



**County Commissioners Hearing Room**  
**MEETING TO BE HELD VIRTUALLY via CONFERENCE CALL**

**AGENDA**  
February 4, 2021  
1:30 p.m.

*COVID-19 Special Announcement Regarding Meeting Attendance*

In response to the State of Emergency, individuals must refrain from attending meetings. Planning Commission meetings are live streamed (<https://www.kentcounty.com/commissioners/meeting-live-video>), and citizens may call in with questions when the Chair opens the floor for comment.

To participate via Microsoft Teams:

1. Call **1-872-239-8359**
2. Enter Conference ID: **512 553 940#**

To participate via the Kent County Conference Bridge service:

1. Call **410-810-2213**
2. Enter PIN number **55266** when prompted.

Please mute your phone / device until the Commission Chair opens the floor for comment.

**MINUTES**

January 7, 2021

**PUBLIC HEARING**

**County Commissioners of Kent County, CHR 7-2020 – Zoning Text Amendment**

AN ACT to amend Article VI, Special Provisions, by creating a new Section 11, Countywide Standards for Utility-Scale Solar Energy Systems. Amendments by interlineation are included for review.

**20-47 James and Shirley Alexander – Zoning Text Amendment - Adding Class 8 Farm Brewery as a permitted use**

AN ACT to amend Article V, Section 1.2, Agricultural Zoning District, Permitted Principal Uses and Structures of the Kent County Land Use Ordinance, by adding 7.5, farm breweries as defined by the State of Maryland.

**APPLICATIONS FOR REVIEW**

**20-36 Pep-Up – Major Site Plan Review (Preliminary)**

12213 Galena Road – First Election District – Zoned Employment Center/Industrial District “EC/I” ... PC Decision (Staff: Rob Tracey)

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..... Rec to CCs

**GENERAL DISCUSSION**

2021 Transportation Priority Letter

Amendments to Planning Commission Bylaws

**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.

Projects will not be reviewed prior to their scheduled time. All applications will be given the time necessary to assure full public participation and a fair and complete review of all projects. Therefore, the time each application is heard may be later than the time indicated on the agenda. Agenda items are subject to change due to cancellations.

Other business without assigned times may be discussed during the meeting.



## MINUTES

The Kent County Planning Commission met in regular session on Thursday, January 7, 2021, virtually in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland, with the following members attending via audio/video conference: William Sutton, Vice Chairman; F. Joseph Hickman; Kim Kohl; County Commissioner P. Thomas Mason; B. Douglas Megargee; Paul J. Ruge, Jr.; and James Saunders; Cynthia L. McCann, Esq., Planning Commission Attorney; Staff in attendance were Carla Gerber, GIS Specialist; William Mackey, Director; Robert Tracey, Community Planner; and Brian Jones, Clerk.

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

## MINUTES

The minutes of the December 3, 2020, meeting were approved as distributed.

Mr. Paul J. Ruge Jr. introduced himself as the new member of the Kent County Planning Commission.

## ELECTION OF CHAIRMAN

Mr. Sutton opened the floor for nominations for the position of Chairperson.

Mr. Hickman nominated Ms. Kim Kohl as Chairperson of the Kent County Planning Commission. Ms. Kohl accepted the nomination and asked Mr. Hickman to be Co-Chairperson.

There was a discussion regarding the Chairperson position and the possibility of having a Co-Chairperson.

Mr. Saunders made a motion to have Ms. Kim Kohl serve as Chairperson and Mr. Joe Hickman as Co-Chairperson. The motion was seconded by Mr. Megargee.

A discussion regarding the Co-Chairperson ensued. Ms. McCann recommended waiting to appoint a Co-Chairperson and look into making amendments to the *Planning Commission By-Laws* to accommodate a Co-Chairperson position. Ms. McCann recommended having one Chairperson until the next election which is scheduled for the month of March.

After further discussion, Mr. Hickman made a motion to nominate Ms. Kim Kohl as Chairperson of the Kent County Planning Commission. The motion was seconded by Mr. Saunders. The motion was approved unanimously.

## APPLICATIONS FOR REVIEW:

### **20-38 CK Property Management, LLC (Greenscapes Land Care, LLC) – Major Site Plan Review (Preliminary & Final)**

Mr. Tracey gave a brief overview of the proposal, citing relevant issues, the applicable laws, and staff comments.

Mr. Tracey said the applicant is requesting preliminary and final site plan review to expand his grounds care business and to perform site improvements to include new employee and trailer parking areas, stone access road, new bulk material storage bins, and a new equipment storage shed. The 2.88-acre property, located between Worton and Kennedyville, is in the Second Election District.

Mr. Jay Silcox and Mr. Casey Hurd were present to discuss the application with the Planning Commission.

Mr. Ruge asked the applicant about combining the two separate lots and if there was a maintenance agreement with the neighbor for the entrance way.

Mr. Hurd said the property is more valuable with having 2 separate lots and he is not aware of a maintenance agreement.

Mr. Tracey said no correspondence has been received.

No public input was received.

After further discussion, Mr. Hickman made a motion to grant combined preliminary and final approval of the site plan contingent upon the following:

- Recordation of the Forest Conservation Declarations;
- Approval of the sediment and erosion control and stormwater management plans;
- Submission and approval of sureties for sediment and erosion control, stormwater management, landscaping, and forest conservation; and
- Revision of the site plan to show the afforestation area.

In addition, Mr. Hickman cited the following findings:

- The proposal is consistent with many Comprehensive Plan goals and strategies relative to retention and promotion of existing businesses and the implementation of best redevelopment practices.
- Onsite vehicular circulation appears to promote clearly defined access to the material storage units while also limiting unauthorized vehicles with a gate at the entrance.
- The use will not place an unreasonable demand on public services and infrastructure.
- Parking and loading requirements have been met.
- The Kent County Health Department approved this application.
- Forest Conservation has been addressed through afforestation onsite. The submission and approval of sureties are required.
- The applicant completed a citizen participation plan.
- Landscaping, comprised of two rows of Leyland Cypress, is proposed along the southern and western property lines.
- The building's design and the landscaping of the development include features that will harmonize with the surrounding area and the natural landscape.

Mr. Megargee seconded the motion, and the motion passed unanimously.

## **20-12 Chester River Yacht & Country Club – Major Site Plan (Final)**

Ms. Gerber gave a brief overview of the proposal, citing relevant issues, the applicable laws, and staff comments.

The applicants wish to increase their onsite parking for an existing Private Club and Golf Course. The expanded parking lot of 32 additional spaces includes permeable pavers and bituminous concrete. The 175-acre property is located on Quaker Neck Road in the Seventh Election District. The property is currently comprised of a private country club, a golf course, a swimming pool, a pier, a boathouse, and accessory buildings incidental to the maintenance of a private club and golf course. The surrounding area is

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characterized by single-family residential development and is zoned Critical Area Residential, “CAR”, Community Residential, “CR” and Rural Residential “RR”. The parking lot expansion is entirely within the CAR district.

Mr. Kevin Shearon from DMS & Associates, LLC, and Mr. Jim Gillespie from CRYCC were present to discuss the application with the Planning Commission.

Mr. Shearon said the applicant is seeking final approval but will likely hold off on any construction. Mr. Shearon requested the surety be postponed until a building permit application is submitted. A letter was received from the bonding company assuring that the club could post the bond.

Mr. Hickman noted that he was pleased to see that the applicant moved some of the plantings closer to the buffer.

No public input was received.

After further discussion, Mr. Hickman made a motion to grant combined final site plan approval with a condition that all required sureties will be submitted with the building permit application and based upon the following findings:

- The proposal is consistent with strategies and goals of the Comprehensive Plan.
- The Maryland Department of Transportation approved this application and the Critical Area Commission provided comments with the preliminary site plan and variance application.
- The existing sign is proposed to be relocated.
- A lighting plan has been provided, and the two proposed lights will not shine light significantly beyond the parking area.
- This proposal will not increase the demands on water and sewer. The Department of Public Works and the Kent County Health Department have approved this application.
- Stormwater management and erosion and sediment control plans have been approved.
- A Major Buffer Enhancement Plan has been submitted. Some of the plantings have been moved closer to the buffer.
- The proposed parking area should not pose any undue disturbances to neighboring properties.
- A Critical Area Forest Clearing Plan will need to be submitted for the proposed removal of an existing tree.
- The proposed parking area is located adjacent to the existing parking area. Shrubs are proposed to be planted between the parking area and the road.
- A variance was granted by the Board of Appeals on April 20, 2020, for 176-square feet of additional lot coverage within the 100-foot buffer.
- A Citizens’ Participation Plan was completed.

Mr. Sutton seconded the motion, and the motion passed unanimously.

#### **20-24 Delmarva Power and Light Company – Major Site Plan (Final)**

Mr. Tracey gave a brief overview of the proposal, citing relevant issues, the applicable laws, and staff comments.

The applicant is requesting final site plan approval to expand the existing substation located at 509 Morgnec Road (Parcel 82), to the recently purchased adjacent parcel located at 511 Morgnec Road (Parcel 85). The property, just outside of the Town of Chestertown, totals 2.40 acres and is located in the Fourth Election District.

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Present and duly sworn in were Mr. John Fellows representing Duffield Associates, Inc. and David Seay representing Delmarva Power.

Mr. Seay gave a brief overview of the project.

No correspondence has been received.

After further discussion, Mr. Hickman made a motion to grant final site plan approval of the site plan conditioned upon the approval of the sediment and erosion control and stormwater management plans.

In addition, Mr. Hickman cited the following findings:

- The proposal is consistent with many strategies of the Comprehensive Plan and conforms with applicable regulations.
- The applicant has proposed one access point from Morgnec Road. The site provides space for vehicles to park when servicing the equipment.
- The facility will place reasonable demands on public services and infrastructure.
- The proposed use should not require excessive use of other public infrastructure such as police and emergency services.
- The applicant has proposed adequate methods of solid waste disposal.
- Stormwater management will be implemented to protect surface waters and groundwater. Sediment control will minimize soil erosion during and after construction.
- The proposed colors and design of the building will harmonize with the surrounding area and natural landscape.
- The applicant has submitted sureties for sediment and erosion control, stormwater management, and landscaping.
- The landscaping plan is sufficient and should protect adjacent property owners from excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.
- In lieu of providing onsite or offsite afforestation, the applicant has paid \$4,782.70 into the Kent County Forest Conservation Fund.

Mr. Sutton seconded the motion, and the motion passed unanimously.

#### **20-41 Great Oak Manor – Major Site Plan (Concept)**

Ms. Gerber gave a brief overview of the proposal, citing relevant issues, the applicable laws, and staff comments.

The applicants are proposing improvements to expand and enhance their existing county inn use. The improvements include the construction of two free standing cottages with two guest rooms per cottage, expanded parking area to serve the cottage rooms, pedestrian pathways to link the cottages to the manor house, a tent area for events, and an addition to the existing garage to provide storage areas. The project may be split into two phases: the cottages and parking area expansion in phase 1 and the tent area and garage addition in phase 2.

Ms. Gerber read into the record 2 letters of correspondence received. The letters were received by:

Ken and Bronwyn Fry, 10650 Cliff Road, Chestertown, MD 21620  
Bruce Galton, 10626 Cliff Road, Chestertown, MD 21620

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Present and duly sworn in were Mr. Tom Davis representing DMS & Associates, LLC, and Buddy Reed representing Great Oak Manor.

Mr. Davis provided a brief overview of the proposal.

Mr. Davis said a citizen participation meeting was conducted and one person called in and one person called the property owner directly to work through some differences.

Mr. Saunders raised concerns regarding a previous project concerning Great Oak in regarding the amount of traffic and noise in the area. Mr. Saunders further noted that the reason for the lack of participation in the citizen participation meeting could be because the meeting was held virtually.

Ms. Gerber said a zoning text amendment was discussed previously.

Mr. Saunders said one of the biggest concerns raised by near-by neighbors was road maintenance.

Mr. Davis said the plan is to add 2 cottages to the property. Weddings have been occurring on the property for the past several years. He does not anticipate any additional traffic related to the addition of the 2 cottages.

Mr. Reed explained that he has been actively involved in donating money towards the community road maintenance fund and has completed road work in previous years. Mr. Reed further noted that he will continue to be involved in assisting and helping to maintain the road that leads to his business.

Mr. Reed said the hope is to have a good working relationship with neighbors.

Mr. Ruge asked about the expansion of the parking area and the location of the septic reserve area.

Mr. Reed said the well is being redrilled. The new well will be moved to a different location.

Public Input: Mr. Bruce Galton called into the meeting to discuss concerns regarding the proposal.

Mr. Davis and Mr. Reed will communicate with neighbors and will work to address concerns before requesting preliminary site plan approval.

## **GENERAL DISCUSSION**

Ms. McCann discussed amendments to the *Planning Commission By-Laws*. Ms. McCann recommended tabling an action on the amendments until the Co-Chairperson position could be investigated and further discussed.

Ms. McCann also noted the last major update to the *Planning Commission By-Laws* was 2008.

After discussion, the consensus was to table the discussion on adopting any new amendments.

## **STAFF REPORTS**

Carla Gerber:

- Working on various projects.
- Been busy fielding calls from new homeowners regarding renovations and home improvements.
- Working on items related to the Comprehensive Rezoning initiative.

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Mr. Tracey:

- Continue to work on various projects.
- Continue to review and issue building permits.
- Performing baseline inspections for MALPF.

Mr. Mackey:

- Worked with Cecil County and Anne Arundel County to develop additional language for the Kent County 2020 transportation project priority letter. Mr. Mackey asked the Planning Commission if the Commission would like to participate in the formulation of the 2021 priority letter. The Planning Commission answered in the affirmative. An item for the Planning Commission's review will be scheduled.

## **ADJOURN**

There being no further business for the good of the organization, the meeting adjourned at 3:50 p.m.

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Kim Kohl, Chairman

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Brian Jones, Clerk

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## PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission  
SUBJECT: Zoning Text Amendment – Countywide Standards for Utility-Scale Solar Energy Systems  
**Proposed to be Amended by Interlineation**  
DATE: January 29, 2021

### DESCRIPTION OF PROPOSAL

On October 6, 2020, the County Commissioners adopted a resolution to consider a zoning text amendment to amend Article VI, Special Provisions, creating a new Section 11, *Countywide Standards for Utility-Scale Solar Energy Systems*. The new standards address landscaping and maintenance requirements for utility-scale solar energy systems that may be located anywhere in the County.

The Commissioners held a public hearing on December 15, 2020. Several citizens raised issues and concerns with the text amendment, and the Commissioners decided to hold legislative work session on January 12, 2021, to review the comments. The work session resulted in a decision to amend the text amendment. The proposed changes are presented for your review and recommendation.

The text of Code Home Rule Bill No. 7-2020, as amended by interlineation, is attached. The blue text indicates the changes made as a result of the work session. These changes include a 200' setback from any lot line or road/right-of-way, a reduction in the time allowed to remove broken or waste panels, documentation certifying expected noise levels, encouraging pollinator-friendly plantings for all planted areas, and standards related to bonding and decommissioning.

### APPLICABLE LAW

Article XII, Section 6 of the Kent County Land Use Ordinance establishes the standards for the review and approval of a zoning text amendment as follows.

Before taking any action on any proposed amendment, supplement, or change, the County Commissioners shall submit the proposal to the Planning Commission for review and recommendation. The Planning Commission may hold a hearing on any proposed amendment, supplement, or change before submitting its recommendation to the County Commissioners. The Planning Commission may request any pertinent data and information as it deems necessary. In its recommendation, the Planning Commission shall address:

- a. The public need for the proposed amendment; and
- b. The extent to which the proposed amendment complies with or deviates from the Comprehensive Plan and the Critical Area Law.

### STAFF COMMENTS

At its November 5, 2020, meeting, the Commission voted unanimously to send a favorable recommendation to the County Commissioners citing public needs to pro-actively protect the County and to ensure the Public Service Commission adequately considers the County's land use regulations in making decisions pertaining to the siting of utility-scale solar energy systems. The proposal was found to be consistent with the Comprehensive Plan and to support the general spirit and intent of the Land Use Ordinance.

### STAFF RECOMMENDATION

Staff recommends sending a favorable recommendation to the County Commissioners for the proposed amendments to the zoning text amendment.

**PROPOSED TO BE AMENDED BY INTERLINEATION**

**THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND**

\_\_\_\_\_, 2021  
Legislative Session Day

Legislative Session Day  
\_\_\_\_\_, 2021

**CODE HOME RULE  
BILL NO. 7-2020**

INTRODUCED BY: P. Thomas Mason, President of the Board of County Commissioners for Kent County, Maryland.

AN ACT to amend Article VI, *Special Provisions*, by creating a new Section 11, *Countywide Standards for Utility-Scale Solar Energy Systems*, in order to address landscape buffers, installation and maintenance, and setbacks to support required landscape buffers for utility-scale solar energy systems that may be located anywhere in the County ~~within said gateways as well as in other areas in the County.~~

THE COUNTY COMMISSIONERS OF KENT COUNTY

\_\_\_\_\_  
P. Thomas Mason, President

INTRODUCED, read first time, \_\_\_\_\_, 2020, ordered posted and public hearing scheduled \_\_\_\_\_, 2020, at 6:00 p.m. in the County Commissioners Hearing Room, R. Clayton Mitchell, Jr., Kent County Government Center, 400 High Street, Chestertown, Maryland.

By order of:

\_\_\_\_\_  
Sondra M. Blackiston, Clerk

PUBLIC HEARING HAVING been posted and notice of time and place of hearing and copies having been made available to the public and the press, a public hearing was held on \_\_\_\_\_, 2020. Reported favorably [without] amendments; read a second time and ordered to be considered on \_\_\_\_\_, 2021, a legislative session day.

**PROPOSED TO BE AMENDED BY INTERLINEATION**

**A BILL ENTITLED CHR 7-2020 LANDSCAPE AND BUFFER REQUIREMENTS FOR UTILITY-SCALE SOLAR ENERGY SYSTEMS ZONING TEXT AMENDMENT**

**SECTION 1.** NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND that the Kent County Land Use Ordinance is hereby amended as follows:

ARTICLE VI.

SPECIAL PROVISIONS

SECTION 1. PARKING AND LOADING REQUIREMENTS

...

**SECTION 11. COUNTYWIDE STANDARDS FOR UTILITY-SCALE SOLAR ENERGY SYSTEMS**

**A. SETBACKS TO ACCOMMODATE REQUIRED LANDSCAPE BUFFER**

1. ~~75~~ **200** FEET FROM ANY LOT LINE.
2. ~~100~~ **200** FEET FROM ANY ROAD/ RIGHT-OF-WAY
3. **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
4. ~~150~~ **200** FEET FROM ANY RESIDENTIAL USE OR ZONING DISTRICT, **INCLUDING RESIDENTIAL PROPERTIES SEPARATED BY ROADWAYS.**
5. SETBACKS MAY BE REDUCED TO **100 FEET** ~~THE MINIMUM REQUIRED~~ FOR NON-RESIDENTIAL DEVELOPMENT ~~(75)~~ WITH WRITTEN CONSENT FROM THE PROPERTY OWNERS WHOSE PROPERTY IS ADJACENT TO THE AREA IN WHICH 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.

**PROPOSED TO BE AMENDED BY INTERLINEATION**

**B. INSTALLATION AND MAINTENANCE STANDARDS**

**SOLAR ARRAYS SHALL BE CONSTRUCTED AND MAINTAINED ACCORDING TO THE FOLLOWING:**

- 1. IF SOLVENTS ARE REQUIRED FOR CLEANING OF THE SOLAR MODULES, THEY MUST BE BIODEGRADABLE. ANY UNUSED SOLVENTS MUST BE REMOVED FROM THE SUBJECT PARCEL.**
- 2. ALL BROKEN OR WASTE SOLAR MODULES SHALL BE REMOVED FROM THE ~~SITE~~ SUBJECT PARCEL WITHIN ~~60~~ 30 DAYS OF BEING TAKEN OUT OF SERVICE. ANY LEACHING PANELS SHALL BE REMOVED WITHIN 30 DAYS OF DISCOVERY. THE SUBJECT PARCEL SHALL BE MAINTAINED IN GOOD ORDER.**
- 3. ALL WIRING NOT ON THE SOLAR ARRAYS SHALL BE UNDERGROUND EXCEPT WHEN NECESSARY TO CONNECT TO THE PUBLIC UTILITY.**
- 4. TRANSMISSION WIRES TO CONNECT THE PROJECT TO THE UTILITY INFRASTRUCTURE SHALL NOT CROSS A ROADWAY OVERHEAD.**
- 5. ANY REQUIRED UTILITY RIGHT OF WAY SHALL BE SECURED THROUGH AN EASEMENT, LEASE, SERVICE AGREEMENT OR OTHER LEGALLY BINDING DOCUMENT.**
- 6. THE SOLAR ARRAY SHALL BE ENCLOSED BY A FENCE OR OTHER APPROPRIATE BARRIER AT THE INTERIOR EDGE OF THE REQUIRED LANDSCAPE BUFFER OR IMMEDIATELY ADJACENT TO THE SOLAR ARRAY. THE FENCE OR BARRIER SHALL:
  - a. SECURE THE FACILITY AT ALL TIMES TO PREVENT UNAUTHORIZED PERSONS OR VEHICLES FROM GAINING ACCESS.**
  - b. ALL ACCESS GATES WILL PROVIDE A SIGN THAT IDENTIFIES THE RESPONSIBLE PARTIES OR OWNERS WITH CURRENT CONTACT INFORMATION.****
- 7. NOISE GENERATED BY THE FACILITY SHALL BE LIMITED BY THE PROJECT DESIGN TO 45 DBA AS MEASURED AT THE PROPERTY LINE, EXCEPT WHEN A BACK-UP GENERATOR IS NEEDED FOR MAINTENANCE. CONSTRUCTION ON THE SITE IS EXEMPT FROM THIS STANDARD. A NOTE ON THE SITE PLAN ALONG WITH AN ENGINEER'S REPORT CERTIFYING THE EXPECTED NOISE LEVELS SHALL BE REQUIRED.**
- 8. SOLAR ARRAYS, INCLUDING THE ELECTRICAL AND MECHANICAL COMPONENTS, SHALL CONFORM TO RELEVANT AND APPLICABLE LOCAL, STATE AND NATIONAL CODES.**

**PROPOSED TO BE AMENDED BY INTERLINEATION**

9. 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.
10. NON-ARRAY USES SUCH AS POWER STORAGE ARE NOT PERMITTED.

**C. LANDSCAPE BUFFER FOR UTILITY-SCALE SOLAR ENERGY SYSTEMS**

1. ANY UTILITY SCALE SOLAR FACILITY SHALL COMPLY WITH THE REQUIREMENTS OF THE FOREST CONSERVATION ACT. REFORESTATION PLANTING MAY BE INCORPORATED AS LANDSCAPING.
2. 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.
3. EXISTING TOPSOIL SHALL NOT BE REMOVED FROM THE SITE.
4. A VEGETATED BUFFER THAT IS A MINIMUM OF 60 FEET WIDE AROUND THE PERIMETER OF THE SITE AREA FRONTING ON ROADS 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 CONTINGUOUS TO PRESERVED, FORESTED LANDS THAT ARE RECORDED ON A PLAT.
5. HEALTHY EXISTING VEGETATION WITHIN THE DESIGNATED BUFFER AREA MAY BE USED TO SATISFY THE SPECIFIC BUFFER STANDARDS.
6. NON-NATIVE PLANT MATERIAL SHALL NOT TOTAL MORE THAN 10% OF ALL PLANTINGS.
7. WHERE A PHASED CONSTRUCTION PLAN IS PROPOSED, THE LANDSCAPE PLAN SHALL IDENTIFY THE PHASING OF THE PLANTINGS APPLICABLE TO EACH CONSTRUCTION PHASE.
8. 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

**PROPOSED TO BE AMENDED BY INTERLINEATION**

**OF THE BUFFER. 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. **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.**
  - b. **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. THE PLANNING COMMISSION MAY REQUIRE INSTALLATION OF TALLER SHADE TREES OR UNDERSTORY TREES TO ADDRESS GATEWAY AREAS.**
  - c. **SHRUBS WITH A MINIMUM SIZE AT INSTALLATION OF 24 INCHES IN HEIGHT OR 30 INCHES IN SPREAD.**
  - d. **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.**
  - e. **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.**
- D. 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**

**PROPOSED TO BE AMENDED BY INTERLINEATION**

**SITE WILL NOT BE ALTERED. THE BERM REQUIREMENT MAY BE WAIVED IN PART OR TOTAL SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. A MINIMUM OF TWO STAGGERED ROWS OF EVERGREEN TREES THAT AT INSTALLATION ARE AT LEAST 8 FEET IN HEIGHT AND PLANTED NO MORE THAN 10 FEET APART**
- 2. INTERSPERSED SHADE TREES HAVE A MINIMUM SIZE AT INSTALLATION OF 2.5-INCH CALIPER**
- 3. UNDERSTORY STORY TREES WITH A MINIMUM SIZE AT INSTALLATION OF 1.5-INCH CALIPER OR 6 FEET IN OVERALL HEIGHT**
- 4. SHRUBS WITH A MINIMUM SIZE AT INSTALLATION OF 30 INCHES IN HEIGHT.**
- 5. THE LANDSCAPING PLAN IS DEEMED TO SCREEN ELEVATIONS OF THE SITE ADEQUATELY WITHIN 2 YEARS.**

**E. 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:**

- 1. 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.**
- 2. ALL AUTOMATIC IRRIGATION SYSTEMS SHALL BE DESIGNED TO MINIMIZE WATER USAGE AND SHALL BE MANUALLY SHUT OFF DURING WATER EMERGENCIES OR WATER RATIONING PERIODS.**
- 3. 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.**

**PROPOSED TO BE AMENDED BY INTERLINEATION**

- F. 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 BUFFERING STANDARDS.
- G. 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.
- H. 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 CHAIN-LINK GATE OR FENCE WITH VINYL INTERWOVEN STRIPS IS NOT ACCEPTABLE.
- I. 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.
- J. SHALL COMPLY WITH ALL OTHER APPLICABLE REGULATIONS, AS CONTAINED IN THE PUBLIC LAWS OF KENT COUNTY.
- K. SHALL COMPLY WITH THE BOND-RELATED REQUIREMENTS BELOW:
1. 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

PROPOSED TO BE AMENDED BY INTERLINEATION

RESTORATION OF THE SITE TO ITS PRE-PROJECT CONDITION SHALL BE SUBMITTED, TO BE BASED ON BONA FIDE WRITTEN ESTIMATES PREPARED BY THIRD-PARTY CONSULTANTS;

2. 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;
3. AN ESTIMATE FOR REVIEW BY COUNTY SHALL BE SUBMITTED;
4. BOND SHALL BE MAINTAINED FOR THE LIFE OF THE PROJECT;
5. BONDING MAY BE IN COORDINATION WITH OTHER REQUIRED BONDING BY THE STATE OF MARYLAND, PSC, PULJ, PPRP, ETC.;
6. IN THE EVENT THAT NO OTHER BONDING IS REQUIRED, THEN A BOND IN FAVOR OF THE COUNTY SHALL BE REQUIRED;
7. SAID BONDING SHALL INCLUDE AN ESCALATOR PROVISION BASED ON CHANGES TO THE COST OF RESTORATION, WHICH SHALL BE EVALUATED AND UPDATED EVERY FIVE YEARS;
8. SAID BOND SHALL BE FOR 110% OF THE ABOVE ESTIMATE(S) AND/OR UPDATED ESTIMATE(S) FROM FIVE-YEAR REVIEWS;
9. 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
10. 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.

SECTION 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF KENT COUNTY THAT IF ANY SECTION, SUBSECTION, SENTENCE, CLAUSE, PHRASE, WORD, PROVISION OR APPLICATION OF THIS CODE HOME RULE BILL SHALL BE FOUND TO BE INVALID, ILLEGAL, UNCONSTITUTIONAL, OR UNENFORCEABLE, THAT SUCH FINDING SHALL NOT AFFECT OR UNDERMINE THE VALIDITY OF ANY OTHER SECTION, SUBSECTION, SENTENCE, CLAUSE, PHRASE, WORD, PROVISION OR APPLICATION IN THIS BILL OR CHAPTER 222.

**PROPOSED TO BE AMENDED BY INTERLINEATION**

**SECTION 3.** BE IT FURTHER ENACTED by the County Commissioners of Kent County that this Act shall take effect on the \_\_\_\_ day of \_\_\_\_\_.

Read Third Time \_\_\_\_\_

PASSED this \_\_\_\_ day of \_\_\_\_\_

Failed of Passage \_\_\_\_\_

By order of:

\_\_\_\_\_  
Sondra M. Blackiston, Clerk

THE COUNTY COMMISSIONERS OF KENT COUNTY

\_\_\_\_\_  
P. Thomas Mason, President

\_\_\_\_\_  
Ronald H. Fithian, Member

\_\_\_\_\_  
Robert N. Jacob, Jr., Member

ORDERED a fair summary thereof of the entire bill shall be published in at least one newspaper of general circulation in the County, not less than three times at weekly intervals within a four-week period.

## PRELIMINARY STAFF REPORT

**TO:** Kent County Planning Commission  
**SUBJECT:** Zoning Text Amendment – Farm Breweries in Agricultural Zoning District  
**DATE:** January 25, 2021

### DESCRIPTION OF PROPOSAL

The applicants, James and Shirley Alexander, propose to amend Article V, Section 1.2, Agricultural Zoning District, Permitted Principal Uses and Structures, by adding 7.5, farm breweries as defined by the State of Maryland. This amendment would allow license holders to brew, bottle, store, and sell not more than 15,000 barrels of beer each calendar year. Farm brewery is defined in Maryland Alcohol Article §2-210. License holders may sell beer and certain foods for on-premise consumption. The beer brewed under this type of license must be manufactured with an ingredient from a Maryland agricultural product, including hops, grain, and fruit, produced on the licensed farm.

Staff is also recommending that the bill be amended to require site plan review:

Farm breweries are subject to site plan review by the Planning Commission or where applicable the Planning Director.

### APPLICABLE LAW

Article XII, Section 6 of the *Kent County Land Use Ordinance* establishes the standards for the review and approval of a zoning text amendment as follows.

1. The County Commissioners may amend, supplement, or change the boundaries of the districts or the regulations of this Ordinance. Any amendment may be initiated by a resolution of the County Commissioners, the motion of the Planning Commission, or petition of any property owner using forms specified by the Planning Commission.

2. The application for an amendment to the text of the Ordinance shall, at a minimum, state in particular the article section, and paragraph sought to be amended. The application shall contain the language of the proposed amendment and shall recite the reasons for the proposed change in text.

4. Before taking any action on any proposed amendment, supplement, or change, the County Commissioners shall submit the proposal to the Planning Commission for review and recommendation. The Planning Commission may hold a hearing on any proposed amendment, supplement, or change before submitting its recommendation to the County Commissioners.

The Planning Commission may request any pertinent data and information as it deems necessary. In its recommendation, the Planning Commission shall address:

- a) The public need for the proposed amendment; and
- b) The extent to which the proposed amendment complies with or deviates from the Comprehensive Plan and the Critical Area Law.
- c) When reviewing an amendment to the zoning map, the Planning Commission shall address the suitability of the property in question for the uses permitted under the proposed zoning. The Planning Commission shall not recommend the adoption of the amendment unless it finds that the adoption of the amendment is in the public interest and not solely for the interest of the applicant. Failure of the Planning Commission to report to the County Commissioners within 60 days after its first meeting after the proposal was referred to them, shall be deemed approval.

## **COMPREHENSIVE PLAN**

The proposed text amendment is consistent with the Kent County Comprehensive Plan's strategies to:

- Promote the development of small, locally owned businesses.
- Recruit new businesses which are compatible with the County's environmental resources.
- Encourage the development of farm-based business including agri-tourism.
- Promote and expand facilities, services, and activities that support natural resource-based economic development.
- Support programs and initiatives to maintain the economic viability of agriculture.
- Encourage more young people to live and work in Kent County.

## **STAFF COMMENTS**

The Kent County Agriculture Advisory Commission met on January 13th and voted to make a favorable recommendation of this proposal. Their letter is included in your packet.

The Planning Commission will consider the public need for the amendment and consistency with the Comprehensive Plan and Land Use Ordinance.

The public need for this text amendment is to allow for the development of small, locally owned businesses, to encourage the development of farm-based business including agri-tourism, and to support initiatives to maintain the economic viability of agriculture. This use may also provide farmers with additional income.

Under State law, a farm brewery has limits on the amount of beer that can be produced each year, the number of events that may be held, as well as the types of food and the amount of product that can be sold for consumption on premises. According to staff's research, eight other jurisdictions permit farm breweries.

Staff recommends sending a favorable recommendation to the Kent County Commissioners.

APPLICATION FOR TEXT AMENDMENT TO THE  
KENT COUNTY LAND USE ORDINANCE  
KENT COUNTY, MARYLAND

*Kent County Department of Planning, Housing and Zoning*

Kent County Government Center  
400 High Street • Chestertown, MD 21620  
410-778-7475 (phone) • 410-810-2932 (fax)

Pursuant to Article XII, "Administrative Procedures" Section 6, "Amendments", of the Kent County Land Use Ordinance, I/We James and Shirley Alexander  
Applicant's Name

of 13501 Alexander Rd Galena, md 21635-1930 302-367-4543  
Address Telephone Number

hereby petition the Kent County Commissioners to amend the Land Use Ordinance of Kent County, Maryland, as follows: Update Article II Section 4.3.1B Class 8 Farm Brewery as Defined by the State of Maryland.

The purpose of the proposed amendment is to permit: the operation of a Class 8 Farm Brewery at 13501 Alexander Rd Galena, md 21635. This is a plan to promote Craft beer tourism and economic developement in Kent County.

James Roy Alexander  
Applicant's Signature

11-17-2020

Date

*Please Note:* The application for an amendment to the text of this Ordinance shall, at a minimum state in particular, the Article, Section, and paragraph sought to be amended. The application shall contain the language of the proposed amendment.

*Instructions:* The Land Use Ordinance requires that five (5) copies for Zoning Text Amendment be submitted to the Executive Assistant to the County Commissioners accompanied by \$500.00 filing fee, payable to the County Commissioners of Kent County.

DEPARTMENT OF  
PLANNING, HOUSING & ZONING  
RECEIVED 12/15/2020

For Office Use Only:	
File Number	<u>20-47</u>
Date Filed	<u>12/17/20</u>
Date Referred to Planning Commission	_____
Date Recommend. Rec'd from Plan. Comm.	_____
County Comm. Public Hearing Date	_____
County Commissioners Action	_____
Date of Action	_____
Property Posted	_____

# **BAYBILLY BREWING CO.**

**Baybilly LLC.**

13051 Alexander Rd, Galena, MD 21635

## **Proposed Amendment to the Kent County Land Use Ordinance for Article II Section 4 Rural Residential Zoning District**

I, James Alexander respectfully request the amendments to the land use ordinance listed in the attached application. This request is being made to allow farm breweries to exist on farms across Kent County. I have been in contact with a farm brewer in another county and with brewers from other counties in Maryland. The intent of this is to add to the growing industry of craft brewing tourism in the state and bring that tourism to Kent County.

There are currently over 100 craft breweries in the state of Maryland which ranks it 22<sup>nd</sup> in the nation. On the eastern shore there are currently thirteen breweries. These breweries broken down by county are 4 in Cecil, 1 in Dorchester, 4 in Queen Anne's, 2 in Wicomico, and 2 in Worcester. There is currently one in Kent county awaiting approval. There are currently 14 farm breweries in the state of Maryland of which 1 is on the eastern shore in Queen Anne's County.

The craft beer industry has brought in over 600 million dollars of revenue to the state (2019). It has created over 6000 jobs. These numbers are actually small compared to neighboring states like Delaware and Pennsylvania with over a billion dollars in sales and over 8000 jobs. There is plenty of room for Maryland to grow in this industry. Opening craft brewery tourism in the county would allow this growth.

Farm breweries have a lot of advantages over a brew pub. Farm breweries are typically family friendly venues. They tend to attract people of all age groups drinkers and nondrinkers. This is due to the various events a farm setting allows. This setting allows not only the brewery but also space for local artisans and farmers to set up booths to sell their wares. Such as a farmers market or craft show. It also allows for events like fall fests, corn mazes, music, playgrounds etc. The craft beer is just a catalyst to bring individuals together to enjoy many of the merchandise available from individuals throughout the county.

Not only will it benefit artisans and crafters throughout the county to be able to sell their things but it will also support the local restaurants in the area. The brewery will not supply food. There will be food trucks available at times but mainly the food will come from local restaurants by takeout. Menus from the restaurants will be provided. Patrons will be able to place orders with the local restaurants and have delivery or there will be a runner to pick up their orders.

For the proposed brewery at the Alexander Farm located at 13501 Alexander Road, Galena will not need any structures built to support the brewery and tasting room. The structures are already present. There will need to be slight renovations made which are mainly cosmetic. The plan is to have a tasting room inside, a brew house, and outside area for tastings and any special events.



Kent County Agricultural Advisory Commission  
Department of Planning, Housing, and Zoning  
400 High Street, Suite 130  
Chestertown, MD 21620  
410-778-7423 (voice/relay)

14 January 2021

Kim Kohl, Chair  
Kent County Planning Commission  
400 High Street  
Chestertown, MD 21620

RE: Zoning Text Amendment - Agricultural Zoning District (AZD)  
Permitted Use- Farm Brewery has defined by the State of Maryland

Dear Ms. Kohl:

The Kent County Agricultural Advisory Commission has reviewed the proposed amendment to the *Kent County Land Use Ordinance* District Regulations, Agricultural Zoning District [Article V, Section 1.2] by adding subsection 7.5, Farm Breweries as defined by the State of Maryland. The members voted to recommend approval of proposed amendment based on the following:

- In its Vision, the Comprehensive Plan recognizes that agriculture is the keystone to Kent County's heritage and its future. Agriculture is the linchpin that buttresses the County's economy, culture, history, and everyday experiences. The Plan further outlines goals and strategies which support existing businesses; seeks to retain and promote existing businesses and assist in their growth; encourages the development of farm-based business including agri-tourism; and promotes and supports the agricultural industry and secure its future in the County.

If you have any questions or concerns in this regard, kindly contact our staff in the Department of Planning, Housing, and Zoning.

Sincerely,

*Jennifer Debnam*

Jennifer Debnam  
Chair

JAD/rwt



## Kent County Department of Planning, Housing, and Zoning

To: Kent County Planning Commission  
From: Rob Tracey, Community Planner  
Meeting: February 4, 2021  
Subject: David A. Bramble, Inc./Pep Up, Inc.  
Preliminary Site Plan Review: Distribution Center (Liquid Propane)

### EXECUTIVE SUMMARY

#### **Request by Applicant**

Pep Up, Inc. is requesting preliminary site plan approval for a proposed liquid propane storage and distribution center. The liquid propane (LP) facility will be accessed by a rail spur allowing for bulk delivery by railcars. The LP will be offloaded from railcars into one of six new 90,000 gallon above-ground storage tanks. Fixed bodied trucks will fill from the storage tanks and provide deliveries throughout the region. The property is located on Galena Road near Massey in the First Election District.

#### **Public Process**

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

#### **Summary of Staff Report**

The liquid propane storage and distribution center is proposed to be located on Parcel 9, Parcel 4, which is comprised of 7.123-acres. Parcel 4 was created by a lot line adjustment in September of 2020 and is zoned Employment Center (EC). Upon site plan approval, Parcel 4 will be subdivided from the overall property owned by David A. Bramble, Inc. Upon transfer of ownership, the property will be maintained by Pep-Up, Inc. Parcel 4 is accessible from Galena Road through an existing 80-ft wide right-of-way. The existing railroad crossing, with upgrades as directed by the Maryland Department of Transportation, will be utilized to deliver the liquid propane.

The applicant has sufficiently addressed all the Concept site plan standards as prescribed by the Kent County Land Use Ordinance.

#### **Recommendation**

Please note that the following will need to be addressed, in order to receive final site plan approval:

- Sediment and erosion control and stormwater management plans must be approved.
- Sureties for stormwater management and sediment and erosion control must be posted prior to final approval.

## PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission  
SUBJECT: David A. Bramble, Inc./Pep Up, Inc.  
Preliminary Site Plan Review: Distribution Center (Liquid Propane)  
DATE: January 26, 2021

### Description of Proposal

Pep Up, Inc. is requesting preliminary site plan approval for a proposed liquid propane storage and distribution center. The liquid propane (LP) facility will be accessed by a rail spur allowing for bulk delivery by railcars. The LP will be offloaded from railcars into one of six new 90,000 gallon above-ground storage tanks. Fixed bodied trucks will fill from the storage tanks and provide deliveries throughout the region.

The property is located at 12213 Galena Road in the First Election District. Parcel 9, Parcel 4, comprised of 7.123 acres, was created by a lot line adjustment in September of 2020 and is zoned Employment Center (EC). Upon site plan approval, Parcel 4 will be subdivided from the overall property owned by David A. Bramble, Inc. Upon transfer of ownership, the property will be maintained by Pep-Up, Inc. Parcel 4 is accessible from Galena Road through an existing 80-ft wide right-of-way. The existing railroad crossing, with upgrades as directed by the Maryland Department of Transportation, will be utilized to deliver the liquid propane.

### GENERAL STANDARDS

#### I. Permitted Uses and Height, Area, and Bulk Requirements

- A. *Applicable Laws:* Article V, Sections 14.2 of the *Kent County Land Use Ordinance* establish site plan review requirements for all permitted industrial uses in the Employment Center.
- B. Article V, Sections 14.5 of the *Kent County Land Use Ordinance* establishes the density, height, width, bulk, and fence requirements for the Employment Center District.
- C. *Staff and TAC Comments:*  
The proposed facility will not have an adverse effect or impact on public facilities. The Certified Engineer's Report states that the operation of the facility will not have a negative impact on the surrounding area and clearly outlines the measures that will be used to safeguard the health, safety, and welfare of employees and residents of the neighborhood.

The proposed parcel is located adjacent to land zoned Employment Center and Village. As such, it appears that proposed structures meet the minimum front yard setback requirement.

#### II. Employment Center and Industrial Performance Standards:

- A. *Comprehensive Plan:* "Insure that future development, redevelopment, and infill is completed in an environmentally and context sensitive manner." (Page 31)
- B. *Applicable Law:* Article V, Section 14.6 of the *Kent County Land Use Ordinance* establish the EC performance standards. These performance standards address noise, vibration, glare, air pollution, water pollution, radioactivity, electrical interference, smoke and particulate matter, toxic matter, and

odor with compliance certified in an engineer's report.

C. *Staff and TAC Comments:* The applicant has addressed the performance standards and submitted a Certified Engineer's Report. This Report must be sealed prior to final site plan review.

### III. Employment Center General Standards

A. *Comprehensive Plan:* "Promote the development of the County employment centers." (Page 11)

B. *Applicable Law:* Article V, Section 14.7 of the *Kent County Land Use Ordinance* establish the EC general standards as follows:

1. As a part of the site plan review, the applicant shall submit a statement that includes an explanation of the following:
  - a. The type of raw materials, waste products, and other by-products associated with the process.
  - b. The identity of all chemicals and solids to be discharged into the sewage system.
  - c. The type and amount of traffic expected to be generated by the operation.
  - d. The proposed hours of operation.
  - e. The proposed architectural design (graphic or narrative) of all structures.

C. *Staff and TAC Comments:*

- The applicant's narrative and Certified Engineer's Report state that there are no byproducts or waste products associate with the use as the propane becomes gaseous at atmospheric pressure.
- The liquid propane will be offloaded from railcars into one of six new 90,000 gallon above ground storage tanks. Fix bodied trucks will fill from the storage tanks and provide deliveries throughout the region.
- A seven-foot-tall perimeter fence (6' chain link with a 1' barbed wire) is proposed around the loading area, the storage tanks, and the majority of the railroad siding. This area will be accessible by two lockable access gates.
- The property is served by onsite water and septic systems.
- No signage is proposed at this time.
- A lighting plan has been received.
- The applicant's narrative states that the site is to be unmanned and no parking is proposed. A loading area has been proposed for LP to be offloaded from railcars into the above ground storage and for the loading of the LP into fix bodied trucks.
- The site can be accessed indirectly off of Galena Road, which currently serves as the access point to the residence and the solar panels located on Parcel 9, Parcel 1. Additionally, there is a point of access from the railway in the southeast corner of the property.
- The southern property line is comprised of a landscape screening buffer from OneStar Engery. No additional landscaping is required.

### IV. Environmental Standards:

A. *Comprehensive Plan:* "Promote the use of best management practices such as stormwater management" (Page 61)

B. *Applicable Law:* Article V, Section 14.8 of the *Kent County Land Use Ordinance* establish the EC environmental standards which include forest conservation, nontidal wetlands, stream protection corridor, stormwater management, and water quality standards.

C. *Staff and TAC Comments:*

- Forest Conservation was addressed by previous development on site. All the existing woodlands have been placed under a forest conservation easement.
- Sediment and erosion control and stormwater management plans have been submitted for review.

V. Design Standards

- A. *Applicable Law:* Article V, Section 14.9 of the *Kent County Land Use Ordinance* establishes the EC design standards which address site access, landscaping, screening, and lighting. Site access should ensure vehicle and pedestrian safety and alleviate congestion. The applicant should demonstrate that access to the project is adequate and the roads which will be impacted have the capacity to handle the traffic generated by the proposed project and will not endanger the safety of the general public.

Screening is required to protect adjoining properties and roadways from noise, glare, and uses which are visually incompatible with neighboring land uses.

Lighting on the site should be sufficient to provide for the safety and security of the business, its employees, and its customers. Lighting should also be designed to avoid glare onto adjacent properties and adjacent roadways and not interfere with traffic or create a safety hazard.

B. *Staff and TAC Comments:*

- Onsite vehicular circulation appears to promote clearly defined access to the storage tanks while also limiting access by unauthorized vehicles by gating the entrances to the site.
- The southern portion of the site contains a planted screening buffer that was installed as part of OneStar Energy solar array project. No additional screening is required.
- A lighting plan has been submitted. Lighting appears to be designed to avoid glare onto adjacent properties, roadways, and should not interfere with traffic or create a safety hazard.
- The Maryland Department of Transportation State Highway Administration commented that the access site will require an Access Management Review and permit issuance.

VI. Parking and Loading

- A. *Applicable Law:* Article VI, Section 1.3 and 1.4 of the *Kent County Land Use Ordinance* establishes the parking, loading, and bicycle parking standards.

- D. *Staff and TAC Comments:* The applicant's narrative states that the site is to be unmanned and no parking is proposed. A loading area has been proposed for LP to be offloaded from railcars into the above ground storage and for the loading of the LP into fix bodied trucks.

VII. Site Plan Review

- A. *Comprehensive Plan:* "Require developers to engage and inform citizens during the development review process through the incorporation of a participation program." (Page 27)

- B. *Applicable Law:* Article VI, Section 5 of the *Ordinance* establishes the procedures and standards for site plan review. 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 many strategies and goals of the Comprehensive Plan.
- Onsite vehicular circulation appears to promote clearly defined access to the storage tanks while also limiting unauthorized vehicles by gating the entrances to the site.
- The Department of Public Works approved this application.
- The Kent County Health Department is still evaluating the proposed septic reserve area.
- The applicant has addressed the performance standards (noise, vibration, glare, air pollution, water pollution, radioactivity, electrical interference, smoke and particulate matter, toxic matter, and odor).
- The applicant submitted a Certified Engineer's Report.
- Forest Conservation was addressed by previous development on site.
- Sediment and erosion control and stormwater management plans have been submitted for review.
- No additional landscaping is required.
- A Citizen Participation was held on December 1, 2020. A summary of the meeting has been included in your packet.
- A lighting plan has been submitted.
- No signage has been proposed at this time.

**STAFF RECOMMENDATION**

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

- Sediment and erosion control and stormwater management plans must be approved.
- Sureties for stormwater management and sediment and erosion control must be posted.

*Kent County Department of Planning, Housing and Zoning*

Kent County Government Center  
400 High Street • Chestertown, MD 21620  
410-778-7475 (phone) • 410-810-2932 (fax)

**SITE PLAN APPLICATION**

**File Number:** \_\_\_\_\_ **Amount Paid:** \_\_\_\_\_ **Date:** 1/14/2021

**Project Name:** Pep-Up, Inc.

District: 1<sup>st</sup> Map: 16 Parcel: 9 Lot Size: 7.12 Deed Ref: 152/211 Zoning: EC/V

**LOCATION:** 12213 Galena Road, Massey, Maryland 21650

**PROPOSED USE:** Liquid propane storage and distribution facility

**OWNER OF LAND:**

Name: David A. Bramble, Inc. Telephone: 410-778-3023

Address: P.O. Box 419 Chestertown, Maryland 21620 Email: \_\_\_\_\_

**APPLICANT:**

Name: Pep-Up, Inc. Telephone: 302-856-2555

Address: 24987 DuPont Hwy. Georgetown, DE 19947 Email: bpepper@pepupinc.com

**AGENT/ATTORNEY (if any):**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

**REGISTERED ENGINEER OR SURVEYOR:**

Name: DMS & Associates, LLC Telephone: 443-262-9130

Address: P.O. Box 80 Centreville, MD 21617 Email: kjs@dmsandassociates.com

Water Supply:  Public System  On lot system

Sewerage:  Public System  On lot system

**TELEPHONE SERVICED BY:** Verizon

**ELECTRIC SERVICED BY:** Delmarva Power

\_\_\_\_\_  
**Signature of Applicant** **Date**

Concept Plan Approving Authority: \_\_\_\_\_ Date \_\_\_\_\_

Preliminary Approving Authority: \_\_\_\_\_ Date \_\_\_\_\_

Final Approving Authority: \_\_\_\_\_ Date \_\_\_\_\_



Davis, Moore, Shearon & Associates, LLC

January 14, 2021

Mr. William Mackey  
Kent County Department of Planning & Zoning  
400 High Street  
Chestertown, Maryland 21620

**RE: CITIZENS PARTICIPATION REPORT FOR THE PROPOSED PEP UP, INC. LIQUID PROPANE STORAGE AND DISTRIBUTION FACILITY, MASSEY, MD  
KENT COUNTY TAX MAP 16, PARCEL 9  
DMS & ASSOCIATES JOB #2018114**

Dear Mr. Mackey,

This letter is to inform you of the results from the community outreach for the above referenced project. As in-person meetings are not recommended during the Maryland State of Emergency, we modified the format to a conference call using the County's Conference Bridge service.

Attached is a list of the property owners that were notified of the conference call as well as the letter. An 11"x17" copy of the overall site plan accompanied the letters. As requested by the Planning Commission, the notification letter was sent in both English and Spanish.

A conference call was conducted on Tuesday, December 1 at 6pm. On behalf of the applicant, Brian Pepper of Pep Up, Inc. and I were on the call. After opening the meeting shortly after 6:00pm, two callers joined. The first was Mr. Roy Hoagland of 9522 Fairlee Road, Chestertown. Mr. Hoagland expressed safety concerns and referenced a letter dated November 18, 2020 that he wrote to the County Commissioners. We have not been a copy of the letter. The other caller was Ms. Olga Brooks of 12209 Galena Road, Massey. Ms. Brooks asked about any effects the solar array would have on the tanks and the orientation of the tanks.

No other callers joined the conference call. I remained on the line until approximately 6:20pm when I made a final request for comment from anyone on the line. Hearing none I announced the meeting closed.

Please review this information at your earliest convenience. If you have questions please feel free to contact me at 443-262-9130.

Sincerely,  
DMS & Associates, LLC

A handwritten signature in blue ink, appearing to read "Kevin J. Shearon".

Kevin J. Shearon, P.E., LEED AP

Enclosures

pc: Brian Pepper, Pep Up, Inc.



---

Davis, Moore, Shearon & Associates, LLC

September 24, 2020

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

**RE: CERTIFIED ENGINEER'S REPORT FOR THE PROPOSED PEP-UP, INC.  
LIQUID PROPANE STORAGE AND DISTRIBUTION FACILITY, GALENA  
ROAD, MASSEY, MARYLAND  
KENT COUNTY TAX MAP 16, PARCEL 9, LOT 2  
DMS & ASSOCIATES JOB #2018114**

Dear Mr. Mackey:

Pep-Up, Inc. is proposing to construct a new liquid propane storage and distribution facility on a lot to be created from the lands of David A. Bramble, Inc. in Massey, Maryland. The lot will be located in the Employment Center zoning district. Please accept this correspondence as our Certified Engineer's Report for this project. In accordance with Sections 14.6 of the Kent County Land Use Ordinance, we offer the following:

1. NOISE – The proposed use on this site will not generate excessive noise. Noise will be associated with the supply train utilizing the existing railroad bed and delivery trucks frequenting the site to refill. The anticipated noise expected will be within levels normally associated with Employment Center uses.
2. VIBRATION – The proposed use on this site will not generate excessive vibration. The only anticipated vibration will be generated from the trains utilizing the existing operational tracks.
3. GLARE – The proposed use on this site will not generate excessive glare.
4. AIR POLLUTION – The proposed use on this site will not generate air pollution. Nothing will be emitted or exhausted from this facility.
5. WATER POLLUTION – The proposed use on this site will not generate water pollution. All impervious surfaces will be treated using current stormwater management practices.
6. RADIOACTIVITY – There is nothing proposed with the use on this site that would generate radioactivity.
7. ELECTRICAL INTERFERENCE – There is nothing proposed with the use on this site

that would generate electrical interference on any other lot or premises.

8. SMOKE AND PARTICULATE MATTER – There is nothing proposed with the use on this site that would generate smoke or particulate matter.
9. TOXIC MATTER – There is nothing proposed with the use on this site that would generate toxic matter.
10. ODOROUS MATTER – There is nothing proposed with the use on this site that would generate odorous matter.

In accordance with Sections 14.6 of the Kent County Land Use Ordinance regarding Employment Center Performance Standards, I hereby submit this Certified Engineer's Report claiming, to the best of my knowledge and based on the information provided to me by my client, that the proposed use will not violate any Federal, State or County laws or regulations. The use will not produce undue emissions of pollutants to the waters or air of the County.

If you have questions please call me at 443-262-9130.

Sincerely,

DMS & Associates, LLC



Kevin J. Shearon, P.E., LEED AP

pc: Pep-Up, Inc.  
David A. Bramble, Inc.

## PROJECT NARRATIVE

### **Pep-Up – Galena Road, Massey, Maryland**

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

The site is located on the north side of Galena Road (Maryland Route 313). The lot is to be subdivided from the overall property owned by David A. Bramble, Inc. The new 7.123 acre site, to be known as Parcel 9 (Parcel No. 4) will take access via an existing lane off of Galena Road (Maryland Route 313). The existing railroad crossing, with upgrades as directed by the Maryland Department of Transportation, will be utilized to access the usable portion of the lot. Parcel 4 is currently encumbered by the railroad right-of-way, an 80-ft wide Choptank Electric utility right-of-way, and a 150-ft wide Delmarva Power utility right-of way.

Upon site plan approval, the property will be owned by Pep-Up, Inc. whose corporate address is 24987 DuPont Highway, Georgetown, Delaware 19947. The property will be identified as Tax Map 16 Parcel 9 (Parcel 4). The property is zoned Employment Center.

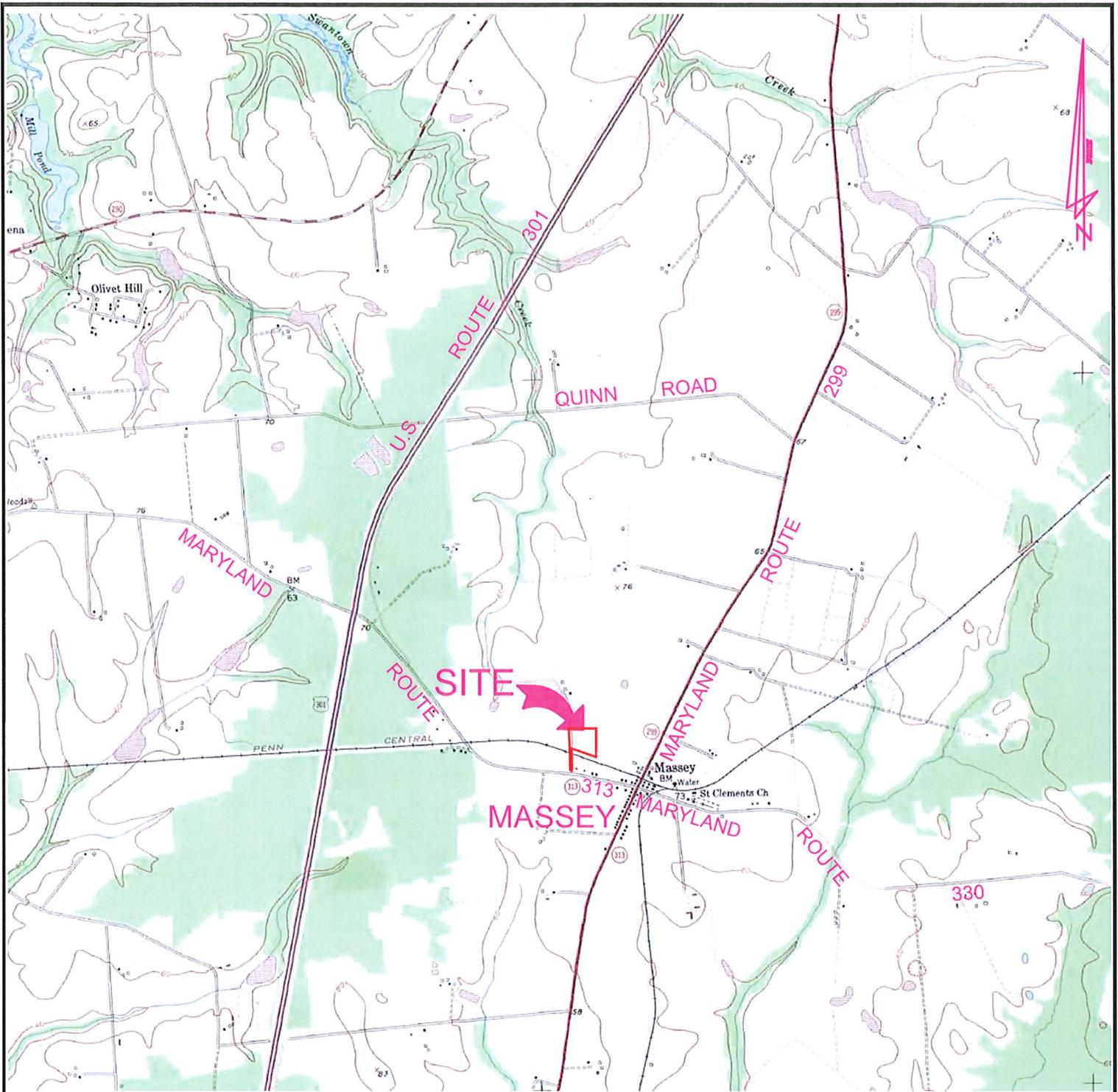
Pep-Up, Inc. is proposing to construct a liquid propane (LP) storage and distribution facility. A new rail siding will be constructed to allow for bulk delivery by railcars. The LP will be offloaded from the railcars into one of six new 90,000 gallon above-ground storage tanks. Fixed bodied trucks will fill from the storage tanks and provide deliveries throughout the region.

The raw materials associated with this project is liquid propane. There is no byproduct or waste products associated with the use as the propane becomes gaseous at atmospheric pressure.

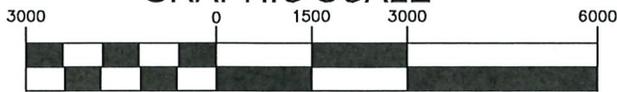
No full-time employees will be located at this site. Therefore, the site does not have a septic system or potable water well proposed. A 10,000-sf sewerage reserve area will be established as part of the lot line adjustment requirements.

There is no signage associated with this project. A lighting plan will be developed for the site showing no adverse impacts on adjacent properties.

Upon the transfer of ownership, the property will be maintained by Pep-Up, Inc. This includes a planted screening buffer that was installed as part of the OneEnergy Bluestar solar array project (#15-40). A portion of the landscaping will be removed to make way for the rail siding, but the remainder on Parcel 4 will be the continued responsibility of Pep-Up, Inc.



**GRAPHIC SCALE**

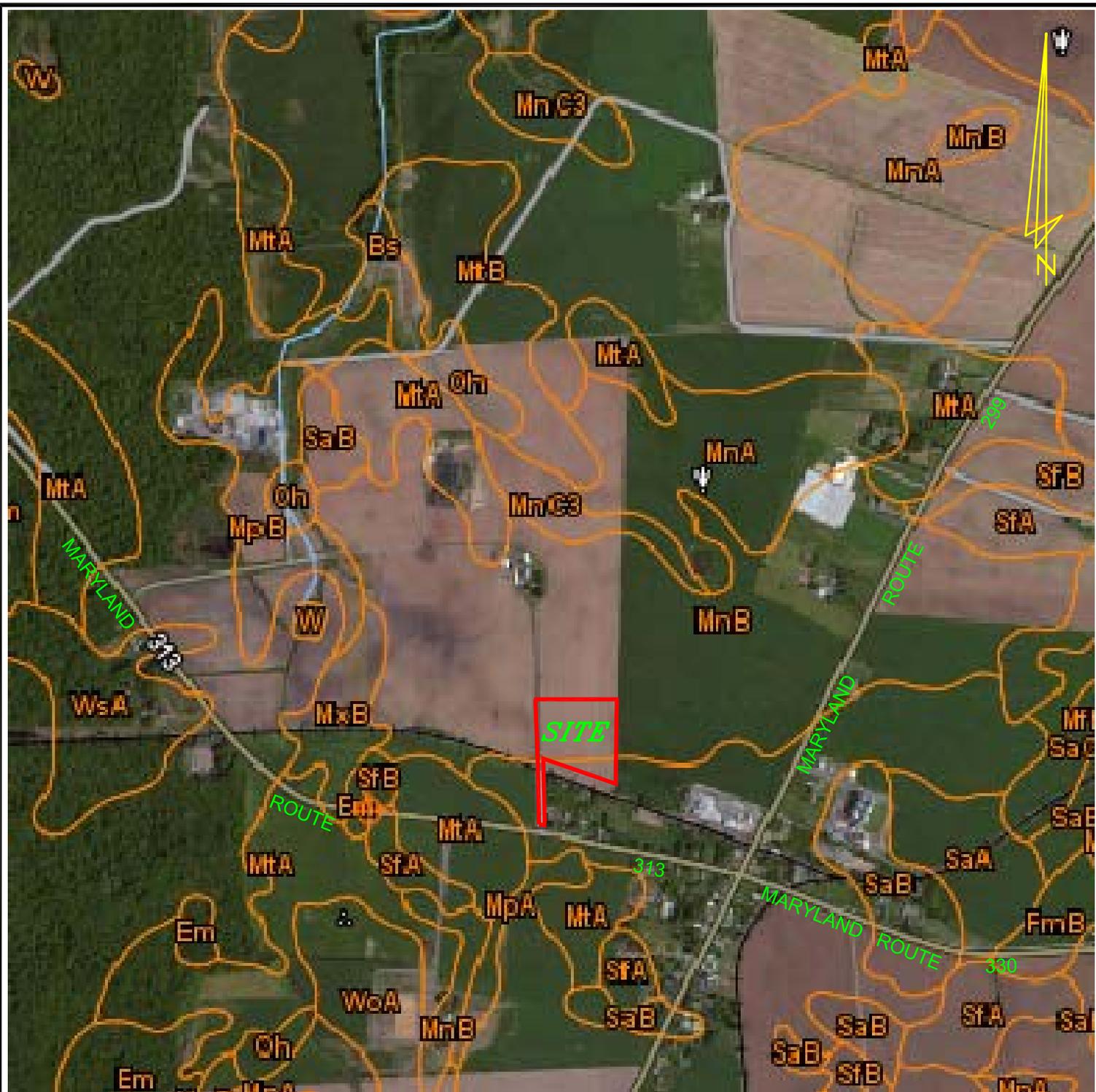


FROM:  
 U. S. GEOLOGICAL SURVEY, 1986, (PHOTO-REVISED),  
 MILLINGTON, MD. TOPOGRAPHICAL QUADRANGLE MAP

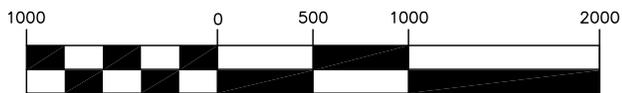
FIGURE 1. — SITE VICINITY MAP
FOR
PEP UP, INC.
FIRST ELECTION DISTRICT, KENT COUNTY, MARYLAND
TAX MAP — 16, PARCEL — 9 (PARCEL No. 4)

**DAVIS, MOORE, SHEARON & ASSOCIATES, LLC**  
 ENGINEERING, DRAFTING/DESIGN,  
 ENVIRONMENTAL SERVICES & SURVEYING  
 P.O. BOX 80  
 CENTREVILLE, MARYLAND 21617  
 PHONE : 1-443-262-9130  
 FAX : 1-443-262-9148

DRAWN BY	WJM
SCALE	1" = 3,000'
DATE	DECEMBER '20
JOB No.	2018114
FOLDER	16-2018114



**GRAPHIC SCALE**



1 inch = 1000ft.

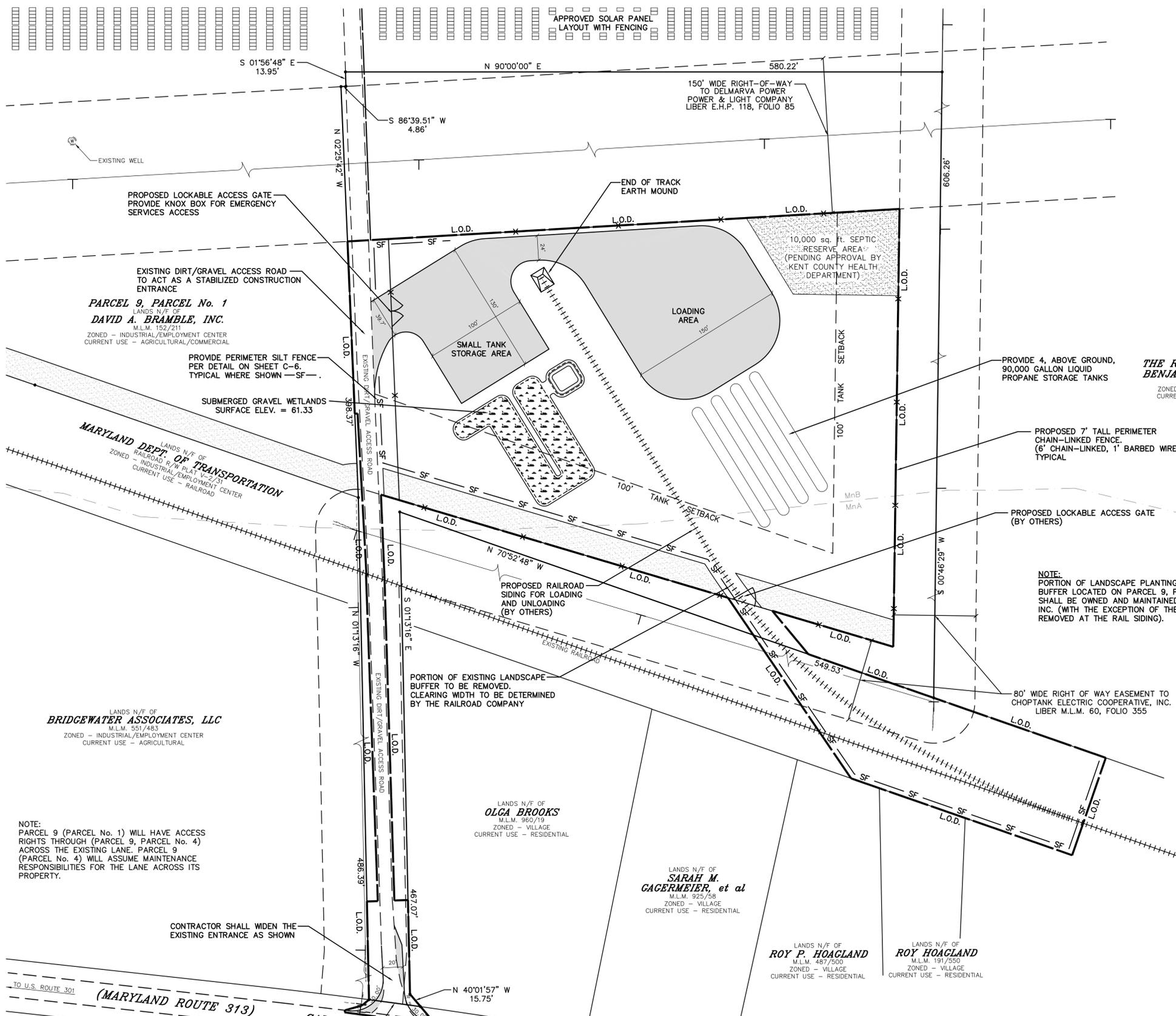
SOIL INFORMATION ACQUIRED FROM <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. FOR KENT COUNTY

FIGURE 2. — SOILS
FOR
PEP UP, INC.
FIRST ELECTION DISTRICT, KENT COUNTY, MARYLAND
TAX MAP — 16, PARCEL — 9 (PARCEL No. 4)

**DAVIS, MOORE, SHEARON & ASSOCIATES, LLC**  
 ENGINEERING, DRAFTING/DESIGN,  
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 P.O. BOX 80  
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DRAWN BY	WJM
SCALE	1" = 1000'
DATE	DECEMBER '20
JOB No.	2018114
FOLDER	16-2018114





**PARCEL 9, PARCEL No. 1**  
 LANDS N/F OF  
**DAVID A. BRAMBLE, INC.**  
 M.L.M. 152/211  
 ZONED - INDUSTRIAL/EMPLOYMENT CENTER  
 CURRENT USE - AGRICULTURAL/COMMERCIAL

LANDS N/F OF  
**MARYLAND DEPT. OF TRANSPORTATION**  
 RAILROAD N/W PLAT 15-2-31  
 ZONED - INDUSTRIAL/EMPLOYMENT CENTER  
 CURRENT USE - RAILROAD

LANDS N/F OF  
**BRIDGEWATER ASSOCIATES, LLC**  
 M.L.M. 551/483  
 ZONED - INDUSTRIAL/EMPLOYMENT CENTER  
 CURRENT USE - AGRICULTURAL

LANDS N/F OF  
**OLGA BROOKS**  
 M.L.M. 960/19  
 ZONED - VILLAGE  
 CURRENT USE - RESIDENTIAL

LANDS N/F OF  
**SARAH M. GACERMEIER, et al**  
 M.L.M. 925/58  
 ZONED - VILLAGE  
 CURRENT USE - RESIDENTIAL

LANDS N/F OF  
**ROY P. HOAGLAND**  
 M.L.M. 487/500  
 ZONED - VILLAGE  
 CURRENT USE - RESIDENTIAL

LANDS N/F OF  
**ROY HOAGLAND**  
 M.L.M. 191/550  
 ZONED - VILLAGE  
 CURRENT USE - RESIDENTIAL

LANDS N/F OF  
**THE REVOCABLE TRUST BENJAMIN C. STAFFORD**  
 M.L.M. 846/272  
 ZONED - EMPLOYMENT CENTER  
 CURRENT USE - AGRICULTURAL

NOTE:  
 PARCEL 9 (PARCEL No. 1) WILL HAVE ACCESS RIGHTS THROUGH (PARCEL 9, PARCEL No. 4) ACROSS THE EXISTING LANE. PARCEL 9 (PARCEL No. 4) WILL ASSUME MAINTENANCE RESPONSIBILITIES FOR THE LANE ACROSS ITS PROPERTY.

CONTRACTOR SHALL WIDEN THE EXISTING ENTRANCE AS SHOWN

PORTION OF EXISTING LANDSCAPE BUFFER TO BE REMOVED. CLEARING WIDTH TO BE DETERMINED BY THE RAILROAD COMPANY

NOTE:  
 PORTION OF LANDSCAPE PLANTING SCREENING BUFFER LOCATED ON PARCEL 9, PARCEL No. 4 SHALL BE OWNED AND MAINTAINED BY PEP UP, INC. (WITH THE EXCEPTION OF THE AREA TO BE REMOVED AT THE RAIL SIDING).

80' WIDE RIGHT OF WAY EASEMENT TO CHOPTANK ELECTRIC COOPERATIVE, INC. LIBER M.L.M. 60, FOLIO 355

NOTE:  
 SEDIMENT AND EROSION CONTROL WILL BE STRICTLY ENFORCED

NOTE:  
 FOLLOWING INITIAL DISTURBANCE, PERMANENT OR TEMPORARY, STABILIZATION SHALL BE COMPLETED WITHIN 3 CALENDAR DAYS ON ALL PERIMETER CONTROLS AND SLOPES GREATER THAN 3:1 AND 7 DAYS ON ALL OTHER DISTURBED AREAS ON THE SITE.

LANDS N/F OF  
**BRIDGEWATER ASSOCIATES, LLC**  
 M.L.M. 551/483  
 ZONED - INDUSTRIAL/EMPLOYMENT CENTER  
 CURRENT USE - AGRICULTURAL

$$Ch'd = N 82^{\circ}20'56'' W$$

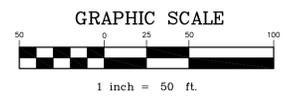
$$R = 5081.60'$$

$$L = 50.48'$$

AREA SHOWN SHALL BE 3" ASPHALT MILLINGS, ROLLED, ON 8" OF CR-6 ON COMPACTED SUBGRADE. SUBGRADE AND CR-6 ARE TO BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.

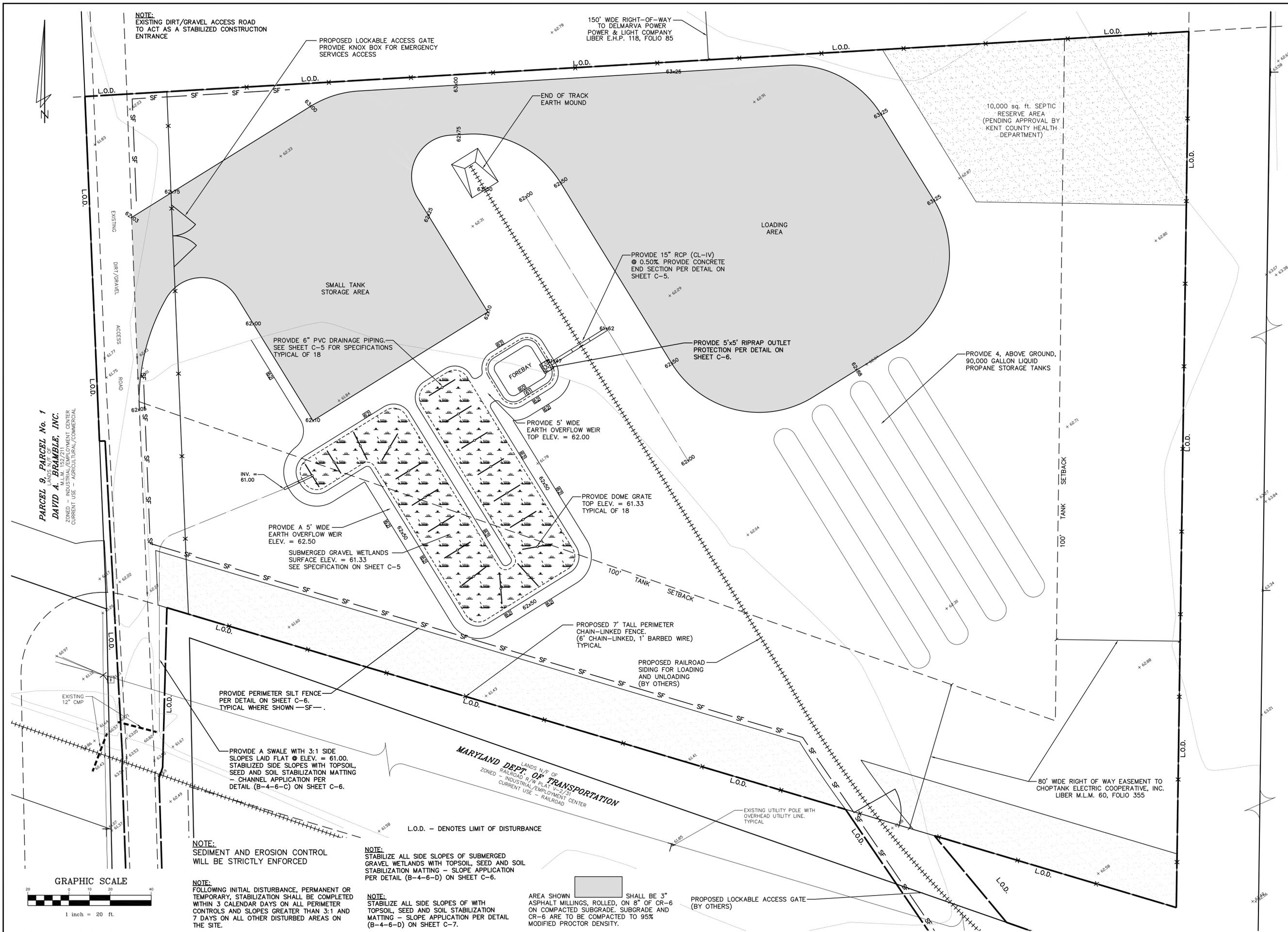
APPROVED LANDSCAPE PLANTING SCREENING BUFFER (SEE #15-40 ONEENERGY BLUESTAR)

L.O.D. - DENOTES LIMITS OF DISTURBANCE AREA = 5.00 ac.±



KENT COUNTY SOIL AND WATER CONSERVATION DISTRICT KENT COUNTY PLANNING COMMISSION KENT COUNTY HEALTH OFFICE	
PROFESSIONAL SEAL REGISTERED PROFESSIONAL SURVEYOR STATE OF MARYLAND JAMES M. SHEARON JANUARY 14, 2021 DAVID A. BRAMBLE, INC.	
<b>DAVIS, MOORE, SHEARON &amp; ASSOCIATES, LLC</b> ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING P.O. BOX 80 CENTREVILLE, MARYLAND 21617 PHONE: 410-291-1111 FAX: 410-291-9148	
REVISION	DATE
OVERALL SITE PLAN FOR A <b>PROPANE FACILITY</b> FOR <b>PEP UP, INC.</b> TAX MAP - 16, GRID - 4B, PARCEL - 9 (PARCEL No. 4) NEAR THE VILLAGE OF MASSEY, FIRST ELECTION DIST., KENT COUNTY, MARYLAND	
SCALE	1" = 50'
DATE	JANUARY 21
JOB No.	2018114
DRAWN BY	WJM
DESIGNED BY	RJS
FOLDER #	18-2018114
SHEET No.	C-2
CADD FILE	18114-C2





**DAVIS, MOORE, SHEARON & ASSOCIATES, LLC**  
ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING  
P.O. BOX 80  
CENTREVILLE, MARYLAND 21617  
PHONE: 410-291-1111  
FAX: 1-443-262-9148

FOR A PROPRANE FACILITY FOR PEP UP, INC.  
TAX MAP - 16, GRID - 4B, PARCEL - 9 (PARCEL No. 4)  
NEAR THE VILLAGE OF MASSEY, FIRST ELECTION DIST., KENT COUNTY, MARYLAND

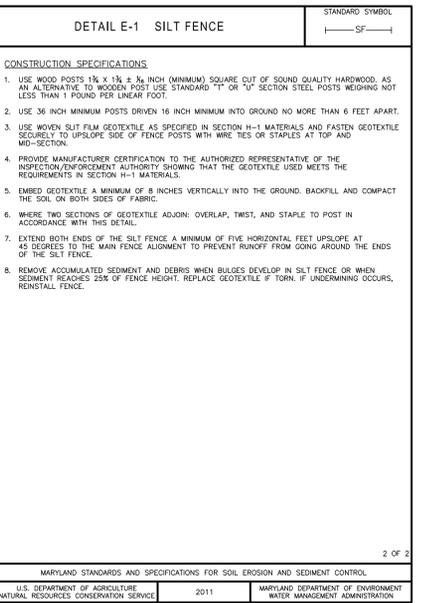
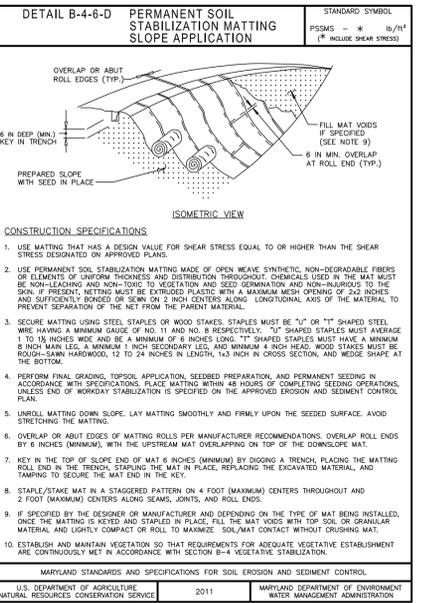
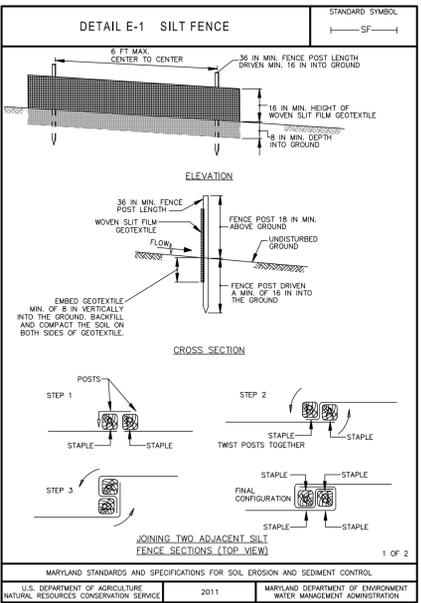
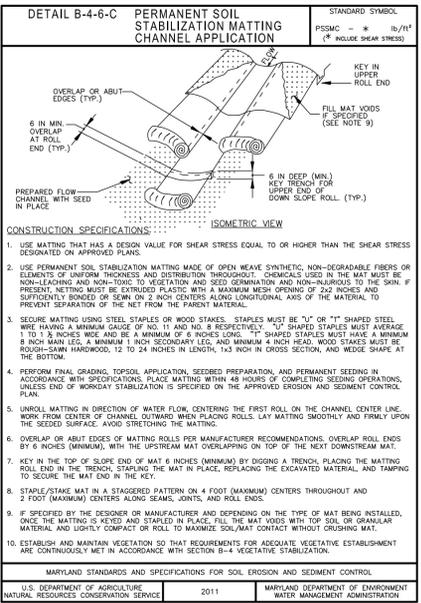
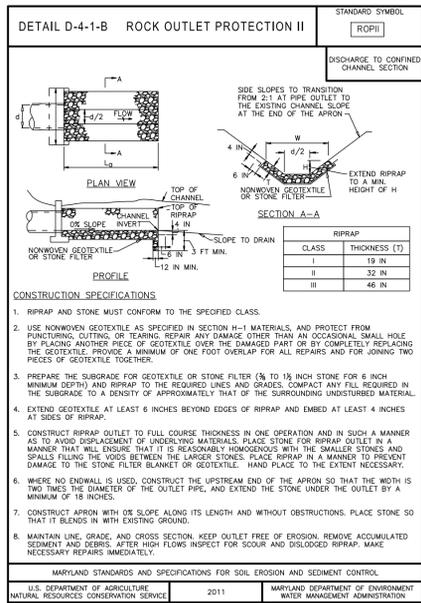
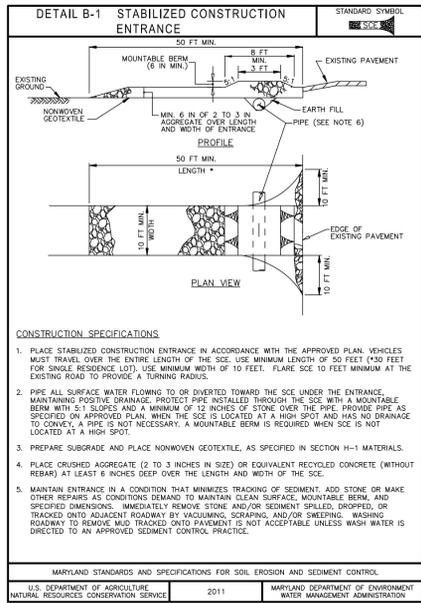
SCALE: 1" = 20'  
DATE: JANUARY 21  
JOB No.: 2018114  
DRAWN BY: WJM  
FOLDER #64:  
DESIGNED BY: RJS  
SHEET No.: C-4  
CADD FILE - 18114-C4

REVISION  
DATE

PROFESSIONAL SEAL  
STATE OF MARYLAND  
JANUARY 14, 2021  
DAVID A. BRAMBLE, INC.

KENT COUNTY PLANNING COMMISSION  
KENT COUNTY SOIL AND WATER CONSERVATION DISTRICT





GENERAL NOTES

- Notification of Kent County (410-778-7437) at least five (5) days prior to the start of work.
- Prior to the start of work, the Contractor is to obtain County approval of any proposed plan changes and sequence of construction, specifically relating to installation, inspection, maintenance and removal of erosion and sediment control measures.
- Sediment control measures are not to be removed until the areas served have established vegetative cover, or with the permission of the Kent County Sediment Control Inspector.
- When pumping sediment-laden water, the discharge must be directed to an approved sediment trapping measure prior to release from the site.
- All temporary stockpiles are to be located within areas protected by sediment control measures, and are to be temporary stabilized.
- All sediment control dikes, swales, basins and flow lines to basins will be temporarily seeded immediately upon installation to reduce the contribution to sediment loading.
- Disposal of excess erode materials on State or Federal property requires MDE Approval, otherwise materials are to be disposed of at a location approved by the local authority.
- Temporary soil erosion control and sediment control measures are to be provided as per the approved plan prior to grading operations. Location adjustments are to be made in the field as necessary. The minimum area practical shall be disturbed for the minimum possible time.
- If grading is completed out of a seeding season, graded areas are to be temporarily stabilized by mulch and mulch anchoring. Mulch material shall be unweathered, unchopped small grain straw spread at the rate of 1 to 2 tons per acre. Mulch anchoring to be accomplished by an approved method, use of a mulch anchoring tool is recommended where possible.
- Implementation of the sediment control plan shall be in accordance with the "1994 Maryland Standards and Specifications for Soil Erosion and Sediment Control", of the Department.
- The Contractor is responsible for implementation and maintenance of the approved plan, and all other measures necessary to control, filter, or prevent sediment from leaving the site.
- In case where stormwater management structures are a part of site development, removal of sediment control structures may not be accomplished before the contributing drainage area to the stormwater management structure is dewatered and stabilized.
- On sites where infiltration techniques are utilized for the control of stormwater, extreme care must be taken to prevent all runoff from entering the structure during construction.
- Sediment control for utility construction in areas outside of designed controls:
  - Excavated trench material shall be placed on the high side of the trench.
  - Immediately following pipe installation the trench shall be backfilled, compacted and stabilized at the end of each working day.
  - Temporary silt fence or straw bale dikes shall be placed immediately downstream of any disturbed area intended to remain disturbed longer than one working day.
- All points on construction ingress and egress shall be protected to prevent tracking of mud onto public ways.
- Site information:
 

Total Area of Site	7.123 Acres
Area Disturbed	5.00 Acres
Area to be Roofed or Paved	1.19 Acres
Total Cut	0 cy
Total Fill	0 cy

SEQUENCE OF CONSTRUCTION

- CONTACT THE KENT COUNTY SEDIMENT AND EROSION CONTROL INSPECTOR AT 410-778-7437 A MINIMUM OF 2 WEEKS PRIOR TO THE START OF CONSTRUCTION TO SCHEDULE A PRECONSTRUCTION MEETING PRIOR TO INITIATION OF ANY GRADING ACTIVITY.
- INSTALL SILT FENCE AT THE LOCATIONS SHOWN.
- STRIP THE TOPSOIL FROM THE LIMITS OF THE SUBMERGED GRAVEL WETLANDS AND STOCKPILE ONSITE WHERE INDICATED. EXCAVATE THE SUBMERGED GRAVEL WETLANDS TO THE PROPOSED BOTTOM ELEVATION 61.33 TO ACT AS A TEMPORARY SEDIMENT TRAP. PROVIDE OVERFLOW WEIRS AS SHOWN ON THE PLANS. AT THIS POINT, DO NOT INSTALL STONE, PEA GRAVEL, WETLAND SOIL, OR DRAIN PIPES.
- GRADE THE PROPOSED SWALES AND STABILIZE WITH TOPSOIL, SEED, AND STABILIZATION MATTING. INSTALL CULVERT.
- STRIP THE TOPSOIL FROM THE LIMITS OF THE STONE YARD AND DISPOSE OF AT AN APPROVED OFFSITE LOCATION.
- PLACE CR-6 BASE ON THE ACCESS AND STONE YARD.
- INSTALL TANK FOUNDATIONS AND TANKS.
- UPON SUBSTANTIAL COMPLETION OF THE INSTALLATION STABILIZE ALL DISTURBED AREAS WITH SEED AND MULCH.
- EXCAVATE THE SUBMERGED GRAVEL WETLANDS TO REMOVE ACCUMULATED SEDIMENT, AND INSTALL THE STONE, PEA GRAVEL, WETLAND SOIL, AND DRAIN PIPING AS INDICATED ON THE PLANS.
- UPON APPROVAL FROM THE KENT COUNTY SEDIMENT CONTROL INSPECTOR, REMOVE ALL TEMPORARY SEDIMENT AND EROSION CONTROL DEVICES AND STABILIZE ALL DISTURBED AREAS PER PERMANENT STABILIZATION SPECIFICATIONS FOUND ON THIS SHEET.

EROSION & SEDIMENT CONTROL STANDARDS AND SPECIFICATIONS FOR VEGETATIVE STABILIZATION

- Contractor shall install soil erosion and sediment control devices prior to any grading. Following initial disturbance or re-disturbance, permanent or temporary stabilization shall be completed within three (3) calendar days as to the surface of all perimeter controls, dikes, swales, ditches, perimeter slopes greater than three (3) horizontal to one (1) vertical (3:1) and seven days (7) as to all other disturbed or graded areas on the project site.
- All temporary erosion and sediment control devices are to be provided as indicated on this plan, with location adjustments to be made in the field as necessary, and to be maintained at the end of each working day until project completion. The minimum area practical shall be disturbed for the minimal amount of time possible.
- Clearing and grubbing shall include all trees, brush, debris, root mat and organic materials to be removed.
- Temporary seeding shall be accomplished between February 15th through April 30th, or August 15th through November 30th. During other times, temporary mulching shall be provided.
- Temporary seeding shall conform to the following applications: 436 lbs. per acre of soil 10-20-20; 4,000 lbs. per acre of ground limestone, to be incorporated into the soil by disking or other suitable means. Annual ryegrass shall be applied at a rate of 50 lbs. per acre using suitable equipment. Mulching shall be accomplished immediately after seeding.

Seed Mixture (For Hazard Zone 2)					Fertilizer Rate (10-20-20)	Lime Rate
No.	Species	Appl. Rate (lbs./ac.)	Seeding Dates	Seeding Depths		
ANNUAL RYE GRASS (50 lbs.)						
BARLEY OATS						
WHEAT						
CEREAL RYE						
FOXTAIL MILLET						
PEARL MILLET						

- Mulching shall be unchopped, unrotted, small grain straw applied at a rate of 2-2 1/2 tons per acre. Anchor mulch with a mulch anchoring tool on the contour. Wood cellulose fiber may be used for anchoring straw at 750 lbs. per acre mixed with water at a maximum of 50 lbs. of wood cellulose fiber per 100 gals of water, or with a synthetic liquid binder according to manufacture recommendations. Wood cellulose fiber used as mulch must be applied at a net dry weight of 1,500 lbs. per acre. Mix wood cellulose fiber with water to attain a mixture with a maximum of 50 lbs. of wood cellulose fiber per 100 gals. of water.
- Permanent seeding shall be accomplished between March 1st through May 15th, or August 15th through October 15th. Permanent seeding at other than specified times will be allowed only upon written approval. Permanent seeding shall conform to the following applications: Permanent seeding for sites having disturbed over five (5) acres shall use fertilizer rates recommended by a soil testing agency and the recommendations provided in the Permanent Seeding Summary Table. Permanent seeding for conditions other than listed above shall be performed at the rates and dates as shown in the Permanent Seeding Summary Table below. Fertilizer and lime amendments shall be incorporated into the top 3" - 5" of the soil by disking or other suitable means. Mulching shall be accomplished as discussed in item #6 of these specifications.

Seed Mixture (For Hazard Zone 2)					Fertilizer Rate (10-20-20)			Lime Rate
No.	Species	Appl. Rate (lbs./ac.)	Seeding Dates	Seeding Depths	N	P2O5	K2O	
CREeping RED FESCUE								
KENTUCKY BLUEGRASS								
TALL FESCUE								
TALL FESCUE KENTUCKY BLUEGRASS PERENNIAL RYEGRASS								

- Any spoil or borrow will be placed at a site approved by the Soil Conservation District.
- All areas remaining or intended to remain disturbed for longer than three (7) days shall be stabilized in accordance with the USDA, Natural Resources Conservation Service Standards and Specifications for Soil Erosion and Sediment Control in developing areas for critical area stabilization.
- It will be the responsibility of the Contractor or Subcontractor to notify the Engineer of any deviation from this plan. Any change made in this plan without written authorization from the Engineer will place responsibility of said change on the Contractor or the Subcontractor.

INSPECTION CHECKLIST

THE CONTRACTOR SHALL NOTIFY THE KENT COUNTY SEDIMENT AND EROSION CONTROL INSPECTOR AT (778-7437) AT THE FOLLOWING POINTS:

- THE REQUIRED PRECONSTRUCTION MEETING.
- FOLLOWING INSTALLATION OF SEDIMENT CONTROL MEASURES.
- PRIOR TO REMOVAL OR MODIFICATION OF ANY SEDIMENT CONTROL STRUCTURE.
- PRIOR TO REMOVAL OF ALL SEDIMENT AND EROSION CONTROL DEVICES.
- PRIOR TO FINAL ACCEPTANCE.

THE FOLLOWING ITEMS HAVE BEEN ADDRESSED TO MEET THE REQUIREMENTS OF THE GENERAL PERMIT FOR STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY (NPDES NUMBER MDRI0, STATE DISCHARGE PERMIT NUMBER O9GP).

- UTILIZATION OF ENVIRONMENTAL SITE DESIGN.
- MAINTENANCE OF LIMITS OF DISTURBANCE TO PROTECT NATURAL AREAS
- CONTROL OF CONSTRUCTION EQUIPMENT AND VEHICLES
- EVALUATION AND APPROPRIATE LIMITATION OF SITE CLEARING
- EVALUATION AND DESIGNATION OF SITE AREA FOR PHASING AND SEQUENCING
- IDENTIFICATION OF SOILS AT HIGH RISK FOR EROSION AND ADVANCED STABILIZATION TECHNIQUES TO BE USED
- IDENTIFICATION OF STEEP SLOPES AND DESIGNATION OF LIMITATIONS ON CLEARING THEM
- 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).

KENT COUNTY SOIL AND WATER CONSERVATION DISTRICT

KENT COUNTY PLANNING COMMISSION

KENT COUNTY HEALTH OFFICE

JANUARY 14, 2021

DAVID S. MOORE, SHEARON & ASSOCIATES, LLC  
ENGINEERING, DRAFTING/DESIGN,  
ENVIRONMENTAL SERVICES & SURVEYING

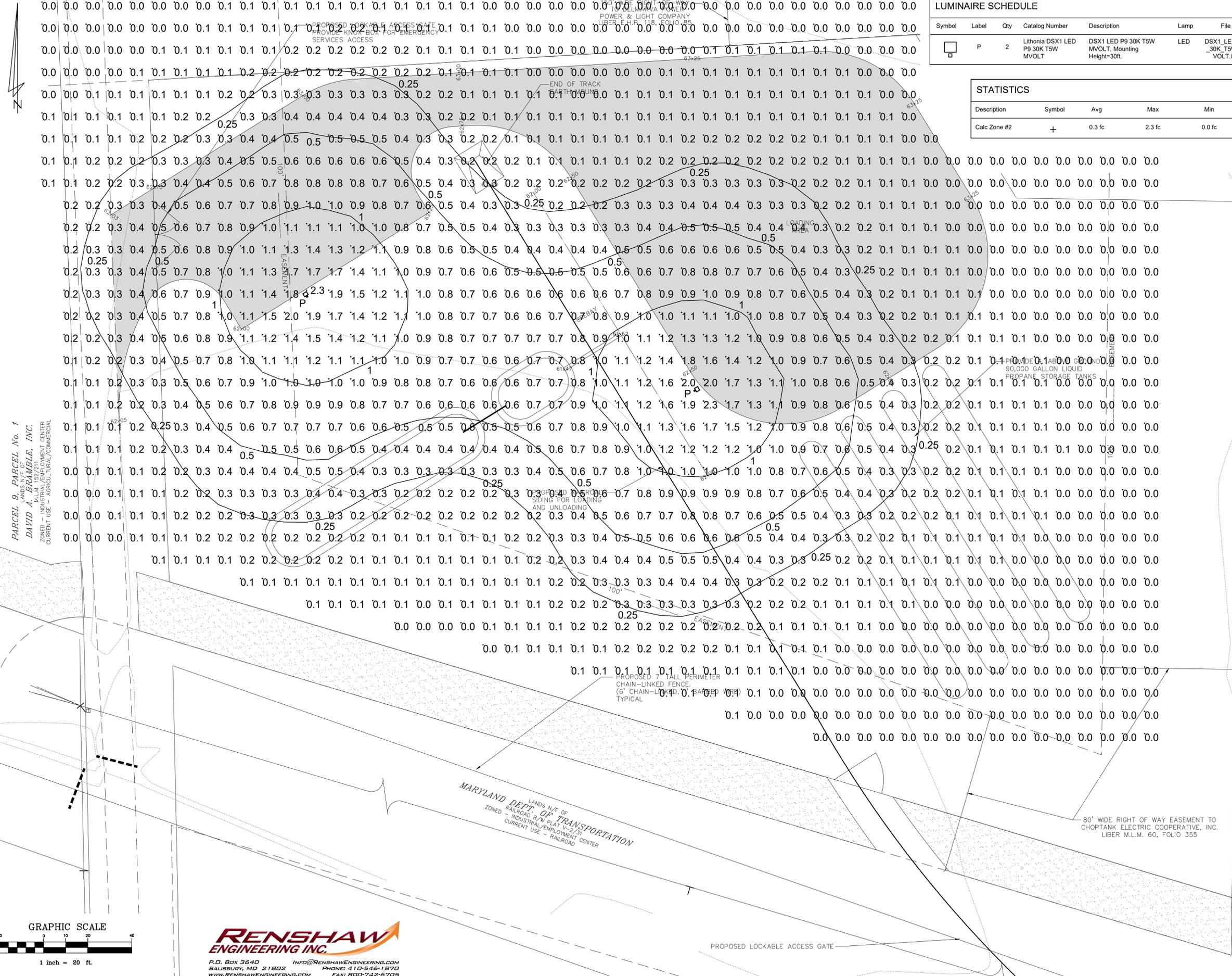
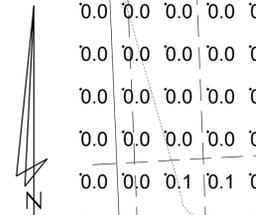
P.O. BOX 80  
CENTREVILLE, MARYLAND 21617  
TEL: 410-291-1111  
FAX: 1-443-262-8148

FOR A PROPRANE FACILITY FOR PEP UP, INC.

TAX MAP - 16, GRID - 4B, PARCEL - 9 (PARCEL No. 4)

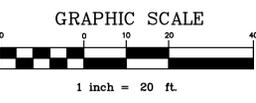
NEAR THE VILLAGE OF MASSEY, FIRST ELECTION DIST., KENT COUNTY, MARYLAND

CADD FILE - 18114-06



PARCEL 9, PARCEL No. 1  
LANDS N/F OF  
DAVID A. BRAMBLE, INC.  
M.L.M. 152/211  
ZONED - INDUSTRIAL/EMPLOYMENT CENTER  
CURRENT USE - AGRICULTURAL/COMMERCIAL

LANDS N/F OF  
MARYLAND DEPT. OF TRANSPORTATION  
RAILROAD R/W PLAT. V-2/31  
ZONED - INDUSTRIAL/EMPLOYMENT CENTER  
CURRENT USE - RAILROAD



**RENSHAW ENGINEERING INC.**  
P.O. BOX 3640 SALISBURY, MD 21802 INFO@RENSHAWENGINEERING.COM  
PHONE: 410-545-1870 FAX: 800-742-6705  
WWW.RENSHAWENGINEERING.COM

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
□	P	2	Lithonia DSX1 LED P9 30K T5W MVOLT	DSX1 LED P9 30K T5W MVOLT, Mounting Height=30ft.	LED	DSX1_LED_P9_30K_T5W_MVOLT.ies	Absolute	0.95	241

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #2	+	0.3 fc	2.3 fc	0.0 fc	N/A	N/A

KENT COUNTY SOIL AND WATER CONSERVATION DISTRICT		KENT COUNTY PLANNING COMMISSION		KENT COUNTY HEALTH OFFICE	
REVISION		DATE		DATE	
PRELIMINARY SITE LIGHTING PHOTOMETRIC PLAN FOR A FUEL STORAGE AND DISTRIBUTION FACILITY ON THE LANDS OF DAVID A. BRAMBLE, INC. TAX MAP - 16, GRID - 4B, PARCEL - 9 (PARCEL No. 4) NEAR THE VILLAGE OF MASSEY, FIRST ELECTION DIST., KENT COUNTY, MARYLAND		D. DAVIS, MOORE, SHEARON & ASSOCIATES, LLC ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING P.O. BOX 80 CENTREVILLE, MARYLAND 21617 PHONE: 410-291-9100 FAX: 1-443-262-9148		DECEMBER 16, 2020 SEAL	
DATE	SCALE	DRAWN BY	DESIGNED BY	CADD FILE - 18114-SL1	
DECEMBER 20	1" = 20'	2018114	18-2018114		
JOB No.		FOLDER Ref.	SHEET No. - SL-1		





## **Kent County Department of Planning, Housing, and Zoning**

To: Kent County Planning Commission  
From: Carla Gerber, GIS Specialist  
Meeting: February 4, 2021  
Subject: Annual Transportation Priority Letter

As mentioned during the last meeting, the County annually sends a letter to the Secretary of the Maryland Department of Transportation outlining the County's transportation priorities.

To provide a starting point for discussion, the previous two letters are provided for your information.

# The County Commissioners of Kent County

P. THOMAS MASON  
PRESIDENT  
CHESTERTOWN, MD

RONALD H. FITHIAN  
MEMBER  
ROCK HALL, MD

ROBERT N. JACOB, JR.  
MEMBER  
WORTON, MD

R. Clayton Mitchell, Jr.  
Kent County Government Center  
400 High Street  
Chestertown, Maryland 21620  
TELEPHONE 410-778-4600  
E-MAIL [kentcounty@kentgov.org](mailto:kentcounty@kentgov.org)  
[www.kentcounty.com](http://www.kentcounty.com)

SHELLEY L. HELLER  
COUNTY ADMINISTRATOR

THOMAS N. YEAGER  
COUNTY ATTORNEY

April 23, 2019

The Honorable Pete K. Rahn  
Secretary, Maryland Department of Transportation  
P.O. Box 548  
7201 Corporate Center Drive  
Hanover, MD 21706

RE: Kent County 2019 Transportation Priority Letter

Dear Secretary Rahn:

We would like to thank the staff of the Maryland Department of Transportation for its continued cooperation and support in meeting the transportation needs of the County. As the Chesapeake Bay Crossing Study (Tier 1 NEPA) continues in earnest, the County would like to reaffirm its continued opposition to any proposal for a north Bay Bridge crossing with a terminus in Kent County. The County's position in this regard is based on its long-standing Comprehensive Plan strategies dating back to 1974 and its affiliated Land Use designations.

To actively enact the County's Comprehensive Plan strategy in opposition to a north Bay Bridge crossing with a terminus in Kent County, the County's Bay Bridge Monitoring Committee has been reconstituted. The watchdog committee continues to carefully track, record, and report on the study, legislation, and other affiliated aspects of this process and study.

The County Commissioners, in cooperation with the municipalities in Kent County, present the following priority listing of transportation projects for your consideration.

- ❖ Construction, Engineering, and Project Planning Priorities
  - Chester River Bridge Crossing – aka Chester River Boulevard (This project has been entered in the MDOT Chapter 30 Portal.)
  - Galena – Toll Diversion from DE 301
- ❖ Streetscape Priorities
  - Betterton – Re-stamping of crosswalk at intersection of Main Street and 6<sup>th</sup> Avenue
  - Galena –
    - Curbing at the four (4) corners of Galena



- Drainage improvements along west side of MD Route 213N and along the north side of MD Route 290E
- Repainting of all crosswalk lines
- ♦ Butlertown and Worton – Maryland Routes 298 and 297 – sidewalks, drainage improvements, and traffic calming
  
- ❖ Trail and Pedestrian Priorities
  - ♦ Sidewalks and pedestrian walkways along Flatland Road
  - ♦ Engineering and design for pedestrian and bicycling connections on Quaker Neck Road in order to facilitate safe crossings between the Chestertown waterfront and downtown areas, to include the Rail Trail
  - ♦ Maryland Route 289 to Radcliffe Creek bike/pedestrian improvements for connections to the water trail
  - ♦ Rock Hall Trail System and sidewalk expansion around the waterfront
  - ♦ Addition of bike lanes during resurfacing projects

Thank you for your consideration of these transportation priorities in Kent County. We look forward to working cooperatively with the Maryland Department of Transportation on the planning and implementation of these important local transportation improvements.

Very Truly Yours,  
THE COUNTY COMMISSIONERS  
OF KENT COUNTY, MARYLAND

  
P. Thomas Mason, President

  
Ronald H. Fithian, Member

  
Robert N. Jacob, Jr., Member

KCC:am

cc: Amy Moredock, Director, Planning, Housing, and Zoning

# The County Commissioners of Kent County

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[www.kentcounty.com](http://www.kentcounty.com)

SHELLEY L. HELLER  
COUNTY ADMINISTRATOR

THOMAS N. YEAGER  
COUNTY ATTORNEY

June 2, 2020

The Honorable Gregory Slater  
Secretary, Maryland Department of Transportation  
P.O. Box 548  
7201 Corporate Center Drive  
Hanover, MD 21706

RE: Kent County 2020 Transportation Priority Letter

Dear Secretary Slater:

We would like to thank the staff of the Maryland Department of Transportation for its continued cooperation and support in meeting the transportation needs of the County. As the Chesapeake Bay Crossing Study (Tier 1 NEPA) continues in earnest, the County would like to reaffirm its continued opposition to any proposal for a north Bay Bridge crossing with a terminus in Kent County. The County's position in this regard is based on its long-standing Comprehensive Plan strategies dating back to 1974 and its affiliated Land Use designations.

The Kent County Commissioners, referencing the 2020 Priority Letter from Cecil County, Maryland, and in cooperation with the municipalities in Kent County, Maryland, present the following priority listing of transportation projects for your consideration.

Construction, Engineering, and Project Planning Priorities:

#### Chester River Bridge Crossing

- aka Chester River Boulevard (This project has been entered in the MDOT Chapter 30 Portal in previous years. The request was forwarded.)

#### US 301 Toll Diversion Coordination Actions in coordination with Cecil County, Maryland

- Of immediate importance is coordination with DeIDOT regarding toll-evading traffic, now that US 301 has been converted to a limited-access toll road. Toll evasion now threatens the distinctive character and sense of place in both Kent County, Maryland and Cecil County, Maryland. The current toll-evading traffic has shifted an undue burden of maintenance and operations costs from DeIDOT's roads to Maryland's local roadways. Likewise, truck weight scale evasion could have similar impacts along the US 1/222/301 corridors. In conjunction with this priority, our project requests are as follows:
- Continued coordination with DeIDOT in the operations of US 301 in Delaware.
- Stepped-up enforcement of truck weight limits along the MD 213 and US 1/222/301.



The Honorable Greg Slater, Secretary, Maryland Department of Transportation  
Kent County 2020 Transportation Priority Letter  
June 2, 2020  
Page 2 of 2

Streetscape Priorities

- Betterton – Re-stamping of crosswalk at intersection of Main Street and 6th Avenue
- Butlertown and Worton – Maryland Routes 298 and 297 – Sidewalks, drainage improvements, and traffic calming
- Galena – Curbing at the four (4) corners of Galena; drainage improvements along west side of MD Route 213N and along the north side of MD Route 290E; repainting of all crosswalk lines
- Millington Streetscape Priorities – complete current drainage and ADA sidewalk project; and resurface Cypress and Sassafras Streets – grind existing pavement, correct foundation support of roadway, repave.

Trail and Pedestrian Priorities

- Sidewalks and pedestrian walkways along Flatland Road
- Engineering and design for pedestrian and bicycling connections on Quaker Neck Road in order to facilitate safe crossings between the Chestertown waterfront and downtown areas, to include the Rail Trail
- Maryland Route 289 to Radcliffe Creek bike/pedestrian improvements for connections to the water trail
- Rock Hall Trail System and sidewalk expansion around the waterfront
- Addition of bike lanes during resurfacing projects

Thank you for your consideration of these transportation priorities in Kent County. We look forward to working cooperatively with the Maryland Department of Transportation on the planning and implementation of these important local transportation improvements.

Very Truly Yours,  
THE COUNTY COMMISSIONERS OF  
KENT COUNTY, MARYLAND



P. Thomas Mason, President



Ronald H. Fithian, Member



Robert N. Jacob, Jr., Member

cc: Dr. Alan McCarthy, County Executive, Cecil County, Maryland  
Shelley L. Heller, County Administrator, Kent County, Maryland  
Mike Moulds, PE, Director of Public Works  
William A. Mackey, AICP, DPHZ Director