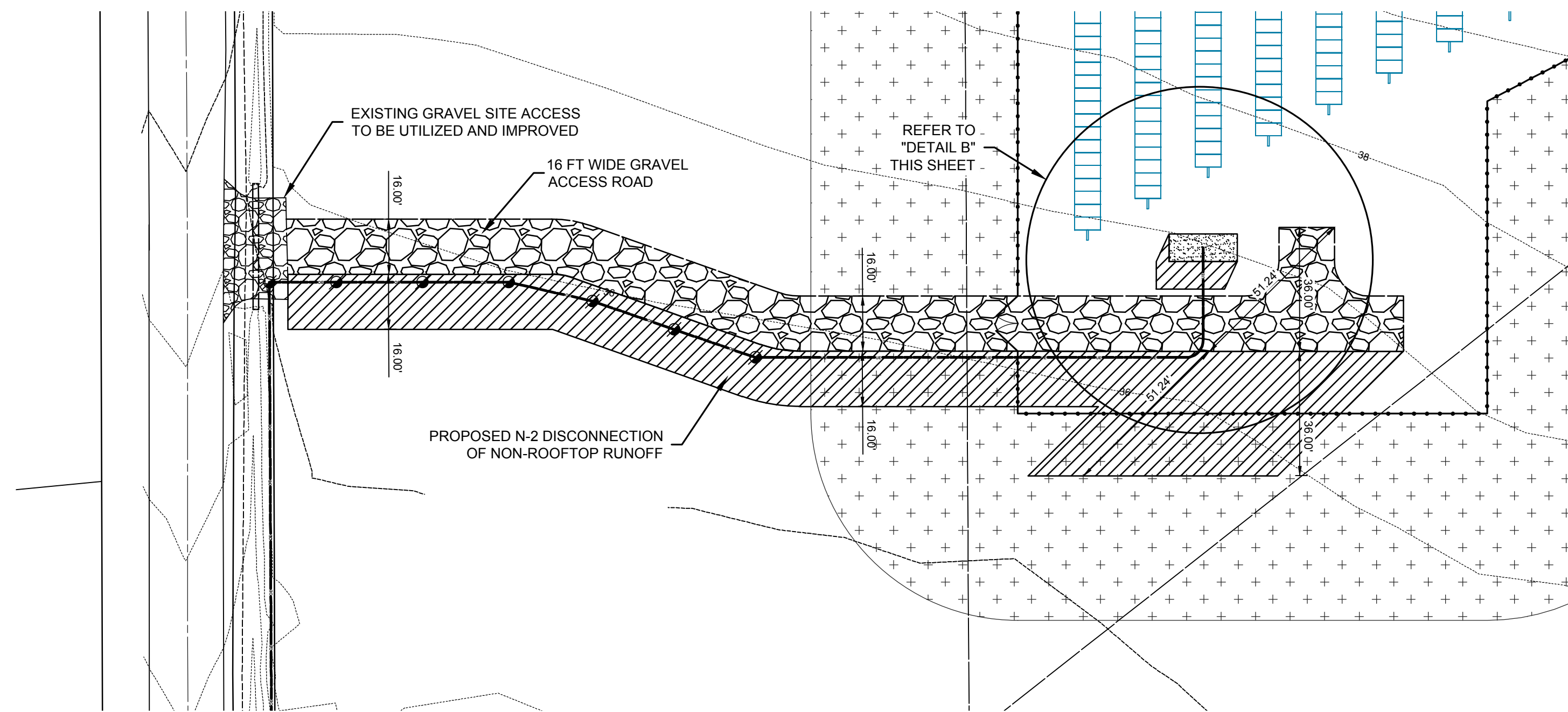
PLAN VIEW - SITE ACCESS

SCALE: 1" = 30'



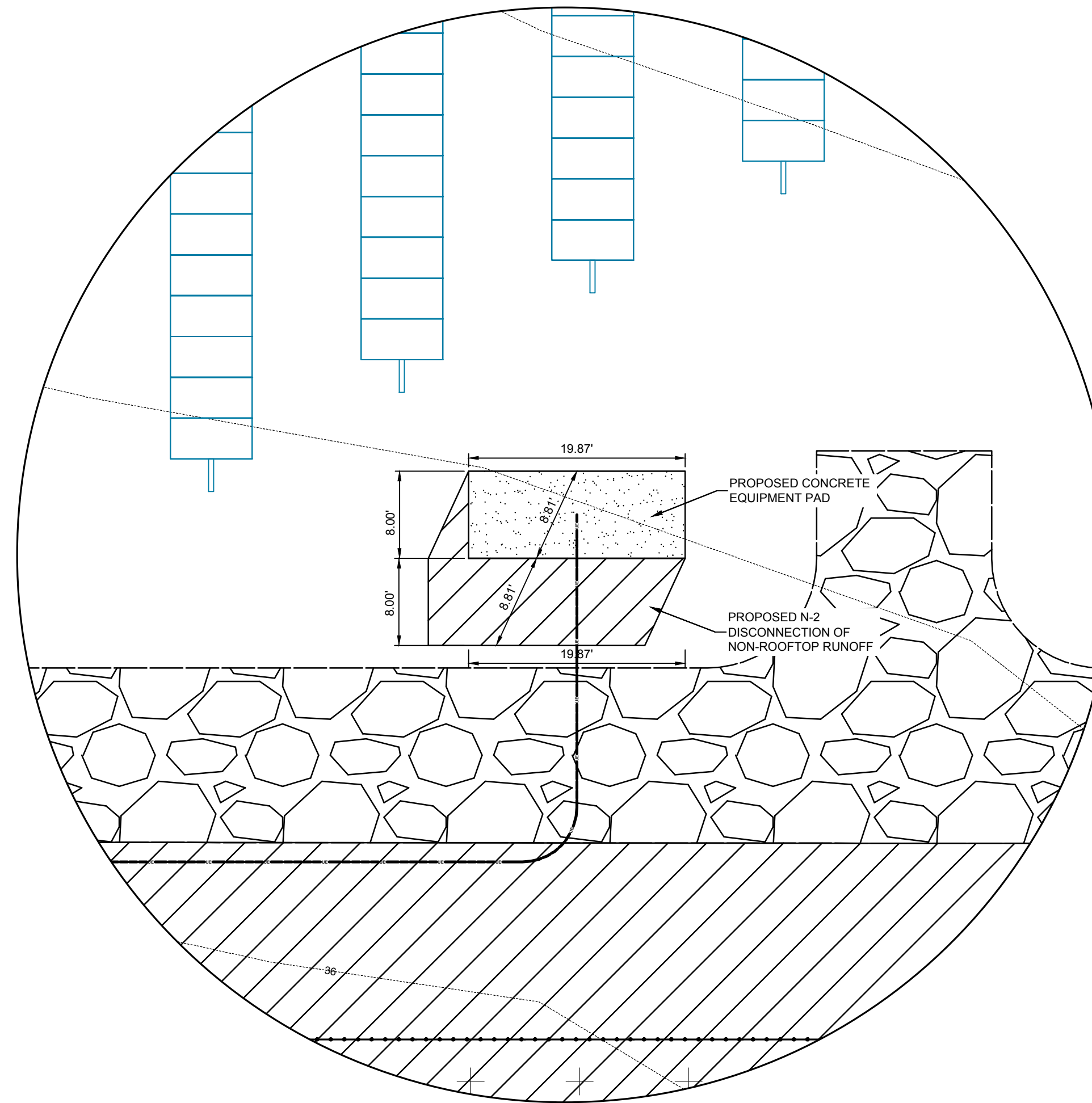
DETAIL A

SCALE: 1" = 10'



PLAN VIEW - DISCONNECT AREA

SCALE: 1" = 30'



DETAIL B

SCALE: 1" = 10'

PROJECT TITLE

**MDL153
MASON SOLAR**

9425 FAIRLEE ROAD
CHESTERTOWN
KENT COUNTY, MARYLAND

SHEET TITLE

**SITE GRADING AND
ACCESS ROAD
CONSTRUCTION
PLAN**

ISSUE BLOCK

MARK	DATE	DESCRIPTION

PROJECT NO.: 2023293.00

DATE: 01/30/2024

SCALE: AS SHOWN

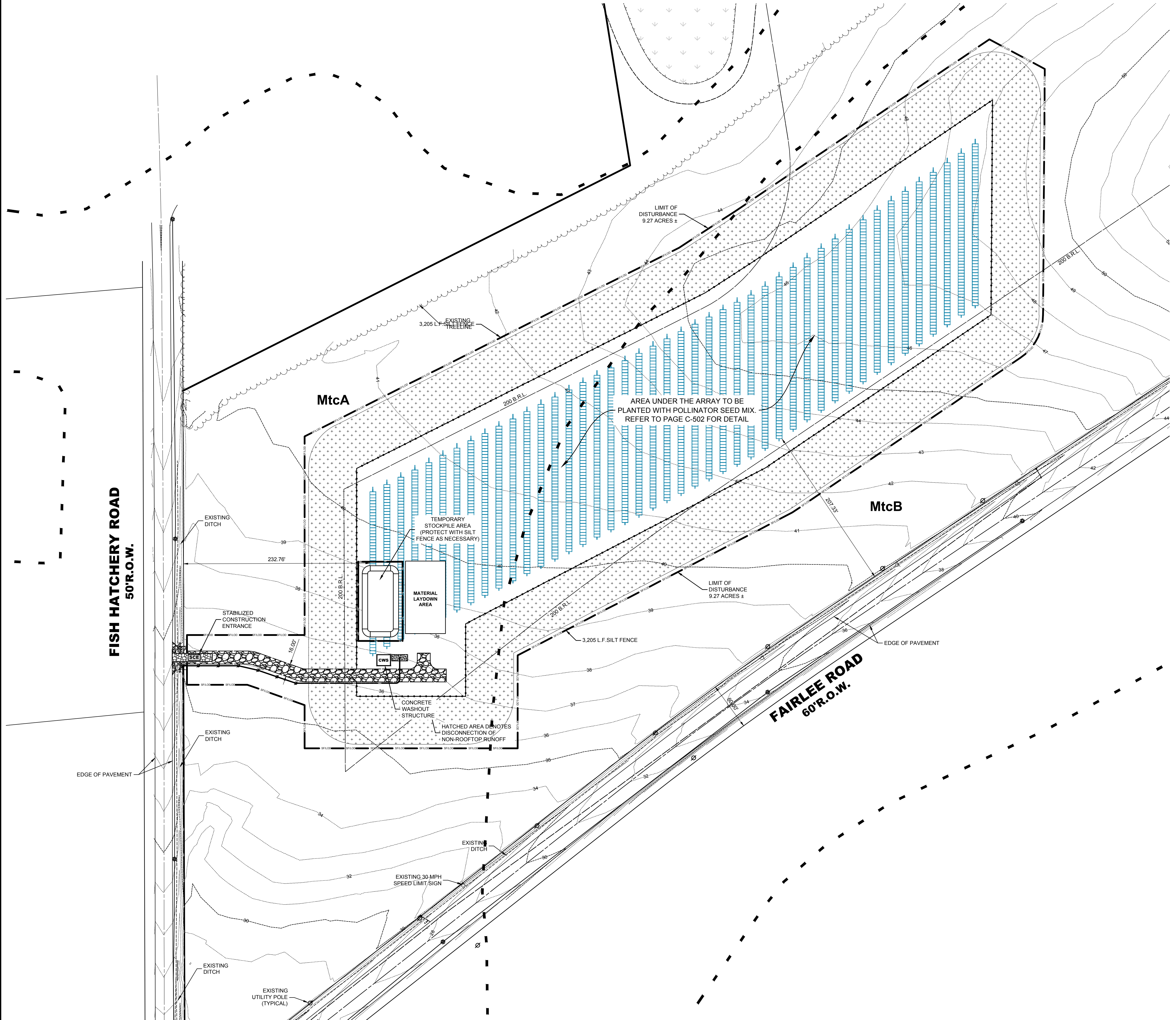
DRAWN BY: E.M.B. | PROJ. MGR.: E.H.H.

SHEET

C-401

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M.D. 68 (2017)
MAY 10, 88



EROSION SEDIMENT CONTROL LEGEND

SILT FENCE & LIMIT OF DISTURBANCE

STABILIZED CONSTRUCTION ENTRANCE

CONCRETE WASHOUT STRUCTURE

SOIL TYPE LISTING

MtCA	MATTAPEX SILT LOAM, 0 TO 2 PERCENT SLOPES, MID-ATLANTIC COASTAL PLAIN	C
MtCB	MATTAPEX SILT LOAM, 0 TO 5 PERCENT SLOPES, MID-ATLANTIC COASTAL PLAIN	C

EROSION & SEDIMENT CONTROL DATA

TOTAL DISTURBED AREA: 9.27 ACRES

MDE GENERAL PERMIT STATEMENTS

1. THIS PLAN INCLUDES STANDARD EROSION AND SEDIMENT CONTROLS AND MAINTENANCE CRITERIA TO PROTECT NATURAL AREAS.
2. CONTROL OF CONSTRUCTION EQUIPMENT AND VEHICLES ARE PROVIDED ON THIS PROJECT SITE THROUGH THE USE OF A STABILIZED CONSTRUCTION ENTRANCE (EXISTING PAVEMENT).
3. SITE CLEARING ON THIS PROJECT SITE HAS BEEN EVALUATED AND LIMITED TO ONLY THOSE AREAS NECESSARY.
4. THIS PROJECT SITE IS DESIGNED TO BE CONSTRUCTED AS A SINGLE PHASE AND THEREFORE DOES NOT INCLUDE ADDITIONAL PHASING.
5. THIS PROJECT SITE DOES NOT INCLUDE SOIL AT HIGH RISK FOR EROSION. ALL AREAS PROPOSED AT GREATER THAN 3:1 SLOPE SHALL BE STABILIZED WITH STABILIZATION MATTING PER MDE STANDARDS.
6. NO STEEP SLOPES EXIST ON THIS SITE AND THEREFORE CLEARING OF SUCH AREAS DOES NOT APPLY.

EIGHT ELEMENTS OF ENVIRONMENTAL SITE DESIGN:

- THE FOLLOWING ITEMS HAVE BEEN ADDRESSED TO MEET THE REQUIREMENTS OF THE GENERAL PERMIT FOR STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY (NPDES NUMBER MDR10, STATE DISCHARGE PERMIT NUMBER 09GP).
- 1.) UTILIZATION OF ENVIRONMENTAL SITE DESIGN
 - 2.) MAINTENANCE OF LIMITS OF DISTURBANCE TO PROTECT NATURAL AREAS
 - 3.) CONTROL OF CONSTRUCTION EQUIPMENT AND VEHICLES
 - 4.) EVALUATION AND APPROPRIATE LIMITATION OF SITE CLEARING
 - 5.) EVALUATION AND DESIGNATION OF SITE AREA FOR PHASING OR SEQUENCING
 - 6.) IDENTIFICATION OF SOILS AT HIGH RISK FOR EROSION AND ADVANCED STABILIZATION TECHNIQUES TO BE USED
 - 7.) IDENTIFICATION OF STEEP SLOPES AND DESIGNATION OF LIMITATIONS ON CLEARING THEM
 - 8.) EVALUATION AND DESIGNATION OF STABILIZATION REQUIREMENTS AND TIME LIMITS AND PROTECTION MEASURES FOR DISCHARGES TO THE CHESAPEAKE BAY, IMPAIRED WATERS OR WATERS WITH AN ESTABLISHED TOTAL MAXIMUM DAILY LOAD (TMDL).

SEQUENCE OF CONSTRUCTION

1. CONTRACTOR TO OBTAIN ALL COUNTY AND STATE PERMITS.
2. NOTIFY MDE AT 1-410-901-4020, AT LEAST TWO WEEKS PRIOR TO CONSTRUCTION FOR A PRE-CONSTRUCTION MEETING. FAILURE TO DO SO CONSTITUTES A VIOLATION OF THE APPROVED PLANS.
3. CLEAR AND GRUB THOSE AREAS NECESSARY FOR THE INSTALLATION OF EROSION & SEDIMENT CONTROLS.
4. INSTALL PERIMETER CONTROLS INCLUDING SILT FENCE, STABILIZED CONSTRUCTION ENTRANCE, ETC. AS INDICATED ON PLAN.
5. NOTIFY MDE THAT PERIMETER SEDIMENT CONTROLS ARE IN PLACE.
6. TEMPORARILY STABILIZE DISTURBED AREAS WITHIN THREE (3) DAYS OF INITIAL DISTURBANCE.
7. CLEAR, GRUB AND ROUGH GRADE PROPOSED DRIVEWAYS, CONCRETE PADS, ETC. STOCKPILE MATERIAL TO BE SPREAD ON-SITE OR RELOCATED TO AN APPROVED OFF-SITE AREA.
8. PERFORM SITE STABILIZATION, ETC. PER PLAN.
9. BEGIN INSTALLATION OF SOLAR ARRAY AS SHOWN ON PLAN.
10. BEGIN PERMANENT STABILIZATION OF SITE INCLUSIVE OF POLLINATOR SEED MIX UNDER THE ARRAY DURING THE COURSE OF INSTALLATION OF THE ARRAY. BEGIN LANDSCAPING INSTALLATION.
11. COMPLETE PERMANENT STABILIZATION OF THE SITE.
12. CONTRACTOR SHALL CONTACT MDE AT 1-410-901-4020 PRIOR TO REMOVAL OF EROSION AND SEDIMENT CONTROL MEASURES. WITH INSPECTORS APPROVAL, REMOVE SEDIMENT AND EROSION CONTROL MEASURES.

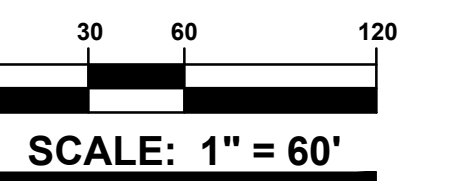
PROJECT TITLE

MDL153 MASON SOLAR

9425 FAIRLEE ROAD
CHESTERTOWN
KENT COUNTY, MARYLAND

SHEET TITLE

EROSION SEDIMENT CONTROL PLAN



ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAYER/STATE: C-501		

PROJECT NO.: 2023293.00

DATE: 01/30/2024

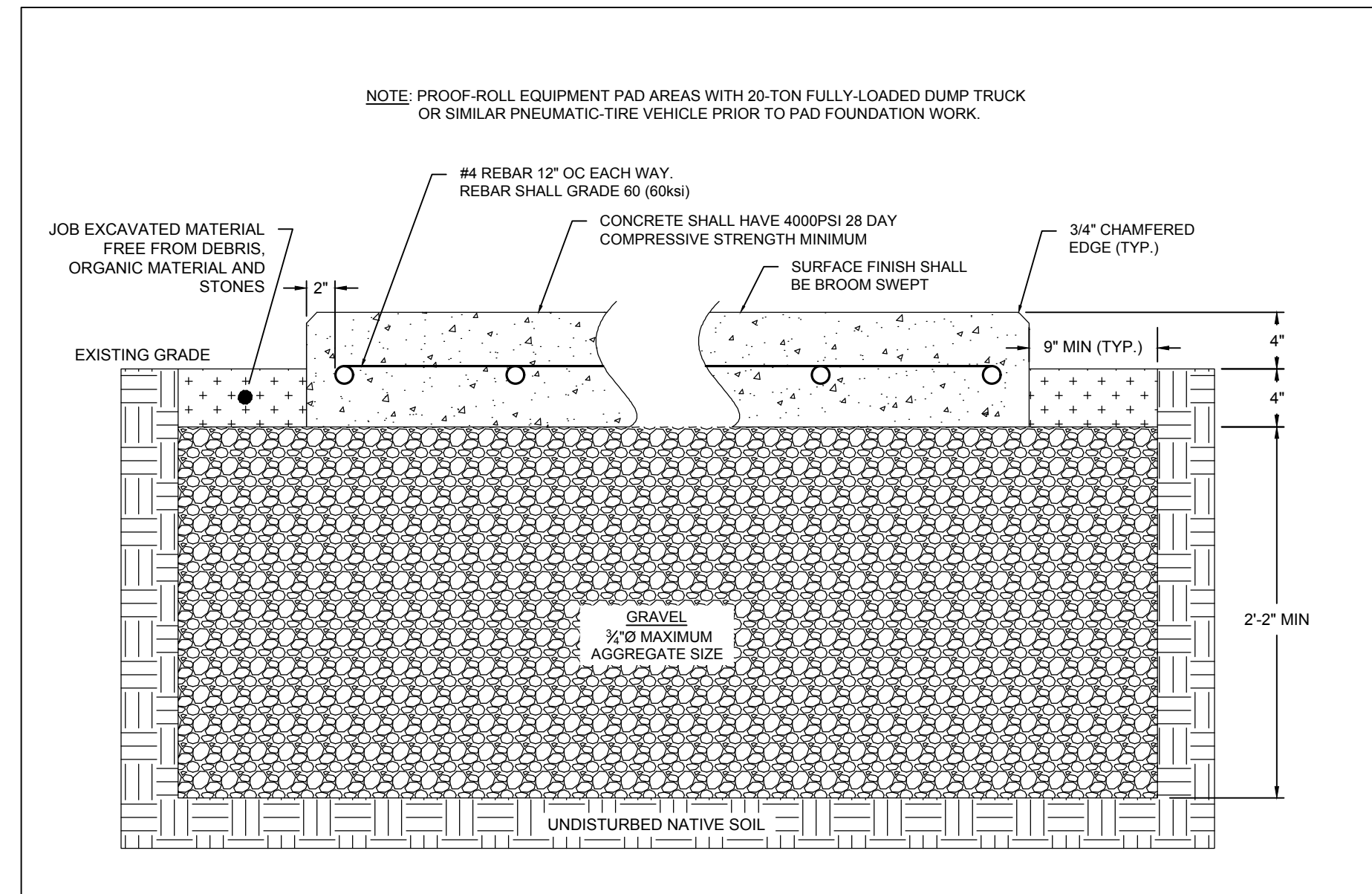
SCALE: 1" = 60'

DRAWN BY: E.H.H. | PROJ. MGR.: E.H.H.

SHEET

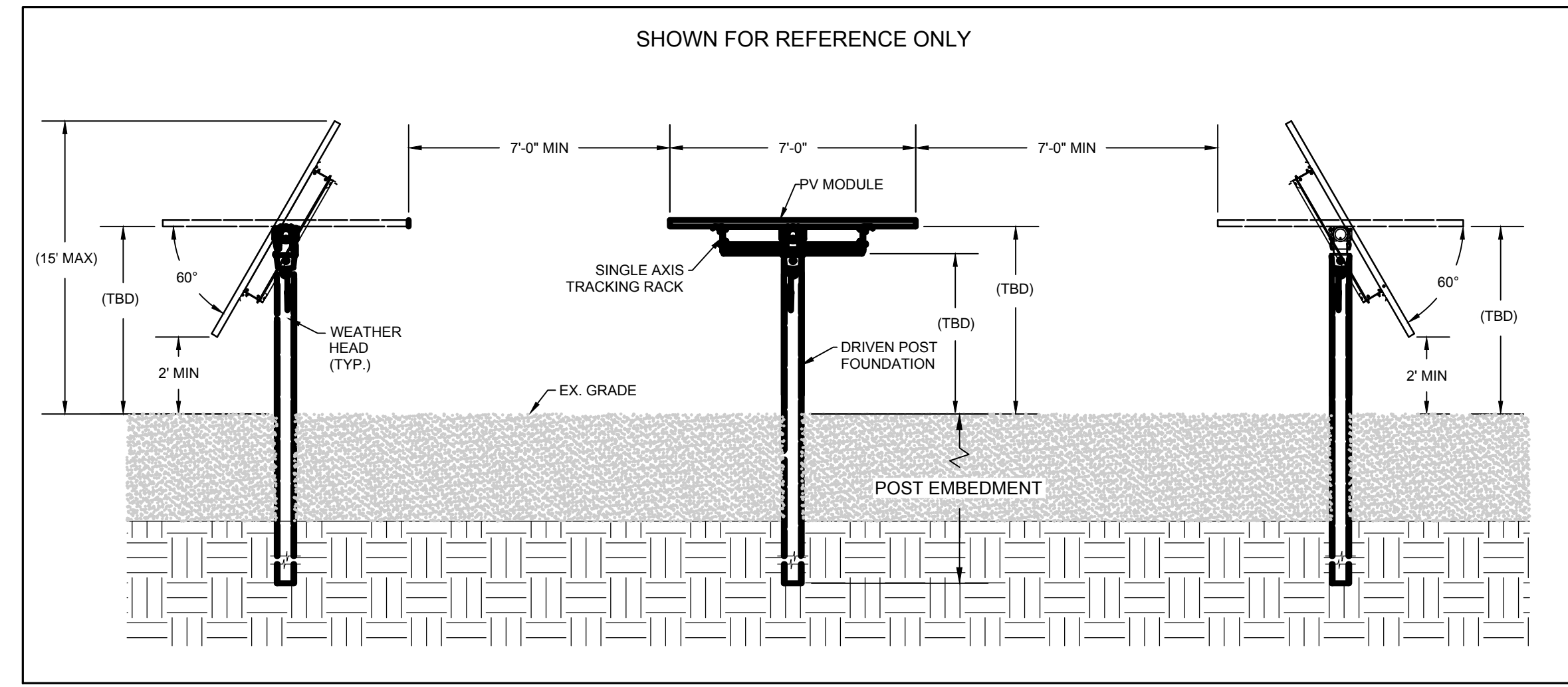
C-501

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CONCRETE ELECTRICAL PAD SECTION

NO SCALE



TYPICAL ARRAY ELEVATION

NO SCALE

PROJECT TITLE

**MDL153
MASON SOLAR**

9425 FAIRLEE ROAD
CHESTERTOWN
KENT COUNTY, MARYLAND

SHEET TITLE

**CONSTRUCTION
NOTES AND
DETAILS**

ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAYER/STATE: C-901		

PROJECT NO.: 2023293.00

DATE: 01/30/2024

SCALE: N/A

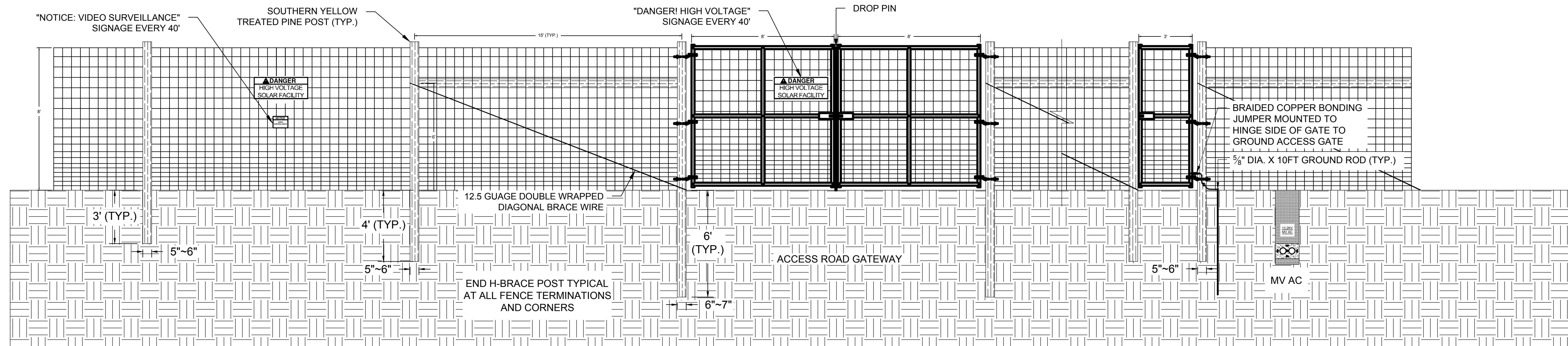
DRAWN BY: E.H.H. PROJ. MGR.: E.H.H.

SHEET

C-901

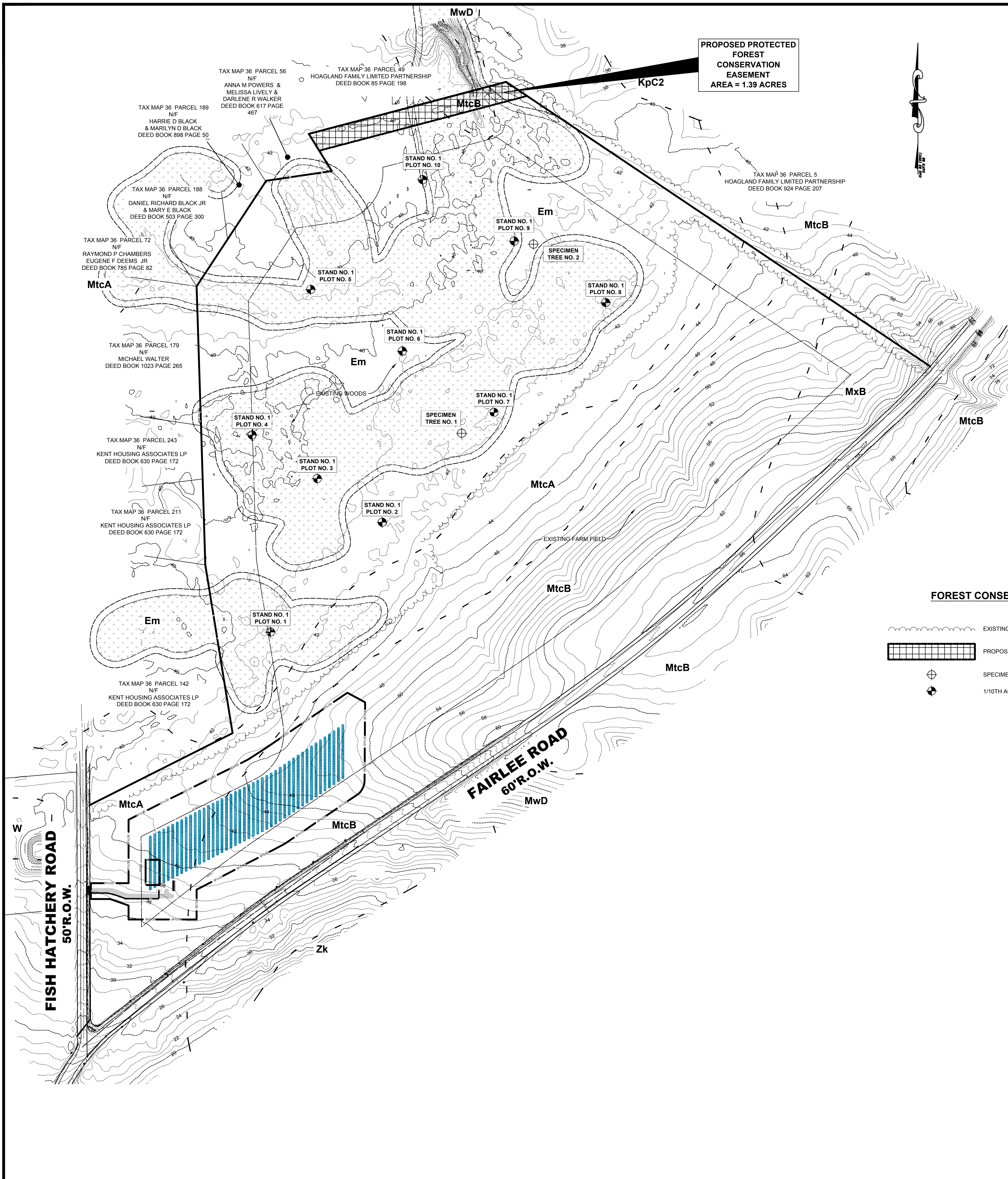
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C:\Temp AutoCAD\Public\1176020230900-SITE-CSD21.dwg, Mar 12, 2024 - 3:15pm



AG FENCE ELEVATION

NO SCALE



PROPOSED PROTECTED FOREST CONSERVATION EASEMENT AREA = 1.39 ACRES

FOREST CONSERVATION SITE NOTES

- TOTAL PARCEL AREA: 131.41 ACRES
- TOTAL LIMIT OF DISTURBANCE (L-O-D): 9.24 ACRES
- TOTAL FORESTED AREA ON PARCEL: 96.17 ACRES
- EXISTING FORESTED AREA IN L-O-D: 0.00 ACRES
- AREA WITHIN 100-YEAR FLOODPLAIN: 0.00 ACRES
- TOTAL WETLANDS (TIDAL/NON-TIDAL) ON PARCEL: 33.84 ACRES
- WETLANDS (TIDAL/NON-TIDAL) IN L-O-D: 0.00 ACRES
- STEEP SLOPES PRESENT (>25%): AS SHOWN
- FOR THE PURPOSE OF PLAN CLARITY, THE CONTOURS SHOWN HEREON ARE PROVIDED AT 2.0' INTERVALS. NOTE THAT CONTOURS PROVIDED ARE BASED ON NOAA LIDAR DATA.

LEGEND

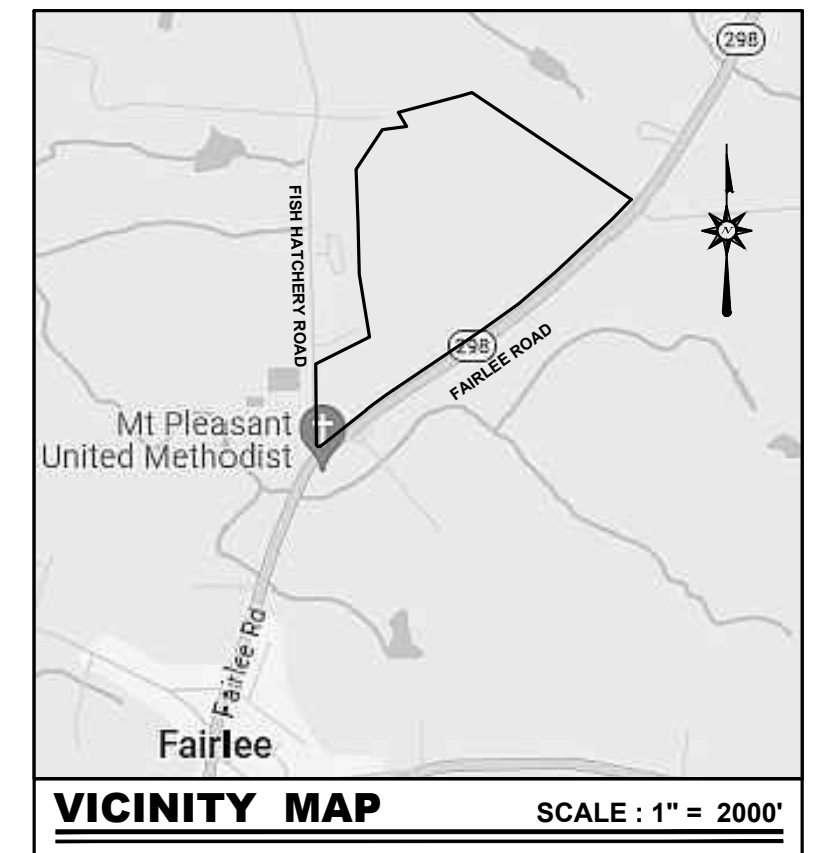
ITEM	EXISTING	PROPOSED
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)		
UNDERGROUND ELECTRIC		
OVERHEAD ELECTRIC		
MEDIUM VOLTAGE INTERCONNECTION	N/A	
CONCRETE CURB & GUTTER	N/A	
REINFORCED TURF	N/A	
CONCRETE PAD / SURFACE	N/A	
WIRE FENCE	N/A	
SECURITY FENCE	N/A	
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)		N/A
DRAINAGE DITCH OR SWALE		
CONTOUR		
ELEVATION SPOT SHOT	43.56	25.15
BENCH MARK		N/A
PROPERTY OR RIGHT-OF-WAY LINE		N/A
CORPORATE LIMITS LINE		N/A
LIGHT POLE		N/A

SOILS LEGEND

Em	ELKTON SILT LOAM, 0 - 2% SLOPES - HSG C/D
KpC2	KEYPORT SILT LOAM, 5 - 15% SLOPES - HSG D
MtA	MATTAPEX SILT LOAM, 0 - 2% SLOPES - HSG C
MtB	MATTAPEX SILT LOAM, 2 - 5% SLOPES - HSG C
MxD	MATTAPEX 7 WOODSTOWN SOILS, 10 - 15% SLOPES - HSG C
MxB	MATTAPEX-MATAPEAKE-BUTLERTOWN SILT LOAMS, 2 - 5% SLOPES - HSG B
W	WATER
Zk	ZEKIAH SILT LOAM, 0 - 2 SLOPES - HSG B/D

FOREST CONSERVATION LEGEND

- EXISTING TREE LINE
- PROPOSED FOREST CONSERVATION EASEMENT AREA
- SPECIMEN TREE LOCATION
- 1/10TH ACRE FOREST SAMPLE LOCATION



Forest Conservation Worksheet 2.2

Net Tract Area			
A. Total Tract Area		A =	9.24
B. Deductions		B =	0.00
C. Net Tract Area		C =	9.24
Land Use Category			
Input the number "1" under the appropriate land use zoning, and limit to only one entry			
ARA	MDR	IDA	HDR
0	0	0	0
MPD	CIA		
0	1		
D. Afforestation Threshold (Net Tract Area x 15%)		D =	1.39
E. Conservation Threshold (Net Tract Area x 15%)		E =	1.39
Existing Forest Cover			
F. Existing Forest Cover within the Net Tract Area		F =	0.00
G. Area of Forest Above Conservation Threshold		G =	0.00
Break Even Point			
H. Break Even Point		H =	0.00
I. Forest Clearing Permitted Without Mitigation		I =	0.00
Proposed Forest Clearing			
J. Total Area of Forest to be Cleared		J =	0.00
K. Total Area of Forest to be Retained		K =	0.00
Planting Requirements			
L. Reforestation for Clearing Above the Conservation Threshold		L =	0.00
M. Reforestation for Clearing Below the Conservation Threshold		M =	0.00
N. Credit for Retention above the Conservation Threshold		N =	0.00
P. Total Reforestation Required		P =	0.00
Q. Total Afforestation Required		Q =	1.39
R. Total Planting Requirement		R =	1.39

FOREST AREA TO BE ADDRESSED VIA ON-SITE EASEMENT UPON APPROVAL OF FOREST STAND DELINEATION

SITE INFORMATION

- SITE NAME: MDL153 - MASON SOLAR
- SITE ADDRESS: 9425 FAIRLEE ROAD, THOMAS & ALICE MASON, 23991 MELITOTA ROAD, CHESTERTOWN, MD 21620
- SITE OWNER: MDL153 MASON SOLAR, LLC, JOSH SPENCER, PE, PMP, 6885 DEERPATH ROAD, SUITE 330, ELKRIDGE, MD 21075, 850-450-9895
- DEVELOPER: BECKER MORGAN GROUP, INC., C/O EDWARD (TED) HASTINGS, PMP, 312 WEST MAIN STREET, SUITE 300, SALISBURY, MD 21801, 410-546-9100
- ENGINEER: BECKER MORGAN GROUP, INC., C/O EDWARD (TED) HASTINGS, PMP, 312 WEST MAIN STREET, SUITE 300, SALISBURY, MD 21801, 410-546-9100
- GEOGRAPHIC COORDINATES: LATITUDE: 39°13' 57.18"N, LONGITUDE: 76° 10' 02.15"W
- TAX MAP: 36
- PARCEL: 9
- DEED BOOK/PAGE: 7741474
- PARCEL AREA: 335.16 ACRES ±
- LEASE AREA: 9.24 ACRES ±
- ARRAY AREA: 4.98 ACRES
- LIMIT OF DISTURBANCE: 9.27 ACRES ±
- JURISDICTION: KENT COUNTY
- ZONE: AGRICULTURAL ZONING DISTRICT (AZD)
- MINIMUM YARD AND SETBACK REQUIREMENTS FOR UTILITY SCALE SOLAR IS AS FOLLOWS: FRONT: 200 FEET, REAR: 200 FEET, SIDE: 200 FEET
- FLOOD ZONE DETERMINATION: (BASED ON FLOOD INSURANCE RATE MAPS PROVIDED BY FEMA) FIRM MAP: 24029C0260D, EFFECTIVE DATE: JUNE 9, 2014, FIRM ZONE: "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
- WATER AND SEWER NOT PROPOSED FOR THE SITE.

FOREST CONSERVATION STATEMENT OF INTENT
IT IS THE INTENT OF THE DEVELOPER AND PROPERTY OWNER TO PROVIDE FOR THE REQUIRED 1.39 ACRES OF FOREST CONSERVATION AREA BY PLACING A FOREST CONSERVATION EASEMENT AT THE NORTHEAST CORNER OF THE PARCEL, UPON APPROVAL OF THE FOREST STAND DELINEATION.

QUALIFIED PROFESSIONAL CERTIFICATION

KEVIN W. PARSONS, PROF. LAND SURVEYOR
FOREST CONSERVATION QUALIFIED PROFESSIONAL
BECKER MORGAN GROUP, INC.

03/26/2024
DATE

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING
Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

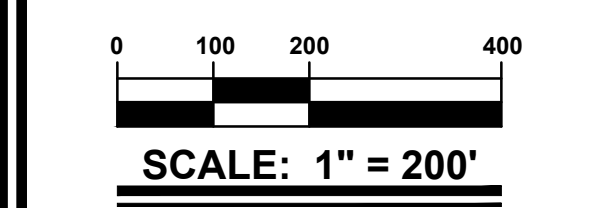
Maryland
312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE
MDL153 MASON SOLAR
9425 FAIRLEE ROAD
CHESTERTOWN
KENT COUNTY, MARYLAND

SHEET TITLE
SIMPLIFIED FOREST STAND DELINEATION & FOREST CONSERVATION PLAN

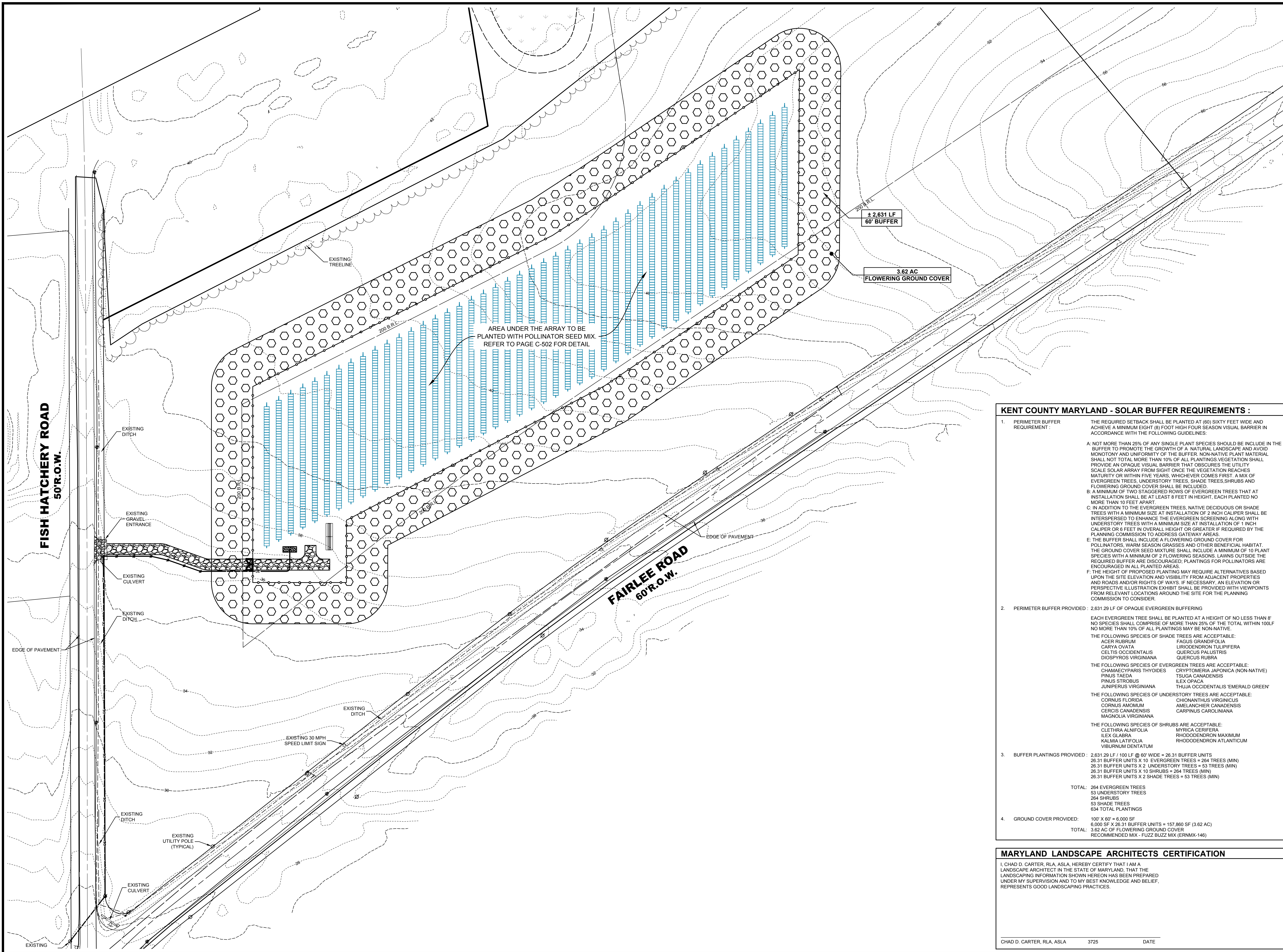


ISSUE BLOCK

MARK	DATE	DESCRIPTION

PROJECT NO.: 2023293.00
DATE: 01/30/2024
SCALE: 1" = 200'
DRAWN BY: E.H.H. PROJ. MGR.: E.H.H.
SHEET

FSD-1



KENT COUNTY MARYLAND - SOLAR BUFFER REQUIREMENTS :

- PERIMETER BUFFER REQUIREMENT :** THE REQUIRED SETBACK SHALL BE PLANTED AT (60) SIXTY FEET WIDE AND ACHIEVE A MINIMUM EIGHT (8) FOOT HIGH FOUR SEASON VISUAL BARRIER IN ACCORDANCE WITH THE FOLLOWING GUIDELINES:

 - A: NOT MORE THAN 25% OF ANY SINGLE PLANT SPECIES SHOULD BE INCLUDED IN THE BUFFER TO PROMOTE THE GROWTH OF A NATURAL LANDSCAPE AND AVOID MONOTONY AND UNIFORMITY OF THE BUFFER. NON-NATIVE PLANT MATERIAL SHALL NOT TOTAL MORE THAN 10% OF ALL PLANTINGS. VEGETATION SHALL PROVIDE AN OPAQUE VISUAL BARRIER THAT OBSCURES THE UTILITY SCALE SOLAR ARRAY FROM SIGHT ONCE THE VEGETATION REACHES MATURITY OR WITHIN FIVE YEARS, WHICHEVER COMES FIRST. A MIX OF EVERGREEN TREES, UNDERSTORY TREES, SHADE TREES, SHRUBS AND FLOWERING GROUND COVER SHALL BE INCLUDED.
 - B: A MINIMUM OF TWO STAGGERED ROWS OF EVERGREEN TREES THAT AT INSTALLATION SHALL BE AT LEAST 8 FEET IN HEIGHT, EACH PLANTED NO MORE THAN 10 FEET APART.
 - C: IN ADDITION TO THE EVERGREEN TREES, NATIVE DECIDUOUS OR SHADE TREES WITH A MINIMUM SIZE AT INSTALLATION OF 2 INCH CALIPER SHALL BE INTERSPERSED TO ENHANCE THE EVERGREEN SCREENING ALONG WITH UNDERSTORY TREES WITH A MINIMUM SIZE AT INSTALLATION OF 1 INCH CALIPER OR 6 FEET IN OVERALL HEIGHT OR GREATER IF REQUIRED BY THE PLANNING COMMISSION TO ADDRESS GATEWAY AREAS.
 - E: THE BUFFER SHALL INCLUDE A FLOWERING GROUND COVER FOR POLLINATORS, WARM SEASON GRASSES AND OTHER BENEFICIAL HABITAT. THE GROUND COVER SEED MIXTURE SHALL INCLUDE A MINIMUM OF 10 PLANT SPECIES WITH A MINIMUM OF 2 FLOWERING SEASONS. LAWNS OUTSIDE THE REQUIRED BUFFER ARE DISCOURAGED. PLANTINGS FOR POLLINATORS ARE ENCOURAGED IN ALL PLANTED AREAS.
 - F: THE HEIGHT OF PROPOSED PLANTING MAY REQUIRE ALTERNATIVES BASED UPON THE SITE ELEVATION AND VISIBILITY FROM ADJACENT PROPERTIES AND ROADS AND/OR RIGHTS OF WAYS. IF NECESSARY, AN ELEVATION OR PERSPECTIVE ILLUSTRATION EXHIBIT SHALL BE PROVIDED WITH VIEWPOINTS FROM RELEVANT LOCATIONS AROUND THE SITE FOR THE PLANNING COMMISSION TO CONSIDER.
- PERIMETER BUFFER PROVIDED :** 2,631.29 LF OF OPAQUE EVERGREEN BUFFERING

EACH EVERGREEN TREE SHALL BE PLANTED AT A HEIGHT OF NO LESS THAN 8' NO SPECIES SHALL COMPRISE OF MORE THAN 25% OF THE TOTAL WITHIN 100LF NO MORE THAN 10% OF ALL PLANTINGS MAY BE NON-NATIVE.

THE FOLLOWING SPECIES OF SHADE TREES ARE ACCEPTABLE:

ACER RUBRUM	FAGUS GRANDIFOLIA
CARYA OVATA	LIRIODENDRON TULIPIFERA
CELTIS OCCIDENTALIS	QUERCUS PALUSTRIS
DIOSPYROS VIRGINIANA	QUERCUS RUBRA

THE FOLLOWING SPECIES OF EVERGREEN TREES ARE ACCEPTABLE:

CHAMAECYPARIS THYOIDES	CRYPTOMERIA JAPONICA (NON-NATIVE)
PINUS TAEDA	TSUGA CANADENSIS
PINUS STROBUS	ILEX OPACA
JUNIPERUS VIRGINIANA	TRILIA OCCIDENTALIS 'EMERALD GREEN'

THE FOLLOWING SPECIES OF UNDERSTORY TREES ARE ACCEPTABLE:

CORNUS FLORIDA	CHIONANTHUS VIRGINICUS
CORNUS AMOMUM	AMELANCHIER CANADENSIS
CERCIS CANADENSIS	CARPINUS CAROLINIANA
MAGNOLIA VIRGINIANA	

THE FOLLOWING SPECIES OF SHRUBS ARE ACCEPTABLE:

CLETHRA ALNIFOLIA	MYRTICA CERIFERA
ILEX GLABRA	RHODODENDRON MAXIMUM
KALMIA LATIFOLIA	RHODODENDRON ATLANTICUM
VIBURNUM DENTATUM	
- BUFFER PLANTINGS PROVIDED :** 2,631.29 LF / 100 LF @ 60' WIDE = 26.31 BUFFER UNITS

 - 26.31 BUFFER UNITS X 10 EVERGREEN TREES = 264 TREES (MIN)
 - 26.31 BUFFER UNITS X 2 UNDERSTORY TREES = 53 TREES (MIN)
 - 26.31 BUFFER UNITS X 10 SHRUBS = 264 TREES (MIN)
 - 26.31 BUFFER UNITS X 2 SHADE TREES = 53 TREES (MIN)

TOTAL:

 - 264 EVERGREEN TREES
 - 53 UNDERSTORY TREES
 - 264 SHRUBS
 - 53 SHADE TREES
 - 634 TOTAL PLANTINGS
- GROUND COVER PROVIDED :** 100' X 60' = 6,000 SF

 - 6,000 SF X 26.31 BUFFER UNITS = 157,860 SF (3.62 AC)
 - TOTAL: 3.62 AC OF FLOWERING GROUND COVER
 - RECOMMENDED MIX - FUZZ BUZZ MIX (ERNMX-148)

MARYLAND LANDSCAPE ARCHITECTS CERTIFICATION

I, CHAD D. CARTER, RLA, ASLA, HEREBY CERTIFY THAT I AM A LANDSCAPE ARCHITECT IN THE STATE OF MARYLAND, THAT THE LANDSCAPING INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF, REPRESENTS GOOD LANDSCAPING PRACTICES.

CHAD D. CARTER, RLA, ASLA 3725 DATE

PROJECT TITLE

**MDL153
MASON SOLAR**
9425 FAIRLEE ROAD
CHESTERTOWN
KENT COUNTY, MARYLAND

SHEET TITLE

LANDSCAPE PLAN



ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAYER STATE	L-001	

PROJECT NO.: 2023293.00

DATE: 03/20/2024

SCALE: 1" = 60'

DRAWN BY: A.J.D. / PROJ. MGR.: E.H.H.

SHEET

L-001

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To: Kent County Planning Commission
From: Bill Mackey, Director
Meeting: May 2, 2024
Subject: Betterton Annexation Proposal
American Legion Property

Executive Summary

Request by Applicant

The Town of Betterton is requesting that the American Legion Property be annexed into the Town of Betterton. The Town has prepared an Annexation Resolution for consideration by the Mayor and Council.

Summary of Staff Report

The American Legion Property, identified as Tax Map 4, Parcels 88 and 130, is located just outside Town boundaries. Kent County’s Designated Growth Areas Map [2018 Comp Plan, p. 32, Map 5] indicates that the property is immediately adjacent to the very limited growth area for the Town of Betterton. The site is being put forth for annexation, so the property is eligible for State grants to repair the roof. Considering the very limited size of the property and its adjacency to the Town, annexation appears appropriate.

The 2018 Comprehensive Plan under Economy on page 9 includes a strategy for supporting local quality-of-life attractors, such as the American Legion, which also support the County’s small-town character.

Strategy: Maintain and enhance a quality of life and other factors that are key business location factors. The goal is to provide the lifestyle and amenities desired by employers while retaining the County’s rural small-town character.

The property is zoned Community Residential and private clubs are permitted uses via special exception.

The County’s role in a Town’s annexation application is to review and assess the zoning in accordance with the five-year rule and to find consistency with the Kent County Comprehensive Plan. The proposal is consistent with the goals and strategies in the 2018 Comprehensive Plan and Land Use Ordinance.

The Town is not requesting a waiver of the five-year zoning rule; the Planning Commission in the past has recommended a zoning waiver to the County Commissioners for other annexations in case one is needed.

Staff Recommendation

Staff recommends that the Planning Commission forward a favorable recommendation to the County Commissioners, based on the proposal’s general consistency with the Kent County Comprehensive Plan, including a recommendation for the five-year zoning waiver, so there are no impediments to the grant.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission

SUBJECT: Betterton Annexation Proposal
American Legion Property
11 Sixth Avenue, Betterton MD 21610

MEETING: May 2, 2024

DESCRIPTION

The American Legion Property, identified as Tax Map 4, Parcels 88 and 130, is located just outside Town boundaries. Kent County's Designated Growth Areas Map [2018 Comp Plan, p. 32, Map 5] indicates that the property is immediately adjacent to the very limited growth area for the Town of Betterton. The site is being put forth for annexation, so the property is eligible for State grants to repair the roof. Considering the very limited size of the property and its adjacency to the Town, annexation appears appropriate.

POLICY AND LAW

A. 2018 Kent County Comprehensive Plan

Economy Chapter

Strategy: Maintain and enhance a quality of life and other factors that are key business location factors. The goal is to provide the lifestyle and amenities desired by employers while retaining the County's rural small-town character (page 9).

B. Applicable Law

The Maryland General Assembly passed specific guidance for annexations. Most of the regulations apply to a Town's process for annexations. However, the five-year zoning rule is applicable to the County's review of annexations. The five-year rule is explained [here](#) on pages 8, 17, and 18. The Maryland Municipal League's process flowchart may be found [here](#).

MD Code, Local Government, § 4-416 [Source: West's Annotated Code of Maryland [here](#)]

§ 4-416. Planning and zoning authority

Existing municipal authority

- (a) (1) Notwithstanding § 4-104(f) of this title, if an area is annexed to a municipality that has planning and zoning authority at the time of annexation, the municipality shall have exclusive jurisdiction over planning, subdivision control, and zoning in the area annexed.
- (2) Paragraph (1) of this subsection does not grant any planning or zoning power or subdivision control to a municipality that is not authorized to exercise planning or zoning power or subdivision control at the time of annexation.

Different land use or density

- (b) Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.

County approval of zoning classification

- (c) Notwithstanding § 4–204 of the Land Use Article and if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.

ANALYSIS

The proposed annexation is consistent with the Kent County Comprehensive Plan’s strategies relative to supporting local quality-of-life attractors that are also consistent with the County’s small-town character.

The property is zoned Community Residential and private clubs are permitted uses via special exception.

The County’s role in a Town’s annexation application is to review and assess the zoning in accordance with the five-year rule and to find consistency with the Kent County Comprehensive Plan. The proposal is consistent with the goals and strategies in the 2018 Comprehensive Plan and Land Use Ordinance.

The Town is not requesting a waiver of the five-year zoning rule; the Planning Commission in the past has recommended a zoning waiver to the County Commissioners for other annexations in case one is needed.

RECOMMENDATION

Staff recommends that the Planning Commission forward a favorable recommendation to the County Commissioners, based on the proposal’s general consistency with the Kent County Comprehensive Plan, including a recommendation for the five-year zoning waiver, so there are no impediments to the grant.

Attachments

- Email from Town of Betterton 2024-04-18
- Town of Betterton’s Annexation submittal

From: Thomas Mogle
To: William Mackey
Subject: Legion Annexation
Date: Thursday, April 18, 2024 3:24:01 PM

Hello, Bill—As far as the need for a waiver ...

Presently, the American Legion property is zoned Community Residential with the use listed as Commercial Exempt.

We believe the most appropriate zoning designation for the American Legion is B-1 Neighborhood Business District. Betterton properties with the B-1 designation include the volunteer fire department and the Italian eatery, Marzella's. Also, Betterton's B-1 designation includes any use permitted in the R-3 Multiple Family Residential District.

If you believe the designations are close enough our requested waiver may not be necessary.

Thank you. Tom

Town Manager
Town of Betterton
410-474-6835
100 Main Street
P.O. Box 339
Betterton, Maryland 21610
<https://www.townofbetterton.com/>



TOWN OF BETTERTON

100 MAIN STREET

P.O. BOX 339

BETTERTON, MARYLAND 21610

Phone: 410-348-5522
Fax: 410-348-5131
info@townofbetterton.com

April 12, 2024

Kent County Planning & Zoning
400 High Street
Chestertown, Maryland 21620

Re: Annexation of C. Henry Price II Post No. 246, American Legion, Inc.

Honorable Planning & Zoning Members:

On February 13, 2024, the Betterton Mayor and Council introduced the Annexation Plan in connection with C. Henry Price II, Post No. 246, American Legion, Inc. A public hearing has been advertised and is scheduled for April 23, 2024.

Documents about the property and the annexation are enclosed. In addition to the public meeting, the Town of Betterton will allow for written commentary to be entered into the public record until May 14th, 2024.

After reviewing the written comments, the Mayor and Council may choose to vote on the annexation at the regularly scheduled May 14th meeting. Also, the Town of Betterton would like to request a 5-year zoning waiver.

Please review the enclosed documents and let me know if you require clarification or more information. Also, the Town of Betterton would like to request a 5-year zoning waiver.

Sincerely yours,

Tom Mogle
Town of Betterton Manager

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Kent County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Resolution 2024-03..." was published in the:

Kent County News 04/04/24
Kent County News 04/11/24



James F. Normandin
President & Publisher

Notice of Public Hearing
The Town of Betterton
Resolution 2024-03
Annexation of American Legion Property

On the 13th day of February 2024, the Mayor and Council of Betterton introduced Resolution No. 2024-03 proposing a municipal annexation petitioned by the C. Henry Price II, Post No. 246, American Legion, Inc. The Town of Betterton has drafted Resolution 2024-03, an Annexation Agreement, and a formal Annexation Plan in connection with C. Henry Price II, Post No 246, American Legion, Inc.

The Public Hearing for the proposed Annexation of the C. Henry Price II, Post No. 246, American Legion, Inc. is scheduled for Tuesday, April 23, at 7:00 p.m. The meeting will be held in the Town Hall located at 100 Main Street, Betterton, Maryland 21610. The public may attend the virtual meeting by going to www.townofbetterton.com and clicking on "Live Stream".

3050441 KN 4/4,4/11/2024

RESOLUTION NO. 2024-02

2024 Annexation American Legion Property

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BETTERTON, MARYLAND, ENLARGING THE CORPORATE BOUNDARIES OF THE TOWN OF BETTERTON BY ANNEXING LAND CONTIGUOUS AND ADJOINING THE EXISTING CORPORATE AREA OF THE TOWN CONSISTING OF A PARCEL OF LAND CONTAINING APPROXIMATELY TWO AND THIRTY-FIVE HUNDRETHS (2.351) ACRES, MORE COMMONLY KNOWN AS THE AMERICAN LEGION PROPERTY, SOUTH SIDE OF SIXTH STREET, AS SHOWN ON TAX MAP 0004 AS PARCELS 0088 AND 0130, SUBJECT TO THE TERMS AND CONDITIONS CONTAINED IN ANY CONTRACTS AND ANNEXATION AGREEMENTS BY AND BETWEEN THE TOWN AND THE CURRENT OWNER OF THE PROPERTY: AMENDING THE CHARTER OF THE TOWN OF BETTERTON FOR THE PURPOSES OF INCLUDING THE ANNEXED PROPERTY WITHIN THE LEGAL DESCRIPTIONS AND PLATS DEPICTING THE CORPORATE LIMITS OF THE TOWN, AND CONCERNING ALL MATTERS RELATED TO SAID ANNEXATION.

WHEREAS, the Mayor and Council of the Town of Betterton, Maryland, a municipal corporation of the State of Maryland, has determined to enlarge and extend the limits of the Town by including therein contiguous and adjoining parts of Kent County in accordance with the procedures contained in Section 4-401 of the Local Government Article of the Annotated Code of Maryland (2013 Rep. Vol.); and

WHEREAS, the proposed annexation has been requested by and consented to by the owner of the property to be annexed, C. Henry Price II, Post No. 246, American Legion, Inc.; and

WHEREAS, based upon the aforesaid consent, the Mayor and Council of the Town have determined to initiate a Resolution, to enlarge and extend the limits of the Town to include the hereinafter described area and to make applicable to that area all laws which are now in force and effect or which may be hereinafter enacted, in the Town, specifically subject to any Contracts and Annexation Agreements which are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Betterton, Maryland, in legislative session assembled:

Section 1. That there is hereby annexed into the corporate boundaries of the Town of Betterton, a municipal corporation of the State of Maryland, all of that land contiguous and adjoining the existing Town of Betterton in Kent County, Maryland, consisting of a 2.351 acre +/- parcel of land located in Kent County, Maryland, as more particularly and fully described on the plat attached hereto as "Exhibit A" and by a survey of courses and distances attached hereto as "Exhibit B", and incorporated herein by reference as is fully set forth in the body of this Resolution:

Section 2. That the annexation of the land described in Exhibits “A” and “B” will not create any unincorporated area which is bounded on all sides of real property presently within the corporate limits of the Town, real property proposed to be within the corporate limits of the Town, or any combination of such properties;

Section 3. That from and after the effective date of this Resolution, all provisions of the Constitution of Maryland, all laws of the State of Maryland applicable to the Town of Betterton, and all duly adopted Charter and Ordinance provisions of the Town of Betterton, (except as altered by the terms and conditions contained in any Annexation Agreement) shall be and the same are hereby extended and made applicable to such portion of Kent County as is, under the provision of this Resolution, annexed to and made a part of the Town of Betterton, Maryland. Nothing herein or elsewhere in the Resolution shall affect the power of the Mayor and Council of the Town of Betterton to amend or to repeal any Charter provision or Ordinance existing at the date of passage of this Resolution, or to enact and ordain any Ordinance which, at the date of passage of this Resolution, or hereinafter, it may be authorized to enact or ordain;

Section 4. The Mayor and Council are authorized to execute an Annexation Agreement, an agreement for the extension of the public services and facilities, and/or other agreements of a similar nature with regard to the property being annexed, provided that the terms of this Resolution shall prevail over any inconsistent term in any such agreement.

Section 5. That the inhabitants of the territory annexed to the Town of Betterton by this Resolution and the owners of all property therein shall, in all respects and to all intents and purposes, submit to the powers, jurisdiction, and authority vested, or to be vested by law, in the Mayor and Council of the Town of Betterton, so far as the same may be consistent with provisions of this Resolution, and the territory so annexed shall, in all respects be taken and considered as part of the municipal corporation of the Town of Betterton, expressly subject, however, to the terms and conditions of any Annexation Agreements between the Town and C. Henry Price II, Post No. 246, American Legion, Inc. (the “American Legion”) a copy of the Annexation Agreement between the Town and American Legion is attached hereto as “Exhibit C”. The American Legion, the sole owner of the land to be annexed, has consented to such annexation. A copy of the American Legion’s written consent is attached hereto and incorporated herein as “Exhibit D”. A copy of the Annexation Plan is attached hereto and incorporated herein as “Exhibit E”.

Section 6. The Charter of the Town of Betterton shall be amended to add “2024 Annexation” to read as follows: “The land described in the Resolution of the Mayor and Council of the Town of Betterton, Maryland, enlarging the corporate boundaries of the Town of Betterton by annexing land contiguous and adjoining the existing corporate area of the Town consisting a parcel of land containing approximately 2.351 acres and located on the south side of Sixth Avenue, more commonly known as the American Legion property, subject to the terms and conditions contained in those certain agreements for annexation by and between the Town and C. Henry Price II, Post No. 246, American Legion, Inc. be and is hereby added to, taken into and made part of the Town of Betterton.

Section 7. In accordance with Section 4-406 of the Local Government Article of Annotated Code of Maryland, the Town Manager of Betterton shall cause a public notice to be published not fewer than two (2) times at not less than weekly intervals in a newspaper having general circulation in the Town of Betterton and in the area to be annexed which briefly and accurately describes the

proposed change in the conditions and circumstances applicable thereto. The public notice shall further specify that a public hearing will be held on this Resolution by the Mayor and Council of the Town of Betterton at 7:00 p.m. in the Town Hall, 100 Main Street, Betterton, MD 21610 on the 23rd day of April 2024. Immediately following the first publication of the public notice, a copy of the notice shall be provided to the County Commissioners of Kent County, the Kent County Planning Commission, the Maryland Department of Planning, and any regional or State planning agency having jurisdiction in Kent County.

Section 8. This Resolution shall become effective forty-five (45) days from May 14th, 2024 provided it is adopted by the Mayor and Council of the Town of Betterton, Maryland, on that date and, unless within forty-five (45) days, the Town receives a Petition for Referendum filed in accordance with the provisions of Sections 408 to 4-413 of the Local Government Article of the Annotated Code of Maryland (2013 Rep. Vol.);

AND, BE IT FURTHER RESOLVED, by the Mayor and Council of the Town of Betterton, Maryland, that the Town Manager shall, within ten (10) days, register both the original and new corporate boundaries of the Town of Betterton with the Town Clerk, the Clerk of the Circuit Court for Kent County, the Kent County Planning Commission, and the Department of Legislative Reference for the State of Maryland, when this Resolution takes effect.

INTRODUCED, by the Mayor and Council of the Town of Betterton, Maryland, at a regular legislative session on _____, 2024.

PASSED, by the Mayor and Council of the Town of Betterton, Maryland, at a legislative session on _____, 2024.

Witness: _____
Town Clerk

By: _____
Donald E. Sutton, Sr., Mayor

APPROVED AS TO FORM

Thomas N. Yeager, Town Attorney



December 10, 2023

DESCRIPTION OF 2.351 ACRES OF LAND, MORE OR LESS,
TO BE ANNEXED INTO THE TOWN OF BETTERTON, THIRD ELECTION DISTRICT,
KENT COUNTY, MARYLAND

BEGINNING for the same at a point at the intersection of the division line between the lands of The Town of Betterton (see E.H.P. 72/239) and the lands of Amy Ross Priddy (see M.L.M. 949/59) with the northernmost side of Sixth Avenue (50' wide) along the existing town boundary line of the Town of Betterton. As shown on a plat entitled "Annexation Plat of the lands of C. Henry Price II, Post No. 246 American Legion, Inc." dated 9/20/23, attached hereto and intended to be recorded herewith.

THENCE, leaving the lands of Town of Betterton, lands of Priddy and the existing town boundary line, and running S 04°02'37" W, a distance of 25.00' to a point on the centerline of the aforementioned Sixth Avenue.

THENCE, running with the centerline of Sixth Avenue, S 85°57'23" E, a distance of 133.88' to a point.

THENCE, leaving the centerline of Sixth Avenue and running, S 04°02'07" W a distance of 25.00' to the intersection of the division line between the lands of Lawrence D. Crew, Jr., et ux (see M.L.M. 582/388) and the lands of C. Henry Price, II, Post No. 246 American Legion, Inc. (see W.H.G. 77/587) with the southernmost side of Sixth Avenue, said point further being located, S 00°36'06" W, a distance of 2.27' from an iron rod found.

THENCE, leaving Sixth Avenue, and binding on the division line between the lands of Crew and the lands of the American Legion the following seven (7) courses and distances: S 00°36'06" W a distance of 201.80' to an iron pipe found, S 00°30'42" E, a distance of 213.83' to a point, passing in transit an iron pipe found 116.02' from the beginning thereof, thence, S 27°28'44" E, a distance of 92.13' to a point, S 02°32'28" W, a distance of 91.80' to a point, said point being located N 02°32'28" E, a distance of 15.00' from an iron pipe found, thence, S 88°02'28" W, a distance of 152.78' to a point, said point being located, N 07°05'33" W, a distance of 15.01' from an iron pipe found, thence N 07°05'33" W, a distance of 403.54' to an iron pipe found, and N 07°28'32" W, a distance of 209.15'

to a point at the intersection of the lands of the American Legion and the lands of Crew with the southernmost side of the aforementioned Sixth Avenue, passing in transit an iron rod found a distance of 0.25' from the end thereof.

THENCE, leaving the lands of the American Legion and the lands of Crew, and running across Sixth Avenue, N 04°02'37" E, a distance of 50.00' to a point on the northernmost side of Sixth Avenue on the existing town boundary line.

THENCE, binding on the northernmost side of Sixth Avenue and the existing town boundary line, S 85°57'23" E, a distance of 60.09' to the place of beginning. Containing in all 2.351 acres of land, more or less, as surveyed by Extreme Measures Land Surveyors, LLC in September 2023.

ANNEXATION AGREEMENT

Town of Betterton

And

C. Henry Price II, Post No. 246, American Legion, Inc.

The Town of Betterton (the "Town") and the C. Henry Price II, Post No. 246, American Legion, Inc. hereby adopt as the Annexation Agreement for the Annexation of the 2.351 acres described in Annexation Resolution 2024-01, the terms and conditions set forth in the Annexation Plan of the Town of Betterton, which is an exhibit to the aforementioned Resolution. The terms and conditions of the Annexation Plan are incorporated herein by reference.

WITNESS

Mayor and Council of the Town of Betterton

Sheila Dlugoborski, Town Clerk

Donald E. Sutton, Sr., Mayor

Robert Pyfer, Councilmember

Harry Marcy, Councilmember

William Fracassi, Councilmember

Wayne Gilchrest, Councilmember

C. Henry Price Post No. 246, American Legion, Inc

Name and Title

BY: _____
Name and Title

C. Henry Price II
American Legion Post # 246
Department of Maryland, Inc.
PO Box 100, Betterton, MD 21610

Town of Betterton
c/o Mayor Donald Sutton
P.O. Box 339
Betterton, MD 21610

Subject: Requested Annexation of American Legion Post 246

At our monthly Post meeting on July 7, 2023, the general membership unanimously voted to request that the C. Henry Post 246 American Legion located at 11th Sixth Avenue be annexed into the Town of Betterton. This shall include the following two parcels:

1.) Map No. 04, Grid 03E, Parcel No. 088 - 1.54 acres
<https://sdat.dat.maryland.gov/RealProperty/Pages/viewdetails.aspx?County=15&SearchType=ACCT&District=03&AccountNumber=021181>

2.) Map No. 04, Grid 02E, Parcel No. 130 - 0.628 acres
<https://sdat.dat.maryland.gov/RealProperty/Pages/viewdetails.aspx?County=15&SearchType=ACCT&District=03&AccountNumber=021203>

If any additional documentation is required, please contact our Post Adjutant, Jeremy Rothwell, by email at rothwell@udel.edu or by cell phone at 410-920-4574.

With kind regards,



Stephen "Jacob" Matthews
Commander, Post 246

The Town of Betterton, Maryland

Annexation Plan

in connection with the
C. Henry Price II, Post No. 246, American Legion, Inc.

February 13, 2024

WHEREAS, the C. Henry Price II, Post No. 246, American Legion, Inc. filed a petition for Annexation with regard to certain property contiguous and adjoining to the boundary of the Town of Betterton, comprised of two and thirty-five hundredths (2.35) acres, more or less, and more commonly known as the American Legion property located on south side of Sixth Avenue, as shown on tax map 0004 as parcels 0088 and 0130 (the "Annexation Property").

WHEREAS, on the 13th day of February 2024, the Mayor and Council of Betterton introduced Resolution No. 2024-02 proposing a municipal annexation petitioned by the C. Henry Price II, Post No. 246, American Legion, Inc.

A. Introduction

This plan has been prepared by the Town of Betterton pursuant to Section 4-415 of the Local Government Article of the Annotated Code of Maryland. it is a plan for the extension of services for development purposes and for public use of property.

B. Land Use Pattern for the Annexation Property

- 1) The Annexation Property is located on the southern boundary of the Town of Betterton on the south side of Sixth Avenue. The Annexation Property is more particularly described on a plat entitled "Annexation Plat of the Lands of C. Henry Price II, Post NO. 246 American Legion, Inc." as prepared by Extreme Measures Land Surveyors, dated September 20, 2023, which is attached to Annexation Resolution No. 2024-02 as Exhibit A. The Annexation Property is shown as parcels 0088 and 0130 on tax map 0004.
- 2) The existing land use to the east and west of the Annexation Property is residential. Crossing north of Sixth Avenue are the recreational fields of the municipal park.
- 3) This annexation and the proposed subsequent development are consistent with the Comprehensive Plan for the Town of Betterton as adopted in 2009.

C. Proposed Use of Annexation Property

The Annexation Property will continue in its present use as the site of an American Legion Post, a community-based non-profit service organization that provides services for veterans and the community in general.

D. Availability of Land for Public Facilities

The Annexation Property contains sufficient land for such public facilities as may be required as a result of its annexation and development. The Town may require the dedication of land for the construction, expansion, and extension of public facilities as a condition of any development approvals. All necessary infrastructure and improvements, including, but not limited to, road systems, stormwater management systems, water and sewer systems expansion and/or extensions and utility delivery systems, and all other facilities necessary to serve the residents and occupants of the Annexation Property, shall be installed in accordance with sound engineering principles and shall be subject to location, design, and construction approvals by the Betterton Planning and Zoning Commission, Town staff, and professional consultants of the Town of Betterton.

E. Municipal Water and Sewer

The Annexation Property shall be served by the Town of Betterton's water-and-sewer system and will continue to be served following the Annexation.

F. Municipal Facilities

The Annexation Property shall pay the water-and-sewer allocation fees and all other applicable fees in accordance with the Town's Water and Sewer Ordinance and associated Resolutions set forth establishing water and sewer fees and rates that are in effect at the time services are requested. In addition, said owner and/or developer shall comply with all provisions of the Town's Water and Sewer Ordinance and related policies with respect to physically connecting to the Town's water-and-sewer lines.

G. Other Town Services

- 1) Emergency Service. The Betterton Volunteer Fire Department presently provides fire protection and emergency medical services to the Annexation Property. Kent County also provides emergency medical services. Such services will continue after the Annexation, using existing personnel and equipment, at the same or similar level of service now being provided.
- 2) Police Service. The Annexation Property is presently served by the Kent County Sheriff's Office for purposes of police protection. Such services will continue after

annexation, using existing personnel and equipment, at the same or similar level of service provided.

- 3) Street Maintenance. The Annexation property is located off Sixth Avenue, which the Town shares ownership with Kent County. Any extensions and improvements of public roadways to, or within the Annexation Property shall be made at the expense of the property owners in accordance with the Town regulations prior to any development.
- 4) Refuse Collection. Presently, the Town of Betterton only offers residential trash collection. The current use of the Annexed Property is not residential; therefore, the current property owner will continue to provide for its trash collection. Any development in the area to be annexed, other than residential would have to make private arrangements for trash collection service.

WITNESS

Mayor and Council of the Town of Betterton, MD

Sheila Dlugoborski, Town Clerk

Donald E. Sutton, Sr., Mayor

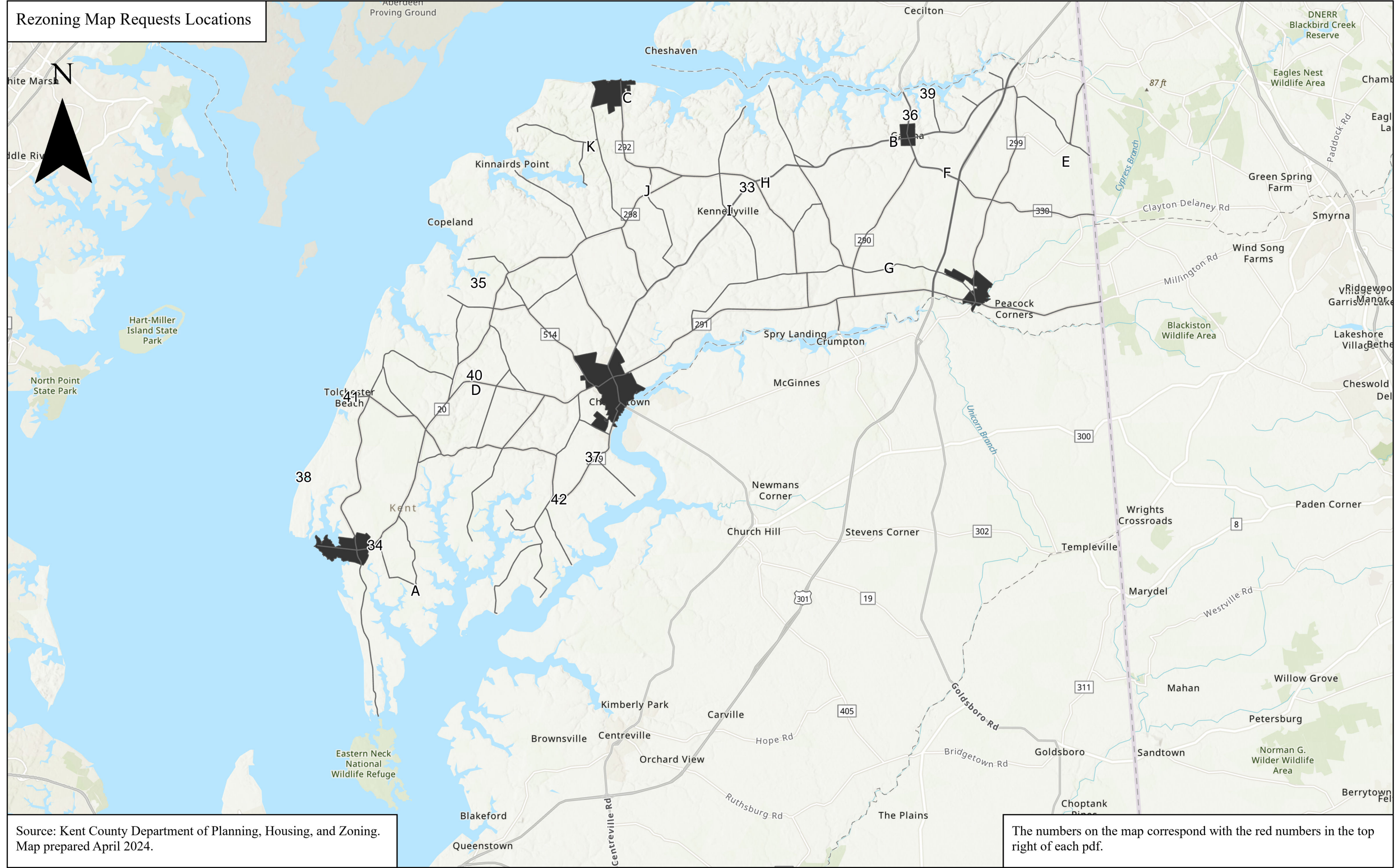
Robert Pyfer, Councilmember

Harry Marcy, Councilmember

William Fracassi, Councilmember

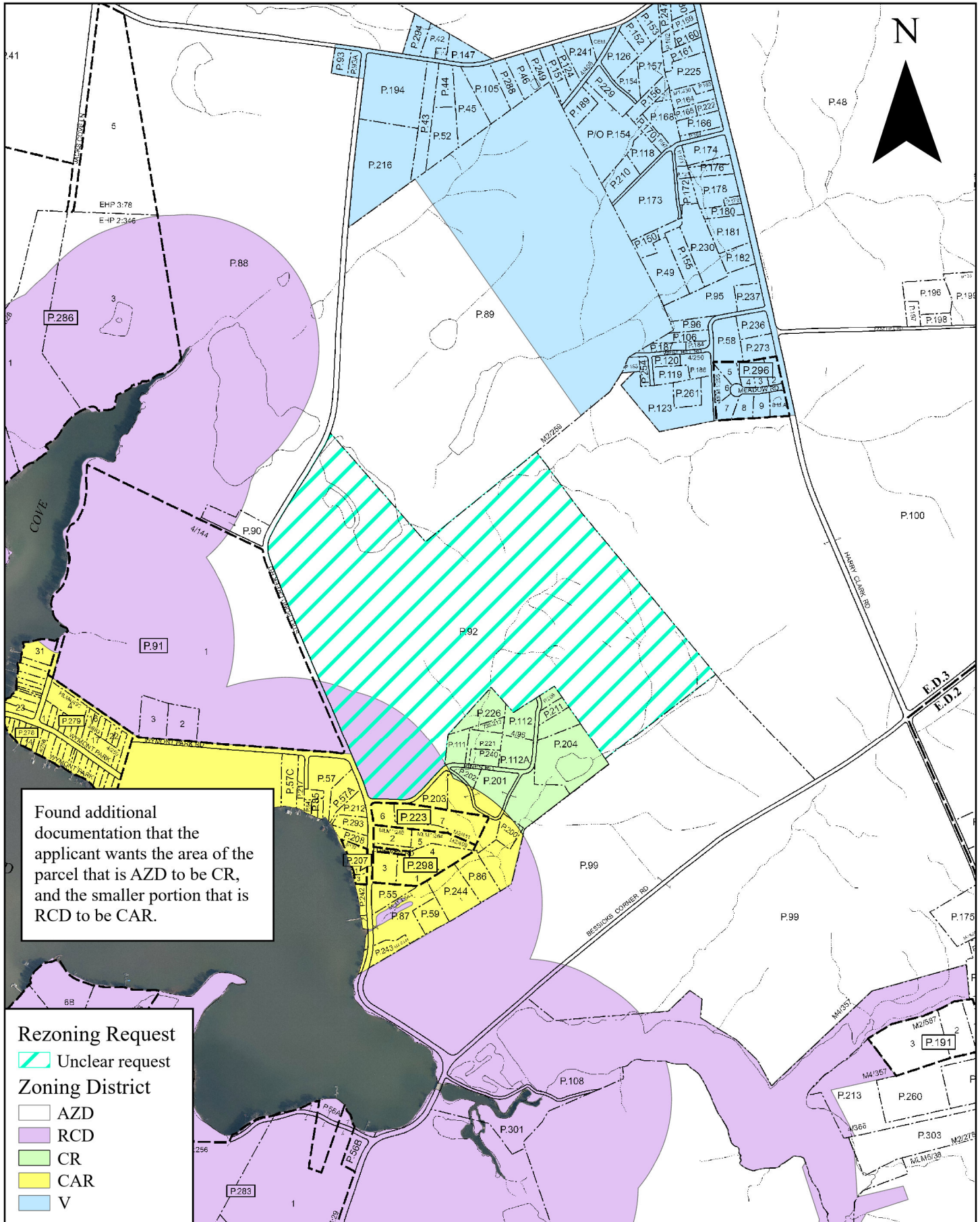
Wayne Gilcrest, Councilmember

Rezoning Map Requests Locations



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024.

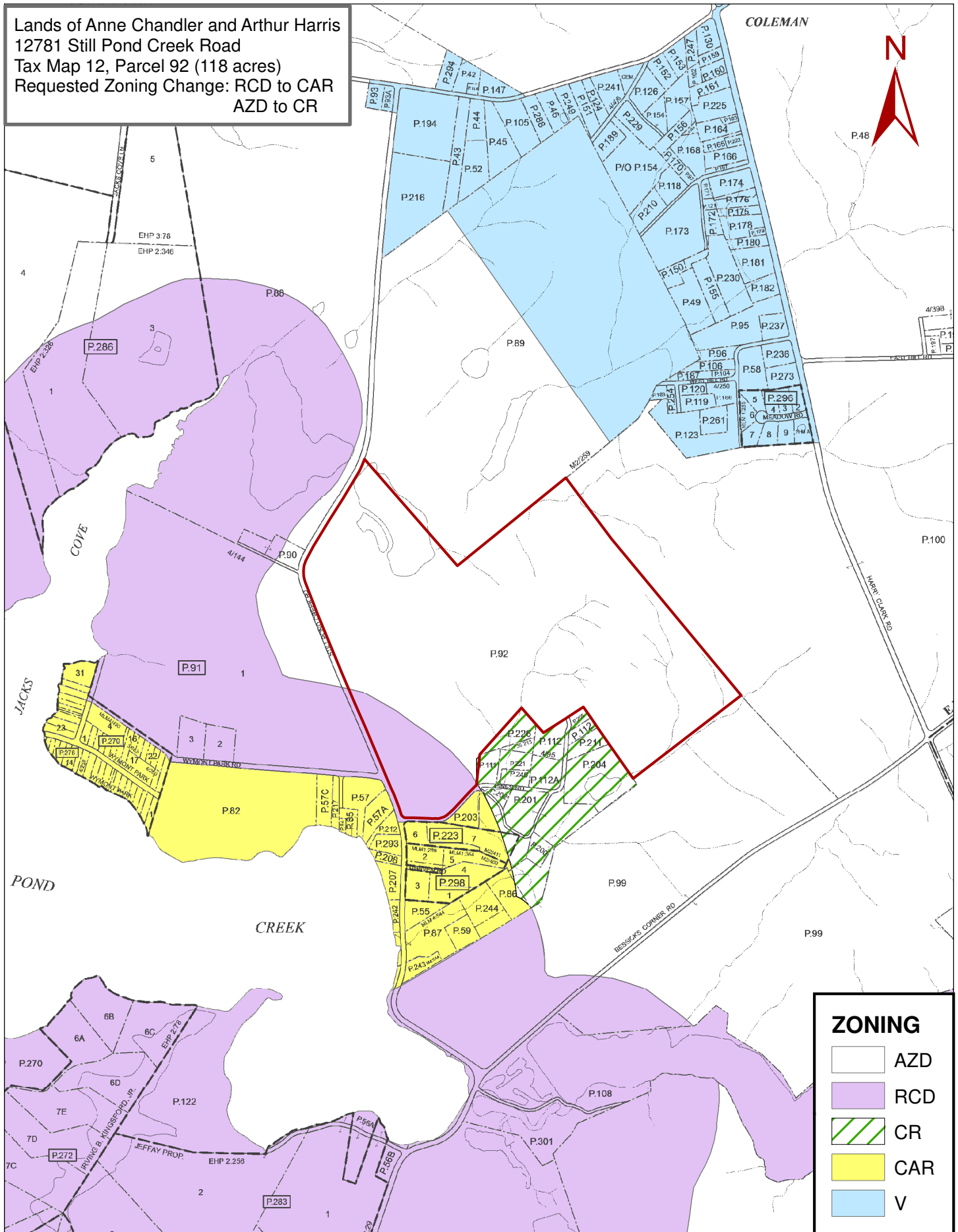
The numbers on the map correspond with the red numbers in the top right of each pdf.



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared February 2024.

1 in = 1,000 ft

Lands of Anne Chandler and Arthur Harris
 12781 Still Pond Creek Road
 Tax Map 12, Parcel 92 (118 acres)
 Requested Zoning Change: RCD to CAR
 AZD to CR



ZONING	
	AZD
	RCD
	CR
	CAR
	V

1 inch = 1,000 feet

Real Property Data Search (w2)

Guide to searching the database

Search Result for KENT COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration							
Account Identifier:		District - 03 Account Number - 007022							
Owner Information									
Owner Name:		CHANDLER ANNE & ARTHUR HARRIS III	Use:	AGRICULTURAL YES					
Mailing Address:		12781 STILL POND CREEK ROAD WORTON MD 21678	Principal Residence:	/00221/ 00107					
Location & Structure Information									
Premises Address:		12781 STILL POND CREEK RD WORTON 21678-0000	Legal Description:	118 AC 12781 STILL POND CREEK W OF STILL POND					
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0012	0003C	0092		0000				2014	Plat Ref:
Special Tax Areas:		Town:		NONE					
		Ad Valorem:							
		Tax Class:							
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1900		1,530 SF				118.0000 AC			
Stories	Basement	Type		Exterior SIDING	Full/Half Bath	Garage	Last Major Renovation		
1 1/2	YES	STANDARD UNIT			2 full				
Value Information									
		Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2015		As of 07/01/2016	
Land:		107,000		107,000					
Improvements		113,400		108,300					
Total:		220,400		215,300		215,300		215,300	
Preferential Land:		27,000						27,000	
Transfer Information									
Seller:		HARRIS, ARTHUR L & ANNE J		Date:		03/18/1987		Price:	
Type:		NON-ARMS LENGTH OTHER		Deed1:		EHP /00221/ 00107		Deed2:	
Seller:				Date:				Price:	
Type:				Deed1:				Deed2:	
Seller:				Date:				Price:	
Type:				Deed1:				Deed2:	
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2015		07/01/2016			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		AGRICULTURAL TRANSFER TAX							
Homestead Application Information									
Homestead Application Status: Approved 05/07/2008									

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

tax map 12- parcel 192

CREP map

Date: 9/10/2015

RCD/AZD → requesting CAB + CR

Customer(s): ARTHUR L HARRIS III

Field Office: KENT COUNTY SERVICE CENTER

District: KENT SCD

Assisted By: Jennifer Lee

Approximate Acres: 122.8

State and County: MD, Kent County, Maryland

Legal Description: Farm: 362 Tract: 360



Practices (polygons)

notes

- CREP cool season grasses
- Existing Grassed Waterway
- Existing CRP Grassed Waterway-repair
- Proposed CRP Grassed Waterway
- Consplan



MARYLAND AVIATION ADMINISTRATION
Airport Data Report

Harris Airport

5/12/2015

Identifier: **MD69** FAA Site No: **08656.29*A** License/Registration No: **127**
Ownership: **Private** Usage: **Private-Use/Noncommercial-Use** Classification: **Not Applicable**

LOCATION

Nearest City: **CHESTERTOWN** Distance from City: **7** (air miles) Direction from City: **NW**
County: **KENT**
Geographic Coordinates: Latitude: **39-20-00.398N** Longitude: **76-04-58.813W**
Map Reference: MD State Map: **C15** USGS Map: **106**

Rmks:

GENERAL INFORMATION

Airport Acreage: **0** Elevation: **80** Date Airport Opened: **c. 1930**
Attendance Schedule: Months Days Hours
UNATTENDED

Rmks:

OWNER / OPERATOR INFORMATION

Airport Owner: **Mr. Arthur L. Harris**
Sandy Hill Farm 12781 Still Pond Creek Road
Worton, MD 21678
Phone: **410-348-5264** Fax:
Federal ID: **On File**

Airport Manager: **Mr. Arthur L. Harris**
Sandy Hill Farm 12781 Still Pond Creek Road
Worton, MD 21678
Phone: **410-348-5264** Fax:
Emergency Phone: **No**

E-Mail: Web Site:

Rmks:

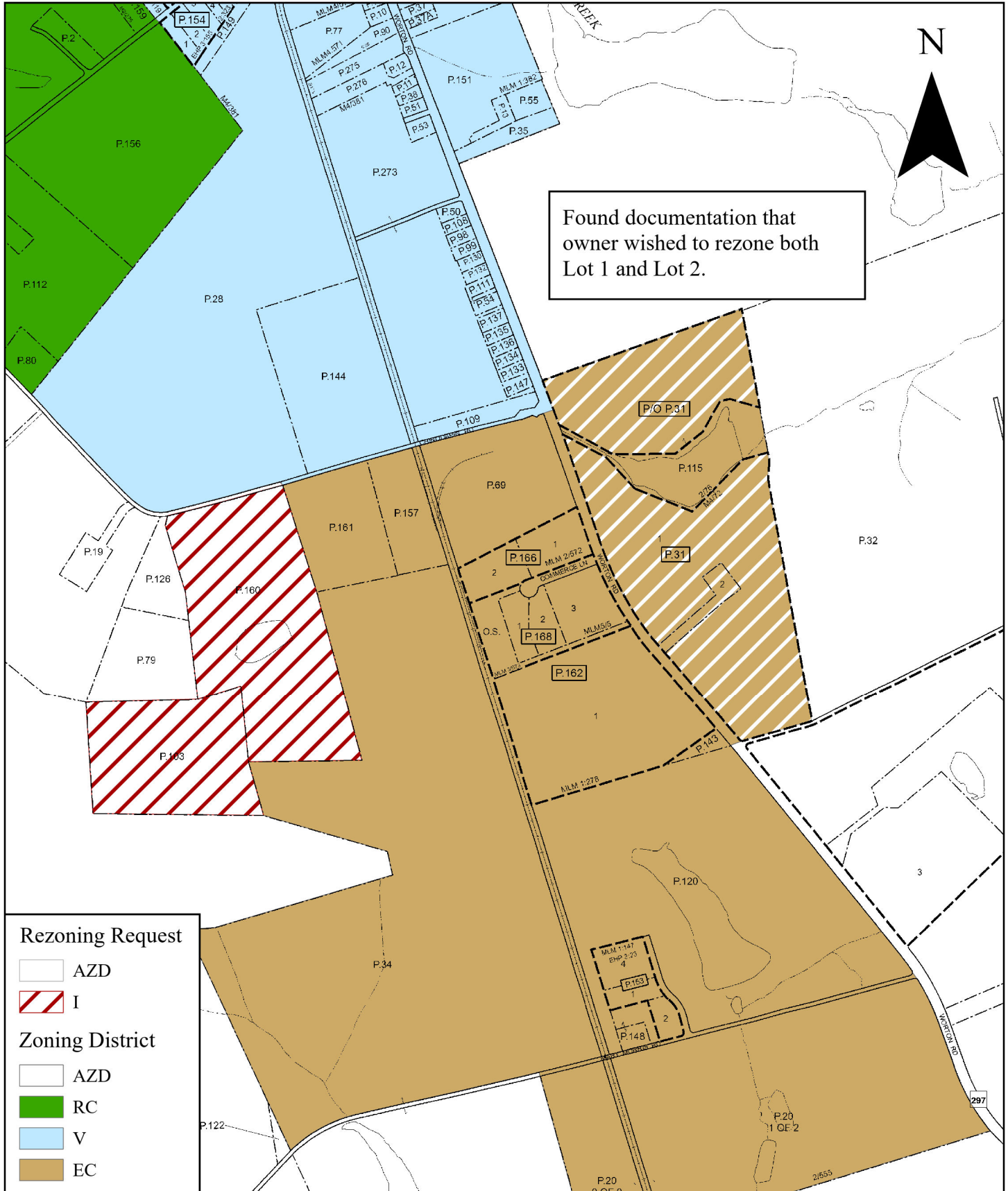
AIRPORT FACILITIES

Airport Terminal Bldg: **No** Terminal Hours:
Pilot / Crew Shelter: **No** (Other than a terminal facility)

Harris Airport

Page: 1

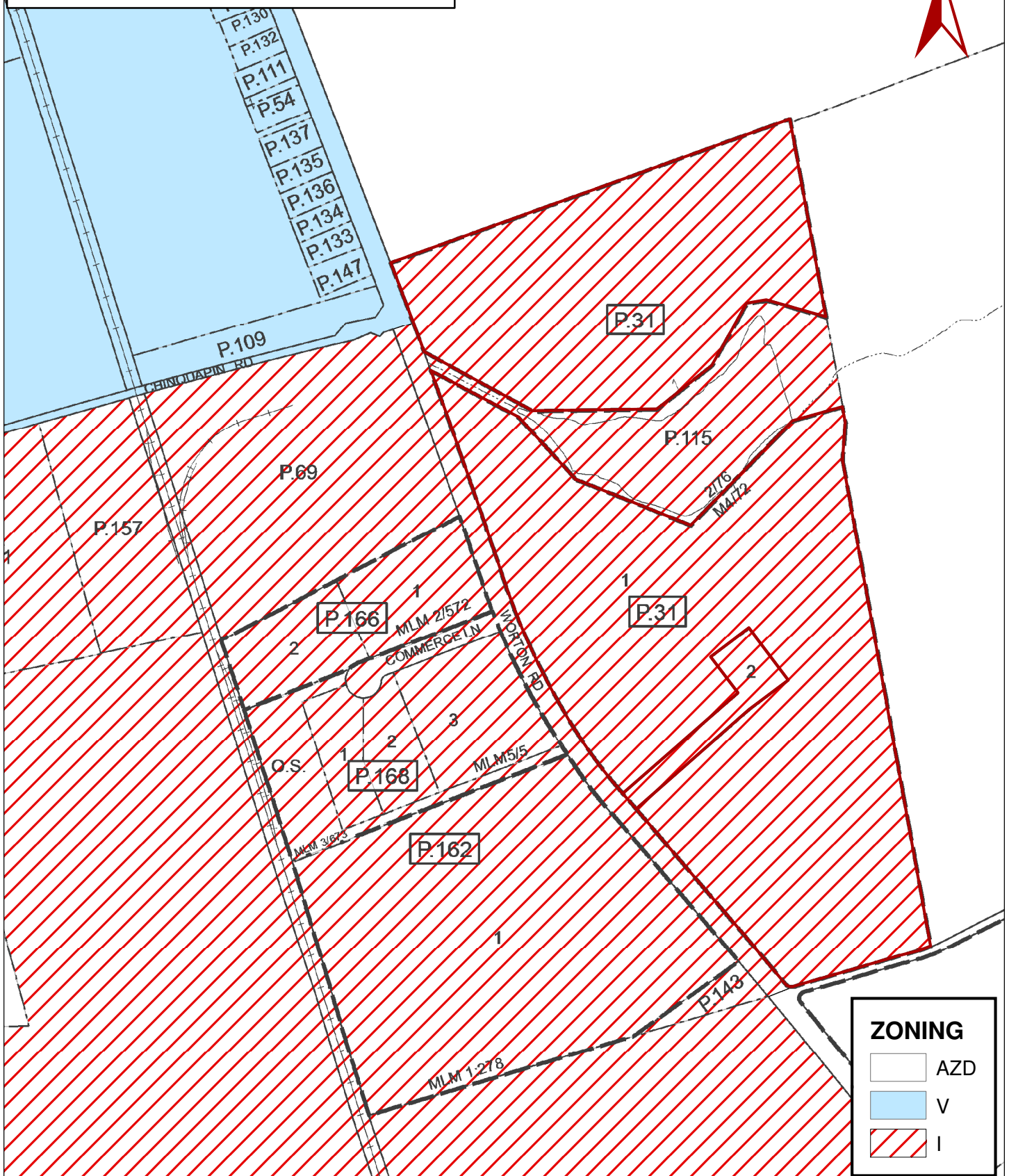
Michael Vargo and Milton Glazer, Map 28, Parcels 103 and 160



Source: Kent County Department of Planning, Housing, and Zoning. Map prepared February 2024.

1 in = 1,000 ft

Request of Alberta and James Lindauer
 Comprehensive Rezoning: Parcel 31, Lots 1 and 2
 From I to AZD



Source: Kent County Department of Planning, Housing, and Zoning.
 Aerial taken Spring 2016. Map prepared February, 2019.

1 inch = 500 feet

Request of Alberta and James Lindauer
Comprehensive Rezoning: Parcel 31, Lots 1 and 2
From I to AZD



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2016. Map prepared February, 2019.

1 inch = 500 feet

Real Property Data Search (w2)

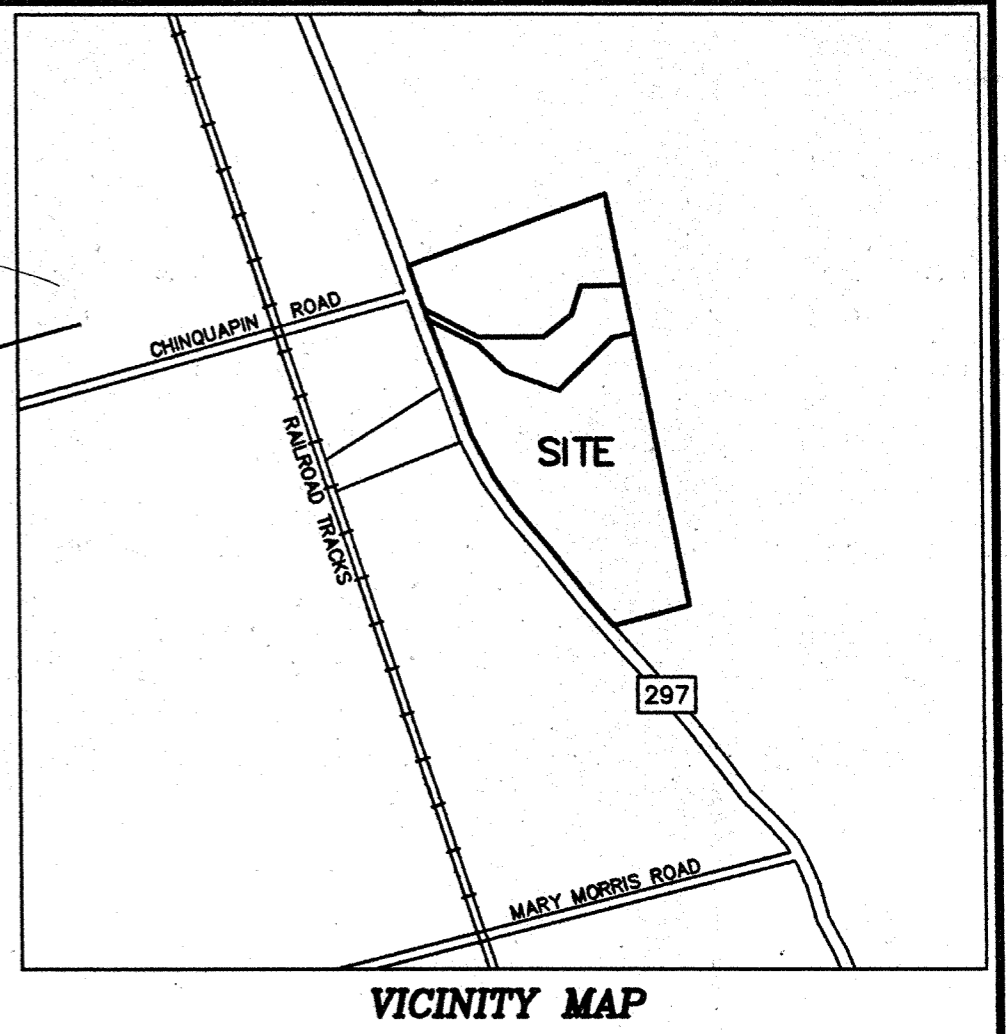
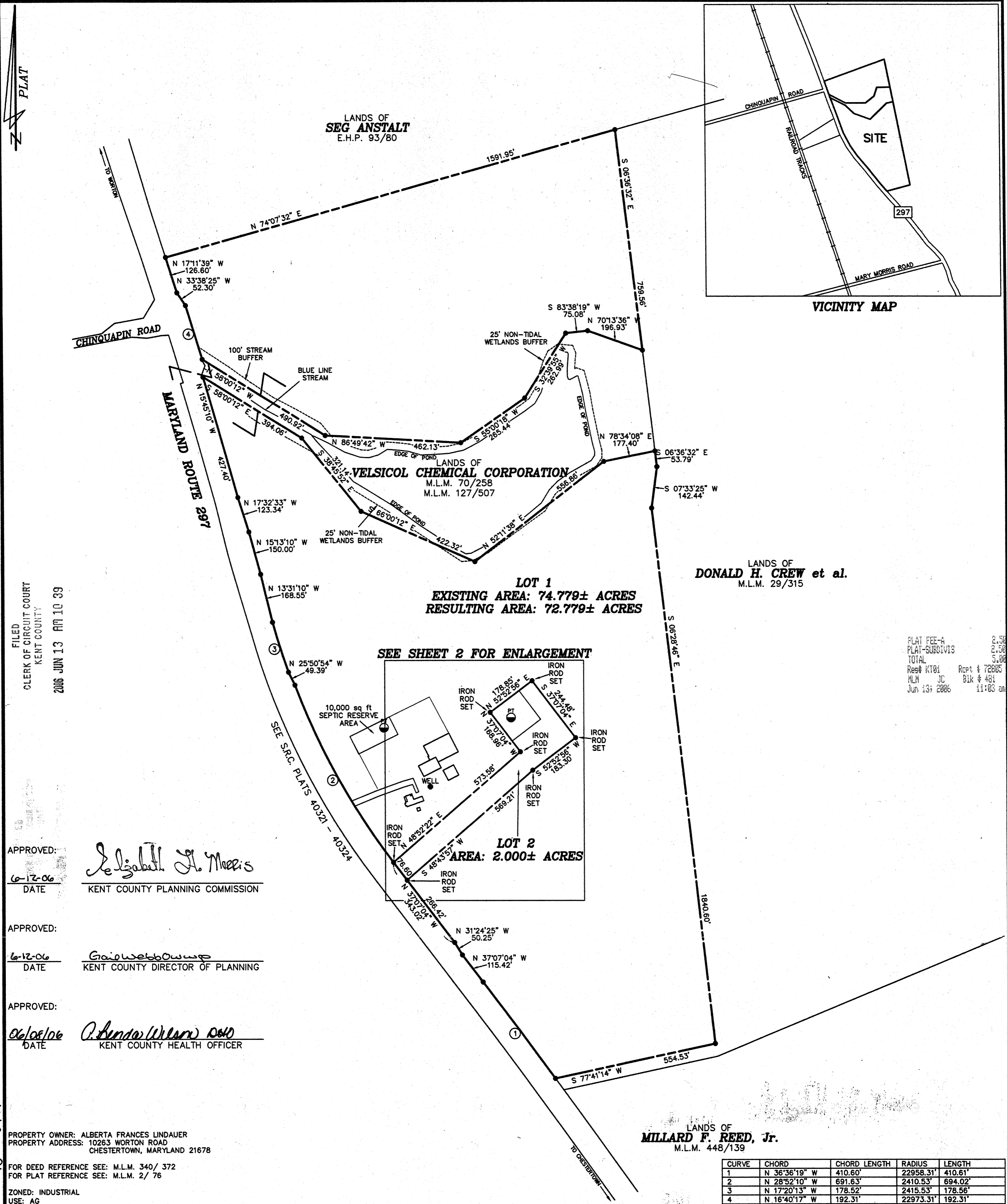
Search Result for KENT COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration				
Tax Exempt:		Special Tax Recapture:				
Exempt Class:		AGRICULTURAL TRANSFER TAX				
Account Identifier:	District - 03 Account Number - 014509					
Owner Information						
Owner Name:	LINDAUER ALBERTA FRANCES & JAMES E LINDAUER	Use: Principal Residence:				
Mailing Address:	10263 WORTON RD CHESTERTOWN MD 21620- 3546	Deed Reference:				
		/00489/ 00505				
Location & Structure Information						
Premises Address:	10263 WORTON RD WORTON 21678-0000	Legal Description:				
		LOT 1 - 72.779 AC 10263 WORTON ROAD S OF WORTON				
Map:	Grid:	Parcel:				
0028	0003C	0031				
Sub District:	Subdivision:	Section:				
	0000					
Block:	Lot:	Assessment Year:				
	1	2017				
Plat No:	Plat Ref:	M4 72				
		MLM4/ 0072				
Special Tax Areas:	Town:	NONE				
	Ad Valorem:					
	Tax Class:					
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use		
1900	1,976 SF		72.7700 AC			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	NO	STANDARD UNIT	SIDING	2 full		
Value Information						
	Base Value	Value	Phase-in Assessments			
		As of	As of	As of		
		01/01/2017	07/01/2018	07/01/2019		
Land:	109,600	109,600				
Improvements	106,100	109,200				
Total:	215,700	218,800	217,767	218,800		
Preferential Land:	29,600			29,600		
Transfer Information						
Seller:	PARSONS, WILLIAM LOUIS &	Date:	09/13/2006	Price:	\$0	
Type:	NON-ARMS LENGTH OTHER	Deed1:	MLM /00489/ 00505	Deed2:		
Seller:	PARSONS, WILLIAM LOUIS	Date:	11/26/2003	Price:	\$0	
Type:	NON-ARMS LENGTH OTHER	Deed1:	MLM /00340/ 00372	Deed2:		
Seller:	PARSONS, WILLIAM LOUIS	Date:	03/28/1977	Price:	\$0	
Type:	ARMS LENGTH MULTIPLE	Deed1:	EHP /00037/ 00428	Deed2:		
Exemption Information						
Partial Exempt Assessments:	Class		07/01/2018		07/01/2019	
County:	000		0.00			
State:	000		0.00			
Municipal:	000		0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:				
Exempt Class:		AGRICULTURAL TRANSFER TAX				
Homestead Application Information						
Homestead Application Status: No Application						

Real Property Data Search (w2)

Search Result for KENT COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration									
Tax Exempt: Exempt Class:	Special Tax Recapture: NONE										
Account Identifier:	District - 03 Account Number - 030733										
Owner Information											
Owner Name:	LINDAUER ALBERTA FRANCES & JAMES E LINDAUER	Use: Principal Residence:	RESIDENTIAL YES								
Mailing Address:	10241 WORTON RD CHESTERTOWN MD 21620-3546	Deed Reference:	/00489/ 00505								
Location & Structure Information											
Premises Address:	10241 WORTON RD WORTON 21678-0000	Legal Description:	LOT 2 - 2.00 AC 10241 WORTON RD S OF WORTON								
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	M4 72	
0028	0003C	0031		0000			2	2017	Plat Ref:	MLM4/ 0072	
Special Tax Areas:	Town:		NONE								
	Ad Valorem:										
	Tax Class:										
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use							
2007	3,336 SF		2.0000 AC	000000							
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
2	NO	STANDARD UNIT	SIDING	2 full/ 1 half	1 Attached						
Value Information											
	Base Value	Value	Phase-in Assessments								
		As of	As of	As of							
		01/01/2017	07/01/2018	07/01/2019							
Land:	82,100	82,100									
Improvements	264,500	256,200									
Total:	346,600	338,300	338,300	338,300							
Preferential Land:	0			0							
Transfer Information											
Seller: PARSONS, WILLIAM LOUIS & Type: NON-ARMS LENGTH OTHER	Date: 09/13/2006 Deed1: MLM /00489/ 00505	Price: \$0 Deed2:									
Seller: Type:	Date: Deed1:	Price: Deed2:									
Seller: Type:	Date: Deed1:	Price: Deed2:									
Exemption Information											
Partial Exempt Assessments:	Class		07/01/2018	07/01/2019							
County:	000		0.00								
State:	000		0.00								
Municipal:	000		0.00 0.00	0.00 0.00							
Tax Exempt: Exempt Class:	Special Tax Recapture: NONE										
Homestead Application Information											
Homestead Application Status:	Approved 03/06/2012										



FILED
CLERK OF CIRCUIT COURT
KENT COUNTY
2006 JUN 13 AM 10 39

APPROVED: *Elizabeth H. Morris*
DATE: 6-12-06
KENT COUNTY PLANNING COMMISSION

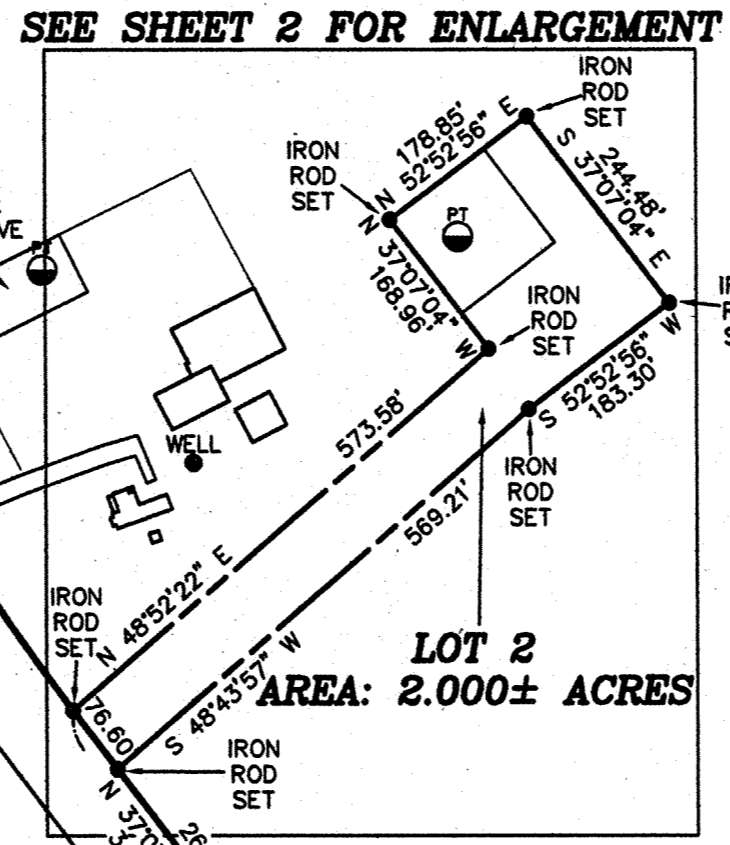
APPROVED: *Gail Webb*
DATE: 6-12-06
KENT COUNTY DIRECTOR OF PLANNING

APPROVED: *A. Sandra Wilson*
DATE: 06/05/06
KENT COUNTY HEALTH OFFICER

PROPERTY OWNER: ALBERTA FRANCES LINDAUER
PROPERTY ADDRESS: 10263 WORTON ROAD
CHESTERTOWN, MARYLAND 21678

FOR DEED REFERENCE SEE: M.L.M. 340/ 372
FOR PLAT REFERENCE SEE: M.L.M. 2/ 76

ZONED: INDUSTRIAL
USE: AG



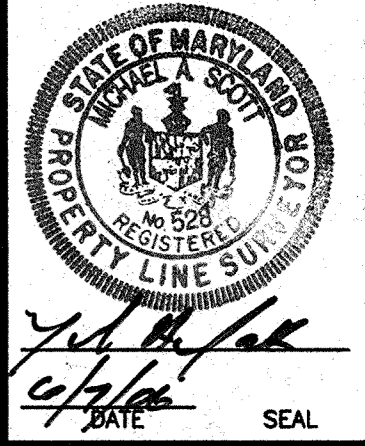
PLAT FEE-A	2.50
PLAT-SUBDIVIS	2.50
TOTAL	5.00
Res# KT81	RCpt # 72665
MLM JC	BLK # 431
Jun 13 2006	11:03 am

CURVE	CHORD	CHORD LENGTH	RADIUS	LENGTH
1	N 36°36'19" W	410.60'	22958.31'	410.61'
2	N 28°52'10" W	691.63'	2410.53'	694.02'
3	N 17°20'13" W	178.52'	2415.53'	178.56'
4	N 16°40'17" W	192.31'	22973.31'	192.31'

MAJOR SUBDIVISION
OF THE LANDS OF,
ALBERTA FRANCES LINDAUER
THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND
MAP: 28 BLOCK: 3C PARCEL: 31

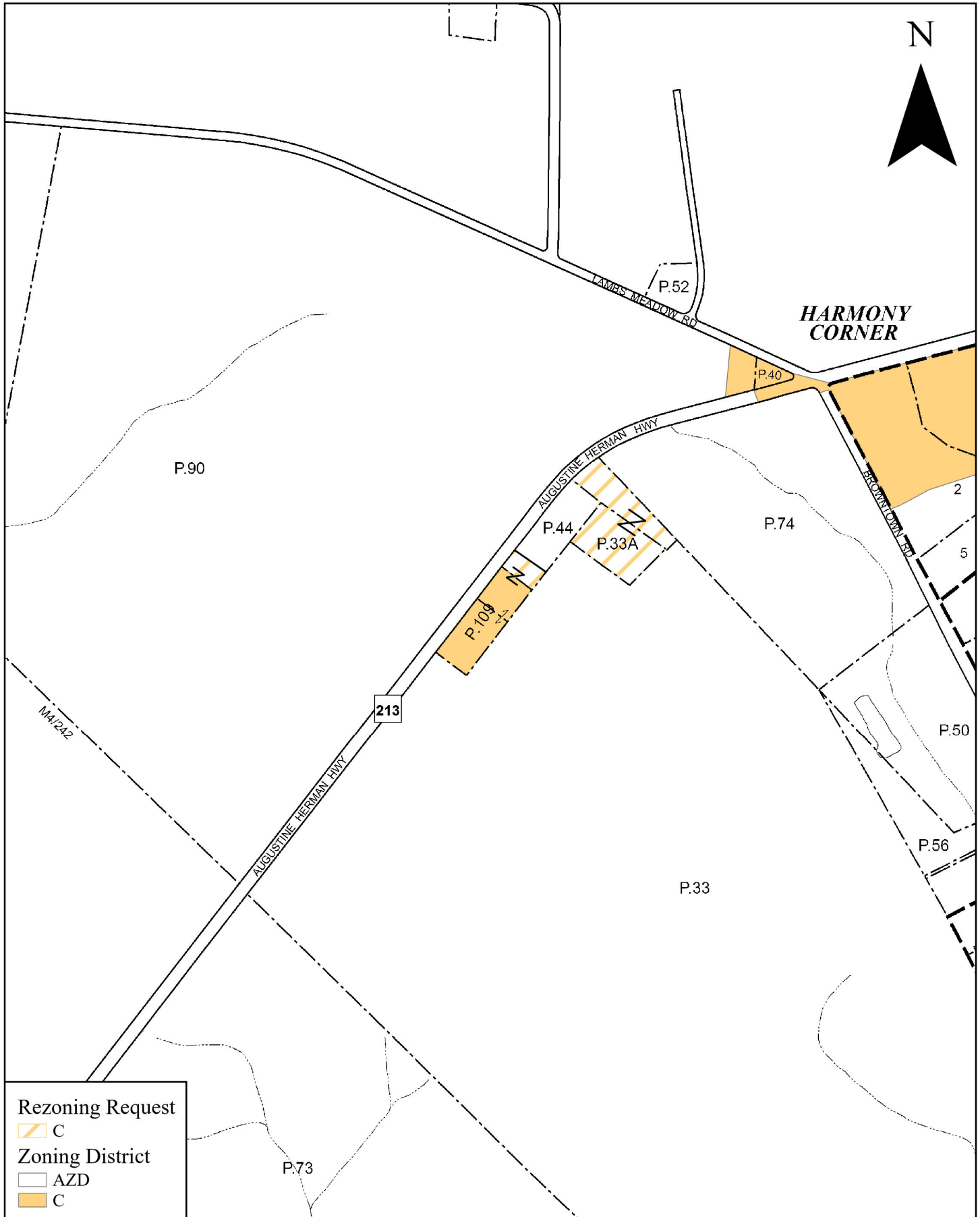
DATE	04-10-06	SCALE	1"=200'
JOB NO.	4391	DRAWN BY	DFS
FOLDER REF	K-396	DATE	
REVISION			

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310



MSA 084 8123 2073-1

Filed 06/13/2006 In PLAT Book MLM 4 PAGE 72 A



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024.

1 in = 600 ft



Lance M. Young
lyoung@mlg-lawyers.com

April 8, 2024

County Commissioners of Kent County
c/o William A. Mackey, AICP, Director
Kent County Government Center
400 High Street
Chestertown, MD 21620

Re: Zoning Map Amendment Request for 12403 Augustine Herman Hwy.,
Kennedyville, Maryland (Tax Map 13, Parcel 109)

Dear Commissioners:

Please consider this amended request for a zoning map amendment under the County Comprehensive Rezoning process.

The request is for 12403 Augustine Herman Hwy., Kennedyville, Maryland (Tax Map 13, Parcel 109).

The property is owned by Edward and Yvonne Mills. Prior to 2021, the entire parcel was zoned CC (Crossroads Commercial). In 2021, the parcel was expanded by lot line adjustment. (See Attached). The area that was added by lot line adjustment is zoned AZD (Agricultural). Therefore, the lot line adjustment resulted in a split zoned parcel.

All Pro Kustomz, LLC, a Kent County business resides on the parcel. The owners wish to rezone the entire property to one zoning classification. It is our understanding that the Comprehensive Rezoning will combine the Crossroads Commercial and Commercial zones into one zone (Commercial). Therefore, we request that the entire parcel be rezoned to Commercial.

Very truly yours,

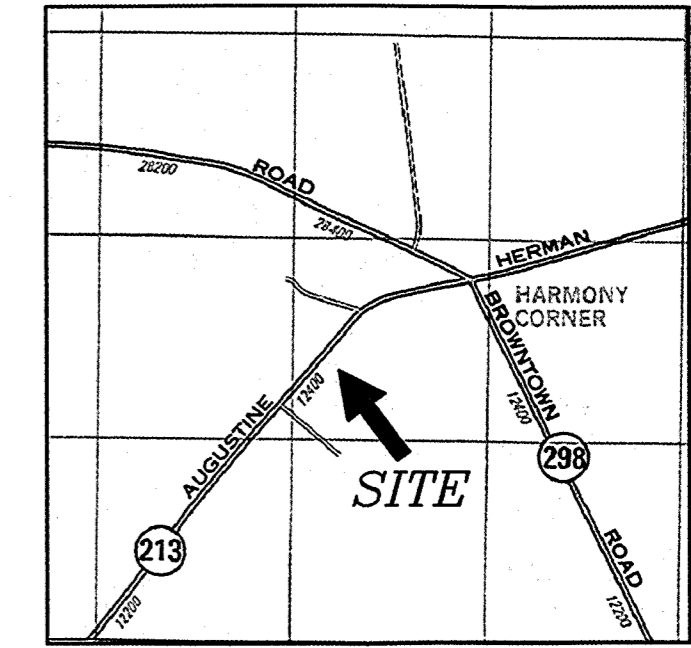
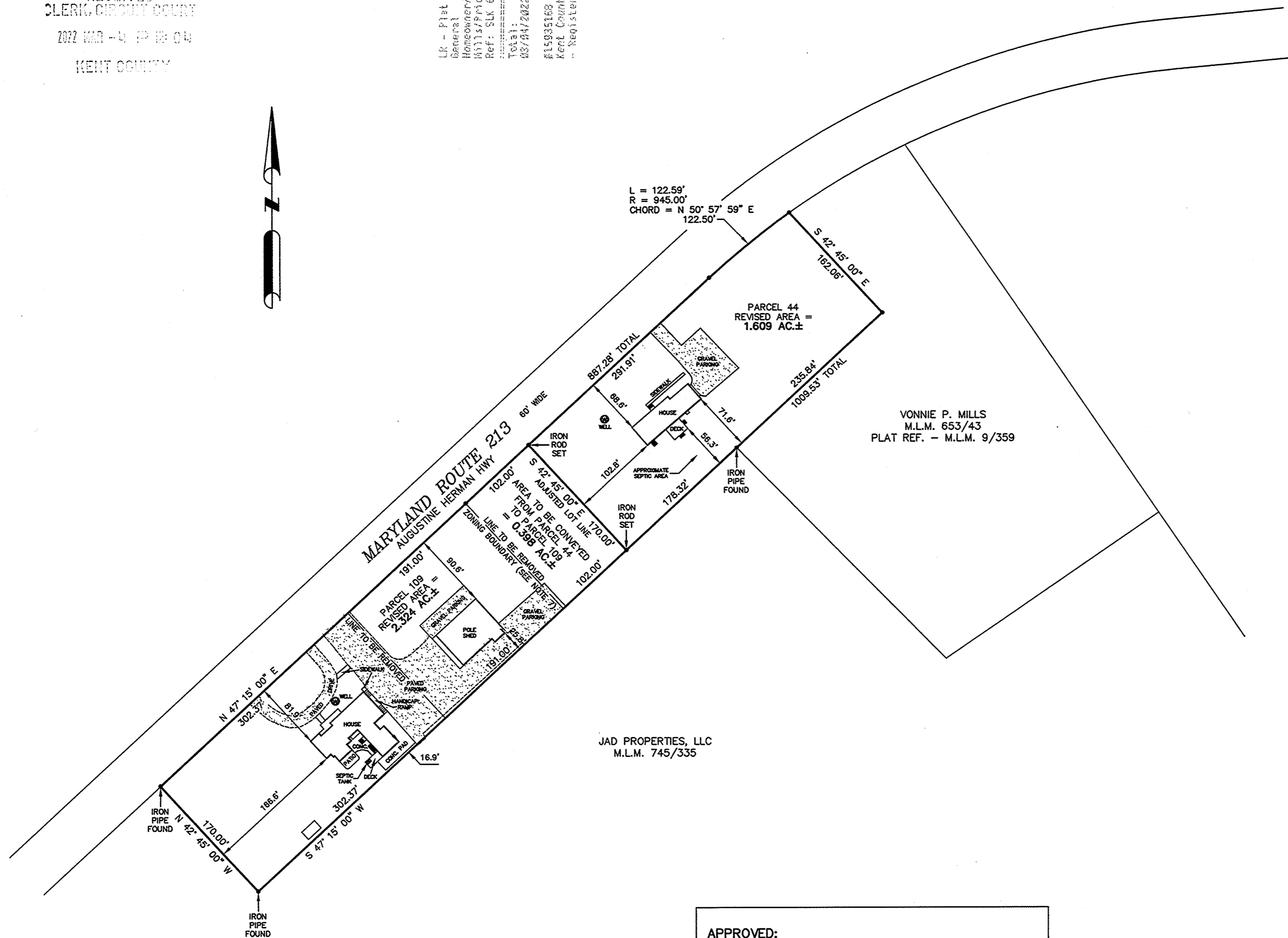
A handwritten signature in blue ink that reads "Lance M. Young".

Lance M. Young



RECEIVED
CLERK, CIRCUIT COURT
2022 MAR -4 PM 10:04
KENT COUNTY

LR - Plat Fee 13.00
General Homeowner/Bank 81713/Price Ref: SLK 676
Total: 63.00
03/24/2022 12:00
#15935169 C0022
Kent County/C008
.. Registrar WJ



VICINITY MAP

RIGHT TO FARM STATEMENT

KENT COUNTY HAS ADOPTED A RIGHT TO FARM LAW THAT PROTECTS AGRICULTURAL OPERATIONS IF SUCH OPERATIONS ARE CONDUCTED IN ACCORDANCE WITH GENERAL ACCEPTED AGRICULTURAL PRACTICES. THIS SUBDIVISION IS LOCATED ADJACENT TO OR NEAR AGRICULTURAL OPERATIONS AND THE OWNERS OF THESE LOTS MAY BE SUBJECT TO INCONVENIENCES ARISING FROM SUCH OPERATIONS.

LOT AREA CALCULATIONS

EXISTING PARCEL 44 = 2.007 AC± OWNED BY JOY Y. PRICE
 EXISTING PARCEL 109 = 1.926 AC± OWNED BY EDWARD MILLS, et ux.
 RESULTING PARCEL 44 = 1.609 AC±
 RESULTING PARCEL 109 = 2.324 AC±
 AREA TO BE CONVEYED FROM PARCEL 44 TO PARCEL 109 = 0.398 AC±

NOTES:

- OWNER - PARCEL 44 - JOY Y. PRICE
- PROPERTY ADDRESS: 12441 AUGUSTINE HERMAN HWY KENNEDYVILLE, MD 21645
- FOR DEED REFERENCE SEE, M.L.M. 514/39
- OWNER - PARCEL 109 - EDWARD MILLS, et ux.
- PROPERTY ADDRESS: 12403 AUGUSTINE HERMAN HWY KENNEDYVILLE, MD 21645
- FOR DEED REFERENCE SEE, E.H.P. 74/781
- CURRENT ZONING:
 PARCEL 44 - AGRICULTURAL ZONING DISTRICT
 PARCEL 109 - CROSSROADS COMMERCIAL ZONING DISTRICT
- THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

APPROVED:

John C. Baskie 6/10/21
 Kent County Health Dept. Approving Authority Date

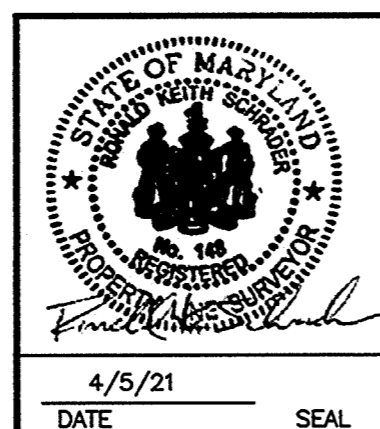
NA Mackey 6/22/21
 Kent County Director of Planning Date

SURVEYORS CERTIFICATION:

I, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS PREPARED BY THE UNDERSIGNED REGISTERED SURVEYOR AND IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN REGULATION 09.13.06.12 OF THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS.

Ronald K. Schrader

RONALD K. SCHRADER
 REGISTERED PROPERTY LINE SURVEYOR #148 (EXPIRES 4/21/22)



**SCHRADER
 Surveys, LLC**

120 EVELYN LANE
 CHESTERTOWN, MARYLAND 21620
 PHONE No. 410-778-0364
 E-MAIL : rkssurveys@live.com

DATE	REVISION
5/28/21	PER COUNTY COMMENTS
	DATED 4/15/21

LOT LINE ADJUSTMENT
 BETWEEN THE LANDS OF
EDWARD MILLS, et ux. & JOY Y. PRICE
 IN THE SECOND ELECTION DISTRICT
 KENT COUNTY, MARYLAND
 TAX MAP 13, GRID 4F, PARCEL 109

DATE	SCALE
4/5/21	1"=100'
JOB No.	DRAWN BY
TM13-P109	RKS
FOLDER Ref.	DESIGNED BY
Mills	
SHEET No. - 1 OF 1	
CADD FILE - TM13-P109(1a)	

P247055

Filed on 3/4/2022 in Plat Book SLK 6 page 76

MSA C2123-3763

View results

Respondent

2

Anonymous

07:38

Time to complete

1. Name: *

Lance Young on behalf of Edward and Vonnie Mills

2. Mailing Address: *

110 N. Cross St., Chestertown, MD 21620

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

We are seeking rezoning for two properties: (1) 12403 Augustine Herman Hwy., Tax Map 13, Parcel 109; (2) 12461 Augustine Herman Hwy., Tax Map 14, Parcel 33A.

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

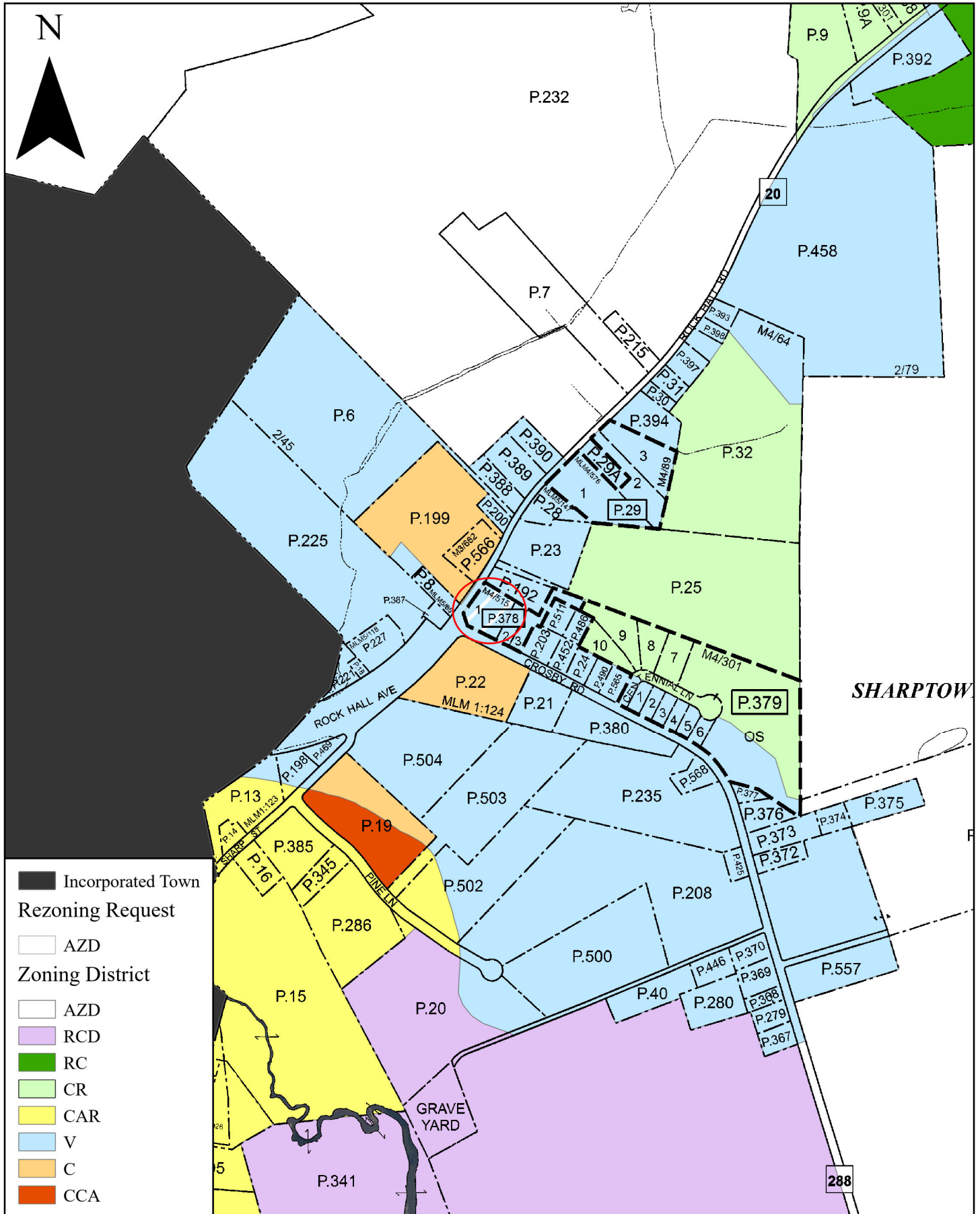
Parcel 109 is currently split zoned between Crossroad Commercial and Agriculture. Parcel 33A is currently zoned Agriculture.

5. What zoning district would you prefer? *

We request that Parcel 109 be zoned Crossroad Commercial in its entirety. We request that Parcel 33A be zoned Crossroad Commercial.

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

lyoung@mlg-lawyers.com



Source: Kent County Department of Planning, Housing, and Zoning. Map prepared April 2024.

1 in = 600 ft

View results

Respondent

3

Anonymous

05:31

Time to complete

1. Name: *

Franklin A. Kelley

2. Mailing Address: *

5893 Crosby Rd Rock Hall, MD 21661

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

5893 Crosby Rd Rock Hall, MD 21661

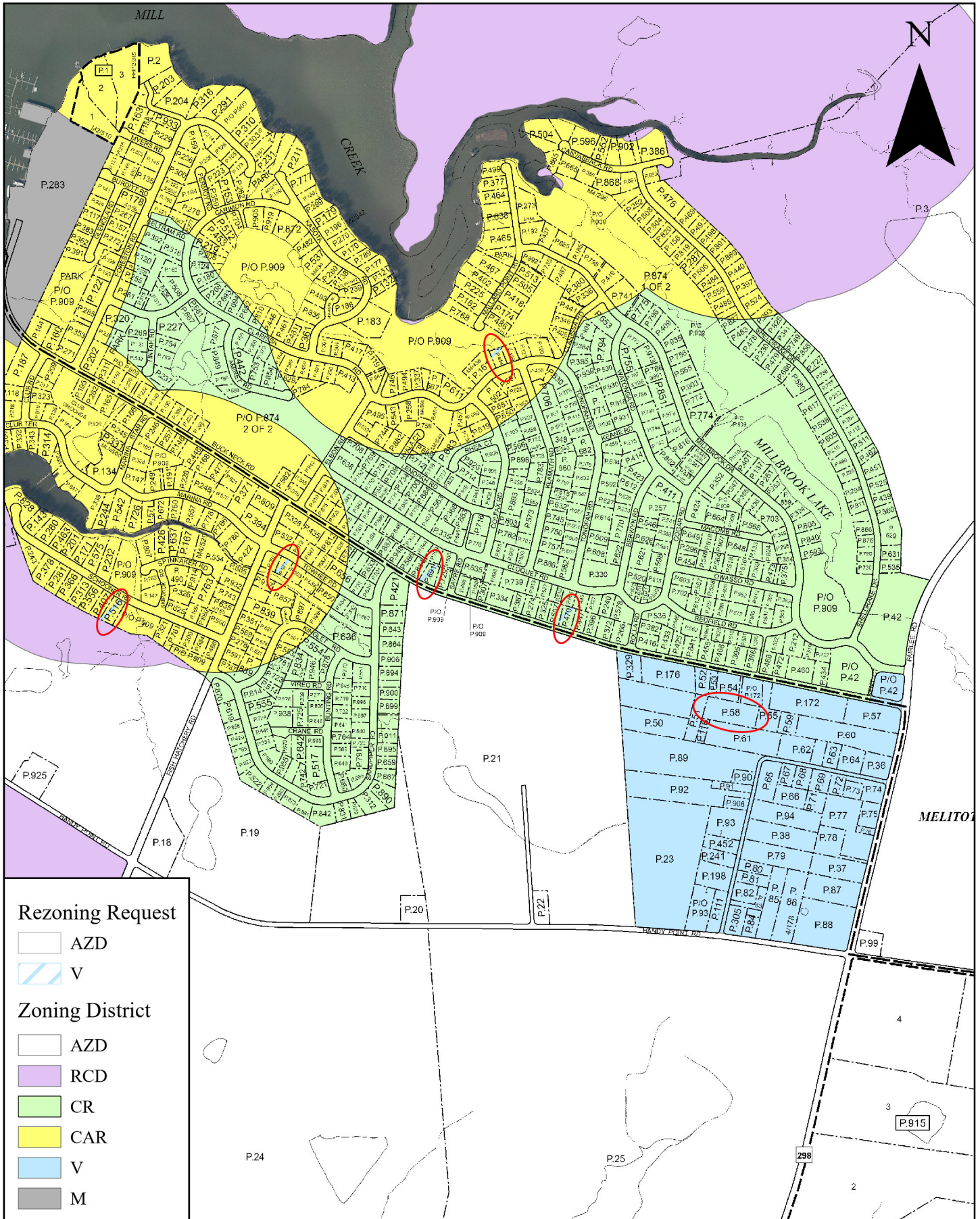
4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

5. What zoning district would you prefer? *

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024.

1 in = 1000 ft

From: [BingJi Wang](#)
To: [William Mackey](#)
Subject: Statement of Justification for Rezoning Request of Properties in Kent County
Date: Monday, April 15, 2024 10:36:28 PM

ATTENTION !

This email originated from an external source. DO NOT CLICK any links or attachments unless you recognize the sender and know the content is safe.

- KCIT Helpdesk

Dear Mr. Mackey,

I am writing to provide a statement of justification for my request to rezone six vacant land lots, as detailed in the application and corresponding to parcel numbers: 03-016048, 06-003494, 06-006027, 03-004007, 03-002195, and 06-005403. The current zoning of these parcels varies between "Residential" and "Critical Area Residential," and my intention is to have them rezoned to "Village District (V)."

Parcel #	Current Zoning	New Zoning
03-016048	In Critical Area Residential	Village District (V)
06-003494	In Critical Area Residential	Village District (V)
06-006027	Residential	Village District (V)
03-004007	Residential	Village District (V)
03-002195	Residential	Village District (V)
06-005403	In Critical Area Residential	Village District (V)

The rationale for this rezoning is based on a comprehensive analysis of the current land use regulations, the potential for harmonious development patterns, and the suitability of these parcels for a Village District designation which supports the county’s vision for growth and development.

- **Alignment with Kent County’s Vision:** The Kent County Land Use Ordinance's intent for the Village District is to promote a mixture of residential, commercial, and community uses within a compact and walkable area. The proposed rezoning supports this vision by allowing for a more diverse and efficient use of land, consistent with the current trends and needs of the community.
- **Development Patterns:** As per the documentation provided by Kent County, Village Districts are characterized by small-scale buildings set close to the street, promoting pedestrian activity and community interaction. The existing topography and infrastructure surrounding these parcels support such development, providing an opportunity for community-centric growth that aligns with the characteristics of the Village District.
- **Compatibility with Neighboring Properties:** The rezoning to a Village District would bring these parcels in line with the zoning of adjacent properties, creating a cohesive district where

land use and zoning are harmonious and complementary. This transition to "Village District (V)" supports an integrated community approach and avoids irregular zoning patches.

- Environmental Considerations: Given the parcels' location and the strict environmental standards outlined in the county's regulations, I believe that the proposed Village District zoning will enable a responsible development approach that respects the area's ecological value and adheres to critical area standards.

In summary, the rezoning request is founded upon strategic planning principles, the pursuit of community welfare, and the observance of environmental integrity. I am confident that this change will serve the broader interests of Kent County and its residents.

Thank you for considering this statement as part of my rezoning application. I am available for any further discussions required and look forward to the opportunity to contribute positively to the county's development.

Sincerely,

Bingji Wang
GOOD HOUSE LLC

On 15 Apr 2024, at 22:37, William Mackey <wmackey@kentgov.org> wrote:

Dear Property Owner,

You are receiving this email because you requested that your property, which is located in Kent County, Maryland, be considered for rezoning to a new zoning designation.

On Thursday, May 2, at 1:30 pm, at 400 High Street in Chestertown, Maryland, in the Commissioners Hearing Room, the Kent County Planning Commission will be reviewing and making recommendations to the Kent County Board of County Commissioners regarding your request for rezoning. As part of this process, you are welcome and encouraged to participate in the meeting. If you need communication assistance, please contact the Maryland Relay Service at www.mdrelay.org or 7-1-1 for voice/TDD. The meeting will be held in person with a call-in option provided. To participate by telephone, please dial **1-872-239-8359** and enter Conference ID: **645 057 333#**.

For the Planning Commission's review, please respond to this email with a statement of why you would like to have your property rezoned. If you have already provided a statement, then you do not need to respond. Reasons for rezoning can include things like your future plans for the property would require different zoning; the neighboring properties already have the type of zoning that you are requesting; or the nearby topography, the property's topography, and/or adjacent transportation infrastructure make the property suitable for a different type of zoning than its current zoning district.

Please note that if your zoning request is for your property to retain its current

zoning designation with no changes, you do not need to provide a statement of justification.

Following the Planning Commission's meeting, your rezoning request will be scheduled for a Public Hearing before the Kent County Board of County Commissioners.

If you have any questions, please let me know.

Sincerely,

Bill

<image001.jpg>

William A. Mackey, AICP

Director, Department of Planning, Housing, and Zoning
Kent County, Maryland
400 High Street, Suite 103
Chestertown, MD 21620
410-778-7423, ext. 9
wmackey@kentgov.org

CONFIDENTIALITY NOTICE: The information contained in this electronic message is confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this electronic message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic message in error, please immediately notify us by telephone and return or destroy the original message to assure that it is not read, copied, or distributed by others.

View results

Respondent

6

Anonymous

10:04

Time to complete

1. Name: *

GOOD HOUSE LLC

2. Mailing Address: *

GOOD HOUSE LLC, 18601 FM 1431 Ste 104 #2048, Jonestown, TX 78645-3222

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

03-016048

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

5. What zoning district would you prefer? *

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

View results

Respondent

7

Anonymous

03:52

Time to complete

1. Name: *

GOOD HOUSE LLC

2. Mailing Address: *

GOOD HOUSE LLC 18601 FM 1431 Ste 104 #2048 Jonestown, TX 78645-3222

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

06-003494

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

RESIDENTIAL

5. What zoning district would you prefer? *

Village District (V)

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

bingjiw@gmail.com

View results

Respondent

8

Anonymous

02:13

Time to complete

1. Name: *

GOOD HOUSE LLC

2. Mailing Address: *

GOOD HOUSE LLC 18601 FM 1431 Ste 104 #2048 Jonestown, TX 78645-3222

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

06-006027

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

RESIDENTIAL

5. What zoning district would you prefer? *

Village District (V)

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

bingjiw@gmail.com

View results

Respondent

9

Anonymous

01:51

Time to complete

1. Name: *

GOOD HOUSE LLC

2. Mailing Address: *

GOOD HOUSE LLC 18601 FM 1431 Ste 104 #2048 Jonestown, TX 78645-3222

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

03-004007

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

5. What zoning district would you prefer? *

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

View results

Respondent

10

Anonymous

00:56

Time to complete

1. Name: *

GOOD HOUSE LLC

2. Mailing Address: *

GOOD HOUSE LLC 18601 FM 1431 Ste 104 #2048 Jonestown, TX 78645-3222

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

03-002195

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

5. What zoning district would you prefer? *

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

View results

Respondent

11 Anonymous

02:46

Time to complete

1. Name: *

GOOD HOUSE LLC

2. Mailing Address: *

GOOD HOUSE LLC 18601 FM 1431 Ste 104 #2048 Jonestown, TX 78645-3222

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

06-005403

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:

<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

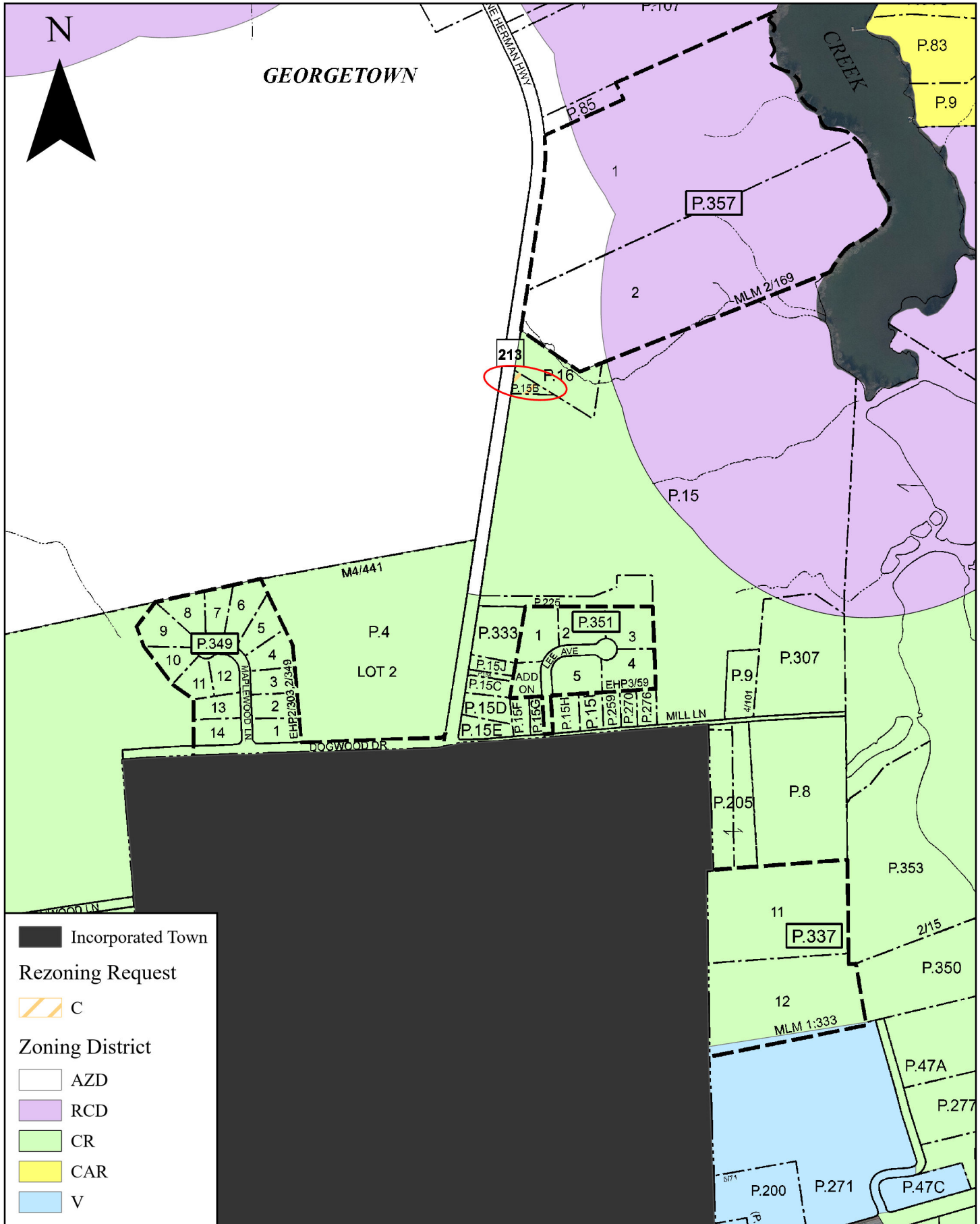
RESIDENTIAL

5. What zoning district would you prefer? *

Village District (V)

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

bingjiw@gmail.com



Source: Kent County Department of Planning, Housing, and Zoning. Map prepared April 2024.

1 in = 600 ft

To: Kent County Planning Commission

From: BNW Real Estate

Re: Zoning of 13715 Augustine Herman HW Galena MD

Hello

As requested, I have submitted an application to rezone this small parcel in Galena for commercial interests.

The plot of land is less than 1/10th of an acre. It previously housed a small residential property which was removed a few years ago due to issues with the structure. Replacement of a residential property would be difficult in terms of providing a viable homesite.

This parcel is situated literally on Augustine Herman Hwy adjacent to working farmland and a large road sign advertisement. Thus it lends itself as a property that could be utilized for commercial interests such as a fruit stand or lunch stop serviced by a food truck as an example.

My goal post rezoning would be to work with local businesses to find suitable lessee's of the land for the purpose of selling their produce/flowers/food etc.

If this is of interest to the board, I welcome the approval of this request.

My schedule unfortunately does allow for me to be at the hearing in person or via phone so please allow this letter to serve as my full request.

Thank you for your time and consideration.

Bram Weinstein
Owner, BNW Real Estate

View results

Respondent

12

Anonymous

02:20

Time to complete

1. Name: *

Bram Weinstein

2. Mailing Address: *

7013 Nevis Rd Bethesda MD 20817

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

13715 Augustine Herman Hwy N of Galena

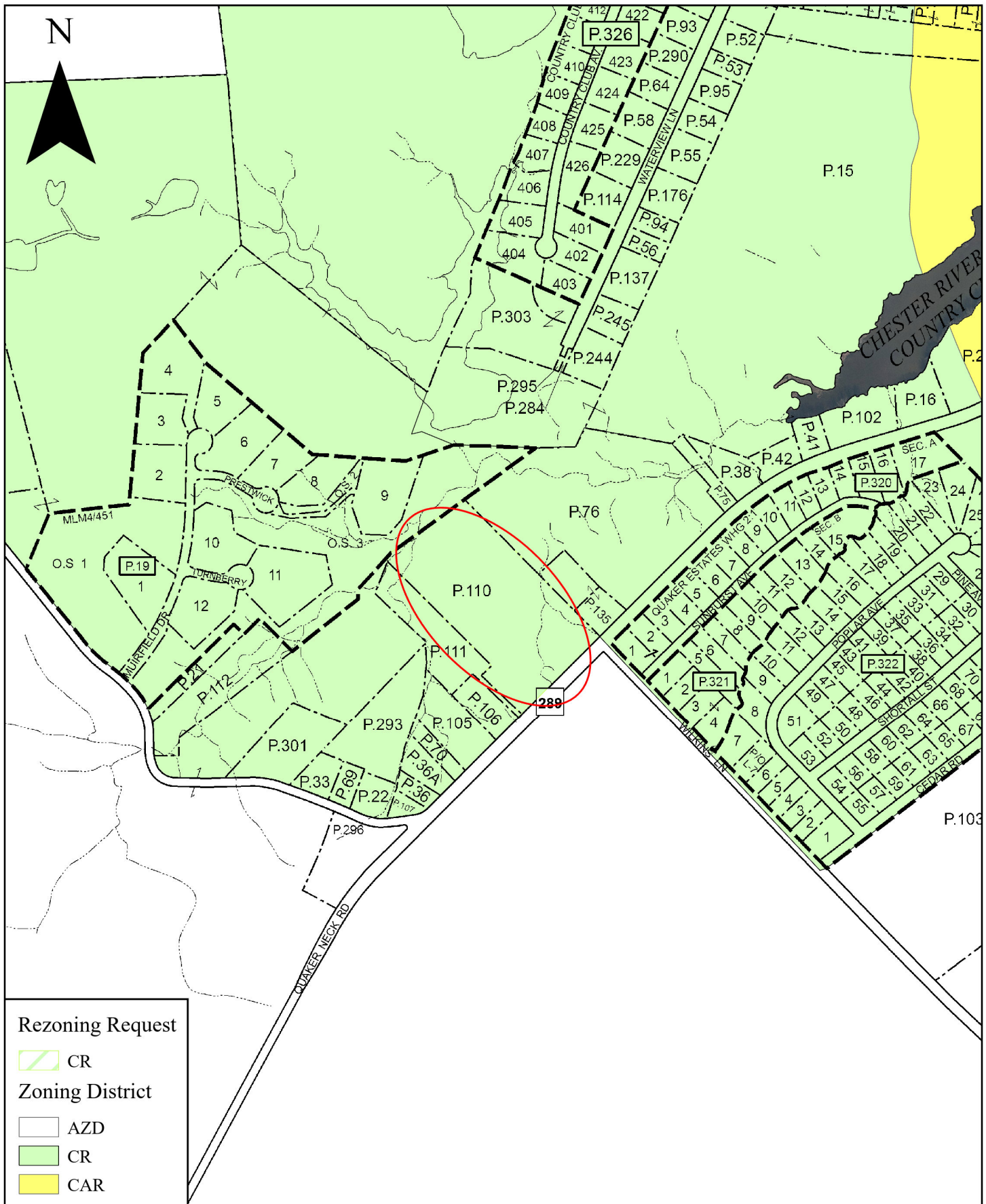
4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

5. What zoning district would you prefer? *

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024.

1 in = 600 ft

Carla Gerber

From: William Mackey
Sent: Wednesday, April 24, 2024 1:51 PM
To: Carla Gerber; Tyler Arnold
Subject: FYI - Your Rezoning Request - Kent County, Maryland - Planning Commission May 2 at 1:30 pm

FYI – for May 2 packet

From: JD North <1corinth1533@mailfence.com>
Sent: Wednesday, April 24, 2024 10:46 AM
To: William Mackey <wmackey@kentgov.org>
Subject: Re: Your Rezoning Request - Kent County, Maryland - Planning Commission May 2 at 1:30 pm

ATTENTION!

This email originated from an external source. DO NOT CLICK any links or attachments unless you recognize the sender and know the content is safe.

- KCIT Helpdesk

Mr Mackey,

I am seeking to have my property re-zoned for future plans on its use. The area around my property already has similar uses as there is a small sub-division across from me off of Wilkins lane and a smaller group of homes directly behind me on Muirfield Dr. The area is abundant with open space from farmland and yet close enough to town to be a benefit for residents. Thank you for your consideration.

John North
7490 Quaker Neck Rd
Chestertown, Md 21620

On Apr 15, 2024 at 10:37 AM, William Mackey <wmackey@kentgov.org> wrote:

Dear Property Owner,

You are receiving this email because you requested that your property, which is located in Kent County, Maryland, be considered for rezoning to a new zoning designation.

On Thursday, May 2, at 1:30 pm, at 400 High Street in Chestertown, Maryland, in the Commissioners Hearing Room, the Kent County Planning Commission will be reviewing and making recommendations to the Kent County Board of County Commissioners regarding your request for rezoning. As part of this process, you are welcome and encouraged to participate in the meeting. If you need communication assistance, please contact the Maryland Relay Service at www.mdrelay.org or 7-1-1 for voice/TDD. The meeting will be held in person with a call-in option provided. To participate by telephone, please dial **1-872-239-8359** and enter Conference ID: **645 057 333#**.

For the Planning Commission's review, please respond to this email with a statement of why you would like to have your property rezoned. If you have already provided a statement, then you do not need to respond. Reasons for rezoning can include things like your future plans for the property would require different zoning; the neighboring properties already have the type of zoning that you are requesting; or the nearby topography, the property's topography, and/or adjacent transportation infrastructure make the property suitable for a different type of zoning than its current zoning district.

Please note that if your zoning request is for your property to retain its current zoning designation with no changes, you do not need to provide a statement of justification.

Following the Planning Commission's meeting, your rezoning request will be scheduled for a Public Hearing before the Kent County Board of County Commissioners.

If you have any questions, please let me know.

Sincerely,

Bill



William A. Mackey, AICP

Director, Department of Planning, Housing, and Zoning

Kent County, Maryland

400 High Street, Suite 103

Chestertown, MD 21620

410-778-7423, ext. 9

wmackey@kentgov.org

View results

Respondent

13

Anonymous

03:27

Time to complete

1. Name: *

John D. North

2. Mailing Address: *

7490 Quaker Neck Rd Chestertown, Maryland 21620

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

7490 Quaker Neck Rd Chestertown, Maryland 21620

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

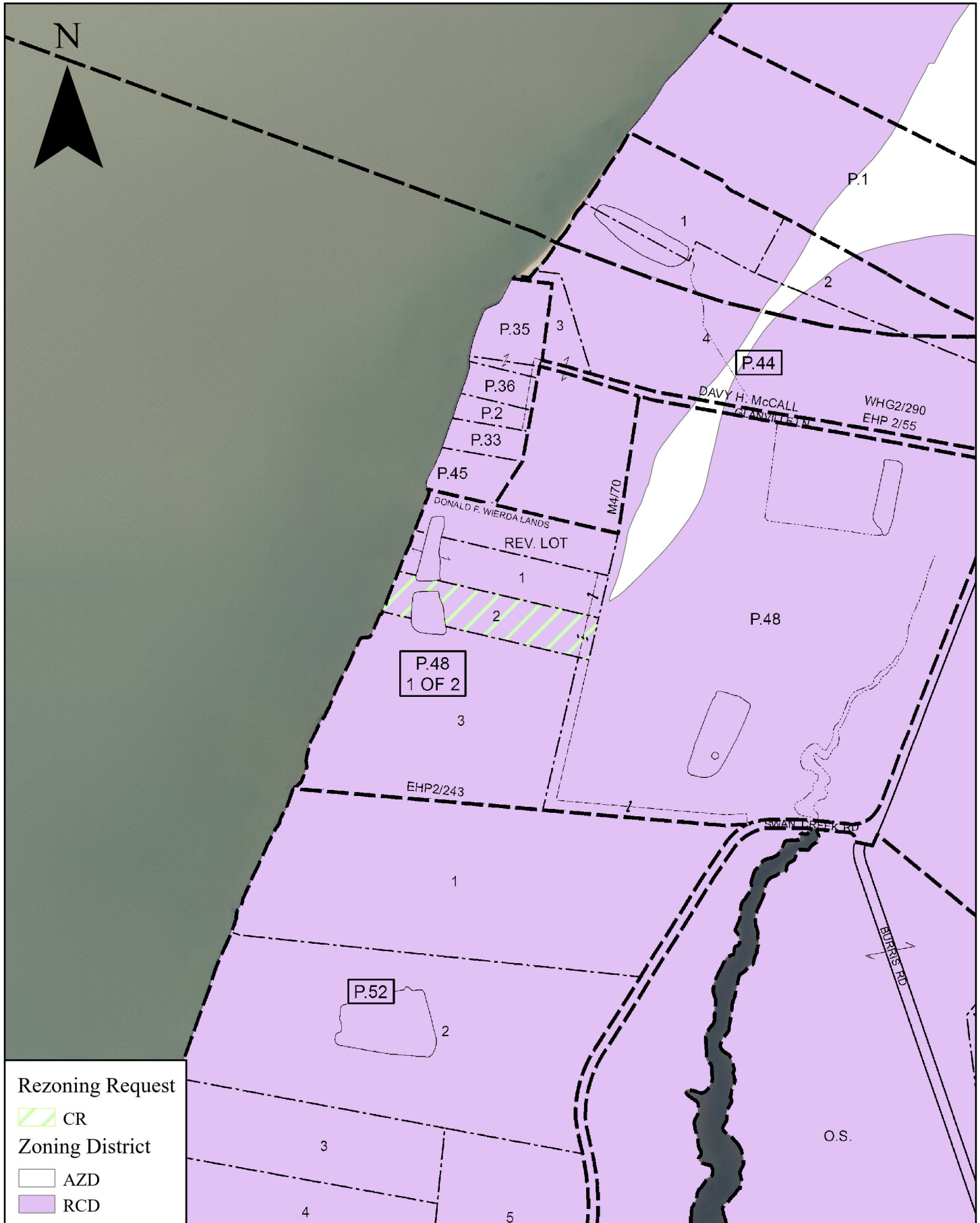
Rural Residential

5. What zoning district would you prefer? *

Community Residential

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

1corinth1533@mailfence.com



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024.

1 in = 600 ft

View results

Respondent

15

Anonymous

02:40

Time to complete

1. Name: *

Karen Yasinsky

2. Mailing Address: *

kayasinsky@gmail.com

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

Map: 0045 Parcel: 0048 (Lot 2-4.59 ac, Swan Creek Rd.)

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

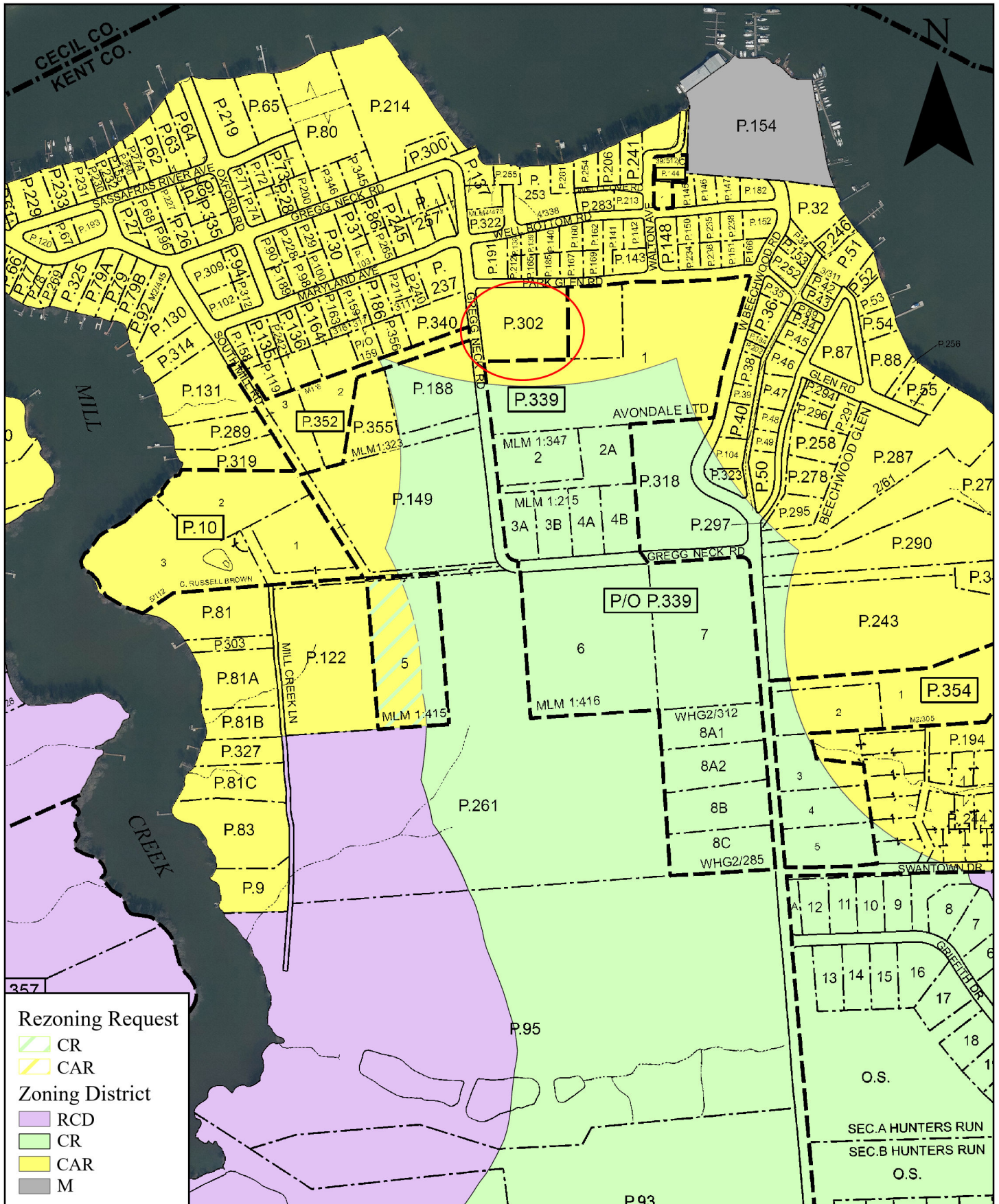
Residential

5. What zoning district would you prefer? *

Rural Residential or Community residential

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

kayasinsky@gmail.com



Source: Kent County Department of Planning, Housing, and Zoning.
 Map prepared April 2024.

1 in = 600 ft

View results

Respondent

1

Anonymous

03:08

Time to complete

1. Name: *

John & Deborah Orr

2. Mailing Address: *

14091 Gregg Neck Road Galena, Maryland 21635

3. In order to request a rezoning please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Use this link if you need to look up your Map and Parcel Number:

<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx> *

Tax map 1 Parcel 302 3 acres

4. What is the current zoning of your property?

Use this link to a mapping application if you need to find your zoning:
<http://kentcountymd.maps.arcgis.com/apps/webappviewer/index.html?id=def6d57892b740fcbaa7dc9afdf3ef33>

Once you find your parcel, just click on it to find your zoning.

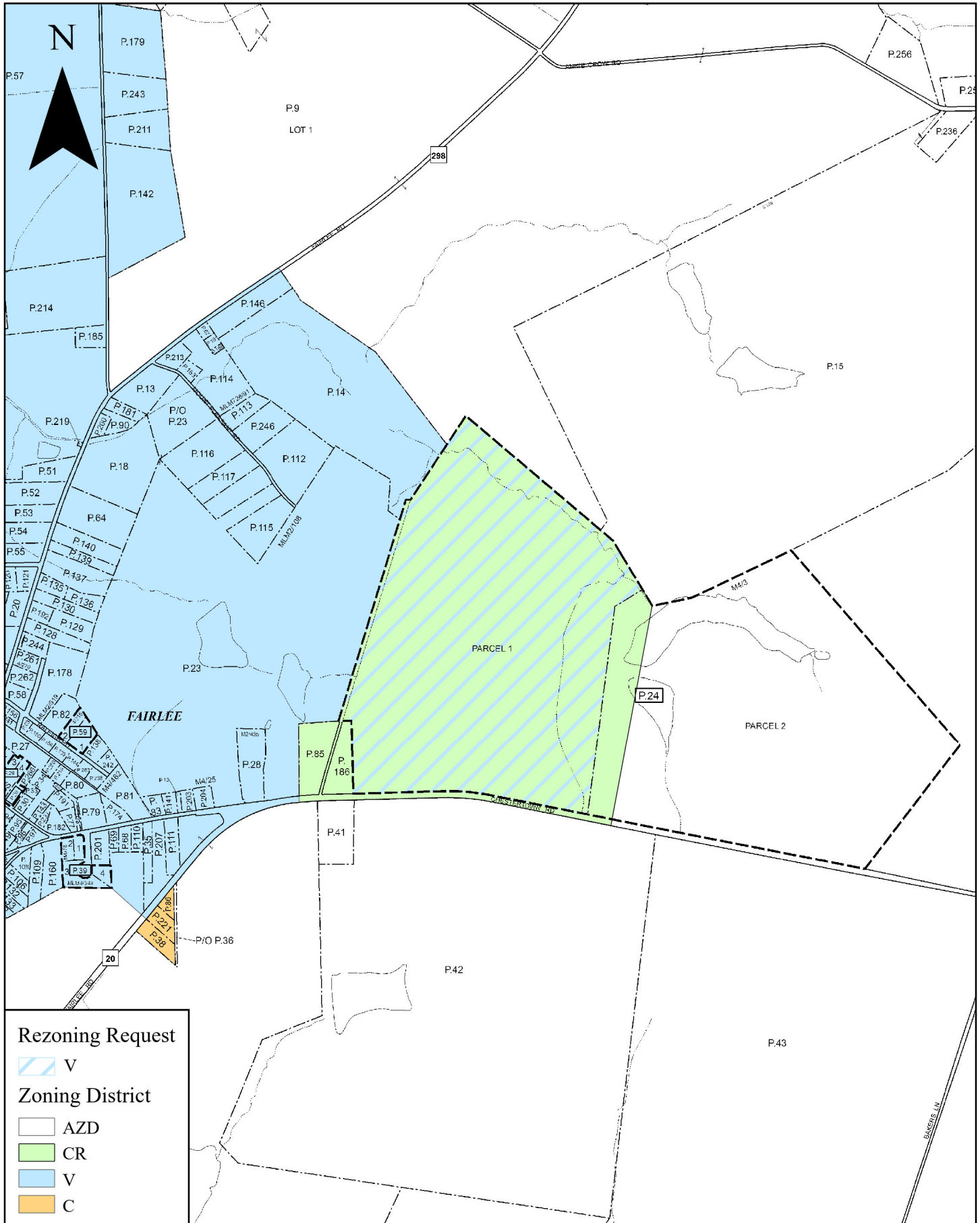
Critical area residential

5. What zoning district would you prefer? *

residential

6. Please provide your email address if you would like to be notified when new information is added to the Land Use Ordinance Update web page.

jodekema@verizon.net



Source: Kent County Department of Planning, Housing, and Zoning. Map prepared April 2024.

1 in = 1,000 ft



Comprehensive Rezoning and Update Map and Text Changes Request Form

Use the form below to request rezoning of your property or to propose text changes to the Land Use Ordinance.

This form may also be completed online at:

<https://www.kentcounty.com/planning/comprehensive-rezoning-update-portal>

Name	ROY HOAGLAND
Mailing Address	9522 FAIRLEE RD CHESTERTOWN, MD 21620
Email	royphoagland@yahoo.com

I want to request a rezoning of my property.

Please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Property Address or Location	N 1/3 FAIRLEE - CHESTERTOWN, W OF CHESTERTOWN ON ROUTE 20		
Tax Map	36	Parcel Number	24
Current Zoning	COMMUNITY RESIDENTIAL		
Preferred Zoning	VILLAGE DISTRICT		

I want to request a text change.

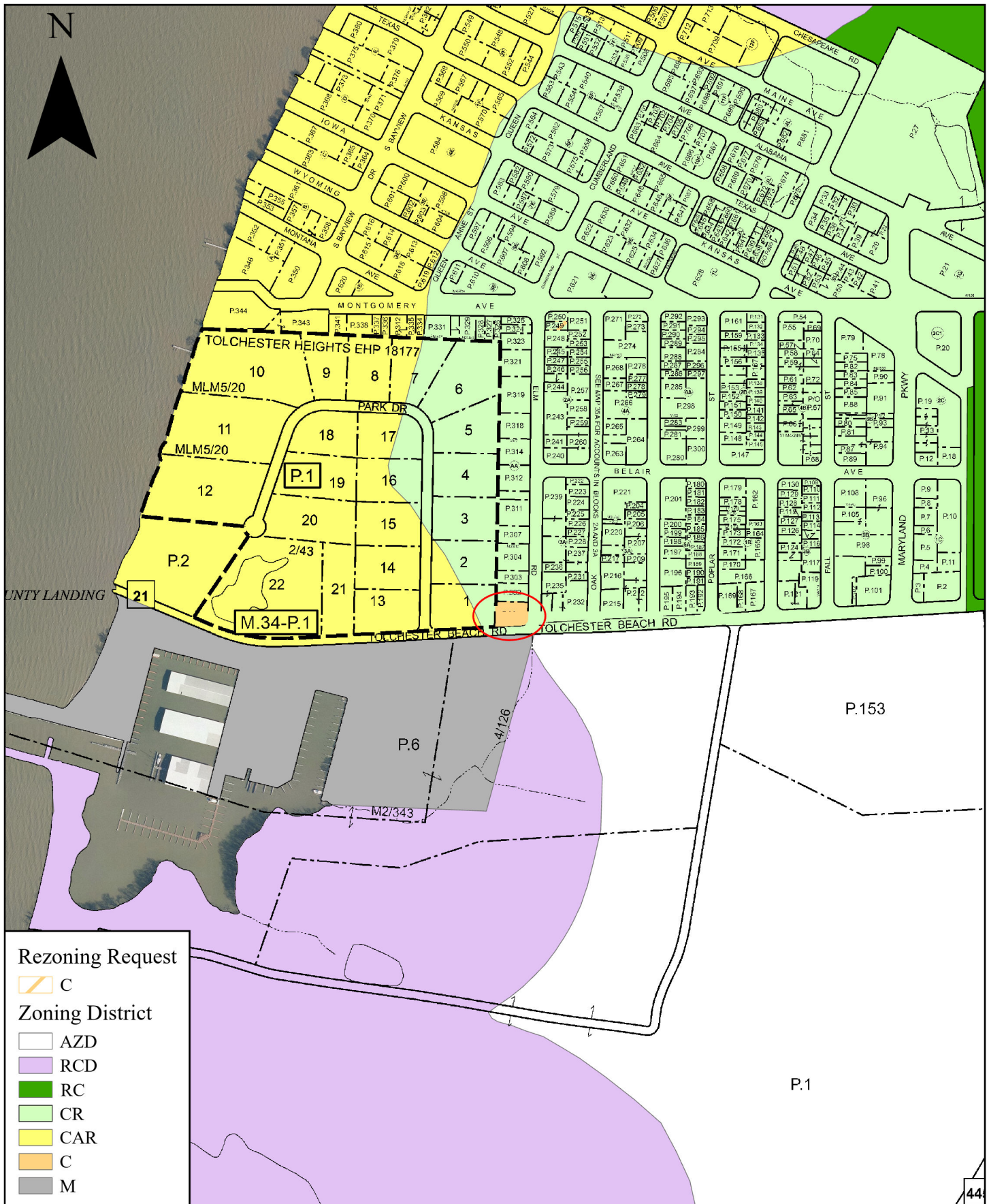
Please tell us what text changes you would like to see. For example, do you want to see different uses permitted in certain districts? Do you want to see changes to lot sizes or setbacks?

Please attach additional sheets if necessary.

Completed forms may be mailed to:

Kent County Dept. of Planning, Housing & Zoning, 400 High Street, Chestertown, MD 21620 or
emailed to: compzone@kentgov.org

DEPARTMENT OF
PLANNING, HOUSING & ZONING
RECEIVED 9/24/2022 146





Comprehensive Rezoning and Update Map and Text Changes Request Form

Use the form below to request rezoning of your property or to propose text changes to the Land Use Ordinance.

This form may also be completed online at:

<https://www.kentcounty.com/planning/comprehensive-rezoning-update-portal>

Name	ROY HOAGLAND		
Mailing Address	9522 FAIRLEE RD CHESTERTOWN MD 21620		
Email	royphoagland@yahoo.com		

I want to request a rezoning of my property.

Please provide the property address or location. If your property doesn't have an address, please include the Map and Parcel number as found on your tax bill.

Property Address or Location	21204 TOLCHESTER BEACH RD CHEST. MD 21620		
Tax Map	350	Parcel Number	301

Current Zoning	CROSSROADS COMMERCIAL		
Preferred Zoning	TO REMAIN CROSSROADS COMMERCIAL		

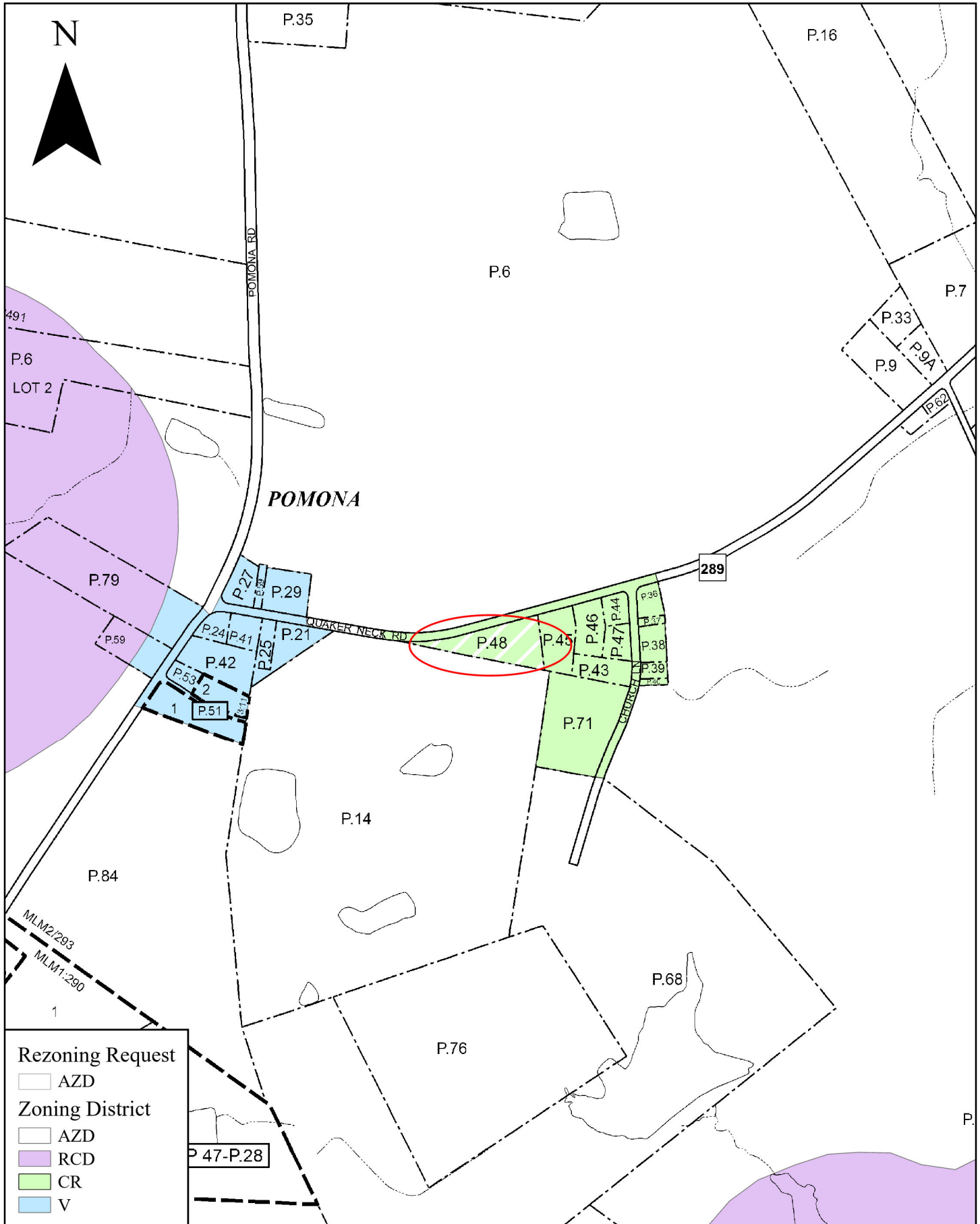
I want to request a text change.

Please tell us what text changes you would like to see. For example, do you want to see different uses permitted in certain districts? Do you want to see changes to lot sizes or setbacks?

Please attach additional sheets if necessary.

Completed forms may be mailed to:

Kent County Dept. of Planning, Housing & Zoning, 400 High Street, Chestertown, MD 21620 or
emailed to: compzone@kentgov.org



Source: Kent County Department of Planning, Housing, and Zoning. Map prepared April 2024.

1 in = 600 ft

Kent County Department of Planning, Housing, and Zoning

TELEPHONE 410-778-7475

Kent County Government Center
400 High Street
Chestertown, Maryland 21620

FACSIMILE 410-810-29

3 November 2016

George H. Kendall
Rebecca "Anne" Kendall
6751 Quaker Neck Road
Chestertown, MD 21620

Re: Comprehensive Rezoning Request
Tax Map 48, Parcel 48 Agricultural Zoning District

Dear Mr. and Mrs. Kendall:

Thank you for talking with me this week regarding your property located in Pomona. I understand that you own Parcels 14 and 48 located on Quaker Neck Road. In speaking with you and researching the properties, I note that Parcel 14 totals 49 acres is zoned Agricultural Zoning District (AZD). The parcel is improved with a dwelling and several accessory structures and is being farmed. Parcel 48 totals 2 acres is zoned Community Residential (CR). This parcel is unimproved and is also being farmed.

You expressed an interest to place Parcel 48 on a list for consideration when the County begins its comprehensive review of the Land Use Ordinance and the Zoning Map. Specifically, you would like this parcel to be rezoned from CR to AZD.

I have included your request in our file. I also have enclosed for your records the maps affiliated with your property and which illustrate what I have described above and which I have included in our file. You will be notified once the Comprehensive Rezoning review is being conducted.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Amy G. Moredock
Planning Director

Enclosures



Real Property Data Search (w1)

Guide to searching the database

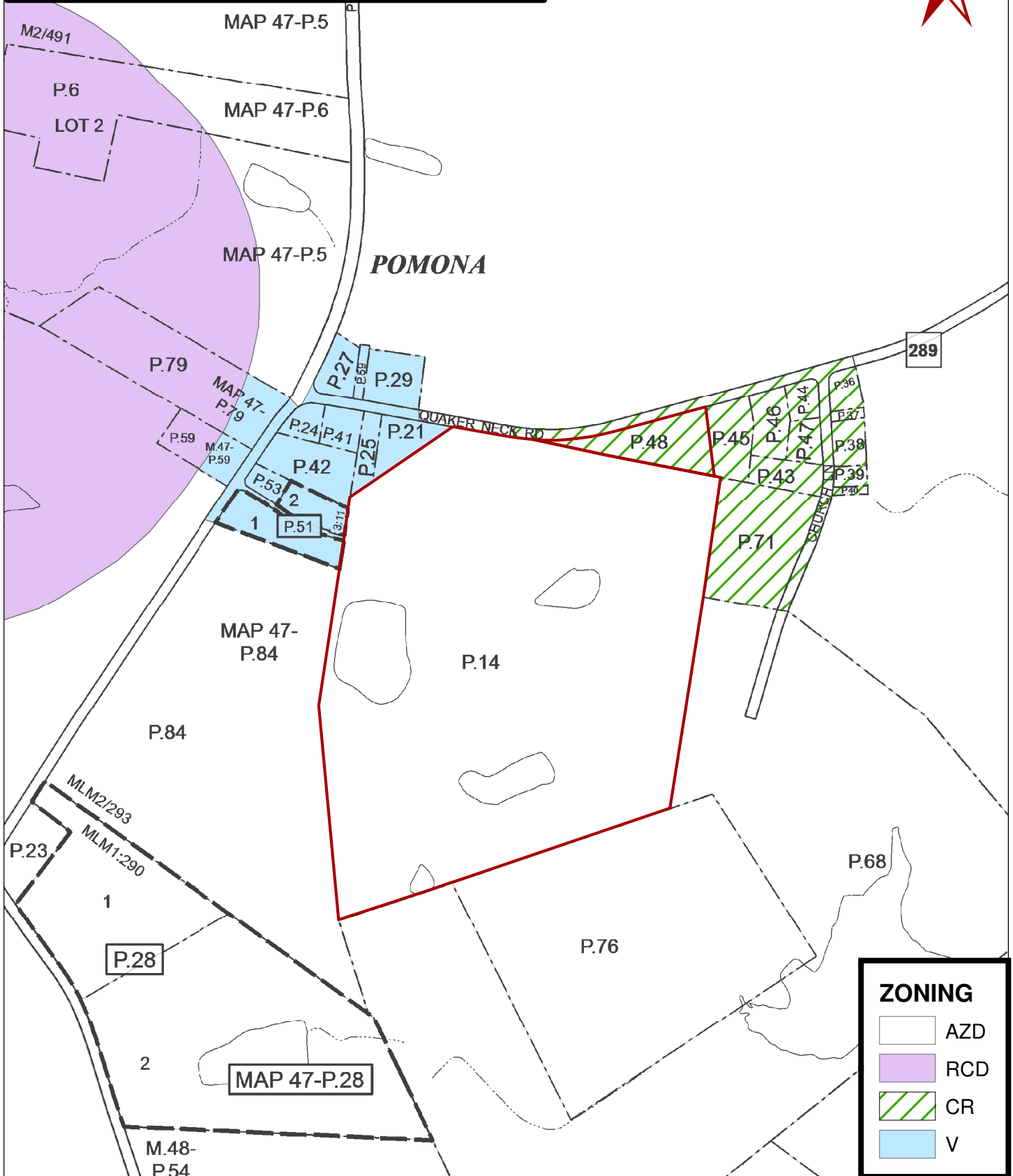
Search Result for KENT COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Account Identifier:		District - 07 Account Number - 006837							
Owner Information									
Owner Name:		KENDALL REBECCA ANNE & GEORGE H			Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		6751 QUAKER NECK ROAD CHESTERTOWN MD 21620			Deed Reference:		/00019/ 00322		
Location & Structure Information									
Premises Address:		0-0000			Legal Description:		LOT 2 AC. S/S CHESTERTOWN-POMONA S OF CHESTERTOWN		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0048	0003A	0048		0000				2017	
Special Tax Areas:				Town: Ad Valorem: Tax Class:		NONE			
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
						2.0000 AC			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Value Information									
		Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2016 As of 07/01/2017			
Land:		47,100		47,100					
Improvements		0		0					
Total:		47,100		47,100		47,100			
Preferential Land:		0							
Transfer Information									
Seller: KENDALL, REBECCA ANNE				Date: 03/23/1992		Price: \$0			
Type: ARMS LENGTH MULTIPLE				Deed1: MLM /00019/ 00322		Deed2:			
Seller: WALBERT, ANNA L.				Date: 06/26/1991		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: MLM /00008/ 00228		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2016		07/01/2017			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00		0.00			
Tax Exempt Exempt Class:				Special Tax Recapture: NONE					
Homestead Application Information									
Homestead Application Status: No Application									

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Lands of George H. and Rebecca "Anne" Kendall
 6751 Quaker Neck Road
 Tax Map 48, Parcels 14 (49 acres) and 48 (2 acres)
 Requested Zoning Change of Parcel 48: CR to AZD

P.6

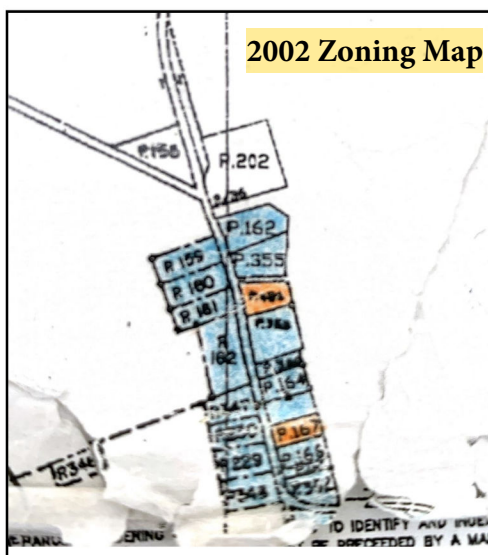
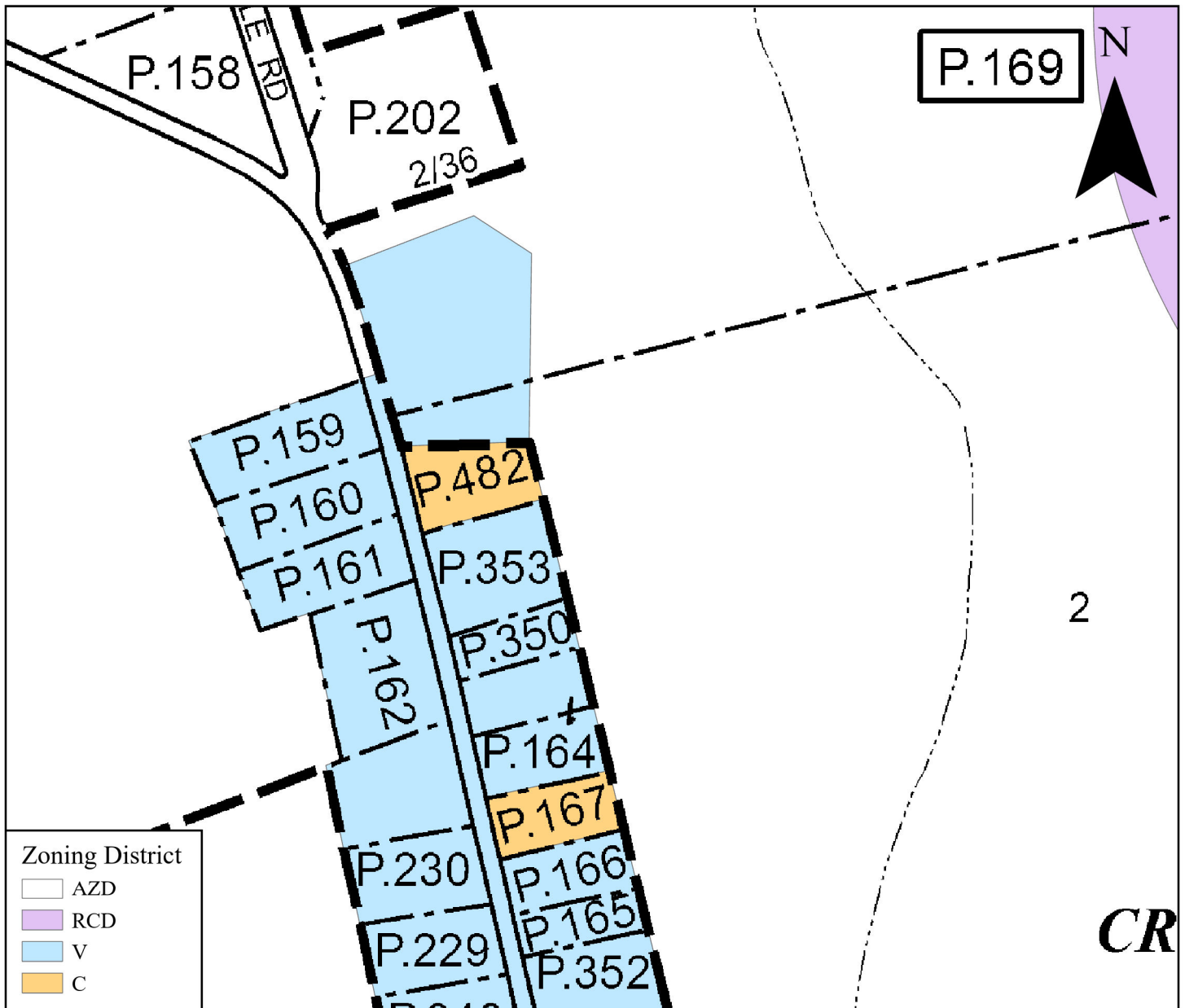


1 inch = 500 feet



1 inch = 300 feet

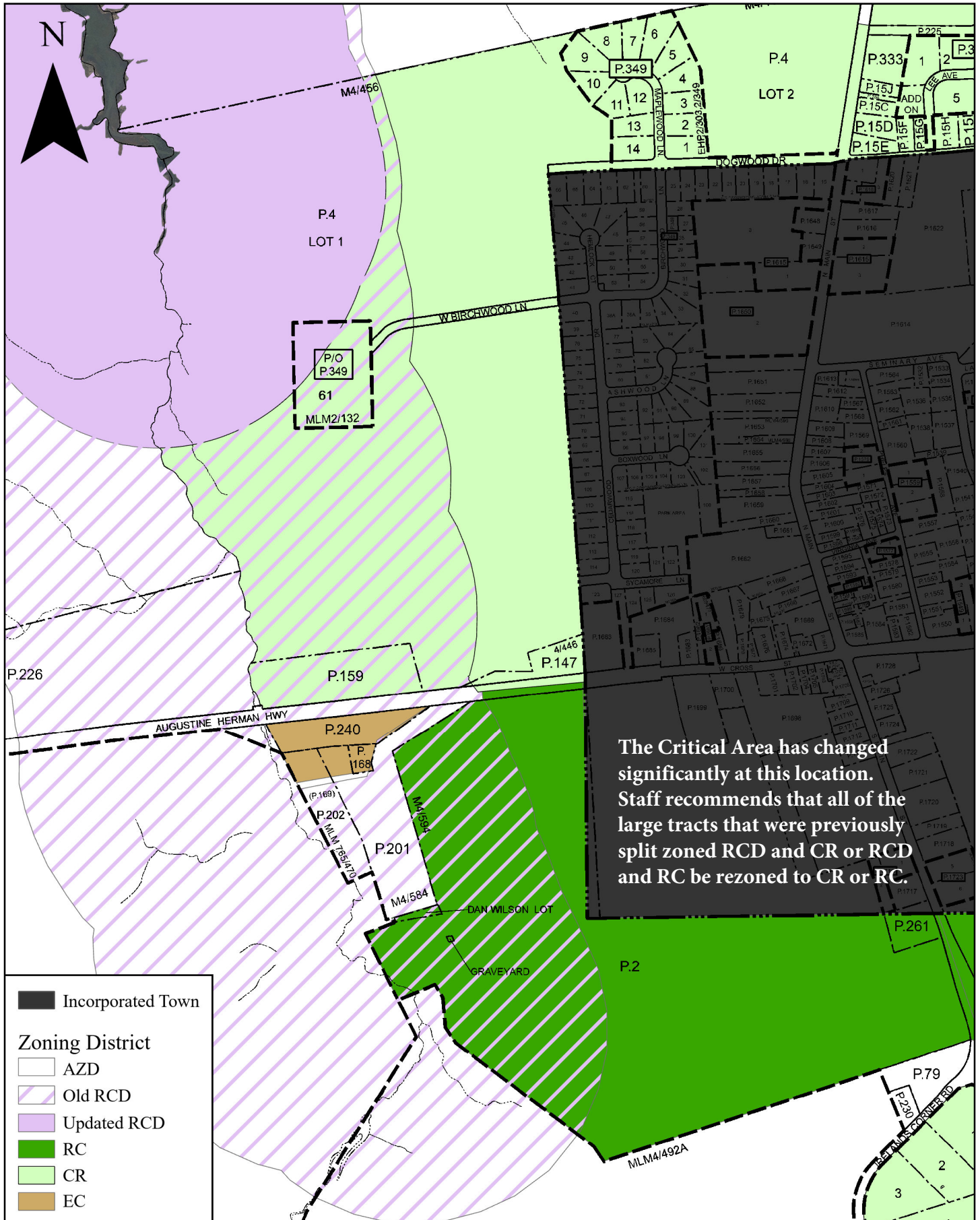
Source: Kent County Department of Planning, Housing and Zoning - MdProperty View 2013. Aerial taken Spring 2013
Map prepared November 2016 - FOR ILLUSTRATIVE PURPOSES ONLY.



In 2002, there were two parcels that have since been consolidated into P. 169.

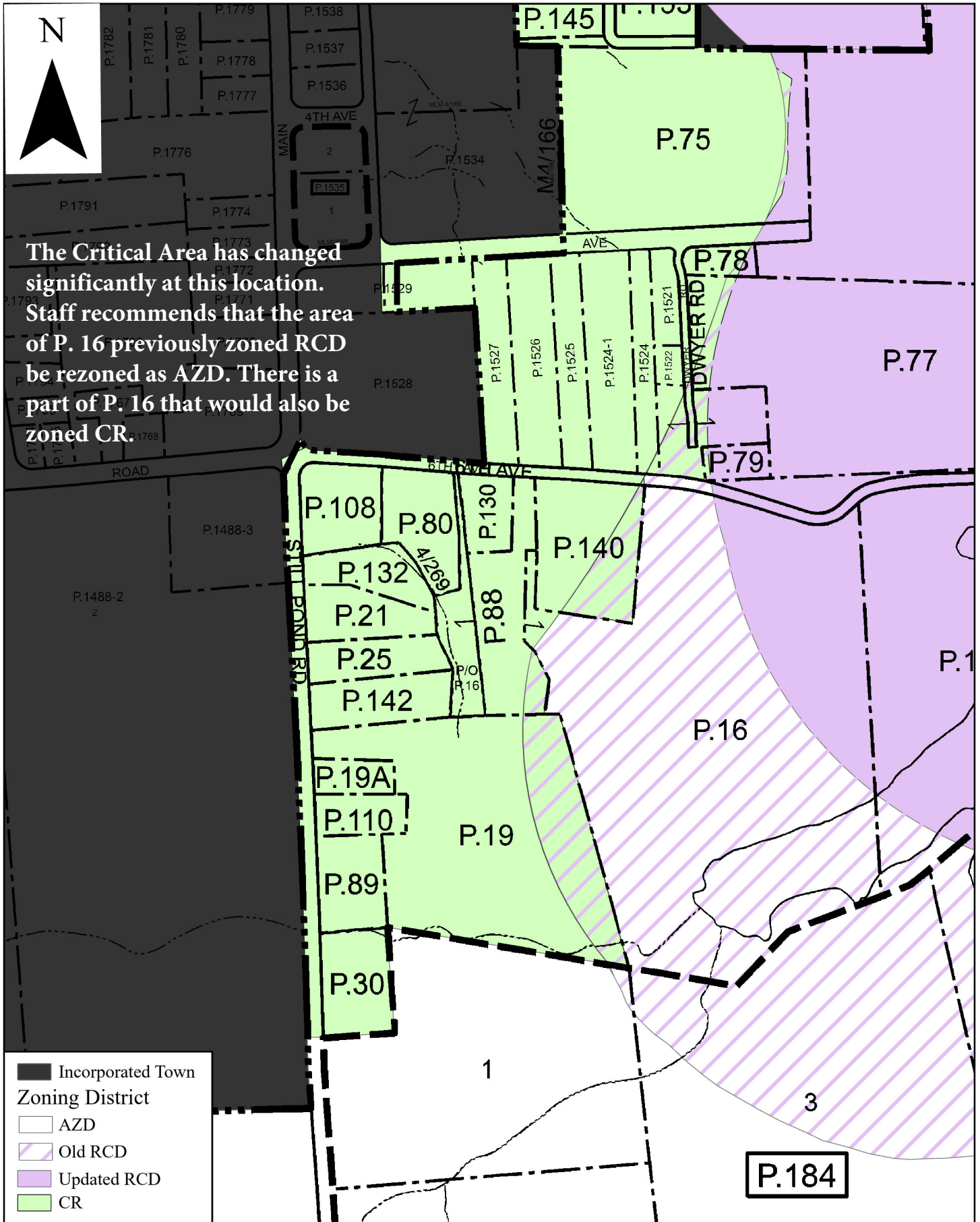
Option 1: Remove the area of Village that is no longer associated with a small parcel.

Option 2: Square off the Village district to coincide with the southern edge of P. 202.



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024

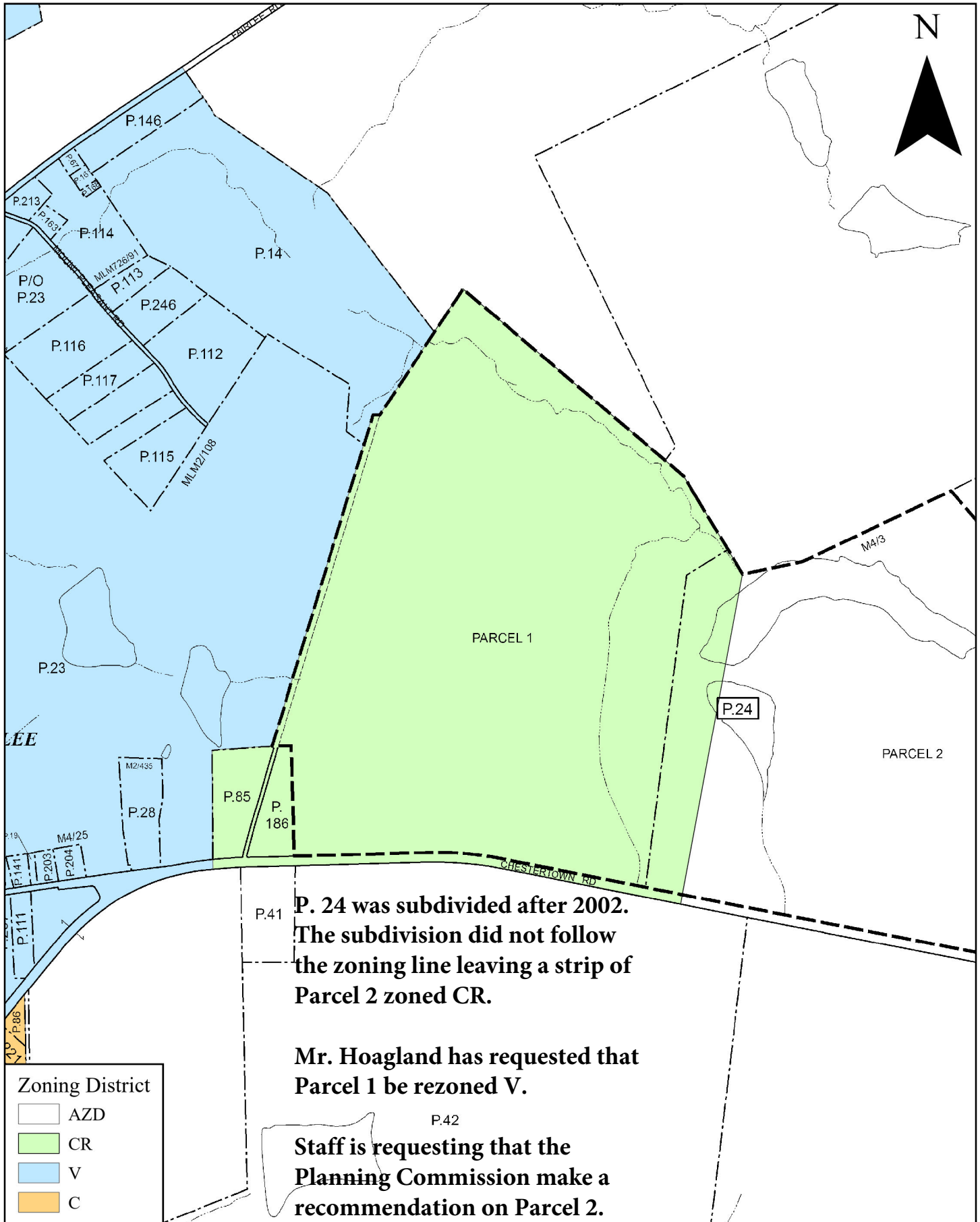
1in = 8000 ft



The Critical Area has changed significantly at this location. Staff recommends that the area of P. 16 previously zoned RCD be rezoned as AZD. There is a part of P. 16 that would also be zoned CR.

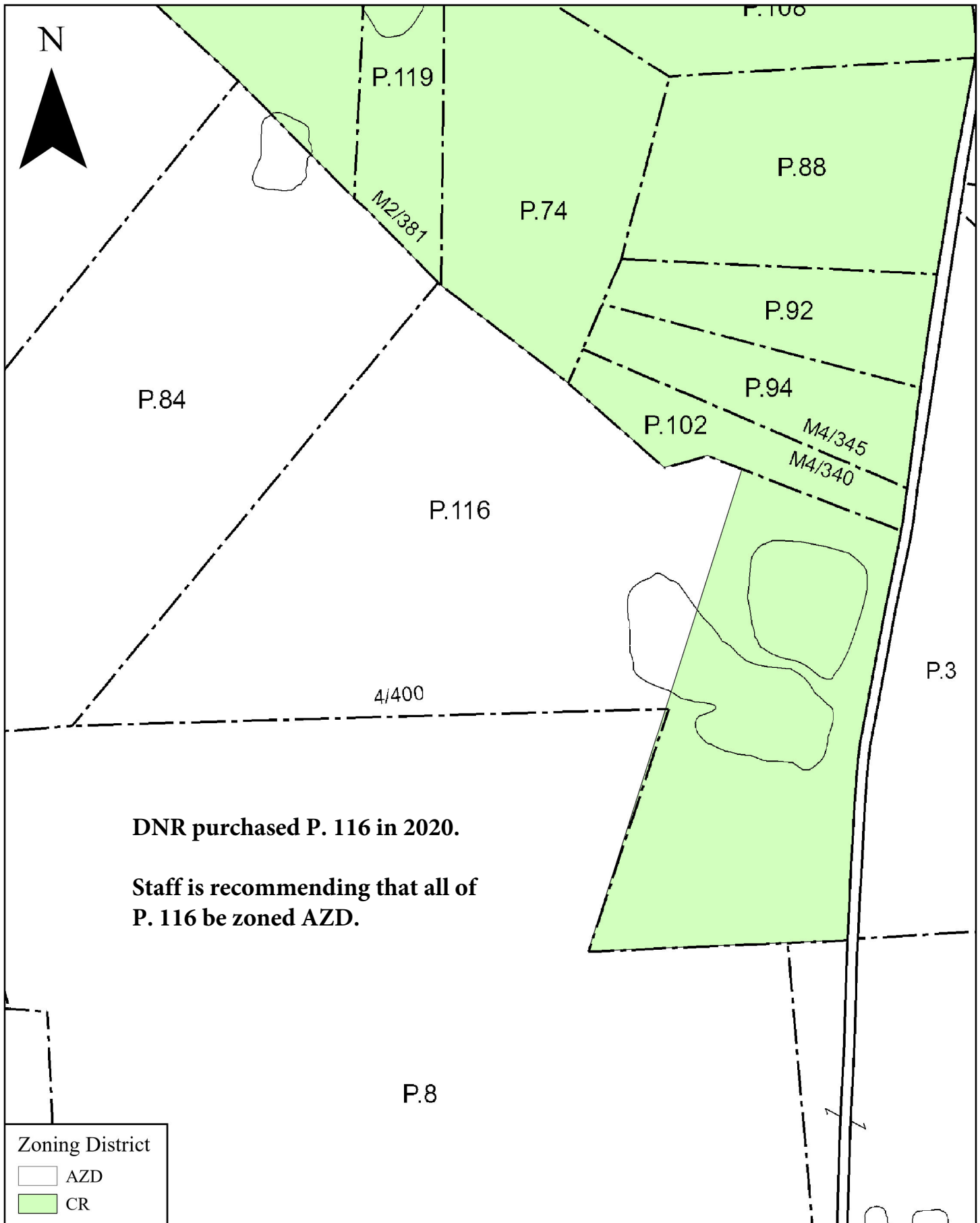
Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024

1in = 4000 ft



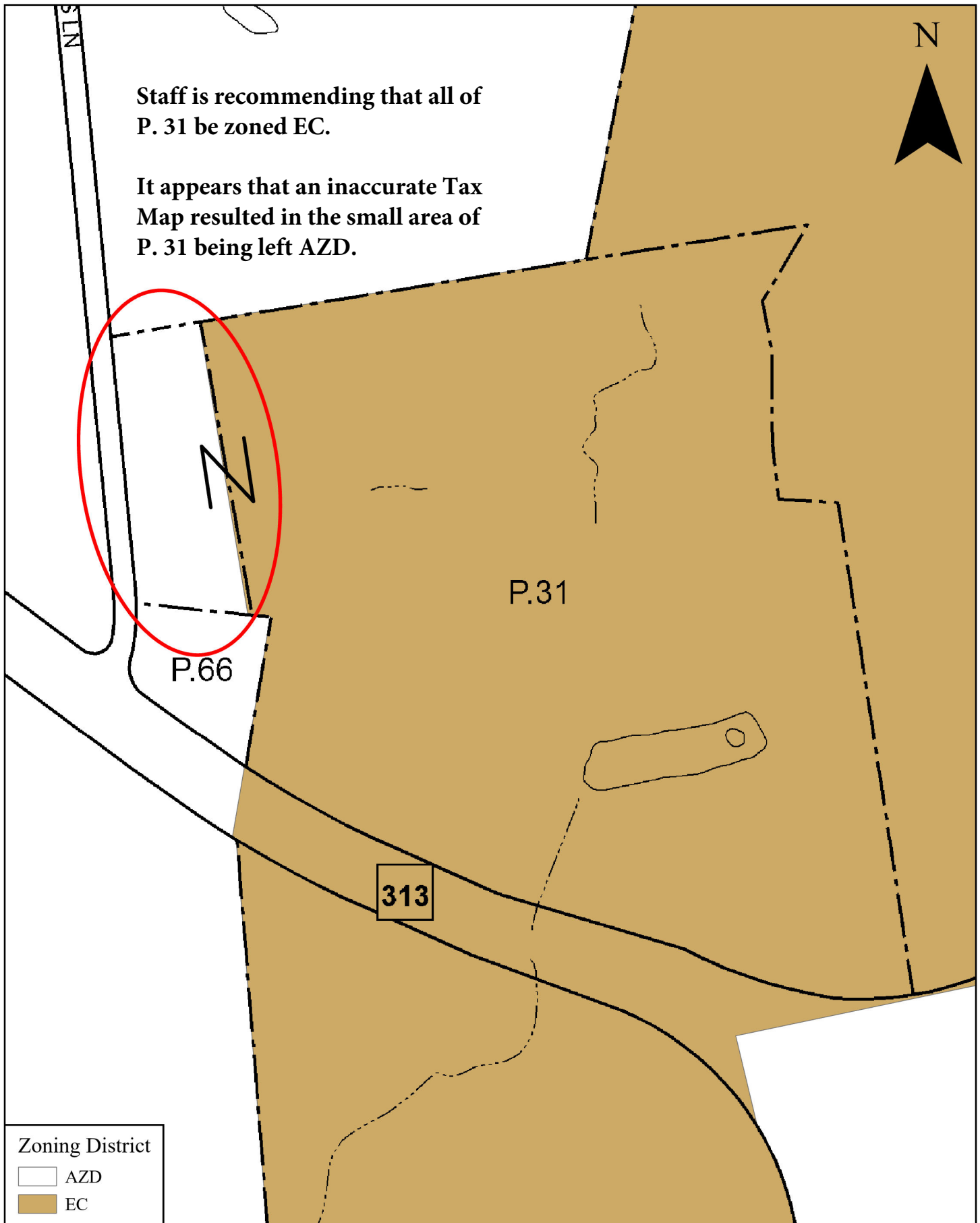
Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024

1in = 8000 ft



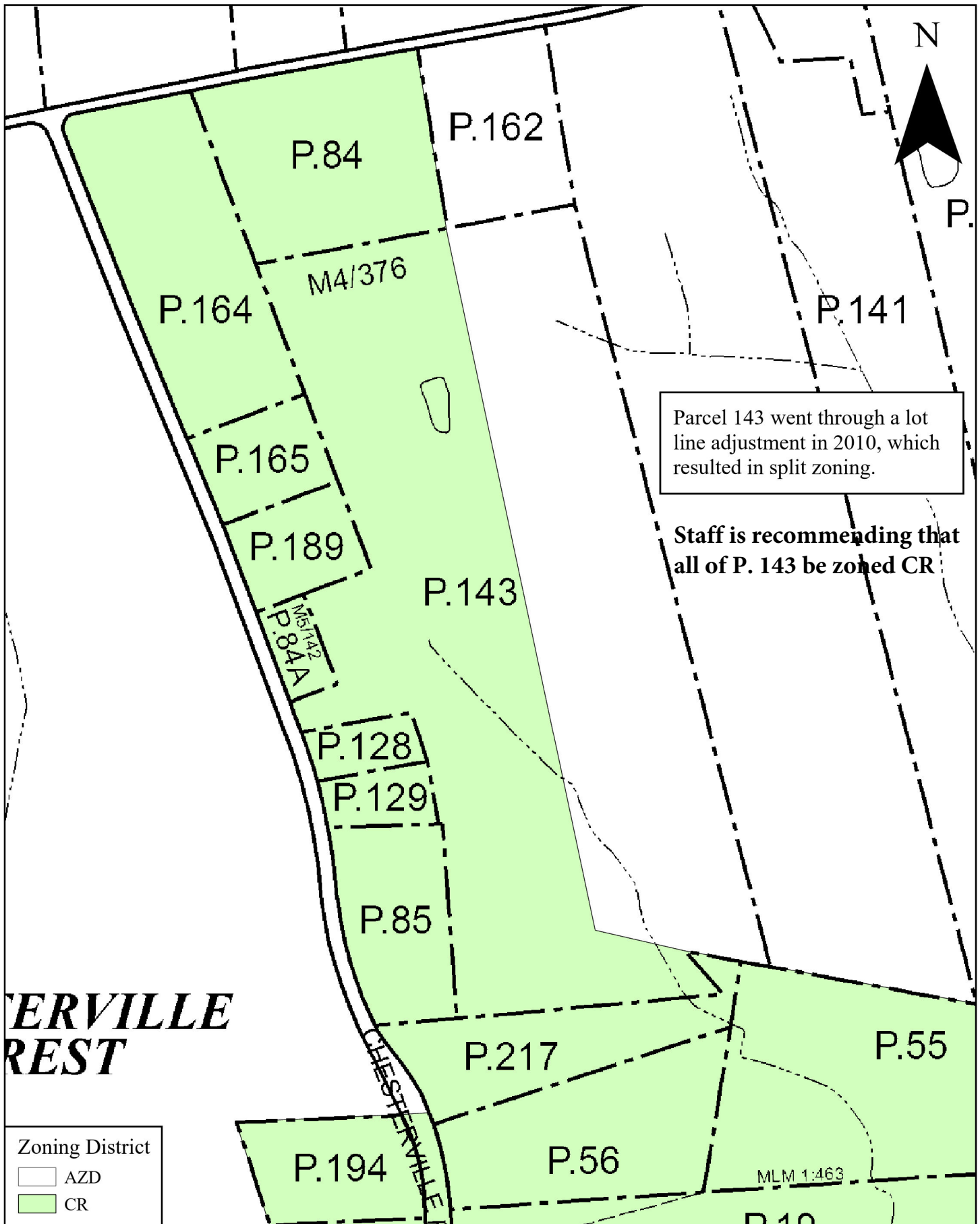
Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024

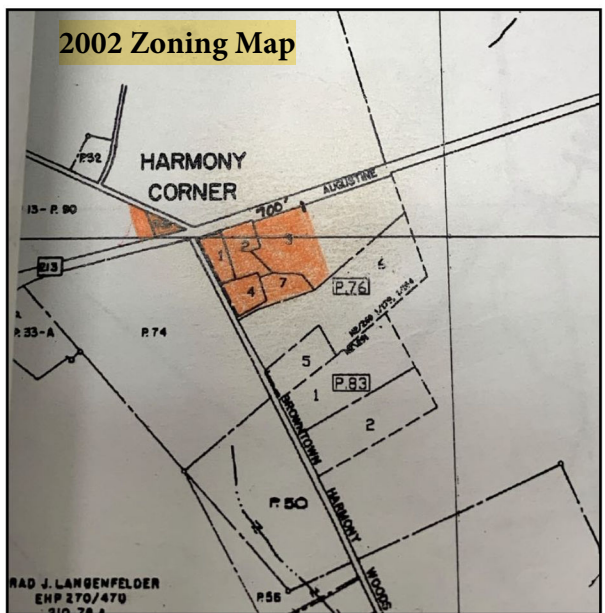
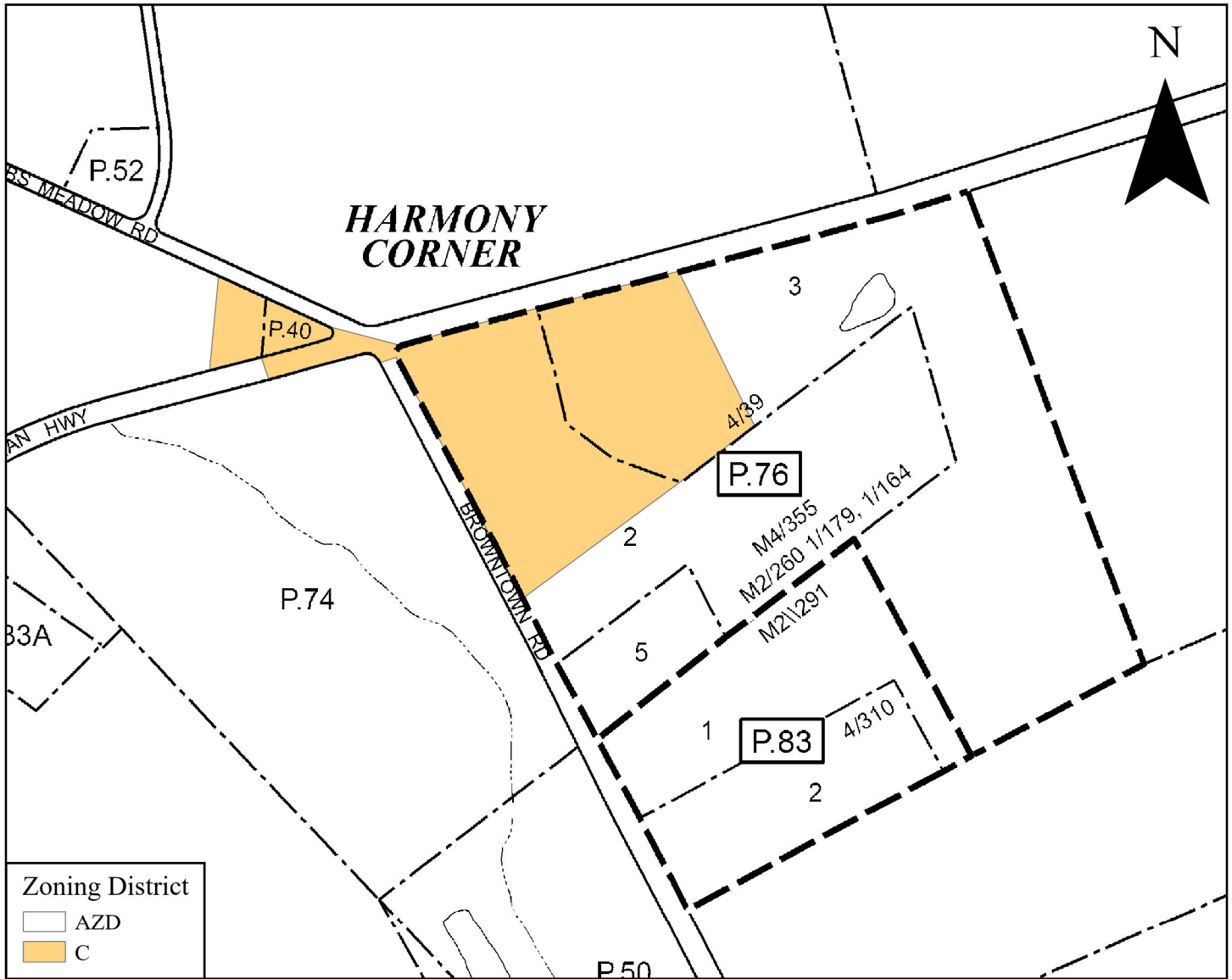
1 in = 4500 ft



Staff is recommending that all of P. 31 be zoned EC.

It appears that an inaccurate Tax Map resulted in the small area of P. 31 being left AZD.

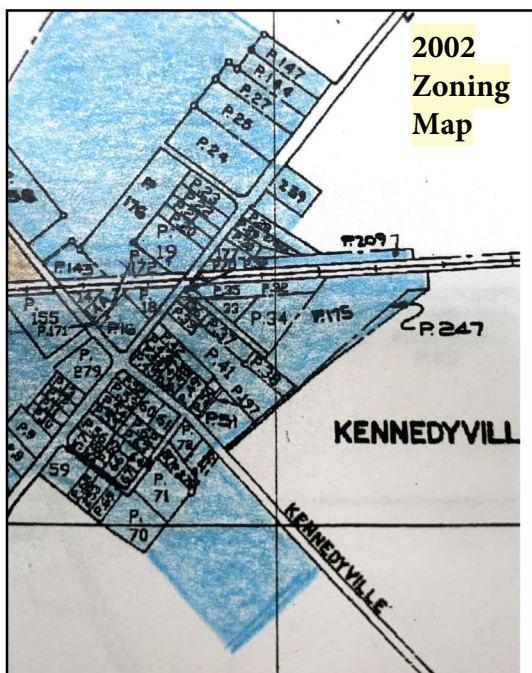
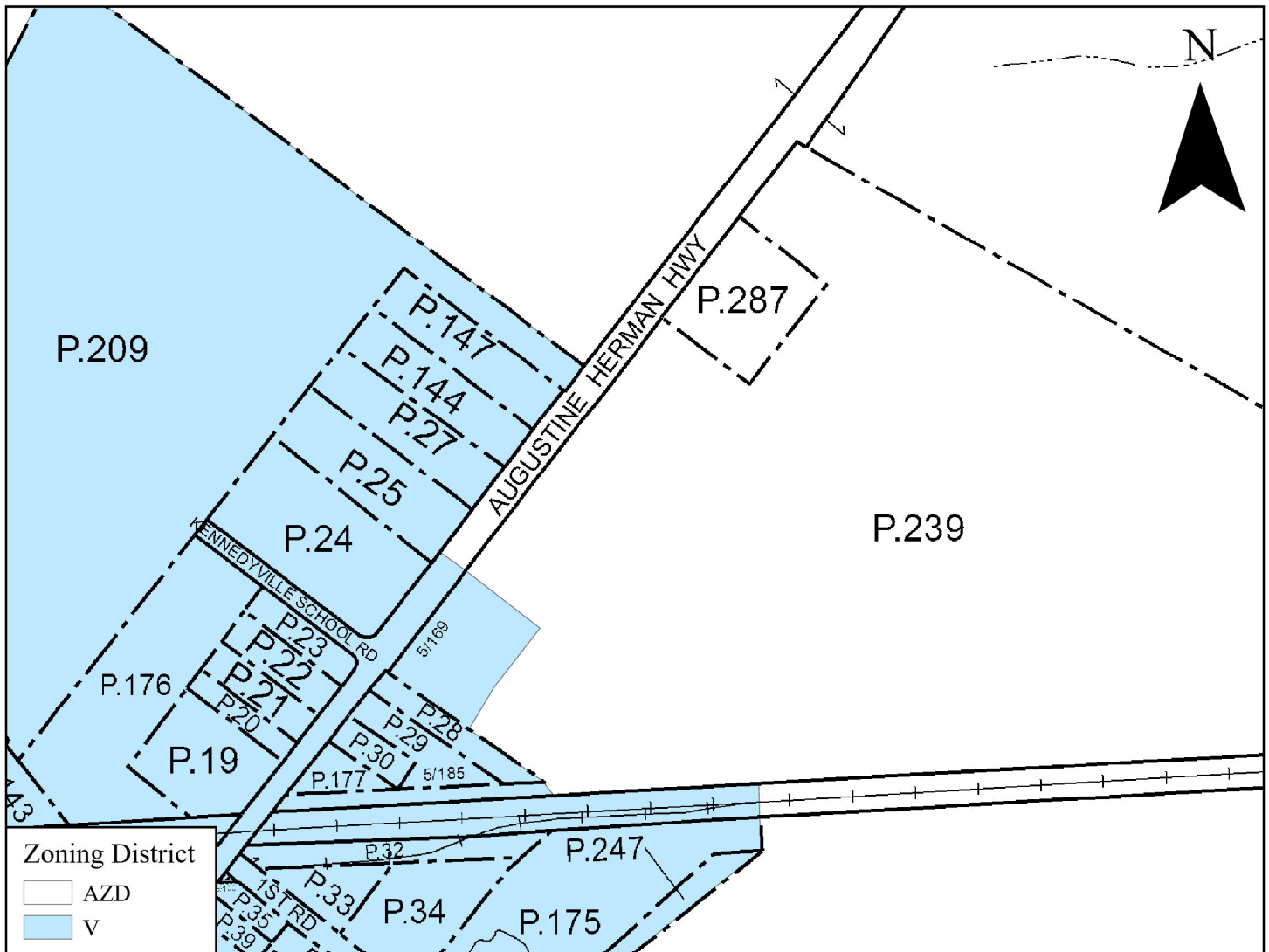




These lots have been reconfigured since 2002. Staff is recommending that the Commercial zoning line be straightened.

Source: Kent County Department of Planning, Housing, and Zoning. Map prepared April 2024

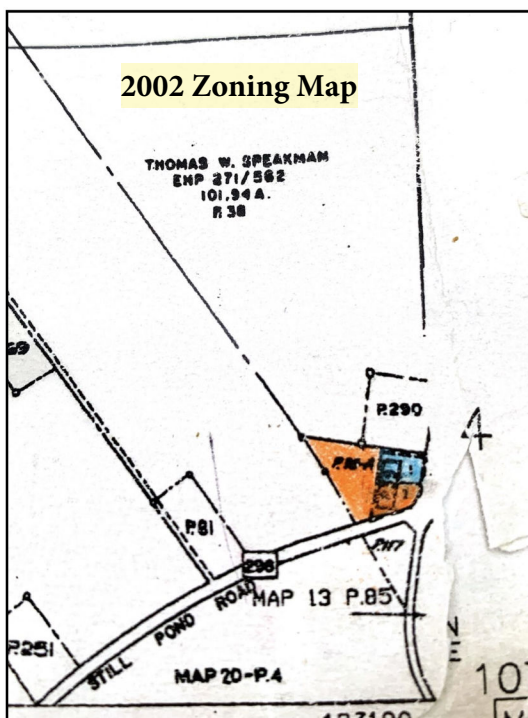
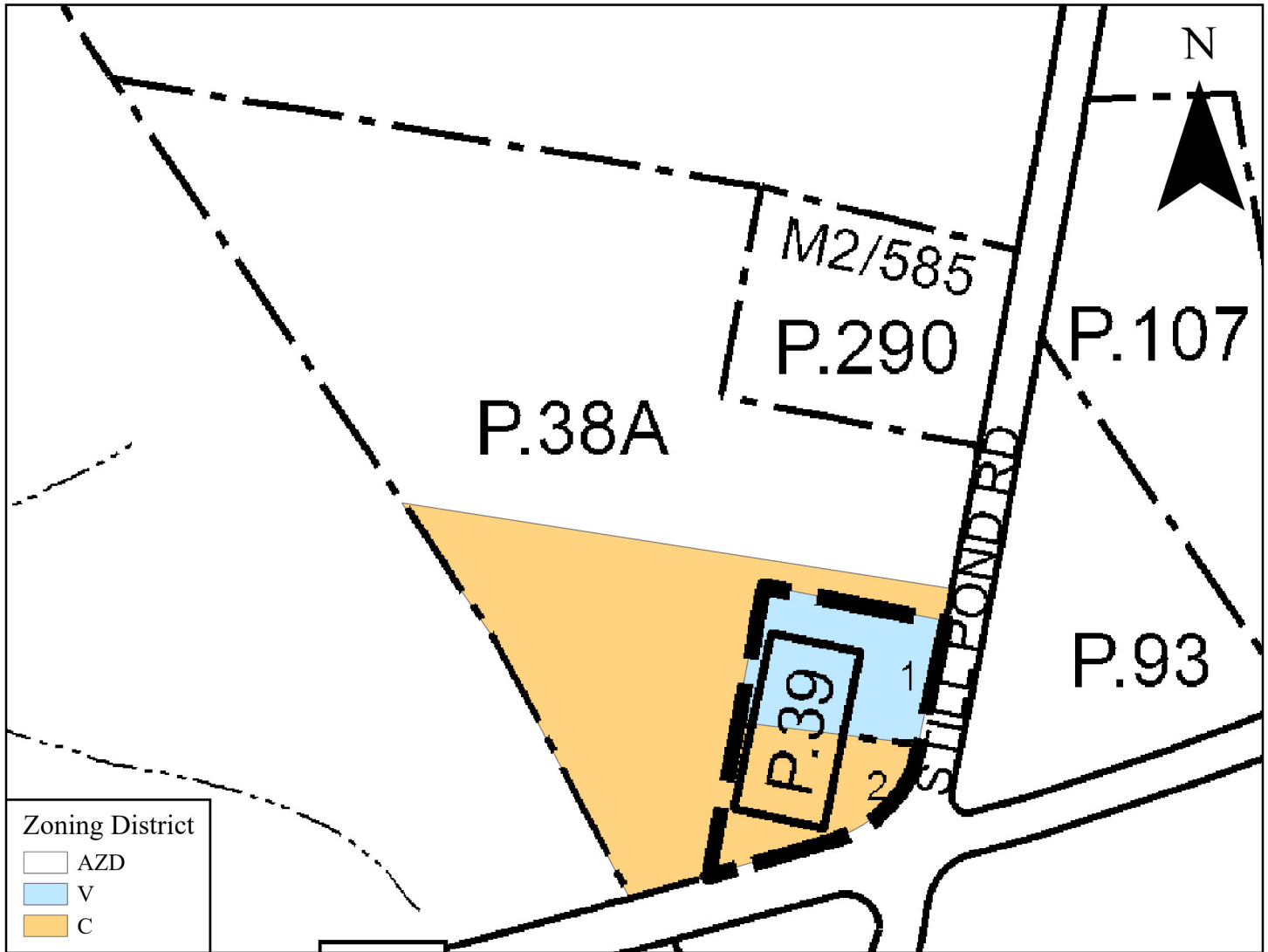
1in = 5000 ft



P. 287 was zoned Village when it was assumed to be located where it's shown on the 2002 Zoning Map.

Since 2002, P. 239 has been surveyed and subdivided and it was discovered that P. 287 was not accurately depicted on the Tax Map.

Staff is recommending that all of P. 239 be zoned AZD.

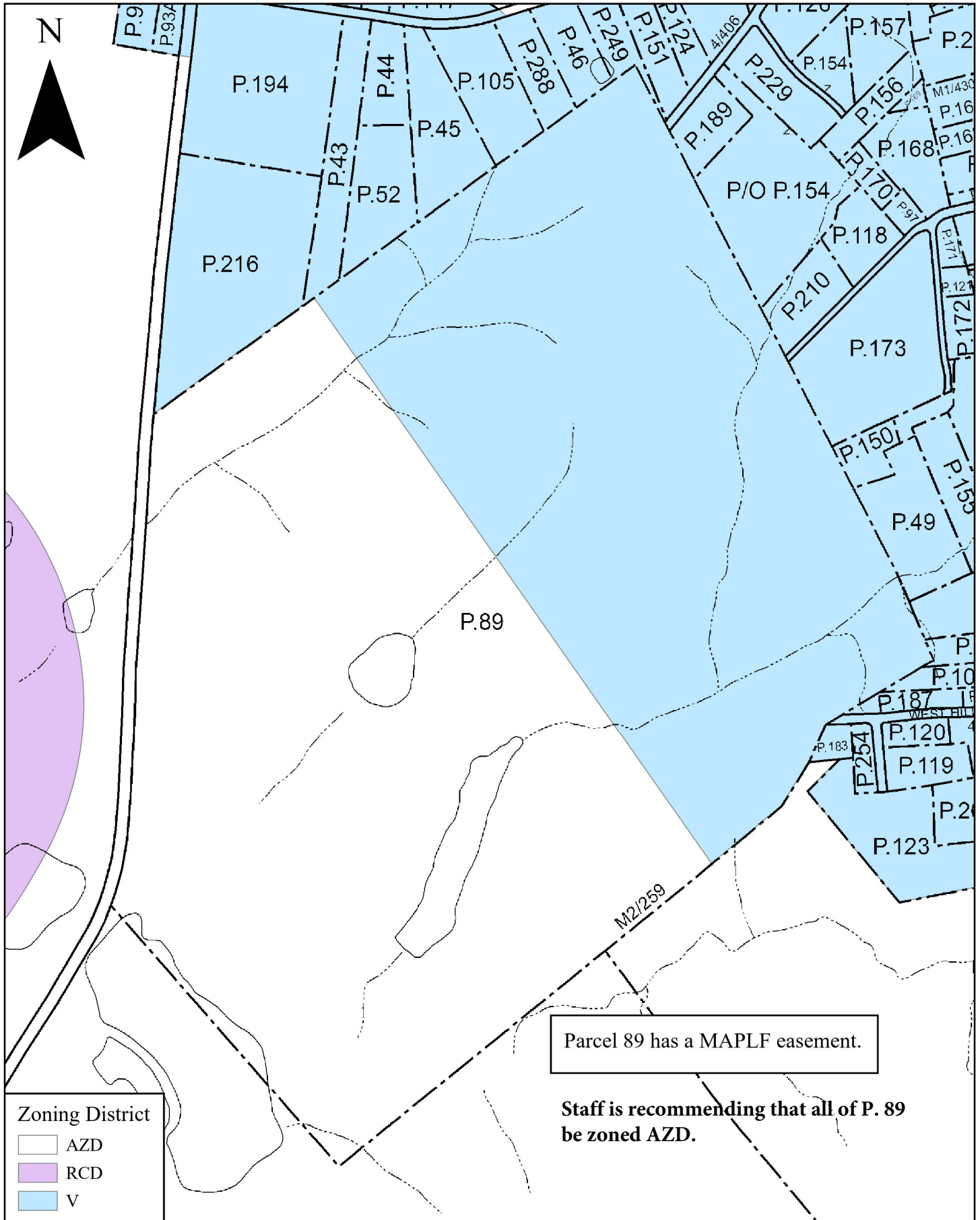


Since 2002, P. 38A has been enlarged.

Staff is recommending that all of P. 38A be zoned Commercial.

Source: Kent County Department of Planning, Housing, and Zoning. Map prepared April 2024

1in = 2000 ft



Source: Kent County Department of Planning, Housing, and Zoning.
Map prepared April 2024