

## MINUTES

The Kent County Planning Commission met in regular session on Thursday, August 6, 2015, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland, with the following members in attendance: William Sutton, Vice Chairman; Ed Birkmire; Bill Crowding; James Saunders; and Joe Hickman. Staff in attendance were: Amy Moredock, Director of Planning, Housing, and Zoning; Katrina Tucker, Community Planner; G. Mitchell Mowell, Planning Commission Attorney; and Tonya Thomas, Secretary.

Mr. Sutton called the meeting to order at 1:30pm.

## MINUTES

The minutes of July 2, 2015, meeting, were approved as presented.

## APPLICATIONS FOR REVIEW:

### **ISE America, Inc. / Southern States Cooperative – Preliminary Site Plan – 12211 Massey Road First Election District – Zoned Employment Center District**

Southern States Cooperative is requesting final site plan approval on lands that are owned by ISE America, Inc., for their proposed facility. The facility would consist of a 12,000 square foot warehouse building with a loading dock and office space, a 16,320 square foot dry bulk fertilizer building with an approximately 1,620 square foot blending and loading area, and 8 crop protectant tanks and 9 tanks each of which will contain 30,000 gallons of liquid fertilizer located within a containment wall with an approximate 2,500 square foot truck shop, and a 900 foot proposed railroad spur. The total square footage of gross floor area of all proposed buildings is approximately 35,640 square foot.

The property is located at 12001 Massey Road in the First Election District and zoned Employment Center (EC). The facility is proposed to be located on a leased 13 acre portion of the site that is located along the existing railroad line.

Present and duly sworn in were, Jack Kemp, District Manager for Southern States; Chris Hemp, Real Estate and Construction Division representative for Southern States Cooperative; Robert Nickerson, of Extreme Measures Land Surveying; and Amy G. Moredock, Director of Planning, Housing, and Zoning.

Ms. Moredock gave an overview of the application and cited all of the applicable laws of the *Kent County Land Use Ordinance* which were satisfied during preliminary site plan approval with following exceptions:

- ☞ The Certified Engineer's Report must be sealed.
- ☞ The Forest Conservation Plan appears to meet the standards identified in Article VI, Section 8.4 of the Ordinance. A Simplified Forest Stand Delineation is appropriate to this site (as it is not forested) and must be submitted.
- ☞ Stormwater Management and Sediment and Erosion Control Plans must be approved.
- ☞ Sureties for stormwater management, sediment and erosion control, Forest Conservation, and landscape plans must be submitted.

The applicant was granted the following waivers during the June 2015 preliminary site plan approval: the side yard setback and side yard landscaping requirements established in Article V, Section 14.5 of the *Kent County Land Use Ordinance*; the site landscaping standards established in Article V, Section 14.9.B.4; and bonus signage square footage in accordance with Article VI, Section 2.7.

Ms. Moredock stated that no correspondence had been received regarding this application.

The applicants responded to inquiries from members of the Planning Commission with respect to the proposed project and the compliance with all outstanding matters identified during preliminary site plan approval.

After much discussion Mr. Hickman made a motion to approve the final site plan based on the following facts:

- ☞ Consistency with the Comprehensive Plan;
- ☞ Compliance with all applicable laws reviewed upon granting Preliminary Site Plan approval on 4 June 2015; and
- ☞ Compliance with all contingencies affiliated with the preliminary approval.

Mr. Birkmire seconded the motion; and the motion passed unanimously.

### **Staff Reports**

Amy Moredock:

- ☞ OneEnergy Blue Star is proposing to lease approximately 45 acres of land in Massey which is zoned Industrial and Employment Center in order to construct a utility scale solar project. Conceptual site plan review is scheduled for the September 3<sup>rd</sup> Planning Commission meeting. A Prehearing Conference scheduled by the Public Service Commission will be held in Baltimore on August 11, 2015. OneEnergy will host a Citizen Participation meeting on August 12, 2015 at 7:00 p.m. at Saint Clements Church in Massey.
- ☞ Ms. Moredock will be meeting with Ms. Shelly Herman, the new County Administrator on August 7, 2015 to discuss upcoming projects and departmental updates.
- ☞ It is likely that the County will be receiving a Coastal Resiliency Grant to study the County's vulnerability to coastal hazards. Staff will not be notified until September but the grant would start in October 2015 and end in September 2016.
- ☞ The Commissioners asked that the planning staff reconstitute the Renewable Energy Task Force this fall and to re-evaluate the 2011 renewable energy text amendments and to pay special attention to utility scale solar energy.

Katrina Tucker:

- ☞ The RFP for the Comprehensive Plan update should be complete and ready for advertising in August 2015. Elements that were adopted as appendixes to the current plan will be integrated into the new Comprehensive Plan.

### **General Discussion:**

There being no further business for the good of the organization, the meeting was adjourned at 2:10 p.m.

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William Sutton, Vice Chairman

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Tonya L. Thomas, Clerk