

## MINUTES

The Kent County Planning Commission met in regular session on Thursday, April 4, 2013, in the County Commissioners Hearing Room at 400 High Street, Chestertown, Maryland, with the following members in attendance: Elizabeth Morris, Chairman; Bill Sutton, Vice Chairman; Bill Crowding; Joe Hickman; Jay Lancaster; and Randy Bellows. Staff in attendance was: Amy Moredock, Director of Planning, Housing, and Zoning; Carla Gerber, Community Planner; Bill Kerbin, Housing Planner; G. Mitchell Mowell, Planning Commission Attorney; and Kim Dixon, Secretary.

Ms. Morris called the meeting to order at 1:30 p.m.

## MINUTES

The minutes of the March 7, 2013, meeting were approved as presented.

**Standard Solar/County Commissioners – Fairlee Lagoon – Site Plan Review – Minor Amendment –** Standard Solar proposes to erect a new 6 foot, galvanized chain link fence on three sides of the small solar energy system constructed on property owned by the County Commissioners of Kent County on Fish Hatchery Road near Fairlee. Initially, the applicant had indicated that the existing fence would be repaired or replaced in the same location as needed. However, the applicant has decided to place new fencing 6 feet inside of the existing fence along the north, east and south sides. The amended site plan includes switch grass along Fish Hatchery Road and the first 200 feet back along the north side. There will be 4 cedars planted on the north side. Approximately 4.7 acres of the 9.5-acre property will be utilized for solar panels. The parcel is zoned “V”, Village.

Mr. Hickman and Mr. Lancaster recused themselves.

Present and duly sworn were Rob Busler, representing Standard Solar; Jim Wright, Kent County Engineer; and Carla Gerber, Community Planner.

Ms. Gerber reviewed the staff report noting the Applicable Law of the Kent County Land Use Ordinance to include Article VI, Section 5.5 which establishes the procedure for site plan amendments.

Staff recommends approval of the amended site plan.

Mr. Busler testified they originally agreed to keep the existing fence; however, the insurance company is requiring them to construct a new fence. They said the existing fence will not protect the public. The new fence will be six feet in height. Mr. Busler is willing to let the area between the two fences naturally regenerate as suggested by staff and the Technical Advisory Committee.

Ms. Morris asked for comments from the audience. Mr. Hickman, being duly sworn testified on behalf of Fairlee Farm, Inc. that he wants to make sure the switch grasses agreed upon in the previous hearing are planted. He would like to see a colored fence that would blend in with the landscape.

After a discussion, Mr. Sutton made a motion to approve the request for the minor amendment to the site plan to include a new 6 foot, galvanized chain link fence on three sides of the small solar energy system finding:

- The applicant has had issues trying to find appropriate screening for this project.
- The neighbors are satisfied with switch grass being planted prior to the installation of the fence.
- This project complies with requirements outlined in the Ordinance.

The decision was contingent upon the following:

- Naturally screening the entire northern property line with switch grass. The switch grass is to be planted prior to the installation of the new fence to allow for switch grass to be planted in the area between the old and new fences.
- Planting switch grass along the eastern property line.
- Planting cedars along the northern and eastern sides.
- Allowing the area between the old and new fences on the southern property line to naturally regenerate.
- Minimizing clearing during the installation of the fence.

The motion was seconded and approved unanimously.

**GB Kennedyville – Final Subdivision Review, Phase II** - This project was removed from the agenda at the applicant's request.

**Land Preservation, Parks and Recreation Plan** – Ms. Gerber presented the revised Draft Land Preservation, Parks and Recreation Plan (LPPRP). The Plan has been revised based on comments from the Planning Commission's initial review in October 2012.

Present was Stacey Clough, Kent County Parks and Recreation Department.

Ms. Gerber informed the members that the Parks and Recreation Advisory Board and the Agricultural Preservation Advisory Board have reviewed the plan and recommended approval. Also, the comments from the Maryland Departments of Planning and Natural Resources have been addressed.

The overall objectives of the LPPRP include the following:

- Identify the needs and priorities of current and future Kent County residents and visitors for outdoor recreation;
- Achieve local land preservation goals;
- Ensure that public investment in land preservation and recreation supports and is supported by local programs that influence land use and development;
- Identify desirable improvements to policies, plans, and funding strategies to better achieve the Plan's goals and improve state, local, and private return on investment;
- Make recommendations to agencies, State and local elected officials, and administrators.

After a discussion, Mr. Hickman made a motion to send a letter of support for the Land Preservation, Parks and Recreation Plan to the County Commissioners.

The motion was seconded and approved unanimously.

## **STAFF REPORTS**

Bill Kerbin – nothing to report.

Carla Gerber – nothing to report.

Mitch Mowell – nothing to report.

Amy Moredock – Staff attended the Sustainable Growth Commission meeting on which the County's Tier IV Exemption request appeared on the agenda. The Sustainable Growth Commission has given a favorable recommendation of the County's request. Ms. Moredock informed the members that the joint

Planning Commissions and Boards of Appeals meeting minutes would be emailed to the members for approval.

**GENERAL DISCUSSION**

Ms. Moredock informed the members that staff has been asked by members of the community to look into the Ordinance requirement regarding the established 10% maximum percentage of property in lots in the Agricultural Zoning District. She stated there may be a text amendment regarding this limitation presented to the Planning Commission for review in the near future.

There being no further business for the good of the organization, the meeting was adjourned at 2:56 p.m.

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Elizabeth Morris, Chairman

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Kim Dixon, Clerk