

The Dorchester County Board of Appeals met in regular session on Thursday, July 25, 2013 in Room 110 of the County Office Building at 7:00 PM. Present were Ed Howard, Vice-Chairman, Wendell Foxwell, Elizabeth Hill, Walt Gunby, Attorney, Rodney Banks, Deputy Director of Planning, with Merris Hurley recording. Mr. Cromwell, Ms. McCulley and Mr. Dodd were absent.

An introduction was made by Vice Chairman Howard, explaining the procedures of this meeting to the audience. He then asked Mr. Banks to read the first case.

Case #2440 – Donald Pruitt and Shearer Bailey

To request a special exception to allow construction of an accessory structure which exceeds the footprint of a principal structure. Also, to request a variance from the front yard setback requirement. Property located at 6206 Castle Haven Road and contains 1.84 acres. RC, Resource Conservation Zoning District.

Mr. Pruitt, and any other person who would be testifying in this case, were sworn in.

Mr. Banks read the case and all pertinent information into the record.

Donald Pruitt, 6206 Castle Haven Road, Cambridge, Maryland told the Board that he would rely on his written responses to the criteria and he also told the Board that he has owned the property for two years and all of the structures were on the property when he bought it. This building will be for cars, boats, and mowers. There will be no hazardous materials or commercial use.

Mr. Banks read agency comments into the record. The Department of Public Works had no objection. The Health Department had no objection. The Planning Commission gave a favorable recommendation if the variance was kept to the absolute minimum.

No one spoke in favor of this request and no one was opposed.

Mr. Howard announced the end of testimony and the Board began their deliberations.

At this time, each Board member explained his decisions regarding the criteria.

After all testimony, Mr. Howard called for a motion regarding this case. Mr. Foxwell made a motion “to approve this request with the following stipulations: no commercial use and no home occupation.” Seconded by Ms. Hill and unanimously carried.

Case #2441 – Solis Energy Solutions, Inc., Applicant
Gloria Dolan, Owner

7:20 PM

To request, as a special exception, a solar energy systems utility scale project. Property located at 5106 Mount Zion Road and contains 38 acres. AC, Agricultural Conservation Zoning District.

Mr. Shearon, Mr. Weyland, Mr. Brunsvold, and any other person who would be testifying in this case, were sworn in.

Mr. Banks read the case and all pertinent information into the record.

Peter Weyland, 5724 Mallow Trail, Lorton, Virginia, Vice President of Business Development for Solis Energy Solutions, explained to the Board that they would rely on their written responses to the criteria and also told the Board that they are proposing a 4 megawatt solar project. This project will create two permanent jobs and approximately 20 temporary jobs, over a three to four month period. This project will not create additional traffic, there are no trees being taken down, no increased density to the County and no taxation on the infrastructure.

Kevin Shearon, DMS and Associates, PO Box 180, Centreville, Maryland explained to the Board the site plan and how the project will be laid out. The property is adjacent to an agricultural field and woods. There are also railroad tracks to the north and they will be meeting the 100' setback from Williamsburg Road. There are existing, unoccupied buildings on the property. The project will not disturb any wetlands on the property. Mr. Shearon also submitted into the record, Applicant's Exhibit A, Maryland Department of Natural Resources Environmental Review. Access to the project will be on Mount Zion Road and the entire project will be surrounded by a chain link fence with a secured gate. The overall fenced area will be approximately 17.6 acres. The existing entrance will be improved to allow for construction equipment. 13,000 fixed panels will face south, away from Williamsburg Road. Mr. Shearon briefly went over the special exception and supplemental use criteria. Also submitted was Applicant's Exhibit B, Maryland Department of the Environment – Stormwater Design Guidance for Solar Panel Installations.

Mr. Banks read agency comments into the record. The Department of Public Works had no objection. The Health Department had no objection. The Planning Commission gave a favorable recommendation. The State Highway Administration had no objection to this request subject to the following conditions: 1. All access to the site must be from county road 303 (Mount Zion Road) and not MD 307 (Williamsburg Road), unless review of future site plans by SHA are deemed acceptable for access permit; 2. The applicant must insure the placement of the panels do not obstruct sight distance at the intersection of MD 307 (Williamsburg Road) and county road 303 (Mount Zion Road).

No one spoke in favor of this request and no one was opposed.

Mr. Howard announced the end of testimony and the Board began their deliberations.

At this time, each Board member explained his decisions regarding the criteria.

After all testimony, Mr. Howard called for a motion regarding this case. Mr. Foxwell made a motion "to approve this request with the following stipulations: All access to site must be from Mount Zion Road; panels must not obstruct sight distance at the intersection of MD 307 and County Road 303; and that a wooded buffer is to be constructed along Williamsburg Road." Seconded by Ms. Hill and unanimously carried.

A motion was made by Ms. Hill to approve the minutes of the June 20, 2013 meeting. Seconded by Mr. Foxwell and unanimously carried.

With no further business, a motion was made by Ms. Hill to adjourn. Seconded by Mr. Foxwell and unanimously carried. Time of adjournment: 8:50 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rodney Banks', with a large, stylized flourish extending to the left.

Rodney Banks
Executive Secretary