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OFFICE OF THE  
COUNTY COMMISSIONERS

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET • ROOM 1103  
SNOW HILL, MARYLAND  
21863-1195

WESTON S. YOUNG, P.E.  
CHIEF ADMINISTRATIVE OFFICER  
CANDACE I. SAVAGE, CGFM  
DEPUTY CHIEF ADMINISTRATIVE OFFICER  
ROSCOE R. LESLIE  
COUNTY ATTORNEY

## PROCLAMATION

**WHEREAS**, August 2-10, 2025 is Agriculture Week in Worcester County and Maryland's Coast, a week dedicated to celebrating the fruits of the farming community on our region. From poultry, dairy, and honey, to corn, soybeans, and other fresh produce grown in the fields, to working horse ranches, aquaculture businesses, and vineyards producing local wines, vibrant agricultural zones are active in six of the county's seven legislative districts; and

**WHEREAS**, from local seafood to combines, beekeeping to animal husbandry and livestock showmanship, and peach pie eating contests to shore wineries, the vital role that agriculture plays in our communities will be on display, with activities for all ages to see and experience. The weeklong celebration begins with the Blessing of the Combines in Snow Hill and the Berlin Peach Festival on August 2 and includes the Great Pocomoke Fair Aug. 2-9, and the Worcester County Fair Aug. 8-10.

**NOW, THEREFORE**, we the County Commissioners of Worcester County, Maryland, do hereby proclaim August 2-10, 2025 as **Agriculture Week in Worcester County** and invite residents and visitors alike to celebrate farm life. Learn more about the lineup of farming events taking place that week at [visitmarylandscoast.org/](http://visitmarylandscoast.org/).

Executed under the Seal of the County of Worcester, State of Maryland, this 15<sup>th</sup> day of July, in the Year of Our Lord Two Thousand and Twenty-Five.



\_\_\_\_\_  
Theodore J. Elder, President

\_\_\_\_\_  
Eric J. Fiori, Vice President

\_\_\_\_\_  
Anthony W. Bertino, Jr.

\_\_\_\_\_  
Madison J. Bunting, Jr.

\_\_\_\_\_  
Caryn G. Abbott

\_\_\_\_\_  
Joseph M. Mitrecic

\_\_\_\_\_  
Diana Purnell

*Citizens and Government Working Together*

# Worcester County Sheriff's Office

ITEM 2

*Matthew Crisafulli*  
Sheriff



*Nathaniel Passwaters*  
Chief Deputy

June 30, 2025

To: Worcester County Commissioners

From: Sheriff Matthew Crisafulli

RE: FY25 Law Enforcement Mental Health & Wellness Act (LEMHWA) Implementation Projects

We request your approval of our application for the FY25 Law Enforcement Mental Health & Wellness Act (LEMHWA) Implementation Projects Grant in the amount of \$200,000.

If approved and awarded, grant funds will be utilized to provide resiliency training, nutrition and wellness training and to provide nutritional meal options for sworn personnel during the grant period.

Respectfully submitted,

A large, stylized blue ink signature of Matthew Crisafulli is written over the text "Respectfully submitted," and the printed name "Matthew Crisafulli, Sheriff".

Matthew Crisafulli, Sheriff

**“Proud to Protect, Ready to Serve”**

Worcester County Sheriff's Office  
One West Market Street, Room 1001  
Snow Hill, MD 21863  
410-632-1111- phone / 410-632-3070- fax  
[www.WorcesterSheriff.com](http://www.WorcesterSheriff.com)

## Standard Applicant Information

## Project Information

Project Title	Proposed Project Start Date	Proposed Project End Date
FY25 LEMHWA Grant Initiative: Enhancing Law Enforcement Health Through Nutrition, Physical Wellness and Training Initiatives	10/1/25	9/30/27
Federal Estimated Funding (Federal Share)	Applicant Estimated Funding (Non-Federal Share)	Program Income Estimated Funding
200000.0	0.0	0.0
Total Estimated Funding		
200000.0		

## Areas Affected by Project (Cities, Counties, States, etc.)

No items

## Type Of Applicant

Type of Applicant 1: Select Applicant Type:

B: County Government

Type of Applicant 2: Select Applicant Type:

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Type of Applicant 3: Select Applicant Type:

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Other (specify):

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## Application Submitter Contact Information

Application POC Prefix Name

---

Application POC First Name

Carrie

Application POC Middle Name

A

Application POC Last Name

Tingle

Application POC Suffix Name

---

**Organizational Affiliation**

Employee

**Title**

Finance Administrator/Grants Coordination

**Email ID**

catingle@co.worcester.md.us

**Phone Number**

410-632-1111

**Fax Number**410-632-3070**ORINumber**

---

**Executive Order and Delinquent Debt Information**

Is Application Subject to Review by State Under Executive Order 12372? \*

c. Program is not covered by E.O. 12372.

**Is the Applicant Delinquent on Federal Debt?**

No

**SF424 Attachments (3)****Name**manifest.txt**Date Added**

6/24/25

**Name**Form SF424 4 0-V4.0.pdf**Date Added**

6/24/25

**Name**GrantApplication.xml**Date Added**

6/24/25

**Authorized Representative****Law Enforcement Executive Information****Title**

Sheriff

**Prefix Name**

---

**First Name Middle Name Last Name**

Matthew --- Crisafulli

**Suffix Name**

---

**Government Executive Information****Title**

Chief Administrative Officer

**Prefix Name**

Mr.

**First Name Middle Name Last Name**

Weston S Young

**Suffix Name**

---

**Verify Legal Name, Doing Business As, and Legal Address****Legal Name**

WORCESTER COUNTY

**Doing Business As****UEI**

KEA9KRV8GPG3

**Legal Address****Street 1**

WORCESTER COUNTY GOVERNMENT

**Street 2**

ONE WEST MARKET ST, ROOM 1103

**City**

SNOW HILL

**State**

MD

**Zip/Postal Code**

21863

**Congressional District**

01

**Country**

USA

**Certification**

The legal name + Doing Business As (DBA) and legal address define a unique entity in the system as represented in its entity profile. The profile legal name and address is applicable to ALL applications and awards associated to this fiscal agent.

1. If this information is correct confirm/acknowledge to continue with completion of this application.

**I confirm this is the correct entity.**

**Signer Name**

Carrie Tingle

**Certification Date / Time**

06/30/2025 04:33 PM

2. If the information displayed does not accurately represent the legal entity applying for federal assistance:

- a. Contact your Entity Administrator.
- b. Contact the System for Award Management (SAM.gov) to update the entity legal name/address.

3. If the above information is not the entity for which this application is being submitted, Withdraw/Delete this application. Please initiate a new application in Grants.gov with using the correct UEI/SAM profile.

## Proposal Abstract

\*

The Worcester County Sheriff's Office (WCSO) seeks funding through the Law Enforcement Mental Health and Wellness Act (LEMHWA) Grant to enhance the health and resilience of its 95 sworn members. This 24-month initiative will focus on three key areas: nutrition, physical wellness, and evidence-based training. Building upon WCSO's existing Peer Wellness Program, the project will introduce structured fitness and nutritional support, and expand mental health training designed to reduce stress and build long-term resilience. Funding will support wellness resources, certified instruction, and the integration of practical strategies that promote overall health. These efforts will strengthen the agency's commitment to a proactive, peer-driven wellness culture that supports deputies both on and off duty.

## Data Requested with Application

\*

> FY25 LEMHWA Grants Elig

> FY25 LEMHWA Grants App Quest

## Proposal Narrative

## Budget and Associated Documentation

## Budget Summary

Budget Category	Total Cost
Sworn Officer Positions:	\$0.00
Civilian or Non-Sworn Personnel:	\$0.00
Travel:	\$0.00
Equipment:	\$1,835.00
Supplies:	\$155,165.00
SubAwards:	\$0.00
Procurement Contracts:	\$0.00
Other Costs:	\$43,000.00
Total Direct Costs:	\$200,000.00
Indirect Costs:	\$0.00
Total Project Costs:	\$200,000.00
Federal Funds:	\$200,000.00
Match Amount:	\$0.00
Program Income:	\$0.00

**Budget / Financial Attachments****Non-competitive Justification**

**Name**  
Non-Competitive  
Justification.docx

**Category**  
 Budget Non-Competitive  
 Justification

**Created by**  
 Carrie Tingle

**Date**  
**Added**  
 06/30/2025

**Indirect Cost Rate Agreement**

No documents have been uploaded for Indirect Cost Rate Agreement

**Consultant Rate Justification**

No documents have been uploaded for Consultant Rate Justification

**Additional Attachments**

**Name**  
WCSO LEMHWA Budget Na

**Category**  
 Budget Narrative

**Created by**  
 Carrie Tingle

**Date**  
**Added**  
 06/30/2025

**Budget and Associated Documentation**

DOES THIS BUDGET CONTAIN CONFERENCE COSTS WHICH IS DEFINED BROADLY TO INCLUDE MEETINGS, RETREATS, SEMINARS, SYMPOSIA, AND \_\_\_\_\_  
 TRAINING ACTIVITIES?

**Base Salary and Fringe Benefits for Sworn Officer****Personnel****Instructions**

List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization. In the narrative section, please provide a specific description of the responsibilities and duties for each position, and explain how the responsibilities and duties support the project goals and objectives outlined in your application.

**Year 1****Year 1****Personnel Detail**

Name	Position	Salary	Rate	Time Worked	Percentage of Time (%)	Total Cost
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No items

**Personnel Total Cost**

\$0

**Additional Narrative**

**Fringe Benefits****Instructions**

Fringe benefits should be based on the actual known costs or an approved negotiated rate by a Federal Agency. If not based on an approved negotiated rate, list the composition of the fringe benefit package. Fringe benefits are for the personnel listed in Personnel budget category listed and only for the percentage of time devoted to the project. In the narrative section, please provide a specific description for each item

**Year 1****Fringe Benefit Detail**

Name	Base	Rate (%)	Total Cost
No items			
<b>Fringe Benefits Total Cost</b>			
\$0			
<b>Additional Narrative</b>			

**Travel****Instructions**

Itemize travel expenses of staff personnel (e.g. staff to training, field interviews, advisory group meeting, etc.). Describe the purpose of each travel expenditure in reference to the project objectives. Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known; or if unknown, indicate "location to be determined." Indicate whether applicant's formal written travel policy or the Federal Travel Regulations are followed. Note: Travel expenses for consultants should be included in the "Consultant Travel" data fields under the "Subawards (Subgrants)/Procurement Contracts" category. For each Purpose Area applied for, the budget should include the estimated cost for travel and accommodations for two staff to attend two three-day long meetings, with one in Washington D.C. and one in their region, with the exception of Purpose Area 1, which should budget for one meeting in Washington D.C. and Purpose Areas 6 and 7, which should budget for 3 meetings within a 3 year period, with 2 in Washington D.C. and 1 within their region. All requested information must be included in the budget detail worksheet and budget narrative.

**Year 1****Travel Detail**

Purpose of Travel	Location	Type of Expense	Basis	Cost	Quantity	# Of Staff	# Of Trips	Total Cost	Non-Federal Contribution	Federal Request
No items										
<b>Travel Total Cost</b>										
\$0										

**Equipment****Instructions**

List non-expendable items that are to be purchased (Note: Organization's own capitalization policy for classification of equipment should be used). Expendable items should be included in the "Supplies" category. Applications should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the "Contracts" data fields under the "Sub awards" (Sub grants)/Procurement Contracts" category. In the budget narrative, explain how the equipment is necessary for the success in the budget narrative, explain how the equipment is necessary for the success of the project, and describe the procurement method to be used. All requested information must be included in the budget detail worksheet and budget narrative.

**Year 1****Equipment Detail**

<b>Equipment Item</b>	<b># of Items</b>	<b>Cost</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
54" Refrigerator	1.00	\$1,834.60	\$1,834.60		\$1,834.60

**Equipment Total Cost**

\$1,835

**Additional Narrative**

To support the meal delivery component of the wellness initiative, a 54" commercial-grade refrigerator is necessary to safely store prepared, perishable meals for deputies. This unit will ensure proper food safety standards, accommodate bulk deliveries, and provide convenient on-site access for shift personnel.

**Supply Items****Instructions**

List items by type (office supplies, postage, training materials, copy paper, and expendable equipment items costing less than \$10,000, such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project. All requested information must be included in the budget detail worksheet and budget narrative.

**Year 1****Supply Item Detail**

<b>Purpose of Supply Items</b>	<b># of Items</b>	<b>Unit Cost</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
Bi-Weekly Meal Delivery	14,820.00	\$10.47	\$155,165.40		\$155,165.40

**Supplies Total Cost**

\$155,165

**Construction****Instructions**

As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consult with the DOJ grant-making component before budgeting funds in this category. In the narrative section, please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application.

**Year 1****Construction Detail**

Purpose of Construction	Description of Work	# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
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No items

**Construction Total Cost**

\$0

**Subawards****Instructions**

Subawards (see "Subaward" definition at 2 CFR 200.92) : Provide a description of the Federal Award activities proposed to be carried out by any subrecipient and an estimate of the cost (include the cost per subrecipient, to the extent known prior to the application submission). For each subrecipient, enter the subrecipient entity name, if known. Please indicate any subaward information included under budget category Subawards (Subgrants) Contracts by including the label "(subaward)" with each subaward category.

**Year 1****Subaward (Subgrant) Detail**

Description	Purpose	Consultant	Country	State/U.S. Territory	City	Total Cost	Non-Federal Contribution	Federal Request
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No items

**Subawards Total Cost**

\$0

**Add Consultant Travel**

**Procurement contracts (see "Contract" definition at 2 CFR 200.22):** Provide a description of the product or service to be procured by contract and an estimate of the cost. Indicate whether the applicant's formal, written Procurement Policy or the Federal Acquisition Regulation is followed. Applicants are encouraged to promote free and open competition in awarding procurement contracts. A separate justification must be provided for sole source procurements in excess of the Simplified Acquisition Threshold set in accordance with 41 U.S.C. 1908 (currently set at \$250,000) for prior approval. Please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application. **Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Unless otherwise approved by the COPS Office, approved consultant rates will be based on the salary a consultant receives from his or her primary employer. Consultant fees in excess of \$650 per day require additional written justification, and must be pre-approved in writing by the COPS Office if the consultant is hired via a noncompetitive bidding process. Please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application. Please visit <https://cops.usdoj.gov/grants> for a list of allowable and unallowable costs for this program.

**Instructions**

Procurement contracts (see "Contract" definition at 2 CFR 200.1): Provide a description of the product or service to be procured by contract and an estimate of the cost. Indicate whether the applicant's formal, written Procurement Policy or the Federal Acquisition Regulation is followed. Applicants are encouraged to promote free and open competition in awarding procurement contracts. A separate justification must be provided for noncompetitive procurements in excess of the Simplified Acquisition Threshold set in accordance with 41 U.S.C. 1908 (currently set at \$250,000).

## ITEM 2

**Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project.

Written prior approval and additional justification is required for consultant fees in excess of the DOJ grant-making component's threshold for an 8-hour day.

In the narrative section, please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application.

## Year 1

▼ Procurement Contract Detail								
Description	Purpose	Consultant	Country	State/U.S. Territory	City	Total Cost	Non-Federal Contribution	Federal Request
No items								
<b>Do you need Consultant Travel?</b> No								
<b>Procurement Cost</b> \$0								

## Other Direct Costs

## Instructions

List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent. All requested information must be included in the budget detail worksheet and budget narrative.

## Year 1

Other Cost Detail							
Description	Quantity	Basis	Costs	Length of Time	Total Costs	Non-Federal Contribution	Federal Request
Nutritional/Wellness Training	1.00	per session	\$500.00	6.00	\$3,000.00		\$3,000.00
Resiliency Training	1.00	per session	\$40,000.00	1.00	\$40,000.00		\$40,000.00
<b>Other Costs Total Cost</b> \$43,000							

## Indirect Costs

## Instructions

Indirect costs are allowed only if: a) the applicant has a current, federally approved indirect cost rate; or b) the applicant is eligible to use and elects to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f). (See paragraph D.1.b. in Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals for a description of entities that may not elect to use the "de minimis" rate.) An applicant with a current, federally approved indirect cost rate must attach a copy of the rate approval, (a fully-executed, negotiated agreement). If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant.

organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories. (Applicant Indian tribal governments, in particular, should review Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals regarding submission and documentation of indirect cost proposals.) All requested information must be included in the budget detail worksheet and budget narrative. In order to use the "de minimis" indirect rate an applicant would need to attach written documentation to the application that advises DOJ of both the applicant's eligibility (to use the "de minimis" rate) and its election. If the applicant elects the de minimis method, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. In addition, if this method is chosen then it must be used consistently for all federal awards until such time as the applicant entity chooses to negotiate a federally approved indirect cost rate.

Year 1

Indirect Cost Detail

Description	Base	Indirect Cost Rate	Total Cost	Non-Federal Contribution	Federal Request
No items					
Indirect Costs Total Cost					
\$0					
Additional Narrative					

Memoranda of Understanding (MOUs) and Other Supportive Documents

Memoranda of Understanding (MOUs) and Other Supportive Documents







Upload

The recommended files to upload are PDF, Microsoft Word and Excel.

No documents have been uploaded for Memoranda of Understanding (MOUs) and Other Supportive Documents

Additional Application Components

Curriculum Vitae or Resumes

	<b>Name</b> HB_CV.pdf	<b>Category</b> Curriculum Vitae or Resumes	<b>Created by</b> Carrie Tingle	<b>Date Added</b> 06/30/2025	
	<b>Name</b> Samantha Scott Brief CV 2024.pdf	<b>Category</b> Curriculum Vitae or Resumes	<b>Created by</b> Carrie Tingle	<b>Date Added</b> 06/30/2025	
	<b>Name</b> Robert-A-Brown-Curriculum-Vitae-UMES-Website.pdf	<b>Category</b> Curriculum Vitae or Resumes	<b>Created by</b> Carrie Tingle	<b>Date Added</b> 06/30/2025	



**Name**  
LytleCV-Public-  
20250304.pdf

**Category**  
Curriculum Vitae or  
Resumes

**Created by**  
Carrie Tingle

**Date Added**  
06/30/2025

**Letters of Support**

No documents have been uploaded for Letters of Support

**Additional Attachments**

No documents have been uploaded for Additional Attachments

**Disclosures and Assurances****No Lobbying Activities**

The applicant is not required to submit a lobbying disclosure under 31 U.S.C. 1352 for this application.

No documents have been uploaded for Disclosure of Lobbying Activities

**DOJ Certified Standard Assurances**

\*

**U.S. DEPARTMENT OF JUSTICE****CERTIFIED STANDARD ASSURANCES**

On behalf of the Applicant, and in support of this application for a grant or cooperative agreement, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), that all of the following are true and correct:

(1) I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any Department decision to make an award to the Applicant based on its application.

(2) I certify that the Applicant has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly.

(3) I assure that, throughout the period of performance for the award (if any) made by the Department based on the application--

- a. the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;
- b. the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and
- c. the Applicant will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.

(4) The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition--

- a. the Applicant understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42

U.S.C. § 2000a; section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 501 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);

- b. the Applicant understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13)), which will apply to all awards made by the Office on Violence Against Women, also may apply to an award made otherwise;
- c. the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and
- d. on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.

(5) The Applicant also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by the Department based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality - research and statistical information), 23 (criminal intelligence systems), 38 (regarding faith-based or religious organizations participating in federal financial assistance programs), and 46 (human subjects protection).

(6) I assure that the Applicant will assist the Department as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).

(7) I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by the Department based on the application.

(8) If this application is for an award from the National Institute of Justice or the Bureau of Justice Statistics pursuant to which award funds may be made available (whether by the award directly or by any subaward at any tier) to an institution of higher education (as defined at 34 U.S.C. § 10251(a)(17)), I assure that, if any award funds actually are made available to such an institution, the Applicant will require that, throughout the period of performance--

- a. each such institution comply with any requirements that are imposed on it by the First Amendment to the Constitution of the United States; and
- b. subject to par. a, each such institution comply with its own representations, if any, concerning academic freedom, freedom of inquiry and debate, research independence, and research integrity, at the institution, that are included in promotional materials, in official statements, in formal policies, in applications for grants (including this award application), for accreditation, or for licensing, or in submissions relating to such grants, accreditation, or licensing, or that otherwise are made or disseminated to students, to faculty, or to the general public.

(9) I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by the Department based on the application--

- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- b. it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

(10) If the Applicant applies for and receives an award from the Office of Community Oriented Policing Services (COPS Office), I assure that as required by 34 U.S.C. § 10382(c)(11), it will, to the extent practicable and consistent with applicable law--including, but not limited to, the Indian Self-Determination and Education Assistance Act--seek, recruit, and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions, as provided under 34 U.S.C. § 10382(c)(11).

(11) If the Applicant applies for and receives a DOJ award under the STOP School Violence Act program, I assure as required by 34 U.S.C. § 10552(a)(3), that it will maintain and report such data, records, and information (programmatic and financial) as DOJ may reasonably require.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Please Acknowledge \*

Signed

SignerID

catingle@co.worcester.md.us

Signing Date / Time

6/30/25 4:32 PM

**DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements; Law Enforcement and Community Policing** \*

U.S. DEPARTMENT OF JUSTICE

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS; COORDINATION WITH AFFECTED AGENCIES

Applicants should refer to the regulations and other requirements cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations or other cited requirements before completing this form. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the U.S. Department of Justice ("Department") determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by 31 U.S.C. § 1352, as implemented by 28 C.F.R. Part 69, the Applicant certifies and assures (to the extent applicable) the following:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If the Applicant's request for Federal funds is in excess of \$100,000, and any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal grant or cooperative agreement, the Applicant shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities" in accordance with its (and any DOJ awarding agency's) instructions; and

(c) The Applicant shall require that the language of this certification be included in the award documents for all subgrants and procurement contracts (and their subcontracts) funded with Federal award funds and shall ensure that any certifications or lobbying disclosures required of recipients of such subgrants and procurement contracts (or their subcontractors) are made and filed in accordance with 31 U.S.C. § 1352.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

A. Pursuant to Department regulations on nonprocurement debarment and suspension implemented at 2 C.F.R. Part 2867, and to other related requirements, the Applicant certifies, with respect to prospective participants in a primary tier "covered transaction," as defined at 2 C.F.R. § 2867.20(a), that neither it nor any of its principals--

(a) is presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) has within a three-year period preceding this application been convicted of a felony criminal violation under any Federal law, or been convicted or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public

(Federal, State, tribal, or local) transaction or private agreement or transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects its (or its principals') present responsibility;

(c) is presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, tribal, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and/or

(d) has within a three-year period preceding this application had one or more public transactions (Federal, State, tribal, or local) terminated for cause or default.

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application. Where the Applicant or any of its principals was convicted, within a three-year period preceding this application, of a felony criminal violation under any Federal law, the Applicant also must disclose such felony criminal conviction in writing to the Department (for OJP Applicants, to OJP at [Ojpcompliance@usdoj.gov](mailto:Ojpcompliance@usdoj.gov); for OVW Applicants, to OVW at [OVW.GFMD@usdoj.gov](mailto:OVW.GFMD@usdoj.gov); or for COPS Applicants, to COPS at [AskCOPSRC@usdoj.gov](mailto:AskCOPSRC@usdoj.gov)), unless such disclosure has already been made.

### 3. FEDERAL TAXES

A. If the Applicant is a corporation, it certifies either that (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to the Department (for OJP Applicants, to OJP at [Ojpcompliance@usdoj.gov](mailto:Ojpcompliance@usdoj.gov); for OVW Applicants, to OVW at [OVW.GFMD@usdoj.gov](mailto:OVW.GFMD@usdoj.gov); or for COPS Applicants, to COPS at [AskCOPSRC@usdoj.gov](mailto:AskCOPSRC@usdoj.gov)).

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application.

### 4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, as implemented at 28 C.F.R. Part 83, Subpart F, for grantees, as defined at 28 C.F.R. §§ 83.620 and 83.650:

A. The Applicant certifies and assures that it will, or will continue to, provide a drug-free workplace by--

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about--

- (1) The dangers of drug abuse in the workplace;
- (2) The Applicant's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will--

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the Department, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title of any such convicted employee to the Department.

employees must provide notice, including position title of any such convicted employee to the local law enforcement agency, as follows:

For COPS award recipients - COPS Office, 145 N Street, NE, Washington, DC, 20530;

For OJP and OJV award recipients - U.S. Department of Justice, Office of Justice Programs, ATTN: Control Desk, 999 North Capitol Street, NE Washington, DC 20531.

Notice shall include the identification number(s) of each affected award;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

#### 5. COORDINATION REQUIRED UNDER PUBLIC SAFETY AND COMMUNITY POLICING PROGRAMS

As required by the Public Safety Partnership and Community Policing Act of 1994, at 34 U.S.C. § 10382(c)(5), if this application is for a COPS award, the Applicant certifies that there has been appropriate coordination with all agencies that may be affected by its award. Affected agencies may include, among others, Offices of the United States Attorneys; State, local, or tribal prosecutors; or correctional agencies.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Please Acknowledge \*

Certified

SignerID

catingle@co.worcester.md.us

Signing Date / Time

6/30/25 4:32 PM

Other Disclosures and Assurances

No documents have been uploaded for Other Disclosures and Assurances

**Declaration and Certification to the U.S. Department of Justice as to this Application Submission**

By [taking this action], I --

1. Declare the following to the U.S. Department of Justice (DOJ), under penalty of perjury: (1) I have authority to make this declaration and certification on behalf of the applicant; (2) I have conducted or there was conducted (including by the applicant's legal counsel as appropriate, and made available to me) a diligent review of all requirements pertinent to and all matters encompassed by this declaration and certification.
2. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this application submission: (1) I have reviewed this application and all supporting materials submitted in connection therewith (including anything submitted in support of this application by any person on behalf of the applicant before or at the time of the application submission and any materials that accompany this declaration and certification); (2) The information in this application and in all supporting materials is accurate, true, and complete information as of the date of this request; and (3) I have the authority to submit this application on behalf of the applicant.
3. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Please Acknowledge \*

Signed

**SignerID**

catingle@co.worcester.md.us

**Signing Date / Time**

6/30/25 4:32 PM

**Other**

No documents have been uploaded for Other

Certified

**MEMORANDUM**

TO: Worcester County Commissioners  
FROM: Candace Savage, Deputy Chief Administrative Officer  
DATE: July 10, 2025  
SUBJECT: Elections Lease Renewal

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We have received a request to amend and renew the lease of office and warehouse space located at 201 Belt Street, Snow Hill, MD for the use of the Worcester County Board of Elections. The term of the lease is five years with the option to renew for two additional one-year terms. Rent will be \$7,750 per month plus a monthly utility charge of \$923.12.

Attachment:  
Pages 2-5 – Draft Lease

**WAREHOUSE AND OFFICE LEASE AGREEMENT***AMENDED AND RESTATED LEASE AGREEMENT***(Combined Unit C – Original and Expanded Premises)**

THIS AMENDED AND RESTATED LEASE AGREEMENT is made this 1st day of July, 2025, by and between **Royal Plus, LLC**, with an address of 201 Belt Street, Snow Hill, MD 21863 (the “Landlord”), and the **County Commissioners of Worcester County, Maryland on behalf of the Worcester County Board of Elections**, with an address of One West Market Street, Room 1103, Snow Hill, Maryland 21863 (the “Tenant”), collectively referred to as the “Parties.”

**1. Premises**

Landlord hereby leases to Tenant and Tenant hereby leases from Landlord, a total of **6,330 square feet** of combined warehouse and office space located at **201 Belt Street, Snow Hill, MD 21863**, designated collectively as **Unit C** on the attached layout (Exhibit A), consisting of approximately 5,000 square feet of original space and 1,330 square feet of newly completed expansion space.

**2. Term**

The term of this lease shall be **five (5) years**, commencing on \_\_\_\_\_, 2025 (the “Commencement Date”), with the option to renew for **two (2) additional one-year terms** upon written agreement by both Parties.

**3. Rent**

Tenant agrees to pay Landlord rent in the total amount of **\$7,750.00 per month**, which includes:

- \$6,133.33/month for the original 5,000 sq. ft. at \$14.71/sq. ft. annually
- \$1,616.67/month for the 1,330 sq. ft. expansion at \$14.71/sq. ft. annually

Rent shall be due by the **first day of each month**, with a five (5) day grace period.

**4. Utilities**

Tenant shall pay utility charges annually at the rate of **\$1.75 per square foot**, totaling **\$11,077.50 per year**, payable in equal monthly installments of \$923.12.

Tenant shall maintain its own Comcast account for internet and phones. Trash removal shall be the sole responsibility of the Tenant. Use of Royal Plus dumpsters is not permitted.

**5. Use**

The premises shall be used for the Worcester County Board of Elections’ offices and warehousing. The premises shall not be used as a public warehouse and shall meet all applicable zoning, fire safety, and code requirements.

## **6. Possession**

Landlord shall provide the premises clean, vacant, and secure for Tenant's exclusive use on the Commencement Date. Tenant may document the premises condition by video upon possession.

## **7. Maintenance**

Landlord shall maintain in good repair the roof, exterior walls, plumbing, sprinkler systems, HVAC, parking lot, and all critical infrastructure. The premises must be maintained in compliance with all applicable codes and regulations.

## **8. Damage or Destruction**

If the premises become untenantable due to fire, storm, or other casualty not caused by Tenant, this agreement may terminate unless repairs are completed within **45 days** of the incident.

## **9. Insurance**

Tenant shall insure its personal property. Landlord shall maintain property insurance on the premises. Tenant may self-insure for its interests.

## **10. Indemnification**

Each party agrees to indemnify and hold harmless the other for damages arising out of their own negligence.

## **11. Entry by Landlord**

Landlord may enter the premises upon giving **72 hours' notice** and only when accompanied by a Tenant representative, except in emergencies.

## **12. Assignment and Subletting**

Neither party shall assign or sublet the premises without the prior written consent of the other, which shall not be unreasonably withheld.

## **13. Taxes**

Landlord shall be responsible for real estate taxes. Tenant shall pay taxes assessed on its personal property.

## **14. Renovation Costs and Obligations**

The expansion renovations were completed by the Landlord at its expense. Should Tenant terminate this lease early, the Tenant agrees to reimburse the Landlord for prorated renovation costs as previously outlined in the 2024 Expansion Agreement.

## **15. Notices**

All notices under this lease must be in writing and sent via certified mail or overnight delivery to the addresses listed above.

**16. Governing Law**

This lease shall be governed by the laws of the State of Maryland.

**17. Legal Compliance and Hazardous Materials**

Landlord warrants the premises comply with all laws and are free of hazardous materials, except for small quantities of approved materials for ordinary business use.

**18. Limitation of Liability**

Tenant's obligations are subject to budgetary appropriations. Tenant's liability is limited to actual rent due, and no personal liability shall apply to elected officials or employees.

**19. Continuation of Original Terms**

Except as specifically modified in this Lease Agreement to reflect the combined Unit C space and updated rental and utility rates, all terms, covenants, and conditions of the original lease agreement dated May 15, 2018, shall remain in full force and effect and are hereby incorporated by reference. In the event of any conflict between the original lease and this Lease Agreement, the terms of this Lease Agreement shall govern.

**20. Entire Agreement**

This lease constitutes the full and final agreement between the Parties and supersedes all previous agreements relating to the premises, except as preserved in Section 19.

IN WITNESS WHEREOF, the Parties have executed this Lease Agreement as of the day and year first written above.

**LANDLORD:**

Royal Plus, LLC

By: \_\_\_\_\_

Name: Matthew J. Odachowski

Title: Managing Member

Date: \_\_\_\_\_

**TENANT:**

County Commissioners of Worcester County, Maryland  
on behalf of the Worcester County Board of Elections

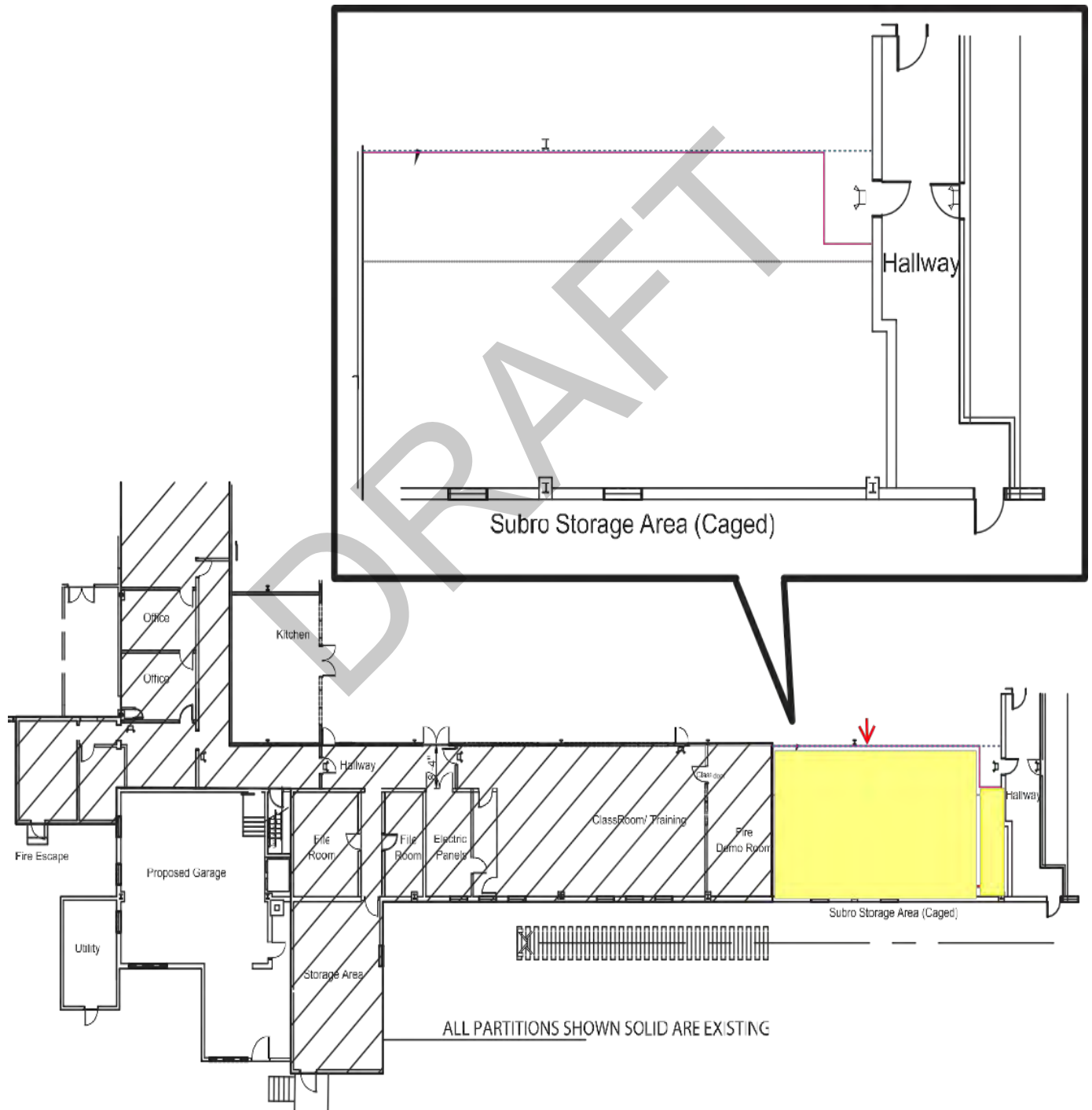
By: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Date: \_\_\_\_\_

Exhibit A

Expanded Premises





Worcester County Government

One West Market Street | Room 1103 | Snow Hill MD 21863-1195

(410) 632-1194 | (410) 632-3131 (fax) | [admin@co.worcester.md.us](mailto:admin@co.worcester.md.us) | [www.co.worcester.md.us](http://www.co.worcester.md.us)

## MEMORANDUM

TO: Worcester County Commissioners  
FROM: Nicholas W. Rice, Procurement Officer  
DATE: July 15, 2025  
RE: Request to Purchase – Fire Training Prop

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The Fire Marshal's Office is requesting approval to purchase the LION Wireless Hose Line Training System from Witmer Public Safety Group for \$77,216.44. This system will be permanently installed at the Worcester County Fire Training Center to enhance firefighter training capabilities. The system has been quoted through their cooperative contract with Sourcewell resulting in a discount of \$2,169.52.

Designed to simulate realistic fire conditions, the system allows safe, hands-on practice in hoseline advancement, stream control, and nozzle techniques. Its wireless, modular design improves training flexibility while reducing reliance on consumables and structural props.

This investment will support consistent, high-quality, year-round training for all fire companies across Worcester County, improving overall preparedness and operational effectiveness.

An allocation of \$40,000 was approved in the FY25 operating budget, with an additional \$40,000 approved in the FY26 budget under account 100.1105.197.6110.150 (Supplies & Equipment – Hazmat Supplies & Equipment). However, the purchase was not completed before the end of FY25, resulting in the FY25 funds going unused. This request is to contract using the approved FY26 funds and requesting a currently unobligated encumbrance of \$37,216.44 from the FY25 budget.

Sourcewell is a cooperative purchasing organization that competitively awards purchasing contracts on behalf of itself and its participating agencies. Sourcewell follows the competitive contracting law process to solicit, evaluate, and award cooperative purchasing contracts for goods and services.

Should you have any questions, please feel free to contact me.

<b>Quote#</b>	QUO238000
<b>Date</b>	06/26/2025
<b>Exp. Date</b>	08/08/2025

**Bill To:**

Worcester County Fire Marshal  
1 W Market St Rm 1302  
Snow Hill, MD 21863-1249  
United States

**Ship To:**

Worcester County Fire Marshal  
1 W Market St Rm 1302  
Snow Hill, MD 21863-1249  
United States

**Hose Line Training System**

**Source Well Contract #011822-LIO**

ID	Name	Terms	Sales Rep	Shipping Method
8872	Worcester County Fire Marshal	Net 30	CJ Morales	Old Dominion

#	Item Name	Description	Quantity	Unit Price	Amount
1	LION-HLTSWC02#	Lion Hose Line Training System (Wireless) Includes: (1)HLTSBT01 Fire Tray (1) HLTSPB01 Pilot Control Box (1) HLTSWC02 Mobile Control Console with Wireless Remote (1) HLTSSK01 Shipping Kit Correct Control Console (HLTSWC01) Source Well Contract #011822-LIO	1	32,143.69	32,143.69
2	LION-HLTSCPB01	Lion Vehicle Fire Training System Package, Integrated Smoke Option HLTSSMK01	1	22,931.25	22,931.25
3	LION-HLTSDP01	Lion Dumpster Prop For HLTS Lion Barbecue Grill Prop HLTSBQ01	1	17,242.50	17,242.50

<b>ACCEPTANCE OF QUOTATION</b> The above prices,specifications, and conditions are satisfactory and are hereby accepted. Freight charges are estimated at the time of quote. Applicable freight costs will apply at time of shipment. <b>Quotation is valid until Aug 08,2025</b>  Signature: _____ Date: _____	<b>Subtotal:</b>	72,317.44
	<b>Discount:</b>	0.00
	<b>Tax Total:</b>	0.00
	<b>Freight:</b>	4,899.00
<b>Total:</b>		<b>77,216.44</b>



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410.632.1200 / FAX: 410.632.3008

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

### MEMORANDUM

To: Weston S. Young, Chief Administrative Officer  
From: Jennifer K. Keener, AICP, Director  
Date: July 8, 2025  
Re: Rezoning Case No. 448 – Racetrack Plaza, LLC, applicant, Mark Cropper, Esquire attorney for the applicant

I am requesting that the Worcester County Commissioners schedule the required public hearing associated with Rezoning Case No. 448. A draft public hearing notice is attached.

Mr. Cropper, on behalf of his client, has filed Rezoning Case No. 448, seeking to rezone 1.0729 acres out of an approximately 9.25-acre parcel consisting of three separate segments (labeled Areas A, B and C) located on the westerly side of MD Route 589 (Racetrack Road), south of Gum Point Road, from RP Resource Protection District to C-2 General Commercial District. The case was reviewed by the Planning Commission at its meeting on July 3, 2025. A favorable recommendation was given for Areas A and B, and an unfavorable recommendation was given for Area C. The Planning Commission's written Findings of Fact and Recommendation are being prepared and will be forwarded for public hearing.

Please advise our department at your earliest convenience as to the public hearing date so that our department can ensure that the mandatory public notice of 15 days is met via posting on the site and mailings to adjoining property owners.

Thank you for your attention to this matter. Should you have any questions or require additional information, please do not hesitate to contact me.

# WORCESTER COUNTY, MARYLAND

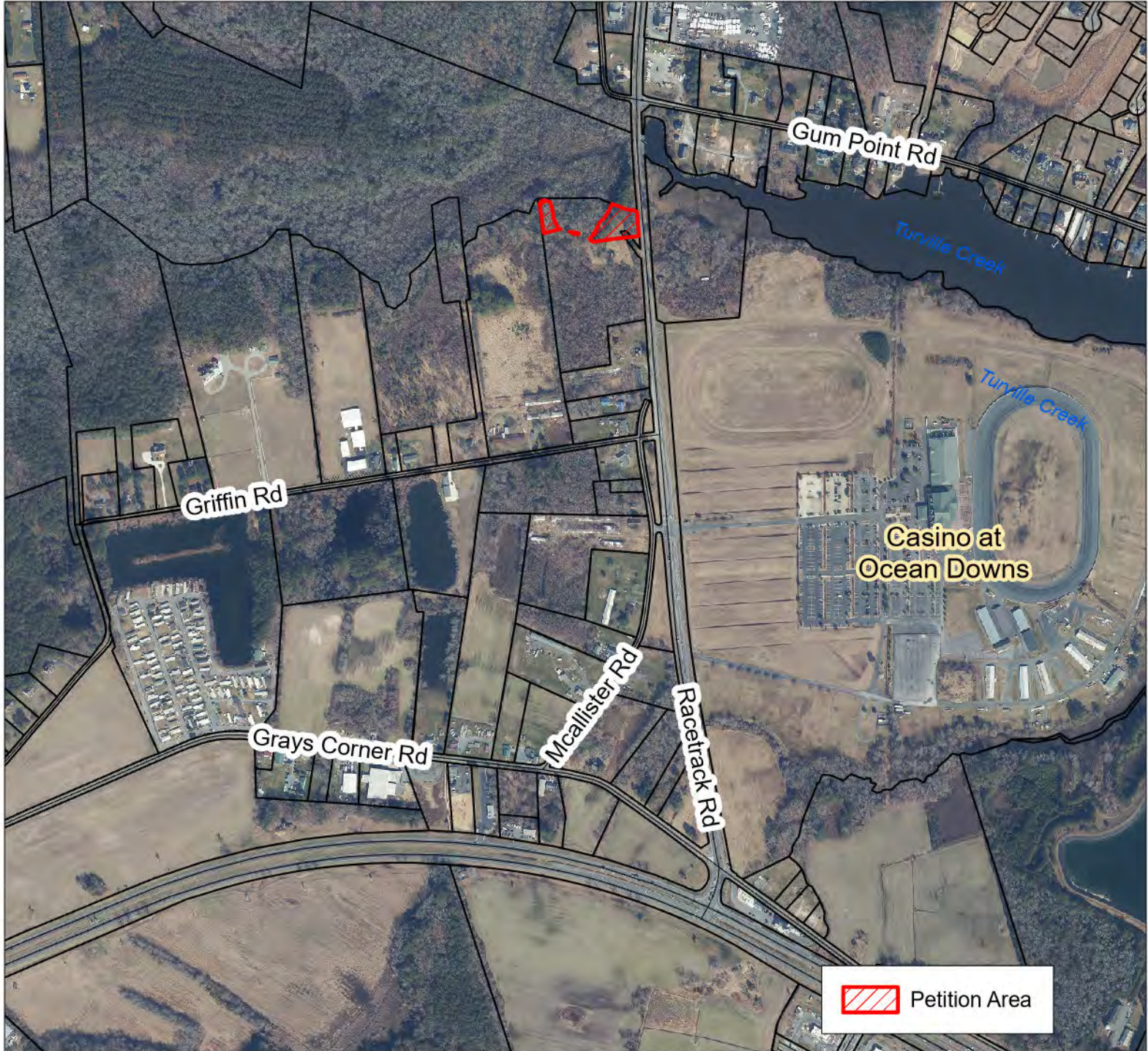
ITEM 5



REZONING CASE NO. 448  
RP Resource Protection to C-2 General Commercial  
Tax Map: 21, P/O Parcel 79

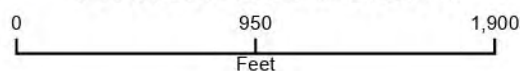


## AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

Prepared: April 2025  
Source: 2024 Aerial Imagery



Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

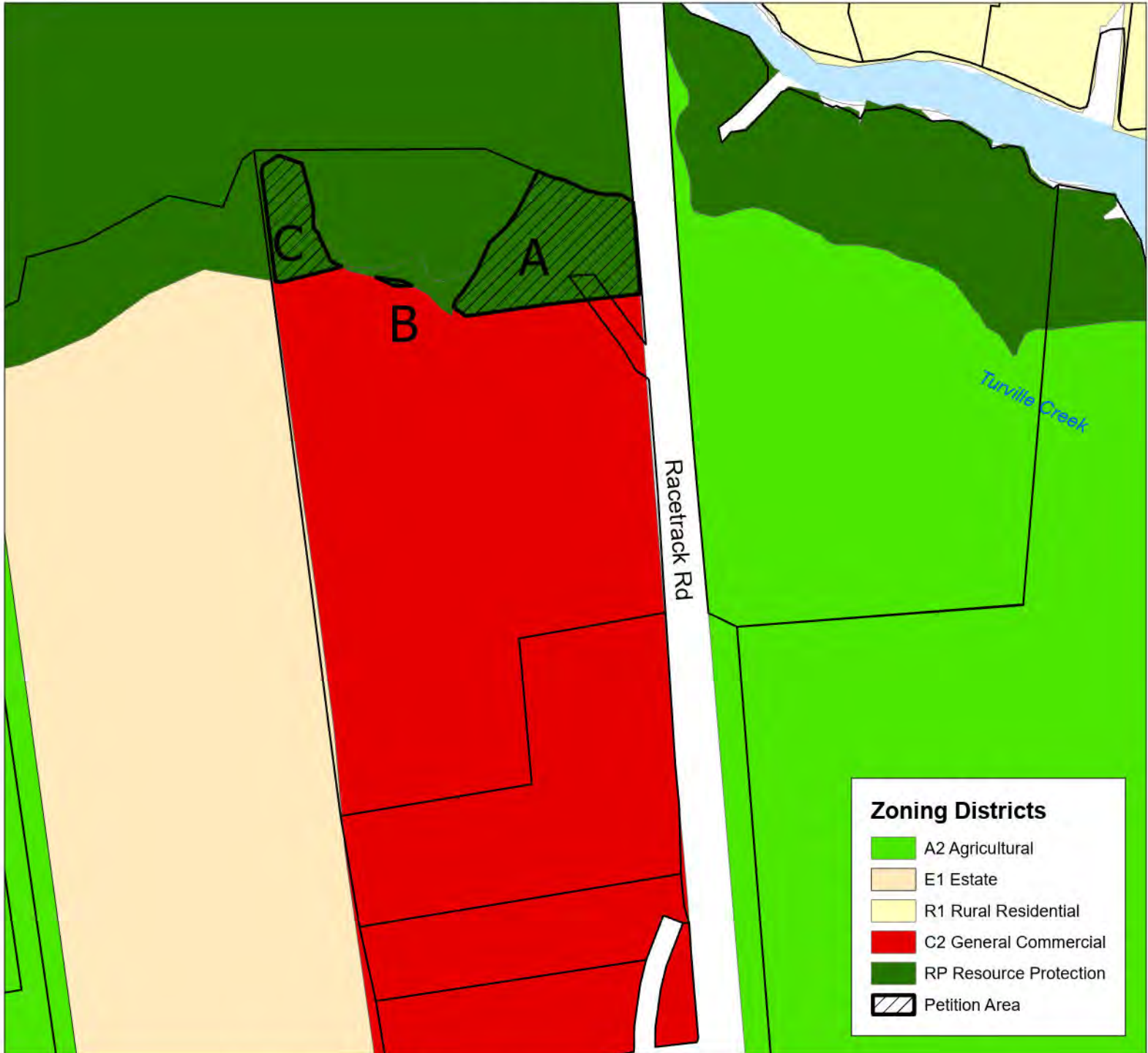
# WORCESTER COUNTY, MARYLAND <sup>ITEM 5</sup>



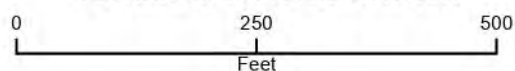
REZONING CASE NO. 448  
RP Resource Protection to C-2 General Commercial  
Tax Map: 21, Parcel 79



## ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: April 2025  
Source: 2006 Official Zoning Map

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

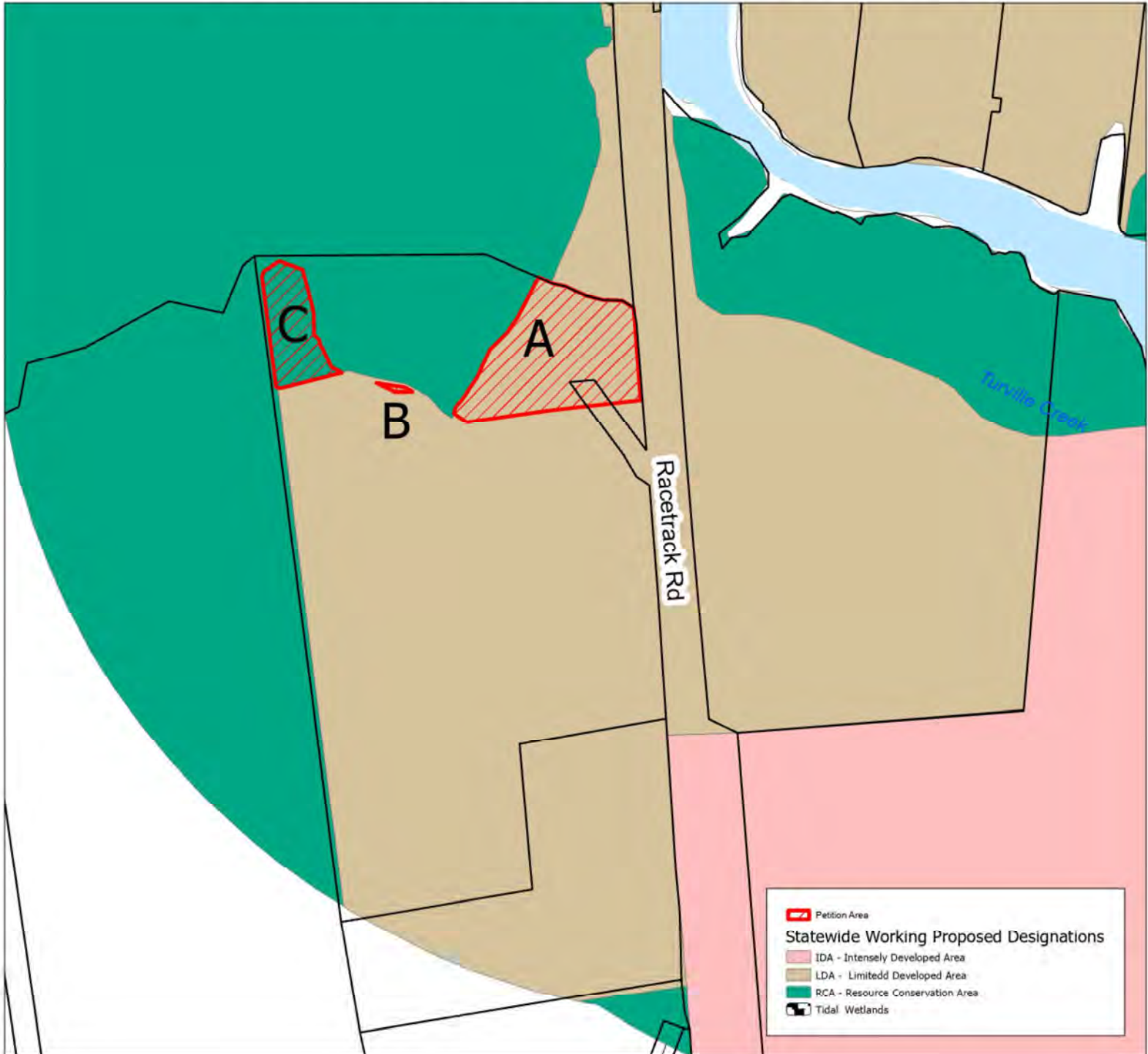
# WORCESTER COUNTY, MARYLAND <sup>ITEM 5</sup>



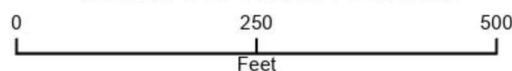
REZONING CASE NO. 448  
RP Resource Protection to C-2 General Commercial  
Tax Map: 21, P/O Parcel 79



**\*\*DRAFT\*\* CRITICAL AREA MAP \*\*NOT ADOPTED\*\***



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: July 2025  
Source: DRAFT Maryland Coastal Bay Critical Area Map

Drawn By: MML Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

NOTICE  
OF  
PROPOSED CHANGE IN ZONING

WEST SIDE OF RACETRACK ROAD  
SOUTH OF GUM POINT ROAD, BERLIN  
THIRD TAX DISTRICT  
WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 448 has been filed by Mark Cropper on behalf of Racetrack Plaza, LLC, property owner, for an amendment to the Official Zoning Maps to change approximately 1.0729 acres of land located on the west side of MD Route 589 (Racetrack Road) south of Gum Point Road, Berlin, in the Third Tax District of Worcester County, Maryland, from RP Resource Protection District to C-2 General Commercial District. The Planning Commission has given a favorable recommendation for Areas A and B, and an unfavorable recommendation was given for Area C.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a

**PUBLIC HEARING**

on

**TUESDAY, \_\_\_\_\_**

**AT \_\_\_\_\_**

IN THE COUNTY COMMISSIONERS' MEETING ROOM  
WORCESTER COUNTY GOVERNMENT CENTER – ROOM 1101  
ONE WEST MARKET STREET  
SNOW HILL, MARYLAND 21863

At said public hearing the County Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 448 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve, or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 448 and the Planning Commission's recommendation, which will be entered into record at the public hearing, are on file and available to view electronically by contacting the Department of Development, Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863 Monday through Friday from 8:00 A.M. and 4:30 P.M. (except holidays), at (410) 632-1200 as well as at [www.co.worcester.md.us](http://www.co.worcester.md.us).

THE WORCESTER COUNTY COMMISSIONERS



Worcester County Recreation & Parks

6030 Public Landing Road | Snow Hill MD 21863 | (410) 632-2144 | [www.PlayMarylandsCoast.org](http://www.PlayMarylandsCoast.org)

## MEMORANDUM

TO: Weston S. Young, Chief Administrative Officer  
Candace Savage, Deputy Chief Administrative Officer  
FROM: Kelly Rados, Director of Recreation & Parks  
Jacob Stephens, Deputy Director of Recreation & Parks  
DATE: July 7, 2025  
SUBJECT: Joint Use Agreement with Board of Education facilities

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Please find the attached Joint Use Agreement between our Recreation & Parks Department and Worcester County Board of Education regarding recreational fields and facilities, for your approval. This collaborative agreement will formalize the shared use of county and school recreation facilities for recreational events and activities.

- **Shared Facility Use:** Establishes guidelines for shared access to athletic fields, gymnasium, and other designated facilities for county and school recreational programs.
- **Priority Scheduling:** Outlines a clear scheduling process that prioritizes our recreational programs, special events and tournaments while allowing school-sponsored activities to utilize space beyond our schedule.
- **Maintenance Responsibilities:** Defines responsibilities for upkeep, repairs, and post-use condition to maintain facility standards and safety.

Through this agreement, school facilities will be made available for use by our Department during non-school hours, expanding our resources. This will help our Department in growing current programs and in attracting new events to the area that may need additional fields/facilities in proximity to our county parks and facilities. In addition, this would allow Worcester County Public Schools access to county recreation facilities for school-related events and activities.

Attachment – Joint Use Agreement

## JOINT USE AGREEMENT

This Joint Use Agreement (“Agreement”) is dated \_\_\_\_\_ and is between Worcester County Board of Education (“Board”) and the County Commissioners of Worcester County, Maryland (“County”)

### Recitals

- A. The Board is the owner of real property in the County, including facilities and active use areas that are capable of being used by the County for community recreational purposes;
- B. The County is the owner of real property in the County, including facilities and active use areas that are capable of being used by the Board for school recreational purposes; and
- C. Both bodies are authorized to enter into agreements with each other to promote the health and general welfare of the community and contribute to enhance the recreational opportunities afforded to the community.

### Terms

The Parties agree to cooperate with each other as follows:

- 1. **Term.** This Agreement shall begin July 1, 2025, and end on June 30, 2026.
- 2. **Effective Date.** This Agreement shall be effective as of July 1, 2025.
- 3. **Cooperative Agreement.** The Board and the County agree to cooperate in coordinating programs and activities conducted on all their respective recreational fields and facilities.
- 4. **Definitions.**
  - a. “Owner” means the party to this Agreement that owns or controls a particular property or facility covered by this Agreement.
  - b. “User” means the other party using the Owner’s property or facility under the terms of this Agreement.
- 5. **Permitted Uses.**
  - a. **Board Property.**
    - i. **Board Use.** The Board shall be entitled to priority use of Board Property for public school and school-related educational and recreational activities, including summer school, and at such other times as Board Property is being used by the Board or its agents.

- ii. **County Use.** Subject to the schedule developed by the County and the Board or its agents, the County and third parties authorized by the County shall be entitled to use Board Property without charge for community recreational and educational purposes for the benefit of Board students, the Board and the County at large. The County's obligations under this Agreement shall apply to third parties using Board Property. The County shall be responsible for ensuring that third parties comply with all obligations under this Agreement when using Board Property. The County shall be solely responsible for any third-party user and all obligations of the County herein for its use shall apply to both the County and the County's third-party users. The County shall enforce all Board rules, regulations, and policies provided by the Board while supervising community recreational activities on Board Property. In planning programs and scheduling activities on school grounds, the security, academic, athletic, and recreational needs and opportunities of school-aged children will be the highest priority and be adequately protected.

**b. County Property**

- i. The County shall be entitled to priority use of County Property for the regular conduction of park, recreation, and community service activities or programs sponsored by the County.
- ii. Subject to the schedule developed by the County and Board, the Board shall be entitled to use County Property, without charge, for Board educational and recreational activities or programs.

- 6. **Compliance with Law.** All use of Board and County Property shall be in accordance with State and local law.

7. **Communication.** The Board and the County shall designate an employee with whom the other party, or any authorized agent of the party, may confer regarding the terms of this Agreement. For purposes of this Agreement, County and Board's agent or designee shall be as follows:

Kelly Rados  
Director of Recreation and Parks  
6030 Public Landing Rd.  
Snow Hill, MD 21863  
Office - 410.632.2144 x 2502

Sam Slacum  
Supervisor of Athletics for Worcester County Public Schools  
6270 Worcester Highway  
Newark, Maryland 21841

The agents shall meet as needed to effectuate this Agreement.

## 8. Scheduling Use of Property.

- a. **Master Schedule.** If so requested by either party, the Board and County shall develop a master schedule for joint use of Board and County Property to allocate property use to the Board, County and third parties.
- b. **Scheduling of County Property.** The County shall have the responsibility for scheduling the use of County Property when the County is not using the Property.
- c. **Scheduling of Board Property.** The County shall be responsible for scheduling its and any third-party use of Board Property and shall do so through the designated agent of the Board.
- d. **Tracking Use of Facilities.** The Board and the County shall each track use of their respective properties under this Agreement.
- e. **Documentation of Costs.** The Board and the County shall maintain records of costs associated with the Agreement.

## 9. Fees and Charges.

- a. The County shall timely reimburse the Board for pre-authorized expenses which are incurred by the Board outside normal working hours in providing staff or other personnel as the Board deems necessary to monitor or be present during the County's (or any third-party) use of the Board property.

- b. The Board shall timely reimburse the County for pre-authorized expenses which are incurred by the County outside normal working hours in providing staff or other personnel as the County deems necessary to monitor or be present during the Board's use of County property.

#### **10. Improvements.**

- a. The Board shall obtain prior written consent of the County to make any alterations, additions, or improvements to County Property; the County shall obtain prior written consent of the Board to make any alterations, additions, or improvements to Board Property.
- b. Any such alterations, additions, or improvements shall be at the expense of the requesting party, unless otherwise agreed upon.
- c. Each party may, for good cause, require the demolition or removal of any alterations, additions, or improvements made by the other party at the expiration or termination of this Agreement. "Good cause" includes reasons of health, safety, or the Board's need to use the Board Property for educational purposes or the County's need to use County Property for governmental purposes.

#### **11. Supervision, Security, and Inspections.**

- a. **Supervision and Enforcement.** Each User shall train and provide an adequate number of competent personnel to supervise all activities on the Owner's Property. The User shall enforce all of the Owner's rules, regulations, and policies while supervising activities or programs on the Owner's Property.
- b. **Security.** The Owner shall provide the User with access to the Owner's Property. The Owner shall provide keys, security cards, and training as needed to the User's employees responsible for opening and locking the Owner's Property while supervising activities or programs.
- c. **Inspection and Notification.** The User shall inspect the Owner's Property after use to ensure these sites are returned in the condition they were received. The User shall ensure the Owner is notified in the event that Owner's Property suffers damage during User's use. Such notification shall consist of sending written notification by letter, and email to the Owner's designated agent identifying the damaged property, date of detection, name of inspector,

description of damage, and estimated or fixed costs of repair or property replacement.

- d. **Supplies.** The User shall furnish and supply all expendable materials necessary to carry out its programs while using the Owner's Property.
- e. **Maintenance.** The User agrees to exercise due care in the use of the Owner's Property. The User shall during the time of its use keep the Owner's Property in neat order. The Board shall be responsible for maintenance, repair and upkeep of Board property. The County shall be responsible for maintenance, repair and upkeep of County Property.
- f. **Custodial.** The Owner shall make its trash receptacles available during the User's use of Owner's Property. The User shall encourage community users to dispose of trash in the trash receptacles.
- g. **Parking.** Parking shall be in designated areas.

12. **Restitution and Repair.** The User shall be wholly responsible to repair, remediate, or fund the replacement or remediation of any and all damage or vandalism to the Owner's Property during the User's use of that Property. This shall be coordinated by the designated agents and approved by the County or Board as required.

### 13. Liability and Indemnification.

- a. The County shall defend, indemnify, and hold the Board, its officers, employees and agents, harmless from and against any and all liability, loss, or claims for injury or damages, arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, or claims for injury are caused by or result from the negligent or intentional acts or omissions of the County, its officers, agents, or employees.
- b. The Board shall defend, indemnify, and hold the County, its officers, employees and agents, harmless from and against any and all liability, loss, or claims for injury or damages, arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, or claims for injury are caused by or result from the negligent or intentional acts or omissions of the Board, its officers, agents, or employees.

- c. Nothing herein or any related agreement or any amendment hereto shall under any circumstances constitute or be construed as a waiver of immunities or limitations of liability that the County Commissioners or members of the Board of Education and or Superintendent, their officers, employees, agents, or servants, may have in by virtue of and in accordance with any law, including sovereign, statutory, qualified, official, common law, public general law or public local law immunity. No action may be brought with respect hereto other than in the appropriate State Court in Worcester County, Maryland. County Commissioners, as a body politic, has become a party hereto only in the capacity stated herein. No individual elected County Commissioner, member of Board of Education, contractor, employee, agent, or servant of County shall have any personal liability hereunder. Any indemnity herein or arising out of this Agreement, on the part of the County Commissioners or Board of Education, shall be only to the extent permitted by law and shall be subject to the non-waiver of immunity, limitations of liability and all other provisions of this Agreement.

**14. Require Insurance.**

- a. **Commercial General Liability.** Bodily injury and property damage, including Personal Injury and Blanket Contractual, with limits of \$1,000,000 per occurrence, \$2,000,000 aggregate.
- b. **Workers' Compensation.** Workers' compensation coverage as required by Maryland law.
- c. **Documentation of Insurance.** The Board and the County shall provide to each other a certificate of insurance each year this Agreement is in effect showing proof of the above coverage upon request.

**15. Termination.** This Agreement may be terminated at any time prior to its expiration, upon 45 days written notice.

**16. Entire Agreement.** This Agreement constitutes the entire understanding between the parties with respect to the subject matter and supersedes any prior negotiations, representations, agreements, and understandings.

**17. Amendments.** This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this Agreement.

**The Parties agree** to this Agreement on the date written above.

Attest:

**County Commissioners of  
Worcester County, Maryland**

\_\_\_\_\_  
Weston S. Young  
Chief Administrative Officer

\_\_\_\_\_  
Theodore J. Elder.  
President  
Date:

Attest:

**Worcester County  
Board of Education**

\_\_\_\_\_

\_\_\_\_\_  
Date:

DRAFT



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410.632.1200 / FAX: 410.632.3008

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

### MEMORANDUM

TO: Weston S. Young, Chief Administrative Officer  
FROM: Jennifer K. Keener, AICP, Director  
DATE: July 8, 2025  
RE: Utility-Scale Solar consultation request – Queponco Road

\*\*\*\*\*

The Queponco Road Solar project was reviewed on June 3, 2025, however the County Commissioners postponed consideration of the findings until the applicant could provide the landscape plan and a viewshed analysis. Those items have been received and reviewed for compliance.

Overall, I find that the project is consistent with the required findings and compliance with the Renewable Energy Certainty Act for this concept plan. An updated staff report reflecting those provisions is attached. I am requesting County Commissioner consideration of the attached findings.

**Project Name:** Queponco Road Solar 1, LLC

**Location:** Tax Map 39, Parcel 29; Queponco Road, Newark

**Zoning:** A-1 Agricultural District

**Project Type:** 5 MW AC community solar project

A community solar project is a program where customers (individuals, businesses, etc.) subscribe to a portion of the energy generated by the project. In Maryland, companies are required to provide at least 40% of the output to low- and moderate-income (LMI) customers. Additional information on community solar can be found at: <https://www.energy.gov/eere/solar/community-solar-basics>.

**Applicability of the Renewable Energy Certainty Act:** Senate Bill 931/ House Bill 1036 (2025) has been signed by the Governor and will become effective on July 1, 2025. The siting standards contained therein will apply to any project that submits a CPCN application to the Public Service Commission after that date. Therefore, this staff report includes a review of the siting standards that solar developers must adhere to under these provisions. The law does allow the local jurisdictions to provide for less stringent siting provisions than those cited. For a utility scale solar project, the Worcester County Commissioners would be the approval authority for any siting modifications. **No waivers to the siting standards are being requested.**

#### **Local considerations under COMAR 20.79.01.05:**

##### **1. A statement or finding whether the proposed project is consistent with the current comprehensive plan.**

The Comprehensive Plan that is currently in effect is the 2006 plan with amendments. The applicants have included working draft chapters for the future updated plan within their Environmental Review Document (ERD), however they have not been finalized nor adopted by the Planning Commission or County Commissioners and are therefore not applicable to this review (pages 14-15 and Appendix N of the ERD).

The 2006 Worcester County Comprehensive Plan (“Plan”) does not specifically address solar energy systems. However, throughout the Plan, the importance of agriculture as the bedrock to our way of life is highlighted, with a priority focus on “resource conservation and protecting [the county’s] rural and coastal character” (page 1).

The property is in the Agricultural Land Use category. This category includes “farming, forestry and related industries with minimal residential and other incompatible uses permitted” (page 18).

Chapter Two, Land Use includes the objectives on pages 12 and 13 as follows:

2. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions.

19. Limit rural development to uses compatible with agriculture and forestry.

Chapter Three, Natural Resources includes the objectives on pages 33 and 34 as follows:

3. Identify and protect environmentally sensitive areas.
8. Conserve resources by reducing unnecessary consumption.
9. Channel development within a particular site to any existing disturbed areas.

The project area will be located on existing tilled agricultural lands, with no impacts proposed to the existing forested areas on the site. It is in the Pocomoke River Public Drainage Association (PDA). Maryland Department of the Environment (MDE) has designated several of the farm ditches as regulated, non-tidal wetlands. Approval will be required for the wetland buffers that will be impacted by the construction of the access road improvements.

Chapter Six, Public Infrastructure includes objectives on pages 73 and 74 as follows:

1. Work with the private sector to ensure a dependable and adequate supply of electric power and propane.
5. Encourage alternative sources of power.

Priority Preservation Area: This property is located within a Priority Preservation Area (PPA). A viewshed analysis has been provided as stipulated in Public Utilities Article § 7-218(f)(2)(vi). Landscape buffers are proposed as shown on the revised concept plan to mitigate the visual impacts.

Evaluation of consistency: Overall, I find that this project as presented is generally consistent with the 2006 Comprehensive Plan and Land Use Map.

## **2. A statement or finding whether the proposed project is consistent with the current zoning ordinance.**

Following the Land Use Designations in the Comprehensive Plan, the zoning for the parcels is A-1 Agricultural District. Under § ZS 1-344, Alternative energy facilities, utility-scale solar projects are permitted by right in this zoning district. This project has also been reviewed under the Renewable Energy Certainty Act siting standards, which are generally more restrictive than the local zoning regulations for utility scale solar systems.

Lot Area: Utility scale solar systems in this district require a minimum lot area of 50 acres, and the subject property is approximately 185.25 acres. The project will be situated on approximately 29 acres.

Setbacks: There are no specific setbacks in the Zoning Code. The Renewable Energy Certainty Act requires a 100' boundary from property lines. The project is well over 600 feet away from any adjoining property line.

Separation Distances: The Renewable Energy Certainty Act requires a 150' boundary between the generating station and the nearest wall of a residential dwelling. There is a

dwelling on the same parcel as the solar arrays, and the project is compliant with this provision.

Fencing: The applicants are proposing a 6' tall green vinyl wire mesh chainlink fence along the perimeter of the entire project. No barbed wire is proposed. The Renewable Energy Certainty Act requires fencing to be located on the interior of a landscape buffer or immediately adjacent to the generating station, and not less than 50' from any public road right-of-way.

Panel height: Maximum height to the top edge of the modules will be 8.5' and shall not exceed 25' in height when oriented at maximum tilt. Under the Renewable Energy Certainty Act, there are no height limitations when the stations are located on land that is also used for agricultural purposes.

Landscaping: The existing forested areas to the north and west will serve as landscape screening to adjoining properties. The proposed plantings shall meet or exceed the local requirements for types and sizes, including the requirement for a minimum of 75% native species. Within the project, flowering ground cover for pollinators will be provided. There is no watering source to be provided. Landscape buffers have been illustrated on the revised concept plan, and the appropriate notes pertaining to compliance with the Worcester County Zoning Code § ZS 1-322 and the Renewable Energy Certainty Act have been added.

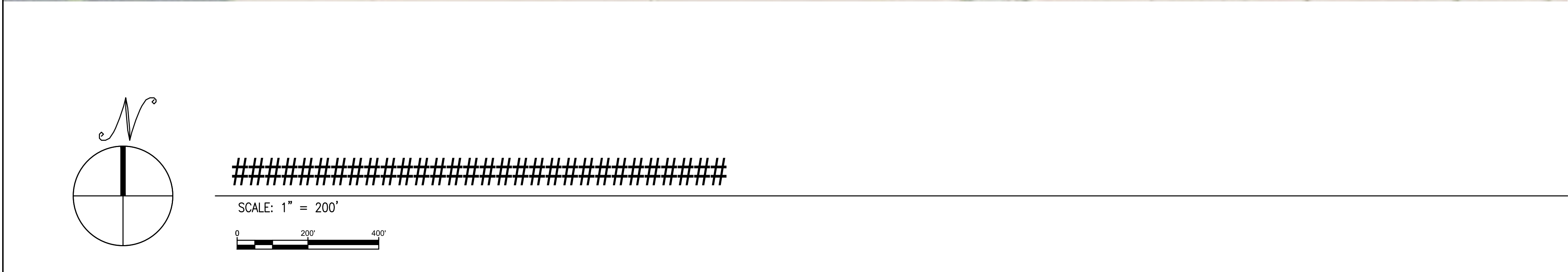
The county will require an installation and maintenance agreement to be recorded, and a landscape bond to be held to guarantee the planting material's continued viability. The local bonding requirements will be modified to be consistent with the new state law, which is generally more restrictive than the county's current requirements.

Noise Limits: Section 7.0 B of the ERD references the applicable COMAR noise level provisions. These standards are generally consistent with § ZS 1-346, Noise level limits in the Worcester County Zoning Code, in that there are no maximum decibel levels in the A Districts. Limitations will be self-imposed to prevent any temporary construction nuisance impacts per the ERD (pages 36-37).

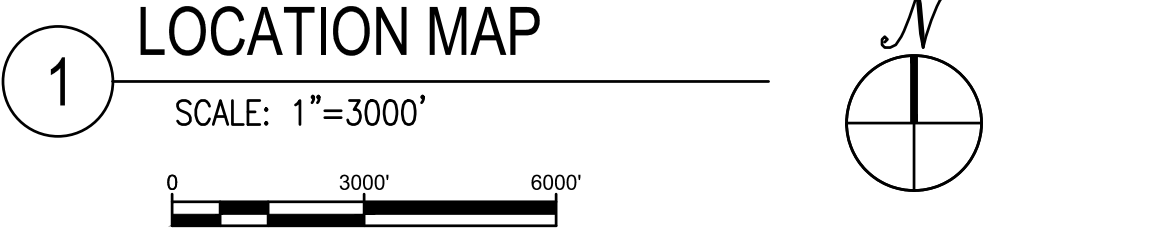
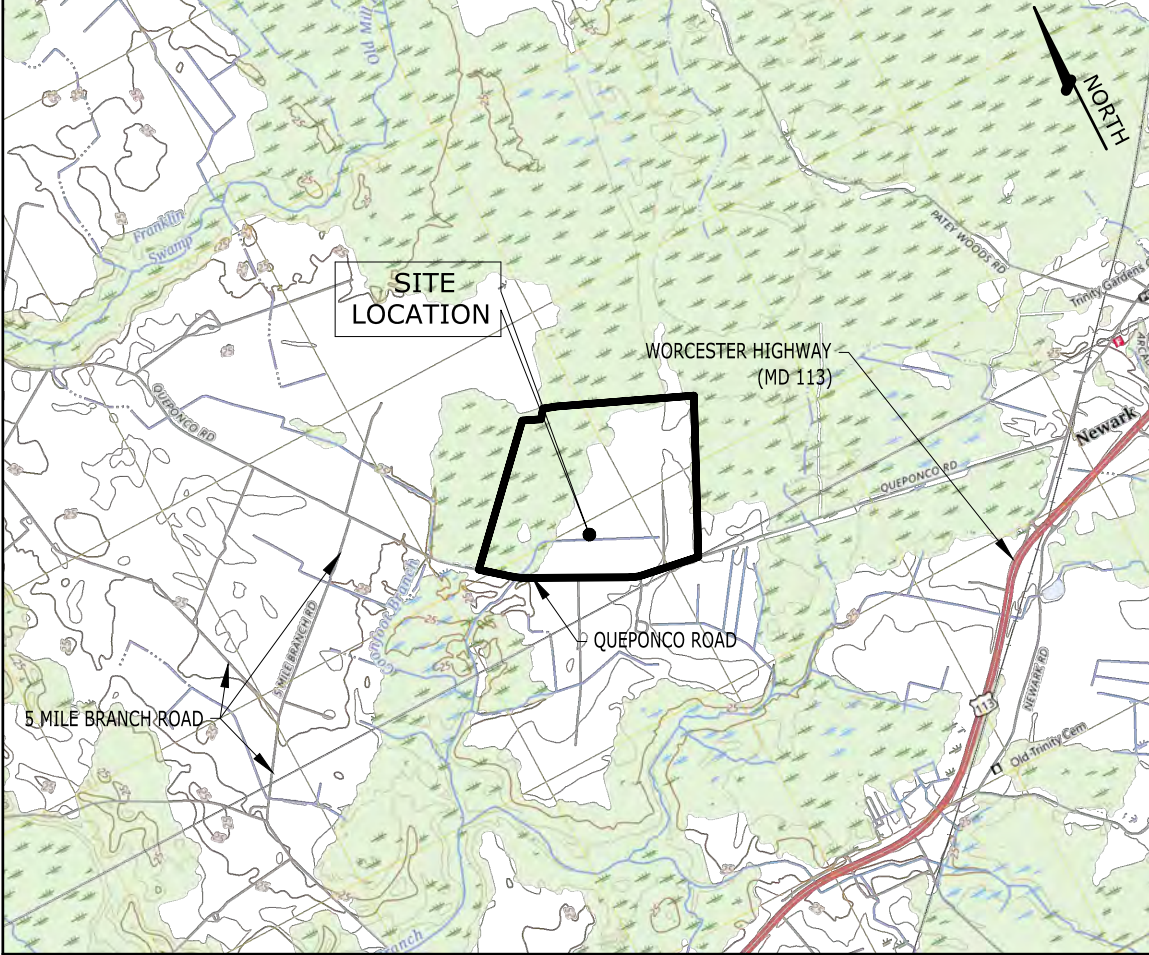
Evaluation of consistency: I find that the project is generally consistent with the current zoning ordinance.

### **3. Suggestions for improving or modifying the application prior to submission of the application with the Commission.**

Staff has no suggestions at this time.



PROPOSED LEGEND	
	SUBJECT PROPERTY LINE
	EXISTING CONTOUR
	EXISTING TREELINE
	SOIL BOUNDARY
	EXISTING BUFFER LINE
	WTB
	1.3M
	WET
	PROPOSED GRAVEL ACCESS ROAD
	PROPOSED FOUR-SEASON LANDSCAPE BUFFER TO MEET SB 931 REQUIREMENTS AND CONSISTS OF 75% NATIVE SPECIES PER LOCAL CODE
	PROPOSED SOLAR PANELS
	PROPOSED FENCE
	LV
	MV
	OHV
	PROPOSED LOW VOLTAGE ELECTRICAL LINE
	PROPOSED MEDIUM VOLTAGE ELECTRICAL LINE
	PROPOSED OVERHEAD ELECTRICAL LINE



ZONING SUMMARY TABLE				
LOCATION: WORCESTER COUNTY, MD				
PARCEL NUMBER(S): 2404000447				
TAX MAP: 39, TAX GRID: 23, TAX PARCEL: 19				
ZONING DISTRICT: A1 (AGRICULTURAL DISTRICT)				
USE: SOLAR ENERGY SYSTEM, UTILITY SCALE (PERMITTED USE)				
BYLAW SECTION	UNITS	REQUIRED	PROVIDED	NOTES
MINIMUM LOT AREA [§ ZS 1-344(d)(3)]	ACRES	50	185.25	NONE

- NOTES
- PER ZS 1-344(D)(3), WORCESTER COUNTY ZONING AND SUBDIVISION CONTROL ARTICLE IS SILENT ON SETBACK AND BUFFER REQUIREMENTS FOR UTILITY SCALE SOLAR ENERGY SYSTEMS. FURTHER COORDINATION IS REQUIRED WITH WORCESTER COUNTY TO ENSURE SITE MEETS THE REQUIRED BUFFERS AND SETBACKS FROM ADJACENT PROPERTIES.
  - PER ZS 1-344(D)(2), ALL LARGE SCALE ENERGY SYSTEMS SHALL PROVIDE A VEGETATED BUFFER AT LEAST 6 FEET IN WIDTH IF SOLAR PANELS ARE LOCATED WITHIN FIVE HUNDRED FEET OF ANY PROPERTY ZONED OR USED FOR RESIDENTIAL PURPOSES, SAID BUFFER TO BE LOCATED WITHIN THE REQUIRED YARD SETBACK ADJOINING SUCH RESIDENTIAL USE OR ZONING DISTRICT.
  - SITE IS LOCATED IN ELECTION DISTRICT 4.
  - NO STEEP SLOPES ARE PRESENT ON THE SITE.
  - HERE ARE NO FEMA FLOODPLAINS PRESENT ON-SITE. THE SITE IS WITHIN AN AREA OF MINIMAL FLOODING (ZONE X). PANEL 24047C0150H EFFECTIVE JULY 16, 2015
  - THE PROJECT IS NOT LOCATED WITHIN OR WITHIN 100 FEET OF A CRITICAL HABITAT AREA.
  - WETLANDS BUFFERS SHOWN HAVE BEEN VERIFIED BY MDE ON DECEMBER 5, 2024. ADDITIONAL BUFFERS MAY BE PRESENT ON THE PROPERTY AND MAY REQUIRE ADDITIONAL VERIFICATION BY MDE SHOULD DEVELOPMENT OCCUR OUTSIDE OF THE CURRENT FOOTPRINT OF THE PROJECT.

MAPPED SOIL TYPES			
MAP UNIT SYMBOL	DESCRIPTION	HYDRIC SOIL?	HYDROLOGICAL SOIL GROUP
EkA	ELKTON SANDY LOAM, 0 TO 2 PERCENT SLOPES	YES	C/D
EmA	ELKTON SILT LOAM, 0 TO 2 PERCENT SLOPES	YES	C/D
KeA	KENTUCK SILT LOAM	YES	C/D
MpA	MATTAPEX FINE SANDY LOAM, 0 TO 2 PERCENT SLOPES	NO	C
NsA	NASSAWANGO SILT LOAM, 0 TO 2 PERCENT SLOPES	NO	C
OtA	OTHELLO SILT LOAMS, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	YES	C/D
WddA	WOODSTOWN SANDY LOAM, 0 TO 2 PERCENT SLOPES, NORTHERN TIDEWATER AREA	NO	C

ITEM 7

new leaf energy

55 TECHNOLOGY DRIVE, SUITE 102  
LOWELL, MA 01851  
PHONE: (978) 818-5249  
FAX: (978) 818-8991  
WWW.NEWLEAFENERGY.COM

BL Companies

555 Croton Road  
Suite 310  
King of Prussia, PA 19406  
(610) 974-4408

NOT FOR CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON TO ALTER ANY DOCUMENT WHICH BEARS THE SEAL OF A PROFESSIONAL ENGINEER, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER.

PROPOSED SOLAR ARRAY  
0 QUEPONCO RD  
NEWARK, MD 21841

PROJECT NUMBER:  
120-1757

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ASH 12 24" X 36"

SK-1

ERD SKETCH PLAN



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410.632.1200 / FAX: 410.632.3008

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

### MEMORANDUM

TO: Weston S. Young, Chief Administrative Officer  
FROM: Jennifer K. Keener, AICP, Director  
DATE: July 8, 2025  
RE: Utility-Scale Solar consultation request – Carey Road

\*\*\*\*\*

New Leaf Energy, Inc., operating under Carey Road Solar 1, LLC is proposing a utility-scale solar energy system (4 MW AC) under the Community Solar Program. The property is located at Carey Road in Berlin, at Tax Map 20, Parcel 231, Lot 1 B-1, and is zoned A-1 Agricultural District. The applicant is requesting a pre-application consultation with the local jurisdiction under the requirements of the Certificate of Public Convenience and Necessity (CPCN) process.

Overall, I find that the project is consistent with the required findings and compliance with the Renewable Energy Certainty Act for this concept plan with the following exceptions:

1. Lot area – The subject parcel is 43.08 acres, and the minimum lot area in the Zoning Code is 50 acres. A variance cannot be obtained for this provision under the Zoning Code. Lot area is not a siting standard for which the county can deny a project. Therefore, the Public Service Commission can preempt the local authority on this matter.
2. Only minor subdivisions are permitted in the A-1 District, which creates up to but not more than five lots from the original parcel. Additional lots may be created for agricultural purposes only. The subject parcel is the **sixth** subdivided lot and therefore is **not buildable for non-agricultural uses**. This issue, as well as the minimum lot area outlined above, can be resolved with a permanent lot consolidation with the adjoining/ original parcel if the property owner is amenable. This may also be a matter that the PSC can preempt local authority.

§ ZS 1-311(a): **DIVISIONS OF LAND FOR AGRICULTURAL PURPOSES** - The subdivision of a farm parcel into smaller parcels which will only be used for bona fide agricultural purposes.

Attached is the staff report, concept plan and Environmental Review Documents (ERD), without the appendices. At this time, I am requesting County Commissioner consideration of the attached findings.

**Project Name:** Carey Road Solar 1, LLC

**Location:** Tax Map 20, Parcel 231, Lot 1 B-1; Carey Road, West of Shady Drive, Berlin

**Zoning:** A-1 Agricultural District

**Project Type:** 4 MW AC community solar project

A community solar project is a program where customers (individuals, businesses, etc.) subscribe to a portion of the energy generated by the project. Additional information on community solar can be found at: <https://www.energy.gov/eere/solar/community-solar-basics>.

**Applicability of the Renewable Energy Certainty Act:** Senate Bill 931/ House Bill 1036 (2025) has been signed by the Governor and will become effective on July 1, 2025. The siting standards contained therein will apply to any project that submits a CPCN application to the Public Service Commission after that date. Therefore, this staff report includes a review of the siting standards that solar developers must adhere to under these provisions. The law does allow the local jurisdictions to provide for less stringent siting provisions than those cited. For a utility scale solar project, the Worcester County Commissioners would be the approval authority for any siting modifications. **No waivers to the siting standards are being requested.**

#### **Local considerations under COMAR 20.79.01.05:**

##### **1. A statement or finding whether the proposed project is consistent with the current comprehensive plan.**

The 2006 Worcester County Comprehensive Plan (“Plan”) does not specifically address solar energy systems. However, throughout the Plan, the importance of agriculture as the bedrock to our way of life is highlighted, with a priority focus on “resource conservation and protecting [the county’s] rural and coastal character” (page 1).

The applicants have referenced working draft chapters for the future updated plan within their Environmental Review Document (ERD), however they have not been finalized nor adopted by the Planning Commission or County Commissioners and are therefore not applicable to this review (pages 17-18 of the ERD).

The property is in the Agricultural Land Use category. This category includes “farming, forestry and related industries with minimal residential and other incompatible uses permitted” (page 18).

Chapter Two, Land Use includes the objectives on pages 12 and 13 as follows:

2. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions.
19. Limit rural development to uses compatible with agriculture and forestry.

Chapter Three, Natural Resources includes the objectives on pages 33 and 34 as follows:

3. Identify and protect environmentally sensitive areas.
8. Conserve resources by reducing unnecessary consumption.
9. Channel development within a particular site to any existing disturbed areas.

The project area will be located on existing tilled agricultural lands, with no impacts proposed to the existing forested areas on the site. There are proposed impacts to the 25' buffer surrounding existing farm ditches that Maryland Department of the Environment has determined shall be regulated as non-tidal wetlands. Documentation of the impact approvals will be required from MDE as part of the site plan review process.

Chapter Six, Public Infrastructure includes objectives on pages 73 and 74 as follows:

1. Work with the private sector to ensure a dependable and adequate supply of electric power and propane.
5. Encourage alternative sources of power.

Priority Preservation Area: This property is located within a Priority Preservation Area (PPA). A viewshed analysis has been conducted.

Evaluation of consistency: Overall, I find that this project as presented is generally consistent with the 2006 Comprehensive Plan and Land Use Map.

**2. A statement or finding whether the proposed project is consistent with the current zoning ordinance.**

Following the Land Use Designations in the Comprehensive Plan, the zoning for the parcels is A-1 Agricultural District. Under § ZS 1-344, Alternative energy facilities, utility-scale solar projects are permitted by right in this zoning district. This project has also been reviewed under the Renewable Energy Certainty Act siting standards, which are generally more restrictive than the local zoning regulations for utility scale solar systems.

Only minor subdivisions are permitted in the A-1 District, which creates up to but not more than five lots from the original parcel. Additional lots may be created for agricultural purposes only. The subject parcel is the **sixth** subdivided lot and therefore is **not buildable for non-agricultural uses**. This issue, as well as the minimum lot area outlined below, can be resolved with a permanent lot consolidation with the adjoining/ original parcel.

§ ZS 1-311(a): **DIVISIONS OF LAND FOR AGRICULTURAL PURPOSES -**  
The subdivision of a farm parcel into smaller parcels which will only be used for bona fide agricultural purposes.

Lot Area: Utility scale solar systems in this district require a minimum lot area of 50 acres, and the subject property is approximately 43.08 acres. A variance to lot area is not permitted in the Zoning Code. The project will be situated on approximately 19.6 acres. While the

project is **not** compliant with the lot area requirement, lot area is not a siting standard for which the county can deny a project. Therefore, the Public Service Commission can preempt the local authority on this matter.

Setbacks: There are no specific setbacks in the Zoning Code, however the project intends to be compliant with the 100' boundary from property lines as specified in the Renewable Energy Certainty Act.

Separation Distances: The Renewable Energy Certainty Act requires a 150' boundary between the generating station and the nearest wall of a residential dwelling. The project is compliant with this provision (572.7').

Fencing: The applicants are proposing a minimum 7' tall wire woven fence along the perimeter of the entire project. No barbed wire is proposed. The Renewable Energy Certainty Act requires fencing to be located on the interior of a landscape buffer or immediately adjacent to the generating station, and not less than 50' from any public road right-of-way. The project is compliant.

Panel height: Maximum height to the top edge of the modules will be 12', which is consistent with the new law (maximum average 15').

Landscaping: The project is proposing to maintain the existing wooded areas and supplement them as necessary to achieve the needed vegetative buffer. As illustrated on page 4 of 6 of the Concept Plan, the applicant is proposing to install a 35' wide vegetative buffer along the northerly and northeasterly edges of the facility. The buffer will comply with the requirement for four-season visual screening, planting height at installation, and will provide a minimum of 75% native species. A viewshed analysis has been conducted, and the applicant has stated that the proposed landscape buffer along the easterly property line where the panels are located will be extended to mitigate the remaining visual impacts. This can be addressed during the site plan review process. Within the project, low cover grass vegetation will be provided, to include a mixture of pollinator plantings and wildflower mixes, that will be mowed a minimum of once per year. Appendix P contains the Vegetation Management Plan.

The county will require an installation and maintenance agreement to be recorded, and a landscape bond to be held to guarantee the planting material's continued viability. The local bonding requirements will be modified to be consistent with the new state law, which is generally more restrictive than the county's current requirements.

Noise Limits: Page 39 of the ERD references the applicable COMAR noise level provisions. These standards are consistent with § ZS 1-346, Noise level limits in the Worcester County Zoning Code, in that there are no maximum decibel levels in the A Districts. Limitations will be self-imposed to prevent any temporary construction nuisance impacts per the ERD (page 40 and Appendix L).

Evaluation of consistency: I find that the project is generally consistent with the current zoning ordinance, with one exception. While the project is not compliant with the lot area

requirement, lot area is not a siting standard for which the county can deny a project. Therefore, staff acknowledges that the Public Service Commission can preempt the local authority on this matter. In addition, there is also the matter of the development exceeding the minor subdivision provisions of the zoning code should the lot be converted to a buildable lot for non-agricultural purposes (i.e. solar).

**3. Suggestions for improving or modifying the application prior to submission of the application with the Commission.**

Staff has no suggestions at this time.

SITE USE PERMIT SET										ITEM 8																			
9442 CAREY RD, BERLIN, MD 21811										THIS DOCUMENT IS PROVIDED BY NEW LEAF ENERGY, INC. TO FACILITATE THE SALE OF THE RENEWABLE ENERGY PROJECT REPRESENTED HEREIN. REPRODUCTION, RELEASE OR UTILIZATION FOR ANY OTHER PURPOSE, WITHOUT PRIOR WRITTEN CONSENT IS STRICTLY PROHIBITED.																			
STC RATED SOLAR ELECTRIC SYSTEM										<div><div><div><div></div><div>new leaf energy</div></div><div>55 TECHNOLOGY DRIVE, SUITE 102 LOWELL, MA 01851 PHONE: (800) 818-5249 FAX: (888) 678-8991 WWW.NEWLEAFENERGY.COM</div></div></div>																			
GENERAL NOTES										PROJECT SCOPE																			
<div><div>1. AS CONTAINED HEREIN, "CONTRACTOR" IS ASSUMED TO BE THE EPC PROVIDER HIRED BY THE SYSTEM/PROJECT OWNER.</div><div>2. WHEN THERE IS A CONFLICT BETWEEN THESE GENERAL NOTES AND THE DRAWINGS, THE DRAWINGS SHALL GOVERN.</div><div>3. ALL WORK SHALL CONFORM TO THE MINIMUM STANDARDS OF THE FOLLOWING: LOCAL BUILDING CODE, LOCAL ELECTRICAL CODE, ANY OTHER REGULATING AGENCIES WHICH HAVE AUTHORITY OVER ANY PORTION OF THE WORK AND THOSE CODES AND STANDARDS LISTED IN THESE DRAWINGS.</div><div>4. THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEVELOPING A CONSTRUCTION LEVEL DESIGN AND ASSOCIATED DRAWINGS AND DETAILS.</div><div>5. COORDINATE THESE DRAWINGS WITH SPECIFICATIONS AND MANUFACTURER INSTALLATION AND OPERATION MANUALS.</div><div>6. UNLESS OTHERWISE NOTED, THE DESIGN REPRESENTED ON THESE PLANS IS BASED ON THE INFORMATION AND CRITERIA LISTED IN THE "BASIS OF DESIGN" SECTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY SUCH INFORMATION IN PREPARATION OF THE CONSTRUCTION DESIGN.</div><div>7. THE EXISTING CONDITIONS REPRESENTED ON THESE PLANS ARE BASED ON PUBLICLY AVAILABLE INFORMATION AND THE SITE DISCOVERY SUMMARIZED IN THESE DRAWINGS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACCURACY OF SUCH INFORMATION AND SUPPLEMENT WITH ANY ADDITIONAL REQUIRED INFORMATION.</div><div>8. UNLESS INDICATED AS EXISTING (E), ALL PROPOSED MATERIALS AND EQUIPMENT SHALL BE CONSIDERED TO BE NEW.</div><div>9. ALL EQUIPMENT AND COMPONENTS SHALL BE MOUNTED IN COMPLIANCE WITH THE MANUFACTURER'S REQUIREMENTS, CONSTRUCTION DETAILS, AND/OR PRUDENT INDUSTRY STANDARDS.</div><div>10. TO THE EXTENT THAT TREES AND OTHER FEATURES AFFECT THE SYSTEM'S PRODUCTION, SUCH PRODUCTION MODELING IS BASED ON THE EXISTING APPROXIMATE HEIGHTS AND LOCATIONS RELATIVE TO THE SYSTEM AND MAY BE IMPACTED AS TREES GROW AND OTHER FEATURES CHANGE.</div></div>										THIS PROJECT CONSISTS OF THE INSTALLATION OF SOLAR MODULES PER THE SYSTEM DESCRIPTION, BELOW. THE MODULES WILL BE INSTALLED ON A TRACKER MOUNTED RACKING SYSTEM. THE MODULES WILL BE WIRED IN SERIES STRINGS AND CONNECTED IN PARALLEL TO THE INVERTER(S), WHICH CONVERT THE PHOTOVOLTAIC OUTPUT POWER FROM DC TO AC. THE SOLAR ELECTRIC SYSTEM WILL BE INTERCONNECTED WITH THE EXISTING SITE ELECTRICAL SYSTEM IN ACCORDANCE WITH THE APPLICABLE ELECTRICAL CODE AND DELMARVA REQUIREMENTS.																			
										SYSTEM DESCRIPTION																			
SYSTEM SIZE (DC STC)		5,479.65 kWDC		SYSTEM SIZE (AC)		4,000 KWAC																							
MODULES		(8910) YSMDH.66.615.05		INVERTER(S)		(16) XGI 1500 250/250-600																							
STC RATING (W)		615 WDC		CEC EFFICIENCY		93.5 %																							
MODULES PER STRING		27		AZIMUTH		0																							
# OF STRINGS		330		TILT ANGLE		60																							
RACKING		NEXTRACKER		ESTIMATED FOUNDATIONS		----																							
SPECIAL INSPECTIONS																													
GENERAL CONSTRUCTION SPECIAL INSPECTIONS						CODE/SECTION																							
1. FIRE RESISTANT PENETRATIONS AND JOINTS						BC 1704.27																							
2. ENERGY CODE COMPLIANCE INSPECTIONS						BC 110.3.5																							
FINAL																													
APPLICABLE CODES AND STANDARDS										PROJECT DIRECTORY																			
<div><div>2017 NATIONAL ELECTRICAL CODE</div><div>2018 INTERNATIONAL BUILDING CODE WITH NJ AMENDMENTS</div><div>UL-1703 - SOLAR MODULES</div><div>UL-1741 - INVERTERS, COMBINER BOXES</div><div>UL-2703 - RACKING MOUNTING SYSTEMS AND CLAMPING DEVICES FOR PV MODULES</div><div>UL-1642 - STANDARD FOR LITHIUM BATTERIES</div><div>UL-1973 - STANDARD FOR BATTERIES FOR USE IN LIGHT ELECTRIC RAIL (LER) APPLICATIONS AND STATIONARY APPLICATION</div><div>UL-9540 - STANDARD FOR ENERGY STORAGE SYSTEM AND EQUIPMENT</div></div>										SYSTEM / PROJECT OWNER CAREY ROAD SOLAR 1, LLC c/o NEW LEAF ENERGY, INC. 55 TECHNOLOGY DRIVE, SUITE 102 LOWELL, MA 01851										CIVIL ENGINEER FIRM: NEW LEAF ENERGY, INC CONTACT: ANDREW KAVANAUGH PHONE: 978-735-1506									
										LAND OWNER / HOST WAYNE F AND ELAINE L HOKE CAREY ROAD BERLIN, MD 21811										DESIGN ENGINEER FIRM: CONTACT: PHONE:									
										AUTHORITY HAVING JURISDICTION WORCESTER COUNTY 1 W. MARKET ST. ROOM 1201 SNOW HILL, MD 21863																			
										UTILITY DELMARVA POWER																			
																				GENERAL ABBREVIATIONS									
																				(E) EXISTING AHJ AUTHORITY HAVING JURISDICTION AL ALUMINUM APPROX APPROXIMATE ARY ARRAY BLDG BUILDING NLE NEW LEAF ENERGY CL CENTERLINE DAS DATA ACQUISITION SYSTEM DIA DIAMETER DO DITTO EW EAST-WEST ESS ENERGY STORAGE SYSTEM ESU ENERGY STORAGE UNIT FBO FURNISHED BY OTHERS FF FORWARD FACING GALV GALVANIZED HDG HOT DIP GALVANIZED HVAC HEATING VENTILATION AND AIR CONDITIONING ID INSIDE DIAMETER									
																				MFR MOD NS NORTH-SOUTH NTS NOT TO SCALE OAE OR APPROVED EQUAL OC ON CENTER OD OUTSIDE DIAMETER OFCl OWNER FURNISHED CONTRACTOR INSTALLED PCS POWER CONVERSION SYSTEM PV PHOTOVOLTAIC PVC POLY VINYL CHLORIDE SCH SCHEDULE SS STAINLESS STEEL SSS SOLAR SUPPORT STRUCTURE STC STANDARD TEST CONDITIONS TBD TO BE DETERMINED TP TAMPER PROOF TYP TYPICAL UON UNLESS OTHERWISE NOTED VIF VERIFY IN FIELD WP WEATHER PROOF									
																				BASIS OF DESIGN									
																				BOUNDARY & TOPOGRAPHIC SURVEY: BOWMAN CONSULTING APRIL 2025									
																				WETLAND STREAM AND DELINEATION REPORT: ARM GROUP LLC SEPTEMBER 2024									
</																													

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PROJECT NUMBER:  
120-1701

[illegible]

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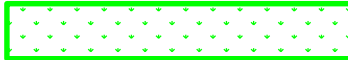




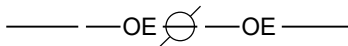
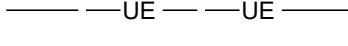
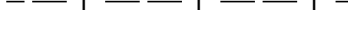














C-1.0

## EXISTING CONDITIONS PLAN

1. THE BASE MAP HAS BEEN CREATED USING EXISTING TOPOGRAPHY, SITE FEATURES AND PROPERTY LINES OBTAINED FROM A TOPOGRAPHIC AND BOUNDARY SURVEY AND ALTA / NPS LAND TITLE SURVEY PREPARED BY BOMMAN CONSULTING, DATED APRIL 4, 2025.
2. WETLANDS AND OTHER AQUATIC RESOURCES WERE OBTAINED FROM A WATERS OF THE U.S. DELINEATION REPORT, DATED SEPTEMBER 5, 2024 PREPARED BY ARM GROUP LLC.
3. FOREST STAND DELINEATION WAS PREPARED BY ARM GROUP LLC ON JANUARY 21, 2025.
4. PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA) WAS CONDUCTED ON AUGUST 8, 2024.
5. SOIL SAMPLES OBTAINED FROM THE NRCS WEB SOIL SURVEY.
6. THIS PLAN IS IN THE HORIZONTAL MARYLAND PLANE, NORTH AMERICAN DATUM 1983 (NAD 83) COORDINATE SYSTEM AND NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88).
7. ALL DIMENSIONS TO BE CONFIRMED ONSITE PRIOR TO CONSTRUCTION. ALL DIMENSIONS ARE INDICATIVE ONLY AND IN FEET, UNLESS OTHERWISE SPECIFIED.
8. SOLAR ENERGY SYSTEM IS AN UNMANNED FACILITY AND WILL NOT REQUIRE WATER OR SEWERAGE FACILITIES.

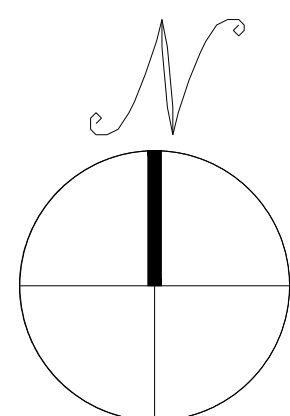
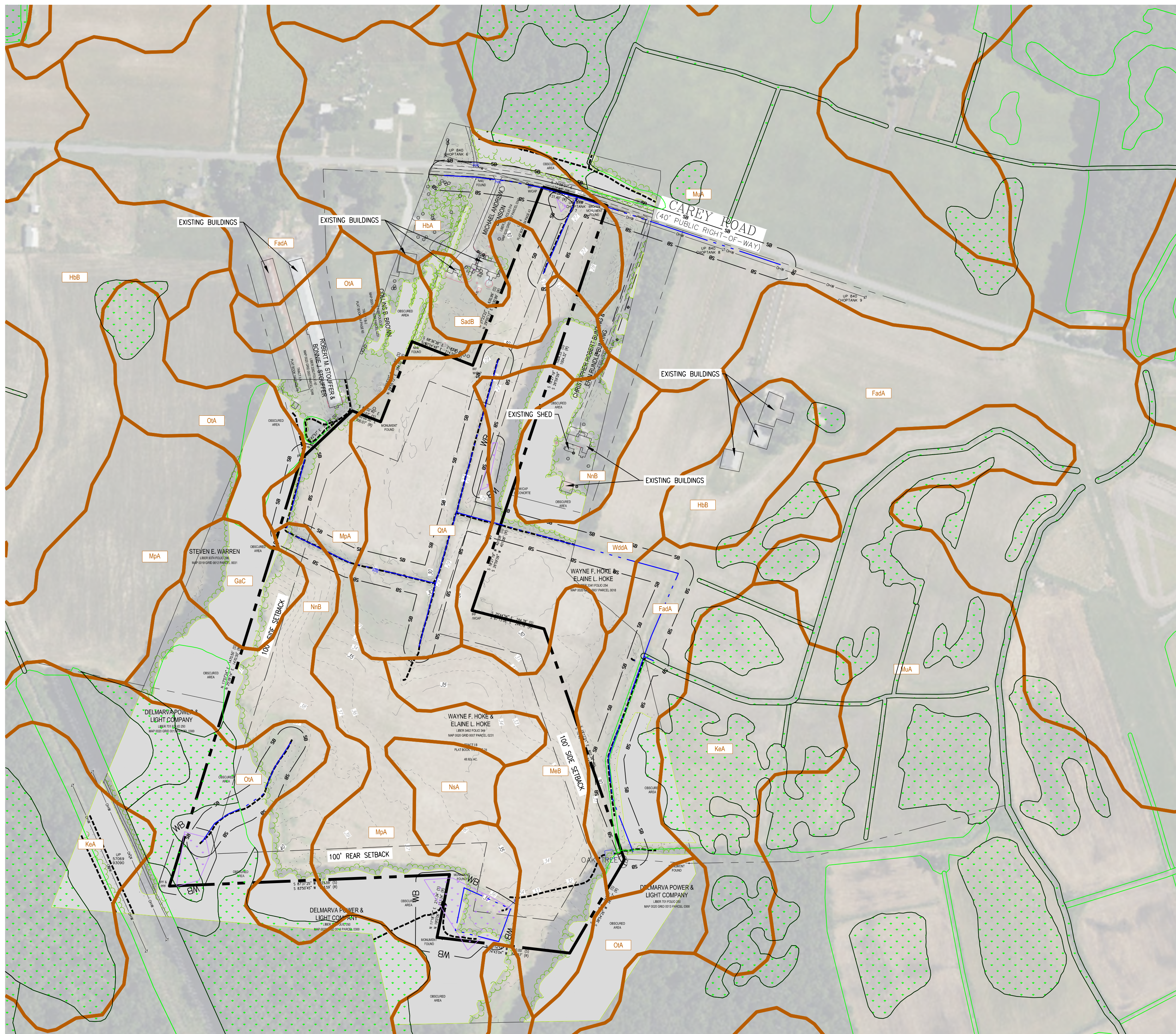
NOTE: LEGEND IS TYPICAL. NOT ALL OBJECTS IN LEGEND APPEAR IN PLAN.

NOTE: LEGEND IS TYPICAL. NOT ALL OBJECTS IN LEGEND APPEAR IN PLAN.

- |   |  |
|---|--|
| 60  |  |
|    | EXISTING CONTOURS<br>DELINEATED WETLANDS (NON-TIDAL) |
|    | NATIONAL WETLAND INVENTORY (NWI) FEATURE             |
|    | PROPERTY LINE  |
|    | ADJOINING PROPERTY LINE                              |
|    | PROPERTY LINE SETBACK / NATURAL RESOURCE BUFFER      |
|    | EXISTING RIGHT OF WAY                                |
|    | EXISTING OVERHEAD ELECTRIC LINE W/ UTILITY POLE      |
|    | EXISTING UNDERGROUND ELECTRIC LINE                   |
|    | EXISTING UNDERGROUND COMMUNICATION LINE              |
|    | EXISTING STREAM/ POND                                |
|    | EXISTING VERIFIED STREAM                             |
|    | EXISTING 100-YR FEMA FLOODPLAIN                      |
|    | EXISTING DRAINAGE DITCH                              |
|    | EXISTING SOIL BOUNDARY AND DESCRIPTOR                |
|  | EXISTING TREELINE                                    |
|  | EXISTING SPECIMEN TREE                               |
|  | EXISTING FENCE                                       |
|  | EXISTING CULVERT                                     |
|  | EXISTING EDGE OF PAVED ROAD                          |
|  | EXISTING EDGE OF UNPAVED ROAD                        |
|  | EXISTING SLOPES > 15%                                |
|  | EXISTING STREAM BUFFER                               |
|  | EXISTING WETLAND BUFFER                              |

SOILS LEGEND							
SYMBOL	DESCRIPTION (FARMLAND TYPE)	HSG	K FACTOR	AREA OF PARCEL	% OF PARCEL	AREA OF PF WITHIN LOD (AC)	% OF LOD
OIA*	OTHELLO SILT LOAMS, 0 TO 2 PERCENT SLOPES (FARMLAND OF STATEWIDE IMPORTANCE)	OD	0.43	12.7	29.5	2.37	13.0
MpA	MATTAPAN FINE SANDY LOAM, 0 TO 2 PERCENT SLOPES (ALL AREAS ARE PRIME FARMLAND)	C	0.32	9.93	23.0	5.73	31.5
SadB	SASSAFRAS SANDY LOAM, 2 TO 5 PERCENT SLOPES (ALL AREAS ARE PRIME FARMLAND)	B	0.20	1.54	3.5	0.0	0.0
HbA	HAMBROOK SANDY LOAM, 0 TO 2 PERCENT SLOPES (ALL AREAS ARE PRIME FARMLAND)	B	0.32	1.60	3.7	0.0	0.0
WdA	WOOSTOWN SANDY LOAM, 0 TO 2 PERCENT SLOPES (ALL AREAS ARE PRIME FARMLAND)	C	0.24	2.61	6.1	0.0	0.0
NnB	NASSAWANGO FINE SANDY LOAM, 2 TO 5 PERCENT SLOPES (ALL AREAS ARE PRIME FARMLAND)	C	0.24	5.30	12.3	3.84	21.1
NsA	NASSAWANGO SILT LOAM, 0 TO 2 PERCENT SLOPES (ALL AREAS ARE PRIME FARMLAND)	C	0.49	2.09	4.8	2.08	11.4
MeB	MATAPEAKE FINE SANDY LOAM, 2 TO 5 PERCENT SLOPES (ALL AREAS ARE PRIME FARMLAND)	C	0.32	6.53	15.2	3.98	21.9
GAc	GALESTOWN LOAMY SAND, 5 TO 10 PERCENT SLOPES (NOT PRIME FARMLAND)	A	0.05	0.80	1.9	0.0	0.0
*HYDRIC SOIL TYPE SOILS WITH A K FACTOR GREATER THAN 0.35 ARE CONSIDERED HIGHLY ERODIBLE PF: PRIME FARMLAND NO CLASS 1 SOILS ARE PRESENT ON THE SUBJECT PROPERTY			TOTAL	43.1	100.0	18.0	98.9

\*HYDRIC SOIL TYPE  
SOILS WITH A K FACTOR GREATER THAN 0.35 ARE CONSIDERED HIGHLY ERODIBLE  
PF: PRIME FARMLAND  
NO CLASS I SOILS ARE PRESENT ON THE SUBJECT PROPERTY



SCALE: 1" = 200'

A graphic scale bar with alternating black and white segments. It is labeled with '200'' and '400'' to indicate the distance represented by the segments.

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55 TECHNOLOGY DRIVE, SUITE 102  
LOWELL, MA 01851  
PHONE: (978) 878-3249  
FAX: (978) 878-8991  
WWW.NEWLEAFENERGY.COM

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C-2.0  
OVERALL SITE  
CONDITIONS PLAN

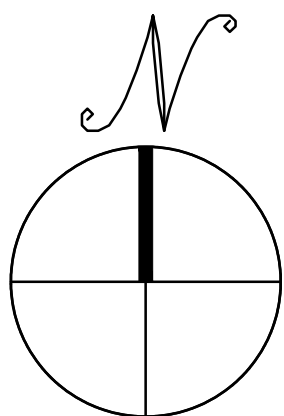
NOTES:

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- SOLAR ENERGY SYSTEM IS AN UNMANNED FACILITY AND WILL NOT REQUIRE WATER OR SEWERAGE FACILITIES.
- LANDSCAPE SCREENING WILL BE FOUR-SEASON SCREENING AND CONSIST OF AT LEAST 75% NATIVE SPECIES IN ACCORDANCE WITH THE WORCESTER COUNTY CODE.
- PROPOSED USE: SOLAR ENERGY SYSTEM (SES).
- TOTAL SITE AREA: 43.1 AC.
- TOTAL PROPOSED DEVELOPMENT AREA (LIMIT OF DISTURBANCE): 19.6 AC.
- TOTAL PROPOSED TREE CLEARING AREA: 0.00 AC.
- TOTAL PROPOSED SES DEVELOPMENT AREA: 19.6 AC, ASSUMED TO BE THE CONSTRAINED (FENCE) SOLAR, ACCESS ROAD, AND STORMWATER MANAGEMENT AREAS.
- TOTAL PROPOSED IMPERVIOUS AREA: 0.91 ACRES (39,854 S.F.)  
14.1 GRAVEL ACCESS DRIVEWAY: 0.83 ACRES (36,269 S.F.)  
14.2 EQUIPMENT PAD: 0.08 ACRES (3,585 S.F.)  
14.3 SOLAR MODULES AND TRACKING POSTS: 0.0 ACRES (0.10 S.F.)  
14.4 ANY SOLAR PANELS LOCATED IN AREAS WITH SLOPES LESS THAN 10 PERCENT (%) AND WITH ROW SPACING ( $\pm$  10.0') GREATER THAN THE WIDTH OF EACH SOLAR MODULE ( $\pm$  7.8') MEET THE NON-ROOFTOP DISCONNECTION CRITERIA AND ARE NOT INCLUDED IN THE TOTAL IMPERVIOUS AREA

LEGEND

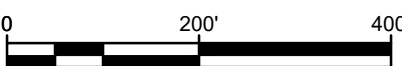
NOTE: LEGEND IS TYPICAL. NOT ALL OBJECTS IN LEGEND APPEAR IN PLAN.

- 60' EXISTING CONTOURS
- DELINEATED WETLANDS (NON-TIDAL)
- NATIONAL WETLAND INVENTORY (NWI) FEATURE
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- PROPERTY LINE SETBACK / NATURAL RESOURCE BUFFER
- EXISTING RIGHT OF WAY
- EXISTING OVERHEAD ELECTRIC LINE W/ UTILITY POLE
- EXISTING UNDERGROUND ELECTRIC LINE
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- EXISTING STREAM / POND
- EXISTING VERIFIED STREAM
- EXISTING 100-YR FEMA FLOODPLAIN
- EXISTING DRAINAGE DITCH
- EXISTING SOIL BOUNDARY AND DESCRIPTOR
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- EXISTING SPECIMEN TREE
- EXISTING FENCE
- EXISTING CULVERT
- EXISTING EDGE OF PAVED ROAD
- EXISTING EDGE OF UNPAVED ROAD
- EXISTING SLOPES >15%
- EXISTING STREAM BUFFER
- EXISTING WETLAND BUFFER
- PROPOSED SOLAR MODULES
- PROPOSED FENCE
- PROPOSED OVERHEAD ELECTRIC LINE
- PROPOSED LOW VOLTAGE CONDUIT
- PROPOSED MEDIUM VOLTAGE CONDUIT
- PROPOSED ACCESS DRIVE
- PROPOSED LIMITS OF DISTURBANCE
- LANDSCAPE BUFFER



OVERALL SITE CONDITIONS PLAN

SCALE: 1" = 200'





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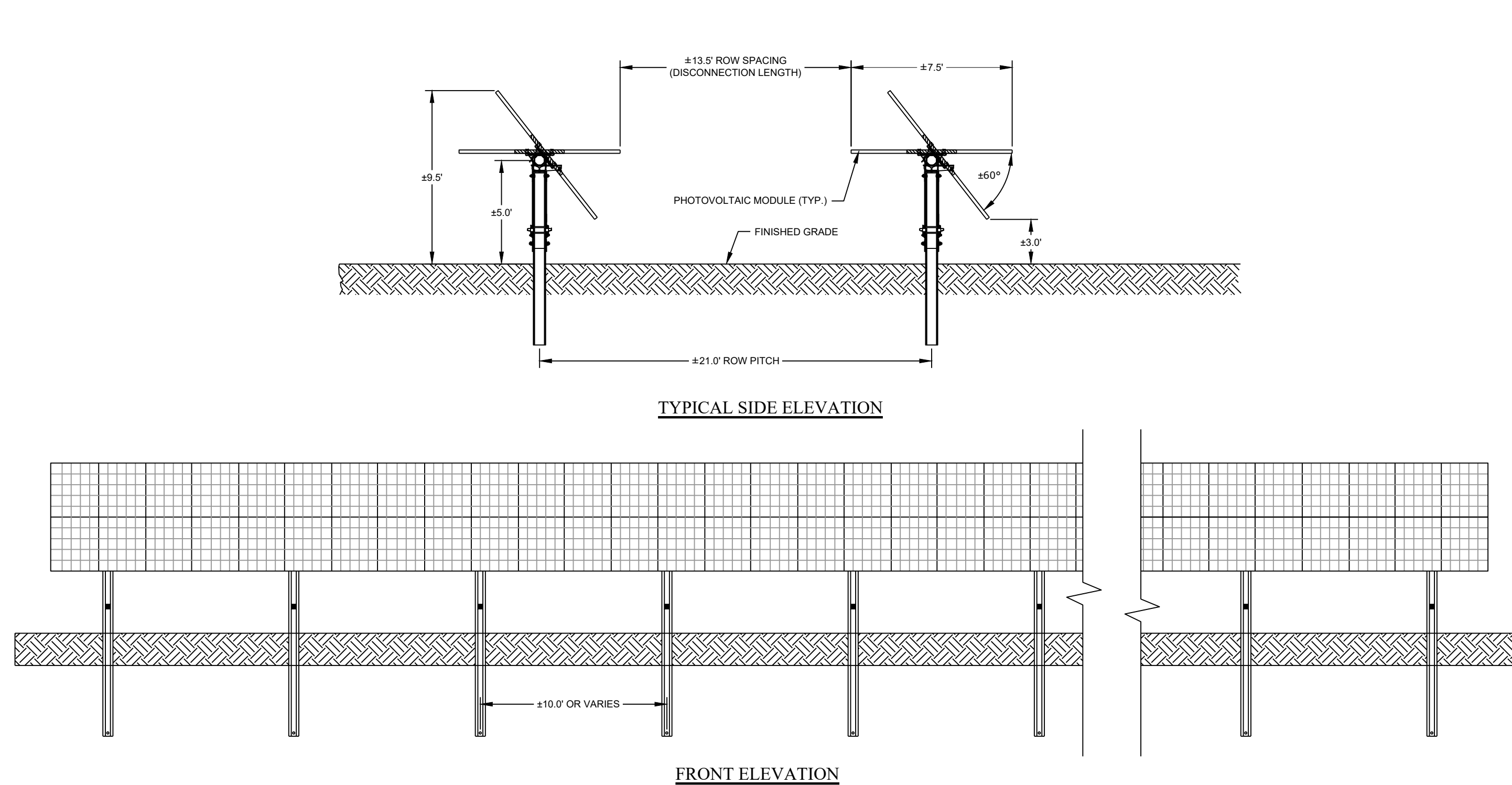
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9442 CAREY RD  
BERLIN, MD 21811

PROJECT NUMBER:  
120-2015

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DATE  
11/06/24  
DRAWN  
BP  
CHECKED  
BH  
RELEASE LEVEL  
INITIAL DESIGN PACKAGE

SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
ARCH D 24" x 36"

C-5.0  
SITE DETAILS (1 OF 2)

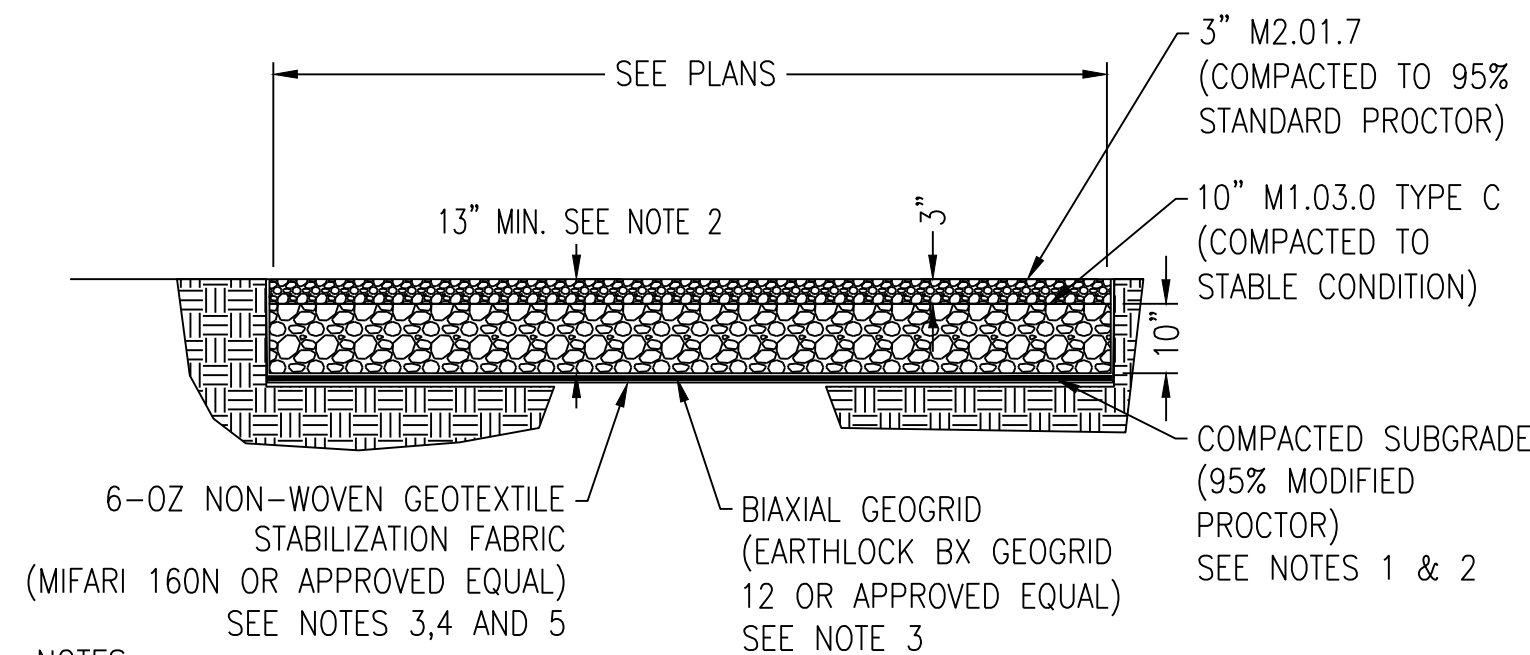


NOTES:

1. THE INFORMATION SHOWN HERE IS FOR GENERAL REFERENCE ONLY. ARRAY CONFIGURATION DIMENSIONS SHOWN HERE MAY VARY.

1 PHOTOVOLTAIC (PV) ARRAY (TYP.)

SCALE: NTS

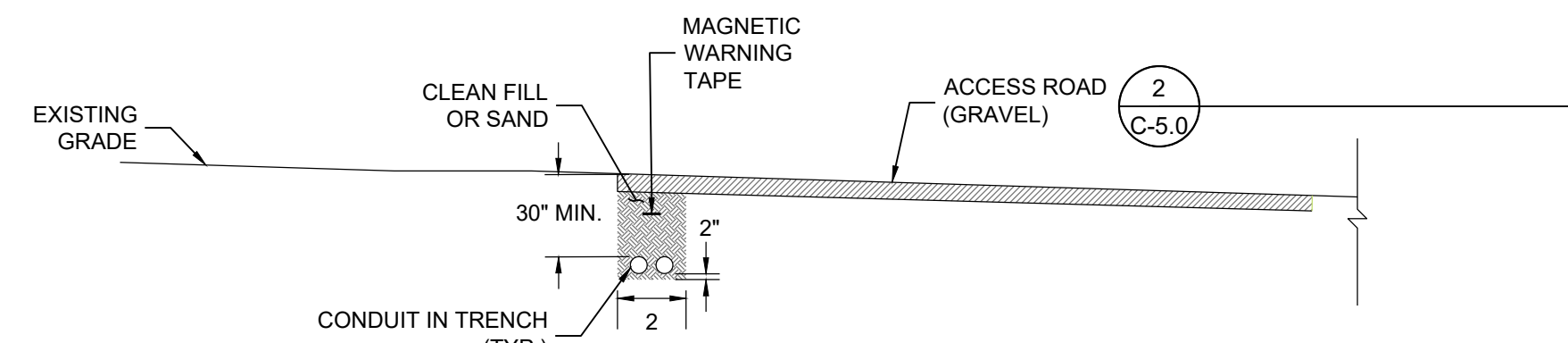


NOTES:

1. SUBCONTRACTOR SHALL EXCAVATE TO SUITABLE MATERIAL FOR SUBGRADE.
2. SUBCONTRACTOR SHALL COMPACT SUBGRADE TO PROVIDE SUITABLE SURFACE TO PLACE ROAD. REFER TO GEOTECHNICAL REPORT FOR SUBGRADE PREPERATION CRITERIA.
3. SUBCONTRACTOR SHALL FOLLOW MANUFACTURER INSTALLATION PROCEDURES.
4. WHERE OVERLAPPING OF GEOTEXTILE FABRIC IS REQUIRED, SUBCONTRACTOR SHALL OVERLAP A MINIMUM OF 24".
5. SUBCONTRACTOR SHALL REMOVE TEMPORARY CONSTRUCTION ACCESS ROADS, AND RESTORE TO PRE-CONSTRUCTION CONDITIONS TO THE SATISFACTION OF THE CEOR AND THE GOVERNING AGENCIES.
6. SUBCONTRACTOR SHALL INSTALL CONDUITS FOR ALL ELECTRICAL CONDUIT CROSSINGS PRIOR TO INSTALLATION OF THE GEOGRID MATERIAL. THE GEOGRID SHALL NOT BE HORIZONTALLY CUT ONCE INSTALLED.

2 GRAVEL ACCESS ROAD & EQUIPMENT PAD

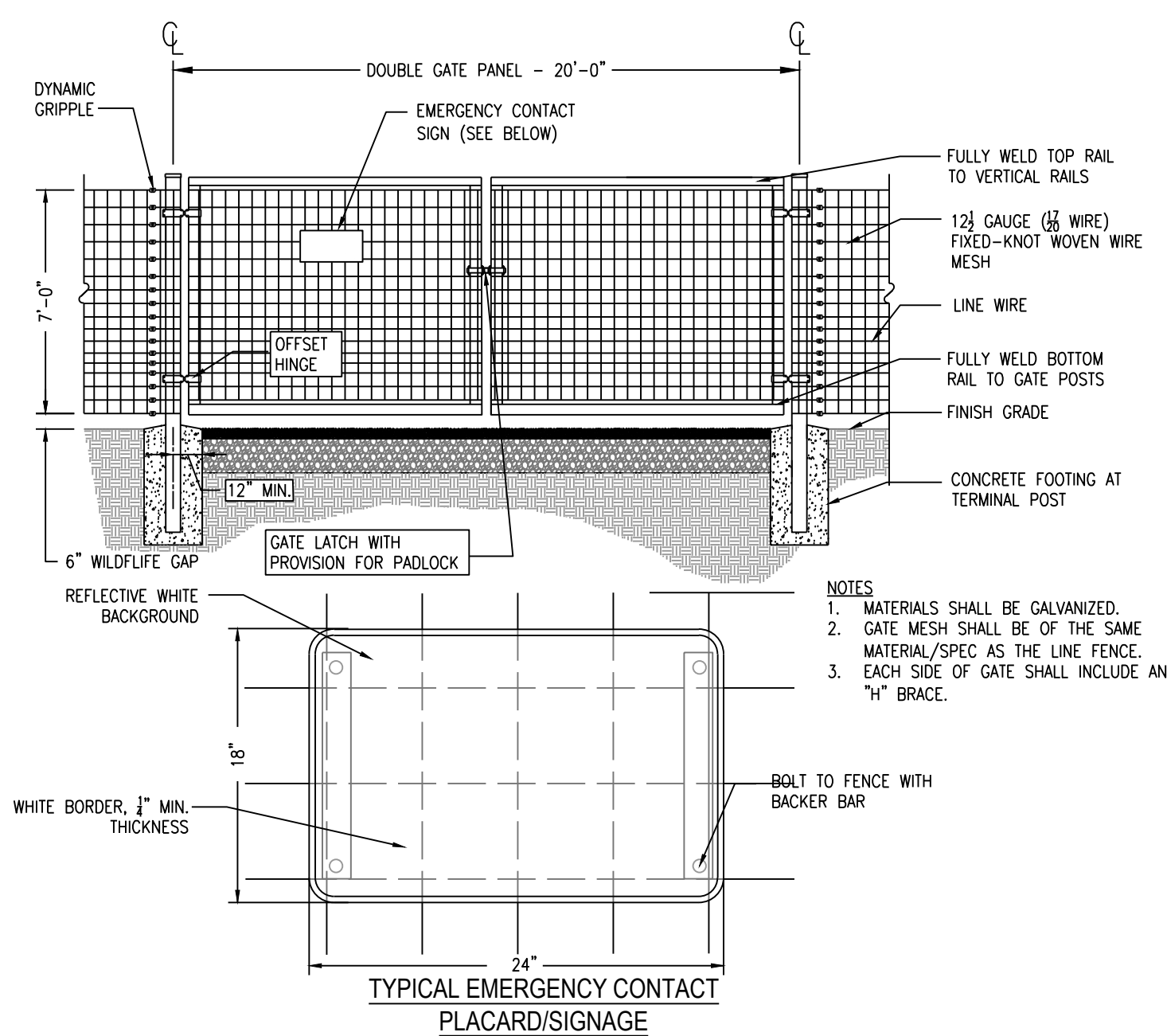
SCALE: NTS



NOTES:

1. CONDUIT LAYOUTS TO BE DETERMINED.

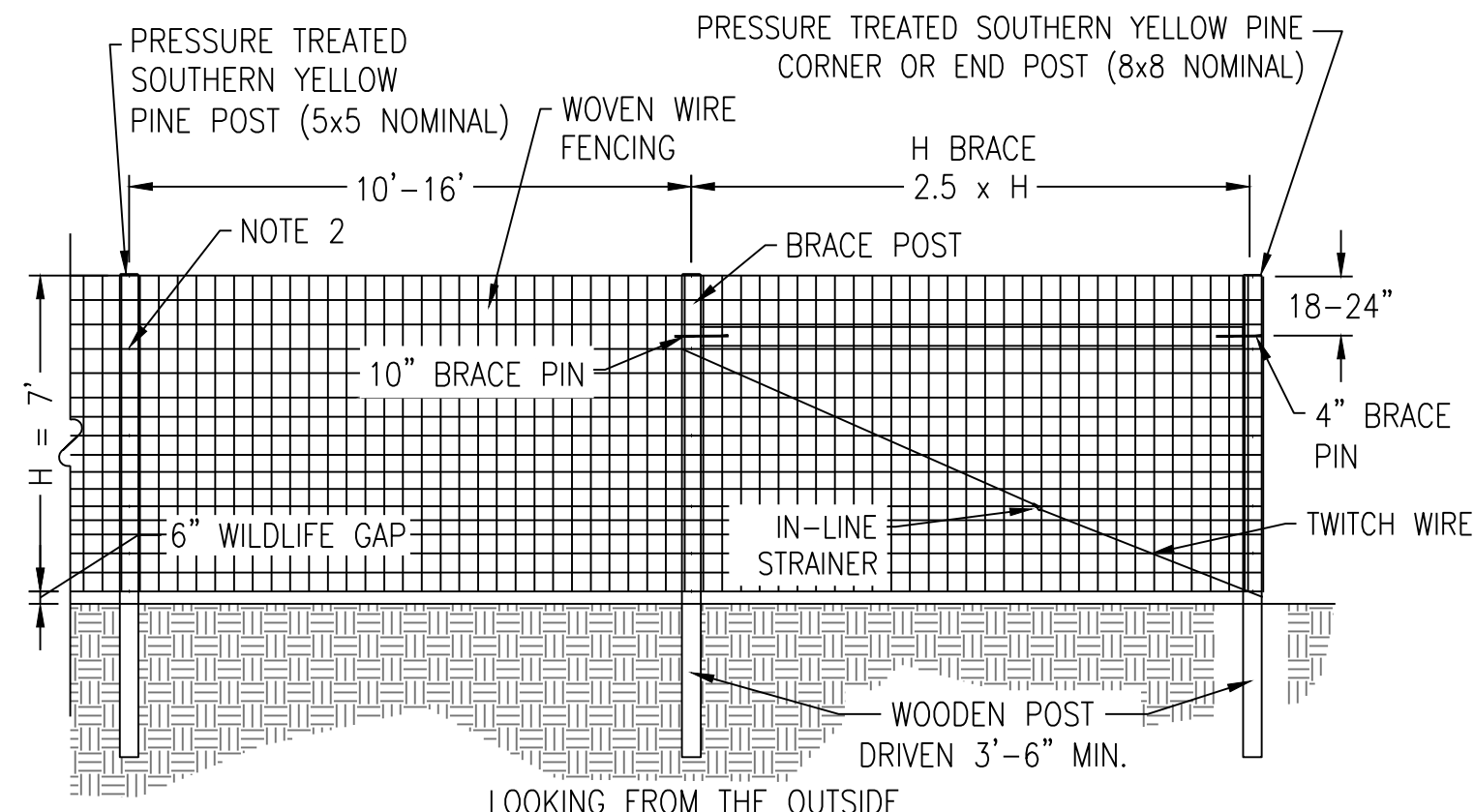
5 DETAIL  
CONDUIT TRENCH (TYP.)  
NOT TO SCALE



NOTES:

1. MATERIALS SHALL BE GALVANIZED.
2. GATE MESH SHALL BE OF THE SAME MATERIAL/SPEC AS THE LINE FENCE.
3. EACH SIDE OF GATE SHALL INCLUDE AN "H" BRACE.

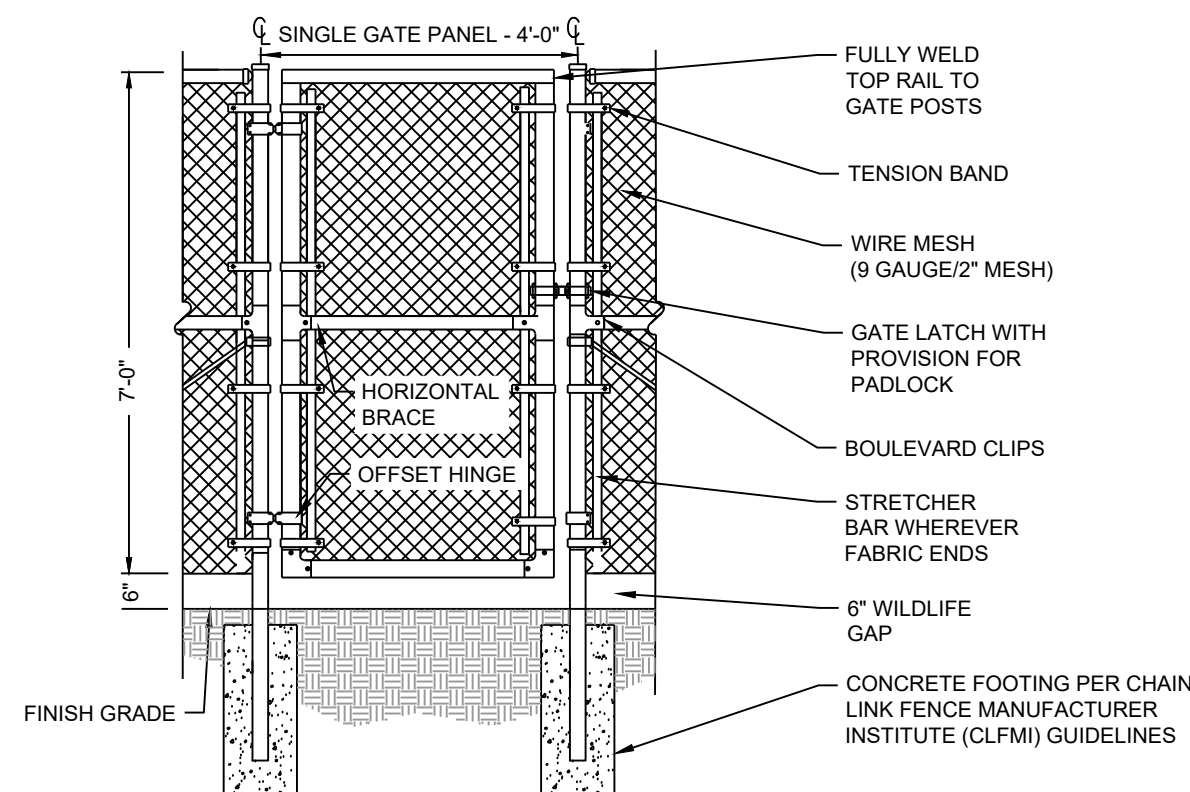
3 DETAIL  
7" WOVEN WIRE VEHICLE GATE & PLACARD (TYP.)  
NOT TO SCALE



NOTES:

1. CORNER BRACING SHALL BE INSTALLED FIRST.
2. FENCE FABRIC SHALL BE BEKAERT SOLIDLOCK PRO, 12 1/2 GAUGE HIGH-TENSILE FIXED KNOT WOVEN WIRE FENCE OR APPROVED EQUAL.
3. FENCE SHALL BE ATTACHED TO WOOD POSTS USING CLASS 3 BARB STAPLES AND ATTACHMENT LOCATIONS (SPACING) SHALL BE PER MANUFACTURERS RECOMMENDATIONS. THIS DETAIL NOT APPLICABLE FOR PRIVACY FENCE OR FENCE WITH SLATS.
4. MINIMUM # OF HORIZONTAL WIRES SHALL BE 17 WITH 6" MAX. SPACING BETWEEN WIRES.
5. BRACE PINS SHALL BE 3/8" GALVANIZED PINS.

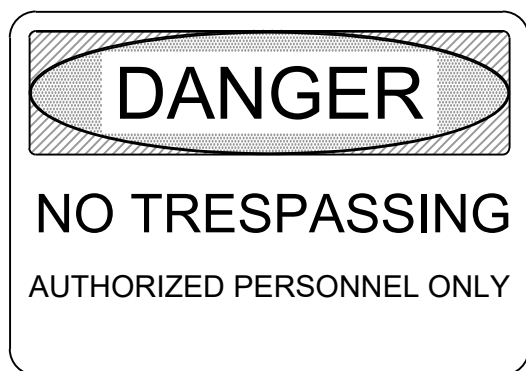
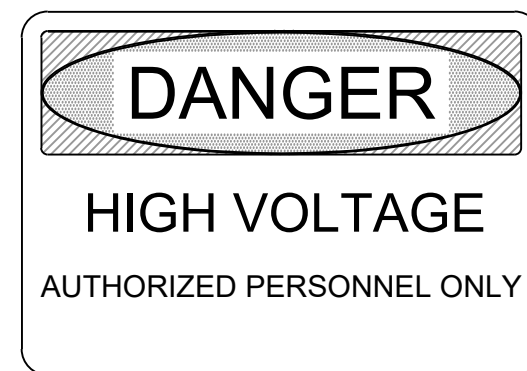
4 DETAIL  
FIXED-KNOT WOVEN WIRE SECURITY FENCE (TYP.)  
NOT TO SCALE



NOTES:

1. FABRIC SHALL BE GALVANIZED UNLESS OTHERWISE NOTED. REFER TO PLANS.

5 DETAIL  
PERSONNEL ACCESS GATE (4') (TYP.)  
NOT TO SCALE



PROPERTY OWNER: WAYNE F &  
ELANIE L HOKKE  
LEASE HOLDER  
CAREY ROAD SOLAR 1, LLC  
CONTACT: (888) 688-6273  
ADDRESS: 9442 CAREY RD,  
BERLIN, MD 21811  
  
NO TRESPASSING  
AUTHORIZED PERSONNEL ONLY

NOTES:

1. SIGNS SHALL BE 24" WIDE BY 18" HIGH, 10 GAUGE ALUMINUM WITH HIGH VISIBILITY REFLECTIVE SHEETING.
2. LOCATION: ALL ACCESS POINTS TO THE SITE AND EVERY 250' AROUND THE PERIMETER SECURITY FENCING.

6 DETAIL  
SIGNAGE (TYP.)  
NOT TO SCALE

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9442 CAREY RD  
9442 CAREY RD  
BERLIN, MD 21811

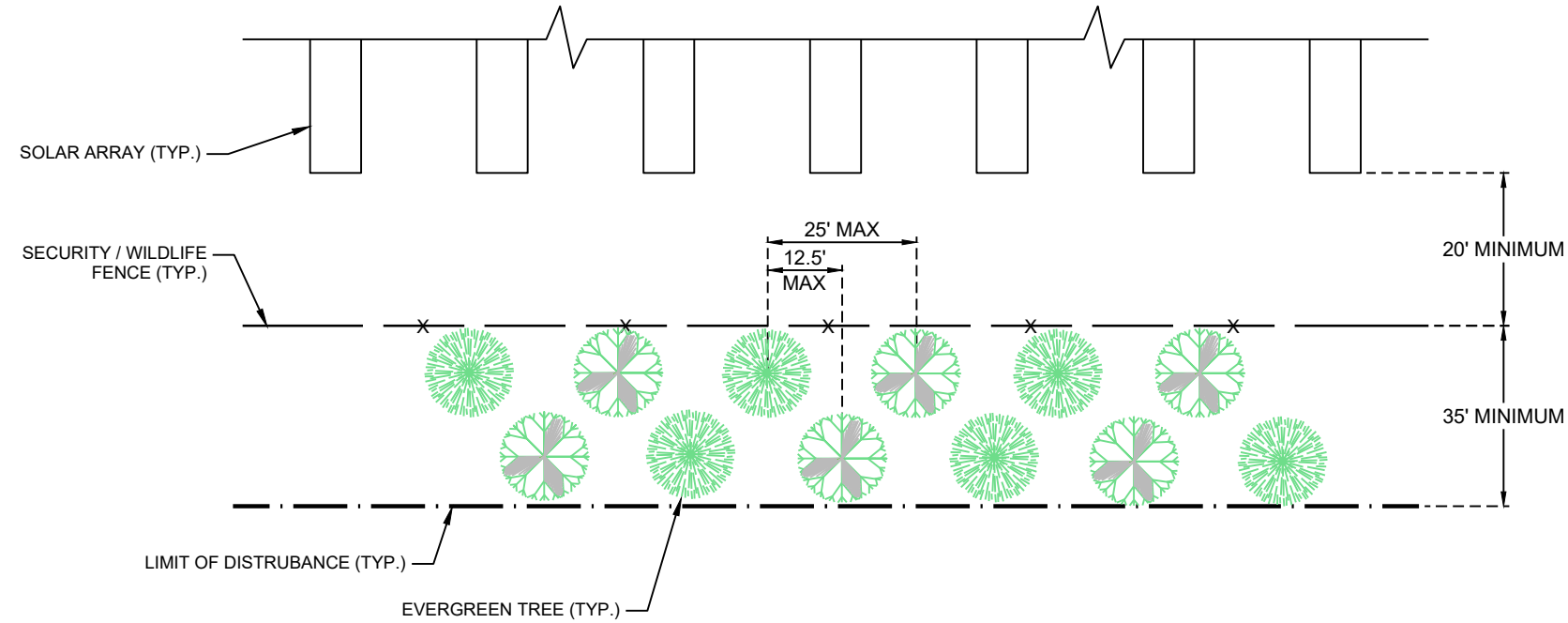
PROJECT NUMBER:  
120-2015

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	INITIAL DESIGN PACKAGE						
0	11/06/24	BP	BH								

SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
ARCH D 24" x 36"

C-5.1

SITE DETAILS (2 OF 2)



TYPICAL SCREENING BUFFER SPACING DIAGRAM

NOTES:

- LANDSCAPING AND SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH THE APPLICABLE WORCESTER COUNTY, ZONING CODE. LANDSCAPING IS CONCEPTUAL AT THIS TIME. FINAL LANDSCAPING WILL BE COORDINATED WITH AND APPROVED BY WORCESTER COUNTY.
- THE SCREENING DETAILS ARE FOR LANDSCAPING INFORMATION ONLY. PLEASE REFER TO THE SITE PLAN, GRADING PLAN AND/OR UTILITIES PLAN FOR ALL OTHER INFORMATION.
- THE LOCATIONS FOR PLANT MATERIAL ARE APPROXIMATE AND ARE SUBJECT TO FIELD ADJUSTMENT DUE TO SLOPE, VEGETATION, AND SITE FACTORS SUCH AS THE LOCATION OF ROCK OUTCROPS. PRIOR TO PLANTING, THE LANDSCAPE CONTRACTOR SHALL ACCURATELY STAKE OUT THE LOCATIONS FOR ALL PLANTS. NO PLANT SHALL BE PLACED IN THE GROUND BEFORE ROUGH GRADING HAS BEEN COMPLETED AND FIELD LOCATIONS OR ADJUSTMENTS OF THE TREES HAVE BEEN APPROVED BY THE OWNER.
- ALL SCREENING TREES SHALL BE ARRANGED IN A WAY THAT DIAMETER OF TREE SHALL OVERLAP WHEN VIEWED AT A PERPENDICULAR ANGLE TO EFFECTIVELY ACHIEVE AN OPAQUE VISUAL BARRIER.
- COORDINATE PLANTING LOCATIONS WITH SITE UTILITIES. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE DUE TO NEGLIGENCE AND SHALL REPLACE OR REPAIR ANY DAMAGE AT THEIR OWN EXPENSE.
- FOR CONTAINER-GROWN TREES, USE FINGERS OR SMALL HAND TOOLS TO PULL THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL; THEN CUT OR PULL APART ANY ROOTS CIRCLING THE PERIMETER OF THE CONTAINER.
- THOROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
- SOIL AMENDMENTS:
  - MODIFY HEAVY CLAY OR SILT SOILS (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY VOLUME) OR GYPSUM.
  - MODIFY EXTREMELY SANDY SOILS (MORE THAN 85% SAND) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM UP TO 30% OF THE TOTAL MIX.
- INVASIVE SPECIES AND OTHER WEEDS WILL BE REMOVED AND CONTROLLED THROUGHOUT THE PROJECT AREA DURING OPERATION OF THE PROJECT. EMPHASIS WILL BE PLACED ON REMOVAL OF INVASIVE AND NOXIOUS WEED SPECIES FROM BUFFER AREAS TO MAINTAIN BUFFER HEALTH AND SCREENING PROPERTIES.
- THE USE OF CHEMICALS WILL BE LIMITED TO THAT NECESSARY AND AVOIDED TO THE MAXIMUM EXTENT PRACTICABLE. ALL CHEMICAL CONTROL TREATMENTS WILL BE PERFORMED BY, OR PERFORMED UNDER THE DIRECT SUPERVISION OF, A MARYLAND CERTIFIED PESTICIDE APPLICATOR OR TECHNICIAN.
- ALL PLANTING MATERIALS SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT LIFE IN ORDER TO ENSURE EFFECTIVE SCREENING AND SHALL BE REPLACED WHEN NECESSARY.
- ANY TREE WRAP OR ROPE WILL BE REMOVED AND PROPERLY DISPOSED OF FOLLOWING INSTALLATION.
- THE FOLLOWING SCREENING / SHADE TREE SPECIES SHALL BE USED, OR APPROVED EQUIVALENT SPECIES, TO EMULATE THE MIX OF NATIVE VEGETATION ALREADY IN EXISTENCE:
  - EVERGREEN TREES:
    - EASTERN RED CEDAR (JUNIPERS VIRGINIANA) (APPROX. 30' HEIGHT AND 8' SPREAD AT MATURITY)
    - ARBORVITAE (THUJA OCCIDENTALIS) (APPROX. 40' HEIGHT AND 10' SPREAD AT MATURITY)
    - EVERGREEN TREES SHALL BE AT LEAST 5' IN HEIGHT AT TIME OF PLANTING.

1 DETAIL  
SCREENING AND LANDSCAPE TREE PLANTING DETAIL (TYP.)  
NOT TO SCALE

PLANTING SCHEDULE						
SYMBOL	APPROXIMATE QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE AT PLANTING	ESTIMATED HEIGHT AT MATURITY	ESTIMATED WIDTH AT MATURITY
	TBD	THUJA OCCIDENTALIS	ARBORVITAE	5' HEIGHT MIN.	40'	10'
	TBD	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	5' HEIGHT MIN.	30'	8'

**ENVIRONMENTAL REVIEW DOCUMENT  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

**CAREY ROAD SOLAR 1, LLC PROJECT**

ARM Project No. 024010590

**9442 Carey Road, Berlin, Worcester County, Maryland**

Submitted to:

**Maryland Public Service Commission**  
6 St Paul Street #1600  
Baltimore, MD 21202

Prepared for:



**Carey Road Solar 1, LLC**  
**c/o New Leaf Energy, Inc.**  
55 Technology Drive, Suite 102  
Lowell, Massachusetts 01851

Prepared by:



**ARM Group LLC**  
**Engineers and Scientists**

1129 West Governor Road • P.O. Box 797 • Hershey, PA 17033-0797

June 2025

# Environmental Review Document

**Carey Road Solar 1, LLC Project**  
**4 MW AC**  
**9442 Carey Road,**  
**Berlin, Maryland 21811**



Applicant/Prepared for:

Carey Road Solar 1, LLC,  
**c/o New Leaf Energy, Inc.**  
 55 Technology Drive, Suite 102  
 Lowell, Massachusetts 01851

Prepared by:

**ARM Group LLC**  
 9175 Guilford Rd, Suite 310  
 Columbia, Maryland 21046

ARM Project No. 024010590  
 June 2025

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# ITEM 8

Carey Road Solar 1, LLC  
Environmental Review Document

Certificate of Public Convenience and Necessity  
June 2025

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## 1.0 PROJECT OVERVIEW

Carey Road Solar 1, LLC (the “Applicant”) proposes to develop a 4.0 megawatt alternating current (“MWac”) photovoltaic (“PV”) solar project in Berlin, Worcester County (the “County”), Maryland (“MD”). The Applicant is applying to the Maryland Public Service Commission (the “Commission”) for a Certificate of Public Convenience and Necessity (“CPCN”) for the Carey Road Solar 1 Project (the “Project”). A Conceptual Site Plan for the Project is included as **Appendix A**.

Based on site limitations and environmental constraints, the Project is anticipated to occupy approximately 19.6-acres of a 43.1-acre property (the “Property”) located at 9442 Carey Rd, Berlin, MD 21811. The Property (Tax Map 20, Grid 7, Parcel 231 in Worcester County) is owned by Wayne F & Elaine L Hoke and the Project area will be leased to the Applicant for the development of the proposed ground-mounted, solar facility. The land that the Project will occupy constitutes the site (the “Site”). The Site primarily consists of agricultural land. The Property location and land features near the Property are more clearly illustrated in **Appendix A**.

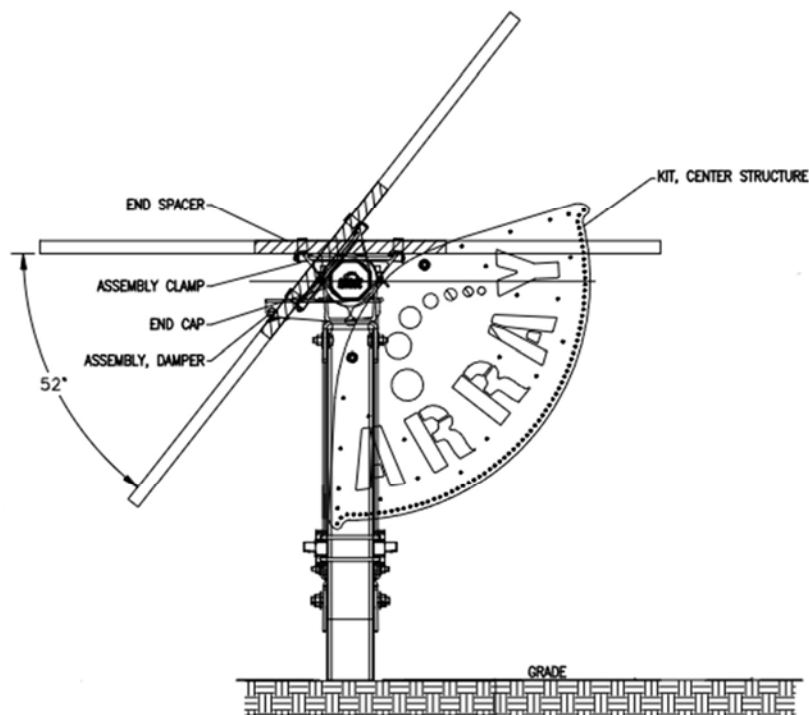
The Project site provides a suitable buildable area to accommodate a 4.0 MW AC solar energy system that will support approximately 900 households at 10,000 kWh/year and displace 5,090 tons of carbon dioxide (“CO<sub>2</sub>”) emissions per year. Over the forty (40) year lifespan of this Project, approximately 203,600 tons of CO<sub>2</sub> emissions should be displaced by the Project. By increasing the share of renewable energy in Maryland's energy mix, the Project aligns with the State's goal of reaching fifty percent (50%) renewable energy by the year 2030.

The total generating capacity for the Project is anticipated to be 4,000 kilowatts alternating current (“kWac”) (4.0 MWac). Interconnection to the electric distribution grid will occur through a direct feeder back to the utility substation with a 24.9 kV circuit.

As currently designed, the PV arrays will be ground-mounted on single axis tracker racking systems consisting of galvanized steel posts and galvanized steel or aluminum structures at a resting angle of fifty-two (52) degrees. The Applicant currently estimates approximately 8,289 PV panel modules will be used, each rated at 615 watts pending (“Wp”) available supply or technological advancements closer to construction. The panels will have a typical height of approximately twelve (12) feet, although this height will be reached during a limited number of hours each day. A solar panel design is shown as **Figure 1**. The space between rows will be determined during final design but at minimum will be equal to or greater than the panels horizontal width in order to meet Maryland Department of the Environment (“MDE”) Stormwater Guidelines. The solar panels will be designed to withstand snow, and wind loads in accordance with the International Building Code (“IBC”) 2021.

The Project does not anticipate impacts to other applicable state, regional, and local plans or programs with the exception of a Maryland Department of the Environment (MDE) Joint Permit Application (JPA) for impacts to the regulated 25-foot buffer associated with non-tidal wetlands. Further, references to each appropriate agency with authority to review, evaluate, or comment on behalf of the plan or program are shown in **Table 1**. There are no other known review agencies anticipated for the Project.

**Figure 1 – Solar Array Schematic**



In addition to the CPCN and MDE JPA, the Project will require National Pollutant Discharge Elimination System (“NPDES”) stormwater permit coverage and other State Regulatory Approvals, including conformance with stormwater management, sediment and erosion control, and local grading, building, driveway, and electrical permits. In addition to satisfying local site plan review and approval requirements, the Site Plan will be subject to review as part of the CPCN process.

## 2.0 STATEMENT OF NEED AND PURPOSE

The State of Maryland has enacted aggressive legal and policy standards in pursuit of expanded renewable energy generation such as solar. Maryland's Renewable Portfolio Standard ("RPS") mandates that fifty percent (50%) of Maryland's electricity be generated from renewable energy sources by 2030, which must include at least fourteen and one-half percent (14.5%) solar energy by 2028. The Project will generate 4.0 MWac of solar energy to help bring the State closer to meeting its goals.

There will be significant economic benefits resulting from the Project to include a capital cost of approximately ten million, six hundred thousand dollars (\$10.6M). The Applicant estimates approximately twenty (20) direct construction jobs and seven (7) indirect jobs will be created during construction of the Project. The Applicant estimates one to two (1-2) long term maintenance jobs will be created for the life of the project. Approximately five (5) induced jobs are estimated to result from this Project. These estimates were produced by using the Jobs and Economic Development Impact (JEDI) model, which is included in **Appendix T**.

The construction schedule is estimated to be six to eight (6-8) months and is expected to be completed as early as possible following all necessary approvals. Significant local resources are being employed as part of the design, entitlement, construction, and startup process. Significant local resources are being employed as part of the design, entitlement, construction, and startup process. The tax revenue yield for a project of this size and type will also support critical County and State tax-funded programs that are often in desperate need of additional resources.

Since 2017, it has been reported that approximately seventy-five percent (75%) of the renewable energy consumed in Maryland is imported.<sup>11</sup> This Project will help reduce this reliance upon power generated from out of State. Given the nature of solar power generation, it will also lead to reduced and more certain costs of electricity produced. Furthermore, this Project is consistent with the findings of the General Assembly in the Maryland Public Utilities Article § 7-306.2. The Project is a Community Solar Energy Generating System and will deliver all of its output to subscribers via The Delmarva Power and Light Company electric distribution grid, creating access to the benefits of distributed energy to residents and businesses alike, regardless of income or property ownership status.

Maryland has active efforts underway to reduce greenhouse gas emissions and mitigate climate change impacts, such as the Greenhouse Gas Emissions Reduction Act and the Regional Greenhouse Gas Initiative which both set goals for reducing emissions by 2030. The Project will be 100% emissions free and will offset the need for sources of power derived from fossil fuels. In 2017, Maryland established legislation promoting pollinator-friendly habitat solar projects.

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<sup>11</sup> "Maryland At a Glance", Maryland Manual On-Line, May 23, 2022.  
(<https://msa.maryland.gov/msa/mdmanual/01glance/html/energy.html#renewable>)  
ARM Project No. 24010590

Pollinators are a crucial component of all agricultural ecosystems, yet suitable habitat for these species is declining. The Project will be designed to exceed the State Standard for pollinator-friendly solar projects. The establishment of additional pollinator habitat will benefit the local and state economy by improving agricultural ecosystems, as well as air, soil, and water quality.

**3.0 APPLICANT INFORMATION****A. Name and Address of Applicant**

Carey Road Solar 1, LLC  
c/o New Leaf Energy, Inc.  
55 Technology Drive, Suite 102  
Lowell, MA 01851

**B. Person Authorized to Receive Notices and Communications**

<b>Applicant</b>	<b>Counsel</b>
Mr. Drew Funk Project Developer New Leaf Energy 55 Technology Drive, Suite 102 Lowell, MA 01851 <a href="mailto:dfunk@newleafenergy.com">dfunk@newleafenergy.com</a> (814) 574-0502	Mr. David W. Beugelmans Mr. Maxwell T. Cooke Mrs. Colleen O. Collins Gordon Feinblatt LLC 1001 Fleet St., Suite 700 Baltimore, MD 21202  <a href="mailto:dbeugelmans@gfrlaw.com">dbeugelmans@gfrlaw.com</a> <a href="mailto:mcooke@gfrlaw.com">mcooke@gfrlaw.com</a> <a href="mailto:ccollins@gfrlaw.com">ccollins@gfrlaw.com</a>

**C. Community Liaison Officer**

This Application is for a proposed community solar project that will have a capacity of approximately 4.0 MWac. Projects of this size are not “qualified generation stations” under COMAR 20.79.01.02(37) and do not require the appointment of a Community Liaison Officer. However, the Applicant has an internal community engagement team led by:

Mr. Drew Funk  
Project Developer  
New Leaf Energy  
55 Technology Drive, Suite 102  
Lowell, MA 01851  
[dfunk@newleafenergy.com](mailto:dfunk@newleafenergy.com)  
(814) 574-0502

## D. Public Access to a Copy of the Application

A copy of this application is available to members of the public at the following location:

Worcester County Department of Development Review and Permitting  
1 W. Market St. Room 1201  
Snow Hill, MD 21863  
(410) 632-1200

## 4.0 STATE AND LOCAL PERMITS

### A. Maryland Public Service Commission

#### 1. Certificate of Public Convenience and Necessity

A CPCN is required for the creation of new power generation facilities in Maryland. The submission of this document to the Commission, along with the accompanying application, will initiate the CPCN process.

### B. The Delmarva Power and Light Company

The Delmarva Power and Light Company (“DPL”) is an investor-owned utility. As a utility, it is not a local or State agency, but it is regulated by this Commission.

#### 1. Interconnection Agreement

The Project is in the DPL service territory and will connect to the electric distribution grid through an existing 24.9 kV feeder back to the utility substation. Prior to the commencement of construction, the Applicant will be required to execute an Interconnection Agreement with DPL. The Applicant received its Subscriber Organization identification number (24A3080980006989) from the Public Service Commission on June 26, 2024.

### C. Maryland Department of the Environment

#### 1. National Pollutant Discharge Elimination System General Permit for Construction Activity

A NPDES General Permit is required for planned construction activities with a total disturbance of one (1) acre or greater. Coverage under the General Permit is obtained by filing a completed Notice of Intent (“NOI”) form with the MDE, Water Management Administration (“WMA”). The permit application requires fourteen (14) day notice prior to approval of the NOI application. The completed NOI form is considered a formal application for coverage and intent to comply with the terms of the General Permit. An NOI will be submitted to MDE during the Construction Drawing Plan review phase.

## 2. Joint Permit Application

A JPA is required for planned impacts to the regulated 25-foot associated with several farm ditches that MDE has designated as regulated, non-tidal linear wetlands. An application package will be submitted in the spring of 2025.

### D. Worcester County Plan Review and Permitting

#### 1. Zoning and Site Plan Approval

The Applicant has contacted Worcester County and is working on scheduling a CPCN pre-application consultation with the County to inform of the proposed development in the early July 2025 timeframe. The County will be provided with the Environmental Review Document (“ERD”) and Concept Site Plan for the Project in early June 2025. COMAR 20.79.03.01(A) requires a CPCN application to include a statement from the County and, under COMAR 20.79.01.05 and .06, whether the project is consistent with the applicable local comprehensive plan and zoning ordinance. The Applicant will be in routine communication with the County once the County is provided the Project documentation and will request a written statement, or at a minimum, a written statement indicating the status of the review. The County has not provided the Applicant feedback during the pre-application consultation meeting, which is summarized in **Appendix N**. However, the County has not provided a statement regarding the Project’s consistency with the local comprehensive plan and zoning ordinance.

The County may participate in the CPCN process and provide input regarding, including but not limited to, the site plan, stormwater management and environmental site design, erosion and sediment control plan, and landscape plan.

#### 2. Forest Conservation Act

Pursuant to Natural Resources Article § 5-1602(b)(10), the Forest Conservation Act (“FCA”) any public or private subdivision plan or application for a grading or sediment control permit by any person, including a unit of State or local government on areas 40,000 square feet or greater. However, in 2023, Maryland enacted House Bill 723 (Chapter 541) and Senate Bill 526 (Chapter 542), which, among other provisions, exempt solar photovoltaic facilities from afforestation requirements under the Forest Conservation Act (FCA). This means that such facilities are not required to establish new forested areas on sites lacking sufficient tree cover.

Subsequently, in 2024, House Bill 1511 was passed, delaying the implementation

of many provisions from the 2023 laws until July 1, 2026. However, the exemption for solar photovoltaic facilities from afforestation requirements was not postponed and took effect as initially planned on July 1, 2024. Therefore, as of July 1, 2024, solar photovoltaic facilities in Maryland are exempt from afforestation requirements under the FCA.

ARM Group LLC has completed the necessary Forest Stand Delineation (FSD) and as part of the FSD field work, identified three forest stands of mature deciduous and coniferous forest dominated by a mix of species. However, there will be no impacts to the forest stand observed on-site.

### 3. Grading, Building, Electrical, Entrance Permits

To the extent required and feasible, the Applicant will apply for grading, building, electrical, and entrance permits while this application is pending before the Commission.

## E. Summary of Permits/Approvals

The Applicant received its Subscriber Organization identification number (24A3080980006989) from the Public Service Commission on June 26, 2024. See **Appendix H** for applicable interconnection documentation.

### 1. Matrix of State/Local Permit and Approvals

The Applicant will secure applicable approvals from State, regional, and local agencies following issuance of the CPCN as shown in **Table 1** below, and as required by COMAR 20.79.03.02.04(B)(8).

Table 1 - Matrix of State/Local Permits and Approvals Required

Agency	Permit/Approval	Regulatory Citation(s)	Required For		Status			Waiver, Variance, or Exemption		Comments
			Construction	Operation	Application Contained Herein	Application to be Filed	Permit Approval/Obtained	Yes	No	
State of Maryland Public Service Commission	Certificate of Public Convenience and Necessity (CPCN)	COMAR 20.79	✓		✓				✓	To be prepared at a later date.
The Delmarva Power and Light Company, DPL	Interconnection	Condition for Issuance of CPCN		✓			✓		✓	Detailed Load Study Pending
Maryland Department of the Environment (MDE)	National Pollution Discharge Elimination System (NPDES) General Permit for Construction Activity and Joint Permit Application (JPA)	COMAR 26.08, Clean Water Act (CWA) Section 401, 40 CFR 122	✓			✓			✓	Applications to be submitted at the time Construction Documents have been completed.
Maryland Department of Natural Resources Forest Service	Forest Conservation Act (FCA)	Natural Resources Article 5-1602(b)(5)							✓	Exempt
Worcester County	Stormwater Management Design Erosion Sediment Control Construction Drawing Plan	Applicability varies according to Local and State Requirements	✓			✓			✓	It is expected that the County will participate in the CPCN process and provide input regarding the site plan, stormwater management, and sediment and erosion control. Grading, Electrical, and Building Permits will be obtained after construction drawings are approved.

## 5.0 COMAR 20.79.03.01 DESCRIPTION OF GENERATING STATION

### A. Location

The Project is located within Berlin, Worcester County, Maryland as part of Tax Map 20, Grid 7, Parcel 231. The approximate center of the Site is located at Latitude 38.369167°N, Longitude -75.237572°W (NAD 83). The Site location is more clearly illustrated in **Appendix A and Section 1.0**.

### B. Design Features

Total generating capacity for the Project is anticipated to be 4.0 MW AC output. The Project will consist of approximately 8,289 Vikram Solar VSMDH. The array will be installed using single access tracker; pile-driven post-supported racking system (galvanized steel post with galvanized steel or aluminum structure for mounting the panels). The space between rows will be approximately thirteen feet six inches (13'6"). The minimum leading-edge height (bottom edge of modules) will be approximately three feet (3') from grade, and the maximum height of the top edge of the modules will be approximately ten (10') from grade. A typical Solar Panel Racking Detail depicts the array with portrait racking with one (1) row of modules positioned vertically (1V) on each rack. The total height of the solar energy system, including any mounts, shall not exceed twenty-five (25) feet above the ground when oriented at maximum tilt. The solar arrays will be designed to withstand snow load of twenty (20) pounds per square foot (psf) and wind of one-hundred fifteen (115) miles per hour (mph) (per IBC 2021 for Worcester County).

Depending on final racking vendor selection and design, the number of racks could vary. Subject to final design, the typical three (3) string rows will consist of twelve (12) pile driven posts each serving as the foundation. Each post will be driven to an estimated depth of five feet (5') to seven feet (7') below grade.

There will be approximately sixteen (16) separate inverters which are on a racking system. There is one step up transformer that includes a pad. Each inverter will make up 1/16 of the array AC capacity, or approximately 250 kilowatt inverters, to convert the direct current (DC) energy to AC energy. Each power station will have a transformer to step up the AC voltage from 600V to 23 kV for interconnection to the The Delmarva Power and Light Company distribution line.

A seven-foot (7') high wire woven perimeter fence will be installed around the Project with a service entrance accessible from Carey Road. There is no need for water and sewer at the Project site since there will be no operations and/or maintenance facilities as part of this Project and no full-time personnel located at this Site. The only water use associated with the operation of this

solar generation facility will be semi-annual cleansing of the panels, which may take place one (1) or two (2) times a year.

C. Consistency with Zoning MD. Public Utilities Article § 7-218(F) and Comprehensive Plan

*Zoning*

As described throughout this ERD, the Project is located within the agriculture (A1) zoning district of Worcester County, utility-scale solar is permitted by right, subject to Public Service Commission approval.

Allowing a use by right (*i.e.*, as a permitted use) is absolute and establishes consistency within the jurisdiction’s comprehensive plan: “[a]n expressly permitted use by zoning designation is tantamount to a legislative finding that the use [is] in harmony with the general zoning plan.”<sup>2</sup>

*MD. Public Utilities Article § 7-218(F)*

On April 7, 2025, the Maryland General Assembly enacted House Bill 1036 / Senate Bill 931, which establishes a new Public Utilities Article § 7–218. Among other provisions, this legislation imposes new state-wide design requirements for solar energy projects exceeding 1 MWac. As of July 1, 2025, all projects submitting a Certificate of Public Convenience and Necessity (CPCN) application must comply with these state-level design standards, which supersede any conflicting local regulations.

Additionally, as of July 1, 2025, Public Utilities Article § 7–218(h)(1)(i) provides that a local jurisdiction may not “adopt zoning laws or other laws or regulations that prohibit the construction or operation of solar energy generation stations.” Further, Public Utilities Article § 7–218(h)(2)(ii) provides that for solar projects not larger than 5MWac a local jurisdiction shall “process [the project’s] site development plan as a permitted use subject to the review standards in § 4-205 of the Land Use Article.”

In addition, the legislation amends PUA § 7–207(e)(5) to require solar generating stations subject to § 7–218 to demonstrate compliance with the design standards set forth in § 7–218(f) as part of each CPCN application. The following section details how the Project meets these requirements.

(1) *This subsection does not apply to Agrivoltaics.*

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<sup>2</sup> *S.E.W. Friel v. Triangle Oil Co.*, 76 Md. App. 96, (1988) (internal citations omitted).  
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The Project will not engage in Agrivoltaics.

(2) *Except as provided in paragraph (10) of this subsection, an Owner of a proposed solar energy generating stations:*

- (i) *Shall provide a boundary of 150 feet between the solar energy generating station and the nearest wall of a residential dwelling;*

The Project will comply with this requirement.

- (ii) *Shall provide a boundary of 100 feet between the solar energy generating station and all property lines, not including property lines that bisect the interior of a project area;*

The Project will comply with this requirement.

(iii)

- (1) *Shall provide nonbarbed wire fencing:*

The Project will comply with this requirement.

*A) Only on the interior of a landscape buffer or immediately adjacent to a solar energy generating station;*

*B) That is not more than 20 feet in height;*

*C) That is only black or green vinyl wire mesh if the owner proposes to use chain link fencing; and*

*D) That is not less than 50 feet away from the edge of any public road right-of-way; and*

- (2) *May use barbed wire fencing around the substations or other critical infrastructure for protection of that infrastructure;*

The Project will comply with this requirement.

- (iv) *Shall provide for a landscaping buffer or vegetative screening in accordance with paragraph (4) of this subsection;*

The Project will comply with this requirement.

- (v) *Except for equipment required for interconnection with electrical system infrastructure, may not locate any solar array, ancillary equipment, or accessory buildings or facilities within a public road right-of-way*

The Project will comply with this requirement.

(vi)

- (1) Shall mitigate the visual impact of the solar generating station on a Preservation Area, Rural Legacy Area, Priority Preservation Area, Public Park, Scenic River or Byway, designated Heritage Area, or historic structure or site listed on or eligible for the National Register of Historic Places or Relevant County Register of Historic Places; and*

The Project will comply with this requirement. The visual impact will be mitigated via a landscape buffer yard to include evergreen trees. The proposed landscape buffer which is noted on the Proposed Site Conditions Plan sheet of the Concept Site Plan with applicable construction details shown on sheet 5.1 of the Concept Site Plan.

*(2)*

- A) For a solar energy generating station that has the capacity to produce more than 2 megawatts of electricity as measured by the alternating current of the station's inverter, shall include in the application submitted under Subsection (C)(2) of this section a viewshed analysis for any area, structure, or site specified in Item 1 of this Item; and*

The Project will complete a viewshed analysis.

- B) For a solar energy generating station that has the capacity to produce not more than 2 megawatts of electricity as measured by the alternating current of the stations inverter, shall include in an application for a site development plan a viewshed analysis for any area, structure, or site specified in item 1 of this item and*

The Project will not need to comply with this requirement as it will produce greater than 2 megawatts of electricity.

- (vii) Shall provide notice of each proposed solar energy generating station to the emergency response services of each County in which any portion of the generating station is to be constructed, including a map of the proposed generating station and the proposed location of any solar collector or isolator switch.*

The Project will comply with this requirement.

- (3) *Local jurisdiction may not require the use of a berm for a solar energy generating station approved under this section.*

The Applicant will not utilize a berm.

- (4) *The buffer or vegetative screening required in Paragraph (2)(IV) of this Subsection shall:*

- (i) *Be not more than 35 feet wide;*

The Project will comply with this requirement.

- (ii) *Be provided along:*

- (1) *all property lines;*
- (2) *Locations of the exterior boundary for the solar generating station where existing wooded vegetation of 50 feet or more in width does not exist; or*
- (3) *An alternative location within the boundary for the solar energy generating station if the Owner demonstrates that the alternative location would maximize the visual screening;*

The Project will comply with this requirement.

- (iii) *Provide for four-season visual screening of the solar energy generating station;*

The Project will comply with this requirement.

- (iv) *Be placed between any fencing and the public view;*

The Project will comply with this requirement.

- (v) *Include multilayered, staggered rows of overstory and understory trees and shrubs that:*

- (1) *are a mixture of evergreen and deciduous vegetation;*
- (2) *Are predominately native to the region;*
- (3) *Are more than 4 feet in height at planting;*
- (4) *Are designed to provide screening or buffering within 5 years of planting;*
- (5) *May not be trimmed to stunt upward or outward growth or to otherwise limit the effectiveness of the visual screen*
- (6) *Conform to the plant size specifications established by the American Standard for Nursery Stock (ANSI Z60.1);*
- (7) *Are specified in a landscaping plan prepared by a qualified*

*professional landscape architect;*

The Project will comply with this requirement.

- (vi) *Be installed as early in the construction process as practicable and before the activation of the proposed solar energy generating station;*

The Project will comply with this requirement.

- (vii) *Preserve to the maximum extent possible and supplemented with new plantings where necessary, any forest or hedgerow that exists at a location where visual screening of landscape buffering is required; and*

The Project will comply with this requirement.

- (viii) *Shall be maintained with a 90% survival threshold for the life of the solar energy generating station through a maintenance agreement that includes a watering plan.*

The Project will comply with this requirement.

- (5) *With respect to the site on which a solar energy generating station is proposed for construction, the Owner of the solar energy generating station:*

- (i) *Shall minimize grading to the maximum extent possible;*
- (ii) *May not remove topsoil from the parcel, but may move or temporarily stockpile topsoil for grading;*
- (iii) *To maintain soil integrity, shall plant native or noninvasive neutralized vegetation and other appropriate vegetative protections that have a 90% survival threshold for the life of the solar energy generating station;*
- (iv) *Shall limit mowing and other unnecessary landscaping;*
- (v) *May not use herbicides except to control invasive species in compliance with the Department of Agriculture's Weed Control Program; and*
- (vi) *Shall post for the first 5 years of the life of the solar generation station a landscaping bond equal to 100% of the total landscaping cost with the County in which the solar energy generating station is located.*

The Project will comply with this requirement.

- (6) (i) *Subject to Subparagraphs (II) and (III) of this Paragraph, a local jurisdiction shall hold any landscaping bond required under paragraph (5)(VI) of this subsection for 5 years.*

- (ii) *A local jurisdiction call release 50% of the landscaping bond if, on inspection, the vegetative protections meet a 90% survival threshold.*
- (iii) *Following the release of a landscaping bond under Subparagraph (II) of this Paragraph, the remaining landscaping bond shall be held for an additional 2 years and, on further inspection and confirmation that the vegetative protections continue to meet a 90% survival threshold, shall be released.*

The Project will comply with this requirement.

- (7) Except as required by Law, or for safety or emergency, the solar energy generating station may not emit visible light during dusk to dawn operations.

The Project will comply with this requirement.

- (8)
  - (i) *This paragraph does not apply to:*
    - (1) *Equipment necessary for interconnection with the electrical system; or*
    - (2) *Solar energy generating stations located on land that is also used for agricultural purposes.*
  - (ii) *A proposed solar energy generating station and any accessory structures associated with the Station must have an average height of not more than 15 feet.*

The Project will comply with this requirement.

- (9) *Setbacks for solar energy generating stations:*
  - (i) *Shall be measured from the property boundary to the nearest solar array or accessory equipment, buildings, or facilities that generate, maintain, operate, manage, distribute, and transmit electricity; and*

The Project will comply with this requirement.

- (ii) *May not apply to any interconnection tie line or facility that connects a solar energy generating station to the electric system.*

The Project will comply with this requirement.

The Project is also consistent with the content of Worcester County's draft Comprehensive Plan, dated 2024, as it supports the County's mission of promoting "sustainable economic growth" while also "work[ing] to preserve and protect our vital natural resources" (Page 1-1). The Project further supports several of the Twelve Visions as outlined in the Land Use Article of the Annotated Code of Maryland. Specifically, the Project supports visions 1, 3, 8, 9, 10, and 11 (Pages 1-2 and 1-3). Furthermore, the Project would support two of the Natural Resource and

Sensitive Areas Objectives and Action Items, including “implement[ing] resource protection, conservation, and preservation strategies that promote high water quality and protect aquatic life and ecological function throughout Worcester County” (page 7-1) and “prepar[ing] for and protect[ing] against impacts to natural resources, people, and infrastructure from Climate Change and sea level rise” (Page 7-2). The Project will implement natural resource protection buffers to promote high water quality and protect aquatic life, while also considering the impact of climate change and avoiding development in flood prone areas.

#### D. High Resolution Concept Plan

A Conceptual Site Plan for the Project, included as **Appendix A**, is in accordance with COMAR 20.79.03.01(B)(3,5) by including, but not limited to, applicable setbacks from adjacent properties and rights of way, all existing and proposed structures, existing and proposed parking areas with setbacks and buffers, and areas of impervious surfaces or lot coverage. The base mapping has been created using aerial photography, existing topography and site features, and property lines obtained from a topographic and boundary survey and ALTA/NSPS Land Title Survey prepared by Bowman, dated April 04, 2025.

#### E. Operational Features

The operational features will be controlled through a Project Operations & Maintenance Agreement to track performance and monitor the health and safety of the solar field. Typical duties and features of this plan are:

- Local and remote control over key features of the Solar Field’s Electrical System to assure compliance with the Interconnection Agreement and safety of the Project.
- Scheduling, control, and reporting of all onsite maintenance activities.
- Operations Center with remote monitoring of performance data and physical systems 365 days a year.
- Immediate dispatch of fire, police, or contractors in the event of an emergency or forced outage.

The system is designed to maximize the production of clean energy to the grid. Operations will be monitored via the internet and an onsite controls software. Maintenance personnel will be dispatched for regularly scheduled preventive maintenance in accordance with industry standard practices and manufacturer recommendations. Reactive maintenance will also be completed as required. Generation of clean energy to the grid will be coordinated with the utility, DPL, in accordance with the Interconnection Agreement established for the facility.

## F. Schedule for Engineering, Construction, and Operation

Engineering documents are being prepared and programmed for submission as part of the CPCN joint review process with County representatives. The engineering and construction documents will include pertinent information regarding the solar modules, construction methods, electrical requirements, ingress and egress, stormwater management, sediment and erosion control, electrical connection to the grid/substation, fencing within the setback, and grading. Preliminary engineering for the Project has been initiated and final engineering will be completed in Q3 2026. Construction is anticipated to begin in Q3 2027 and commercial operation is anticipated to begin in Q1 2028, following all necessary approvals.

## G. Life Expectancy of the Generating Station

The Project's life expectancy is approximately forty (40) years. The primary equipment components of the solar energy system to be installed are expected to meet capacity requirements effectively and efficiently throughout the Project's useful life cycle by employing industry standard operation and maintenance procedures. Routine maintenance and inspections will ensure the optimal performance and longevity of the solar generating station.

## H. Site Selection and Design

### 1. Site Selection

The Applicant chose the Site for the Project because the location has key attributes that make it ideal for a community solar facility. The LOC at the site has exceptional potential for renewable energy production given its solar insolation, its favorable environmental characteristics and its proximity to the utility substation that can support the proposed generation with minimal upgrades.

#### a. Proximity to Distribution System

The Site is located approximately 1.68 miles from the utility substation and will interconnect to the electric distribution grid through an existing 24.9 kV feeder.

#### b. Environmental Suitability

The Site does not contain significant environmental or cultural resources impacts. The Site is of adequate size to accommodate construction of the

Project and there is sufficient buildable acreage with limited residential development on or near the proposed LOC. Additionally, the Project requires minimal post-construction stormwater management features by maintaining and enhancing the native meadow cover, minimization of site grading, and lack of alteration to existing drainage patterns.

c. Adequate Buildable Acreage

The site provides a suitable buildable area to accommodate a four (4.0) MWac solar facility. The Project will support approximately 900 households at 10,000 kWh/year and displace 5,090 tons of CO<sub>2</sub> emissions per year. In contrast, a two (2) MWac solar project would only support 450 households and displace 3,500 tons of CO<sub>2</sub> emissions. By increasing the share of renewable energy in Maryland's energy mix, the Project aligns with the State's goal of reaching fifty percent (50%) renewable energy by the year 2030.

The Project array area is designed to have approximately 572 feet of distance from the closest, adjacent neighbors' residence, providing a considerable buffer zone. Furthermore, the existing trees to the north, east, and west will provide additional privacy, effectively screening the Project from neighbors to the north, east, and west. This ensures that neighboring properties are minimally impacted by the Project's construction and operation and preserves the aesthetic and environmental quality of the area.

d. High Insolation

The Project Site has optimal sun exposure creating the estimated annual production results as listed in **Table 3**.

2. Project Design

See **Section 5.0.B.** for a description of Project Design. This section of the ERD describes the system modeling and assumptions made by the Applicant during the Project design phase. The conceptual design and associated energy output at the Project Site were modeled and created based on, including but not limited to, meteorological data, models of the system equipment such as inverter and the solar modules, and project design specifications such as the number of solar modules in series (string sizing), system DC size, rack orientation (azimuth and tilt), DC and AC wiring length, and transformer losses.

<b>Table 2 – Summary of System Components and Design of Model</b>	
Nominal DC Rating (STC):	5,097.73kW
Nominal AC Rating:	4,000 kW
DC/AC Ratio:	1.27
Array Azimuth/Tilt:	Az: 180°/ Tilt: +/-60°
Inverters:	SOLECTRIA XGI 1500-250W, or equivalent. (Quantity: 16)
Modules:	Vikram Solar VSMDH (615 W), or equivalent. (Quantity: 8,289)

### 3. Solar Resource Data

A key factor in simulating the power output from the Project is the local solar resource data or insolation.

### 4. Modeling

Modeling involved defining a detailed system design by using manufacturer's equipment file models, specifying array orientation, string sizing and equipment quantities, system voltage, wire lengths, transformers, and shading. Loss assumptions are also made at this stage. Major loss categories incorporated into the energy modeling include snow and soiling (dust) losses, shading from nearby obstructions (e.g., trees), "far shading" obstructions (e.g., ridgelines), and system losses incurred such as transformer losses.

### 5. Production Estimate Results

The above model inputs are taken into consideration for estimating total production from the system during the first year of operations, which is presented in **Table 3** below. Note that the production estimate results are preliminary and subject to change based on the final system design, equipment selections, etc.

Table 3 – Production Estimate Results	
Parameter	Preliminary Estimate
Annual Generation (MWh/year)	8,683.76
Annual Specific Yield (kWh/kWp/year)	1,703.45
Performance Ratio	78.4%
Capacity Factor (AC)	24.8%

#### I. Impacts on the Economics of the State

There will be significant economic benefits resulting from the Project to include a capital cost of approximately seven and a half million dollars (\$7.5M). The Applicant estimates approximately twenty (29) direct construction jobs and seventeen (17) indirect jobs will be created during construction of the Project. The Applicant estimates one to two (1-2) long term maintenance jobs will be created for the life of the project. Approximately five (5) induced jobs are estimated to result from this Project. These estimates were produced by using the JEDI model, which is included as **Appendix T**. The construction schedule is estimated to be six (6) months and is expected to be completed as early as possible following all necessary approvals.

Significant local resources are being employed as part of the design, entitlement, construction, and startup process. The tax revenue yield for a project of this size and type will also support critical County and State tax-funded programs that are often in desperate need of additional resources; County programs which may include the Human Resources Development Commission, Public Schools and Emergency Services. Subscriber savings are ten percent (10%) for non-LMI customers. The Applicant anticipates an average annual tax benefit of forty eight thousand (\$48,000) to Worcester County and three thousand three hundred and nine dollars (\$3,309) to the State with a total tax benefit of one million, nine hundred and twenty seven thousand, three hundred and thirty nine dollars (\$1.93M) to Worcester County and one hundred and thirty two thousand, three hundred and seventy four (\$132,374) to the State over the operation term of the Project.

As a community solar project, the Project anticipates receiving capacity in Maryland's Permanent Community Solar Program. Accordingly, the Applicant anticipates that Public Utilities Article § 7-306.2(n) will apply to the Project, meaning that the contractors bidding on the Project will be instructed to provide labor rates based upon prevailing wage in accordance with the prevailing wage rate determined under Maryland law. Further, to the Applicant's knowledge, there are no existing community solar energy generating stations

located on adjacent parcels of land as the proposed Project, and there are no proposed community solar energy generating stations planned for adjacent parcels.

PPRP reports that Maryland imports approximately forty-one percent (41%) of its required energy generation. This Project will help reduce this reliance upon out-of-state power generation. Given the nature of solar power generation, it will also lead to reduced and more certain costs of electricity produced. Furthermore, this Project will contribute to the stated goals and objectives of Maryland Public Utilities Article § 7-702.

Maryland is a national leader in shifting to renewable energy and combating climate change by setting some of the most aggressive goals in the nation. The Climate Solutions Now Act of 2022 (SB0528) set a target of a sixty percent (60%) reduction in greenhouse gas emissions by 2031. As part of the Transition Report, Governor Moore has expressed support for Maryland to generate one hundred (100%) clean energy by 2035. Furthermore, Maryland has repeatedly shown support for solar energy by increasing the Net Metering Cap to three (3) gigawatts (“GW”) in 2021 with Legislation HB0569, and most recently, in 2023, by passing landmark legislation that made the Maryland Community Solar Program permanent (HB0908). Community solar will enable Maryland to reach its impressive goals faster and more equitably than past options.

Community Solar provides a unique opportunity for Maryland residents to receive the tangible benefits of solar energy without requiring solar on their roofs. The Project will be able to serve local residents and small businesses and ultimately deliver subscriber savings to DPL customers over the life of the Project. Further, over the life of the Project, the Project will contribute to property taxes to the County, without requiring any services or costs to the County and resulting in tangible financial benefits.

The Applicant anticipates local economic benefits stemming from the construction of the Project and the lead contractor and its subcontractors will comply with prevailing wage standards and provide apprenticeship opportunities. These opportunities will encompass various roles such as electricians, safety professionals, solar installers, and general laborers.

These practices will align with the requirements set forth in the Inflation Reduction Act, thereby maximizing the value of the Investment Tax Credit.

#### J. Impacts on the Stability and Reliability of the Electric System

The Applicant received its Subscriber Organization identification number (24A3080980006989) on June 26, 2024. All currently available interconnection information, consisting of an analysis performed by DPL to evaluate the impact of additional energy on the local distribution network for the Project is included in **Appendix H**.

According to the Applicant's initial consultations with DPL, the Applicant expects that it will be necessary to extend and/or install a distribution line linking the Project to a nearby substation. No significant impacts to the electric distribution system are expected.

The impact to the electrical system will be evaluated in more detail through the utility interconnection study process. This detailed analysis is performed over an average timeline of twelve (12) months and will evaluate the detailed impact of additional generation on the local distribution network. The Applicant will bear the cost of any required upgrades identified by DPL, potentially making the local infrastructure more reliable.

#### K. Interconnection Location and Major Design Features of Electric System Update

The Project will interconnect to the electric distribution grid through a direct feeder back to the utility substation with a 24.9 kV circuit. The anticipated POI, which is subject to final interconnection approval, is located onsite along Carey Road, and will not impact any adjacent aquatic resources. The interconnection pole will connect to five (5) other utility poles and be connected to the system through underground wires placed in a trench running parallel to the access road. The Applicant will be responsible for costs associated with any work performed by the utility to accommodate the interconnection. The Applicant will not construct any high voltage transmission lines.

#### L. Implementation Schedule for the Project

The Project schedule includes the following approximate implementation dates:

- Q3 2026: Design, permitting, obtaining all necessary approvals, utility coordination, and procurement of equipment.
- Q3 2027: Construction of the solar facility.
- Q1 2028: Commercial operation of the solar facility.
- Decommissioning of the Project is projected to be forty (40) years following commencement of operations and will be determined depending on the actual performance of the solar system at that time.

#### M. Decommissioning and Deconstruction

The Applicant will provide PPRP and the County Planning Commission with a Decommissioning Plan, outlining the timeframes for responsible parties, and estimated costs for decommissioning and dismantling, and proper removal of all Project facilities at the end of the useful life of the Project. The Decommissioning Plan will be secured via a surety bond to ensure that decommissioning costs are not borne by the County and/or State of Maryland at the end of the useful life of the Project. The performance and financial assurance guarantees will be submitted for approval by the Commission pursuant to PPRP's standard decommissioning licensing condition.

The Decommissioning Plan will include provisions for the safe removal and proper disposal of all components of the Project, including any components with rare/valuable materials, or if any hazardous/toxic materials. The Decommissioning Plan shall maximize the extent of component recycling and reuse, where possible, and ensure all components are handled in accordance with applicable federal, State, County, and local requirements.

## 6.0 COMAR 20.79.03.02 ENVIRONMENTAL INFORMATION

### A. General Information

#### 1. General Description of the Site and Adjacent Areas

The Property is in a rural, low population density setting where public water and sewer services are not available. The Property consists mainly of agricultural fields and undeveloped land.

There are no dwellings or buildings on the Property. The Site is accessible via Carey Road. The proposed access driveway starts at Carey Road and runs south into the site.

The Property contains 5 unnamed tributaries to Church Branch and 1 unnamed tributary to Franklin Branch. Church Branch flows into the Saint Martin River while Franklin Branch flows into the Pocomoke River. Streams on the Property have a setback of fifty (50) feet front the top of the bank. The Site is situated in the Isle of Wight Bay Watershed (Maryland 8-Digit Watershed Code 02130103) which drains from the Church Branch, into the Saint Martin River, into the Isle of Wight Bay and the Upper Pocomoke River Watershed (Maryland 8-Digit Watershed Code 02130203) which flows from the Franklin Branch, into the Pocomoke River, to the Pocomoke Sound and into the Chesapeake Bay.

The Site does not contain a Tier II water body and is not located within a Tier II catchment area as defined by COMAR 26.08.02.04. Protective measures for high quality waters have been incorporated into the stormwater management for the Project, by promoting the use of nonstructural best management practices (“BMPs”) to the maximum extent possible, minimizing site grading and utilizing existing drainage patterns, in order to pursue an environmentally sensitive design, maintain natural hydrology and minimize the risk of sedimentation. Therefore, stormwater runoff from the Project will not impact any Tier II streams. There is no activity proposed on the Site which would contribute to the impairment of these waterways and receiving streams.

## B. Air Quality

### 1. Compliance with Federal or State Air Quality Standards

As a solar generation facility, the Project will not emit air pollutants, and the following standards, provisions, and requirements will not be applicable:

- State or Federal ambient air quality standards.
- State or Federal emission standards.
- Federal new source performance standards.
- Federal emission standards for hazardous air pollutants.
- Prevention of significant deterioration and new source review provisions.
- Any requirements to obtain emission offsets, allowances, and reduction credits.

#### a. Air Quality During Construction

The primary air-quality issue during construction will be dust from non-point sources such as earthwork and construction traffic on unpaved roads. This type of dust is described as fugitive dust. Fugitive dust is expected to be less than a normal construction project since this Project will not require excessive earthwork activities. Other potential sources of pollutants during construction are mobile internal combustion engines from earthwork equipment and an increase in vehicle traffic by workers. Emissions from these sources should have little impact.

#### b. Air Quality During Operation

The Project, like all solar generation facilities, will generate no air pollution emissions during its operation.

### 2. Impact on Deterioration Areas and Nonattainment Areas

The Project will have no impact on any attainment or nonattainment areas of the State.

### 3. Requirements Under COMAR 26.11

Generally, the provisions of COMAR 26.11 will not be applicable to the Project as the facility will not emit pollutants. COMAR 26.11.01.05-1 states that emissions statements are required for Worcester County from installations and sources that produce fifty (50) tons or more of VOCs, or 100 tons or more of NO<sub>x</sub> annually. Based on the EPA's Avoided Emissions and geneRation

Tool (“AVERT”), as shown in **Figure 2**, the Project will not emit pollutants; collectively, NO<sub>x</sub> is anticipated to be reduced by four hundred and seventy pounds (470-lbs) and VOCs reduced by forty pounds (40-lbs) annually across the state of Maryland. Annually, CO<sub>2</sub> emissions are estimated to be reduced by 500 tons in Maryland. Over the 40-year life span of the Project, it is estimated that CO<sub>2</sub> will be reduced by 20,400 tons. Based on the calculations produced using AVERT, the Project will not exceed the emissions values and therefore, COMAR 26.11 will not be applicable. A breakdown of the AVERT Emissions Reduction for the Project is included in **Appendix O**.

**Figure 2 - AVERT Emissions Reduction**

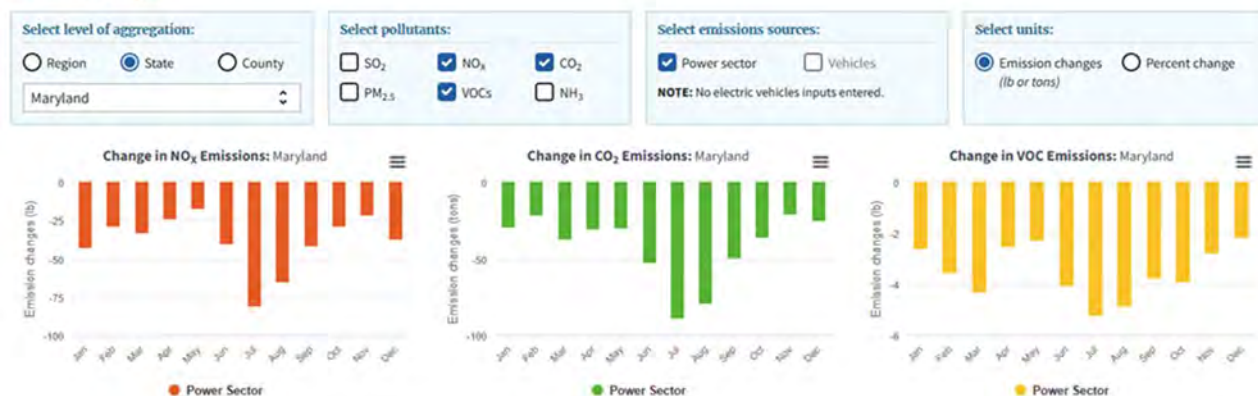
**Annual Emissions Changes • Power Sector Only**  
**Mid-Atlantic Region**

	Original	Post Change	Change
Generation (MWh)	467,528,680	467,514,130	-14,550
Total Emissions from Fossil Generation Fleet			
SO <sub>2</sub> (lb) <sup>i</sup>	208,740,160	208,731,990	-8,170
NO <sub>x</sub> (lb)	180,544,490	180,537,300	-7,190
Ozone season NO <sub>x</sub> (lb) <sup>i</sup>	73,733,760	73,730,050	-3,710
CO <sub>2</sub> (tons)	282,355,380	282,345,880	-9,500
PM <sub>2.5</sub> (lb)	35,603,560	35,602,330	-1,230
VOCs (lb)	7,180,440	7,180,140	-300
NH <sub>3</sub> (lb)	9,602,760	9,602,370	-390
AVERT-derived Emission Rates:	Average Fossil		Marginal Fossil
SO <sub>2</sub> (lb/MWh)	0.446		0.562
NO <sub>x</sub> (lb/MWh)	0.386		0.494
Ozone season NO <sub>x</sub> (lb/MWh) <sup>i</sup>	0.341		0.532
CO <sub>2</sub> (tons/MWh)	0.604		0.653
PM <sub>2.5</sub> (lb/MWh)	0.076		0.085
VOCs (lb/MWh)	0.015		0.020
NH <sub>3</sub> (lb/MWh)	0.021		0.027

- Negative numbers indicate displaced generation and emissions.
- All results are rounded to the nearest 10. A dash (“—”) indicates non-zero results, but within +/- 10 units.
- When users evaluate a portfolio scenario including EVs and EE or RE, marginal fossil values are not reported and a null sign (“Ø”) is shown.
- Data does not include changes to ICE vehicle emissions (e.g., emissions from tailpipes).
- Estimated marginal CO<sub>2</sub> emission rates for future years are available in the current [AVERT Main Module](#).

Annual Emissions Changes By State  
Mid-Atlantic Region

Maryland							
State		SO <sub>2</sub> (lb)	NO <sub>x</sub> (lb)	CO <sub>2</sub> (tons)	PM <sub>2.5</sub> (lb)	VOCs (lb)	NH <sub>3</sub> (lb)
Maryland	From Fossil Generation	-398	-478	-588	-68	-48	-38
	From Vehicles	8	8	8	8	8	8
	Net Change	-398	-478	-588	-68	-48	-38

Monthly Emission Changes  
Mid-Atlantic Region

## C. Water Quality and Appropriation

## 1. Stormwater Management/Environmental Site Design

## a. Land Use and Cover:

The Property is in a rural, low population density setting, and has been used for hunting purposes. The Property is primarily surrounded by forests and residential and agricultural land uses.

The geotechnical report, included in **Appendix C**, demonstrates that the soils are suitable to support the proposed structures and infrastructures.

Similar to other solar projects, impervious areas will be limited to the associated access driveway and equipment pad for mechanical and electrical equipment. A Stormwater NPDES Permit will be obtained, and an NOI will be filed prior to construction.

There will be grading in areas for the access road, equipment pad, and improvements for stormwater management. The internal solar array aisle ways and the perimeter drive aisle, for maintenance and emergency vehicles, will be meadow cover.

The majority of slopes and grades within the proposed LOC fall within the range of zero percent (0%) to ten percent (10%). The array area is predominately five percent (5%) or less. This eliminated the need for additional grading and land disturbance in order to accommodate the solar array installation.

The Site will be planted and maintained in low cover grass vegetation in accordance with site plans and designs to be approved by the County during the local site plan process. In addition to the mixture of grass seed and PPRP's recommendations regarding pollinator plantings, the Applicant is also proposing to incorporate wildflower seed mixes with the selected grasses in order to promote the health of honeybees and other pollinators. The purpose of this project design feature would be to improve the quality and quantity of overall acreage for pollinators. Solar energy generation facilities are ideal opportunities to increase healthy habitats for pollinators.

A phasing plan and/or sequence of construction will be prepared as part of the sediment and erosion control plan set submitted to the County for review and approval during the local site plan process. These plan sheets will identify proposed work areas, acreage that can be open at one time, and stabilization requirements.

b. Impacts on Stormwater During Construction

COMAR 26.17.02.01-1B(1) requires that stormwater quality and quantity controls be implemented. Guidelines for Water Quality and Quantity through ESD techniques and Best Management Practices (BMPs) are included in the 2000 Maryland Stormwater Design Manual, Volumes I and II (2000) with Supplement No. 1 and Technical Memo #8 dated March 30, 2018.

This Project will be subject to a sediment and erosion control plan and will acquire coverage under the NPDES state-wide general permit via an NOI. The use of standard BMPs, such as silt fence and super silt fence, will accommodate most of the control requirements. If additional controls are required, they will be incorporated into the plan as needed to maintain the water quality of the Site during construction. The NPDES permit requires the contractor to maintain site controls during construction and keep a record of daily

inspections of the controls for the MDE inspector to review upon site visits.

The stormwater management report, design computations, and supporting ESD techniques and BMPs will be submitted to the County for review and approval as part of the local site plan process.

c. Impacts on Stormwater During Operation

The Project's design will reduce storm water runoff and encourage groundwater to recharge by allowing disconnected impervious surfaces to drain through meadow grasses. For slopes between zero (0) to five (5) percent, non-rooftop disconnection credits will be applied. Additionally, the proposed design will allow vegetation to grow under the panel and throughout the Site, with the exception of the aggregated access road and equipment pad. The Site will mimic a meadow site in good condition under the post-development scenario. This will ensure pre and post conditions remain the same for water quality leaving the Site.

2. Availability of Surface Water and Groundwater

The Project will be monitored remotely and as such, there will be limited water and no sewer requirements for the Project. The Project will not require surface or groundwater for construction or operation. Normal rain events will keep manual cleanings of the solar panels to a minimum. Occasional water for quarterly/semi-annual cleanings may be required. Water tanker trucks may be used to manage dust during construction if required.

3. Maryland Wild and Scenic Rivers

According to the Maryland Department of Natural Resources ("DNR"), Land Acquisition and Planning, the Saint Martin River and its tributaries are not listed as one of Maryland's wild and scenic rivers. The Pocomoke River and its tributaries are listed as one of Maryland's wild and scenic rivers. Protective measures for aquatic habitats have been incorporated into the stormwater management for the Project, by promoting the use of nonstructural BMPs to the maximum extent possible. This will minimize site grading and utilize existing drainage patterns in order to pursue an environmentally sensitive design, maintain natural hydrology, and minimize the risk of sedimentation or impact to Maryland Wild and Scenic Rivers.

#### 4. Affected Streams and Aquifers

The Property contains 5 unnamed tributaries to Church Branch and 1 unnamed tributary to Franklin Branch. Church Branch flows into the Saint Martin River while Franklin Branch flows into the Pocomoke River. These streams are located outside of the Project's area and streams are buffered from Project development by a minimum of fifty (50) feet from the top of the bank.

#### 5. Impact on Other Water Users

No impact on other water users is anticipated due to the Project. The Project will not utilize freshwater resources, meaning that a reduction in water supply demand is not anticipated.

##### a. Impacts on Other Water Users During Construction

No dewatering or water use activities are anticipated during construction of the solar facility development. Some water may be necessary for dust control during construction, in which case bulk water services can be utilized.

##### b. Impacts on Other Water Users During Operation

Stormwater facility approvals, sediment and erosion control permits, grading permits, and NOI coverage under the NPDES Program will all be obtained as controls on the water quality leaving the Site. As an unmanned facility, there will be no ongoing water consumption requirement. Any other interim water consumption required (such as cleaning) will be intermittent and provided as identified above.

#### 6. Mitigation and Minimization Techniques Evaluated

There are no significant water requirements and no impacts to streams, aquifers, or other water users are anticipated. As a result, mitigation and minimization techniques are not warranted and no impacts to water quality or appropriation are anticipated.

#### 7. Requirements Under COMAR 26.17.06.07 and 26.17.07

Permits do not need to be issued under COMAR 26.17.06.07 and 26.17.07 as a Notice of Exemption to Appropriate and Use Waters of the State

Application is not required for the Project. However, if required by unanticipated construction conditions, a Notice of Exemption Application will be obtained at least thirty (30) days prior to the beginning of the use and in accordance with MDE Water Appropriation and Use Permit (3.15).

COMAR 27.17.06.03(B)(3) states that a permit is not required for temporary dewatering during construction if the appropriation does not exceed an average of 10,000 gallons per day and the duration of dewatering during construction is expected to exceed thirty (30) calendar days.

#### D. Stream Buffers and Floodplains

The Property contains 5 unnamed tributaries to Church Branch and 1 unnamed tributary to Franklin Branch. Church Branch flows into the Saint Martin River while Franklin Branch flows into the Pocomoke River. Streams on the Property have a setback of fifty (50) feet front the top of the bank. The Site is situated in the Isle of Wight Bay Watershed (Maryland 8-Digit Watershed Code 02130103) which drains from the Church Branch, into the Saint Martin River, into the Isle of Wight Bay and the Upper Pocomoke River Watershed (Maryland 8-Digit Watershed Code 02130203) which flows from the Franklin Branch, into the Pocomoke River, to the Pocomoke Sound and into the Chesapeake Bay. According to COMAR 26.08.02.08, the streams are designated as Use Class I - Water Contact Recreation, and Protection of Nontidal Warmwater Aquatic Life. This class designation includes waters that are agricultural water supply, industrial water supply, are suitable for water contact sports, play and leisure time activities, fishing, and the growth and propagation of fish other than trout, and other additional uses as listed in COMAR Sections 26.08.02.02 and 26.08.02.02-1. This branch is located solely within the Atlantic Coastal Plain physiographic province and contains soils with a wide array of drainage.

The Project is located on FEMA FIRM Map Number 24047C0155H, effective July 16, 2015. According to the FEMA FIRM Map, there are no mapped flood plains in the area of the proposed Project. The FEMA FIRM Map is included as **Appendix J**.

### E. Description of Effect on State or Private Wetlands

On September 5, 2024, ARM Group LLC performed an aquatic resource investigation, which included preliminary wetlands identification and delineation of wetlands and other surface waters at the Property. The investigation was necessary as streams and wetlands are protected by regulations at the State and federal levels and unavoidable impacts upon these aquatic resources may require a permit. Four (4) wetlands and six (6) streams were identified near the vicinity of the Project area of investigation. To summarize, the wetlands within the Site have been identified, the solar design has avoided these areas, and appropriate setbacks and buffers have been located. Based on the conceptual site plan and the proposed array layout, these features will be avoided and not disturbed, and delineated wetlands were buffered a minimum twenty-five (25) feet. The results of the aquatic resource investigation are included in **Appendix G**.

Additionally, the Applicant has obtained a letter of authorization, dated **MONTH, X, YEAR**, from the MDE Nontidal Wetlands Division (“NWD”), Eastern Shore Region, concurring that the Project is avoiding all jurisdictional waterways and wetlands. Correspondence with MDE-NWD and the letter of authorization will be included in **Appendix G**. Due to the proposed layout, the Applicant will file a Joint Permit with MDE and the Army Corps of Engineers in order to review the access road crossing of the wetland drainage ditch and mitigate any impacts to it.

#### 1. Public Health and Welfare

The Project’s operation will not produce, emit, or discharge any significant noise, air pollutants, or water pollutants, which may have an effect on public health or welfare. Additionally, the Project will not generate, transport, store, treat, and/or dispose of hazardous waste as a result of the Project’s operation.

#### 2. Marine Fisheries

The Project will not impact marine fisheries.

#### 3. Shell Fisheries

The Project will not impact shell fisheries.

#### 4. Wildlife

The Project is not anticipated to significantly affect any wildlife or wildlife habitat. The DNR’s Natural Heritage program has reviewed the Site and their

response is included in **Appendix E**.

5. Protection of Life and Property from Flood, Hurricane, or Other Natural Disaster

This Project is unique in the aspect that during a natural disaster there would only be destruction to the panel array itself. Total destruction of the panel array and the transformers would not release harmful gases or liquids and would have no adverse effects on surrounding property or life. All components of the Project will be designed per the local and state building codes. There are no activities planned within FEMA floodplains and the design will make consideration for the existing drainage patterns.

6. Mitigation and Minimization or Replacement Land Acquisition

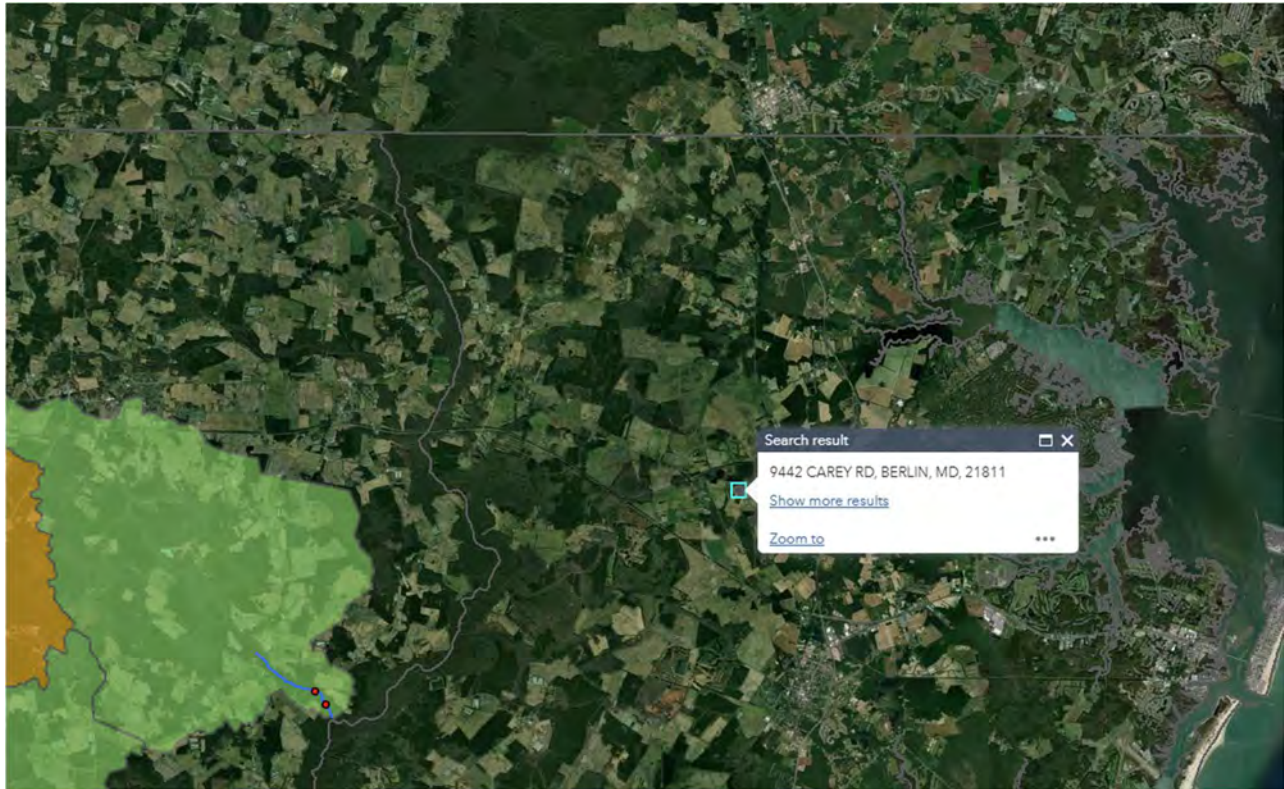
Mitigation and minimization or replacement land acquisition is not applicable to the Project.

7. License for Use of State Tidal or Nontidal Wetlands

The information and forms required by the MDE regulations relating to a license for use of State tidal wetlands or nontidal wetlands under COMAR 26.23 and 26.24 are not required for this Project.

F. Analysis of Impacts to Water Quality of Tier II Streams

The Project is not located in the Critical Area and the Project is not within 1,000 feet of any Tier II stream(s); its closest point is more than 4.0 miles away. See **Figure 3** below for proximity to the Site. The Project is not located in a Tier II Catchment Area. The protective measures for high quality waters have been incorporated into the stormwater management for the Project, by promoting the use of nonstructural BMPs to the maximum extent possible, minimizing site grading and utilizing existing drainage patterns, in order to pursue an environmentally sensitive design, maintain natural hydrology and minimize the risk of sedimentation. There is no activity proposed on the Site which would contribute to the impairment of these waterways and receiving streams.

**Figure 3 – Maryland's Tier II High Quality Waters Map****G. Disposal of Plant Generated Waste****1. Waste Handling During Construction**

During construction, the contractor will collect any waste material and remove it from the Site to an approved waste handling facility. Large amounts of waste during construction are not anticipated. Waste material will mainly consist of packaging materials from the framing and electrical equipment that will be delivered to the Site.

**2. Waste Handling During Operation**

During operation, there will be little, or no waste material generated at the Site. Any waste that is generated from maintenance and/or repair operations will be removed from the Site and disposed of at an approved waste handling facility. There will be no sanitary sewer waste generated at the Site.

### 3. Hazardous Materials

Solar panels and inverters used for this Project do not pose any significant hazards to the environment or public health. Solar panel materials are contained in a solid matrix that is insoluble and non-volatile at ambient conditions, and enclosed. In the rare instance where a solar panel might be subject to higher temperatures, any materials released would likely bind to the glass covering the PV cells and be retained there. Release of any toxic materials from inverters is unlikely provided appropriate electrical and installation requirements are followed. The system will be monitored remotely during operation, and any issues resulting from damaged PV modules will be identified and investigated. Regular visual inspections will occur to identify modules needing replacement due to damage.

### 4. Decommissioning

Waste associated with decommissioning and deconstruction of the Project will be handled appropriately pursuant to a Decommissioning Plan approved by the Commission pursuant to the PPRP's standard decommissioning licensing condition. The Decommissioning Plan will outline the responsible parties, timeframes, and estimated costs for decommissioning, dismantling, and proper removal of all Project facilities at the end of the useful life of the Project. The Plan will also include provisions for safe removal and proper disposal of all components of the Project, including any components with rare/valuable minerals, as well as components containing hazardous/toxic materials. The Decommissioning Plan shall maximize the extent of component recycling and reuse, where possible, and ensure all components are handled in accordance with applicable federal, State, County and local requirements.

**7.0 COMAR 20.79.03.03 NATURAL RESOURCES INFORMATION****A. Environmental Studies****1. Wetlands Delineation Study**

The results of the aquatic resources investigation, which included preliminary wetlands identification and delineation of wetlands and other surface waters at the Property, is summarized in **Section 6.0.E.** and is included in **Appendix G.**

**2. Natural Resources Inventory**

According to Maryland's Environmental Resource and Land Information Network ("MERLIN"), there are no Protected Lands or Critical Areas on the Site, and the Site is not located within DNR Focal Areas. A review of the U.S. Fish and Wildlife Service ("USFWS") Information for Planning and Consultation ("IpaC") resource list identified that the Tricolored Bat and Monarch Butterfly may be impacted by the Project. After consulting directly with the USFWS, based on the proposed project plan, USFWS indicated that there are no critical habitats within the Project' area and therefore "no effect" from the USFWS. This response is included as Appendix D.

**3. Project Review Request**

A Project Review Request, dated September 4, 2024, was submitted to the Maryland DNR – Wildlife & Heritage Service, requesting information regarding any federal or State rare, threatened, and/or endangered species at the Site. The Applicant received a letter response, dated October 18, 2024, from the Maryland DNR Wildlife and Heritage Service, which included protection guidelines that could be incorporated, as applicable, into any plans for the project site. No further coordination is required with Maryland DNR regarding protective measures for State or federal records of rare, threatened, or endangered species at the Site. A copy of the Project Review Request and letter response from the DNR Wildlife and Heritage Service are included in **Appendix E.**

**4. Critical Area**

According to the Maryland DNR Critical Area Boundary map viewer, the Site is located outside of the Critical Area Program. Therefore, the Project does not impact Critical Areas.

## 5. Phase I Environmental Site Assessment

A Phase I ESA (“ESA”) was conducted by ARM Group LLC on April 10, 2024 and on August 8, 2024. One Recognized Environmental Condition (“REC”) was identified during the April 2024 investigation but was not identified in the August 2024 investigation due to a change in the area of investigation. There were no controlled, or historical RECs associated with the Property.

The Phase I ESAs are included in **Appendix M**.

## 6. Geotechnical Exploration

A geotechnical investigation was conducted for the Project and the geotechnical engineering results are included in **Appendix C**. The geotechnical engineering assessment anticipates that these soils are suitable to support a single-axis tracker racking system, solar array modules, inverters, mechanical and electrical, grass covered aisle ways, access roads, and associated drainage and stormwater management infrastructure.

## 7. Forests

The Project may require compliance with the Worcester County Forest Conservation Ordinance, which was adopted in 1994, to meet the Maryland Forest Conservation Act (“FCA”). The ordinance requires submission of a Forest Stand Delineation (“FSD”) and Forest Conservation Plan (“FCP”) for review and approval by Worcester County, which is included in **Appendix Q**. Additionally, on May 8, 2023, Governor Wes Moore approved Senate Bill 526, which exempts solar photovoltaic facilities from afforestation requirements. Per COMAR 20.79.03.B.(1)(a), ARM Group LLC has completed the necessary Forest Stand Delineation (FSD) and it is included in **Appendix Q**. ARM Group LLC identified three forest stands of mature deciduous/coniferous forest dominated by oak, tulip poplar, and maple.

## B. Noise and Vibration

### 1. Impacts of Noise During Construction

COMAR 26.02.03.02 requires that noise levels not exceed those listed in **Table 4**, except for construction or demolition activities for which the minimum allowable noise level is ninety (90) decibels (“dB”) during the daytime. Piledriving equipment used between 8 AM and 5 PM is exempted from the limitations of COMAR

26.02.03.02, pursuant to subpart I(2)(j).

<b>Table 4 – Maximum Allowable Noise</b>			
	Industrial	Commercial	Residential
Day	75	67	65
Night	75	62	55

Source: COMAR 26.02.03

Note: Day refers to the hours between 7 AM and 10 PM; Night refers to the hours between 10 PM and 7 AM.

Noise emissions generated from the proposed Project have been evaluated based on the proposed equipment expected to be utilized during construction of the solar facility. The highest potential for noise impacts during construction conditions may occur while equipment, specifically pile-driving, is in operation near to an adjacent landowner's property lines for solar array racking installations. Note that the distance from the solar array to adjacent, non-participating residence is greater than 572 feet at any given location. Using sound attenuation principles, the maximum allowable construction noise level of ninety (90) dB will be achieved at fifty (50) feet from the pile-driving equipment. The racking installation in this scenario will occur over a short duration and the distance to the Property line will increase for subsequent pile installations; this will result in decreased sound levels as the installations move from exterior to interior locations to produce minimal sound impacts to adjacent residences. Additional construction equipment will be used, and noise emissions will be significantly less than pile-driving equipment.

To address any potential sound emissions during temporary construction conditions, heavy equipment operation and solar array and equipment installations will be mitigated by workday and work hour limitations as to not impose a nuisance on adjacent properties. Construction noise impacts will be minimized and mitigated by requiring that all equipment be maintained in good operating condition and that all motors and engines be muffled in compliance with the Annotated Code of Maryland Transportation Article, § 22-402 and according to manufacturer's specifications. Pursuant to COMAR 26.02.03.02, pile-driving equipment will only be used between the hours of 8 AM and 5 PM. Sound levels from construction activities are not anticipated to be higher than usual in this setting. Additional information pertaining to the noise management plan for the Project can be found in **Appendix L**.

## 2. Impacts of Noise During Operation

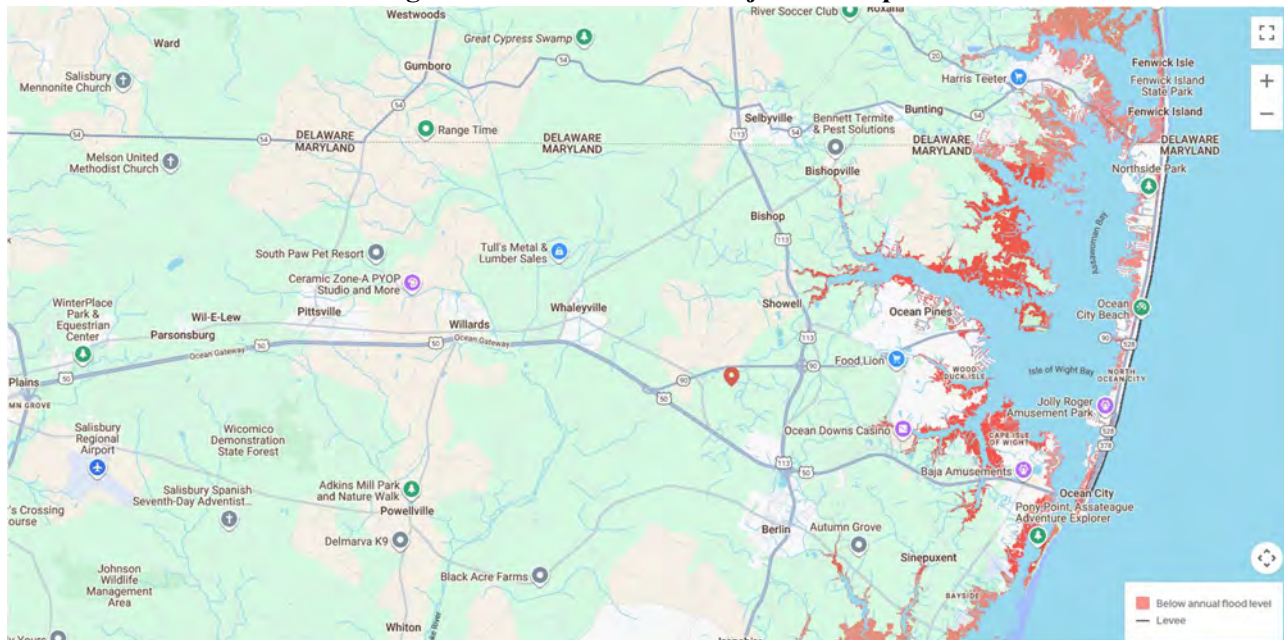
Noise emissions generated from the proposed solar development have been evaluated based on the proposed electrical equipment to be used during long-term solar facility operation. The proposed DC to AC inverters were determined to have the most potential for noise production during solar facility operation. In comparison to the inverters, the remaining PV electrical equipment and control systems are expected to have a lower sound emission and/or can be considered negligible, as measured at a distance to an adjacent residence, since they contribute significantly less or no additional sound emissions when relative to ambient noise conditions.

To achieve an inverter audible sound within the lowest allowance (65 dB), a buffer distance of at least forty (40) feet must be maintained to an adjacent residence; this distance was determined utilizing sound attenuation principles. The closest participating and non-participating residential reception areas to the equipment pad, which contains the inverters, is approximately 736 feet and 1,460 feet away, respectively. The equipment pad is centrally located and located as far away as feasible from residences and adjacent property lines. The Applicant utilized a conservative approach for this evaluation as this does not account for landcover type, foliage, topography, or proposed landscape screening, and solar module shielding which would also contribute to noise emission reduction due to the physical characteristics of the Site.

As the facility will be in a nonoperational status during nighttime hours and the ambient conditions are relatively quiet, the noise impacts from normal solar facility operations are considered negligible. Additional information pertaining to the noise management plan for the project can be found in **Appendix L**.

### C. Sea Level Rise Projection

According to the Climate Control coastal risk screening tool, see **Figure 4** below, the Project area is not located on land projected to be below annual flood level in the year 2050. Therefore, sea level rise does not affect the Property, and no measures are indicated.

**Figure 4 – Sea Level Rise Projection Map**

#### D. Effects of Climate Change

Climate change may lead to higher average and extreme air temperature, more extreme temperature days annually, and an increase in both the frequency and intensity of severe storms, as a result, the Project has been designed accordingly. The proposed PV modules for the Project have temperature coefficients designed to be reduced only slightly as temperatures increase. Other proposed equipment present onsite is rated for much higher ambient temperature and is not anticipated to influence the overall system performance in extreme temperature scenarios. The system is designed to operate around dry bulb temperatures of seven (7) to ninety-seven (97) degrees Fahrenheit (“°F”), as defined by American Society of Heating, Refrigerating and Air-Conditioning Engineers (“ASHRAE”) standards. With production adjustment factors, the inverters are designed to operate in a wider temperature range, tolerant of extreme temperatures. The Project will be designed to withstand snow and wind loads in accordance with the International Building Code (“IBC”) 2021 in the event of extreme weather.

## 8.0 COMAR 20.79.03.04 SOCIOECONOMIC INFORMATION

### A. General Information

#### 1. Summary of Environmental and Socioeconomic Effects

The Applicant believes that neither construction nor operation of the Project will have an adverse environmental or socioeconomic impact.

##### a. Environmental Resources

The Project is not expected to impact any ecologically important aquatic or terrestrial natural resources. It is not located in the Critical Area, and not within 1,000 feet of any Tier II streams; no known impacts are anticipated by the Project.

The Applicant has communicated with the Maryland DNR and received a response indicating that there is no further coordination required regarding protective measures for State or federal records of rare, threatened or endangered species at the Site. DNR's letter is included in **Appendix E**.

The Project is located on FEMA FIRM Map Number 24047C0155H, effective July 16, 2015. According to the FEMA FIRM Map there are no mapped flood plains in the area of the Project. The FEMA FIRM Map is included as **Appendix K**.

##### b. Cultural Resources

There are no Maryland Inventory of Historic Properties listings or National Register of Historic Places listings for the Site. A Project Review Request, dated September 4, 2024, was sent to the Maryland Historical Trust ("MHT") and a review response, dated September 26, 2024, from MHT was received and indicated that the Project will have no effect on historic properties. A copy of the Project Review Request and Project Review Form from the MHT are included in **Appendix F**.

## 2. Ability to Conform to Applicable Environmental Standards

The Project's design and construction will require review by state and local authorities through the CPCN process. The Project will also comply with various federal and state environmental regulatory requirements as applicable. The Project will not impact any conservation easements. General Description of the Site and Adjacent Areas

## 3. General Description of the Site and Adjacent Areas

### a. Geology/Soils

The Project Site is located within the Atlantic Coastal Plain physiographic province. According to the United States Department of Agriculture ("USDA") National Resources Conservation Service ("NRCS") Custom Soil Resource Report for Worcester County, MD, the soils within the LOC are a mix of Fallsington sandy loams, Galestown loamy sand, Hambrook sandy loam, Metapeake fine sandy loam, Mullica-Berryland complex, Nassawango fine sandy loam, Nassawango silt loam, Othello silt loams, Sassafra sandy loam, and Woodstown sandy loam.

The soil units at the Site are classified as well-drained or moderately well-drained. The Prime Farmland Report identifies approximately 68.6 percent (29.56 acres) of the Property as prime farmland, 29.5 percent (12.71 acres) of the Property as farmland of statewide importance, and 1.9 percent as neither prime farmland, nor farmland of statewide importance. The full soils report can be found in **Appendix B**. The past and present land use is agricultural.

Erodible soils are classified by the USDA utilizing a soil erodibility coefficient, or K factor, which indicates the susceptibility of a soil type to erode by sheet and/or rill erosion by water. Soils that have a K factor of 0.35 or greater on slopes fifteen percent (15%) or greater are considered erodible soils. According to the USDA NRCS Soil Resource Report, one soil (Othello Silt Loams) within the LOC are listed as having a K factor of 0.35 or greater, however, the proposed Project area does not contain slopes greater than fifteen percent (15%).

The geotechnical engineering assessment, included in **Appendix C**,

anticipated that these soils are suitable to support a ground-mounted, single-axis tracker racking system, solar array modules, inverters, mechanical and electrical, grass covered aisle ways, access roads, and associated drainage and stormwater management infrastructure.

b. Steep Slopes

There will be grading in areas for the access road, equipment pad, and within the solar array field to accommodate required slopes for non-rooftop disconnection credit. The internal solar array aisle ways and the perimeter drive aisle, for maintenance and emergency vehicles, will be meadow cover.

The majority of slopes and grades within the proposed LOC fall within the range of zero percent (0%) to ten percent (10%). The only grading proposed for the Project is associated with the access road, equipment pad, and within the solar array field to provide non-rooftop disconnection credits as the preferred practice. A sediment and erosion control plan will be prepared and submitted as part of the local County review and approval process. This plan will identify proposed work areas, acreage that can be open at one time, and stabilization requirements.

c. Flora Resources

The Project will not impact flora resources.

d. Fauna Resources

The Project will not impact fauna resources.

e. Implementation Schedule for the Project

The Project schedule includes the approximate implementation dates as shown in **Section 5.0.M**.

B. Lighting

Although there are no lighting requirements for the Project, the Applicant may consider minimal lighting for security considerations, or as required through the CPCN review process.

### C. Glare Analysis

PV panels by design absorb ninety-eight percent (98%) of light, reflecting as little as two percent (2%) of sunlight, the same amount of reflection observed off still water, and are covered in an anti-reflective coating to prevent any potential for glare. The Applicant utilized the ForgeSolar PV Planning and Glare Analysis tool and the Federal Aviation Administration (“FAA”) Obstruction Evaluation/Airport Airspace Analysis Pre-Screening Tool (OE/AAA Pre-Screening Tool), to conduct a desktop glint and glare analysis of the proposed solar generation facility. Based on the ForgeSolar report results, there will be no glint or glare produced by the proposed solar facility. The OE/AAA Pre-Screening Tool determined that the Project’s location does not exceed notice criteria and no further coordination with the FAA is required. Similarly, the Maryland Aviation Administration (“MAA”) Project Locator<sup>3</sup> was utilized to determine that the Project location is not within an Airport Zoning District, is located over 7 miles from the Ocean City Municipal Airport, and no further action is required. The FAA and MAA Determination Letter will be included in **Appendix I** and the Glare analysis results are included in **Appendix J** with the final ERD.

### D. Fencing and Buffering

The Project will be enclosed and protected by a minimum seven (7’) foot tall security fence. In addition to the fencing surrounding the whole system, additional screening buffers, as required, will be implemented around portions of the solar array, ingress and egress areas, and all adjacent roadways and residential properties that do not have natural tree lines or vegetation screening from the subject parcel.

### E. Vegetating Stabilization

The Applicant will stabilize disturbed areas in accordance with the approved sediment and erosion control plan during construction. Following construction, the Site will generally be uniformly planted and maintained in an approved low cover grass vegetation and/or pollinator friendly vegetation mix, except for the access road and equipment pad. The proposed vegetative cover will be devoid of neonicotinoid-treated seeds and contain at least eight (8) different pollinator-friendly species. By including pollinator species, the Applicant will be eligible and intends to apply for the pollinator-friendly designation upon the Project’s completion. The vegetative cover will be geographically appropriate, low maintenance, low-sun grass or pollinator species suitable to control erosion and promote stormwater infiltration. The final vegetative cover species mix will be subject to approval

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<sup>3</sup> Maryland Aviation Administration, Project Locator  
(<https://marylandaviation.com/permits-forms/airport-zoning-districts-and-airport-obstruction-zones/>)  
ARM Project No. 24010590

by the County and determined during the local review process.

The Applicant's vegetation management plan, included in **Appendix P** and as required by COMAR 20.79.03.04(B)(6), includes, but is not limited to, watering, mowing operation and maintenance practices, and weed control to be utilized during solar facility operation. Currently, the Project does not plan to utilize agrivoltaics in the form of livestock grazing. If the Applicant elects to include livestock grazing, as a form of agrivoltaics, the plan may be modified to complement the grazing practices. The proposed seed mix for the Project includes varying proportions of the species eligible for pollinator friendly designation. Site preparation and planting procedures will be provided on the final landscape plan for the Project.

Mowing will be limited but may need to occur in the spring and fall seasons to maintain the vegetation height below the bottom edge of the panels and to prevent vegetation from obscuring any site features that require view and access by first responders. Mowing will also be performed as necessary to stress noxious weeds and invasive species and favor growth of desired plants to minimize pesticide use. The use of bee-harming pesticides will be banned. The Applicant's goal is to create a self-sustaining, low-growing community of native grass and pollinator species that requires little or no mowing or maintenance.

#### F. Public Safety and Transportation Impacts

##### 1. Transportation During Construction

The Project will include a perimeter road for emergency vehicle access or other access lanes as approved by the State and/or County Fire Marshal. Major material and equipment will be delivered by tractor-trailers and offloaded by construction vehicles (tulls, tracked vehicles, and front-loading equipment). The Project will utilize staging areas for unloading equipment and materials. Daily construction traffic will include cars, pickup trucks, and other personnel vehicles. The Project will also utilize excavation and other equipment during the construction of the Project, which may include dump trucks, crane trucks, concrete trucks, and small earth moving equipment (tracked skid steer, tracked mini-dozer, and tracked miniexcavator with various attachments, tracked post installation equipment, and other equipment). The Project design will include laydown areas with enough space for a construction trailer, employee parking, and storage for equipment and supplies. Staging and stockpile areas will be designated on the site plan.

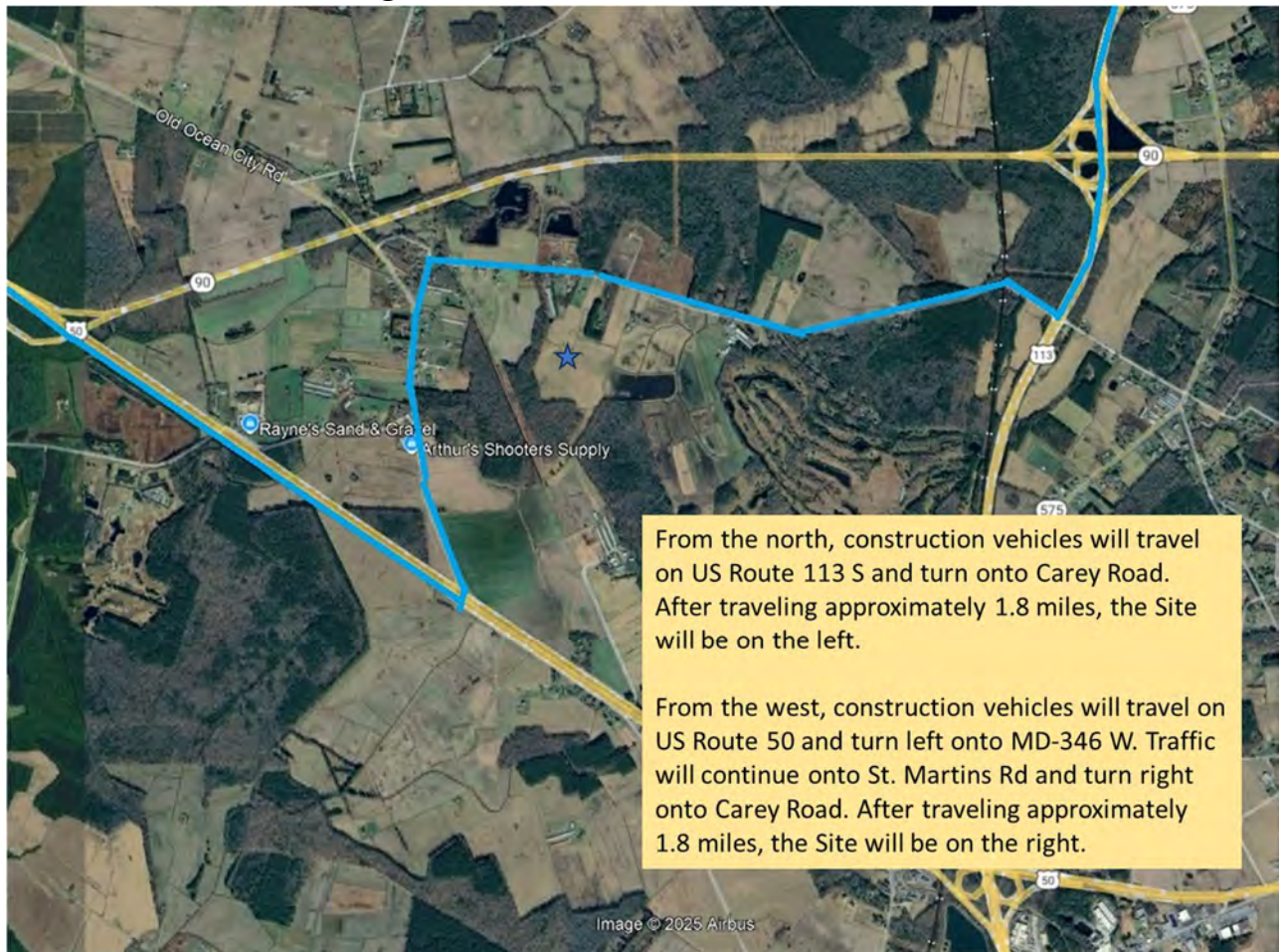
Proposed construction traffic will use Carey Road for ingress and egress, see **Figure 5** below. Should an emergency occur during construction of the Project, anyone present should gather at the gate at the entrance of the main access road

into the Site. No road permits are anticipated to be required for the construction of the Project, specifically regarding overweight and oversized loads. To the extent possible, construction traffic will minimize land disturbance within the LOC, and existing roadway damage and disturbance will be avoided by adherence to normal road weight and size limitations. Any damage to local roadways will be monitored by the Applicant and restored in accordance with County requirements and standards. In addition, the Applicant will take photographs of the affected roads prior to the start of construction and repair any unexpected damage as a result.

With an estimated 29 construction workers daily, it is estimated that 29 personnel vehicles will enter the Site daily. Additionally, construction vehicles including dump trucks and earth moving equipment will be brought onsite periodically. Once construction is complete, it is anticipated that the only vehicles entering the Site will be for operation and maintenance purposes. With an estimated 1-2 operation and maintenance personnel, it is estimated that 1-2 personnel vehicles will enter the Site during periods of maintenance.

## 2. Transportation During Operation

There will be limited traffic to and from the solar array during operation. Traffic will mostly be limited to maintenance crews for mowing and vegetation maintenance. During vegetative growing season, monthly vegetative maintenance would be performed. Quarterly to yearly maintenance of the solar array components will be necessary, along with site visits for any operational issues that may arise during normal operation.

**Figure 5 - Construction Traffic Pattern**

### 3. Dust Control

During construction, dust may be produced from non-point sources such as earthwork and construction traffic on unpaved roads. This type of dust is described as fugitive dust. Fugitive dust is expected to be less than normal construction since this Project will not require excessive earthwork activities. Some water may be necessary for dust control during construction. If water is needed to control dust, bulk water services can be used.

### 4. Radiofrequency and Thermal Impacts

There are no anticipated radiofrequency or thermal impacts to communications systems or military operations.

## G. Effects on Local Economy

See **Section 2.0** for a statement of the Project's need and purpose. This section of the ERD describes the significant economic benefits to the local economy during the design, construction, and operation phases of the Project.

## 9.0 COMAR 20.79.03.05 EJSCREEN REPORTS

Under COMAR 20.79.01.06M and COMAR 20.79.03.06, this requirement only applies to “qualifying generating stations,” which are fossil fuel generating stations having a capacity over 70 MW. The proposed solar Project is not a “qualifying generating station” and the requirement under COMAR 20.79.03.06 does not apply. Additionally, this is not applicable per COMAR 20.79.01.06 L.

The Applicant used the Harvard University DataVerse EPA EJ Screening Tool as the MDE EJScreening Tool is currently disabled and under long-term construction. The main difference in the MDE EJScreening Tool and the Harvard EPA EJ Screening Tool is that the Harvard EPA tool does not calculate an overall EJ percentile score, but does break down the percentiles of each variable (the same variables as in the MDE EJScreening Tool) such as Particulate Matter, Ozone EJ Index, Diesel Particulate Matter, Traffic Proximity, Lead Paint Index, Risk Management Plan Proximity, Hazardous Waste Proximity, and Wastewater Discharge EJ Index as compared to the Maryland State averages. The EPA EJ Screen identified the following for the County in which the Project is located; 21% Particulate Matter, 11% Ozone EJ Index, 2% Diesel Particulate Matter, 9% Traffic Proximity, 54% Lead Paint Index, 59% Risk Management Plan Proximity, 0% Hazardous Waste Proximity, and 46% Wastewater Discharge EJ Index.

The Harvard EPA EJ Screening Report is included as **Appendix S**.



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410.632.1200 / FAX: 410.632.3008

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

### MEMORANDUM

To: Weston S. Young, Chief Administrative Officer  
From: Jennifer K. Keener, AICP, Director  
Date: July 8, 2025  
Re: Planning Commission Recommendation – Add a new subsection §ZS 1-210(b)(21) – Multi-family Dwelling Units in the C-2 General Commercial District

On July 3, 2025, the Planning Commission reviewed the proposed text amendment submitted by Mr. Hugh Cropper and Ms. Kristina Watkowski to add a permitted use to the C-2 General Commercial District to allow multi-family residential dwelling units as an accessory use to commercial development. Specifically, the request will require that at least sixty-five percent (65%) or more of the net lot area for a given parcel be developed with commercial uses or structures permitted in the C-2 District.

Following the Planning Commission's discussion, the board gave a favorable recommendation. A copy of the draft bill is attached for your consideration. At this time, I am requesting that the item be scheduled for the County Commissioner's consideration for introduction at an upcoming meeting. If at least one County Commissioner introduces the amendment as a bill, then a public hearing date will be set for the Commissioners to obtain public input prior to acting on the request.

### PLANNING COMMISSION DISCUSSION

Mr. Todd Ferrante, applicant, and Ms. Watkowski, attorney for the applicant, were present for the review. Ms. Watkowski noted that they had previously applied for a text amendment in 2023 to allow a similar use in the C-2 General Commercial District, however that bill was not adopted by the County Commissioners. The proposed amendment is slimmed down and only applies to approximately 63 parcels that are directly adjacent to properties with a R-3 Multi-family Residential District or R-4 General Residential District designation. The proposed multi-family use is intended to act as a buffer between the residential developments and the more intense commercial uses on the C-2 District properties. Ms. Watkowski noted that the requested amendment was in keeping with the current Comprehensive Plan, and referenced the map prepared by staff that was in the packet.

Submitted as Applicant's Exhibit No. 1 was a portion of the Zoning Map for Tax Map 27. It illustrates the area between US Route 50 (Ocean Gateway) to the north, and MD Route 707 (Old Bridge Road) to the south. Submitted as Applicant's Exhibit No. 2 is an aerial photograph of the same area. Ms. Watkowski explained that there is a need to preserve and protect the R-3 and R-4 District

residential uses in this corridor. She noted that the language “directly adjacent” was chosen specifically because it would not apply to properties on the opposite side of a road right-of-way.

Ms. Watkowski highlighted many of the important elements for the area and its consistency with the Comprehensive Plan, both the 2006 adopted version and sections of the working draft plan. Specifically, West Ocean City has become a walkable community, with wide sidewalks, clearly marked crosswalks, transit stations such as the Park and Ride, and can provide access to commercial uses without getting into a vehicle. She noted that mixed uses will meet the daily needs of residents, and it will locate employment centers close to residences. Despite Worcester County’s vacancy rate anomaly, there is a high demand for residential units. This amendment seeks to address the considerations in the working draft Housing Chapter of the Comprehensive Plan by encouraging a variety of housing types and mixed use opportunities. She finds that the amendment is consistent with both the spirit and intent of the C-2 District uses and Residential uses.

Submitted as Applicant’s Exhibit No. 3 was a copy of Bill 23-05, which was adopted by the Worcester County Commissioners in June 2023 for the C-3 Highway Commercial District. This bill is a mirror of it, with some minor exceptions. With respect to the density concerns, Ms. Watkowski noted that the 10 units per net acre is a maximum, and not every property is going to be able to achieve that density after accounting for 65% commercial uses, 15% open space, parking, setbacks and other features. In addition, more intense uses such as hotels or hotel cottage courts allow a lot area of 1,000 square feet per unit. Furthermore, this use is subject to Planning Commission consideration and approval under the site plan review process.

Ms. Watkowski reviewed the goals of the Land Use Chapter of the current Comprehensive Plan, and read the vision statement of the working draft plan. She noted that in the current plan, there is a reference to an excess of commercial land supply. Therefore, this proposed mixed-use is a highest and best use to reduce vacancy. The use will promote a sense of community and will have a neighborhood community feel as it blends into the surrounding land uses.

Mr. Barbierri noted that as a text amendment, this use applies county-wide. He was concerned about the maximum density of 10 units per net acre, and thought 8 units per net acre, consistent with the R-4 District density, would be more appropriate. Ms. Watkowski commented that the parcel sizes in this area are drastically smaller, to which Mr. Barbierri noted adds to why he would like less density. The Planning Commission members discussed various density options, as well as their concerns about a lack of affordable housing in the county.

Following the discussion, a motion was made by Mrs. Knight to provide a favorable recommendation on the text amendment as submitted. Ms. Smith seconded the motion, and it carried 4 to 1 with Mr. Barbierri opposed.

cc: Hugh Cropper/ Kristina Watkowski, attorneys for the applicant  
Todd Ferrante, applicant  
Matt Laick, Deputy Director  
Kristen Tremblay, Zoning Administrator  
Roscoe Leslie, County Attorney  
file

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 25-\_\_

---

BY:

INTRODUCED:

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A BILL ENTITLED

AN ACT Concerning

Zoning – Multi-family dwelling units in the C-2 General Commercial District

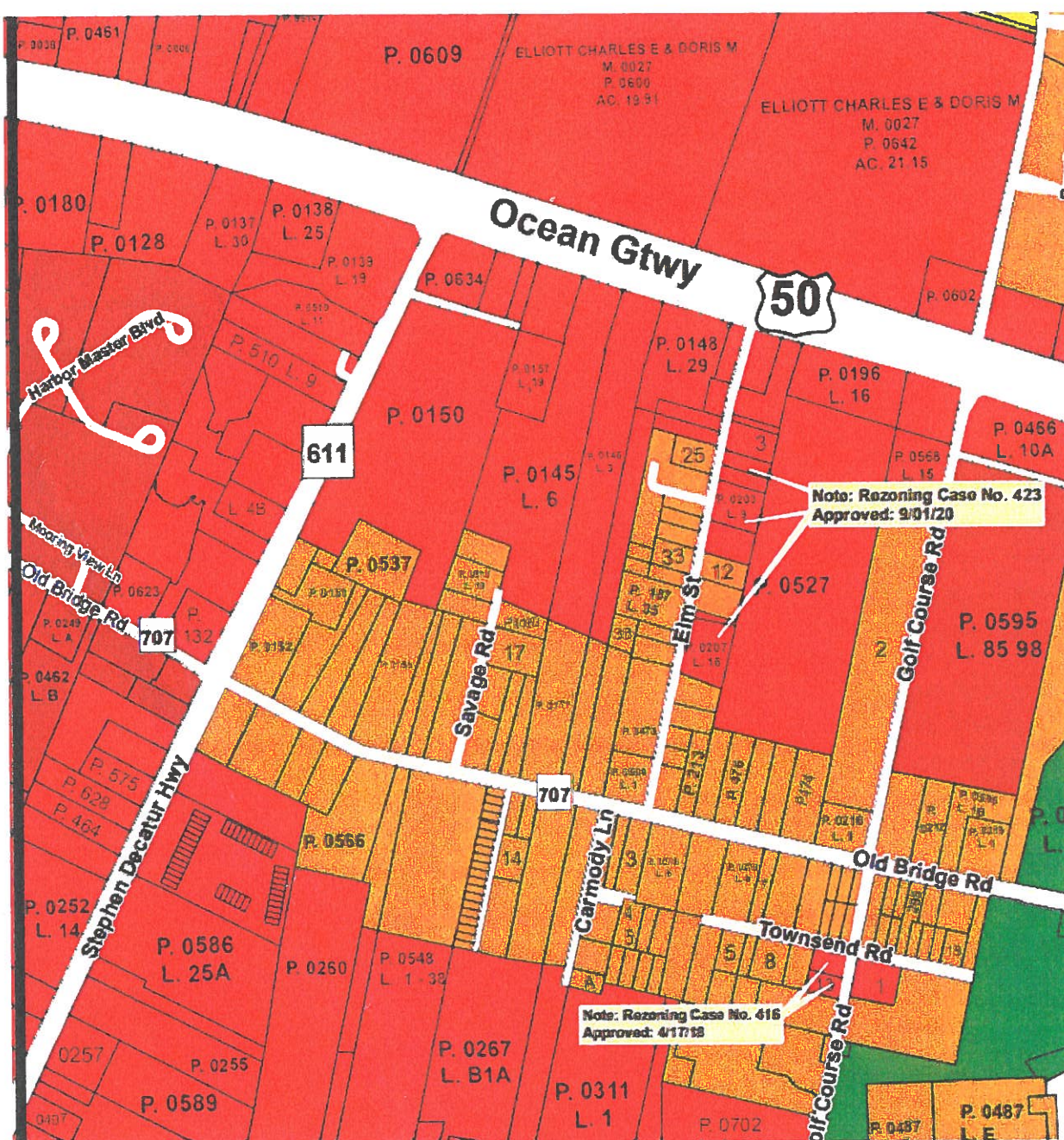
For the purpose of amending the Zoning and Subdivision Control Article to allow as a permitted use multi-family dwelling units accessory to an established commercial structure or use of land.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Subsection § ZS 1-210(b)(21) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

- (21) For those properties directly adjacent to the R-3 Multi-family Residential District or R-4 General Residential District, multi-family dwelling units as an accessory use to an established commercial structure or use of land if sixty-five percent or more of the net lot area of the parcel is improved with uses permitted in the C-2 General Commercial District. Minimum lot requirements for the multi-family dwelling units shall be: lot area, twelve thousand square feet [see § ZS 1-305(l) hereof]; maximum density, ten units per net acre; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-325 hereof.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

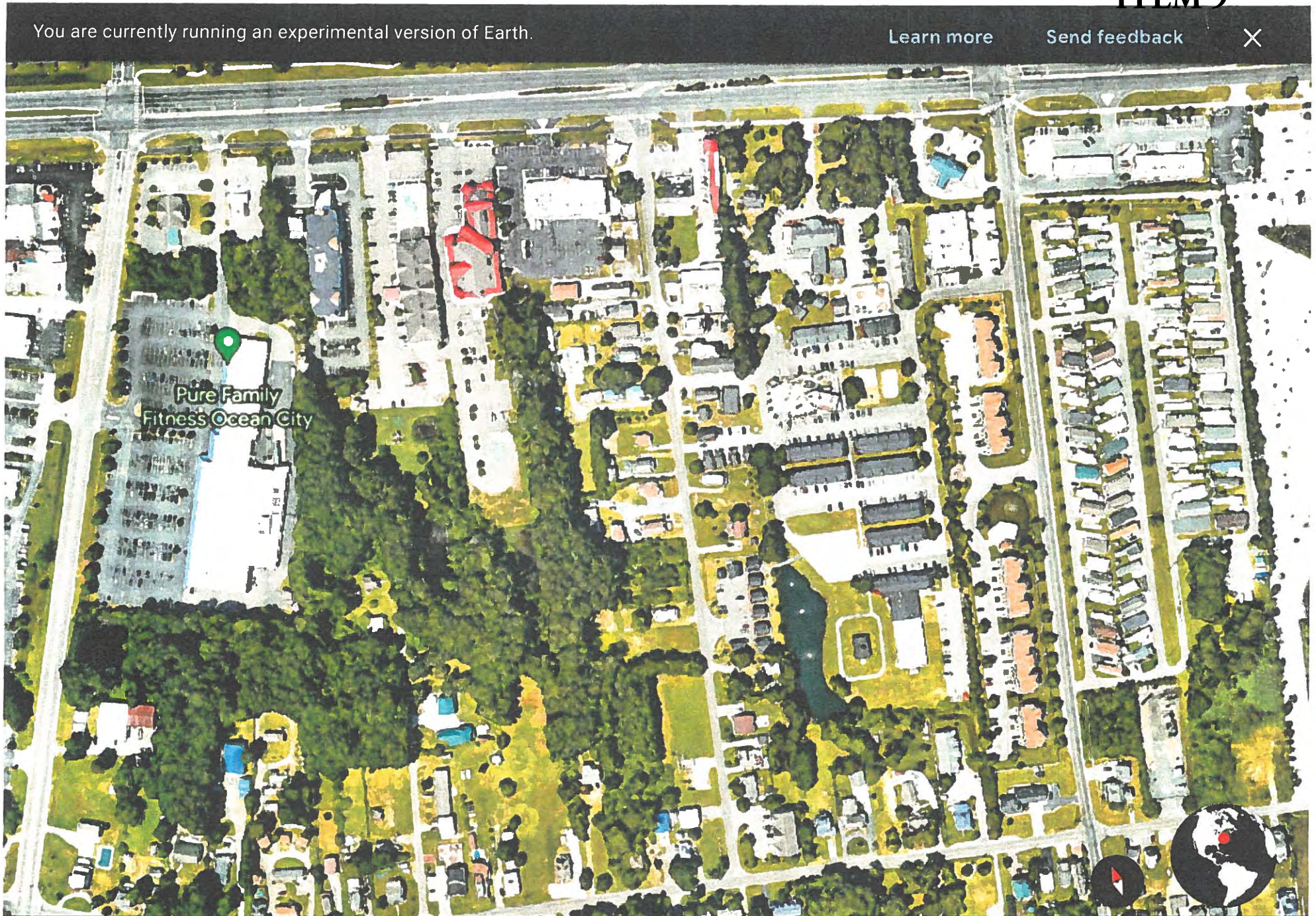
PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.



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Google Earth

Imagery date: 6/26/22

100 m

Camera: 1,134 m 38°20'04"N 75°06'31"W

4 m

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 23-05

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BY: Commissioners Mitrecic and Purnell

INTRODUCED: May 16, 2023

---

A BILL ENTITLED

AN ACT Concerning

Zoning – Multi-family dwelling units in the C-3 Highway Commercial District

For the purpose of amending the Zoning and Subdivision Control Article to allow as a permitted use multi-family dwelling units accessory to an established commercial structure or use of land.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Subsection § ZS 1-211(b)(26) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

- (26) Multi-family dwelling units as an accessory use to an established commercial structure or use of land if sixty-five percent or more of the net lot area of the parcel is improved with uses permitted in the C-3 Highway Commercial District. Minimum lot requirements for the multi-family dwelling units shall be: lot area, twelve thousand square feet [see § ZS 1-305(l) hereof]; maximum density, ten units per net acre; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet; minimum open space provided, fifteen percent of the net lot area; and subject to the provisions of § ZS 1-325 hereof.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

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ZONING DIVISION  
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ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

### MEMORANDUM

To: Worcester County Planning Commission  
From: Jennifer Keener, AICP, Director  
Date: June 18, 2025  
Re: Text Amendment Application – Add a new subsection §ZS 1-210(b)(21) – Multi-family Dwelling Units in the C-2 General Commercial District

\*\*\*\*\*

Hugh Cropper, IV and Kristina Watkowski, on behalf of Todd Ferrante, have submitted a text amendment application to add a permitted use to the C-2 General Commercial District to allow multi-family residential dwelling units as an accessory use to commercial development. Specifically, the request will require that at least sixty-five percent (65%) or more of the net lot area for a given parcel be developed with commercial uses or structures permitted in the C-2 District. A copy of the draft language is attached for your consideration.

As is the case with all text amendment applications, the application was distributed to staff for review and comment. The Planning Commission shall review the request and make a recommendation to the Worcester County Commissioners (favorable or unfavorable) and can make recommendations for changes to the proposed language. If at least one County Commissioner introduces the amendment as a bill, then a public hearing date will be set for the Commissioners to obtain public input prior to acting on the request.

### BACKGROUND

Currently, single-family and multi-family dwelling units are allowed in the C-2 General Commercial District as a special exception use, but they must be contained in, attached to, or part of the principal commercial structure. There are also restrictions on the total amount of square footage that may be permitted for residential units based upon the amount of commercial gross floor area provided, as further explained in § ZS 1-210(c)(5)A, B and C. The proposed amendment is not seeking to replace this subsection but provides the developer with another option to include strictly multi-family dwelling units into a project which are detached from the commercial structure as a permitted use.

### DISCUSSION

The proposed language mirrors that which was approved in the C-3 Highway Commercial District, except for requiring that the subject parcel must be directly adjacent to (i.e. contiguous; share a property line with) the R-3 or R-4 District. The applicant has stated that this requirement will provide a transition or buffer between the residential and commercial uses. Based upon an analysis conducted by

the Technical Services Division, this bill could potentially apply to approximately 63 parcels primarily in the West Ocean City area as illustrated on the attached map.

The bill also includes a density of 10 units per net acre, which is higher than any density provided in a typical residential zoning district. Since the current residential capacity is based on a percentage to get to a square footage allowance and a developer's decision on the allocation of that square footage between any number of units, it is difficult to compare the two provisions. However, the proposed amendment has the potential to allow significantly more units.

The proposed amendment would allow the residential component to be detached from the commercial building, and there would be no specific square footage limitation. Instead, the amendment requires at least 65% of the net lot area improved with commercial uses before the multi-family use would be permitted. As Mr. Cropper and Ms. Watkowski describe in their application, the intent is to provide a mixed-use development in a commercial zoning district to allow workforce housing near employment centers.

The 2006 Comprehensive Plan encourages locating employment centers close to the potential labor force (Chapter 2: Land Use, Page 12, No. 10), mixed-use community centers as a best practice in Growth Areas (Chapter 2: Land Use, Page 15, No. 6), and as an objective in commercial service centers (Chapter 4: Economy, Page 60, No. 3). In addition, the plan recommends that the zoning code ensure new development is compatible with the surrounding character of the neighborhood so that it is a physical, financial and aesthetic improvement to the community, and provide for additional development density to reduce the amount of land consumed by development (Chapter 8: Implementation, Page 95, Nos. 4 & 5). As described briefly in the background above, the 2009 Zoning Code included residential dwelling units by right or special exception in all three commercial zoning districts, provided they are attached to, or part of, the commercial building. A copy of § ZS 1-210(c)(5) is attached.

The areas where this provision would apply are primarily designated as Commercial Center or Existing Developed Area (EDA) on the 2006 Comprehensive Land Use Plan, except for the C-2 District parcels south of Germantown Road which are designated as Agricultural. Overall, the affected properties predominantly have access to existing public infrastructure such as roads and sanitary services. Both commercial and residential development would be subject to § ZS 1-325 Site plan review and Planning Commission oversight, however multi-family developments are specifically excluded from the *Design Guidelines and Standards for Commercial Uses*. The development would be reviewed under the site plan review provisions of § ZS 1-325(f)(3)D, which allow the Planning Commission to impose appropriate requirements on the design of the project. A development of this nature would not be classified as a residential planned community, as the underlying zoning is strictly commercial, and not one of the residential classifications.

The amendment ensures that the primary use of the property is for commercial purposes and would prevent the subdivision of the respective uses by establishing a minimum percentage of land area (65% net lot area) that must be improved on a parcel with commercial use(s) prior to permitting multi-family dwellings as the accessory use. The net lot area would be inclusive of any commercial buildings, parking, internal travelways, stormwater management, landscaping, setbacks and other similar required

features. Similar to the C-3 District bill, the proposed amendment stipulates that the developer is required to provide 15% of the net lot area in open space.

## RECOMMENDATION

Overall, staff find that there is a high demand for housing, especially workforce and affordable housing, and this amendment is an opportunity to increase the available stock. The construction of attached residential units in commercial districts under the existing provisions has not come to fruition on any significant scale; only a handful of these units have been built since adoption of the 2009 Zoning Code. Given the availability and cost of infrastructure needed to construct a development of this nature, a mixed-use development could be appropriate in this area, if done correctly.

However, staff suggests that the Planning Commission evaluate the following:

1. Whether the density of ten units per net acre is appropriate in this zoning district.
  - a. R-3 District density is six units per net acre.
  - b. R-4 District density is eight units per net acre.
2. Whether the use should be a permitted or special exception use. Unlike the C-3 District, the existing residential provisions in the C-2 District are special exception uses.
3. Whether there needs to be clarification for the language “directly adjacent”. As presented, it means contiguous to the main parcel and would not include properties on the opposite side of a roadway. Staff does not recommend using the term “adjoining”, as this term is used throughout the zoning code in both contexts.

As always, I will be available at your upcoming meeting to discuss any questions or concerns that you have regarding the proposed amendment.

cc: Roscoe Leslie, County Attorney  
Kristen Tremblay, AICP, Zoning Administrator  
Matt Laick, Deputy Director  
file

APPLICANT'S SUBMITTED VERSION

COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

BILL 25-\_\_\_\_

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BY:

INTRODUCED:

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A BILL ENTITLED

AN ACT Concerning

Zoning – Multi-family dwelling units in the C-2 General Commercial District

For the purpose of amending the Zoning and Subdivision Control Article to allow as a permitted use multi-family dwelling units accessory to an established commercial structure or use of land.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that a new Subsection § ZS 1-210(b)(21) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be enacted to read as follows:

- (21) For those properties directly adjacent to the R-3 Multi-family Residential District or R-4 General Residential District, multi-family dwelling units as an accessory use to an established commercial structure or use of land if sixty-five percent or more of the net lot area of the parcel is improved with uses permitted in the C-2 General Commercial District. Minimum lot requirements for the multi-family dwelling units shall be: lot area, twelve thousand square feet [see § ZS 1-305(l) hereof]; maximum density, ten units per net acre; lot width, eighty feet; front yard setback, twenty-five feet [see § ZS 1-305(b) hereof]; each side yard setback, six feet; and rear yard setback, twenty feet; and subject to the provisions of § ZS 1-325 hereof.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

- (5) Single-family or multi-family dwelling units contained in, as a part of or attached to a principal commercial structure. Minimum lot requirements shall be as established for the principal commercial structure. Subject to the provisions of § ZS 1-325 hereof and to the following limitations:
- A. Where the area devoted to commercial use is ten thousand square feet or less, the total gross square footage of all residential units shall not exceed one hundred percent of the total gross square footage of the building area devoted to commercial use.
  - B. Where the area devoted to commercial use is greater than ten thousand square feet but less than fifty thousand square feet, the total gross square footage of all residential units shall not exceed fifty percent of the total gross square footage of the building area devoted to commercial use.
  - C. Where the area devoted to commercial use exceeds fifty thousand square feet, the total gross square footage of all residential units shall not exceed twenty-five percent of the total gross square footage of the building area devoted to commercial use.



DEPARTMENT OF  
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ZONING DIVISION  
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TECHNICAL SERVICES DIVISION

### MEMORANDUM

To: Jennifer K. Keener, AICP, Director; Matthew Laick, GISP, Deputy Director  
From: Kristen M. Tremblay, AICP, Zoning Administrator  
Date: June 18, 2025  
Re: Zoning Ordinance Proposed Text Amendment – Detached multi-family dwelling units in the C-2 General Commercial District

.....

Thank you for providing me with an opportunity to comment on the proposed text amendment requested by Hugh Cropper, IV and Kristina Watkowski on behalf of Todd Ferrante.

The proposal seeks to amend the C-2 Zoning District to allow detached multifamily dwelling units. I appreciate that the amendment narrows the amount of C-2 Zoned properties to those ‘directly’ adjacent to R-3 or R-4 zoned properties from the previous request. **Generally, I am supportive of the proposal**, as I believe that detached multifamily dwellings in close proximity to commercial uses would be good utilization of space (infill) and provide more opportunities for affordable housing in the County.

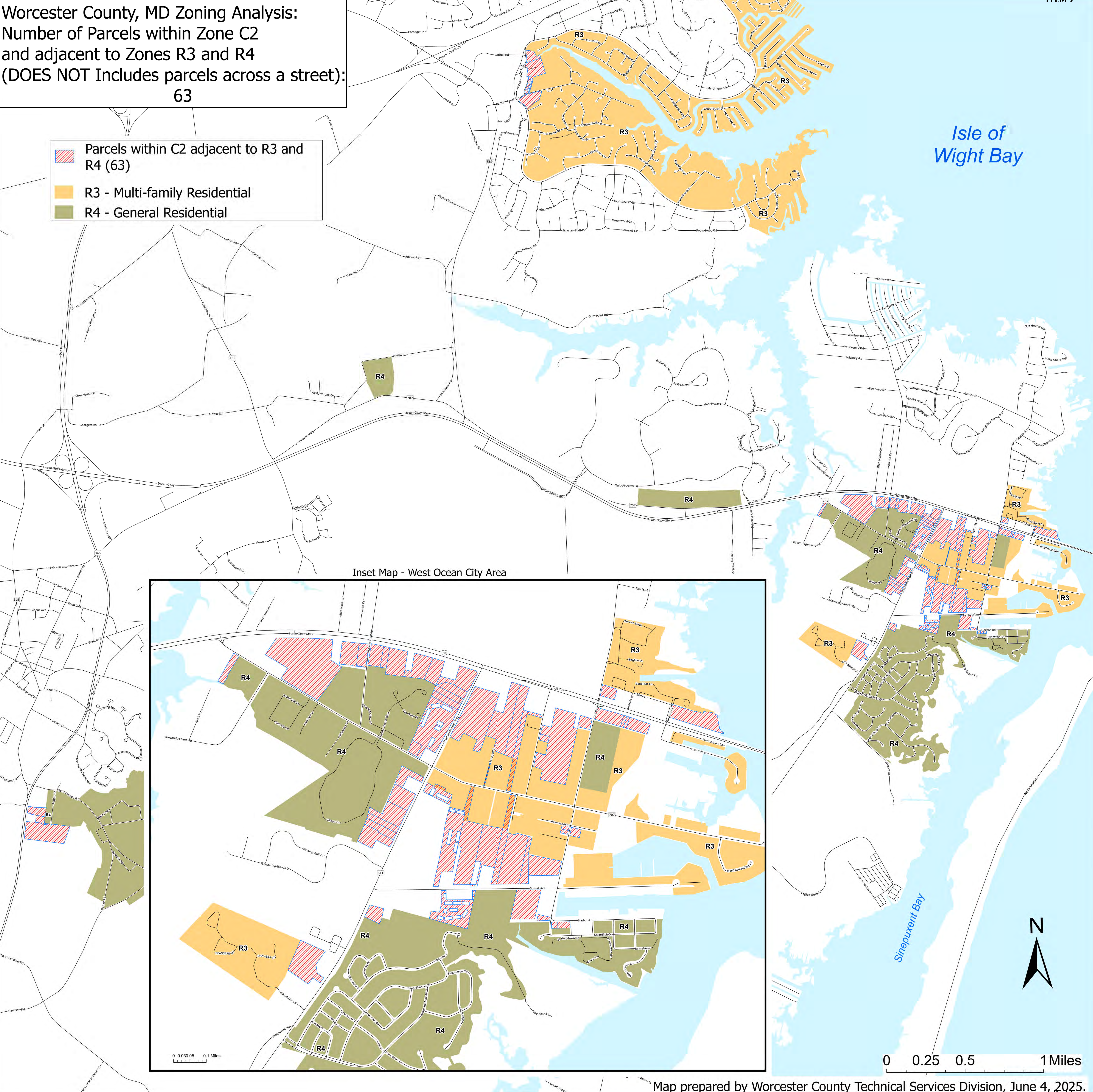
**However, I do have some minor concerns about the exact wording of the proposal as well as the high densities requested.**

If the Commissioners look favorably upon the request, I recommend that the term ‘directly’ be clarified in the text to either include or exclude those properties across roadways. Additionally, the density requested is the same 10 units per net acre that was recently approved for detached multifamily in the C-3 Highway Commercial Zoning District. The C-3 District is “intended to provide for the largest and most intense commercial development,” while the C-2 District is “intended to provide for more intense commercial development.” As the C-3 District now allows for higher densities, I do believe that the C-2 district should have less intensity than C-3 and thus should be geared towards slightly smaller developments. **In this instance I recommend that the C-2 Zoning District text amendment only allow up to eight (8) units per net acre which would be more in alignment with adjacent R-3 or R-4 Zoned parcels which allow six (6) and eight (8) units per net acre, respectively.**

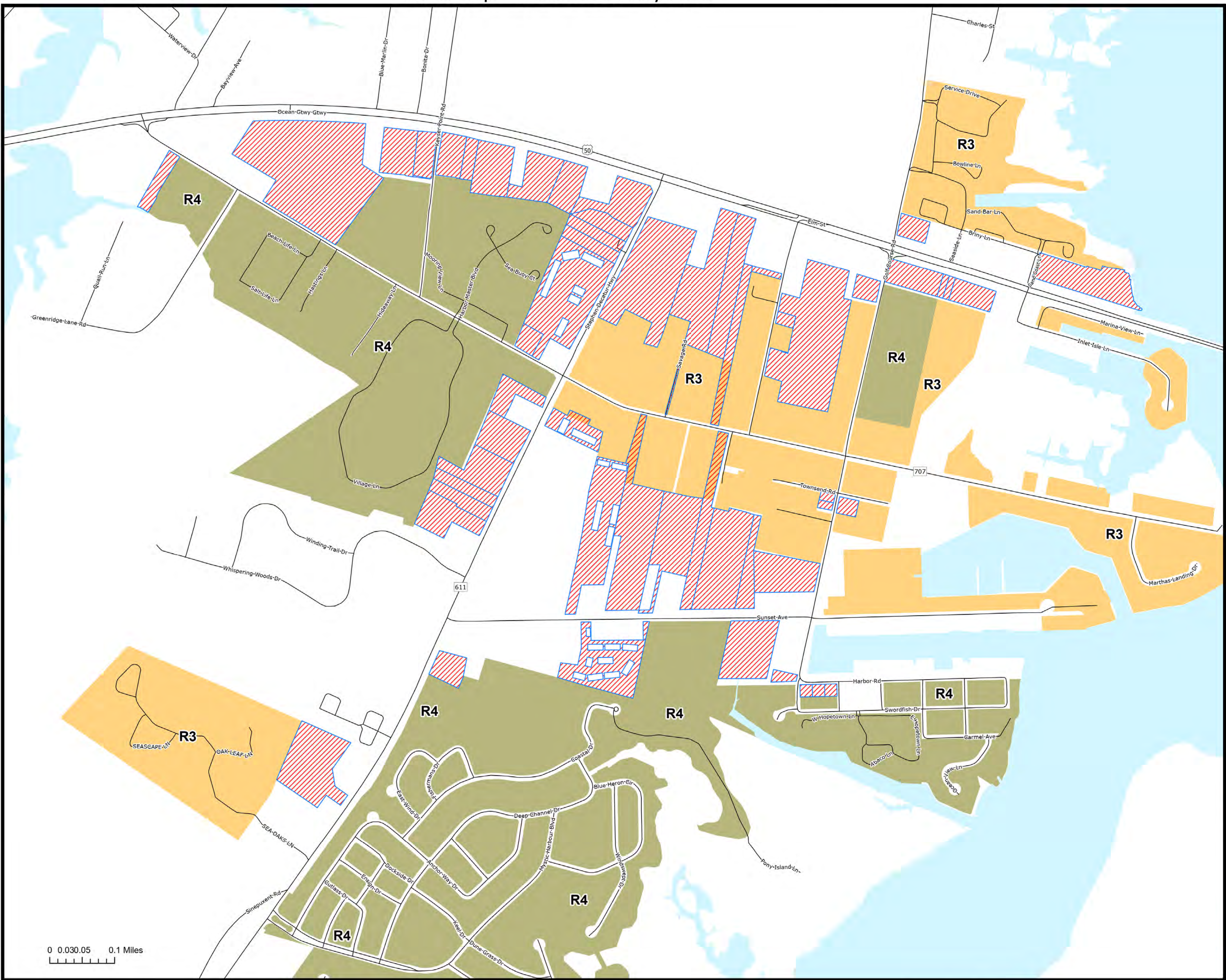
Site specific concerns can be addressed during Site Plan review. Please let me know if you have any other questions.

Worcester County, MD Zoning Analysis:  
Number of Parcels within Zone C2  
and adjacent to Zones R3 and R4  
(DOES NOT Includes parcels across a street):  
63

- Parcels within C2 adjacent to R3 and R4 (63)
- R3 - Multi-family Residential
- R4 - General Residential



Inset Map - West Ocean City Area



0 0.25 0.5 1 Miles



Worcester County Commissioners  
 Worcester County Government Center  
 One W. Market Street, Room 1103  
 Snow Hill, Maryland 21863

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**PETITION FOR AMENDMENT TO THE OFFICAL TEXT  
 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE**

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(For Office Use Only – Please Do Not Write in this Space)

Date Received by Office of the County Commissioners \_\_\_\_\_

Date Received by Development Review and Permitting 5/22/2025

Date Reviewed by the Planning Commission 7/3/2025

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- I. Application: Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

a. Resident of Worcester County: X

b. Taxpayer of Worcester County: X

c. Governmental Agency: \_\_\_\_\_

(Name of Agency)

II. Proposed Change to Text of the Zoning and Subdivision Control Article

a. Section Number: ZS1-210(b)(21)

b. Page Number: ZS1:II:54

c. Proposed revised text, addition or deletion: Please See Attached

III. Reasons for Requesting Text Change:

- a. Please list reasons or other information as to why the proposed text change is necessary and therefore requested: Please See Attached

IV. Signature of Applicants

Signature(s):  attorney

Printed Name(s): Todd Ferrante

Mailing Address: 12720 Ocean Gateway, Unit 8, Ocean City, Maryland 21842

Phone Number: (410) 430-6284

Email: todd@parkplacejewelers.com

Date: 5/20/25

IV. Signature of Attorney

Signature(s): 

Printed Name(s): Hugh Cropper IV and Kristina L. Watkowski

Mailing Address: 9927 Stephen Decatur Hwy., Ste F-12, Ocean City, MD 21842

Phone Number: (410) 213-2681

Email: hcropper@bbcmlaw.com kwatkowski@bbcmlaw.com

Date: 5/20/25

V. General Information Relating to the Text Change Process a. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.

## REASONS FOR REQUESTING TEXT CHANGE

The C-3, Highway Commercial District currently permits multi-family dwelling units as an accessory use to an established commercial structure or use of land if sixty-five percent or more of the net lot area of the parcel is improved with commercial uses. See, Section ZS1-211(d)(26).

This is an application to include a similar provision in the C-2, General Commercial District except that it shall only apply to those properties directly adjacent to the R-3, Multi-Family Residential District, or the R-4, General Residential District.

There is a strong need for workforce or affordable housing in Worcester County. The Comprehensive Plan encourages infill residential development in existing population centers, without overwhelming their existing character. The Comprehensive Plan encourages the location of the potential labor force near employment centers. See, Comprehensive Plan, p. 12.

In those areas where commercial zoned property abuts high-density residential zoned property, this limited text amendment for a new permitted use will allow work force housing near employment centers. Inasmuch as there are very few R-3 and R-4 zoned properties in Worcester County, this text amendment will be limited in scope.

It is important to note that residential uses are already permitted in the C-2, General Commercial zone as a special exception; single-family or multi-family dwelling units contained in, as part of or attached to a principal commercial structure, are permitted as a special exception, provided that it is limited to a certain percentage of the commercial development. See, Section ZS 1-210(c)(5)A-C.

For commercial properties that abut the R-3 and R-4 zones, the multi-family residential units will provide a transition or a buffer between the residential or commercial uses. The multi-family units are permitted in the neighboring R-3 and R-4 properties.

Respectfully submitted,



---

Hugh Cropper IV  
Attorney for Applicant

**ATTACHMENT TO PETITION FOR AMENDMENT**  
**OF OFFICIAL TEXT**

ZONING AND SUBDIVISION CONTROL ARTICLE, SUBTITLE ZS1:11,  
PRIMARY DISTRICT REGULATIONS, Section ZS1-210, C-2, General Commercial District,  
the following to be added as a permitted use, and designated as Section ZS1-210(b)(21):

**For those properties directly adjacent to the R-3, Multi-Family Residential District, or R-4, General Residential District,** Multi-Family dwelling units as an accessory use to an established commercial structure or use of land if sixty-five percent or more of the net lot area of the parcel is improved with uses permitted in the **C-2, General Commercial District.** Minimum lot requirements for the multi-family Dwelling units shall be: lot area, twelve thousand square feet [see Section ZS1-305(1) hereof]; maximum density, ten units per net acre; lot width, eighty feet; front yard setback, twenty-five feet [see Section ZS1-305(b) hereof]; each side yard setback six feet; and rear yard setback, twenty feet; minimum open space provided, fifteen percent of the net lot area; and subject to the provisions of Section ZS1-325 hereof.

**\*\*With the exception of the highlighted language, this is the exact same statute found in the current C-3, Highway Commercial District, Section ZS1-211(b)(26).**



Worcester County Government

One West Market Street | Room 1103 | Snow Hill MD 21863-1195

(410) 632-1194 | (410) 632-3131 (fax) | admin@co.worcester.md.us | www.co.worcester.md.us

## MEMORANDUM

TO: Worcester County Commissioners  
 FROM: Nicholas W. Rice, Procurement Officer  
 DATE: July 15, 2025  
 RE: Recommendation to Award – Mystic Harbour WWTP Biosolids Upgrade Design

Public Works is recommending the County award the Mystic Harbour WWTP Biosolids Upgrade Design Services to George, Miles & Buhr, LLC. The total contract award amount is \$314,190, based on Items 1 and 2 listed on their completed Proposal Form. A total of \$244,647 in loan funding is available through the Maryland Water Quality Revolving Loan Fund Program. The additional \$69,543 in funding necessary for Items 1 and 2 is being requested through an intergovernmental loan from the General Fund to the Mystic Harbour Service Area per the attached agreement.

Proposals were due and opened on Wednesday, January 29, 2025. Two proposals were received. I have attached the proposal tabulation and contract to this memo. An evaluation team consisting of three members reviewed each proposal individually prior to an overall group average being established. All three members of the committee agree that the highest scoring proposal, which was received from George, Miles & Buhr, LLC, represents the best value to Worcester County.

Should you have any questions, please feel free to contact me.

<b>Mystic Harbour WWTP Biosolids Upgrade Design</b>
<b>January 29, 2025 @ 2:30pm</b>
<b>Request for Proposals Tabulation Sheet</b>
<b><u>Respondent's Name(s):</u></b>
George, Miles & Buhr, LLC
Whitman, Requardt & Assoc. LLP



## WORCESTER COUNTY, MARYLAND

OFFICE OF THE COUNTY COMMISSIONERS  
1 WEST MARKET STREET, ROOM 1103  
SNOW HILL, MARYLAND 21863  
410-632-1194  
FAX: 410-632-3131

Weston Young  
Chief Administrative Officer

Nicholas W. Rice, CPPO, CPPB, NIGP-CPP  
Procurement Officer

### CONTRACT

THIS CONTRACT, made on July 15, 2025, between the County Commissioners of Worcester County, Maryland ("County"); and George, Miles & Buhr, LLC ("Successful Vendor").

WITNESSED: That for and in consideration for payment and agreements hereinafter mentioned:

1. Successful Vendor will commence and complete Items 1 and 2 listed on the Form of Proposal for the MYSTIC HARBOUR WWTP BIOSOLIDS UPGRADE DESIGN.
2. Successful Vendor will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the Work described herein.
3. Successful Vendor will commence and complete the Work required by the Contract Documents within the timeframes listed in the Proposal Documents unless the period for completion is extended otherwise.
4. Successful Vendor agrees to perform all of the Work described in the Contract Documents and comply with the terms therein for the sum of \$314,190 (three hundred fourteen thousand one hundred ninety dollars and no cents). The contract amount reflects the costs listed on the Form of Proposal for Items 1 and 2.
5. The term 'Contract Documents' means and includes the following:
  - a. This Contract
  - b. Exhibit A - Worcester County Maryland Standard Terms and Conditions
  - c. Advertisement
  - d. Section I: Introduction
  - e. Section II: General Information
  - f. Section III: General Conditions
  - g. Section IV: Proposal Specifications
  - h. Section V: Evaluation and Selection Process
  - i. Form of Proposal
  - j. References
  - k. Exceptions
  - l. Individual Principal
  - m. Vendor's Affidavit of Qualification to Bid
  - n. Non-Collusive Affidavit
  - o. Addendums 1 and 2

- p. Successful Vendor's Completed Proposal Documents
  - q. Notice of Award
  - r. Notice to Proceed
- 6. Any inconsistency or conflict between the Contract Documents shall be resolved in their order listed above.
  - 7. The County will pay the Successful Vendor in the manner and at such times as set forth in the Bid Documents.
  - 8. This Contract will be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Contract in duplicate each of which will be deemed an original on the date first above written.

ATTEST:

**COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND**

\_\_\_\_\_

\_\_\_\_\_  
Theodore J. Elder  
President  
Date:

WITNESS:

**CONTRACTOR:**  
GEORGE, MILES & BUHR, LLC

\_\_\_\_\_

\_\_\_\_\_  
By:  
Title:  
Date:

**PROMISSORY NOTE  
FOR INTER-GOVERNMENTAL LOANS**

\$69,543  
Amount

Snow Hill, Maryland

July 2, 2025  
Date

For value received, the undersigned, Mystic Harbour Sanitary Service Area, promises to pay to the order of the County Commissioners of Worcester County, Maryland, General Fund at County Government Center, Room 1103, One West Market Street, Snow Hill, Maryland 21863, the sum of Sixty-Nine Thousand Five Hundred Forty-Three Dollars (\$69,543) together with a variable interest, which is calculated by using the Maryland Local Government Investment Pool (MLGIP) overnight rate plus 25 basis points (one-quarter percent), at the initial rate of 4.57% per annum at the following time, and in the following amounts, which is to say:

The loan and accrued interest is due and payable as follows:

This loan is to cover the additional funding needed for the Biosolids Project Design and Bidding.

Principal and Interest on the loan shall be paid quarterly commencing on July 1, 2026 for 10 years.

The initial interest rate herein shall be reviewed and adjusted, if necessary, on January 1 and July 1 of each year that a balance on this Promissory Note is outstanding.

ATTEST:

\_\_\_\_\_

By: \_\_\_\_\_(Seal)

Theodore J. Elder.  
President



Worcester County Recreation & Parks

6030 Public Landing Road | Snow Hill MD 21863 | (410) 632-2144 | [www.PlayMarylandsCoast.org](http://www.PlayMarylandsCoast.org)

## MEMORANDUM

TO: Weston S. Young, Chief Administrative Officer  
Candace Savage, Deputy Chief Administrative Officer  
FROM: Kelly Rados, Director of Recreation & Parks  
Jacob Stephens, Deputy Director of Recreation & Parks  
DATE: July 7, 2025  
SUBJECT: West Ocean City Harbor – Special Use, Water Taxi Request

The Recreation & Parks Department has received a request from Captain Tony Battista of Saltwater Adventure, LLC to utilize the West Ocean City Commercial Harbor as a pick-up and drop-off location for a water taxi operation during the Town of Ocean City Musical Festivals; Oceans Calling, Country Calling and Boardwalk Rock.

This current request would be for the next two 2025 Musical Festival dates, Oceans Calling, September 26 – 28, 2025 and Country Calling, October 3 – 5, 2025. An annual request will then be submitted each year to include all three festivals.

The request includes the use of the Governor's Dock to pick-up and drop-off customers from the Harbor to transport them back and forth to the Angler on the Bay Restaurant in Ocean City. The two concerts this fall will have 14 charter boats committed to both events. Customers will be shuttled to the harbor by bus and will not utilize parking spaces within the harbor. There will be 3 buses that will pick up customers from the hotels in West Ocean City to the Harbor. Buses will handle pickups from 6 West Ocean City hotels every 25-30 minutes. One bus will be shuttling from the Ocean Pines area as well. The request also includes permission to set up a small kiosk tent (12' x 12') and a banner next to the boat launch in use.

Our Department has met with Captain Battista on site to discuss the request and logistics. The request falls within the County ordinance regulating activity at County boat landings regarding Commercial users. We feel this proposed service will help to reduce the number of vehicles entering Ocean City, helping to reduce traffic, parking issues, and safety. In addition, this service is very beneficial to the hotels in West Ocean City and to other local captains and charters.

In as much, if approved, we are recommending the following from Captain Battista:

1. Continued use of the recreational boating side of the ramp.
2. Work with the Parks Department on any trash removal and cleaning needed from additional weekend use.
3. On site Point of Contact name, telephone number, etc. to handle any unforeseen issues.
4. Not to block any of the handicapped parking spaces available next to the public restrooms.
5. Breakdown and cleanup of any materials each evening (table, chairs, tent, etc.)
6. Provide promotion to Worcester County – Maryland's Coast.
7. Publicize and educated customers to not utilize parking at the West Ocean City Harbor.
8. Operation of any music or public address system in accordance to all Worcester County Codes.

We received several letters of support for this request. Attached you will find letters from the Hotel, Motel, Restaurant Association, Angler on the Bay and two West Ocean City hotels: Hampton Inn & Suites and Ocean City Comfort Suites. Additional letters were received from various Captains/Charters and customers. These letters can be supplied if needed.

Attachments – Request letter – Tony Battista, Saltwater Adventure's LLC  
Letters of Support (4)

CC: Darcy Billetdeaux, Parks Superintendent



**Saltwater Adventure's, LLC.**

**9812 Winding Trail Drive**

**Ocean City, MD 21842**

6/1/2025

Kelly Rados

6030 Public Landing Road

Snow Hill, MD 21863

Kelly,

*Hello, as you know, my name is Tony Battista. I live at 9812 Winding Trail Drive here in West Ocean City. I have lived in "Whispering Woods since 2005. I own and run my charter boat business, Saltwater Adventures LLC. I have been a licensed captain here in Ocean City for 20+ years.*

*As requested, I am writing this letter to ask permission to use the public boat ramp in the commercial harbor as a pickup & drop off point for the "Music Festivals" that the "Town of Ocean City has been hosting for the past 3 years (4 if you count the first one that was cancelled due to weather). From the start, these festivals have been extremely popular. I think they sell somewhere North of 50,000 tickets.*

***I am only requesting this permission for 12 days a year, only during the music festivals.***

*What started as a simple idea to carry a few friends and neighbors into town by boat has really taken off. It also solves multiple problems such as parking problems and driving while intoxicated. It also provides a lot of work for local charter captains in the shoulder seasons.*

*In the beginning, I had no idea how big these concerts would be, so the plan was simple.*

*The first thing I needed to secure was a drop off point downtown, somewhere close to the admission gates. My wife and I always eat at the "Angler", so I started there. I approached the management and ran my idea by them. They liked it a lot and granted me permission to use their piers. I had always assumed the public boat ramp is where people are picked up and dropped off. Forever, I have seen multiple charter companies doing this. I do not pick my fishing customers up there, I rent a slip at "Bahia Marina on 21<sup>st</sup> street. I have been there for 5 years.*

*The very first "Ocean's Calling that happened, started off very smoothly. On day 1, I carried 197 passengers over before 6 PM. "Wow I thought, that went very well". What I hadn't thought about was the end of the night when it all ended. It became clear that I had not thought this through enough. With a "6 Pack" license, I can only carry 6 at a time. It takes approximately 16 minutes each way from the "Angler" to the boat ramp. With 197 people standing in line, the math was not going to work.*

## ITEM 11

*At 11:30 PM, I was able to call in 3 other captains to help get everyone back. It took a while, but we got it done. I apologized to everyone and promised them it would be much better on day 2 & 3. In total, I had 6 boats carrying people to and from the "Angler" on day 2 & 3. It worked out great and everyone forgave me for night 1. Important to note that all of the captains are licensed through the United States Coast Guard and are fully insured.*

*I learned a lot that first "Ocean's Calling". It was much bigger than I ever imagined and if I was going to make the water taxi idea work, I need a bigger "Navy". With all of the local charter boats in the area, I knew the captains would be happy to get involved.*

*Year 2, we were more prepared. I brought on 7 local charter boats. It was the 2<sup>nd</sup> year for "Ocean's Calling" and the first year for "Country's Calling". We carried just under 800 for "Ocean's" and just over 900 for "County's".*

*One of the things I noticed during these back-to-back events was the crazy parking on the side streets in West O. Vehicles were everywhere... Multiple vehicles got towed. It was at that point I realized I needed to somehow get a bus or buses involved.*

*A large portion of our customers came from the 6 hotels in West O. They advertise our service to their customers during the festivals. Last Fall I ran the idea of the bus by them. I told them that our bus could pick the guest up at the hotels each morning and bring them back at the end of the night. They loved the idea and we put it into motion for "Boardwalk Rock". It worked out very well. The bus made a loop at the 6 hotels every 25-30 minutes. Brought them to the boat ramp where they met 1 of our captains and were shuttled into the "Angler". It was a big hit for the guest.*

*One of the customers told me he goes to music festivals all over the US. "This is the only one he had ever been to where there was an option to go in by boat. It really adds something special to the overall experience he said".*

*For "Boardwalk Rock", I had 8 boats. Probably could have used at least 2 more. We carried 986 for this one.*

*For the 2 upcoming events this Fall, I will have at least 10, if not 12 boats.*

*I have included some letters from the charter boats involved, the hotels, the "Angler" restaurant and some of the many guest we have had on our boats.*

*I thank you for your time and look forward to making these music festivals the best possible. They are a tremendous boost to our local economy....*

*Sincerely,*

*Capt. Tony Battista*

*Saltwater Adventure, LLC.*

*Ocsaltwater.com*

*443-235-9696*



June 4, 2025

Kelly Rados  
 Director of Recreation and Parks  
 6030 Public Landing Road  
 Snow Hill, MD 21863

Dear Ms. Rados,

I am writing this letter to express my strong support for Captain Tony and the continued operation of his water taxi service to and from the music festivals in Ocean City. Angler on the Bay partnered with Captain Tony to provide a docking area for arrivals to and departures from the festivals. This service offers significant benefits that enhance the festival experience, alleviate logistical challenges, contribute financially to local businesses and to the overall success of the event.

The water taxi service provides a convenient and efficient transportation option for festival-goers while reducing road congestion. By offering direct access from West Ocean City to Angler on the Bay (at the Talbot Street Marina), it eliminates the stress of navigating heavy traffic and finding limited parking spaces, which are common challenges during large events like these music festivals. The water taxi ensures seamless travel, allowing attendees to focus on enjoying the festival.

Additionally, the water taxi enhances the festival experience by offering scenic views of Ocean City's beautiful waterfront. Cruising across the bay provides passengers with panoramic vistas and refreshing sea breezes, transforming the journey into a memorable part of the event. This unique perspective not only elevates the attendee experience but also promotes Ocean City's natural beauty, encouraging tourism and repeat visits.

Safety is another key benefit. Captain Tony prioritizes passenger safety with friendly, experienced captains and well-maintained vessels adhering to strict safety protocols. This ensures a secure and reliable journey, giving attendees peace of mind.

In conclusion, the water taxi service to and from the music festivals is a valuable asset that offers convenience, scenic enjoyment, safety, and community benefits. I strongly urge the continued support and expansion of this service to ensure a successful and enjoyable festival experience for attendees which will result in financial benefits for the local businesses and community.

Best regards,

Sean Bryan  
 General Manager  
 Angler on the Bay  
 443-235-4708



May 30, 2025

Mrs. Kelly Rados, Director  
 Worcester County Recreation & Parks  
 6030 Public Landing Rd  
 Snow Hill, MD 21863

Dear Kelly,

On behalf of the Ocean City Hotel Motel Restaurant Association, I am writing to share our support for Captain Tony Battista of Saltwater Adventures. He recently provided bus transportation for West Ocean City hotel guests to board a fleet of licensed boats to attend the downtown concerts held at the inlet. This service removed over 400 cars from Route 50, alleviating parking issues and congestion. It not only provided safe transportation for concertgoers but also enhanced public safety by preventing impaired driving.

A boat shuttle service for concert festival attendees is an essential element of a successful event. Many of the 55,000 ticket holders have never visited Worcester County or Ocean City, Maryland. As a tourism-driven community, our goal is to create an exceptional experience for every visitor. Countless boat shuttle riders have shared that this unique mode of transportation was unlike anything they've experienced before.

We sincerely hope that this service can continue for the upcoming concerts. Thank you for your consideration.

Sincerely,

  
 Susan L. Jones  
 Executive Director

cc: Melanie Pursel, MD's Coast

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# OCEAN CITY COMFORT SUITES



BY CHOICE HOTELS

June 3, 2025

Kelly Rados  
 Director of Recreation and Parks  
 6030 Pubic Landing Road  
 Snow Hill, MD 21863

**RE: Saltwater Water Taxi**

To Ms. Rados:

In response to information received at the Comfort Suites West Ocean City at 12718 Ocean Gateway, Ocean City MD 21842. I wanted to reach out and let you know of the services that Captain Tony provided to our guests during the Boardwalk Rock Concert in May of this year.

He was the only company to proactively find a solution to the congestion created by the large amount of traffic. The transportation services his company provided were very valuable to our guests. By running a shuttle to the marina from our hotel and then providing transportation over to the concert he helped reduce the amount of traffic here in West Ocean City and also on the Bridge to Ocean City. Also, by providing a door-to-door solution he was able to help reduce congestion of parking at the Marina that was seen during the last two concerts in 2024.

By providing a service that was able to have our guests not have to drive at all made the roads safer since there was without doubt the possibility of intoxicated driving if the concert goer would have to either drive from the marina, park and ride or even the concert itself back to their hotel. Certainly, safety on the roads must be a consideration.

We believe that this was a very vital service and are hoping that he will be able to provide the same service for other events in Ocean City moving forward. I would also like to add the point that no other company approached us to provide any kind of transportation to the concert. Had they approached us we would have given their information out as a possible method for the concert.

Sincerely,

Rahman Chisty  
 General Manager  
 Comfort Suites  
 West Ocean City

12718 OCEAN GATEWAY  
 OCEAN CITY, MD 21842  
 PHONE 410.213.7171  
 FAX 410.213.9898

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Hampton Inn & Suites Ocean City - West  
12708 Ocean Gateway, Ocean City, MD 21842

Attn: Kelly Rados

Director of Recreation and Parks

6030 Pubic Landing Road

Snow Hill, MD 21863

Re: Saltwater Water Taxi

Dear Ms. Rados,

Over the last few years, I have had the pleasure of working with Captain Tony while he conducted his water taxi during the concerts in Ocean City. We have had hundreds of guests use his service who would otherwise have found other means to the concert. I feel he offers an important service during the events, helping keep people from potentially drinking and driving, walking back to their hotel or condominium in heavy traffic, and we all benefit from his service. It alleviates congestion on Ocean Gateway, gives people a unique experience, and keeps people safe.

In the past, I worked near other major concert venues, and almost yearly, we would hear about somebody who chose to walk back to their hotel late at night that never made it to their destination. This would paint the events as being a negative attraction for the area, when in reality the businesses all were dependent on the events.

I think it is crucial Captain Tony continues to provide his water taxi throughout upcoming events. While the bus is also an option that operates during the events, I think that anything we can do to keep people safe, we should continue to do. I have enjoyed my working with Captain Tony these last few years, and I look forward to continuing to work closely with him.

If you have any questions, or would like to discuss our experience further, please feel free to reach out to me directly. My phone number is 410-213-2500.

Sincerely,

Greg Jones

General Manager

Hampton Inn & Suites Ocean City West

**MEMORANDUM**

TO: Worcester County Commissioners

CC: Weston Young CAO; Candace Savage, Deputy CAO

FROM: Melanie Pursel, Director, Office of Tourism and Economic Development

DATE: June 25, 2025

RE: Continued Support for the Stop Offshore Wind Campaign

-----

Dear Commissioners,

The attached summary outlines the Stop Offshore Wind Coalition's activities since October 2024, following the commissioners' decision to support this critical initiative alongside the Town of Ocean City and a growing network of partner organizations. These include the Ocean City Chamber of Commerce, the Hotel-Motel-Restaurant Association, the Coastal Association of Realtors, the Ocean City Development Corporation, and the Worcester County Watermen's Association.

This campaign has taken a comprehensive and strategic approach — including the formation of a 501(c)(4) nonprofit, the hiring of a professional advocacy agency, and the launch of an integrated public awareness effort involving paid media, public relations (including collateral materials), website and social media development, and participation in high-profile regional conventions.

Funding for the campaign to date has been provided by OCDC, HMRA, private sector donations, and a generous allocation from the commissioners — which was matched dollar-for-dollar by the Town of Ocean City. These investments have been deployed conservatively, with maximum impact in mind.

**Key messages of the campaign include:**

- **Offshore wind is not the green, clean solution it's marketed to be.** Wind energy is inefficient, unreliable, and heavily dependent on fossil fuel backup systems.

- **It is the most expensive form of electricity generation.** The high costs of offshore wind will ultimately be passed on to Maryland ratepayers — in effect, a “wind tax.”
- **It poses significant environmental risks.** Turbine construction and operation interfere with marine mammal sonar, navigation, and communication. Whale deaths have spiked in areas with offshore wind activity. There are also serious concerns about disruption to horseshoe crab spawning and migratory marine life.
- **It endangers Maryland's commercial and recreational fishing industries.** Turbine fields threaten vital habitats and access to traditional fishing grounds. The proposed use of the only two commercial fish houses in Ocean City for an Operations and Maintenance Facility would effectively dismantle the region's working harbor and industrialize our oceanfront.
- **It threatens tourism and the unique character of Maryland's Coast.** Ocean views, marine biodiversity, and iconic fishing tournaments like the White Marlin Open are all at risk.

We are currently engaged in a private-sector fundraising campaign, but to maintain campaign momentum through the fall — a critical period for public engagement and policy influence — we respectfully request additional financial support from the commissioners.

The funds invested so far have been used judiciously and effectively, but the battle is far from over. Continued support from Worcester County will enable us to expand our outreach, respond to misinformation, and amplify the voices of residents, visitors, and businesses that depend on a healthy, vibrant, and accessible coast.

Please feel free to contact me with any questions or if further information is needed. Thank you for your continued leadership and commitment to protecting Maryland's Coast.



Attachments



ITEM 12  
**STOP**  
**OFFSHORE**  
**WIND**

**Every day, Stop Offshore Wind works hard on your behalf to stop US Wind from building their wind farm right off our beautiful coast.**

US Wind is using every tool in their toolbox and they are reaching deep into their pockets to silence us. We will not stop until this fight is won, but we need your help.





To date, we have done so much, but the fight is ongoing.

1. **Constituent call campaign in Sussex County, DE** resulting in the County Council denying a conditional use permit for US Wind to build an electrical substation in Indian River Bay and bring cables ashore at 3Rs beach – 150 calls to each commissioner over 5 days.



### Other Tactics in the weeks leading up to the Sussex County Council Vote:

- Electronic billboard campaign
  - Radio Actuality package that ran on 101 stations a total of 391 times, garnering 1,499,300 impressions.
2. **Presentations to local groups** (OCHMRA, Waterman's Association), and attendance at local events (boat show, others)
  3. **Collateral distribution** for local businesses
  4. **Attendance and testimony** at County Commission Hearings
  5. **Joint Letter to PSC** regarding their decision to grant US Wind additional ORECs





6. **Submitted Testimony** in support of Maryland HB 1149
7. **Submitted Comment** in opposition to MDE on US Wind's Air Quality Permit Application
8. **Senator Mary Beth Carozza recorded a Radio News Release** that ran on 101 stations a total of 391 times, garnering 1,499,300 impressions.
9. **Sent Letters to Secretary of the Interior Doug Burgum and EPA Administrator Lee Zeldin** requesting a pause and review or withdrawal of permit approvals for US Wind's project – Screenshot
  - Also conducted a constituent Call Campaign into Burgum and Zeldin's offices – 200 calls to each office over 2 weeks.
10. **Visits to Annapolis** to meet with legislators
11. **Visit to DC with Local legislators** Rep. Wayne Hartman, Sen. Mary Beth Carozza, Mayor Rick Meehan
12. **Ongoing Communication** with MD Rep. Andy Harris' office
13. **Billboard Campaign** around Ocean City, MD
14. **Radio Actuality** by Sonny Gwin, Head of the Worcester County Waterman's Association



**Help us Stop Offshore Wind!**

**[www.stopoffshorewind.com](http://www.stopoffshorewind.com)**

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OFFSHORE  
WIND**

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the view. It's about to be  
ruined. Join the fight!

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WIND



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Green Energy?  
At What Cost to Whales,  
Birds, Animals, and Sea Life?



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Learn more at [www.stopoffshorewind.com](http://www.stopoffshorewind.com) Paid for by Stop Offshore Wind Coalition

296201

Green Energy?  
At What Cost to Whales, Birds,  
Animals, and Sea Life?



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WIND**

Learn more at [www.stopoffshorewind.com](http://www.stopoffshorewind.com)

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375004

**STOP OFFSHORE WIND**

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It's about to be ruined. Join the fight!

Learn more at [www.stopoffshorewind.com](http://www.stopoffshorewind.com)

Paid for by Stop Offshore Wind Coalition

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**Offshore Wind Could Sink Generations of Watermen.**

Source: Bureau of Ocean Energy Management

**STOP OFFSHORE WIND**

Learn more at [www.stopoffshorewind.com](http://www.stopoffshorewind.com) Paid for by Stop Offshore Wind Coalition

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**MEMORANDUM**

TO: Worcester County Commissioners

CC: Weston Young CAO; Candace Savage, Deputy CAO

FROM: Melanie Pursel, Director, Office of Tourism and Economic Development

DATE: July 8, 2025

RE: FY 26 Media Plan

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The FY26 media plan seeks to maximize dedicated advertising and promotion funding by utilizing proven return on investment (ROI) advertising methods. The FY26 Worcester County advertising grant from the State Office of Tourism Development is budgeted at \$195,000. When you combine the grant with the approved FY26 general fund budget of \$506,000, this year's advertising allocation is \$701,000. We have currently earmarked \$672,016.00. The chart below shows how funding is allocated across the different advertising media platforms.

Media partners have been established with careful consideration based on numerous factors that are unique to each vendor such as demographics, DMA or market region, type of media, local business (especially Worcester County), distribution, value added assets etc.

With a limited advertising budget, the media mix is critical to increase brand awareness and destination advertising. The most targeted, effective and measurable medium is digital, therefore over 43% of the ad budgeted is dedicated to digital tactics through social/Meta, Google, YouTube, Geofencing and programmatic. Programmatic campaigns are direct media buys that deliver niche messaging to specific target markets (golf, outdoor adventure, fishing, cultural experiences etc.). Most of the print and local outdoor are in-market to inspire those overnight guests (predominantly staying in Ocean City, Northern Worcester) to experience the county's assets. This creates more interest in the region, thus extending stays or generating repeat visitation.

This leaves \$28,984 available for real time opportunities that may become available throughout the year. These real-time opportunities typically maximize our advertising dollars by working with our local partners or participating in co-operative agreements. We will also continue to seek grant opportunities for additional advertising and promotion.

Within the various advertising methods, per commissioner's approval, we plan to use the following vendors for services that exceed \$25,000 annually- each representing an annual investment for various campaigns throughout the fiscal year, typically billed monthly. A full list of vendors, all of which are below the financial threshold, is also available for review.

Digital

Programmatic/Native Advertising-D3	\$ 60,050
Geofencing	\$ 30,200
Google	\$ 54,700
Meta/Facebook	\$ 60,300
Video (Connected TV & YouTube)	\$ 74,750

Print

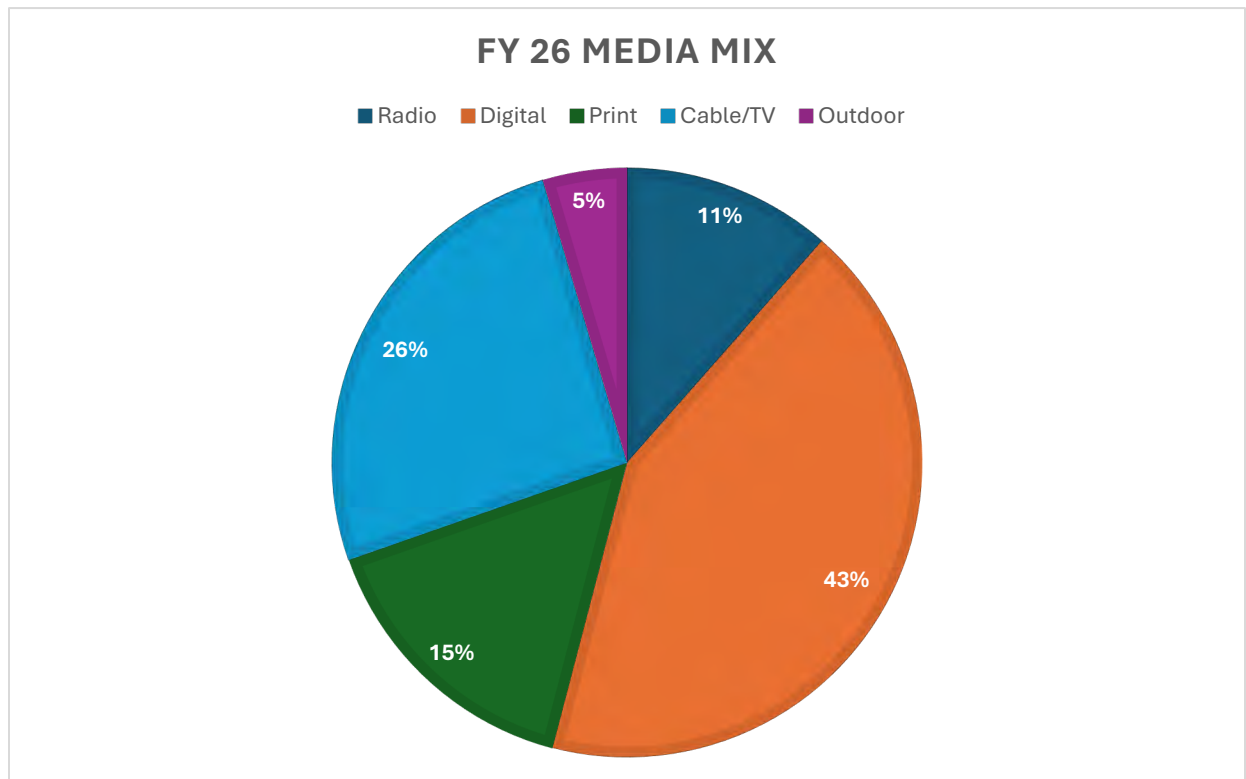
Ocean City Visitors Guide-Vista Graphics	\$ 40,000
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Radio

Irie Radio	\$ 47,951
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Television

WMDT ABC 47	\$ 45,000
Effectv Cable	\$ 60,000
WBOC 16	\$ 30,000



Media Type	Total Investment	Percent
Radio	\$76,951.00	11%
Digital	\$286,500.00	43%
Print	\$104,565.00	16%
Cable/TV	\$173,000.00	26%
Outdoor	\$31,000.00	5%
Total	\$672,016.00	

\*28,984 not allocated

Please note that due to the fluid nature of advertising, it is possible for these amounts to fluctuate slightly. If there is any significant change in our advertising plan or vendors, I will notify you. Also, these agreements are year-long annual investments each with an individualized/customized plan based on seasonality (e.g. more saturation of messaging during spring leading into the core summer season), as well as assets delivered (e.g. production, frequency and media placement).

Should you have any questions, please feel free to contact me. Thank you!



OFFICE OF THE  
 COUNTY COMMISSIONERS

## Worcester County

GOVERNMENT CENTER  
 ONE WEST MARKET STREET • ROOM 1103

SNOW HILL, MARYLAND

21863-1195

COMMISSIONERS  
 Theodore Elder, President  
 Eric J. Fiori, Vice President  
 Caryn G. Abbott  
 Anthony W. Bertino, Jr.  
 Madison J. Bunting, Jr.  
 Joseph M. Mitrecic  
 Diana Purnell

Weston S. Young, P.E.  
 Chief Administrative Officer  
 Candace I. Savage, CGFM  
 Deputy Chief Administrative Officer  
 Roscoe R. Leslie  
 County Attorney

July 3, 2025

To: Worcester County Commissioners  
 From: Karen Hammer, Administrative Assistant V  
 SUBJECT: Upcoming Board Appointments - Terms Beginning January 1, 2025

**Commissioner Bertino – You have Two (2) positions open:**

- George Solyak – Term Ending – Agricultural Reconciliation Bd.
- Maria C- Lawrence – Term Ending Dec. 2023 – Housing Review Board
- 

**Commissioner Purnell – You have One (1) position open:**

- Gregory Tate – **Resigned** - PAB/ACC -

**Commissioner Bunting - You have One (1) position open:**

- Harry Hammond – Term Ending – Social Services Advisory Bd.

**Commissioner Abbott – You have Three (3) positions open:**

- Kevin Holland – Term Ending – Building Code Appeals Bd.
- Keri-Ann Byrd – **Resigned** – Housing Review Board
- Dianna Harris - **Resigned** - Commission For Women

**Commissioner Mitrecic – You have Two (2) positions open:**

- Bill Paul – **Resigned** – Building Code Appeals Board
- Kimberly List – Term Out – Commission for Women

**Commissioner Elder – You have One (1) position open:**

- Joan Scott - **Resigned** - Commission for Women

**Commissioner Fiori - You have Four (4) positions open:**

- Joe Schanno – Term Ending – Economic Development
- Keith Swanton -Term Ended Dec. 2021- Water & Sewer Advisory Council, West Ocean City
- Blake Haley – Term Ended Dec. 2024 - Water & Sewer Advisory Council, West Ocean City
- Elizabeth Rodier -Term Ending-Dec. 21- Commission for Women- Not a Reappointment



**All Commissioners:**

**(5)-Adult Public Guardianship Board -**

4- Terms Expiring Dec. 2023-attached summary in open session

1 - Term Expired - Ms. Wessels, (Roberta Baldwin will potentially help search for a viable replacement, if necessary).

**(1) -Drug and Alcohol Abuse Council –1- Term Ending – Kim Moses**

**(2) -Local Development Council for the Ocean Downs Casino-**

2- Previously Expired Terms - **Mark Wittmyer At-Large -Suggested Replacement.**

**Expired Term** David Massey (At-Large-Business O.P.),

**(2) – Property Tax Assessment Appeal Board – 1** regular member vacancy available and **an** alternate member

**(1) – Solid Waste Advisory Board – Town of Snow Hill (Pruitt)**

**(2)- Water and Sewer Advisory Council- West Ocean City- 1** Term Ended-Dec. 2021 – Keith Swanton and Blake Haley

**(6- Total): Commission for Women:**

**(3) Resigned** - (Fiori) - Elizabeth Rodier; (Elder) - Joan Scott;  
 (Abbott) - Dianna Harris

**(2) Term Expiration - Currently Termed Out** - Kimberly List (Mitrecic), **Term Ends Dec. 2025** - Colleen Colson (DSS), Windy Phillips - (BD. of ED).

## ADULT PUBLIC GUARDIANSHIP BOARD

Reference: PGL Family Law 14-402, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory  
Perform 6-month reviews of all guardianships held by a public agency.  
Recommend that the guardianship be continued, modified or terminated.

Number/Term: 11/3 year terms  
Terms expire December 31st

Compensation: None, travel expenses (under Standard State Travel Regulations)

Meetings: Semi-annually

Special Provisions: 1 member must be a professional representative of the local department  
1 member must be a physician  
1 member must be a psychiatrist from the local department of health  
1 member must be a representative of a local commission on aging  
1 member must be a representative of a local nonprofit social services organization  
1 member must be a lawyer  
2 members must be lay individuals  
1 member must be a public health nurse  
1 member must be a professional in the field of disabilities  
1 member must be a person with a physical disability

Staff Contact: Department of Social Services - Roberta Baldwin (410-677-6872)

## Current Members:

<u>Member's Name</u>	<u>Representing</u>	<u>Years of Term(s)</u>
Connie Wessels	Lay Person	*15-16-19, 19-22 (Term Expired)
Brandy Trader	Non-profit Soc. Service Rep.	*15-17, 17-20, 20-23
LuAnn Siler	Commission on Aging Rep.	17-20, 20-23
Jack Ferry	Professional in field of disabilities	*14-14-17-20, 20-23
Thomas Donoway	Person with physical disability	17-20, 20-23
Roberta Baldwin	Local Dept. Rep. - Social Services	03-06-09-12-15-18-21-24
Melissa Banks	Public Health Nurse	*02-03-06-09-12-15-18-21-24
Dr. Ovais Khalid	Psychiatrist	23-26
Dr. William Greer	Physician	07-10-13-16-19-22-25
Richard Collins	Lawyer	95-16-19-22-25
Nancy Howard	Lay Person	*17-19, 19-22-25

\* = Appointed to fill an unexpired term

Reference: Public Local Law § ZS 1-346 (Right to Farm Law)

Appointed by: County Commissioners

Function: Regulatory  
Mediate and arbitrate disputes involving agricultural or forestry operations conducted on agricultural lands and issue opinions on whether such agricultural or forestry operations are conducted in a manner consistent with generally accepted agricultural or forestry practices and to issue orders and resolve disputes and complaints brought under the Worcester County Right to Farm Law.

Number/Term: 5 Members/4-Year Terms - Terms expire December 31st

Compensation: None - Expense Reimbursement as provided by County Commissioners

Meetings: At least one time per year, more frequently as necessary

Special Provisions: - All members must be County residents  
- Two Members chosen from nominees of Worcester County Farm Bureau  
- One Member chosen from nominees of Worcester County Forestry Board  
- Not less than 2 but not more than 3 members shall be engaged in the agricultural or forestry industries (**At-Large members - non-ag/forestry**)

Staff Contact: Dept. of Development Review & Permitting  
- Jennifer Keener (410-632-1200)  
County Agricultural Extension Agent - As Consultant to the Board  
- Doug Jones, District Manager, Resource Conservation District - (632-3109, x112)

Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Ag/Forest Industry</u>	<u>Resides</u>	<u>Years of Term(s)</u>
George Solyak	At-Large	No	Ocean Pines	18-22
Dean Ennis	Farm Bureau	Yes	Pocomoke	06-10-14-18-22-26
Tom Babcock	At-Large	No	Whaleyville	14-18-22-26
Stacey Esham	Forestry Bd.	Yes	Berlin	12-16-20-24-28
Brooks Clayville	Farm Bureau	Yes	Snow Hill	00-04-08-12-16-20-24-28

Prior Members: Since 2000

Michael Beauchamp (00-06)  
Phyllis Davis (00-09)  
Richard G. Holland, Sr. (00-12)  
Rosalie Smith (00-14)  
Betty McDermott \*(09-17)

**BUILDING CODE APPEALS BOARD**

Reference: PGL - Public Safety Article - Section 12-501 - 12-508 - Annotated Code of Maryland  
COMAR 05.02.07 (Maryland Building Performance Standards)  
- International Building Code, International Residential Code

Appointed by: County Commissioners

Function: Quasi-Judicial  
Hear and decide upon appeals of the provisions of the International Building Code (IBC) and International Residential Code for one- and two-family dwellings (IRC)

Number/Term: 7/4-year terms  
Terms expire December 31

Compensation: \$100 per meeting (by policy)

Meetings: As Needed

Special Provisions: Members shall be qualified by reason of experience, training or formal education in building construction or the construction trades.

Staff Contact: Jennifer Keener, Director  
Development Review & Permitting (410-632-1200, ext. 1123)

## Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Bill Paul	D-7 - Mitrecic	Ocean Pines	15-19-23 <b>Resigned</b>
Kevin Holland	D-1 - Abbott	Pocomoke	96-04-08-12-16-20, 20-24
Mike Poole	D-6 - Bunting	Bishopville	17-21, 21-25
Mark Bargar	D-4 - Elder	Berlin	14-18-22-26
Jim Wilson	D-3 - Fiori	Berlin	02-06-10-14-18-22-26
Elbert Davis	D-2 - Purnell	Snow Hill	*03-07-11-15-19-23-27
James Spicknall	D-5 - Bertino	Ocean Pines	04-08-12-16-20-24-28

## Prior Members:

Robert L. Cowger, Jr. (92-95)  
Charlotte Henry (92-97)  
Robert Purcell (92-98)  
Edward DeShields (92-03)  
Sumei Prete (97-04)  
Shane C. Spain (03-14)  
Dominic Brunori (92-15)  
Richard P. Mueller (98-17)

Reference: PGL Health-General, Section 8-1001

Appointed by: County Commissioners

Functions: Advisory  
Develop and implement a plan for meeting the needs of the general public and the criminal justice system for alcohol and drug abuse evaluation, prevention and treatment services.

Number/Term: At least 18 - At least 7 At-Large, and 11 ex-officio (also several non-voting members)  
At-Large members serve 4-year terms; Terms expire December 31

Compensation: None

Meetings: As Necessary

Special Provisions: Former Alcohol and Other Drugs Task Force was converted to Drug and Alcohol Abuse Council on October 5, 2004.

Staff Contact: Regina Mason, Council Secretary, Health Department (410-632-1100)  
Doug Dods, Council Chair, Sheriff's Office (410-632-1111)

**Current Members:**

<b><u>Name</u></b>	<b><u>Representing</u></b>	<b><u>Years of Term(s)</u></b>
<b><u>At-Large Members</u></b>		
Kim Moses	Knowledgeable on Substance Abuse Issues	08-12-16-20, 20-24
Rev. James Jones	Knowledge of Substance Abuse Issues	*21-25
Alyce Marzola	Knowledge of Substance Abuse Treatment	*24-25
Eric Gray (Designee)	Substance Abuse Treatment Provider	*15-18-22-26
Sue Abell-Rodden	Recipient of Addictions Treatment Services	10-14-18-22-26
Colonel Doug Dods	Knowledgeable on Substance Abuse Issues	04-10 (adv)-14-18-22-26
Jim Freeman, Jr.	Knowledgeable on Substance Abuse Issues	04-11-15, 15-19-23-27
Mimi Dean	Substance Abuse Prevention Provider	*18-19-23-27
Michael Trader	Knowledgeable on Substance Abuse Issues	23-27
Matthew Giardina	Knowledgeable on Substance Abuse Issues	24-28
<b><u>Ex-Officio Members</u></b>		
Rebecca Jones	Health Officer	Ex-Officio, Indefinite
Roberta Baldwin	Social Services Director	Ex-Officio, Indefinite
Crystal Duffy	Juvenile Services, Regional Director	Ex-Officio, Indefinite
Travis Knapp	Field Supervisor	Ex-Officio, Indefinite
Kris Heiser	State's Attorney	Ex-Officio, Indefinite
Chasity Simpson	District Public Defender	Ex-Officio, Indefinite
Sheriff Matt Crisafulli	County Sheriff	Ex-Officio, Indefinite
Todd Ferrante	Board of Education President	Ex-Officio, Indefinite
Diana Purnell	County Commissioners	Ex-Officio, Indefinite
Judge Brian Shockley (Jen Bauman)	Circuit Court Administrative Judge	Ex-Officio, Indefinite
Hon. Melvin Jews	District Court Administrative Judge	Ex-Officio, Indefinite
Timothy Mulligan	Warden, Worcester County Jail	Ex-Officio, Indefinite

**Advisory Members**

Reference: County Commissioners' Resolutions of March 1976, 4/16/85, 9/16/97, 5/4/99 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory  
Provide the County with advice and suggestions concerning the economic development needs of the County; review applications for financing; review Comprehensive Development Plan and Zoning Maps to recommend to Planning Commission appropriate areas for industrial development; review/comment on major economic development projects.

Number/Term: 7/4-Year - Terms expire December 31st.

Compensation: \$100 per meeting as expense allowance

Meetings: At least quarterly, more frequently as necessary

Special Provisions: One member nominated by each County Commissioner  
Members may be reappointed

Staff Contact: Economic Development Department - Melanie Pursel (410-632-3110)

## Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Term(s)</u>
<b>Joe Schanno</b>	<b>D-3, Fiori</b>	<b>West Ocean City</b>	<b>*19-20, 20-24</b>
Ashley Harrison	D-7, Mitrecic	Ocean City	19-21, 21-25
Harry Wimbrow	D-4, Elder	Snow Hill	*22-25
Steven Habeger	D-5, Bertino	Ocean Pines	19-23-27
Natoshia Collick Owens	D-2, Purnell	Ocean Pines	*15-19-23-27
Stephen Kolarik, Jr.	D-6, Bunting	Bishopville	23-27
C.D. Hall	D-1, Abbott	Pocomoke	*22-24-28

## Prior Members: Since 1972

George Gering  
Margaret Quillin  
Robert W. Todd  
Charles Fulton  
E. Thomas Northam  
Charles Bailey  
Terry Blades  
Roy Davenport  
M. Bruce Matthews  
Barbara Tull  
Tawney Krauss  
Dr. Francis Ruffo  
William Smith  
Saunders Marshall  
Elsie Marshall  
Halcolm Bailey  
Norman Cathell  
Mary Humphreys  
Theodore Brueckman

Shirley Pilchard  
W. Leonard Brown  
Charles Nichols (92-97)  
Jeff Robbins (97-98)  
Colleen Smith (94-98)  
Tommy Fitzpatrick (97-99)  
John Rogers (92-98)  
Jennifer Lynch (98-99)  
Don Hastings (92-99)  
Jerry Redden (92-00)  
Keith Mason (98-00)  
Bob Pusey (99-00)  
Harold Scrimgeour (00-02)  
Scott Savage (98-03)  
Gabriel Purnell (91-03)  
Michael Avara (99-03)  
Annette Cropper (00-04)  
Billie Laws (91-08)  
Anne Taylor (95-08)  
Mary Mackin (04-08)

Thomas W. Davis, Sr. (99-09)  
Mickey Ashby (00-12)  
Priscilla Pennington-Zytowicz (09-14)  
Barbara Purnell (08-15)  
Timothy Collins (03-15)  
Joshua Nordstrom (12-16)  
William Sparrow (16-18)  
Greg Shockley (14-18)  
Tom Terry (15-19)  
John Glorioso (08-19)  
Ralph Shockley (\*08-21)  
Robert Clarke (\*08-22)  
Marc Scher (\*19-22)  
Robert Fisher (87-22)

**HOUSING REVIEW BOARD**

Reference: Public Local Law §BR 3-104

Appointed by: County Commissioners

Function: Regulatory/Advisory  
To decide on appeals of code official's actions regarding the Rental Housing Code. Decide on variances to the Rental Housing Code.  
Review Housing Assistance Programs.

Number/Term 7/3-year terms  
Terms expire December 31st

Compensation: \$100 per meeting (policy)

Meetings: As Needed

Special Provisions: Immediate removal by Commissioners for failure to attend meetings.

Staff Support: Development Review & Permitting Department  
Davida Washington, Housing Program Administrator - 410-632-1200

Ext: 1171

**Current Members:**

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Terms(s)</u>
Maria Campione-Lawrence	D-5, Bertino	Ocean Pines	*22-23
Keri-Ann F. Byrd	D-1, Abbott	Pocomoke	22-25 Resigned
Debbie Hileman	D-6, Bunting	Ocean Pines	10-13-16-19-22-25
Don Furbay	D-3, Fiori	W. Ocean City	23-26
Charlie Murphy	D-7, Mitrecic	Ocean City	*23-26
Carl Smith	D-4, Elder	Snow Hill	24-27
Felicia Green	D-2, Purnell	Ocean Pines	*21-24-27

**Prior Members:**

Phyllis Mitchell	Albert Bogdon (02-06)	Scot Tingle 14-24
William Lynch	Jamie Rice (03-07)	
Art Rutter	Howard Martin (08)	
William Buchanan	Marlene Ott (02-08)	
Christina Alphonsi	Mark Frostrom, Jr. (01-10)	
Elsie Purnell	Joseph McDonald (08-10)	
William Freeman	Sherwood Brooks (03-12)	
Jack Dill	Otho Mariner (95-13)	
Elbert Davis	Becky Flater (13-14)	
J. D. Quillin, III (90-96)	Ruth Waters (12-15)	
Ted Ward (94-00)	John Glorioso (*06-19)	
Larry Duffy (90-00)	Sharon Teagle (00- 20)	
Patricia McMullen (00-02)	Davida Washington (*21-21)	
William Merrill (90-01)	Donna Dillion (08-22)	
Debbie Rogers (92-02)	C.D. Hall 10-22	
Wardie Jarvis, Jr. (96-03)	Chase Church (*19-22)	
	Jake Mitrecic (15-21)	

**LOCAL DEVELOPMENT COUNCIL  
FOR THE OCEAN DOWNS CASINO**

**ITEM 14**

Reference: Subsection 9-1A-31(c) - State Government Article, Annotated Code of Maryland

Appointed by: County Commissioners

Function: Advisory  
Review and comment on the multi-year plan for the expenditure of the local impact grant funds from video lottery facility proceeds for specified public services and improvements; Advise the County on the impact of the video lottery facility on the communities and the needs and priorities of the communities in the immediate proximity to the facility.

Number/Term: 15/4-year terms; Terms Expire December 31

Compensation: None

Meetings: At least semi-annually

Special Provisions: Membership to include State Delegation (or their designee); one representative of the Ocean Downs Video Lottery Facility, seven residents of communities in immediate proximity to Ocean Downs, and four business or institution representatives located in immediate proximity to Ocean Downs.

Staff Contacts: Kim Moses, Public Information Officer, 410-632-1194  
Roscoe Leslie, County Attorney, 410-632-1194

**Current Members:**

<u>Member's Name</u>	<u>Nominated By</u>	<u>Represents/Resides</u>	<u>Years of Term(s)</u>
Mark Wittmyer	At-Large	Business - Ocean Pines	15-19
David Massey <sup>c</sup>	At-Large	Business - Ocean Pines	09-13-17, 17-21
Bobbi Jones	Ocean Downs Casino	Ocean Downs Casino	23-indefinite
Mary Beth Carozza	Indefinite	Maryland Senator	14-indefinite
Wayne A. Hartman	Indefinite	Maryland Delegate	18-indefinite
Charles Otto	Indefinite	Maryland Delegate	14-indefinite
Bob Gilmore	Dist. 5 - Bertino	Resident - Ocean Pines	*19-21, 21-25
Matt Gordon	Dist. 1 – Abbott	Resident - Pocomoke	19-22, 22-26
Ivy Wells	Dist. 3 - Church	Resident - Berlin	22-26
Cam Bunting <sup>c</sup>	At-Large	Business - Berlin	*09-10-14-18-22-26
Roxane Rounds	Dist. 2 - Purnell	Resident - Berlin	*14-15-19-23-27
Michael Donnelly	Dist. 7 - Mitrecic	Resident - Ocean City	*16-19-23-27
Kerrie Bunting	Dist. 4 - Elder	Resident - Snow Hill	*22-24-28
Mayor Rick Meehan <sup>c</sup>	At-Large	Business - Ocean City	*09-12-16-20-24-28
Tina Kolarik	Dist. 6 - Bunting	Resident -Bishopville	24-28

**Prior Members:**

J. Lowell Stoltzfus <sup>c</sup> (09-10)  
Mark Wittmyer <sup>c</sup> (09-11)  
John Salm <sup>c</sup> (09-12)  
Mike Pruitt <sup>c</sup> (09-12)  
Norman H. Conway <sup>c</sup> (09-14)  
Michael McDermott (10-14)  
Diana Purnell <sup>c</sup> (09-14)  
Linda Dearing (11-15)  
Todd Ferrante <sup>c</sup> (09-16)

**Since 2009**

Joe Cavilla (12-17)  
James N. Mathias, Jr. <sup>c</sup> (09-18)  
Ron Taylor <sup>c</sup> (09-14)  
James Rosenberg (09-19)  
Rod Murray <sup>c</sup> (\*09-19)  
Gary Weber (\*19-21)

Charlie Dorman (12-19)  
Gee Williams (09-21)  
Bobbi Sample (17-23)  
Steve Ashcraft (19-24)

## Police Accountability Board

Reference: Worcester County, Resolution 22-14.

Appointed by: County Commissioners

Function: Meets with law enforcement agencies to improve policing, appoints civilians to the charging committee and trial boards.

Number/Term: 3/1-year terms  
4/2-year terms  
Terms expire July 31 st

Compensation: \$100 per meeting expense allowance  
67y78

Meetings: As Needed

Special Provisions: Members shall be qualified by reason of experience, training or formal education in building construction or the construction trades.

Staff Contact: Roscoe Leslie, Worcester County Attorney  
County Commissioners Office/Administration: Rm. 1103 – 410-632-1194

### Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>	
Jerred Johnson	Nordstrom	Pocomoke	22-23	
Mary Burgess	Bertino	Ocean Pines	22-23	
Joseph Theobald	Mitrecic	Ocean City	22-23	
Carol Frazier	Bunting	N. Ocean Pines	22-24	
John Simms	Church	Berlin	22-24	
Gregory Tate	Purnell	W. Ocean City	22-24	Resigned
Quincy Shockley	Elder	Snow Hill	22-24	

### Prior Members:

**PROPERTY TAX ASSESSMENT APPEAL BOARD**

Reference: Annotated Code of Maryland, Tax-Property Article, §TP 3-102

Appointed by: Governor (From list of 3 nominees submitted by County Commissioners)  
 - Nominees must each fill out a resume to be submitted to Governor  
 - Nominations to be submitted 3 months before expiration of term

Function: Regulatory  
 - Decides on appeals concerning: real property values and assessments, personal property valued by the supervisors, credits for various individuals and groups as established by State law, value of agricultural easements, rejection of applications for property tax exemptions.

Number/Term: 3 regular members, 1 alternate/5-year terms  
 Terms Expire June 1st

Compensation: \$15 per hour (maximum \$90 per day), plus travel expenses

Meetings: As Necessary

Special Provisions: Chairman to be designated by Governor

Staff Contact: Department of Assessments & Taxation- Janet Rogers (410-632-1365)

<u>Current Members:</u>	<u>Representing:</u>	<u>Term:</u>
Steven W. Rakow	Ocean Pines	*19-22 Resigned
Richard Ramsay	Snow Hill	*21-22 -27
Martha Bennett	Berlin	19-24

Prior Members: Since 1972

Wilford Showell	Joseph A. Calogero (04-09)
E. Carmel Wilson	Joan Vetare (04-12)
Daniel Trimper, III	Howard G. Jenkins (03-18)
William Smith	Robert D. Rose (*06-17)
William Marshall, Jr.	Larry Fry (*10-14 alt) (14-18)
Richard G. Stone	Richard Thompson (*18-21alt)
Milton Laws	Arlene Page 18-23
W. Earl Timmons	
Hugh Cropper	
Lloyd Lewis	
Ann Granados	
John Spurling	
Robert N. McIntyre	
William H. Mitchell (96-98)	
Delores W. Groves (96-99)	
Mary Yenney (98-03)	
Walter F. Powers (01-04)	
Grace C. Purnell (96-04)	
George H. Henderson, Jr. (97-06)	

**SOCIAL SERVICES ADVISORY BOARD**

Reference: Human Services Article - Annotated Code of Maryland - Section 3-501

Appointed by: County Commissioners

Functions: Advisory  
Review activities of the local Social Services Department and make recommendations to the State Department of Human Resources.  
Act as liaison between Social Services Dept. and County Commissioners.  
Advocate social services programs on local, state and federal level.

Number/Term: 9 to 13 members/3 years  
Terms expire June 30th

Compensation: None - (Reasonable Expenses for attending meetings/official duties)

Meetings: 1 per month (Except June, July, August)

Special Provisions: Members to be persons with high degree of interest, capacity & objectivity, who in aggregate give a countywide representative character.  
Maximum 2 consecutive terms, minimum 1-year between reappointment  
Members must attend at least 50% of meetings  
One member (ex officio) must be a County Commissioner  
Except County Commissioner, members may not hold public office.

Staff Contact: Roberta Baldwin, Director of Social Services - (410-677-6806)

## Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Harry Hammond	D-6, Bunting	Bishopville	15-21, 21- 24
Shelly Daniels	D-1, Abbott	Pocomoke City	22-25
Rebecca Colt-Ferguson	D-7, Mitrecic	Ocean City	22-25
Janice Chiampa	D-5, Bertino	Ocean Pines	22-25
Diana Purnell	ex officio - Commissioner		14-18-22-25
Voncelia Brown	D-3, Church	Berlin	16-19-22-25
Mary White	At-Large	Berlin	*17-19-22-25
Margaret Labesky	D-4, Elder	Snow Hill	23-26
Nancy Howard	D-2, Purnell	Ocean City	09-16-17-20-23-26

Reference: County Commissioners' Resolution 5/17/94 and 03-6 on 2/18/03

Appointed by: County Commissioners

Function: Advisory  
Review and comment on Solid Waste Management Plan, Recycling Plan, plans for solid waste disposal sites/facilities, plans for closeout of landfills, and to make recommendations on tipping fees.

Number/Term: 11/4-year terms; Terms expire December 31st.

Compensation: \$100 per meeting expense allowance, subject to annual appropriation

Meetings: At least quarterly

Special Provisions: One member nominated by each County Commissioner; and one member appointed by County Commissioners upon nomination from each of the four incorporated towns.

Staff Support: Solid Waste - Solid Waste Superintendent – David Candy - (410-632-3177)  
Solid Waste - Recycling Coordinator – Bob Keenan - (410-632-3177)  
Department of Public Works - Dallas Baker- (410-632-5623)

## Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Michael Pruitt	Town of Snow Hill		*22-24
James Charles	Town of Berlin		21-25
Brain Scarborough	Town of Ocean City		21-25
Vaughn White	D-2, Purnell	Berlin	*19-21, 21-25
Bob Gilmore	D-5, Bertino	Ocean Pines	*21-22, 22-26
George Linvill	D-1, Abbott	Pocomoke	14-18-22-26
George Dix	D-4, Elder	Snow Hill	*10-18-22-26
John O'Brien	D-6, Bunting	Bishopville	*22-23-27
Don Furbay	D-3, Fiori	Berlin	20-24-28
Granville Jones	D-7, Mitrecic	Berlin	*15-16-20-24-28
Mike Wyatt	Town of Pocomoke City		24-28

## Prior Members: (Since 1994)

Ron Cascio (94-96)	Frederick Stiehl (05-06)	Rodney Bailey *19
Roger Vacovsky, Jr. (94-96)	Eric Mullins (03-07)	Steve Brown *10-19
Lila Hackim (95-97)	Mayor Tom Cardinale (05-08)	Bob Augustine 16-19
Raymond Jackson (94-97)	William Breedlove (02-09)	Michael Pruitt *15-19
William Turner (94-97)	Lester D. Shockley (03-10)	James Rosenburg (*06-19)
Vernon "Corey" Davis, Jr. (96-98)	Woody Shockley (01-10)	Jamey Latchum *17-19
Robert Mangum (94-98)	John C. Dorman (07-10)	Hal Adkins (*20-21)
Richard Rau (94-96)	Robert Hawkins (94-11)	Mike Poole (11-22)
Jim Doughty (96-99)	Victor Beard (97-11)	Michelle B-El Soloh (*19-24)
Jack Peacock (94-00)	Mike Gibbons (09-14)	
Hale Harrison (94-00)	Hank Westfall (00-14)	
Richard Malone (94-01)	Marion Butler, Sr. (00-14)	
William McDermott (98-03)	Robert Clarke (11-15)	
Fred Joyner (99-03)	Bob Donnelly (11-15)	
Hugh McFadden (98-05)	Howard Sribnick (10-16)	
Dale Pruitt (97-05)	Dave Wheaton (14-16)	
	Wendell Purnell (97-18)	
	George Tasker (*15-20)	

**WATER AND SEWER ADVISORY COUNCIL  
WEST OCEAN CITY SERVICE AREA**

Reference: County Commissioners' Resolution of November 19, 1993

Appointed by: County Commissioners

Function: Advisory  
Advise Commissioners on water and sewer needs of the Service Area; review amendments to Water and Sewer Plan; make recommendations on policies and procedures; review and recommend charges and fees; review annual budget for the service area.

Number/Term: 5/4-year terms  
Terms Expire December 31

Compensation: \$100.00/Meeting

Meetings: Monthly

Special Provisions: Must be residents/ratepayers of West Ocean City Service Area

Staff Support: Department of Public Works - Water and Wastewater Division  
Chris Clasing - (410-641-5251)

Current Members:

<u>Member's Name</u>	<u>Resides/Ratepayer of</u>	<u>Terms (Years)</u>
Keith Swanton	West Ocean City	13-17, 17-21
Blake Haley	West Ocean City	*19-20, 20-24
Todd Ferrante	West Ocean City	13-17-21-25
Gail Fowler	West Ocean City	99-23-27
Deborah Stanley	West Ocean City	95-23-27

Prior Members: (Since 1993)

Eleanor Kelly <sup>c</sup> (93-96)	Andrew Delcorro (*14-19)
John Mick <sup>c</sup> (93-95)	
Frank Gunion <sup>c</sup> (93-96)	
Carolyn Cummins (95-99)	
Roger Horth (96-04)	
Whaley Brittingham <sup>c</sup> (93-13)	
Ralph Giove <sup>c</sup> (93-14)	
Chris Smack (04-14)	

## COMMISSION FOR WOMEN

Reference: Public Local Law CG 6-101

Appointed by: County Commissioners

Function: Advisory

Number/Term: 11/3-year terms; Terms Expire December 31

Compensation: None

Meetings: At least monthly (3<sup>rd</sup> Tuesday at 5:30 PM - alternating between Berlin and Snow Hill)

Special Provisions: **7 district members**, one from each Commissioner District  
 4 At-large members, nominations from women's organizations & citizens  
 4 Ex-Officio members, one each from the following departments: Social Services, Health & Mental Hygiene, Board of Education, Public Safety  
 No member shall serve more than six consecutive years

Contact: Coleen Colson, Chair and , Laura Morrison, Co-Chair  
 Worcester County Commission for Women - P.O. Box 211, Snow Hill, MD 21863

## Current Members:

<u>Member's Name</u>	<u>Nominated By</u>	<u>Resides</u>	<u>Years of Term(s)</u>
Kimberly List	D-7, Mitrecic	Ocean City	18- 21-24 <b>Termed Out</b>
Elizabeth Rodier	D-3, Fiori	Bishopville	18-21 <b>Resigned</b>
Jocelyn Briddell	At-Large	Berlin	23-26
Coleen Colson	Dept of Social Services		19-22-25 <b>Will Term Out</b>
Windy Phillips	Board of Education		19-22-25 <b>Will Term Out</b>
Laura Morrison	At-Large	Pocomoke	*19-20-23-26
Crystal Bell, MPA	Health Department		*22-23-26
Jeannine Jerscheid	Public Safety – Sheriff's Office		23-26
Sharnell Tull	At-Large	Pocomoke	23 -26
Joan Scott	D-4, Elder	Newark	23-26 <b>Resigned</b>
Susan Ostrowski	D-6, Bunting	Berlin	24-27
Dorothy Shelton-Leslie	D-5, Bertino	Ocean Pines	24-27
Dr. Darlene Jackson- Bowen	D-2, Purnell	Pocomoke	*19-21-24-27
Dianna Harris	At-Large	West O. City	24-27 <b>Resigned</b>
Michelle Goad	D-1, Abbott	Pocomoke City	25-28

## Prior Members: Since 1995

Ellen Pilchard <sup>c</sup> (95-97)	Marie Velong <sup>c</sup> (95-99)	Christine Selzer (03)
Helen Henson <sup>c</sup> (95-97)	Carole P. Voss (98-00)	Linda C. Busick (00-03)
Barbara Beaubien <sup>c</sup> (95-97)	Martha Bennett (97-00)	Gloria Bassich (98-03)
Sandy Wilkinson <sup>c</sup> (95-97)	Patricia Ilczuk-Lavanceau (98-99)	Carolyn Porter (01-04)
Helen Fisher <sup>c</sup> (95-98)	Lil Wilkinson (00-01)	Martha Pusey (97-03)
Bernard Bond <sup>c</sup> (95-98)	Diana Purnell <sup>c</sup> (95-01)	Teole Brittingham (97-04)
Jo Campbell <sup>c</sup> (95-98)	Colleen McGuire (99-01)	Catherine W. Stevens (02-04)
Karen Holck <sup>c</sup> (95-98)	Wendy Boggs McGill (00-02)	Hattie Beckwith (00-04)
Judy Boggs <sup>c</sup> (95-98)	Lynne Boyd (98-01)	Mary Ann Bennett (98-04)
Mary Elizabeth Fears <sup>c</sup> (95-98)	Barbara Trader <sup>c</sup> (95-02)	Rita Vaeth (03-04)
Pamela McCabe <sup>c</sup> (95-98)	Heather Cook (01-02)	
Teresa Hammerbacher <sup>c</sup> (95-98)	Vyoletus Ayres (98-03)	
Bonnie Platter (98-00)	Terri Taylor (01-03)	



Worcester County Administration

One West Market St. Room 1103 | Snow Hill MD 21863 | (410) 632-1194 | [www.co.worcester.md.us](http://www.co.worcester.md.us)

TO: *The Salisbury Daily Times and OC Today Dispatch Group*  
 FROM: Candace Savage, Deputy Chief Administrative Officer  
 DATE: July 10, 2025  
 SUBJECT: Worcester County Public Hearing Notice

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Please print the below Public Hearing Notice in *The Salisbury Daily Times* and *Ocean City Digest/OC Today Dispatch* on June 19, 2025 and June 26, 2025. Thank you.

NOTICE  
OF  
PROPOSED CHANGE IN ZONING

EAST SIDE OF GREENRIDGE LANE ROAD  
 850 FEET SOUTH OF OLD BRIDGE ROAD, WEST OCEAN CITY  
 TENTH TAX DISTRICT  
 WORCESTER COUNTY, MARYLAND

Pursuant to Section 1-113 of the Worcester County Zoning Ordinance, Rezoning Case No. 449 has been filed by Hugh Cropper on behalf of Mark R. Odachowski, property owner, for an amendment to the Official Zoning Maps to change approximately 18.67 acres of land located on the East side of Greenridge Lane Road, 850 feet south of Old Bridge Road, West Ocean City, in the Tenth Tax District of Worcester County, Maryland, from R-2 Suburban Residential District to R-4 General Residential District. The Planning Commission has given a favorable recommendation to the rezoning application.

Pursuant to Sections 1-113 and 1-114 of the Worcester County Zoning Ordinance, the County Commissioners will hold a  
**PUBLIC HEARING**  
 on  
**Tuesday, July 15, 2025**  
**at 10:30 A.M.**

IN THE COUNTY COMMISSIONERS' MEETING ROOM  
 WORCESTER COUNTY GOVERNMENT CENTER – ROOM 1101  
 ONE WEST MARKET STREET  
 SNOW HILL, MARYLAND 21863

At said public hearing the County Commissioners will consider the rezoning application, the staff file on Rezoning Case No. 449 and the recommendation of the Planning Commission, any proposed restrictions on the rezoning, other appropriate restrictions, conditions or limitations as may be deemed by them to be appropriate to preserve, improve, or protect the general character and design of the lands and improvements being zoned or rezoned or of the surrounding or adjacent lands and improvements, and the advisability of reserving the power and authority to approve or disapprove the design of buildings, construction, landscaping or other improvements, alterations and changes made or to be made on the subject land or lands to assure conformity with the intent and purpose of applicable State laws and regulations and the County Zoning Ordinance.

Maps of the petitioned area, the staff file on Rezoning Case No. 449 and the Planning Commission's recommendation, which will be entered into record at the public hearing, are on file and available to view electronically by contacting the Department of Development, Review and Permitting, Worcester County Government Center, One West Market Street, Room 1201, Snow Hill, Maryland 21863 Monday through Friday from 8:00 A.M. and 4:30 P.M. (except holidays), at (410) 632-1200 as well as at [www.co.worcester.md.us](http://www.co.worcester.md.us).

**PLANNING COMMISSION  
FINDINGS OF FACT  
AND  
RECOMMENDATION**

**REZONING CASE NO. 449**

**APPLICANTS:**

**Mark R. Odachowski  
12507 Sunset Avenue, Unit 14D  
Ocean City, MD 21842**

**ATTORNEY FOR THE APPLICANT:**

**Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842**

**May 1, 2025**

**WORCESTER COUNTY PLANNING COMMISSION**

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## I. INTRODUCTORY DATA

A. CASE NUMBER: Rezoning Case No. 449, filed on January 30, 2025.

B. APPLICANT: Mark R. Odachowski  
12507 Sunset Avenue, Unit 14D  
Ocean City, MD 21842

ATTORNEY: Hugh Cropper, IV  
9923 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842

C. TAX MAP/PARCEL: Tax Map 26, Parcel 476, Lot C-1, Tax District 10

D. SIZE: The petitioned area consists of 18.67 acres.

E. LOCATION: 12254 Greenridge Lane Road, Ocean City, MD. It is 850 feet south of Old Bridge Road with access to Greenridge Lane Road which sits to the west.

F. CURRENT USE OF PETITIONED AREA: There is currently a single-family house and a large residential storage building on the property.

G. CURRENT ZONING CLASSIFICATION: R-2 Suburban Residential District. The maximum density for this zoning district is four units per net acre, or four units per gross acre if the development will be a major Residential Planned Community.

As defined in the Zoning Code, this district is primarily intended to protect and preserve existing residential subdivisions throughout the County and to provide for compatible infill development in those areas. In addition, and as recommended by the Comprehensive Plan, this district can serve as a transition zone between high- and low-density residential neighborhoods.

H. REQUESTED ZONING CLASSIFICATION: R-4 General Residential District. The maximum density for this zoning district is eight units per net acre, or eight units per gross acre if the development will be a major Residential Planned Community. The density for a manufactured home park is six units per net acre.

As defined in the Zoning Code, the intent of this district is to protect the existing residential subdivisions throughout the County that are currently developed in accordance with its provisions while also providing for compatible infill development and is meant to accommodate the most diverse housing types and range of affordability. While this district can serve as the core of a traditional neighborhood development, it is not limited to usage only in areas designated for

growth by the Comprehensive Plan.

- I. **APPLICANT’S BASIS FOR REZONING:** The application indicates that there is a substantial change in the character of the neighborhood since the last Comprehensive Rezoning on November 3, 2009. While not the primary basis for the request, the applicant also alleges that a mistake was made due to a former temporary Declaration of Consolidation. In addition, the Critical Area maps are in the process of being revised, and the draft maps will reduce the amount of land within the petitioned area that will be impacted.
- J. **ZONING HISTORY:** At the time zoning was first established in 1964, the petitioned area was given an A-1 Agricultural District classification, which was retained in the subsequent 1978 Comprehensive rezoning. In the 1992 comprehensive rezoning it changed to the R-2 Suburban Residential District and retained that in 2009 comprehensive rezoning.
- K. **SURROUNDING ZONING:** Adjoining properties to the east, west and south are zoned R-2 Suburban Residential District. Properties to the north are zoned R-4 General Residential District.
- L. **COMPREHENSIVE PLAN:** According to the 2006 Comprehensive Plan and associated land use map, the petitioned area lies within the Existing Developed Areas (EDA) Land Use Category. Regarding the Existing Developed Areas Land (EDA) Use Category. Pertinent objectives from the Plan have been highlighted in the staff report presented to the Planning Commission.
- M. **WATER AND WASTEWATER:** According to the attached response memo from Mr. Mitchell, the subject property has a designation of a Sewer and Sewer Service Planning Category of S-1/W-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. The property is within the Mystic Harbour Sanitary District planning area.
- N. **ROAD ACCESS:** The petitioned area fronts on Greenridge Lane Road a County owned and maintained located approximately 0.25 miles south of Old Bridge Road a State Highway Administration owned and maintained road. Access to the parcel may be designed through the existing Salt Life Park development currently under construction, with access to Old Bridge Road.

## II. APPLICANT’S TESTIMONY BEFORE THE PLANNING COMMISSION

In attendance were Hugh Cropper, IV, attorney for the applicant; Mark Odachowski, property owner; Reid Odachowski; Frank Lynch, Jr., Maryland Registered Land Surveyor; and Chris McCabe, environmental consultant.

Mr. Cropper stated that the request is primarily based on a change in the character of the neighborhood since November 3, 2009, rather than a mistake. The applicant seeks to rezone the property to R-4 General Residential District to facilitate infill development consistent with the existing Salt Life Park manufactured home community. This upzoning would allow the continued development of the manufactured home park, extending Salt Life Park into a new Phase 3.

Mark Odachowski currently owns both the original Greenridge Trailer Park—renamed Salt Life Park Phase 1—and the adjacent Phase 2, which is under development. The rezoning would enable the expansion of the community onto the petitioned parcel. Mr. Odachowski explained that he purchased the former Greenridge Park when it was in disrepair and has since made significant improvements. To illustrate this transformation, the applicant submitted several exhibits: Applicant's Exhibit No. 1 included photographs of the original mobile units; Applicant's Exhibit No. 2 showed photographs of the renovated units in Phases 1 and new units in Phase 2; Applicant's Exhibit No. 3 featured photographs of the community spaces under construction in Phase 2; and Applicant's Exhibit No. 4 presented photographs of the interiors of the new manufactured homes. While on separate parcels and developed independently, Mr. Odachowski stated that all three phases are intended to share these community amenities.

Regarding existing and proposed infrastructure improvements, Mr. Odachowski outlined the improvements required by the Maryland Department of Transportation State Highway Administration (MDOT SHA), which included a long deceleration lane, sidewalks, bike lanes, stormwater management facilities draining to the Phase 2 park that were capable of handling significant storm events, and upgraded roadway construction extending to the center of MD Route 707 (Old Bridge Road). These improvements were designed by the applicant to potentially accommodate future development on the petitioned parcel and are expected to help reduce traffic along Greenridge Lane Road.

Mr. Cropper noted that the original Greenridge Trailer Park (Phase 1) contained many non-conforming units that required variances for replacement, particularly those along Greenridge Lane Road. With respect to public sewer, the subject parcel is located within the Mystic Harbour Sanitary Service Area, and the existing dwelling on the petitioned area is already connected to public sewer and water. He submitted Applicant's Exhibit No. 5, a zoning map defining the neighborhood boundaries as Herring Creek, Sea Oaks RPC, MD Route 611 to US Route 50, and the commercial corridor west of US Route 50. Mr. Lynch agreed with this boundary, noting it reflects a reasonable five-to-ten-minute drive within the service area. Because the subject parcel is adjacent to existing R-4 District zoning, the proposal does not constitute spot zoning. Applicant's Exhibit No. 6 included an aerial map of the parcel as provided in the staff report.

Pertaining to the applicant's allegation of a mistake in the existing zoning, Applicant's Exhibit No. 7 included a Temporary Declaration of Consolidation from July 2002 showing that Salt Life Park and the petitioned property had previously been functionally

consolidated. Therefore, it is Mr. Cropper's assertion that the temporary consolidation should have resulted in both parcels being zoned R-4 District, rather than being divided by a zoning line.

Mr. Cropper emphasized that changes to the sanitary service area further support the case for rezoning. Specifically, Salt Life Park Phase 2 was granted EDUs within the Mystic Harbour Service Area, partially through an agreement that transferred EDU allocations from the Alamo Motel. Applicant's Exhibit No. 8 were the County Commissioner minutes from September 15, 2020, documenting the expansion of the Mystic Harbour service area and its overlap with the West Ocean City service area. These changes reflect evolving infrastructure and development priorities in the neighborhood.

There has also been a noticeable increase in residential development within the neighborhood, with strong demand for manufactured housing. The applicant submitted Applicant's Exhibit No. 9, updated Critical Area maps, which showed that a portion of the petitioned area is proposed to be removed from the Critical Area designation. The remainder would be classified as Intensely Developed Area (IDA), with no increase in impervious surface coverage. This represents a scaling back of previously proposed impacts and supports the argument that meaningful environmental changes are underway—a point with which Mr. Lynch concurred.

Applicant's Exhibit No. 10 were Findings of Fact from four recent rezonings in the neighborhood (Cases 408, 417, 431, and 437), including the conversion of residential zoning to commercial use and the near completion of the Sea Oaks townhouse project. Additional development is in progress at Crepe Myrtle Court, a Residential Planned Community (RPC) that has been reviewed by the Planning Commission and is set for County Commissioner consideration. Mr. McCabe provided context on the Critical Area remapping project, which used updated environmental data to revise the original 2002–2003 maps. The new mapping, via a recent code update, more accurately reflects current site conditions. There are no known challenges to the updated boundaries, which have been confirmed in the field and supported by the Maryland Department of the Environment (MDE). When Mr. Odachowski first developed the area in 2002, it was largely agricultural. The recently re-delineated wetlands boundary—submitted as Applicant's Exhibit No. 11—shows wetland modifications along the wooded areas and behind the existing residence.

Mr. Lynch affirmed that the parcel is located in an Existing Developed Area (EDA) and is adjacent to the commercial corridor along MD Route 707. He referenced Chapter 2 of the Comprehensive Plan, which encourages maintaining the rural character while allowing infill development. The goals and objectives of the plan promote growth within established communities without overwhelming their character. The proposed density increase is minor, and although the homes are HUD-certified manufactured units, they visually resemble compact cottages or tiny homes. Accordingly, R-4 District zoning is consistent with the Comprehensive Plan.

Mr. Cropper referenced a summary of findings he prepared and attached to the original application. Mrs. Knight asked about the proposed age restriction for residents, which is 50 years and older and self-imposed. The community only permits year-round rentals; short-term rentals are not allowed. A brief discussion followed regarding allowable density: R-4 zoning permits up to 8 units per acre, but manufactured home parks are limited to 6 units per acre. Ms. Smith asked about the availability of nearby commercial amenities, while Mrs. Wimbrow stressed the importance of confirming adequate public facilities. Although the site is located within the W-1/S-1 classification, no EDUs are currently available. Mr. Mitchell explained that the site also falls within an overlay zone, opening the possibility of acquiring sewer service from West Ocean City and water from Mystic Harbour. Mrs. Wimbrow expressed support for the manufactured home park, citing high demand and its value in meeting local workforce housing needs. Mrs. Drew inquired whether block foundations would be required for the new units. Mr. Church stated that he visited the existing Salt Life Park development and found it to be a step above.

Following the discussion, a motion was made by Mrs. Knight, seconded by Ms. Ott, and carried unanimously to find the proposed amendment to rezone the petitioned area from R-2 Suburban Residential District to R-4 General Residential District consistent with the Comprehensive Plan based on a change in the character of the neighborhood, and forward a **favorable recommendation** to the Worcester County Commissioners.

### III. PLANNING COMMISSION'S FINDINGS AND CONCLUSIONS

1. Regarding the definition of the neighborhood: The Planning Commission concurred with the applicant's definition of the neighborhood as outlined in Applicant's Exhibit No. 5.
2. Relating to population change: The Planning Commission concluded that there has been population growth in the defined neighborhood with a strong demand for affordable housing, including manufactured units such as those in Salt Life Park. There has also been an increase in commercial growth, and there are sufficient services within a five-to-ten-minute drive from the petitioned area. Since the last comprehensive rezoning, there have been four rezoning cases approved for additional or more intense commercial zoning in the defined neighborhood.
4. Relating to availability of public facilities: The Planning Commission finds that while this property is in the W-1/S-1 Category of the Water and Sewerage Plan, EDU's are not available. However, this property is in the overlay service areas of Mystic Harbour and West Ocean City; therefore, it is possible that this property can get water from Mystic Habrbour and sewer from West Ocean City which could be purchased for transfer subject to Resolution 97-1. As Mr. Mitchell

explained, the County is seeking methods to increase sewer capacity. In addition, Mr. Cropper's written testimony states that there have been two expansions to the Mystic Harbour Sanitary Service Area along MD Route 707, permitting the additional influx of EDU's into the community, which was not planned for at the time of the last comprehensive rezoning.

5. Relating to present and future transportation patterns: The Planning Commission acknowledges that road upgrades have been completed or are in progress to MD Route 707 per MDOT SHA permit requirements. Upgrades include modifying Salt Life Park Phase 2 stormwater ponds to be able to capture the runoff from MD Route 707; widening MD Route 707 and adding a 500+ foot deceleration lane; increasing the pavement thickness to ten inches; adding a bike lane; adding sidewalks within the right-of-way.
6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement: The Planning Commission found that the petitioned area is adjacent to existing R-4 District zoning and the proposed housing is consistent with what the community needs. The Planning Commission acknowledges the redevelopment of the former Greenridge Trailer Park into Salt Life Park Phase 1, which was a park with a significant number of non-conforming units, many of which required variances. In addition, Mr. McCabe testified that Critical Area map updates are currently taking place for Worcester County, which will eliminate a substantial portion of the petitioned area from the Critical Area, leaving less than one-half in the Limited Development Area (LDA). Pertaining to existing wetlands, the applicant just re-delineated the non-tidal wetlands line with Maryland Department of the Environment, resulting in a reduction in wetlands on the petitioned area and reduced environmental constraints on the petitioned area.
7. Relating to compatibility with the Comprehensive Plan: The Planning Commission found that the property is designated as an Existing Developed Area (EDA) on the Land Use Map. There is a strong demand for this type of affordable housing in the neighborhood, and it is located near commercial service areas that also serve as employment centers. Infill development is a priority in the Comprehensive Plan and this development will provide additional housing while keeping the character and density of the neighborhood. The Planning Commission found that the rezoning of the petitioned area from R-2 Suburban Residential District to R-4 General Residential District would align with the Comprehensive Plan's goals for smart growth, community consistency, and efficient use of existing infrastructure.

**IV. PLANNING COMMISSION RECOMMENDATION**

In consideration of its findings and testimony provided to the Commission, the Planning Commission concluded that there has been a change in the character of the neighborhood, and that a rezoning of the petitioned area is appropriate. The applicant requests a zoning map amendment from R-2 Suburban Residential District to R-4 General Residential District based on a change in the character of the neighborhood since the last comprehensive rezoning on November 3, 2009. This change is demonstrated through substantial infrastructure improvements along MD Route 707, including road widening, a 500+ foot deceleration lane, sidewalks, bike lanes, and upgraded stormwater facilities, all of which support higher-density residential development. The petitioned area is functionally integrated with Salt Life Park Phases 1 and 2 - formerly Greenridge Trailer Park - which has been revitalized through private investment in updated housing units and shared community amenities. The proposed Phase 3 infill development is consistent with this pattern and aligns with recent land use trends, including recent rezonings in the defined neighborhood, the expansion of the Mystic Harbour Sanitary Service Area, and the reclassification of the Critical Area boundaries. The property is adjacent to existing R-4 District zoning, the dwelling on the petitioned area is already connected to public utilities, and it is located within a service area that supports compact residential growth. The requested zoning conforms to the Worcester County Comprehensive Plan, which encourages infill within established communities while preserving neighborhood character. Given the compatibility of the proposed use, existing infrastructure capacity, and strong demand for affordable, cottage-style manufactured housing, a favorable recommendation for the rezoning is both appropriate and consistent with sound planning principles

**V. RELATED MATERIALS AND ATTACHMENTS**



Exhibit 1





Exhibit 2

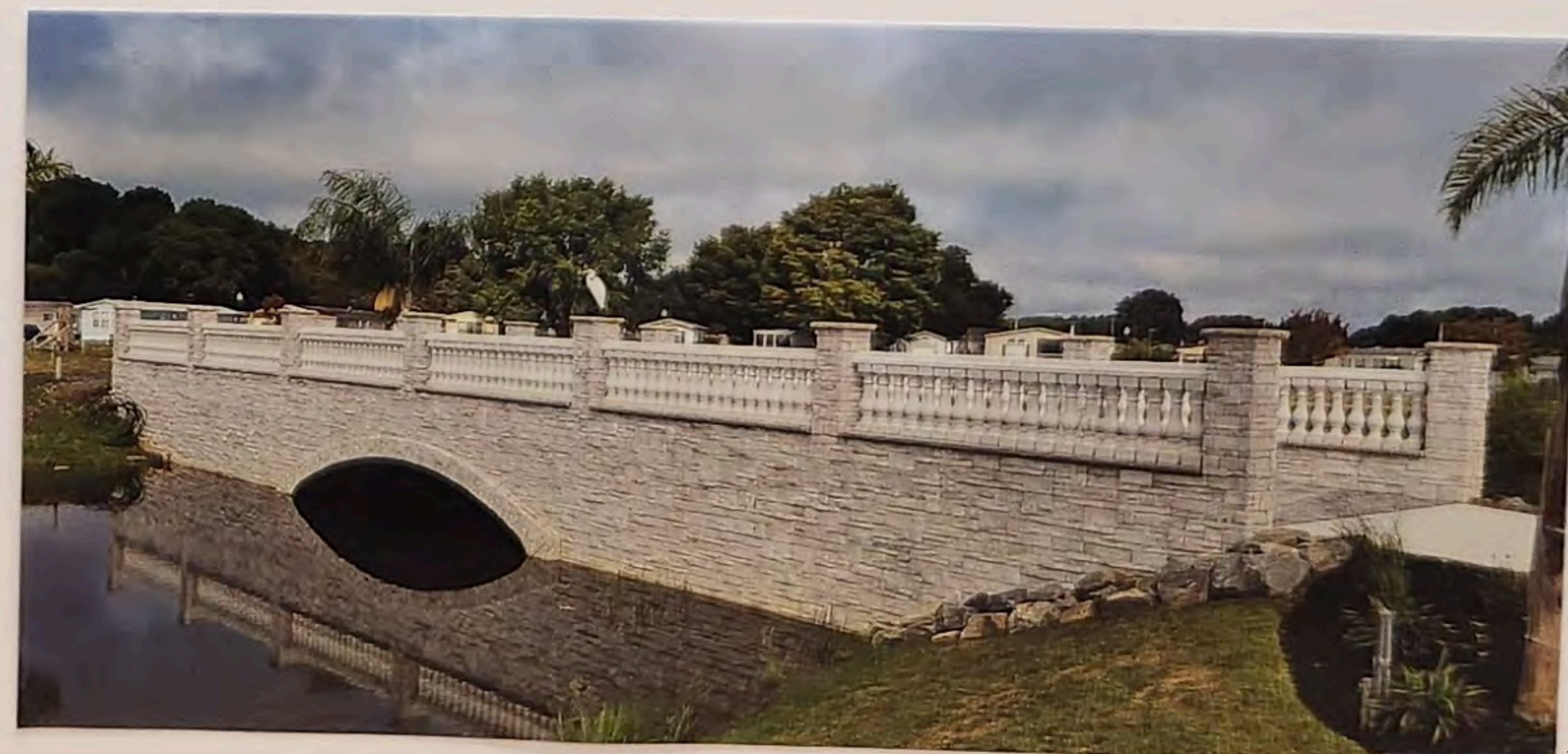
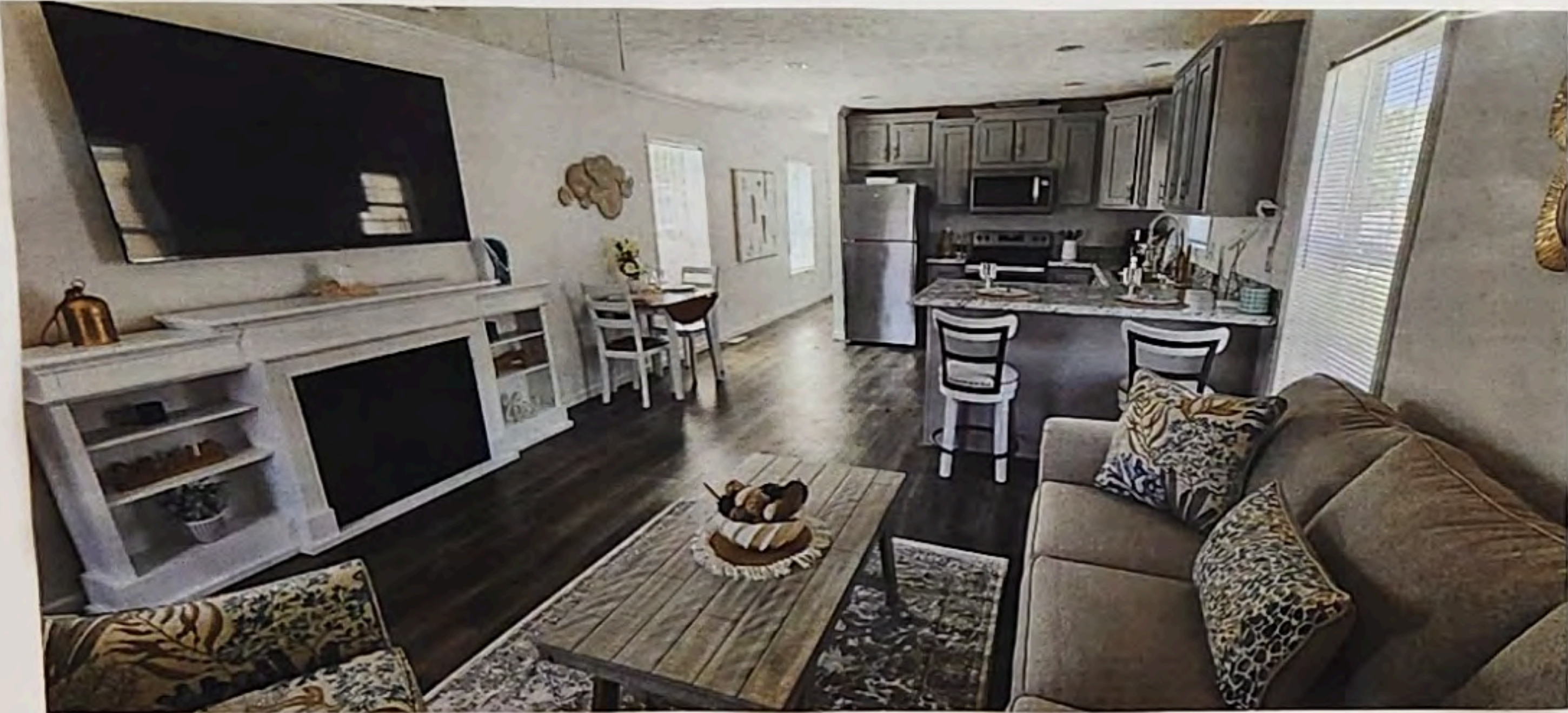


Exhibit 3



Exhibit 4



ALL INFORMATION CONTAINED ON THESE PLANS, PLATS OR OTHER DOCUMENTS IS PROVIDED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON, AND IS SUBJECT TO THE CLIENT'S AND/OR WORK PRODUCT RELEASE AGREEMENT. IT IS HEREBY AGREED THAT THE CLIENT'S AND/OR WORK PRODUCT RELEASE AGREEMENT SHALL BE THE EXCLUSIVE BASIS FOR THE CLIENT'S AND/OR WORK PRODUCT RELEASE. ANY AND ALL INFORMATION CONTAINED ON THESE PLANS, PLATS OR OTHER DOCUMENTS IS PROVIDED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON, AND IS SUBJECT TO THE CLIENT'S AND/OR WORK PRODUCT RELEASE AGREEMENT. IT IS HEREBY AGREED THAT THE CLIENT'S AND/OR WORK PRODUCT RELEASE AGREEMENT SHALL BE THE EXCLUSIVE BASIS FOR THE CLIENT'S AND/OR WORK PRODUCT RELEASE.



± 20.6 ACRES SITE AREA

SHEET  
ZE-1

# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1

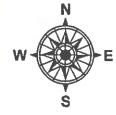
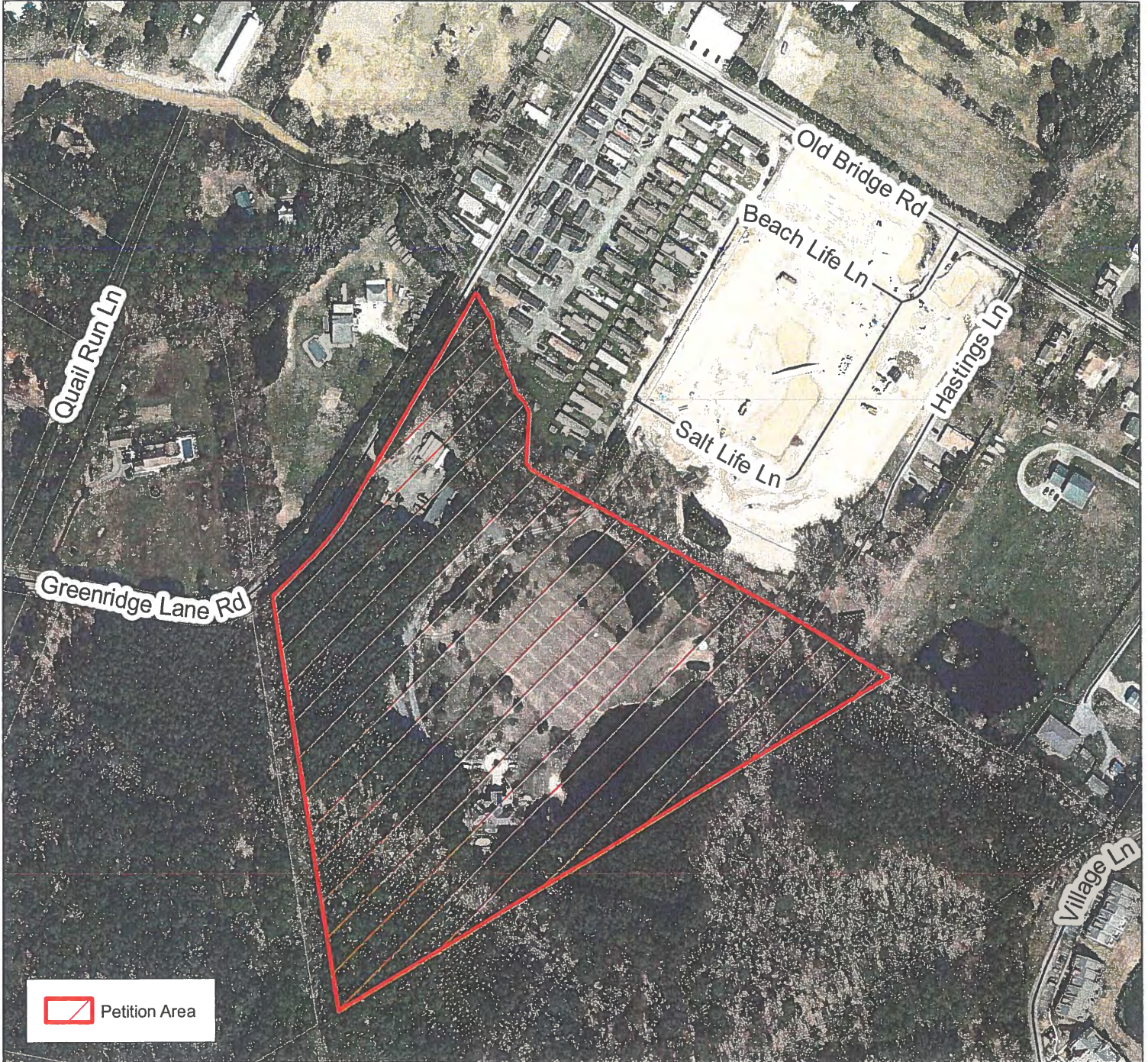
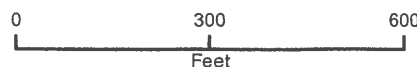


EXHIBIT 6

## AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: January 2025  
Source: Parcel Layer and 2024 Aerial Imagery

Drawn By: KLH Reviewed By: JKK

Exhibit 7

LIBER 3417 FOLIO 196

**INSTRUMENT OF DECLARATION ENCUMBERING AND AFFECTING  
PROPERTY DECLARATION OF CONSOLIDATION**

THIS DECLARATION OF CONSOLIDATION, made this 30<sup>th</sup> day of July, July 2002, by **MARK R. ODACHOWSKI**, hereinafter called Declarant.

**WHEREAS**, Declarant is the owner of all that tract or parcel of land on the southwesterly side of old State Highway leading from Herring Creek Bridge to Ocean City, where Julia Hattie Parsons and Thomas L. Parsons, her husband, formerly resided, and where later resided Lee E. Parsons and Eda C. Parsons, his wife, estimated to contain six (6) acres or land, more or less, Deed Reference 3307/392; and,

**WHEREAS**, Declarant is the owner of all that lot or parcel of land lying and being situate in the Tenth Election District of Worcester County, Maryland, located on the southerly side of and binding upon Green Ridge Road which is more particularly designated and distinguished as 20.60 acres of land as more fully shown and designated as Parcel C on a Plat entitled "Protracted Subdivision Plat - Lands of John Jarvis and James Cunningham" made by R. Lee Gilliss, Jr., Registered Land Surveyor, dated March 8, 1985, and recorded among the Land Records of Worcester County in Plat Book 98, Folio 38; Deed Reference 3098/328; and,

**WHEREAS**, Declarant desires, pursuant to **Section ZS2-115** of the Zoning and Subdivision Control Article, Code of Public Local Laws of Worcester County, Maryland to consolidate the lots into one lot for all purposes by eliminating the interior lot line or lines dividing the lots.

**NOW, THEREFORE**, this Declaration of Consolidation witnesseth:

That for good and valuable, but not taxable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant does hereby agree and declare that interior lot lines between the aforementioned parcels are hereby eliminated and that such lots shall hereafter be subdivided and platted as one lot for all legal purposes and shall be redesigned as Lot \_\_\_\_\_.

The former lots are hereby burdened with a covenant and encumbrance benefitting the County Commissioners of Worcester County, that they shall not be conveyed or encumbered separately without legally required subdivision approval.

Declarant hereby warrants and guarantees that all lienholders on the property have signed this Declaration signifying their consent and that they are

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STEPHEN Y. HALES  
CLERK, CT. CT.  
WOR. CO.

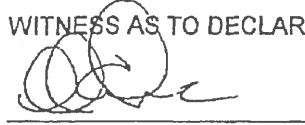
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LIDER 34 | 7 FOLIO | 97

the only lienholders having liens against either of said lots and such lienholders join herein for the purpose of subordinating their liens to the resubdivision of such parcels.

**AS WITNESS WHEREOF**, the parties have set their hands and seals all as of the day and year first above written.

WITNESS AS TO DECLARANT(S)

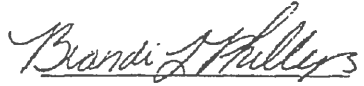


 (SEAL)  
MARK R. ODACHOWSKI

DECLARANT(S)

WITNESS AS TO LIENHOLDER(S)

PENINSULA BANK



BY:  (SEAL)

(SEAL)  
LIENHOLDER(S)/TRUSTEE(S)

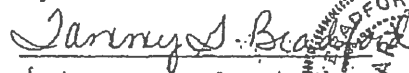
ACKNOWLEDGEMENT - INDIVIDUAL(S)/DECLARANT(S)

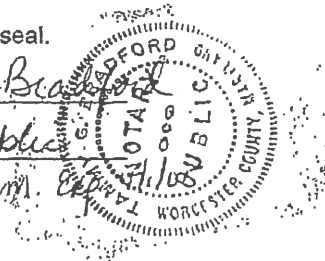
STATE OF Maryland

COUNTY OF Worcester

On this 30<sup>th</sup> day of July, 2002, before me, the undersigned officer, personally appeared MARK R. ODACHOWSKI, Declarant(s), known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

  
Notary Public  
Title of Officer Comm. Exp. 11/08



LIBER 3417 FOLIO 198

ACKNOWLEDGEMENT - CORPORATION(S)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ Day of \_\_\_\_\_, 2002, before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself/herself to be the \_\_\_\_\_ of \_\_\_\_\_, a Corporation, and that as such \_\_\_\_\_, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as \_\_\_\_\_.

In witness whereof I hereunto set my hand and official seal.

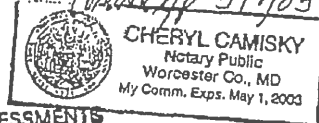
\_\_\_\_\_  
Title of OfficerACKNOWLEDGEMENT - LIENHOLDER(S)/TRUSTEE(S)STATE OF MarylandCOUNTY OF Worcester

On this 30 day of July, 2002, before me, the undersigned officer, personally appeared Dawn Pruitt, on behalf of PENINSULA BANK, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he/she/they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

PAID  
Water & Wastewater Services

AUG 28 2002

Worcester Co. Finance Officer  
by [Signature]\_\_\_\_\_  
Title of Officer

TRANSFER TAX NOT REQUIRED	
FINANCE OFFICER	
WORCESTER COUNTY MARYLAND	
By <u>X</u>	Authorized Signature
Date <u>8-28-02</u>	

TAXES FOR WHICH ASSESSMENTS  
HAVE BEEN RECEIVED HAVE BEEN  
PAID AS OF THIS DATE 8-30-02  
WORCESTER COUNTY FINANCE OFFICER  
BY ICT  
EXCEPT PERSONAL PROPERTY

Exhibit 8

developed area and commercial center, and the comprehensive zoning designation permits the proposed uses. He further advised that the Planning Commission found the proposed amendment to be consistent with the County's Comprehensive Development Plan and granted the application a favorable recommendation.

Commissioner Mitrecic opened the floor to receive public comment.

Mr. Cropper, attorney for S.D. Hoffman, LLC, and Steve Hoffman, property owner, requested the staff report be incorporated into his testimony. He stated that the 23-acre property, which is zoned mostly C-2 Commercial District, with a portion zoned R-4 Multi-Residential District, has 51 equivalent dwelling units (EDUs) in the West Ocean City, and this amendment will provide an overlap. He stressed that the applicant is not here requesting additional EDUs in the Mystic Harbour SSA today. Rather this is for future planning.

Steve Engel, landscape architect, agreed that the amendment is consistent with the Comprehensive Plan, that most of the property is identified as an IDA, with a small portion in the Critical Area. He concurred that this is infill development on a developable property that can comply with Stormwater management requirements.

John Salm, president of Salm Engineering, stated that the project is feasible from an engineering perspective and is consistent with the Comprehensive Plan since it is located in the commercial corridor. He concurred that the purpose of the Mystic Harbour Wastewater Treatment Plant was to serve infill and intensification of the commercial uses, which this property represents.

There being no further public comment, Commissioner Mitrecic closed the public hearing.

Upon a motion by Commissioner Bunting, the Commissioners unanimously approved the amendment to expand the Mystic Harbour Sanitary Service Area (SSA) and to amend the Master Water and Sewerage Plan to include the subject properties as requested.

The Commissioners conducted a public hearing to receive comments on proposed amendments to the County's 10-year Comprehensive Solid Waste Management Plan for 2017-2026. Public Works Director John Tustin reviewed the plan. He explained that the Maryland General Assembly passed Senate Bill 370 requiring the collection of recyclable materials from office buildings that have 150,000 square feet or greater of office space, and although the County currently does not have any buildings meeting that criteria, they must still complete and adopt an OBR Plan. By way of comparison, he noted that the Roland E. Powell Convention Center in Ocean City is 182,000 square feet, but it is not an office building.

Commissioner Mitrecic opened the floor to receive public comment.

There being no public comment, Commissioner Mitrecic closed the public hearing.

Upon a motion by Commissioner Bunting, the Commissioners unanimously approved the amendment to the Solid Waste Management Plan for 2017-2026.

The Commissioners recessed until 11:00 a.m.

The Commissioners conducted a public hearing on Rezoning Case No. 426 for an application submitted by Attorney Mark S. Cropper, on behalf of David and Susan Lane, seeking to rezone 1.74 acres of land, located on the westerly side of MD Rt. 611, south of Snug Harbor Road, and more specifically identified on Tax Map 33 as Parcel 341, from A-2 Agricultural



Exhibit 9

IN THE MATTER OF

\*

THE REZONING APPLICATION OF

\*

REZONING CASE NO. 405

JOSEPH J. BALSAMO

\*

\*\*\*\*\*

**FINDINGS OF FACT**

EXHIBIT 10

Subsequent to a public hearing held on May 2, 2017 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 405: This case seeks to rezone approximately 2.62 acres of land (hereinafter referred to as the petitioned area) located on the westerly side of MD Route 611 and easterly side of Sinepuxent Road immediately to the south of the junction of those two roadways from A-2 Agricultural District to C-1 Neighborhood Business District. The petitioned area is shown as Parcel 211 on Tax Map 26. It is currently undeveloped.

Applicant's testimony before the County Commissioners: Joseph E. Moore, attorney representing the applicant, began his presentation by stating that he was basing the request on a claim of mistake in the existing zoning of the petitioned area. He stated that he wished to adopt the Planning Commission's findings of fact and recommendation on the case into his presentation. He stated that the circumstances surrounding this property are unique because it is at the confluence of MD Route 611 and Sinepuxent Road, directly across from the Mystic Harbor, Deer Point and Ocean Reef residential subdivisions. Mr. Moore asserted that the petitioned area is a unique site with regard to the A-2 Agricultural District, one that does not fit in with the purpose and intent statement of that zoning district. It is a small tract of land, only 2.6 acres, and is narrow. It is unable to be farmed nor can it provide commercial support of agricultural-related activities as is allowed in the A-2 District because those uses require a larger tract of land. Additionally, this parcel is directly in the path of the north/south approach to the Ocean City Airport and within a navigation easement. The Town of Ocean City's easement limits the height of any use of the petitioned area to prevent issues with airplane navigation. Some uses permitted in the A-2 Agricultural District would exceed that height and would therefore be prohibited on the site. This factor further limits the uses to which this small, narrow agriculturally-zoned parcel can be put. Mr. Moore noted that, overall, there are 18 principal permitted uses and 44 special exception uses allowed in the A-2 Agricultural District. He contended that after assessing those uses in conjunction with the petitioned area's inherent limitations, a total of 11 principal uses and 28 special exception uses are not feasible on the petitioned area. Mr. Moore pointed out that while this does not constitute a zoning taking, it does indicate that the A-2 Agricultural District is not the appropriate zoning district for this

property, given that viable uses of the property are severely limited by the petitioned area's small size and narrowness, location between two roadways, and proximity to the Ocean City Airport. Mr. Moore noted that the petitioned area was rezoned from A-1 Agricultural District to B-1 Neighborhood Business District in 1991 on the basis of mistake but was rezoned to A-2 Agricultural District, along with numerous other properties in the area, because the staff had determined that there was a plethora of commercial zoning in the vicinity. Mr. Moore stated that public sewer service is now available to the site.

Mr. Moore called George Cardwell, a certified planner, as his first witness. Mr. Cardwell asserted that the existing A-2 Agricultural District zoning of the property is inappropriate due to the petitioned area's size, location and proximity to the Ocean City Airport. He maintained that in his opinion it is therefore a mistake for the petitioned area to be zoned A-2 Agricultural District. Mr. Cardwell testified that a site plan showing two structures each totaling 2,500 square feet in gross floor area for retail or restaurant use can theoretically be placed on the petitioned area and provide all required parking, stormwater management, Forest Conservation, access controls, landscaping, etc. Mr. Cardwell maintained that these uses would satisfy at least some of the trips that residents and visitors in the area would otherwise be required to make further north on MD Route 611 to US Route 50 to accomplish. Mr. Cardwell contended that commercial use of the petitioned area would better serve the existing and anticipated development of the area by providing necessary commercial services rather than what is feasible through the existing A-2 Agricultural District zoning, offering an option to the more congested area north of the junction of MD Routes 611 and 707. He testified that it would be appropriate for the County Commissioners to adopt the Planning Commission's findings of fact and that those findings are correct and accurate relative to the petitioned area and the requested rezoning at hand.

Mr. Moore called Betty Tustin, a traffic engineer, as his next witness. Mrs. Tustin stated that she had performed a traffic study and analysis to assess the present and future traffic patterns of the area and the impact of the proposed rezoning. She stated that she had also done an accident/crash analysis based on information from the Maryland State Highway Administration for the past three years. She stated that it was her conclusions that the proposed rezoning and subsequent neighborhood commercial use of the petitioned area is not a significant traffic generator at all and that the intersection is not in and of itself dangerous. She contended that most of the traffic generated would already have been on MD Route 611 but is instead redirected to the petitioned area rather than the MD Route 611 corridor to the north. Mrs. Tustin maintained that the crash data showed that this is not a high accident area. She also stated that most of the truck traffic serving the petitioned area would be on MD Route 611 rather than Sinepuxent Road because there are no other commercial uses along that latter roadway to which trucks would be driving. Mrs. Tustin asserted that MD Route 611 is capable of handling any commercial traffic that may be generated by the site if rezoned to C-1 Neighborhood Commercial District and that the proposed rezoning would not adversely impact present or future transportation patterns.

Mr. Moore noted that the petitioned area was previously rezoned from A-1 Agricultural District to B-1 Neighborhood Business District in 1997 based upon a claim of mistake in existing

zoning because agricultural use of the site was not feasible. He maintained that despite the adoption of the 2006 Comprehensive Plan and the 2009 Zoning and Subdivision Control Article, all of the same conditions that justified that finding of mistake in existing zoning are still present today, including the small size, narrow shape, location between two roadways, and the proximity to the airport. Mr. Moore asserted that what has changed is that residential use of the neighborhood has expanded, public wastewater service is now available, and there is increased demand for neighborhood services. Mr. Moore maintained that the potential uses of the site under the A-2 District are so precluded by the site's small size, narrow configuration, location, and the limitations imposed by its proximity to the Ocean City Airport that A-2 Agricultural District zoning is inappropriate.

The County Commissioners' findings regarding the definition of the neighborhood: The County Commissioners find that because Mr. Moore was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.

The County Commissioners' findings regarding population change in the area: The Planning Commission concluded that there has been no change to the population of the neighborhood since the comprehensive rezoning of 2009. The County Commissioners find that this is an accurate assessment.

The County Commissioners' findings regarding availability of public facilities: As indicated in the Planning Commission's findings of fact, the County Commissioners find that as it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo that his department has records of a successful soil evaluation for septic that was done on the property with a limit of 450 gallons per day for an interim sewage disposal system. Stating that the application noted adjacency to a water main, Mr. Mitchell further stated that there is a sewer main adjacent to the property, although the main location is on the east side of MD Route 611. Mr. Mitchell stated that the subject property has a designation of Sewer Service Category S-3 (six to ten year time frame) in the Mystic Sewer and Water Planning Areas and that prior to being able to apply for public sanitary capacity, the owner would need to amend the Master Water and Sewerage Plan to amend the designation for the subject property to a W-1/S-1 Designation in the water and sewer planning areas for the Mystic Harbour Sanitary Area. The County Commissioners find that no comments were received from John H. Tustin, P. E., Director of Public Works, or John Ross, P. E., Deputy Director of Public Works. Based upon the Planning Commission's findings of fact, the County Commissioners find that fire and ambulance service will be available from the Ocean City Volunteer Fire Department, located approximately five minutes away. No response to the request for comments was received from that fire department. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks. Reggie T. Mason, Sheriff, responded that he had determined that the request for rezoning should be granted in the interest of economic development to serve the citizens of Mystic Harbour, Deer Point and Ocean Reef and to relieve congestion in the area of MD Route 611 and US Route 50. Sheriff Mason furthermore stated that based on current population and

calls for service in the area, he did not see an immediate need for additional resources from his office. The County Commissioners find that petitioned area is within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. Comments were received from the Worcester County Board of Education. Because the requested zoning classification does not permit residential uses other than those of a caretaker nature, the County Commissioners concur with the Planning Commission's conclusion that the proposed rezoning will not have an adverse impact on public schools. In consideration of their review, the County Commissioners find that there will be no negative impacts to public facilities and services resulting from the proposed rezoning from A-2 Agricultural District to C-1 Neighborhood Commercial District.

The County Commissioners' findings regarding present and future transportation patterns: Based upon the Planning Commission's findings of fact and recommendation, the County Commissioners find that the petitioned area fronts on both MD Route 611 and Sinepuxent Road. MD Route 611 is State-owned and -maintained and is classified by the Comprehensive Plan as a two lane secondary highway/major collector highway. Sinepuxent Road is County-owned and -maintained and is considered a minor local road by the Comprehensive Plan. With regard to MD Route 611 the Comprehensive Plan recommends that scenic and transportation corridor planning be conducted to continue this road's rural and coastal character, particularly from MD Route 376 to Assateague Island, that capacity improvements from MD Route 376 to US Route 50 need to be studied and implemented, that interparcel connectors, service roads and other access controls need to be provided, that growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system, and that widening and intersection improvements of the corridor's northern end needs to be planned. The Comprehensive Plan does not make any recommendations with regard to Sinepuxent Road specifically. As indicated in the Planning Commission's findings, the County Commissioners find that Donnie L. Drewer, District Engineer, for State Highway Administration District 1, stated in his response memo that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration and that MD Route 611 from Airport Road to US Route 50 is identified in the SHA's long range planning documents for a future multi-lane reconstruction. He stated that if development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network and that future development may also require an access permit to be issued from his office. Mr. Drewer further stated that with the exception of his aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo that the County's records show that Sinepuxent Road has a 30 foot right-of-way. He stated the existing road width of 19 feet may not accommodate the weight and width of commercial vehicles on a consistent basis and public safety issues may increase with an influx of heavier vehicles and a commercial entrance on Sinepuxent Road at this time. Mr. Adkins stated that, likely, the County would request a 10 foot widening strip with improvements at the time of planning to assist with accommodating these types of vehicles and may affect the amount of property intended to be used for this type of rezoning. He furthermore stated that the alignment of Sinepuxent Road at the intersection with MD Route 611 may not be conducive to public safety for this type of rezoning and a realignment should be consider prior to any new construction in

this area. Mr. Adkins also stated that, as an option for public safety, it may be considered to keep all commercial entrances on MD Route 611. The Planning Commission's findings of fact noted that Mrs. Tustin, the applicant's traffic engineer, testified before that body that traffic counts and accident report data on MD Route 611 indicate that the roadway is a safe one and that it can accommodate the traffic that would be generated by commercial use of the petitioned area if rezoned to C-1 Neighborhood Commercial District. Mrs. Tustin made the same testimony before the County Commissioners and asserted that truck traffic generated by commercial use of the petitioned area will most likely not be on Sinepuxent Road. Based upon their review, the County Commissioners find that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

The County Commissioners' findings regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: Based upon the Planning Commission's findings and the testimony of the applicant's representative, the County Commissioners find that the petitioned area is a wooded, undeveloped parcel are present. The properties directly to the south of the petitioned area, lying between Sinepuxent Road and MD Route 611, are zoned A-2 Agricultural District and are also wooded and undeveloped. The properties on the westerly side of Sinepuxent Road directly opposite the petitioned area and to the south are zoned A-1 Agricultural District. These properties are generally wooded but there are scattered residential uses as well. The property to the north of the petitioned area on the westerly side of MD Route 611 is zoned C-1 Neighborhood Business District and R-3 Multi-Family Residential District and is undeveloped at present. Properties on the easterly side of MD Route 611 are zoned R-4 General Residential District and C-1 Neighborhood Business District. The residentially zoned areas are developed with the subdivisions of Deer Point, Mystic Harbour and Ocean Reef. The Ocean City Municipal Airport property is located on the easterly side of MD Route 611 to the south of Airport Road and is zoned CA Commercial Airport District. As did the Planning Commission, the County Commissioners conclude that the vicinity surrounding the petitioned area is largely used for residential purposes of both a year-round and seasonal nature and that capacity exists for this type of use to expand. Even the area to the south of the petitioned area is developed with scattered residences, although zoned agriculturally like the petitioned area. The County Commissioners concur with the applicant's assertion that the petitioned area cannot be put to viable agricultural use because of its small size, narrow configuration, location between two roadways, and the limitations imposed by its proximity to the Ocean City Airport. The County Commissioners agree with the Planning Commission's conclusions that the petitioned area is therefore not zoned appropriately and that it would likewise not be appropriate to give the site a residential zoning classification for the same reasons. Based upon their review, the County Commissioners find that the proposed rezoning of the petitioned area from A-2 Agricultural District to C-1 Neighborhood Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.

The County Commissioners' findings regarding compatibility with the County's Comprehensive Plan: Based upon the Planning Commission's findings and the testimony of the applicant's representatives, the County Commissioners find that according to the Comprehensive

Plan and associated land use plan map, the petitioned area lies within the Agricultural Land Use Category. With regard to the Agricultural Land Use Category, the Comprehensive Plan states that the importance of agriculture to the County cannot be overstated, that its significance is economic, cultural, environmental, and aesthetic, and that agriculture is simply the bedrock of the County's way of life. The Plan goes on to say that the County must do all it can do to preserve farming as a viable industry, that this category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted, that large contiguous areas of productive farms and forest shall be maintained for agricultural uses, and that residential and other conflicting land uses, although permitted, are discouraged. Furthermore, the Plan includes certain pertinent objectives in the Land Use chapter of the Comprehensive Plan which state that the dominance of agriculture and forestry uses should be continued through the County's less developed regions, that the character of the County's existing population centers should be maintained, that new development should be located in or near existing population centers and within planned growth centers, and that existing population centers should be infilled without overwhelming their existing character. The County Commissioners agree with the Planning Commission's conclusion that because of the petitioned area's small size, narrow configuration, location between two roadways and the limitations imposed by its proximity to the Ocean City Airport, the petitioned area cannot be put to viable agricultural use. The Planning Commission noted in its findings of fact that the residential area on the easterly side of MD Route 611 and the area to the north of the petitioned area on the westerly side of that roadway are in the Existing Developed Area Land Use Category while the area on the westerly side of Sinepuxent Road is within the Green Infrastructure Land Use Category. The Planning Commission determined, however, that the petitioned area has more in common with the Existing Developed Area properties because of its location, small size, and configuration. The County Commissioners concur with this conclusion and with the applicant's assertion that commercial use of the petitioned area is appropriate and in keeping with the Comprehensive Plan because it would function as a service center for the residents to the south of Sunset Avenue and thus reduce their need to utilize the much more congested areas to the north along US Route 50. Thus, it would serve the population center in which it is located. Based upon their review the County Commissioners find that the proposed rezoning of the petitioned area from A-2 Agricultural District to C-1 Neighborhood Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

The County Commissioners' findings regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from A-2 Agricultural District to C-1 Neighborhood Commercial District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.

Decision of the County Commissioners: As a result of the testimony and evidence presented before the County Commissioners and the findings as set forth above, the County Commissioners find that there is a mistake in the existing zoning of the petitioned area. As detailed in the Planning Commission's findings and the testimony of the applicant's representatives, the County Commissioners find that the petitioned area is too small and too

narrow to be put to viable agricultural use and that its location between two roadways as well as the limitations imposed by its proximity to the Ocean City Airport also severely constrain any potential agricultural use. Furthermore, the County Commissioners conclude that the area directly across MD Route 611 is residential in nature and that neighborhood commercial use of the petitioned area would relieve those properties of the need to utilize the commercial areas to the north of Sunset Avenue to meet their daily commercial service needs while also being compatible with the residential uses. The County Commissioners agree with the applicant's contention that commercial use of the petitioned area would better serve the existing and anticipated development of the area by providing necessary commercial services rather than what is feasible through the existing A-2 Agricultural District zoning, offering an option to the more congested area north of the junction of MD Routes 611 and 707. Likewise, the County Commissioners concur that there are no beneficial agricultural uses for the petitioned area due to its size and configuration, isolation by roads, and the existing navigation easement. Based upon their review and in consideration of their findings, the County Commissioners conclude that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and hereby approve Rezoning Case No. 405 and thus rezone the petitioned area, shown on Tax Map 26 as Parcel 211, from A-2 Agricultural District to C-1 Neighborhood Commercial District.

Adopted as of May 2, 2017. Reduced to writing and signed May 16, 2017.

ATTEST:



Harold L. Higgins  
Chief Administrative Officer

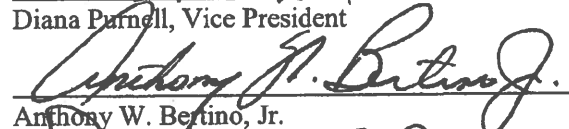
COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND



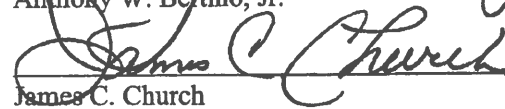
Madison J. Bunting, Jr., President



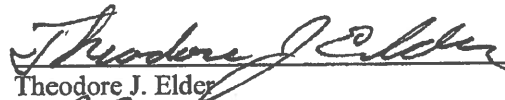
Diana Purnell, Vice President



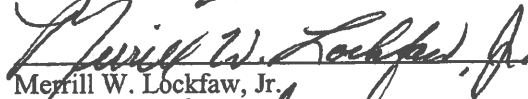
Anthony W. Bertino, Jr.



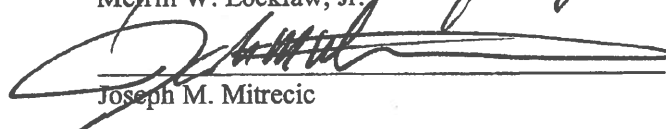
James C. Church



Theodore J. Elder



Merrill W. Lockfaw, Jr.



Joseph M. Mitrecic

## ZONING RECLASSIFICATION RESOLUTION NO. 17-01

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO SECTION ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND SHOWN ON TAX MAP 26 AS PARCEL 211 FROM A-2 AGRICULTURAL DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

WHEREAS, pursuant to Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, Joseph J. Balsamo, applicant, and Joseph E. Moore, applicant's attorney, filed a petition for the rezoning of approximately 2.6235 acres of land shown on Tax Map 26 as Parcel 211, located on the westerly side of MD Route 611 and easterly side of Sinepuxent Road, at the junction of those two roadways, requesting a change in zoning classification thereof from A-2 Agricultural District to C-1 Neighborhood Commercial District; and

WHEREAS, the Worcester County Planning Commission gave the said petition a favorable recommendation during its review on January 5, 2017; and

WHEREAS, subsequent to a public hearing held on May 2, 2017, following due notice and all procedures as required by Sections ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners made findings of fact and found that there is a mistake in the existing zoning of the petitioned area and also made findings of fact relative to the other criteria as required by law;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by Joseph J. Balsamo, applicant, and Joseph E. Moore, applicant's attorney, and shown on Tax Map 26 as Parcel 211 is hereby reclassified from A-2 Agricultural District to C-1 Neighborhood Commercial District

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, May 2, 2017.

EXECUTED this 16<sup>th</sup> day of May, 2017.

ATTEST:



Harold L. Higgins  
Chief Administrative Officer


COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND



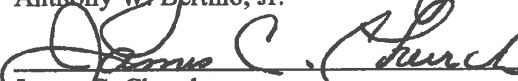
Madison J. Bunting, Jr., President



Diana Purnell, Vice President



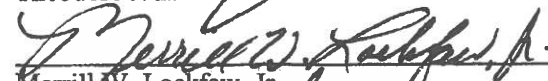
Anthony W. Bertino, Jr.



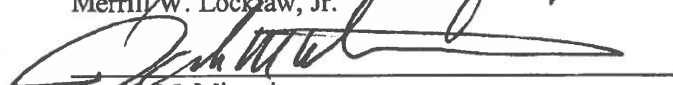
James C. Church



Theodore J. Elder



Merrill W. Lockfaw, Jr.



Joseph M. Mitrecic

IN THE MATTER OF

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THE REZONING APPLICATION OF

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REZONING CASE NO. 417

L &amp; B OCEAN CITY, LLC

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**FINDINGS OF FACT**

Subsequent to a public hearing held on April 17, 2018 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 417: This case seeks to rezone approximately 7.517 acres of land (hereinafter referred to as the petitioned area) located on the westerly side of MD Route 611, to the north of Sinepuxent Road and south of Sunset Avenue. The petitioned area is shown as part of Parcel 274, Lots 1A and 1B on Tax Map 26. Lot 1A has an abandoned tennis court and a shed. Lot 1B is developed with a warehouse/ office structure which totals approximately 14,200 square feet in size.

Applicant's testimony before the County Commissioners: Hugh Cropper, IV, attorney representing the applicant, began his presentation by stating that he was basing the request for rezoning on a claim of a mistake in the existing zoning of the petitioned area. Mr. Cropper provided background on the historical uses of the property, including the text amendment that was approved in the year 2000 to add this particular warehouse use to the former B-1 Neighborhood Business District regulations as a special exception use. He noted that the structure is now non-conforming, because the property retained the C-1 Neighborhood Commercial District designation [the former B-1 District, reclassified], but the use was removed from the district regulations. Mr. Cropper stated that the property is located in the Existing Developed Area on the Land Use Map of the Comprehensive Plan, which calls for land use and zoning to be consistent and conforming. Mr. Cropper entered the Planning Commission's findings of fact and recommendation as Applicant's Exhibit No. 1, along with the following exhibits: the approved text amendment to the 1992 Zoning Code; and a copy of the Board of Zoning Appeals opinion on that case.

Mr. Cropper called Greg Wilkins, surveyor, as his next witness. Mr. Wilkins had surveyed both properties and identified the existing uses. Mr. Cropper noted that the Board of Zoning Appeals opinion on the special exception for the warehouse use was included as part of Applicant's Exhibit No. 1. Mr. Wilkins agreed that the properties are within the Existing Developed Area (EDA) on the Land Use Map of the Comprehensive Plan, and as such the Comprehensive Plan encourages zoning to be in accordance with existing uses.

Mr. Wilkins also agreed that the existing uses were consistent with the C-2 General Commercial District regulations. Mr. Cropper noted that the properties to the north of the petitioned area are zoned C-2 General Commercial District, so in essence they are simply requesting an extension of the district boundary line. Mr. Cropper stated that he has filed an application to request public sewer service from the Mystic Harbour sanitary service area.

Mr. Cropper called Lew Bush, property owner, as his next witness. Mr. Bush reaffirmed the statements already presented with regards to the text amendment and Board of Zoning Appeals special exception processes and approvals. In closing, Mr. Cropper reiterated that this request is consistent with the Comprehensive Plan.

The County Commissioners' findings regarding the definition of the neighborhood: The County Commissioners found that because Mr. Cropper was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.

The County Commissioners' findings regarding population change in the area: As did the Planning Commission, the County Commissioners concluded that there has been no significant change to the population of the vicinity surrounding the petitioned area since the comprehensive rezoning of 2009.

The County Commissioners' findings regarding availability of public facilities: As indicated in the Planning Commission's findings of fact, the County Commissioners find that as it pertains to wastewater disposal and the provision of potable water, Robert J. Mitchell, Director of the Department of Environmental Programs, indicated in his response memo (copy attached) that Parcel 1A has five water equivalent dwelling units (EDUs) assigned from the Mystic Harbor Sanitary Area and is served by existing onsite sewage. (He further stated in his memo that this is the former tennis facility which is currently being used as a storage building and that Parcel 1B has a seasonal snowball and fruit and vegetable stand. However, the survey plat as well as the GIS maps prepared by DRP's Technical Services Division indicate that the warehouse is located on Parcel 1B and that an abandoned tennis court is located on Parcel 1A.) Mr. Mitchell states that the subject property has a designation of Sewer Service Category S-1/W-1 (existing to two years) in the Mystic Sewer and Water Planning Areas and that additional sanitary capacity from the Mystic Harbor Sanitary District will need to be applied for and acquired for this property if it qualifies to intensify the current uses if this rezoning is successful. No comments were received from John H. Tustin, P. E., Director of Public Works, or John Ross, P. E., Deputy Director of Public Works. According to the Worcester County Soil Survey, the primary soil types on the petitioned area have severe limitations to on-site wastewater disposal. Fire and ambulance service will be available from the Ocean City Volunteer Fire Company's substation on Keyser Point Road, approximately five minutes away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received from the Maryland State Police Barracks or from the Worcester County Sheriff's Office. The petitioned area is

within the area served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. No comments were received from the Worcester County Board of Education. In consideration of their review, the County Commissioners find that there will be no negative impacts to public facilities and services resulting from the proposed rezoning, that the property owner will have to acquire sufficient sewer EDUs from the Mystic Harbor Sanitary District to serve any proposed use on the petitioned area.

The County Commissioners' findings regarding present and future transportation patterns: Based upon the Planning Commission's findings of fact and recommendation, the County Commissioners find that the petitioned area fronts on and currently has direct access to MD Route 611. This roadway is owned and maintained by the State. The Comprehensive Plan classifies MD Route 611 as a two-lane secondary highway/major collector highway. With regard to MD Route 611, the Comprehensive Plan recommends that scenic and transportation corridor planning be conducted to continue this road's rural and coastal character, particularly from MD Route 376 to Assateague Island; that capacity improvements from MD Route 376 to US Route 50 need to be studied and implemented; that interparcel connectors, service roads and other access controls need to be provided; that growth along the mid and southern portion of the corridor should be limited due to sensitivity of nearby lands and the limited capacity of the area's road system; and that widening and intersection improvements of the corridor's northern end needs to be planned. James W. Meredith, District Engineer for State Highway Administration District 1, states in his response memo (copy attached) that rezoning is a land use issue, which is not under the jurisdiction of the State Highway Administration (SHA). If development of the property is proposed in the future, the SHA may require a Traffic Impact Study to determine potential impacts to the surrounding State roadway network, and that future development may also require an access permit to be issued from his office. Mr. Meredith further states that with the exception of his aforementioned comments, SHA has no objection to a rezoning determination by Worcester County. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo (copy attached) that he had no comment, in that MD Route 611 is a state highway. Based upon its review, the County Commissioners found that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

The County Commissioners' findings regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: Based upon the Planning Commission's findings and the testimony of the applicant's representative, the County Commissioners find that C-2 General Commercial District zoning is currently in place along almost the entire length of the MD Route 611 corridor extending north to US Route 50 from the petitioned area. The County Commissioners found that the existing warehouse use on the petitioned area was a conforming special exception under the previous B-1 Neighborhood Business District regulations. The use was made nonconforming when the 2009 update of the zoning maps left the property in the C-1 Neighborhood Commercial District but removed the warehousing use for structures of this size from those district regulations. The County Commissioners concluded that the C-2 General Commercial District zoning

classification would therefore be more in keeping with the actual use located on the petitioned area. The County Commissioners found that the proposed rezoning will not have any adverse impacts on environmental concerns. The County Commissioners found that the proposed rezoning of the petitioned area is compatible with the vicinity surrounding the petitioned area and is in fact necessary to bring the existing warehouse facility of approximately 14,200 square feet in gross floor area into conformance with the zoning regulations. Based upon its review, the County Commissioners found that the proposed rezoning of the petitioned area from C-1 Neighborhood Commercial District to C-2 General Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.

The County Commissioners' findings regarding compatibility with the County's Comprehensive Plan: The County Commissioners find that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Existing Developed Area Land Use Category. With regard to this category, the Comprehensive Plan states that it identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained, that recognizing existing development and neighborhood character is the purpose of this designation, and that appropriate zoning providing for densities and uses consistent with this character should be instituted. The Plan furthermore states that the EDAs are anticipated to remain as mapped at least until the next plan review period and that this will provide for orderly infill development within EDAs and new community-scale growth in the growth areas. The Plan also states that, while not designated as growth areas, these areas should be limited to infill development and that density, height, bulk and site design standards should also be consistent with the EDA's existing character. Having found that the MD Route 611 corridor extending from the petitioned area north to US Route 50 is primarily zoned C-2 General Commercial District and that such a zoning classification is in fact necessary to bring the existing structure on the petitioned area into conformance with the zoning regulations, the County Commissioners determined that the requested rezoning to a general commercial classification is consistent with the EDA land use category and that the petitioned area's zoning should reflect the existing uses on the site. Based upon its review, the County Commissioners found that the proposed rezoning of the petitioned area from C-1 Neighborhood Commercial District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

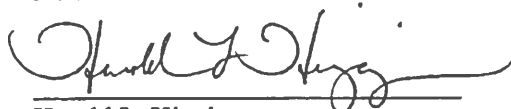
The County Commissioners' findings regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from C-1 Neighborhood Commercial District to C-2 General Commercial District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.

Decision of the County Commissioners: As a result of the testimony and evidence presented before the County Commissioners and the findings as set forth above, the County Commissioners find that there is a mistake in the existing zoning of the petitioned area. The existing warehouse consists of approximately 14,200 square feet in gross floor

area on Lot 1B. The structure was made non-conforming as a result of a change to the district regulations, which removed this particular warehouse use entirely from the C-1 Neighborhood Commercial District regulations. The County Commissioners found that it was a mistake to have placed the petitioned area in a C-1 Neighborhood Commercial District designation during the comprehensive rezoning of 2009 because the structure would have been conforming with respect to the size of the structure and the use under the C-2 General Commercial District regulations. In that the structure and its use as a warehouse was existing on the site at the time of the 2009 comprehensive rezoning, the petitioned area should have been given a C-2 General Commercial District zoning classification. Based upon its review, the County Commissioners concluded that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and hereby approve Rezoning Case No. 417, and thus rezone the petitioned area, shown on Tax Map 26 as part of Parcel 274, Lots 1A and 1B, from C-1 Neighborhood Commercial District to C-2 General Commercial District.

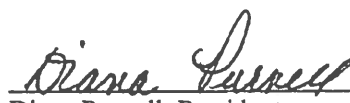
Adopted as of April 17, 2018. Reduced to writing and signed June 5, 2018.

ATTEST:



Harold L. Higgins  
Chief Administrative Officer

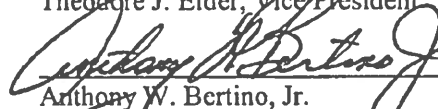
COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND



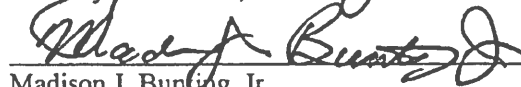
Diana Purnell, President



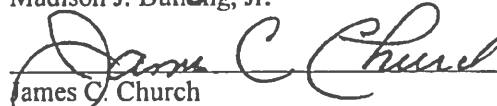
Theodore J. Elder, Vice President



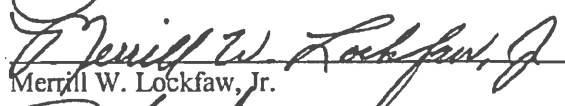
Anthony W. Bertino, Jr.



Madison J. Bunting, Jr.



James C. Church



Merrill W. Lockfaw, Jr.



Joseph M. Mitrecic

## ZONING RECLASSIFICATION RESOLUTION NO. 18-02

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO SECTION ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND SHOWN ON TAX MAP 26 AS PART OF PARCEL 274, LOTS 1A AND 1B FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT.

WHEREAS, pursuant to Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, L & B Ocean City, LLC, applicant, and Hugh Cropper, IV, applicant's attorney, filed a petition for the rezoning of approximately 7.517 acres of land shown on Tax Map 26 as part of Parcel 274, Lots 1A and 1B, located on the westerly side of MD Route 611, to the north of Sinepuxent Road and south of Sunset Avenue, requesting a change in zoning classification thereof from C-1 Neighborhood Commercial District to C-2 General Commercial District; and

WHEREAS, the Worcester County Planning Commission gave the said petition a favorable recommendation during its review on February 1, 2018; and

WHEREAS, subsequent to a public hearing held on April 17, 2018, following due notice and all procedures as required by Sections ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners made findings of fact and found that there is a change in the character of the neighborhood of the petitioned area and also made findings of fact relative to the other criteria as required by law;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by L & B Ocean City, LLC, applicant, and shown on Tax Map 26 as part of Parcel 274, Lots 1A and 1B is hereby reclassified from C-1 Neighborhood Commercial District to C-2 General Commercial District.

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, April 17, 2018.

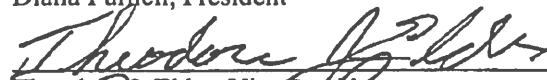
EXECUTED this 5<sup>th</sup> day of June, 2018.

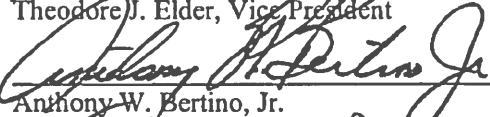
ATTEST:


  
Harold L. Higgins  
Chief Administrative Officer

COUNTY COMMISSIONERS OF  
WORCESTER COUNTY, MARYLAND

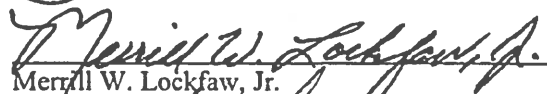
  
Diana Purnell, President


  
Theodore J. Elder, Vice President

  
Anthony W. Bertino, Jr.

  
Madison J. Bunting, Jr.

  
James C. Church

  
Merrill W. Lockfaw, Jr.

  
Joseph M. Mitrecic

IN THE MATTER OF

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THE REZONING APPLICATION OF

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REZONING CASE NO. 431

COF INVESTMENT GROUP, LLC

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**FINDINGS OF FACT**

Subsequent to a public hearing held on February 16, 2021 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 431: This case seeks to rezone approximately 1.2 acres of land ("petitioned area") consisting of three separate segments on the overall parcel which totals 5.46 acres. The petitioned area is located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road), in West Ocean City. The request is to reclassify the petitioned area from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District. The petitioned area is shown as Parcel 158 on Tax Map 26. The petitioned area is currently vacant and forested with tidal and non-tidal wetlands.

Applicant's testimony before the County Commissioners: Mr. Hugh Cropper, IV, attorney for the applicant, began his presentation by stating that he concurred in full with the Planning Commission's Findings of Fact. He stated that the subject property is almost entirely within the Commercial Center Land Use Category of the Comprehensive Plan and is impacted by a tributary of Herring Creek. The overall parcel has three different zoning designations; his client is seeking to eliminate all of the R-2 Suburban Residential District from the property (consisting of 1.0 acre of land), and modify the RP Resource Protection District boundary line based upon a formal delineation of the tidal wetlands (consisting of 0.2 acres). The petitioned area would be rezoned to C-2 General Commercial District, consistent with the majority of the remainder of the subject property.

Mr. McCabe testified that the delineation of the tidal and non-tidal wetlands has been approved by the Maryland Department of the Environment (MDE). He explained that

the Resource Protection boundary line was intended to follow the tidal wetlands line, and that all existing tidal wetlands will retain the RP District designation. He concurred with Mr. Cropper's assessment that this rezoning request was more of a refinement than a mistake, as it will reflect actual ground conditions. Mr. McCabe stated that there will be no environmental harm as a result of the rezoning, and that the C-2 General Commercial District designation was more desirable in terms of the Comprehensive Plan.

Mr. Robert Hand, landscape architect, stated that he was hired to prepare a site plan for this property. Due to the bisection of the property by the RP District, it was difficult to design a single project with a single commercial entrance. Mr. Hand concurred with Mr. McCabe's assessment that this was a mistake, or a refinement, of the zoning based upon the wetland delineation. If the rezoning was granted, he would be able to prepare a unified, holistic development plan.

Mr. Cropper concluded that the existing zoning was a mistake, and concurred with the Planning Commission's findings in support of the proposed map amendment.

The County Commissioners' findings regarding the definition of the neighborhood: The County Commissioners find that because Mr. Cropper was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.

The County Commissioners' findings regarding population change in the area: As did the Planning Commission, the County Commissioners conclude that there has been no change to the population of the neighborhood since the comprehensive rezoning of 2009.

The County Commissioners' findings regarding availability of public facilities: As indicated in the Planning Commission's findings of fact, the County Commissioners find that there would be no impact upon public facilities as it pertains to wastewater disposal and the provision of potable water, since this property would be served with public sewer and a private well if developed. Mr. Mitchell's memo stated that the subject property has a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. He states that there is no public water available to the property, and a private well will be needed for water supply. Therefore, adequate public facilities are available for the petitioned property. Additionally, fire and ambulance service will be available from the Ocean City Fire Company, approximately five minutes away from the substation on Keyser Point Road. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately ten minutes away, and the Worcester County Sheriff's Department in Snow Hill, approximately thirty minutes away. No comments were received

from either the Maryland State Police or the Worcester County Sheriff's Department. The petitioned area is served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. As a commercial use, there will be no impact on the school system. In consideration of their review, the County Commissioners find that there will be no negative impacts to public facilities and services resulting from the proposed rezoning of the petitioned area from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District.

The County Commissioners' findings regarding present and future transportation patterns: Based upon the Planning Commission's findings of fact and recommendation, the County Commissioners find that the petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists US Route 50 as a multi-lane divided primary highway/ arterial highway. James W. Meredith, District Engineer for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 commented by letter that he had no objection to the rezoning request, however he will require a concept traffic study to determine potential impacts to the surrounding State roadway network, with the potential for a traffic study and permitting, as necessary. Frank J. Adkins, Worcester County Roads Superintendent, responded by memo that he had no comments at this time. The Planning Commission agreed with Mr. Cropper's assessment that a single commercial entrance would be more desirable than two commercial entrances. Based upon its review, the County Commissioners find that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

The County Commissioners' findings regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: Based upon the Planning Commission's findings and the testimony of the applicant's representative, the County Commissioners find that the predominant zoning of the subject parcel is C-2 General Commercial District, which could be developed with a commercial use regardless of the requested map amendment. The subject property is located between two commercial condominium developments to the east and west, and the location of the R-2 Suburban Residential District petitioned area to the rear of the property is impractical for a residential use. They agreed with Mr. Cropper's assessment that the modification of the RP Resource Protection District boundary line was a map "refinement" rather than a mistake based upon actual ground conditions, and acknowledged that the appropriate wetlands and Critical Area buffers would still be applied to protect the tributary of Herring Creek. Based upon

their review, the County Commissioners find that the proposed rezoning of the petitioned areas from R-2 Suburban Residential District (1.0 acre) and RP Resource Protection District (0.2 acres) to C-2 General Commercial District is compatible with existing and proposed development and existing environmental conditions in the area.

The County Commissioners' findings regarding compatibility with the County's Comprehensive Plan: Based upon the Planning Commission's findings and the testimony of the applicant's representatives, the County Commissioners find that according to the Comprehensive Plan and associated land use map, the petitioned area lies predominantly within the Commercial Center Land Use Category, and the majority of the subject property is commercially zoned. Split zoning is strongly discouraged, so the elimination of the R-2 Suburban Residential District would be more compatible with the goals of the Comprehensive Plan. In addition, the refinement of the RP Resource Protection District boundary line based upon actual ground conditions is consistent with the intent of the Comprehensive Plan and the purpose and intent of the RP zoning district. Based upon its review, the County Commissioners find that the proposed rezoning of the petitioned area from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District is compatible with the Comprehensive Plan and in keeping with its goals and objectives.

The County Commissioners' findings regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District, on the basis of a mistake in the existing zoning of the petitioned area. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.

Decision of the County Commissioners: As a result of the testimony and evidence presented before the County Commissioners and the findings as set forth above, the County Commissioners find that there is a mistake in the existing zoning of the petitioned area. As detailed in the Planning Commission's findings and the testimony of the applicant's representatives, the County Commissioners find that split zoning of a property is strongly discouraged. In addition, the development of the R-2 Suburban Residential District with a residential structure would require access through the commercial zoning and future development, which is not desirable. With respect to the Resource Protection District boundary line, the Planning Commission found that the use of GIS technology during the 2009 Comprehensive Rezoning mapped the wetlands as accurately as possible, but that the actual ground conditions and formal delineation show that the tidal wetlands

are located further north than mapped. In addition, the bisection of the commercial zoning would result in two separate development areas on the subject parcel, each requiring their own commercial entrance, rather than a cohesive project with a single commercial entrance. Based upon their review, the County Commissioners conclude that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and hereby approve Rezoning Case No. 431 and thus rezone the petitioned area shown on Tax Map 26 as Parcel 158, from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District.

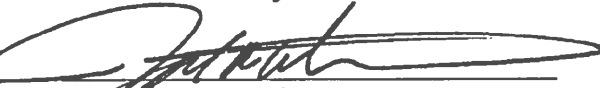
Adopted as of February 16, 2021. Reduced to writing and signed March 2, 2021.

Attest:



Harold L. Higgins  
Chief Administrative Officer

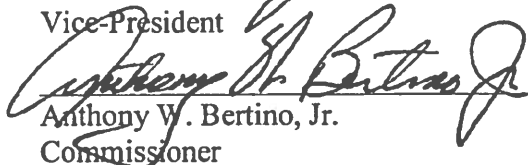
Worcester County Commissioners



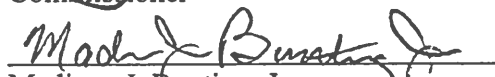
Joseph M. Mitrecic  
President



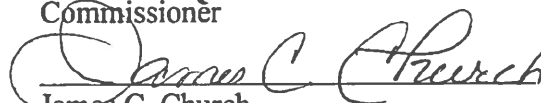
Theodore J. Elder  
Vice-President



Anthony W. Bertino, Jr.  
Commissioner



Madison J. Bunting, Jr.  
Commissioner



James C. Church  
Commissioner



Joshua C. Nordstrom  
Commissioner



Diana Purnell  
Commissioner

**ZONING RECLASSIFICATION RESOLUTION NO. 21-1**

**A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO § ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND SHOWN ON TAX MAP 26 AS PARCEL 158 FROM R-2 SUBURBAN RESIDENTIAL DISTRICT AND RP RESOURCE PROTECTION DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT.**

**WHEREAS, pursuant to § ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, COF Investment Group, LLC, applicant, and Hugh Cropper, IV, applicant's attorney, filed a petition for the rezoning of approximately 1.2 acres of land shown on Tax Map 26 as Parcel 158, located on the northerly side of US Route 50 (Ocean Gateway), east of MD Route 707 (Old Bridge Road), requesting a change in zoning classification thereof from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District; and**

**WHEREAS, the Worcester County Planning Commission gave the petition a favorable recommendation during its review on December 3, 2020; and**

**WHEREAS, subsequent to a public hearing held on February 16, 2021, following due notice and all procedures as required by Sections ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners found that there is a mistake in the existing zoning of the petitioned area and the findings of fact relative to the criteria as required by law are incorporated by reference;**

**NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by COF Investment Group, LLC, applicant, and Hugh Cropper, IV, applicant's attorney, and shown on Tax Map 26 as Parcel 158 is hereby reclassified from R-2 Suburban Residential District and RP Resource Protection District to C-2 General Commercial District.**

**BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, February 16, 2021.**


**EXECUTED this 2nd day of March, 2021.**

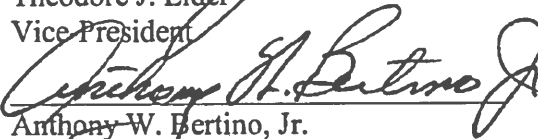
Attest:

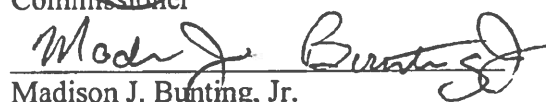
  
Harold L. Higgins  
Chief Administrative Officer

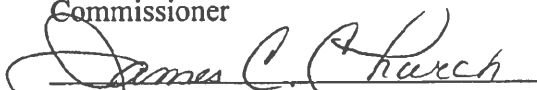
Worcester County Commissioners


  
Joseph M. Mitrecic  
President

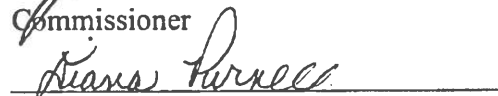
  
Theodore J. Elder  
Vice President

  
Anthony W. Bertino, Jr.  
Commissioner

  
Madison J. Bunting, Jr.  
Commissioner

  
James C. Church  
Commissioner

  
Joshua C. Nordstrom  
Commissioner

  
Diana Purnell  
Commissioner

IN THE MATTER OF

\*

THE REZONING APPLICATION OF

\*

REZONING CASE NO. 437

\*

DAWN P. AND JEFFREY D. PRUITT

\*

\*

\*

\*\*\*\*\*

**FINDINGS OF FACT**

Subsequent to a public hearing held on September 20, 2022 and after a review of the entire record, all pertinent plans and all testimony, the Worcester County Commissioners hereby adopt the findings of the Worcester County Planning Commission and also make the following additional findings of fact as the County Commissioners' complete findings of fact pursuant to the provisions of Section ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland.

Regarding the specifics of Rezoning Case No. 437: This case seeks to rezone approximately 2.25 acres of a 4.5 acre parcel from R-2 Suburban Residential District to C-2 General Commercial District. The property is located on the northerly side of U.S. Route 50 (Ocean Gateway) and is east of and adjacent to Herring Creek, and is shown on Tax Map 26 as a portion of Parcel 83. The property is undeveloped. The Planning Commission recommended approval of the request at its August 4, 2022 meeting, and its rezoning case file was entered into the record as Planning Commission Exhibit #1.

Applicants' testimony before the County Commissioners: Mr. Hugh Cropper, IV, attorney for the applicants, stated that this request was based on a mistake in the existing zoning. He stated he represents the property owners who are the applicants, and he also represents Blue Water Development as the contract purchasers of the property. He referenced the aerial photo contained in Planning Commission Exhibit #1 and also entered it as Applicants' Exhibit #1, and pointed out only the 2.25 acre portion of the property adjacent to U.S. Route 50 is included in the rezoning request. He stated that the remainder of the property will still be zoned R-2 and RP Resource Protection if this rezoning request is approved, and that portion of the property will serve as a buffer for adjacent properties.

Mr. Cropper then referenced the zoning map that was contained in the Planning Commission Exhibit #1 document and also entered it as Applicants' Exhibit #2, pointing out that nearby properties were zoned C-2 on both sides of U.S. Route 50. He then entered

into the record as Applicants' Exhibit #3 the Land Use Plan from the County's adopted Comprehensive Plan that showed the subject property, along with other properties on both sides of U.S. Route 50, were placed in the Commercial Center Land Use category.

Mr. Cropper introduced Bob Hand, a landscape architect and land planner with 40 years of experience. In response to questions from Mr. Cropper, Mr. Hand confirmed that the property was located in the Commercial Center Land Use category of the County's adopted Comprehensive Plan, and was also within the West Ocean City Sanitary Service Area and designated as an S-1 Service Area, and was allocated one Equivalent Dwelling Unit (EDU). Mr. Cropper entered into the record Applicants' Exhibit #4, which Mr. Hand explained was a zoning map that showed C-2 General Commercial zoning was currently located adjacent to both sides of U.S. Route 50 from Herring Creek to the Sinepuxent Bay, with the exception of the applicants' property and one other property adjacent to the bridge entering Ocean City that is improved with a townhouse development. Mr. Hand also noted that the subject property is located within the Atlantic Coastal Bays Critical Area (ACBCA) and is designated an Intensely Developed Area, and will be required to comply with those regulations, especially as they relate to environmental requirements. He also stated that any environmental regulations would apply whether the property was zoned residential or commercial. He pointed out that the State Critical Area Commission staff had reviewed the rezoning request and did not object provided the rezoning was based on a mistake in the existing zoning. In response to Mr. Cropper's question, Mr. Hand stated that he believed the current R-2 zoning is a mistake and the proposed C-2 General Commercial zoning would be more desirable in terms of the objectives of the County's Comprehensive Plan. He also stated that the remaining portion of the property that is not part of the rezoning request will retain its R-2 and RP zoning, and those two categories can provide a buffer for nearby residential properties. When asked by Mr. Cropper about traffic impacts, Mr. Hand responded that the proposed office use would generate less traffic than a potential planned residential development that could also have commercial use, which is allowed under current zoning.

Mr. Cropper then entered into the record Applicants' Exhibit #5, which contained excerpts from the County's adopted Comprehensive Plan related to the purpose of the Commercial Center Land Use category. He pointed out this property is located in a recommended Commercial Center area, and these areas are intended to provide for anticipated needs for businesses, and offices are among the uses that would be expected to locate in commercial centers.

Mr. Cropper introduced Chris McCabe, an environmental planning consultant, who testified in response to Mr. Cropper's questioning that the subject property is mostly

uplands with no nontidal wetlands and with well-drained soils. He confirmed that the property is designated an Intensely Developed Area in the Critical Area and that the Critical Area Commission staff did not oppose the rezoning request. He also stated that the requested rezoning would have no impact on environmental regulations and that they would still be applicable if the rezoning is approved. He agreed that the current R-2 zoning is a mistake and that the proposed C-2 zoning would be consistent with the recommendations of the Comprehensive Plan, and would be more desirable given the property's location adjacent to U.S. Route 50.

In closing, Mr. Cropper stated the current R-2 Suburban Residential zoning was a mistake, and the property had 100 foot setbacks on all sides that resulted in a limited buildable area. In particular, he stated the 100 foot setback from U.S. Route 50 created a problem for residential development that didn't exist for commercial development, since parking for a commercial use could be located within this setback. He stated of more importance is that the proposed rezoning is in accordance with the County's adopted Comprehensive Plan, as the Plan recommended Commercial Center uses for this property, and the subject property was one of only two properties adjacent to U.S. Route 50 from Herring Creek to the Sinepuxent Bay that was not zoned C-2. He pointed out that the Planning Commission unanimously supported this rezoning request.

Opponents' testimony before the County Commissioners: Patrick DeGroodt, 10137 Waterview Drive, stated he agrees a small office on the subject property would be acceptable, but he expressed concerns with the possibility of high density residential development on the rear of the property, and with a commercial watersports facility on the portion to be rezoned.

John Odell, 10221 Silver Point Lane, stated he had seen a site plan for this property that contained an intensive commercial use, and he was also concerned with future development of the rear of the property that was not part of the rezoning application.

Charles Shorley, 10126 Silver Point Lane, provided a copy of a concept plan to the County Commissioners that he was given, which was entered into the record as Opponents Exhibit #1. He stated he was concerned with various aspects of it, including the complete removal of vegetation and parking in the Critical Area Buffer. He also testified he was concerned about traffic and access.

Richard Nieman, 45 Wood Duck Drive, stated he had also seen the concept plan and had a number of concerns with the proposed development.

At this point, it was clarified by the County Attorney that the request before the County Commissioners was for a rezoning and not for a concept or site plan.

Joe Alberio, 10114 Silver Point Lane, also expressed concerns with the concept plan and removal of vegetation.

John and Patrice Lehmann, 10204 Silver Point Lane, stated flooding is an issue in this area and they would like the residential nature of the neighborhood to remain.

Ron Smith, 11036 Piney Island Drive, stated he was the President of the Atlantic Coast Sport Fishermen's Association and was concerned with commercial development contributing to the deterioration of the water quality of Herring Creek.

Mike Gillespie, 10208 Silver Point Lane, stated he was concerned with the future use of this property being more commercial than an office if this rezoning is approved.

John Carenbauer and Doug Rutherford, 10111 Waterview Drive, stated they own the property to the north of the rezoning property and they bought knowing the area was residentially-zoned. They testified they were concerned with potential commercial development on this property negatively impacting the residential properties in the neighborhood with traffic, noise and runoff.

The County Commissioners' findings regarding the definition of the neighborhood: The County Commissioners find that because Mr. Cropper was basing his argument for rezoning solely upon a claim of mistake in existing zoning, a definition of the neighborhood was not applicable.

The County Commissioners' findings regarding population change in the area: The County Commissioners agree with the Planning Commission and conclude that population change in the immediate area has been minimal since the last comprehensive rezoning that occurred on November 3, 2009, as properties along U.S. Route 50 are commercially developed.

The County Commissioners' findings regarding availability of public facilities: The County Commissioners agree with the Planning Commission and find that there will be no impact upon public facilities as result of this rezoning. The County Commissioners find that the subject property is located within the West Ocean City Sanitary Service Area and has public sewer available. The Environmental Programs Department indicates that the subject property has a designation of a Sewer Service Category of S-1 (Immediate to 2 years) in the Master Water and Sewerage Plan and has an existing sewer allocation of one

EDU. Fire and ambulance service will be available from the Ocean City Volunteer Fire Company, with a substation on Keyser Point Road located less than one mile away. No comments were received from the fire company with regard to this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately five miles away, and the Worcester County Sheriff's Department in Snow Hill, approximately twenty-one miles away. The Sheriff's Office responded that the rezoning would have no impact on their operations at this time, and no comments were received from the Maryland State Police. The petitioned area is served by the following schools: Ocean City Elementary School, Berlin Intermediate School, Stephen Decatur Middle School, and Stephen Decatur High School. As a commercial use, there will be no impact on the school system. In consideration of its review, the County Commissioners find that there will be no negative impacts to public facilities and services resulting from the proposed rezoning.

The County Commissioners' findings regarding present and future transportation patterns: Based on the testimony presented, the County Commissioners find that the petitioned area fronts on Ocean Gateway, a State-owned and -maintained highway. The Comprehensive Plan lists U.S. Route 50 as a multi-lane divided primary highway/arterial highway. Dan Wilson, Assistant District Engineer – Traffic, for the Maryland Department of Transportation State Highway Administration (MDOT SHA) District 1 informed the Planning Staff that a rezoning is a land use issue which is not under the jurisdiction of MDOT SHA, but at such time in the future when development may be proposed for this property traffic impacts will be analyzed based on the proposed use and improvements will be required to ensure safe ingress and egress. Based on MDOT SHA's response, the County Commissioners agree with the Planning Commission and find that there will be no negative impact to the transportation patterns arising from the proposed rezoning of the petitioned area.

The County Commissioners' findings regarding compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact to waters included on the State's impaired waters list or having an established total maximum daily load requirement: The County Commissioners find that, with the exception of the subject property and a townhouse project located on the south side of U.S. Route 50 at the base of the bridge entering Ocean City, all other properties that front on U.S. Route 50 from Herring Creek to the Sinepuxent Bay are zoned C-2 General Commercial. The proposed rezoning would be compatible with the commercial zoning and development located along this section of U.S. Route 50. The requested rezoning is for 2.25 acres of a 4.5 acre parcel; if the rezoning is approved, the remainder of the property (also 2.25 acres) will retain its RP Resource Protection and R-2 Suburban Residential zoning. The County Commissioners find that this retained zoning will provide a buffer

from existing residential development located to the north. The County Commissioners also find that the property is located within the Atlantic Coastal Bays Critical Area and will be subject to the regulations associated with that designation, which will help provide protection to any existing environmental conditions on the property.

The County Commissioners' findings regarding compatibility with the County's Comprehensive Plan: The County Commissioners find that according to the Comprehensive Plan and associated land use plan map, the petitioned area lies within the Commercial Center Land Use category. The Commissioners agree with the Planning Commission that the proposed rezoning to C-2 General Commercial is in accordance with the Commercial Center Land Use designation contained in the Plan and with the Plan's goals and objectives.

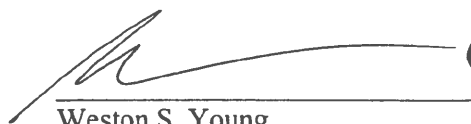
The County Commissioners' findings regarding the recommendation of the Planning Commission: The County Commissioners find that the Planning Commission gave a favorable recommendation to the rezoning of the petitioned area from R-2 Suburban Residential District to C-2 General Commercial District. Having made the above findings of fact, the County Commissioners concur with the recommendation of the Planning Commission and adopt its findings.


Decision of the County Commissioners: As a result of the testimony and evidence presented before the County Commissioners and the findings as set forth above, the County Commissioners find that there is a mistake in the existing zoning of the petitioned area. As detailed in the Planning Commission's findings and the testimony presented, the County Commissioners find that the Comprehensive Plan's Land Use Plan places the subject property in a Commercial Center Land Use category which is compatible with the C-2 General Commercial District zoning. The subject property is one of only two properties between Herring Creek and the Sinepuxent Bay with frontage on U.S. Route 50 that isn't zoned C-2. Only a portion of the subject property that fronts on U.S. Route 50 is requested to be rezoned, with the remainder of the property retaining its R-2 and RP Resource Protection zoning that will provide an appropriate buffer to surrounding properties. Based upon the evidence and testimony presented, the County Commissioners conclude that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan and hereby approve Rezoning Case No. 437 and thus rezone the petitioned area, shown on Tax Map 26 as a portion of Parcel 83, from R-2 Suburban Residential District to C-2 General Commercial District.

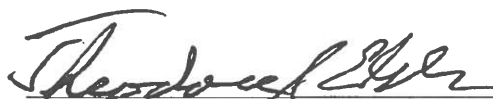
Adopted as of September 20, 2022. Reduced to writing and signed October 4, 2022.

ATTEST:


COUNTY COMMISSIONERS OF  
WORCESTER COUNTY

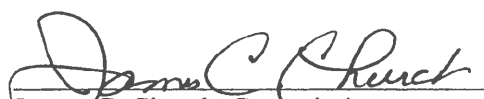
  
Weston S. Young  
Chief Administrative Officer

  
Joseph M. Mitrecic, President

  
Theodore J. Elder, Vice President

\_\_\_\_\_  
Anthony W. Bertino, Jr., Commissioner

  
Madison J. Bunting, Jr., Commissioner

  
James C. Church, Commissioner

  
Joshua C. Nordstrom, Commissioner

  
Diana Purnell, Commissioner

## ZONING RECLASSIFICATION RESOLUTION NO. 22-5

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, PURSUANT TO § ZS 1-113 OF THE ZONING AND SUBDIVISION CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL LAWS OF WORCESTER COUNTY, MARYLAND, CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND SHOWN ON TAX MAP 26 AS A PORTION OF PARCEL 83, FROM R-2 SUBURBAN RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT.

WHEREAS, pursuant to § ZS 1-113 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, Dawn P. and Jeffery D. Pruitt, applicants, and Hugh Cropper, IV, applicants' attorney, filed a petition for the rezoning of approximately 2.25 acres of land shown on Tax Map 26 as a portion of Parcel 83, located on the northerly side of U.S. Route 50, east of and adjacent to Herring Creek, requesting a change in zoning classification thereof from R-2 Suburban Residential District to C-2 General Commercial District; and

WHEREAS, the Worcester County Planning Commission gave the petition a favorable recommendation during its review on August 4, 2022; and

WHEREAS, subsequent to a public hearing held on September 20, 2022, following due notice and all procedures as required by Sections ZS 1-113 and 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners found that there is a mistake in the existing zoning of the petitioned area and the findings of fact relative to the criteria as required by law are incorporated by reference;

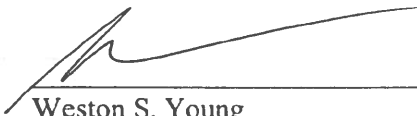
NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County that the land petitioned by Dawn P. and Jeffery D. Pruitt, applicants, and Hugh Cropper, IV, applicants' attorney, and shown on Tax Map 26 as a portion of Parcel 83, is hereby reclassified from R-2 Suburban Residential District to C-2 General Commercial District.

BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, September 20, 2022.

EXECUTED this 4th day of October, 2022.

ATTEST:


COUNTY COMMISSIONERS OF  
WORCESTER COUNTY

  
Weston S. Young  
Chief Administrative Officer

  
Joseph M. Mitrecic, President

  
Theodore J. Elder, Vice President

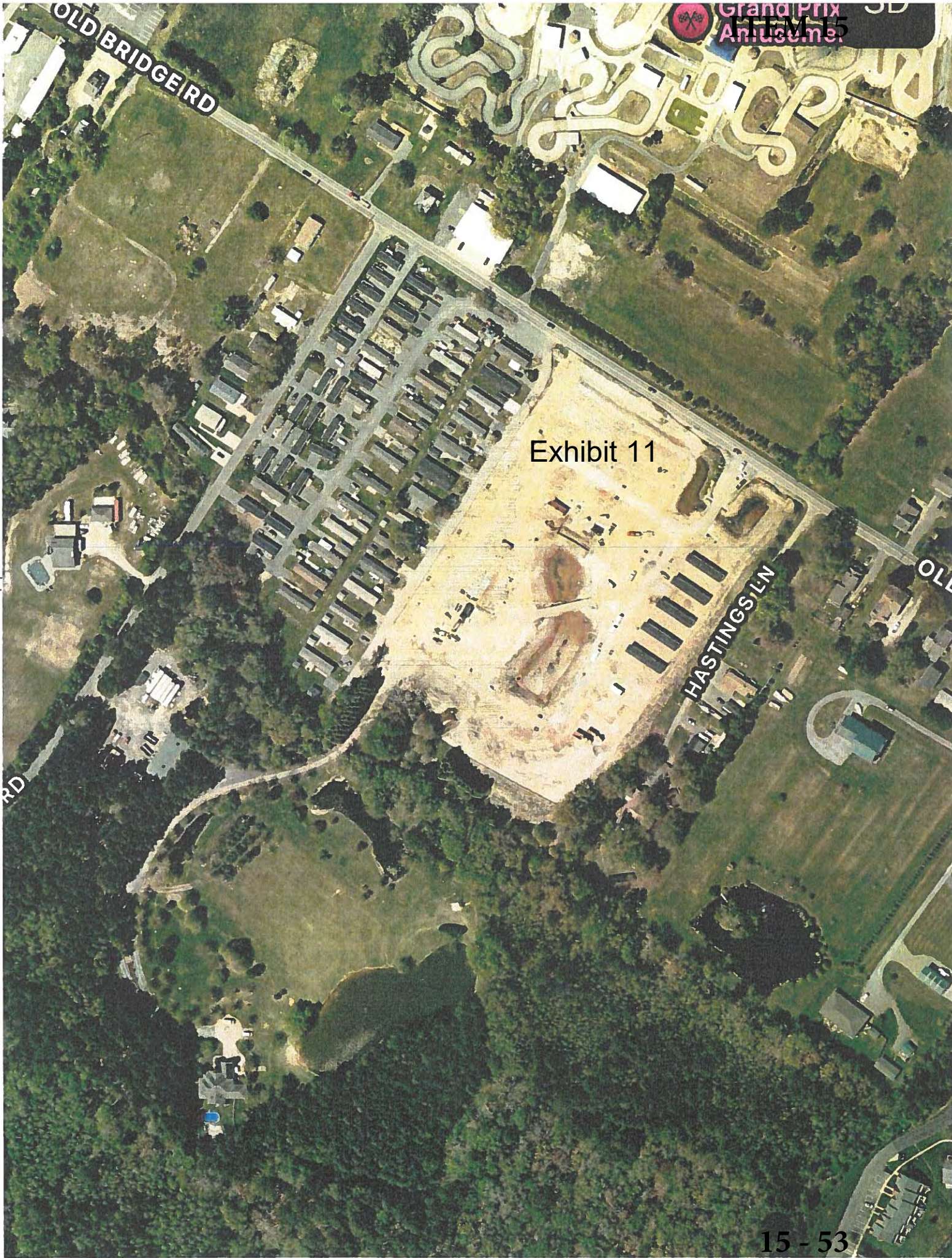
\_\_\_\_\_  
Anthony W. Bertino, Jr., Commissioner

  
Madison J. Bunting, Jr., Commissioner

  
James C. Church, Commissioner

  
Joshua C. Nordstrom, Commissioner

  
Diana Purnell, Commissioner



11  
L.A. 11/14

**STAFF REPORT**

**REZONING CASE NO. 449**

**PROPERTY OWNER:** Mark R. Odachowski  
12507 Sunset Avenue, Unit 14D  
Ocean City, MD 21842

**ATTORNEY:** Hugh Cropper IV  
9927 Stephen Decatur Hwy, F-12  
Ocean City, Maryland 21842

**TAX MAP/PARCEL INFO:** Tax Map 26, Parcel 476, Lot C-1, Tax District 10

**SIZE:** The petitioned area consists of 18.67 acres.

**LOCATION:** 12254 Greenridge Lane Road, Ocean City, MD. It is 850 feet south of Old Bridge Road with access to Greenridge Lane Road which sits to the west.

**CURRENT USE OF PETITIONED AREA:** There is currently a single-family house and a large residential storage building on the property.

**CURRENT ZONING CLASSIFICATION:** R-2 Suburban Residential District. The maximum density for this zoning district is four units per net acre, or four units per gross acre if the development will be a major Residential Planned Community.

As defined in the Zoning Code, this district is primarily intended to protect and preserve existing residential subdivisions throughout the County and to provide for compatible infill development in those areas. In addition, and as recommended by the Comprehensive Plan, this district can serve as a transition zone between high- and low-density residential neighborhoods.

**REQUESTED ZONING CLASSIFICATION:** R-4 General Residential District. The maximum density for this zoning district is eight units per net acre, or eight units per gross acre if the development will be a major Residential Planned Community. The density for a manufactured home park is six units per net acre.

As defined in the Zoning Code, the intent of this district is to protect the existing residential subdivisions throughout the County that are currently developed in accordance with its provisions while also providing for compatible infill development and is meant to accommodate the most diverse housing types and range of affordability. While this district can serve as the core of a traditional neighborhood development, it is not limited to usage only in areas designated for growth by the Comprehensive Plan.

**APPLICANT'S BASIS FOR REZONING:** The application indicates that there is a substantial change in the character of the neighborhood since the last Comprehensive Rezoning on

November 3, 2009. While not the primary basis for the request, the applicant also alleges that a mistake was made due to a former temporary Declaration of Consolidation. In addition, the Critical Area maps are in the process of being revised, and the draft maps will reduce the amount of land within the petitioned area that will be impacted.

**ZONING HISTORY:** At the time zoning was first established in 1964, the petitioned area was given an A-1 Agricultural District classification, which was retained in the subsequent 1978 Comprehensive rezoning. In the 1992 comprehensive rezoning it changed to the R-2 Suburban Residential District and retained that in 2009 comprehensive rezoning.

**SURROUNDING ZONING:** Adjoining properties to the east, west and south are zoned R-2 Suburban Residential District. Properties to the north are zoned R-4 General Residential District.

**COMPREHENSIVE PLAN:**

The County's Comprehensive Plan was adopted by the County Commissioners on March 7, 2006, and is intended to be a general guide for future development in the County. Whether proposed rezoning is compatible with the recommendations of the Comprehensive Plan is one of the criteria that is considered in all rezoning requests, as listed in § ZS 1-113(c)(3) and as summarized at the end of this Staff Report.

According to Chapter 2 – Land Use of the Comprehensive Plan and associated land use map, the petitioned area lies within the Existing Developed Areas (EDA) Land Use Category. Regarding the Existing Developed Areas Land (EDA) Use Category, the Comprehensive Plan states the following:

“This category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. Recognizing existing development and neighborhood character is the purpose of this designation. Appropriate zoning providing for densities and uses consistent with this character should be instituted.” (Page 13)

Pertinent objectives cited in Chapter 2 – Land Use state the following:

3. Maintain the character of the county's existing population centers.
4. Provide for appropriate residential, commercial, institutional, and industrial uses.
5. Locate new development in or near existing population centers and within planned growth centers.
6. Infill existing population centers without overwhelming their existing character.
8. Regulate development to minimize consumption of land, while continuing the county's rural and coastal character.
9. Minimize conflicts among land uses due to noise, smoke, dust, odors, lighting, and heavy traffic.

11. Set high environmental standards for new development, especially in designated growth areas.
12. Develop green infrastructure system.
14. Encourage the use of mass transit and non-motorized transport
20. Direct new development in growth areas to planned communities.
21. Promote mixed use development
22. Design new development's architecture and landscaping to visually improve its surroundings

(Pages 12, 13)

The Comprehensive Plan also states that in this land use category that “[c]aution should be exhibited within these areas to protect green infrastructure and sensitive areas.” (Page 14)

In Chapter 3, Natural Resources, the Plan states that “Worcester County’s natural resources are valued for quality of life, environmental, economic, public health, and aesthetic reasons. The tourism, forestry, and agriculture industries rely on natural resources. These industries are the county’s economic backbone. Natural resources provide valuable services such as flood protection, pollution assimilation, water quality, and clean air that benefit public health and safety as well as the Coastal and Chesapeake Bays’ productivity.

Pertinent objectives include the following:

1. Use a systems approach to environmental planning addressing pollution at or close to its source and use sustainable development techniques.
2. Instill environmental stewardship as a universal ethic.
3. Identify and protect environmentally sensitive areas.
4. Restore and/or enhance natural resource functions where possible.
5. Reduce imperviousness of existing and new development.
8. Conserve resources by reducing unnecessary consumption.
9. Channel development within a particular site to any existing disturbed areas if Possible.
10. Establish sufficient buffers for sensitive areas.

(Page 33)

Chapter 5 – Housing, the Comprehensive Plan states that “[h]ousing in Worcester County is actually two housing markets: permanent year-round housing and second homes. This is common to resort areas. Housing production and availability in absolute terms has been sufficient, yet affordability and location are issues.” (Page 65)

Pertinent objectives include the following:

4. A variety of housing types including mixed-use projects should be provided for to meet the housing needs of all income groups and life stages.
  6. Mobile homes should be recognized as an affordable housing alternative and additional park locations should be designated.
  8. Seasonal employee housing should be provided.
- (Page 67)

In Chapter 7 – Transportation, the Comprehensive Plan states that “[t]he county’s rural road system continues to have an excellent service record. Local car and truck traffic share this system with farm machinery. On-going maintenance will remain the primary need for these roads. Due to their configuration, rural roads within this plan’s growth areas will require improvements to handle the expected additional traffic.” (Page 80)

Access to this parcel is by Greenridge Lane Road, a County maintained road that has an 18-foot-wide paved surface within a 40-foot right-of-way. The adjoining property to the north is Salt Life Park manufactured home park, and if an interparcel connector is developed, it would connect the petitioned area to Old Bridge Road. It is unclear whether the intention is to connect through Salt Life Park, connect directly to Greenridge Lane Road, or both. If this parcel is connected to Salt Life Park, then access will be to Old Bridge Road MD 707A. This is a State Maintained Road. Comments from MDOT SHA state that access to Old Bridge Road would trigger an access permit review.

Pertinent objectives include the following:

3. Traffic studies--Developers should provide traffic studies to assess the effect of each major development on the LOS for nearby roadways.
8. Local funding sources should be explored to improve priority of impacted roadways for state funding or to provide for local construction of improvements.
13. Road Widening--Adequate right-of-way should be dedicated for roads anticipated for widening during the development review process.
14. Community character—New roadway designs and construction should not disrupt the character of existing communities, villages, and towns. Alternative routes and designs should be explored to maintain this important aspect of Worcester County.
15. Connectivity--Inter and intra development connectivity should be designed into new development to improve mobility and to avoid environmental damage. This will be especially important for US 13 south of Pocomoke and US 50 between Berlin and Ocean City.

17. Bike and Pedestrian Mobility--Bike and pedestrian mobility should be given higher priority and designed into new development. A countywide plan should be developed.

22. Parcel Access Plan--This plan should provide a specific parcel access plan for large parcels and interparcel connections for smaller parcels for key roadways. This list should be provided to and reviewed with the State Highway Administration.

**WATER AND WASTEWATER:** According to the attached response memo from Mr. Mitchell, the subject property has a designation of a Sewer and Sewer Service Planning Category of S-1/W-1 (Immediate to 2 years) in the Master Water and Sewerage Plan. The property is within the Mystic Harbour Sanitary District planning area.

The primary soil types on the petitioned area according to the Worcester County Soil Survey are Fa - Fallsington sandy loams, 0 to 2 percent slopes, Northern Tidewater Area, MuA - Berryland complex and HbA - Hambrook sandy loam. As illustrated on the attached soil map, the majority of the petitioned area is poorly drained or very poorly drained soils with a small portion on the east side of the parcel that is Well Drained.

**EMERGENCY SERVICES:** Fire and ambulance service will be available from the Ocean City Volunteer Fire Company approximately 1 mile from the subject property. No comments were received from the fire company regarding this review. Police protection will be available from the Maryland State Police Barracks in Berlin, approximately 6 miles away, and the Worcester County Sheriff's Office in Snow Hill, approximately 21 miles away. No comments were received from the Maryland State Police Barracks or from the Sheriff's Office.

**ROADWAYS AND TRANSPORTATION:** The petitioned area fronts on Greenridge Lane Road a County owned and maintained located approximately 0.25 miles south of Old Bridge Road a State Highway Administration owned and maintained road. No comments were received from the County Roads Division of the Department of Public Works. The Maryland Department of Transportation, State Highway Administration commented that "Since the parcel was listed under the owner of the Salt Life Park it could be possible that when this parcel is developed the additional lot exiting on to MD 707 would trigger an access permit review." they have no comments on the proposed rezoning. They are requesting that any submittals be sent to them for a possible access permit. there will not have a negative impact on the surrounding state roadway network. Their comments are attached.

**SCHOOLS:** The petitioned area is within Zone 2 of the Worcester County Public School Zones and is served by the following schools: Ocean City Elementary (Pre-K - Grade 4), Berlin Intermediate School (Grade 5 - 6), and Stephen Decatur Middle School (Grade 7 - 8) and Stephen Decatur High School (Grade 9 - 12) . No comments were received from the Worcester County Board of Education (WCBOE).

**CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS:** According to the attached response memo from Mr. Mitchell, The parcel is partially designated as a Limited

Development Area ("LDA") and is considered non-waterfront. Uses within the LDA are determined by the underlying zoning and proposed development activities would comply with requirements of Code of Public Local Laws of Worcester County, Maryland, Natural Resources Article, § 3:1.

**FOREST CONSERVATION:** According to the attached response memo from Mr. Mitchell, The area of the parcel located outside the Critical Area would be required to comply with the requirements of the Forest Conservation Act at the time of development

**FLOOD ZONE:** The FIRM map (24047C0180H, effective July 16, 2015) indicates that the petitioned area of the property is located outside of the floodplain in Zone X (Area of Minimal Flood Hazard), with a very small portion on the north side located in flood zone AE Elevation 5.

**PRIORITY FUNDING AREAS:** The petitioned area is within a designated Priority Funding Area (PFA).

**INCORPORATED TOWNS:** This property is approximately 2.3 miles from the Town of Ocean City.

**ADDITIONAL COMMENTS RECEIVED:** The following agencies submitted responses (attached):

- Memo from Robert Mitchell, Director, Environmental Programs
- Email from Mark Crampton, District Engineer, MDOT SHA.
- Email from Will Dyer, DNR.

!!**IMPORTANT**!!

**THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:**

1. What is the applicant's definition of the neighborhood in which the subject property is located? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood?
3. Relating to population change.
4. Relating to availability of public facilities.
5. Relating to present and future transportation patterns.

6. Relating to compatibility with existing and proposed development and existing environmental conditions in the area, including having no adverse impact on waters included on the State's impaired waters list or having an established total maximum daily load requirement.
7. Relating to compatibility with the Comprehensive Plan.
8. Has there been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property (November 3, 2009) or is there a mistake in the existing zoning of the property?
9. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?




Worcester County Department of Environmental Programs

Worcester County Government Center, 1 West Market Street, Rm 1306 | Snow Hill MD 21863

Tel: (410) 632-1220 | Fax: (410) 632-2012

## Memorandum

**To:** Jennifer Keener, Director, DDRP

**From:** Robert J. Mitchell   
Director, Environmental Programs

**Subject:** **EP Staff Comments on Rezoning Case No. 449**  
Worcester County Tax Map 26, Parcel 476, Lot C-1  
Reclassify approximately 18.67 Acres of  
R-2 Suburban Residential District to R-4 General Residential District

**Date:** 3/21/24

This response to your request for comments is prepared for the map amendment application associated with the above referenced property. The Worcester County *Zoning and Subdivision Control Article*, Section §ZS 1-113(c)(3), states that the applicant must affirmatively demonstrate that there has been a substantial change in the character of the neighborhood since the last zoning of the property or that a mistake has been made in the existing zoning classification. The applicant contends that a mistake was made in the existing zoning and a change in the character of the neighborhood exists as well. The Code requires that the Commissioners find that the proposed “change in zoning” would be more desirable in terms of the objectives of the *Comprehensive Plan*.

The Department of Environmental Programs has the following comments:

1. This property has an Existing Developed land use designation in the Land Use Map in the Worcester County *Comprehensive Plan (Comprehensive Plan)*, as do all the surrounding properties. The Existing Developed land use category identifies existing residential and other concentrations of development in unincorporated areas and provides for their current development character to be maintained. Recognizing existing development and neighborhood character is the purpose of this designation. Appropriate zoning providing for densities and uses consistent with this character should be instituted. The land use category further describes that within these areas density, height, bulk, and site design standards should also be consistent with the EDA’s existing character. Neighboring properties contain two separate phases of a mobile home park while commercial uses are on properties just to the north bordering Rt 50. This application would be an extension southward of the R-4 zoning existing for properties on the north and south side of Old Bridge Road. The owner is proposing that the property would exit thru the Phase II of the Salt Life mobile home park onto Old Bridge (Rt 707) through the SHA-approved entrance built for that community.
2. The subject property has a designation for a Sewer Service Planning Category of S-1/W-1 (Immediate to 2 years) in the *Master Water and Sewerage Plan*. The property is within the Mystic Harbour Sanitary District planning area.
3. This proposed rezoning is located partially within the Atlantic Coastal Bays Critical Area (ACBCA). The parcel is partially designated as a Limited Development Area (“LDA”) and is considered non-waterfront. Uses within the LDA are determined by the underlying zoning and proposed development activities would comply

with requirements of Code of Public Local Laws of Worcester County, Maryland, Natural Resources Article, § 3:1.

4. There is a portion of the property, that the applicant correctly reflects, which is proposed to be taken out of the critical area in the draft critical area re-mapping that Maryland's Critical Area Commission is currently undertaking. These maps are not finalized at this time but if area is taken out, the portion so edited will need to comply with Forestry.
5. All rezoning's located wholly or partially within the Critical Area require a notification to be sent to the Critical Area Commission (CAC) for comment. In an email dated March 10, 2025, CAC staff stated the Commission has no comments on the proposed rezoning.
6. The area of the parcel located outside the Critical Area would be required to comply with the requirements of the Forest Conservation Act at the time of development if applicable.

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

**Jennifer Keener**

---

**From:** Mark Crampton <mcrampton1@mdot.maryland.gov>  
**Sent:** Wednesday, February 12, 2025 6:18 AM  
**To:** Jennifer Keener  
**Cc:** Daniel Wilson; Jeffrey Fritts  
**Subject:** FW: Agency Memo Case #449  
**Attachments:** Agency Memo Case #449.doc; Case 449 Application.pdf; CaseNo449\_SaltLifePark\_Maps.pdf

Ms. Keener,

Thanks for the opportunity to review the materials submitted for this case. Since the parcel was listed under the owner of the Salt Life Park it could be possible that when this parcel is developed the additional lot exiting on to MD 707 would trigger an access permit review. While do no have comments on the zoning change would ask that any submittals be routed to us as well for a possible access permit need.

Mark



**Mark W. Crampton**  
 District Engineer  
**Maryland Department of Transportation**  
 660 West Road, Salisbury MD 21801  
 Phone: 410-677-4006  
 Email: [mcrampton1@mdot.maryland.gov](mailto:mcrampton1@mdot.maryland.gov)

---

**From:** April Mariner <amariner@co.worcester.md.us>  
**Sent:** Wednesday, February 5, 2025 12:40 PM  
**To:** jwidgeon25@gmail.com; rbowers@oceancitymd.gov; jjester@oceancitymd.gov; Chris Clasing <cclasing@co.worcester.md.us>; Dallas Baker <dbaker@co.worcester.md.us>; Daniel Wilson <DWilson12@mdot.maryland.gov>; Garth McCabe <garth.mccabe@usda.gov>; Kevin Lynch <klynch@co.worcester.md.us>; Lou Taylor (LHtaylor@worcesterk12.org) <LHtaylor@worcesterk12.org>; Lt. Earl Starner <earl.starner@maryland.gov>; Mark Crampton <mcrampton1@mdot.maryland.gov>; Matt Owens <mowens@co.worcester.md.us>; Matthew Crisafulli <mcrisafulli@co.worcester.md.us>; Melanie Pursel <mpursel@co.worcester.md.us>; Rebecca Jones <rjones@maryland.gov>; Robert Mitchell <bmitchell@co.worcester.md.us>; Will Dyer <Will.Dyer@maryland.gov>  
**Subject:** Agency Memo Case #449

Please find a request for comment on Rezoning Case #449. Please send all comments to Jennifer Keener at [jkkeener@co.worcester.md.us](mailto:jkkeener@co.worcester.md.us) by 3/21/2025. Thank you and have a great day.

*April L. Mariner*  
 Office Assistant V  
 Development Review & Permitting  
 Worcester County Government

**From:** [Will Dyer -DNR-](#)  
**To:** [Jennifer Keener](#)  
**Subject:** Rezoning Case #449  
**Date:** Monday, March 17, 2025 10:37:18 AM

---

The MD DNR Forest Service has no opinion on the rezoning of the property in this case.

Thank you

--

Will Dyer  
Forester / Lower Shore Project Manager  
Department of Natural Resources  
Forest Service  
6095 Sixty Foot Road  
Parsonsburg, MD 21849  
[410-543-1950](tel:410-543-1950) (Office)  
[will.dyer@maryland.gov](mailto:will.dyer@maryland.gov)

## MEMORANDUM

TO: Robert Mitchell, Director, Worcester County Environmental Programs  
 Billy Birch, Director, Worcester County Emergency Services  
 Matthew Crisafulli, Sheriff, Worcester County Sheriff's Office  
 Dallas Baker, P.E., Director, Worcester County Public Works Department  
 Chris Classing, P.E., Deputy Director, Worcester County Public Works Department  
 Kevin Lynch, Roads Superintendent, Worcester County Public Works Department  
 Matt Owens, Fire Marshal, Worcester County Fire Marshal's Office  
 Melanie Pursel, Director of Tourism & Economic Development  
 Louis H. Taylor, Superintendent, Worcester County Board of Education  
 Daniel Wilson, Assistant District Engineer - Traffic, Maryland State Highway Administration  
 Lt. Earl W. Starner, Commander, Barracks V, Maryland State Police  
 Rebecca L. Jones, Health Officer, Worcester County Health Department  
 Luke Marcek, Project Manager, Maryland Forest Service  
 Garth McCabe, District Conservationist, Worcester County NRCS  
 Richard Bowers, Fire Chief, Ocean City Fire Department  
 Jay Jester, Fire Chief, Ocean City Volunteer Fire Department  
 Jarrett Widgeon, Fire Chief, Berlin Fire Department

FROM: Matthew Laick, Deputy Director

DATE: February 5, 2025

RE: Rezoning Case No. 449 – Tax Map 26, Parcel 476, Lot C-1, Old Bridge Road, Ocean City, MD,  
 Mark Odachowski, Property Owner and Hugh Cropper, IV, Attorney

\*\*\*\*\*

This application seeks to rezone approximately **18.67 acres** of land shown on Tax Map 26, Parcel 476, Lot C-1 from **R-2 Suburban Residential District to R-4 General Residential District**. The property currently has one single family dwelling on it. For your reference I have attached a copy of the rezoning application package, location and zoning maps showing the property requested to be rezoned.

The applicant is alleging **that there has been a change in the character of the neighborhood AND a mistake was made during the 2009 Comprehensive Rezoning** as the justification for the proposed rezoning from R-2 to a R-4 as outlined in the attached request. The Planning Commission must consider if: 1. There was a mistake made in assigning the property a R-2 District zoning classification in 2009; and/or 2. There has been a significant change based upon a comparison of the current conditions to the neighborhood in 2009 at the time of the last Comprehensive Rezoning.

**By Friday, March 21, 2025**, the Planning Commission is requesting any comments, thoughts or insights that you or your designee might offer with regard to past and present conditions in the delineated neighborhood, as well as the effect that this application and potential subsequent development of the site under the proposed zoning classification may have on plans, facilities, or services for which your

agency is responsible. Your response is requested even if you determine that the proposed rezoning will have no effect on your agency, that the application is compatible with your agency's plans, and that your agency has or will have adequate facilities and resources to serve the property and its potential land uses. ***If no comments are received, we will document such and assume that you have no objection to the Planning Commission stating this information in its report to the Worcester County Commissioners.***

#### **General Zoning Information:**

**The purpose and intent of the R-2 Suburban Residential District** is "to protect and preserve existing residential subdivisions throughout the County and to provide for compatible infill development in those areas. Furthermore as contemplated by the Comprehensive Plan, this district can serve as an intermediate band of traditional neighborhood development as it transitions from a higher- density core to a much lower- density edge."

The R-2 District allows uses such as Single- family clustered housing, Single-family dwellings, manufactured homes, major & minor subdivisions, group homes, firehouses, governmental offices and other public buildings, public & private non commercial cultural, social, & recreational areas and centers, public & private conservation areas, fishing, trapping & hunting blinds, the addition to existing structures of telecommunication facilities, monopoles up to one hundred feet in height, small wind energy conversion systems. For a complete list, please use the following link:

<https://ecode360.com/14019224>.

**The purpose and intent of the R-4 General Residential District** is "to protect the existing residential subdivisions throughout the County that are currently developed in accordance with its provisions while also providing for compatible infill development. Additionally, this district is meant to accommodate the most diverse housing types and range of affordability. Projects of greater than twenty dwelling units which are proposed after the effective date of this Title are required to be developed as residential planned communities in order to encourage traditional neighborhood development and utilization of conservation design principles. While this district can serve as the core of a traditional neighborhood development, it is not limited to usage only in areas designated for growth by the Comprehensive Plan."

The R-4 District allows uses such as Single-Family Dwellings, Manufactured Homes, Two-Family & Multi-Family Dwellings, Townhouses, Group Homes, and Firehouses by right. Additionally, uses such as Assisted Living Facilities, Schools, Day-care centers, and Private Noncommercial Marinas are allowed by special exception. For a complete list, please use the following link: <https://ecode360.com/14019607>

If you have any questions or require further information, please do not hesitate to reach me by phone at (410) 632-1200, ext. 1613 or via email at [miaick@co.worcester.md.us](mailto:miaick@co.worcester.md.us). On behalf of the Planning Commission, thank you for your attention to this matter.

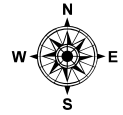
Attachments

# WORCESTER COUNTY, MARYLAND

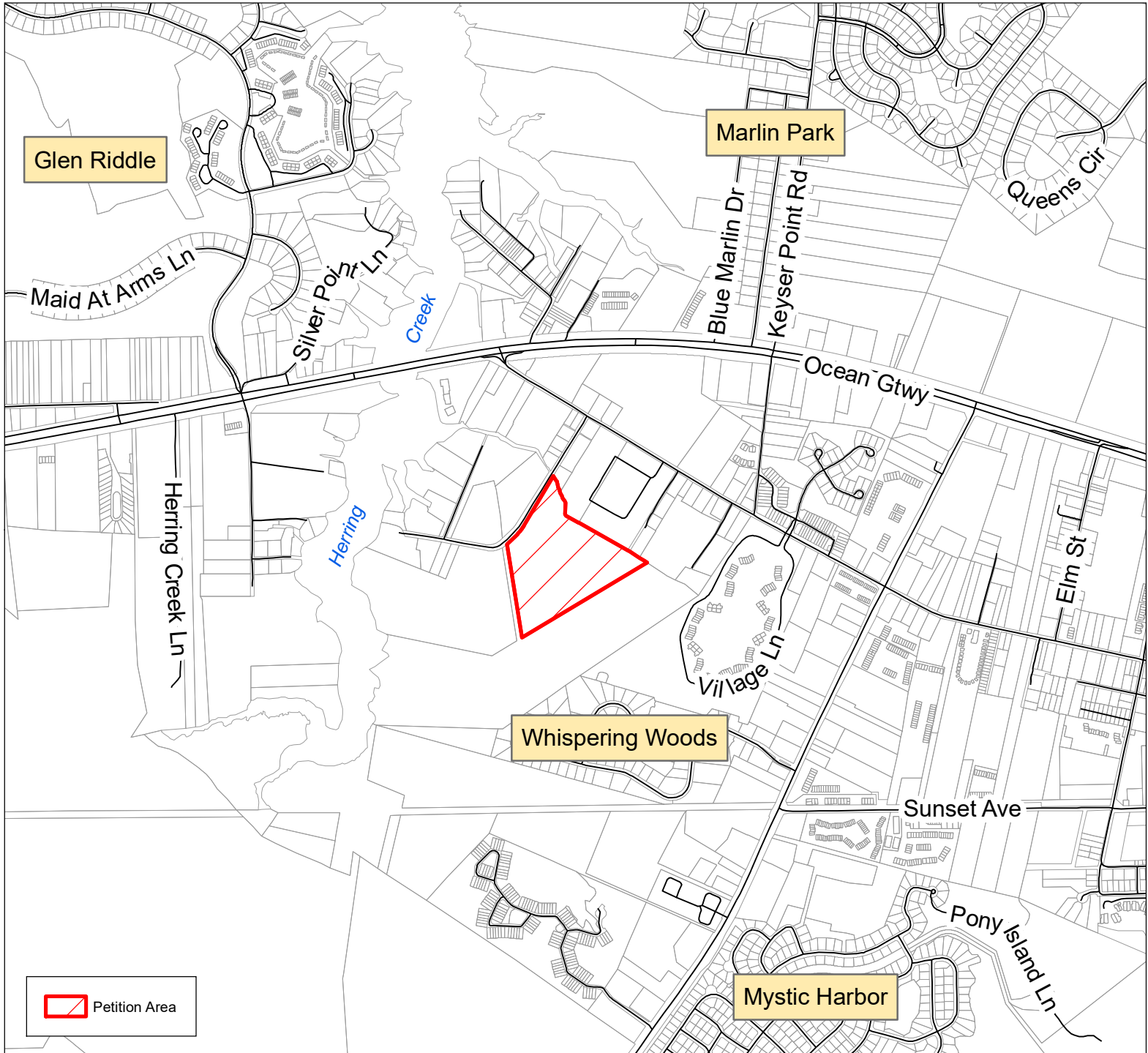
ITEM 15



REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

Prepared: January 2025  
Source: County GIS data layers

0 1,300 2,600  
Feet

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

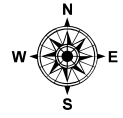
15 - 67

# WORCESTER COUNTY, MARYLAND

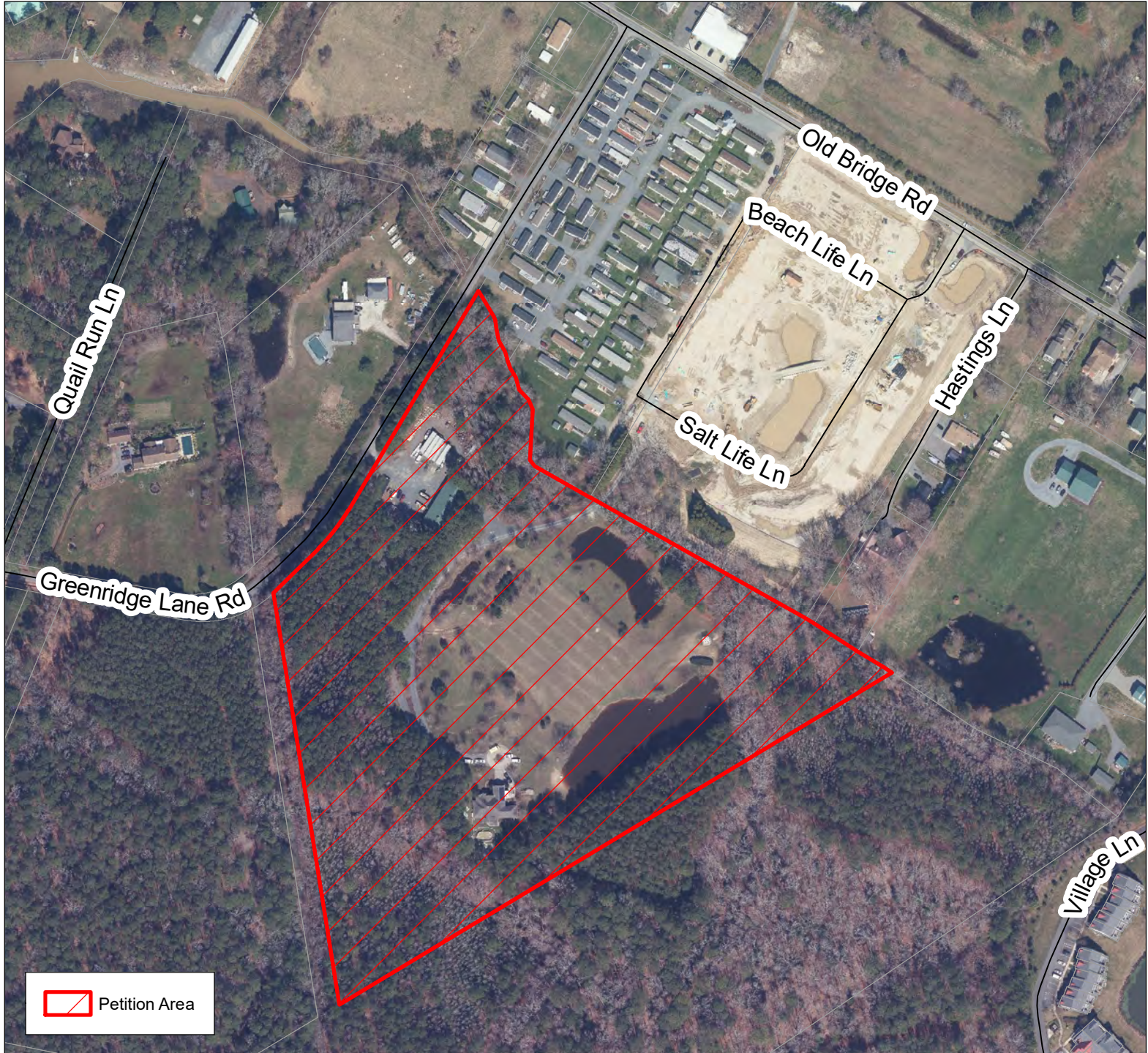
ITEM 15



REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 300 600  
Feet

Prepared: January 2025  
Source: Parcel Layer and 2024 Aerial Imagery

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

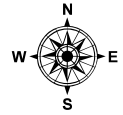
15 - 68

# WORCESTER COUNTY, MARYLAND

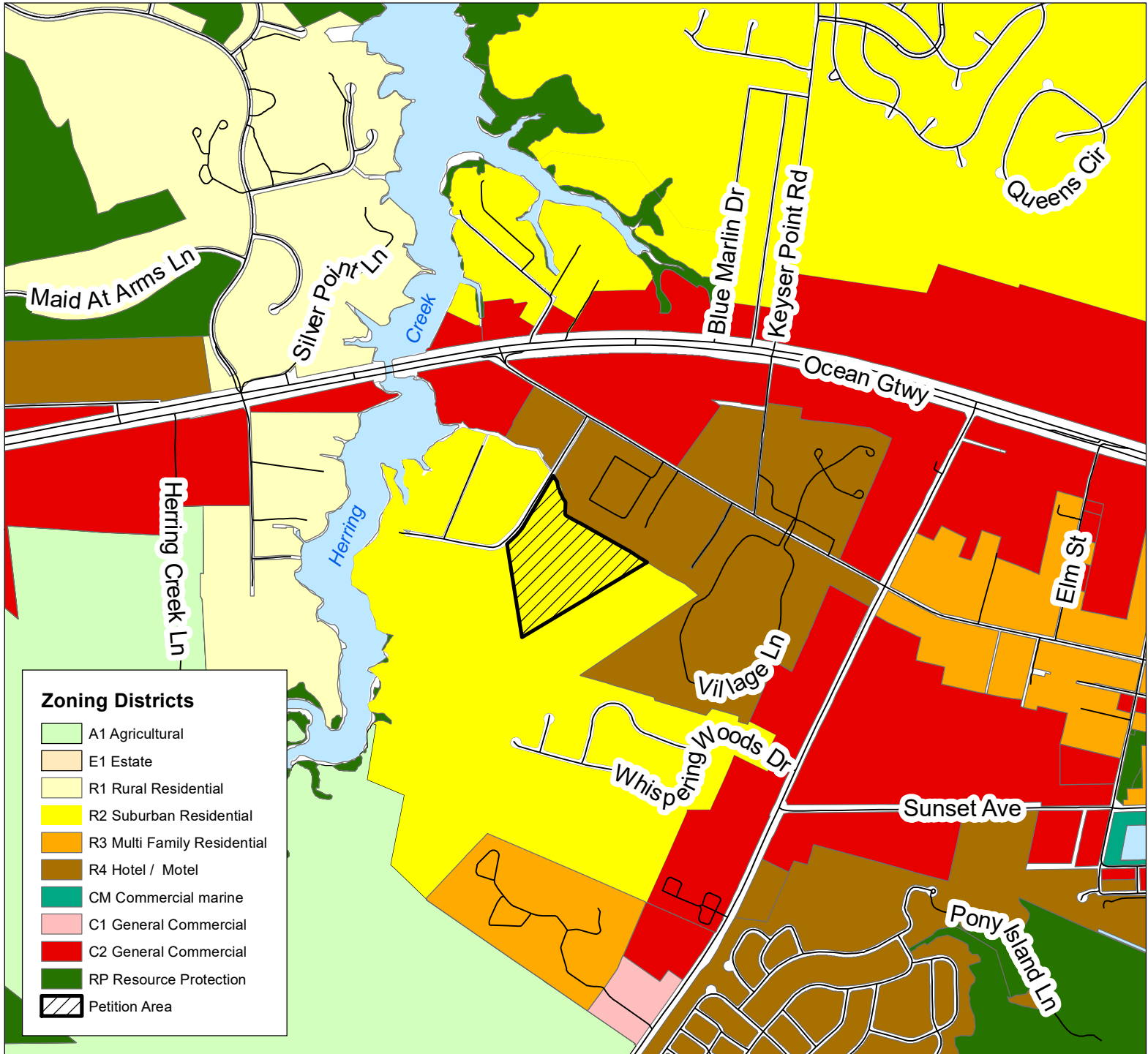
ITEM 15



REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## ZONING MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 1,300 2,600  
Feet

Prepared: January 2025  
Source: 2006 Official Zoning Map

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

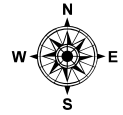
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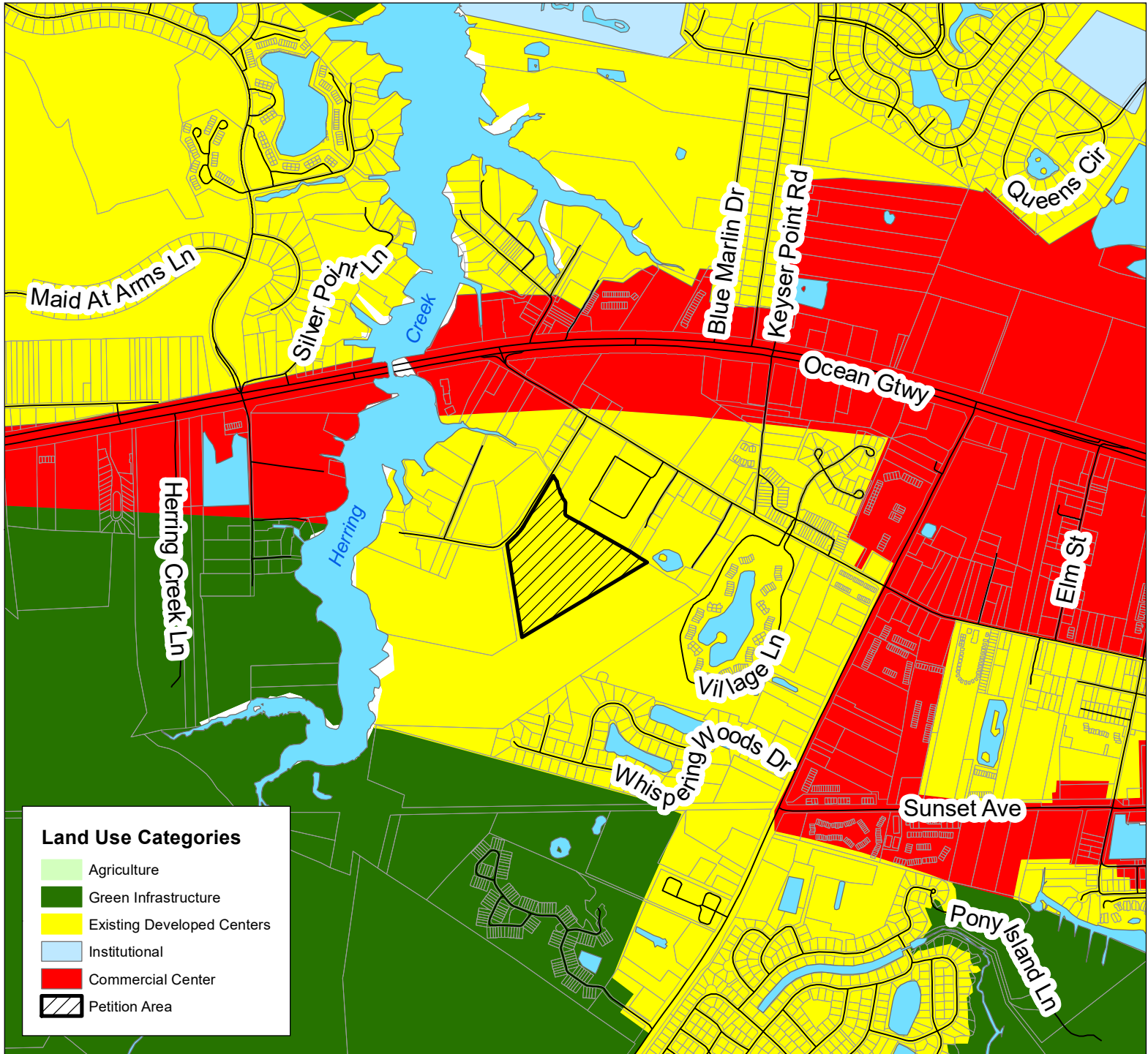
ITEM 15



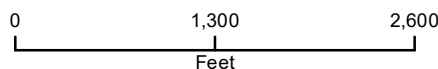
REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## LAND USE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: January 2025  
Source: 2009 Official Land Use Map

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

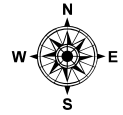
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# WORCESTER COUNTY, MARYLAND

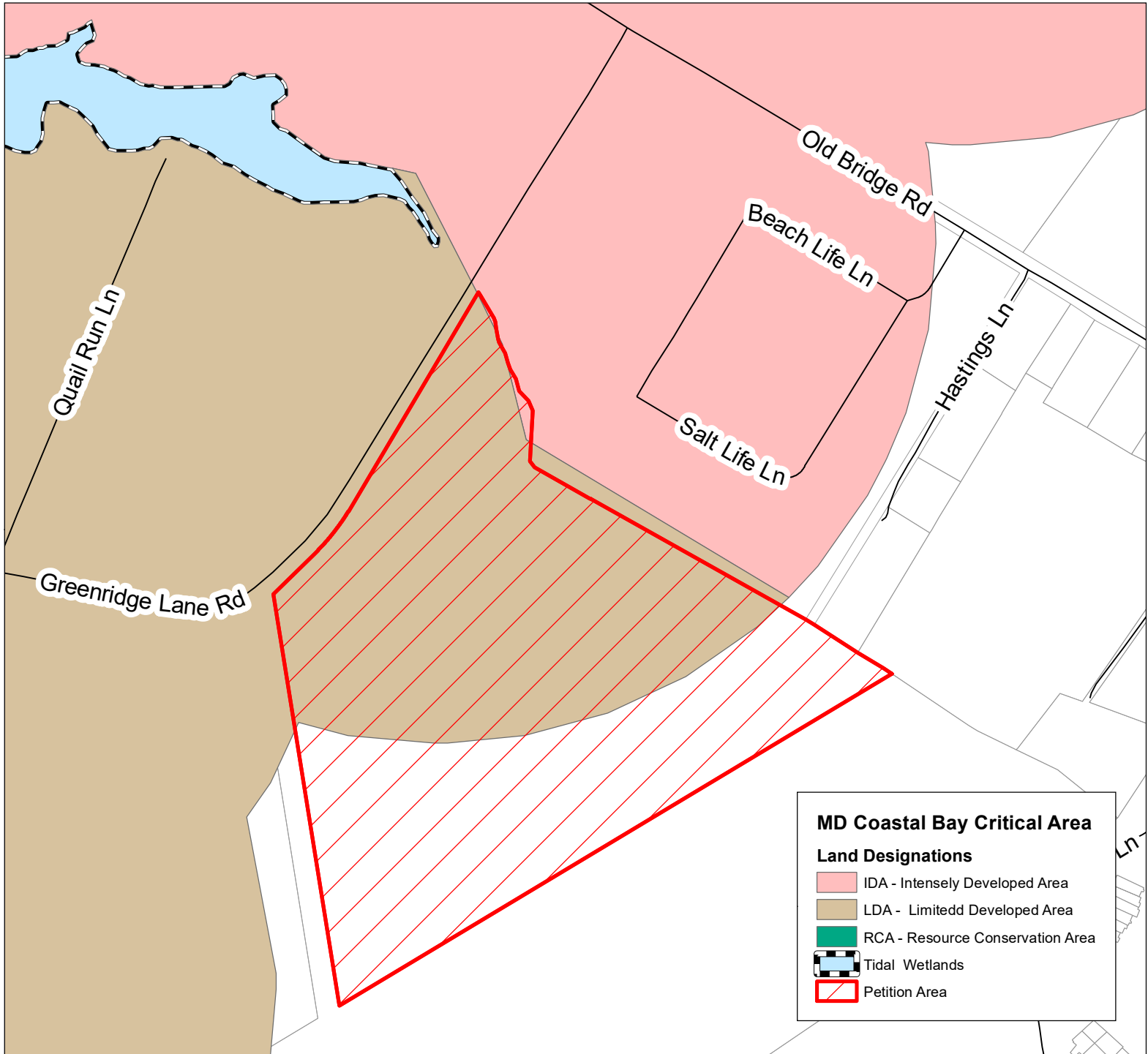
ITEM 15



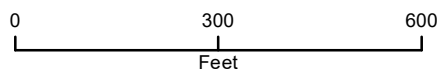
REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: January 2025  
Source: MD Coastal Bat Critical Area Map

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

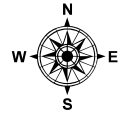
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# WORCESTER COUNTY, MARYLAND

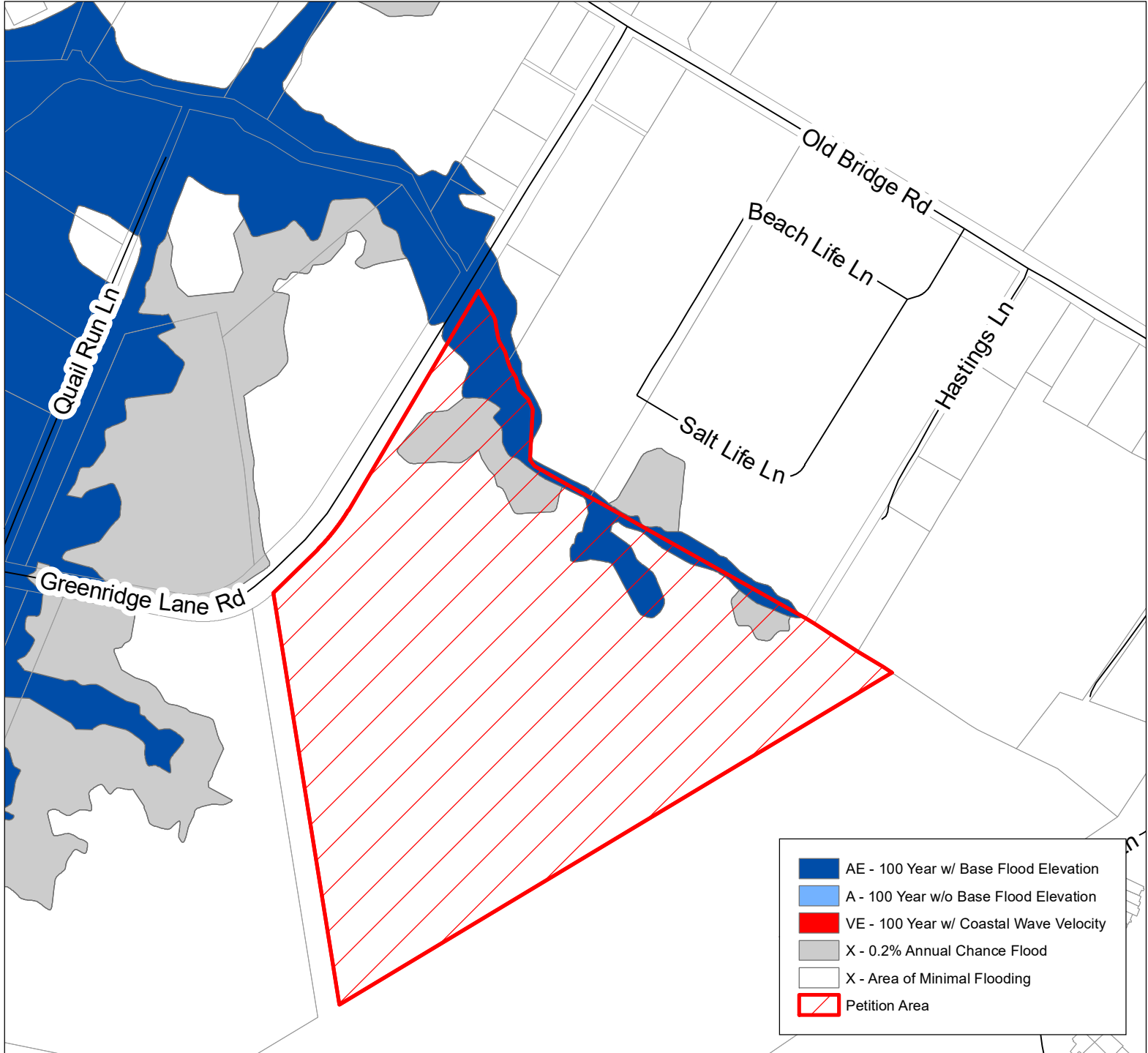
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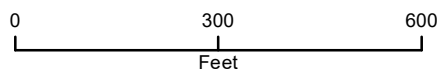
REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## FLOOD ZONE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: January 2025  
Source: 2015 FEMA Flood Rate Map

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

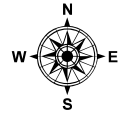
15 - 72

# WORCESTER COUNTY, MARYLAND

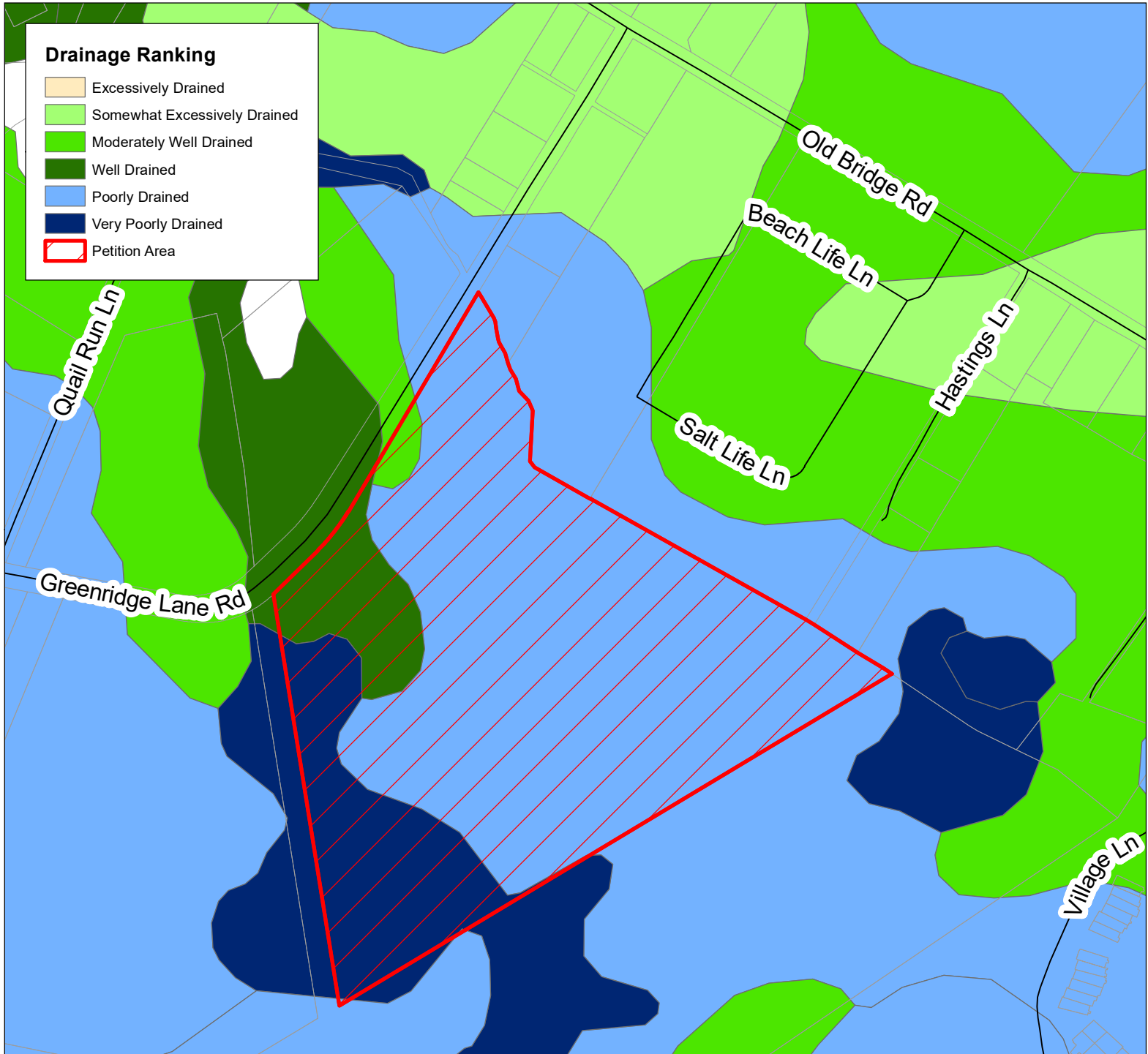
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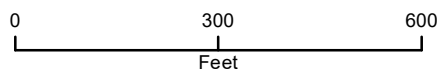
REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: January 2025  
Source: 2007 Soil Survey

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

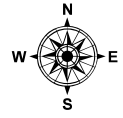
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# WORCESTER COUNTY, MARYLAND

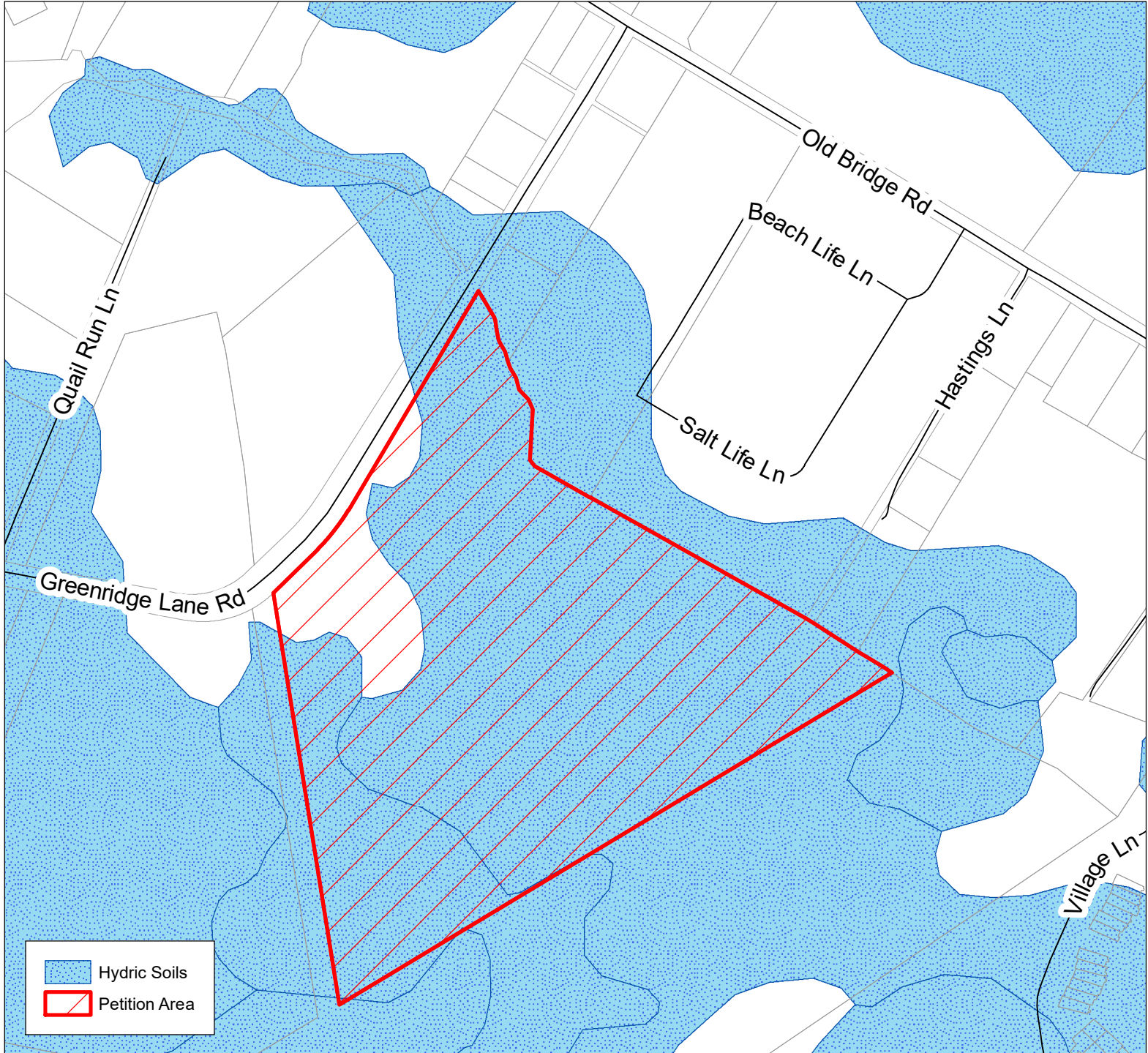
ITEM 15



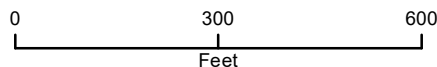
REZONING CASE NO. 449  
R-2 Suburban Residential to R-4 General Residential  
Tax Map: 26, Parcel 476, Lot C-1



## HYDRIC SOILS MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: January 2025  
Source: 2007 Soil Survey

Drawn By: KLH Reviewed By: JKK

This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.

15 - 74



Worcester County Commissioners  
 Worcester County Government Center  
 One W. Market Street, Room 1103  
 Snow Hill, Maryland 21863

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**APPLICATION FOR AMENDMENT OF THE OFFICIAL ZONING MAP**

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(For Office Use Only – Please Do Not Write in this Space)

Rezoning Case No. 449

Date Received by Office of the County Commissioners \_\_\_\_\_

Date Received by Development Review and Permitting 1/30/25

Date Reviewed by the Planning Commission \_\_\_\_\_

---

- I. Application: Proposals for amendments to the Official Zoning Maps may be made only by the property owner, contract purchaser, option holder, lease, or their attorney or agent of the property to be directly affected by the proposed amendment. Check applicable status below:

A. Governmental Agency: \_\_\_\_\_  
 B. Property Owner: \_\_\_\_\_  
 C. Contract Purchaser: \_\_\_\_\_  
 D. Option Holder: \_\_\_\_\_  
 E. Leasee: \_\_\_\_\_  
 F. Attorney for X (insert A, B, C, D or E) B  
 G. Agent for \_\_\_\_\_ (insert A, B, C, D or E) \_\_\_\_\_

II. Legal Description of Property

A. Tax Map/Zoning Map Number(s): 26  
 B. Parcel Number(s): P 191  
 C. Lot Number(s), if applicable: Parcel C  
 D. Tax District Number: 10

Tax Map 26, Parcel 476, Lot C-1  
 Per Plat 253/22

1

Revised July 5, 2016

III. Physical Description of Property

- A. Located on the south side of Old Bridge Road, approximately \_\_\_\_\_ to the \_\_\_\_\_ side of \_\_\_\_\_ Road.
- B. Consisting of a total of 20.60 acres of land.
- C. Other descriptive physical features or characteristics necessary to accurately locate the petitioned area: \_\_\_\_\_
- D. Petitions for map amendments shall be accompanied by a plat drawn to scale showing property lines, the existing and proposed district boundaries and other such information as the Planning Commission may need in order to locate and plot the amendment on the Official Zoning Maps.

IV. Requested Change to Zoning Classification(s)

- A. Existing zoning classification(s): R-2, Suburban Residential District  
(name and zoning district)
- B. Acreage of zoning classification(s) in "A" above: 20.60
- C. Requested zoning classification(s): R-4, General Residential District  
(name and zoning district)
- D. Acreage of zoning classification(s) in "C" above: 20.60

18.67 Acres per  
Plat 253/22

V. Reasons for Requested Change

The County Commissioners may grant a map amendment based upon a finding that there: (a) has been a substantial change in the character of the neighborhood where the property is located since the last zoning of the property, or (b) is a mistake in the existing zoning classification and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.


- A. Please list reasons or other information as to why the zoning change is requested, including whether the request is based upon a claim of change in the character of the neighborhood or a mistake in existing zoning:

VI. Filing Information and Required Signatures


## A. Every application shall contain the following information:

1. If the application is made by a person other than the property owner, the application shall be co-signed by the property owner or the property owner's attorney.
2. If the applicant is a corporation, the names and mailing addresses for the officers, directors and all stockholders owning more than 20 percent of the capital stock of the corporation.
3. If the applicant is a partnership, whether a general or limited partnership, the names and mailing addresses of all partners who own more than 20 percent of the interest in the partnership.
4. If the applicant is an individual, his/her name and mailing address.
5. If the applicant is a joint venture, unincorporated association, real estate investment trust or other business trust, the names and mailing addresses of all persons holding an interest of more than 20 percent in the joint venture, unincorporated association, real estate investment trust or other business trust.


## B. Signature of Applicants in Accordance with VI.A. above.

Signature(s):   
 Printed Name(s): Hugh Cropper IV  
 Mailing Address: 9927 Stephen Decatur Hwy, F-12, Ocean City, MD 21842  
 Phone Number: 410-213-2681 Email: hcropper@bbcmlaw.com  
 Date: \_\_\_\_\_

## C. Signature of Property Owner in Accordance with VI.A. above.

Signature(s): Salt Life Park, LLC c/o Mark R. Odachowski   
 Printed Name(s): \_\_\_\_\_  
 Mailing Address: 12507 Sunset Avenue, Unit 14D, Ocean City, MD 21842  
 Phone Number: 410-213-2658 Email: mark0@elec-co.com  
 Date: \_\_\_\_\_

## D. Signature of Attorney in Accordance with VI.A. above.

Signature(s):   
 Printed Name(s): Hugh Cropper IV  
 Mailing Address: 9927 Stephen Decatur Highway, F-12, Ocean City, MD 21842  
 Phone Number: 410-213-2681 Email: hcropper@bbcmlaw.com  
 Date: \_\_\_\_\_

(Please use additional pages and attach to the application if more space is required.)

## VII. General Information Relating to the Rezoning Process

- A. Applications shall only be accepted from January 1<sup>st</sup> to January 31<sup>st</sup>, May 1<sup>st</sup> to May 31<sup>st</sup>, and September 1<sup>st</sup> to September 30<sup>th</sup> of any calendar year.
- B. Applications for Map Amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.
- C. Any officially filed amendment or other change shall first be referred by the County Commissioners to the Planning Commission for an investigation and recommendation. The Planning Commission may make such investigations as it deems appropriate or necessary and for the purpose may require the submission of pertinent information by any person concerned and may hold such public hearings as are appropriate in its judgment.

The Planning Commission shall formulate its recommendation on said amendment or change and shall submit its recommendation and pertinent supporting information to the County Commissioners within 90 days after the Planning Commission's decision of recommendation, unless an extension of time is granted by the County Commissioners.

After receiving the recommendation of the Planning Commission concerning any such amendment, and before adopting or denying same, the County Commissioners shall hold a public hearing in reference thereto in order that parties of interest and citizens shall have an opportunity to be heard. The County Commissioners shall give public notice of such hearing.

- D. Where the purpose and effect of the proposed amendment is to change the zoning classification of property, the County Commissioners shall make findings of fact in each specific case, including but not limited to the following matters: population change; availability of public facilities; present and future transportation patterns; compatibility with existing and proposed development and existing environmental conditions for the area including having no adverse impact on waters included on the State's Impaired Waters List or having an established total maximum daily load requirement; the recommendation of the Planning Commission; and compatibility with the County's Comprehensive Plan. The County Commissioners may grant the map amendment based upon a finding that (a) there was a substantial change in the character of the neighborhood where the property is located since the last zoning of the property or (b) there is a mistake in the existing zoning classification and a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan.

The fact that an application for a map amendment complies with all of the specific requirements and purposes set forth above shall not be deemed to create a presumption that the proposed reclassification and resulting development would in fact be compatible with the surrounding land uses and is not, in itself, sufficient to require the granting of the application.

- E. No application for a map amendment shall be accepted for filing by the office of the County Commissioners if the application is for the reclassification of the whole or any part of the land for which the County Commissioners have denied reclassification within the previous 12 months as measured from the date of the County Commissioners' vote of denial. However, the County Commissioners may grant reasonable continuance for good cause or may allow the applicant to withdraw an application for map amendment at any time, provided that if the request for withdrawal is made after publication of notice of public hearing, no application for reclassification of all or any part of the land which is the subject of the application shall be allowed within 12 months following the date of such withdrawal, unless the County Commissioners specify by formal resolution that the time limitation shall not apply.

**REZONING FINDINGS OF FACT**

Applicant shall provide information with regard to the following items:

- A. Is the request for rezoning based upon a claim that there has been a change in the character of the neighborhood where the property is located since the last rezoning of the property or upon a claim that there is a mistake in the existing zoning and that a change in zoning would be more desirable in terms of the objectives of the Comprehensive Plan:**

Salt Life Park, LLC c/o Mark R. Odachowski, by its attorney, Hugh Cropper IV, respectfully submits the following proposed Findings of Fact in support of its rezoning application:

The primary basis for this sectional rezoning is a substantial change in the character of the neighborhood since the last Comprehensive Rezoning, November 3, 2009.

**DEFINITION OF THE NEIGHBORHOOD –**

The neighborhood is defined as all those properties bounded on the west by Herring Creek, bounded on the north by the rear or northerly property line of those properties along the north side of US Route 50, bounded on the east by Maryland Route 611 (Stephen Decatur Highway), and bounded on the south by the division line between the commercial and residentially zoned properties to the north, and the agricultural properties to the south. The neighborhood is also shown on the maps attached hereto and incorporated herein by reference.

**SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD -**

The primary substantial change in the character of the neighborhood is the development of Salt Life Park. Mr. Odachowski purchased the existing Greenridge Trailer Park, essentially demolished it, and established Phase I of Salt Life Park. This redevelopment relied upon grandfathering and non-conformities which could not be planned for.

The redevelopment also required variances and other waivers to place the new HUD compliant mobile homes in place of the old ones, many of which were 50 years old. Phase I is now an upscale affordable year round community (as opposed to the prior Greenridge Park, which was a mixture of year round and seasonal).

Mr. Odachowski also developed Phase II of Salt Life Park, on the northerly portion of the subject property. In furtherance of the substantial change in the character of the neighborhood, Mr. Odachowski acquired wastewater treatment allocation, or EDU's, from the Mystic Harbour Sanitary Service Area, which was not contemplated back on November 3, 2009, the date of the

last Comprehensive Rezoning. Phase II is almost sold out and again represents an upscale affordable year round community.

There have been at least two expansions to the Mystic Harbour Sanitary Service Area along Maryland Route 707, which have permitted the additional influx of the Mystic EDU's into this community. There are corresponding Amendments to the Worcester County Comprehensive Water and Sewerage Plan.

As a substantial change in the character of the neighborhood, there has been an increase in residential growth, commercial growth, and the need for additional affordable housing.

There have been four rezonings in the neighborhood since 2017, namely: Rezoning Case No. 437, approved September 20, 2022, which rezoned the property along US Route 50 from R-2 to C-2, General Commercial District; Rezoning Case No. 431, approved February 16, 2021, which rezoned property along US Route 50 from R-2 to C-2, General Commercial District; Rezoning Case No. 417, approved April 17, 2018, which rezoned properties along Maryland Route 611 from C-1, Neighborhood Commercial, to C-2, General Commercial District; and Rezoning Case No. 405, approved May 2, 2017, which rezoned properties zoned Agricultural, to C-1, Neighborhood Commercial District.

Although not in the neighborhood, the County Commissioners recently granted Rezoning Case No. 441, approved June 20, 2023, from C-2, General Commercial District, to R-4, General Residential District (the same zoning as requested in this case) recognizing the need for affordable housing in the community.

#### **MISTAKE-**

Although not the primary basis for the rezoning, the applicant alleges a mistake in the November 3, 2009 Comprehensive Rezoning.

At the time of the Comprehensive Rezoning, Parcels 191 and 193 were consolidated, and one single parcel, by virtue of the attached Declaration of Consolidation. Therefore, the zoning line between the R-2, Suburban Residential District, and the R-4, General Residential District, bisected a single parcel of record. The R-4, General Residential District zoning line, should have been extended to include the entirety of the subject parcel.

The State of Maryland, Critical Area Commission, has proposed new Critical Area Maps which will eliminate a substantial portion of the subject property from the Critical Area. Previously, approximately two-thirds of the property was designated Limited Development Area,

or LDA, in the Critical Area, and subject to certain restrictions. After the proposed remapping, probably less than one-half of the property will be in the Critical Area. The area deleted from the Critical Area is the center of the property, aligning with Phase II of Salt Life Park, and the area most suitable for development.

The Atlantic Coastal Bays Critical Area Law went into effect on June 1, 2002. At the time of the last Comprehensive Rezoning, November 3, 2009, the mistake in the Critical Area line was a mistake of fact not known to the County Commissioners. This is exactly the type of mistake that, according to Maryland case law, justifies a rezoning.

**CONSISTENCY WITH THE COMPREHENSIVE PLAN –**

The property subject to this request is designated Existing Developed Area, or EDA. Under the current Comprehensive Plan, EDA's identify existing residential and other concentrations of development in unincorporated areas in the county, and are considered appropriate for infill development.

According to Chapter Two, Land Use, in the Comprehensive Plan, Worcester County has succeeded in maintaining its rural and coastal character by "concentrating its development" in appropriate areas (p. 10). This area of West Ocean City is an area of concentrated development, which should be continued.

Perhaps more importantly, the land use goal of Worcester County is to maintain its rural and coastal character, protect its environment and natural resources, by locating planned development in either growth areas, or "by infilling existing communities." (p.10)

The subject property will become Phase III of Salt Life Park, and it is classic infill development.

Among other things, the Land Use objectives of the Comprehensive Plan are to "infill existing population centers without overwhelming their existing character" and to "locate employment centers close to potential labor force." (p. 12) Inasmuch as the R-4 zoning district represents affordable housing, this is precisely what the Comprehensive Plan calls for; locating affordable housing near employment centers. It is the infill of an existing population center.

Existing Developed Areas identify existing residential and other concentrations of development in unincorporated areas, and states "Appropriate zoning providing for density and uses consistent with this character should be instituted." (p. 13)

**B. What is the definition of the neighborhood in which the subject property is located, as determined by the applicant.**

The neighborhood is defined as all those properties bounded on the west by Herring Creek, bounded on the north by the rear or northerly property line of those properties along the north side of US Route 50, bounded on the east by Maryland Route 611 (Stephen Decatur Highway), and bounded on the south by the division line between the commercial and residentially zoned properties to the north, and the agricultural properties to the south. The neighborhood is also shown on the maps attached hereto and incorporated herein by reference.

**C. Findings of Fact as to Section 1-113(c)(3) of the Zoning Code:**

**1. Relating to population change:** Please see Section A which is hereby incorporated by reference.

Since the last Comprehensive Rezoning, there has been a substantial increase in population in the neighborhood, and perhaps more importantly, an even bigger need for affordable work force housing. The proposed rezoning represents infill development and will address this need.

**2. Relating to the availability of public facilities:** The property is located in the Mystic Harbour Sanitary Service Area. Although it does not currently have the EDU's to service a proposed project, it is already in the Service Area when those EDU's become available.

**3. Relating to present and future transportation patterns:** The subject property does not have direct frontage on Maryland Route 707, so traffic will flow through the existing Phase II of Salt Life Park. This will be a newly designed community and will not adversely affect traffic patterns.

**4. Relating to the compatibility with existing and proposed development and existing environmental conditions for the area:** The proposed rezoning is absolutely compatible with existing and proposed development in the area. It will be an extension of Phase I and Phase II of Salt Life Park, both of which have established the character of the neighborhood. With respect to environmental conditions, a portion of the property is actually being deleted from the Critical Area, meaning that it is over 1,000 feet from the head of the tide. All construction will be in accordance with modern stormwater management laws, and laws with respect to non-tidal wetlands and their buffers.

**5. Relating to compatibility with the Comprehensive Plan:** Please see the last

portion of Section A, which is hereby incorporated by reference.

Respectfully submitted,

---

Hugh Cropper IV  
Attorney for Property Owner  
Salt Life Park, LLC  
c/o Mark R. Odachowski

**Note: Rezoning Case No. 405  
Approved: 5/2/17**

L WILLIAM H JR & CHARLES  
M. 0026  
P. 0269  
AC. 200

**EAST COAST VENTURES INC**  
M. 0026  
P. 0275  
AC. 95.82

TAYLOR ROBERT J & OTHERS  
M. 0026  
P. 0274  
AC. 39.67

JARVIS JOHN F JR  
M. 0026  
P. 0191  
AC. 42.52

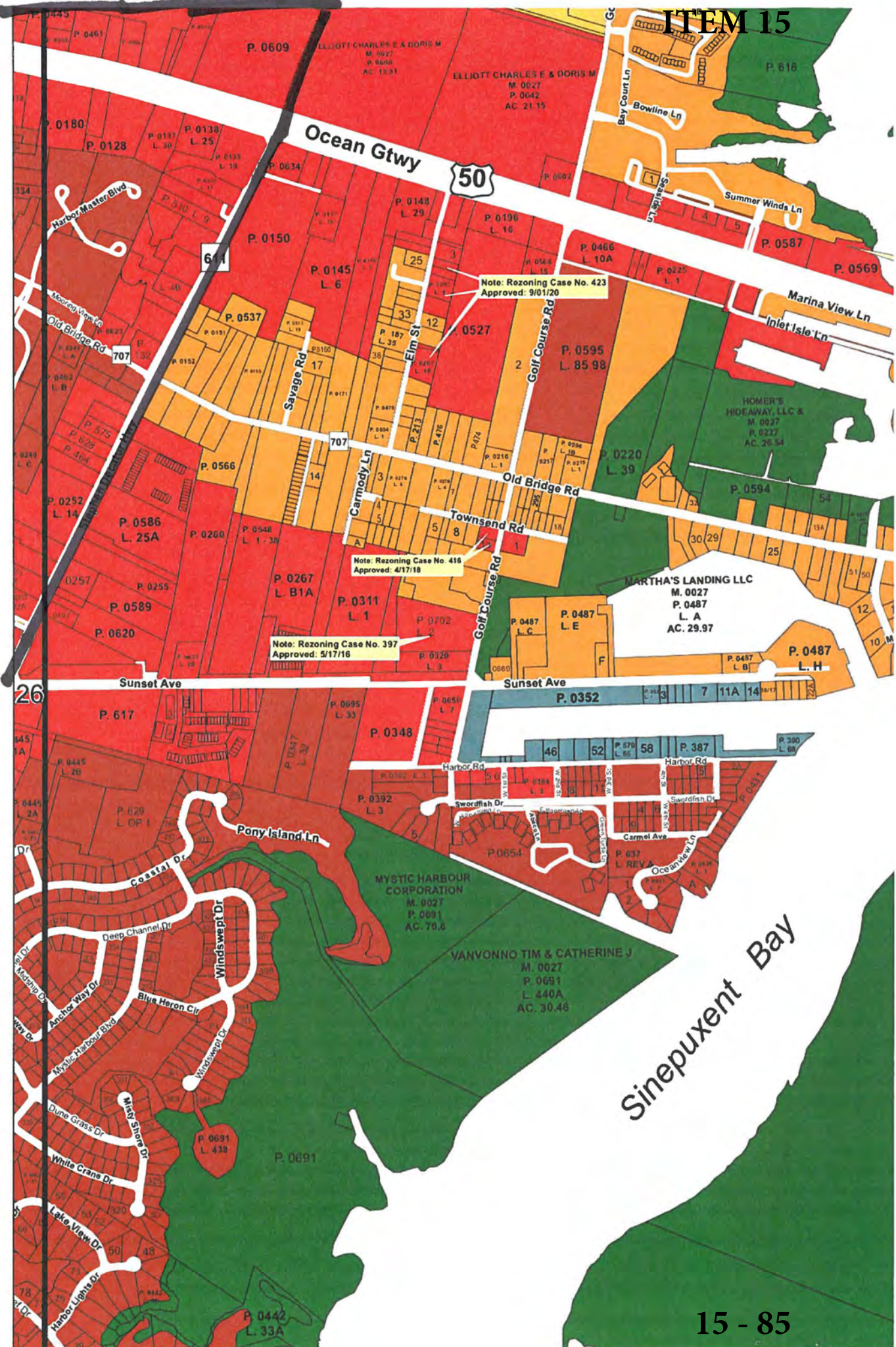
JARVIS JOHN F SR & MABEL D  
M. 0026  
P. 0135  
AC. 22.81

ODACHOWSKI MARK REID  
M. 0026  
P. 0191  
AC. 22.27

56 S D HOFFMAN FAMI  
M 0026  
P 0252  
AC 17.11

TRIMPER JOYCE F  
M. 0026  
P. 0134  
AC. 19.22

26





LIBER 3417 FOLIO 196

**INSTRUMENT OF DECLARATION ENCUMBERING AND AFFECTING  
PROPERTY DECLARATION OF CONSOLIDATION**

**THIS DECLARATION OF CONSOLIDATION**, made this 30<sup>th</sup> day of July, July 2002, by **MARK R. ODACHOWSKI**, hereinafter called Declarant.

**WHEREAS**, Declarant is the owner of all that tract or parcel of land on the southwesterly side of old State Highway leading from Herring Creek Bridge to Ocean City, where Julia Hattie Parsons and Thomas L. Parsons, her husband, formerly resided, and where later resided Lee E. Parsons and Eda C. Parsons, his wife, estimated to contain six (6) acres or land, more or less, Deed Reference 3307/392; and,

**WHEREAS**, Declarant is the owner of all that lot or parcel of land lying and being situate in the Tenth Election District of Worcester County, Maryland, located on the southerly side of and binding upon Green Ridge Road which is more particularly designated and distinguished as 20.60 acres of land as more fully shown and designated as Parcel C on a Plat entitled "Protracted Subdivision Plat - Lands of John Jarvis and James Cunningham" made by R. Lee Gilliss, Jr., Registered Land Surveyor, dated March 8, 1985, and recorded among the Land Records of Worcester County in Plat Book 98, Folio 38; Deed Reference 3098/328; and,

**WHEREAS**, Declarant desires, pursuant to **Section ZS2-115** of the Zoning and Subdivision Control Article, Code of Public Local Laws of Worcester County, Maryland to consolidate the lots into one lot for all purposes by eliminating the interior lot line or lines dividing the lots.

**NOW, THEREFORE**, this Declaration of Consolidation witnesseth:

That for good and valuable, but not taxable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant does hereby agree and declare that interior lot lines between the aforementioned parcels are hereby eliminated and that such lots shall hereafter be subdivided and platted as one lot for all legal purposes and shall be redesigned as Lot \_\_\_\_\_.

The former lots are hereby burdened with a covenant and encumbrance benefitting the County Commissioners of Worcester County, that they shall not be conveyed or encumbered separately without legally required subdivision approval.

Declarant hereby warrants and guarantees that all lienholders on the property have signed this Declaration signifying their consent and that they are

*Please return to  
SREDDER  
EP*

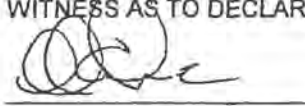
**FILED**  
2002 AUG 30 AM 8:35  
STEPHEN V. HALES  
CLERK  
WOR. CO.

LIDER 34 | 7 FOLIO | 97

the only lienholders having liens against either of said lots and such lienholders join herein for the purpose of subordinating their liens to the resubdivision of such parcels.

**AS WITNESS WHEREOF**, the parties have set their hands and seals all as of the day and year first above written.

WITNESS AS TO DECLARANT(S)

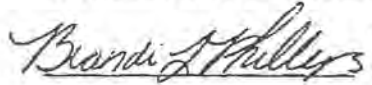


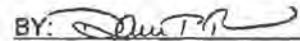
 (SEAL)  
MARK R. ODACHOWSKI

DECLARANT(S)

WITNESS AS TO LIENHOLDER(S)

PENINSULA BANK



BY:  (SEAL)

(SEAL)  
LIENHOLDER(S)/TRUSTEE(S)

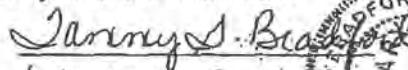
ACKNOWLEDGEMENT - INDIVIDUAL(S)/DECLARANT(S)

STATE OF Maryland

COUNTY OF Worcester

On this 30<sup>th</sup> day of July, 2002, before me, the undersigned officer, personally appeared MARK R. ODACHOWSKI, Declarant(s), known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

  
Notary Public  
Title of Officer Comm. Exp. 7/1/08



LIBER 3417 FOLIO 198

ACKNOWLEDGEMENT - CORPORATION(S)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_ Day of \_\_\_\_\_, 2002, before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself/herself to be the \_\_\_\_\_ of \_\_\_\_\_, a Corporation, and that as such \_\_\_\_\_, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as \_\_\_\_\_.

In witness whereof I hereunto set my hand and official seal.

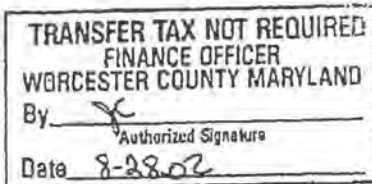
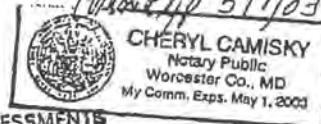
\_\_\_\_\_  
Title of OfficerACKNOWLEDGEMENT - LIENHOLDER(S)/TRUSTEE(S)STATE OF MarylandCOUNTY OF Worcester

On this 30 day of July, 2002, before me, the undersigned officer, personally appeared Dawn Smith, on behalf of PENINSULA BANK, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he/she/they executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

PAID  
Water & Wastewater Services

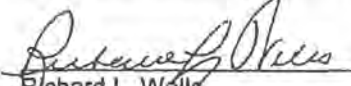
AUG 28 2002

Worcester Co. Finance Officer  
by [Signature]\_\_\_\_\_  
Title of Officer

TAXES FOR WHICH ASSESSMENTS  
HAVE BEEN RECEIVED HAVE BEEN  
PAID AS OF THIS DATE 8-30-02  
WORCESTER COUNTY FINANCE OFFICER  
BY [Signature]  
EXCEPT PERSONAL PROPERTY

LIBER 3417 FOLIO 199

Approved for the purposes of lot consolidation pursuant to Section ZS2-115 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County by the Department of Development, Review and Permitting for the Worcester County Commissioners. To the extent required, this Declaration shall be considered a resubdivision plat.

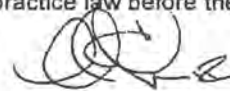
  
Richard L. Wells

Environmental Programs Administrator

8/28/02  
Date

### ATTORNEY CERTIFICATION

I HEREBY CERTIFY, that this instrument was prepared by or under the supervision of an attorney admitted to practice law before the Court of Appeals for the State of Maryland.

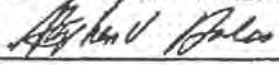


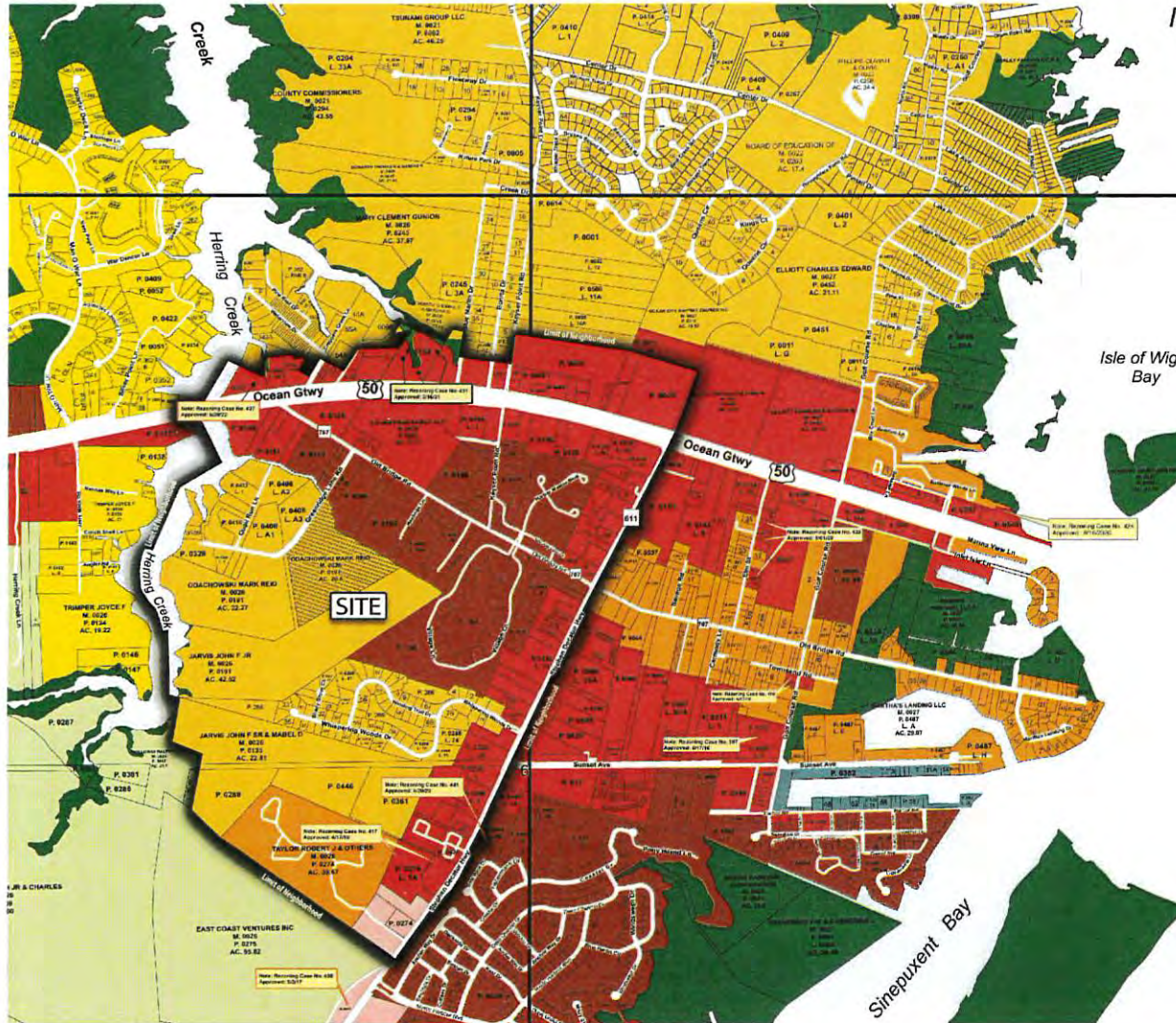
Hugh Cropper, IV

IMP FD SUR \$5	5.00
RECORDING FEE	20.00
TOTAL	25.00
Rec# 4002	Rec# 91069
SVH 9681	Blk # 2520
AUG 30, 2002	03:32

AUG 30 2002

The foregoing instrument  
filed for record and is accordingly recorded  
among the land records of Worcester County,  
Maryland.

 Clerk



## PARCEL DESCRIPTION

TAX MAP 26, PARCEL 191 PARCEL C  
TENTH ELECTION DISTRICT  
WORCESTER COUNTY MARYLAND

## PROPERTY OWNERS

MARK R. ODACHOWSKI  
12254 GREENRIDGE LANE ROAD  
OCEAN CITY, MARYLAND 21842

## ZONING

R-2, RESIDENTIAL (EXISTING)  
R-4, GENERAL RESIDENTIAL (PROPOSED)

## SITE AREA

± 20.6 ACRES SITE AREA

A1	RP	R2	I1	C1	V1
A2	E1	R3	I2	C2	
CA	R1	R4	CM	C3	

## ZONING EXHIBIT

TAX MAP 26, P/O PARCEL 191 PARCEL C  
WEST OCEAN CITY, MARYLAND

R.D. HAND AND ASSOCIATES, INC.

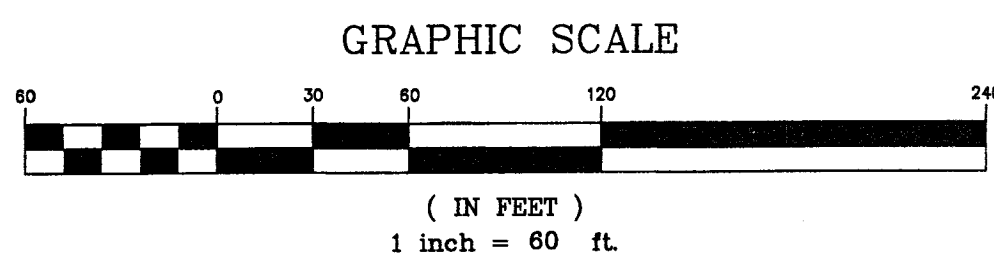
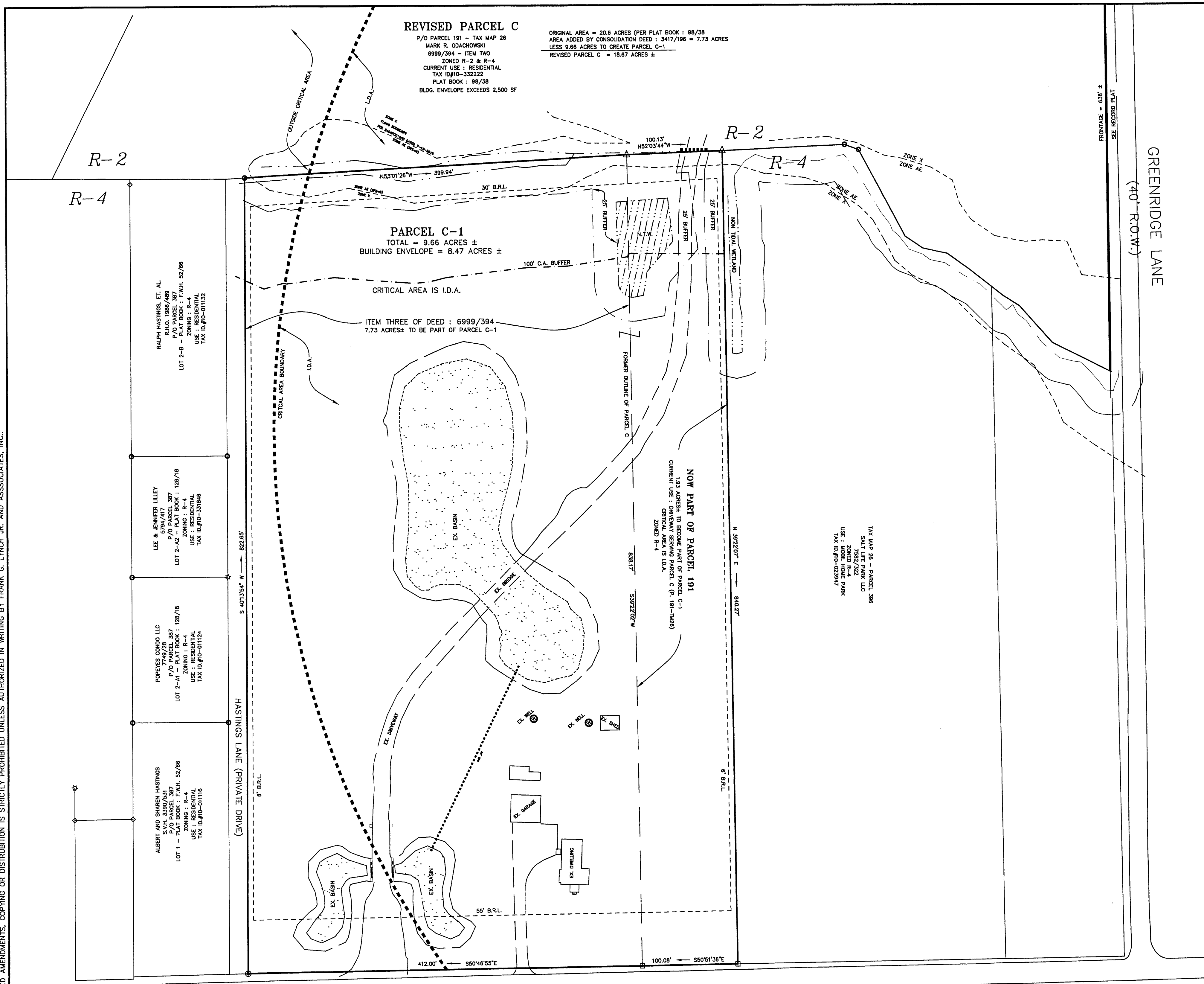
LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY  
15302 COLLINS ROAD BISHOPVILLE, MD. 21013 410-352-5623

DATE: 11/21/2009  
REV DATE: 12/28/2009  
DRAWN BY: [blank]  
CHECKED BY: [blank]  
SCALE: AS NOTED

SHEET  
ZE-1



THE INFORMATION CONTAINED ON THESE PLANS, PLATS OR OTHER DOCUMENTS IS PROVIDED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON, AND IS SUBJECT TO THE CLIENT, AND/OR WORK PRODUCT PRIVILEGE. ANY AMENDMENTS, CORRECTIONS OR DISTRIBUTION IS STRICTLY PROHIBITED UNLESS AUTHORIZED IN WRITING BY FRANK G. LYNCH, JR. AND ASSOCIATES, INC.

MARYLAND ROUTE 707  
(KNOWN LOCALLY AS OLD BRIDGE ROAD)  
40' R.O.W. - MINOR COLLECTOR

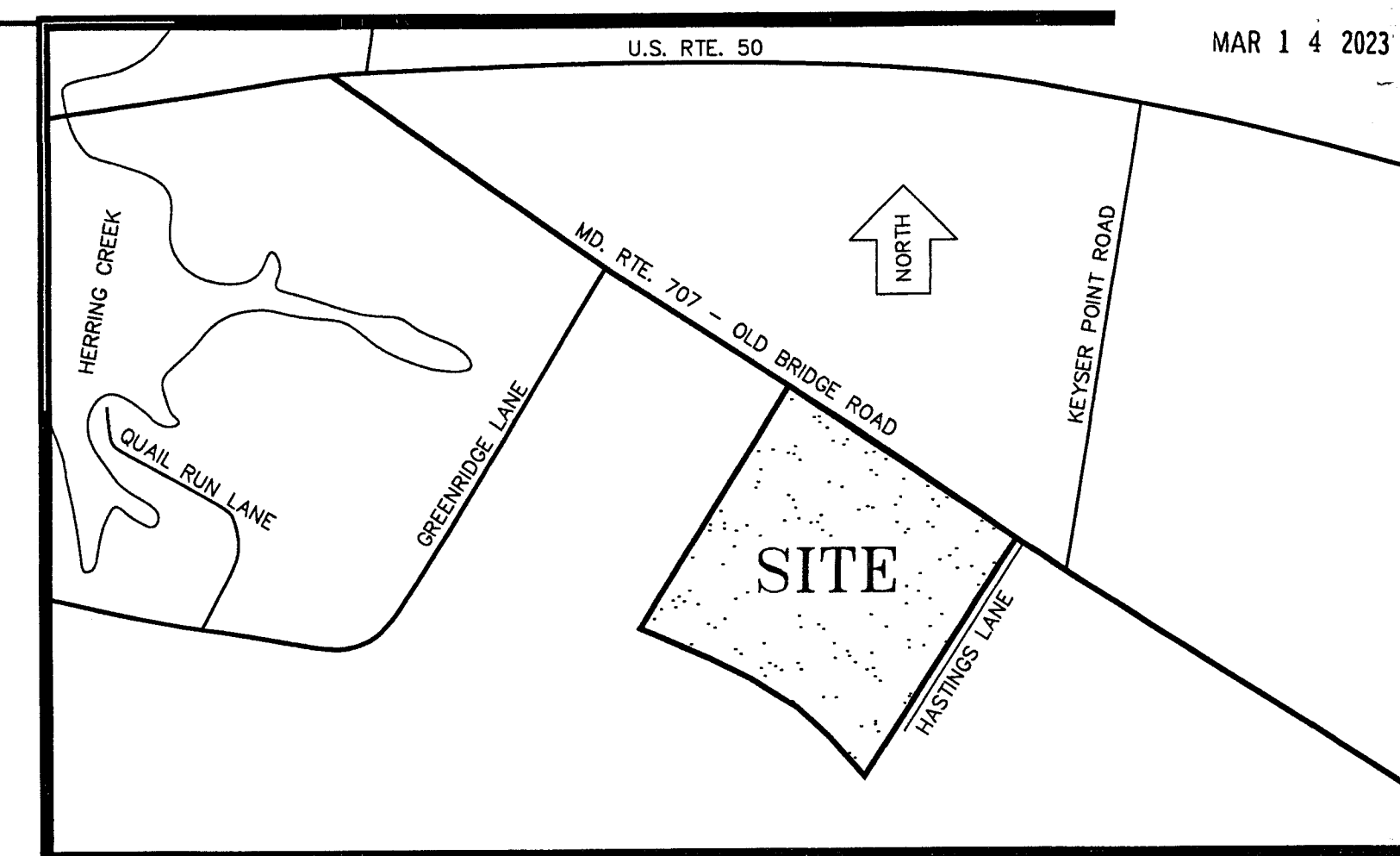
## WETLAND DELINEATION NOTE

THE NON TIDAL WETLANDS LINE AS DELINEATED BY SPENCER ROWE, INC. AND AS SHOWN HEREON HAS NOT BEEN VERIFIED BY REGULATORY AUTHORITIES AND THEREFORE MAY OR MAY NOT BE VALID FOR SITE DEVELOPMENT. AT THE TIME OF SITE DEVELOPMENT, THE NON TIDAL WETLAND MAY BE REQUIRED TO BE VERIFIED IN THE FIELD BY THE APPROPRIATE GOVERNMENT AGENCY. DEVELOPMENT SHALL BE REQUIRED TO COMPLY WITH ALL REGULATIONS AND PERMITTING IN EFFECT AT THAT TIME. ANY REDUCTION IN BUILDABLE AREA BELOW THE STATUTORILY PRESCRIBED MINIMUM AS A RESULT OF FUTURE REGULATORY VERIFICATION OR REGULATION OR A CHANGE IN TOPOGRAPHY MAY RENDER THE LOT OR LOTS AS SHOWN HEREON UNBUILDABLE. THE APPROVAL OF THIS SUBDIVISION SHALL NOT CONSTITUTE A REPRESENTATION, GUARANTEE OR WARRANTY OF ANY KIND BY WORCESTER COUNTY OR BY ANY OFFICIAL OR EMPLOYEE THEREOF OF THE PRACTICABILITY, BUILDABILITY OR SAFETY OF ANY PROPOSED USE AND SHALL CREATE NO LIABILITY UPON THE COUNTY, ITS OFFICIALS OR EMPLOYEES.

## FOREST CONSERVATION NOTE

## ATLANTIC COASTAL BAYS CRITICAL AREA LAW STATEMENT

This property lies within the Worcester County Atlantic Coastal Bays Critical Area, any and all proposed development activity must meet the requirements of Title 3 (land and water resources), Subtitle 1 (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Local Laws, as from time to time amended, in effect at the time of the proposed development activity.



## ENVIRONMENTAL PROGRAMS DEPT.

THIS SUBDIVISION IS APPROVED FOR INTERIM INDIVIDUAL WATER SYSTEMS AND A CENTRAL SEWERAGE SYSTEMS) AND THEIR USE IS IN ACCORDANCE WITH THE COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN. THE APPLICANT OR ANY FUTURE OWNER MUST DISCONTINUE USE OF THESE INDIVIDUAL WATER SYSTEMS) AND CONNECT TO THE COMMUNITY WATER SYSTEMS) WHEN AVAILABLE.

APPROVING AUTHORITY: Frank G. Lynch, Jr. DATE: 3-10-23  
WORCESTER COUNTY ENVIRONMENTAL PROGRAMS

## WORCESTER COUNTY PLANNING COMMISSION

A. THE GRANT OF A PERMIT OR APPROVAL OF THIS SUBDIVISION SHALL NOT CONSTITUTE A REPRESENTATION, GUARANTEE OR WARRANTY OF ANY KIND BY WORCESTER COUNTY OR BY ANY OFFICIAL OR EMPLOYEE THEREOF OF THE PRACTICABILITY, BUILDABILITY OR SAFETY OF ANY PROPOSED USE, AND SHALL CREATE NO LIABILITY UPON THE COUNTY, ITS OFFICIALS OR EMPLOYEES.

B. ANY APPROVAL BY THE ENVIRONMENTAL PROGRAMS DIVISION OF ANY POTABLE WATER OR WASTEWATER SYSTEM OR SUITABILITY THEREFOR IS BASED UPON STATE AND COUNTY STANDARDS EXISTING AS OF THE DATE OF APPROVAL. SUCH STANDARDS ARE SUBJECT TO CHANGE AND A BUILDING PERMIT MAY BE DENIED IN THE FUTURE. IN THE EVENT CURRENT STANDARDS CANNOT BE MET AS OF THE DATE OF APPLICATION FOR SUCH PERMIT, THE APPROVAL SHOWN HEREON IS NOT SUFFICIENT APPROVAL FOR A PERMIT.

APPROVING AUTHORITY: Frank G. Lynch, Jr. DATE: 3/13/23  
WORCESTER COUNTY PLANNING COMMISSION

## SURVEYOR'S CERTIFICATION

I hereby Certify, To The Best Of My Knowledge And Belief, That The Requirements Of Section 3-108 Of The Real Property Article Of The Annotated Code Of Maryland (Latest Edition) Concerning The Making Of This Plat And The Setting Of Markers As Well As All Of The Requirements Of The County Commissioners And Ordinances Of The County Of Worcester, Maryland Regarding The Platting Of Subdivisions Within The County Have Been Complied With.

APPROVING AUTHORITY: Frank G. Lynch, Jr. DATE: 3-04-2023  
Reg # 10782

## OWNER'S CERTIFICATION

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY, THEREOF. THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND (LATEST EDITION) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

OWNER: Mark R. Odachowski DATE: 03-09-23  
12414 OLD BRIDGE ROAD  
W. OCEAN CITY, MD. 21842

## REFERENCE

- EX. ZONING: R-2 AND R-4  
R-2 ZONING SETBACKS:  
FRONT: 25' OR 50' FROM CENTER OF GREENRIDGE LANE, SIDES: 8', REAR: 30'  
R-4 ZONING SETBACKS:  
FRONT: 75' FROM CENTER OF OLD BRIDGE ROAD, SIDES: 6', REAR: 30'
- BASED UPON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY #240083 PANEL NUMBER 24047C0180H DATED 7-16-2015 THIS SUBDIVISION IS LOCATED IN ZONE X & AE (B.F.E. 5)
- THESE PROPERTIES LAY PARTIALLY WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA.
- NO ADJACENT DITCHES ARE PART OF A P.D.A.
- THERE ARE NO ANIMAL CONTAINMENT STRUCTURES WITHIN 200' OF THIS SUBDIVISION.
- THE WETLAND DELINEATION AS SHOWN HEREON WAS PERFORMED BY SPENCER ROWE, INC.
- THIS PROPERTY IS LOCATED IN WORCESTER COUNTY SUBWATERSHED: ISLE OF WIGHT BAY DRAINAGE #2130103
- THE PURPOSE OF THIS PLAN IS TO CREATE PARCEL C-1 OUT OF THE LANDS OF MARK R. ODACHOWSKI OWNED BY DEED: 6999/394 AND CONSOLIDATED BY DEED: 3417/196.

□ DENOTES CONC. MON. FOUND  
○ DENOTES IRON PIPE FOUND  
● DENOTES IRON ROD FOUND  
☆ DENOTES IRON ROD SET  
△ DENOTES P.K. NAIL SET

#	REVISION	DATE	CHKD

PROJECT  
PARCEL 191 - TAX MAP 26  
TENTH TAX DISTRICT, WORCESTER COUNTY, MARYLANDTITLE  
MINOR SUBDIVISION  
LANDS OF MARK R. ODACHOWSKI

PROFESSIONAL SEAL

Frank G. Lynch, Jr.  
& Associates, Inc.SURVEYING · LAND PLANNING  
10635 RACETRACK ROAD · BERLIN, MARYLAND 21811  
(410) 641-6363 · 641-6773

DESIGNED BY	N/A	SURVEYED BY	FILE NO.:
DRAWN BY	F.G.L. JR.	DATE	2-02-2023
CHECKED BY	FRANK G. LYNCH	SCALE	1" = 60'
SHEET 1 OF 1		11936-23	

ST#2/C/JOB FILES 2023/11936-23.DWG

p254179

msa 20157-9670

View Map

View GroundRent Redemption

View GroundRent Registration

Special Tax Recapture: None

Account Number: District - 10 Account Identifier - 332222

Owner Information

Owner Name: ODACHOWSKI MARK R

Use: RESIDENTIAL

Principal Residence: YES

Mailing Address: 12507 SUNSET AVE UNIT 14D OCEAN CITY MD 21842-0000

Deed Reference: /06999/ 00394

Location & Structure Information

Premises Address: 12254 GREENRIDGE LANE RD OCEAN CITY 21842-0000

Legal Description: REVSD PARCEL C 18.67 ACS S SIDE OLD BRIDGE RD MIN SUB MARK R ODACHOWSKI

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 098038

0026 0012 0476 10030023.24 73Z8 C-1 2023 Plat Ref: 253/ 22

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use

2002 3,112 SF 18.6700 AC

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

1 1/2 NO STANDARD UNIT SIDING/ 5 2 full/ 1 half 1 Attached

Value Information

Base Value Value Phase-in Assessments

As of As of As of

01/01/2023 07/01/2024 07/01/2025

Land: 182,100 182,100

Improvements 372,400 571,700

Total: 554,500 753,800 687,367 753,800

Preferential Land: 0 0

Transfer Information

Seller: MARK R ODACHOWSKI IRREVOCABLE TRUST

Date: 05/17/2017

Price: \$0

Type: NON-ARMS LENGTH OTHER

Deed1: /06999/ 00394

Deed2:

Seller: ODACHOWSKI MARK REID

Date: 12/07/2011

Price: \$0

Type: NON-ARMS LENGTH OTHER

Deed1: /05794/ 00046

Deed2:

Seller: ODACHOWSKI, MARK REID &

Date: 08/02/2001

Price: \$0

Type: NON-ARMS LENGTH OTHER

Deed1: SVH /03098/ 00328

Deed2:

Exemption Information

Partial Exempt Assessments: Class

07/01/2024 07/01/2025

County: 000 0.00

State: 000 0.00

Municipal: 000 0.00|0.00 0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 07/16/2009

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

**NOTICE**  
**Disposal of Surplus Vehicles and Equipment**  
**to be Auctioned on GovDeals.com**

**"Disposition of County Personal Property no longer used by the County"**

The following described personal property, including vehicles, furniture and equipment, have been determined to be no longer required for County use by the County Commissioners of Worcester County, Maryland and deemed to be surplus property:

**SURPLUS VEHICLES AND EQUIPMENT**

**Surplus vehicles**, listed by make and model (with model year), as follows: Ford F150 2WD (2001); International 2674 (1991); Ford F250 4x4 (2004); Chevrolet Tahoe 4x4 (2014); Chevrolet Silverado 1500 2WD (2006); Chevrolet Silverado 1500 4x4 (2005); Ford Econoline 150 VAN (2006); Chevrolet Silverado 1500 4x4 (2003); Ford F350 CREW CAB DUMP (2006); Dodge Caravan (2006); Chevrolet Tahoe 4x4 (2012); Ford Crown Victoria (2008); Ford Crown Victoria (2009); Ford Crown Victoria (2008); Ford Crown Victoria (2009); Ford Crown Victoria (2010); Chevrolet Tahoe (2009); Chevrolet Tahoe (2013); Chevrolet Tahoe (2013); Chevrolet Tahoe (2012); Chevrolet Tahoe (2013); Ford Crown Victoria (2011).

**Surplus equipment**, including: Bannerman Turf-Topper BTD20H (1994); Kings Sprayer K3PTH150B12.

**Surplus furniture and miscellaneous equipment**, including: Portable PA System With Amplifier; Wood Desks and Shelving; Ornamental Light Poles; LB White Heater; Hydraulic Hose Machine; Misc Automotive Filter/Parts/Manuals; Coats Tire Mounting Machine Model 40-40A; Old Battery Powered Tools; Tire Balancing Machine, Hunter Road Force; Electrical Power Banks; Soda Machine, Industrial Air ILA3606056 Air Compressor; Parts Washer; Ranger T-5-500; Misc Soccer Goals; Misc Gas Powered String Trimmers; Misc Printers; Misc Computers.

**TERMS AND CONDITIONS OF SALE AND CONVEYANCE:** The County Commissioners propose to solicit competitive bids via an Internet-based auction system operated by GovDeals, Inc. for which the winning bidder pays a buyer's premium of twelve and one-half percent (12.5%) of the winning bid for each transaction so that there is no net cost to the County. All of the above referenced surplus property will be offered for sale "AS IS, WHERE IS." The County Commissioners make no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The County Commissioners warrant to the buyer that the property offered for sale will conform to its description. The County Commissioners reserve the right to reject any and all bids as they see fit and to withdraw from sale any of the items listed. Payment in full by successful bidders shall be made to Worcester County Commissioners.

**OPPORTUNITY FOR OBJECTIONS:** Anyone objecting to the proposed conveyance of the above surplus vehicles and equipment shall do so in writing prior to 4:30 p.m. on Thursday, July 10, 2025, or in person at the regularly scheduled meeting of the County Commissioners to be held at 10:00 a.m. on July 15, 2025 in the County Commissioners Meeting Room, Room 1101 - Government Center, One West Market Street, Snow Hill, Maryland 21863.

**WORCESTER COUNTY COMMISSIONERS**

**MEMORANDUM**

**TO:** Weston S. Young, P.E., Chief Administrative Officer  
Candace Savage, CGFM., Deputy Chief Administrative Officer  
**FROM:** Dallas Baker, Jr., P.E., Director  
**DATE:** April 8, 2025 *Dallas Baker Jr*  
**SUBJECT:** Surplus Vehicles, Equipment and Miscellaneous Items

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Public Works is requesting Commissioner approval of the attached list of County owned property proposed to be declared surplus in compliance with Worcester County's Code of Public Local Laws. The list must be advertised once a week for three consecutive weeks to notify the public, receive comment, schedule a required public hearing regarding list informing the public of the sale of the equipment on the Gov Deals auction site. Once the public hearing has been held and the Commissioners agree to declare the equipment as surplus, DPW Fleet Management will begin the process of arranging the on-line auction of the surplus property.

Please let me know if there are any questions.

Attachments

cc: Chris Clasing, Public Works Deputy Director  
Derrick Babcock, Fleet Superintendent  
Kim Reynolds, Budget Officer  
Dustin Walker, Human Resources  
Fleet Management File: GovDeals.com

**WORCESTER COUNTY**  
**SURPLUS VEHICLE & EQUIPMENT LIST - 2024-2025**

**VEHICLES**

STOCK #	YEAR	MAKE	MODEL	VIN #	MILEAGE	DEPARTMENT	COMMENTS
1	2001	FORD	F150 2WD	1FTZF17231NA38426	222,554	ROADS	OLD, HIGH MILES, REPLACED WITH NEW
2	1991	INTERNATIONAL	2674	1HSGKCUR4MH381353	154,986	ROADS	OLD, HIGH MILES, REPLACED WITH NEW
3	2004	FORD	F250 4X4	1FTNF21L84EB85254	109,924	SOLID WASTE	OLD, HIGH MILES, REPLACED WITH NEW
4	2014	CHEVROLET	TAHOE 4X4	1GNSK2E05ER185776	130,366	FIRE MARSHAL	NO OIL PRESSURE, REPLACED WITH NEW
5	2006	CHEVROLET	SILVERADO 1500 2WD	1GCEC14X86Z112155	166,735	EP	OLD, RUSTED OUT, REPLACED WITH NEW
6	2005	CHEVROLET	SILVERADO 1500 4X4	1GCEK14V05E295719	180,720	MAINTENANCE	OLD, HIGH MILES, REPLACED WITH NEW, RUSTED OUT
7	2006	FORD	ECONOLINE 150 VAN	1FTPE14W96DB35993	85,145	MAINTENANCE	OLD, REPLACED WITH NEW
8	2003	CHEVROLET	SILVERADO 1500 4X4	2GCEK19V531103041	213,754	WWW	OLD, HIGH MILES, REPLACED WITH NEW, RUNS ROUGH
9	2006	FORD	F350 CREW CAB DUMP	1FDWW36Y56EA91958	214,615	WWW	OLD, HIGH MILES, REPLACED WITH NEW
10	2006	DODGE	CARAVAN	1D4GP25R66B509250	125,921	WWW	OLD, HIGH MILES, SUSPENSION WORN OUT
11	2012	CHEVROLET	TAHOE 4X4	1GNSK2E0XCR175340	216,252	WWW	OLD, HIGH MILES, REPLACED WITH NEW, RUSTED OUT
12	2008	FORD	CROWN VICTORIA	2FAFP71V88X141099	215,059	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW
13	2009	FORD	CROWN VICTORIA	2FAHP71V89X121462	232,659	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW
14	2008	FORD	CROWN VICTORIA	2FAFP71V48X141102	258,535	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW
15	2009	FORD	CROWN VICTORIA	1FTZF17231NA38426	189,108	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW
16	2010	FORD	CROWN VICTORIA	2FABP7BV5AX105857	218,206	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW
17	2009	CHEVROLET	TAHOE	1GNFK03069R165857	237,000	SHERIFF	HIGH MILES, REPLACED WITH NEW, TRANSMISSION CABLE
18	2013	CHEVROLET	TAHOE	1GNLC2E04DR314042	261,000	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW
19	2013	CHEVROLET	TAHOE	1GNLC2E09DR313890	234,810	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW
20	2012	CHEVROLET	TAHOE	1GNLC2E08CR169439	278,244	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW, RUSTED OUT
21	2013	CHEVROLET	TAHOE	1GNLC2E05DR314017	251,791	SHERIFF	OLD, HIGH MILES, REPLACED WITH NEW, NEEDS HEAD'S
22	2011	FORD	CROWN VICTORIA	2FABP7BV3BX104062	88,032	STATES ATTORNEY	OLD, NO LONGER USED, ABP PUMP INOP.

**EQUIPMENT**

STOCK #	YEAR	MAKE/ DESCRIPTION	MODEL	SERIAL/ VIN #	HOURS	DEPARTMENT	COMMENTS
23	1994	BANNERMAN	TURF-TOPPER BTD20H	15-0518	N/A	PARKS	USED TURF TOP DRESSER, REPLACED WITH NEW
24		KINGS	SPRAYER, K3PTH150B12	23475	N/A	PARKS	NO LONGER NEEDED. NOT USED ITEM

**MISCELLANEOUS**

STOCK #	NO.	DESCRIPTION	DEPARTMENT	COMMENTS
25		PORTABLE PA SYSTEM WITH AMPLIFIER	SHERIFF	OLD, INOP, NO LONGER NEEDED
26		WOOD DESKS AND SHELVING	SHERIFF	OLD, REPLACED WITH NEW
27		ORNAMENTAL LIGHT POLES	MAINTENANCE	OLD, REPLACED WITH NEW
28		LB WHITE HEATER	MAINTENANCE	OLD, REPLACED WITH NEW
29		HYDRAULIC HOSE MACHINE	SOLID WASTE	OLD, REPLACED WITH NEW, NO LONGER SERVICEABLE
30		MISC AUTOMOTIVE FILTER/PARTS/MANUALS	SOLID WASTE	OLD PARTS FOR VEHICLES NO LONGER IN SERVICE.
31		COATS TIRE MOUNTING MACHINE MODEL 40-40A	FLEET	OLD, REPLACED WITH NEW
32		OLD BATTERY POWERED TOOLS	FLEET	OLD, INOP, REPLACED WITH NEW
33		TIRE BALANCING MACHINE, HUNTER ROAD FORCE	FLEET	OLD, REPLACED WITH NEW
34		ELECTRICAL POWER BANKS	EMERGENCY SERVICE	OLD, NO LONGER USED
35		SODA MACHINE	EMERGENCY SERVICE	OLD, NO LONGER USED, DOES NOT COOL
36		INDUSTRIAL AIR ILA3606056 AIR COMPRESSOR	ROADS	OLD, DOES NOT WORK. COMPRESSOR INOP.
37		PARTS WASHER, RANGER T-5-500	ROADS	OLD, DOES NOT WORK. NO LONGER NEEDED
38		MISC SOCCER GOALS	PARKS	OLD, REPLACED WITH NEW
39		MISC GAS POWERED STRING TRIMMERS	PARKS	OLD, REPLACED WITH NEW, DOES NOT RUN
40		MISC PRINTERS	IT	OLD, REPLACED WITH NEW, NO LONGER SERVICEABLE
41		MISC COMPUTERS	IT	OLD, REPLACED WITH NEW

**MEMORANDUM**

TO: Worcester County Commissioners

CC: Weston Young CAO; Candace Savage, Deputy CAO

FROM: Melanie Pursel, Director, Office of Tourism and Economic Development

DATE: June 30, 2025

RE: Request for Final Disbursement – Main Street Connectivity Project (Rural Economic Development Fund)

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Dear Commissioners,

As we approach the final phase of the Rural Economic Development Fund (REDF) administration, we are seeking approval to release the remaining grant funds allocated to the Main Street Connectivity project—one of the initiatives previously approved by the commissioners.

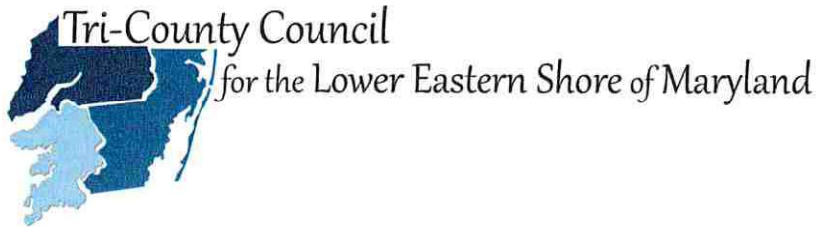
At the outset, Simple Fiber committed to matching the \$800,000 in grant funding as part of a broader \$2 million effort to deliver reliable fiber internet to businesses and residents in the downtown areas of Pocomoke, Snow Hill, and Berlin. While the state does not require a match for these funds, Simple Fiber has voluntarily committed to one and has been submitting reimbursement requests on a dollar-for-dollar basis.

To facilitate the closeout of the REDF and ensure project continuity, Simple Fiber is requesting the release of the remaining balance. They have confirmed that matching contributions will be provided and will continue to document project progress through completion in all three towns.

Attached is a letter from the Tri-County Council confirming that a match is not required and encouraging the timely expenditure of funds before the end-of-year deadline.

We respectfully request that the commissioners approve the final disbursement of grant funds for this project.

Attachments



## ITEM 17

31901 TRI-COUNTY WAY  
SUITE 203  
SALISBURY, MARYLAND 21804  
PHONE: 410-341-8989  
FAX: 410-341-8988  
WWW.LOWERSHORE.ORG

June 27, 2025

Mr. Weston S. Young, Chief Administrative Officer  
Worcester County, Maryland  
One West Market Street, Room 1103  
Snow Hill, Maryland 21863-1195  
Weston.young@co.worcester.maryland.us

RE: Rural Maryland Economic Development Fund – Matching Funds; Tri-County Council's Reporting Consultant Avantis LLC

Dear Mr. Young:

Please accept this letter as clarification from the Tri-County Council for the Lower Eastern Shore of Maryland regarding the above-referenced matters. I have attached an email communication dated May 2, 2022 from Ms. Heather Gramm of Maryland Commerce to the five regional councils. The email includes an attached document from Maryland Commerce entitled "*Rural Maryland Economic Development Fund Overview, Instructions & Application*".

Page 2, second paragraph of the document (*Grant Funding Criteria*), third bullet point reads as follows:

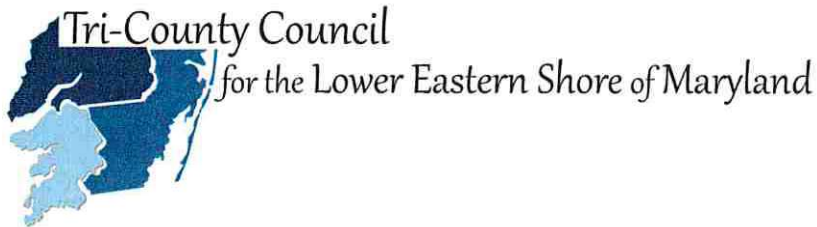
- **Awards from the Fund do not require matching funds. However, if there are other sources of funds for the project, we encourage these sources to be identified.**

The Tri-County Council, in numerous communications with Maryland Commerce, and specifically referencing the above cited document, confirmed that matching funds are not required for the award. Any mention of matching funds in the original grant application would have been included only as a metric to evaluate the relative competitive strengths of a project. In turn, the master grant agreement



Serving Somerset, Wicomico and Worcester Counties





Tri-County Council

for the Lower Eastern Shore of Maryland

## ITEM 17

31901 TRI-COUNTY WAY  
SUITE 203  
SALISBURY, MARYLAND 21804  
PHONE: 410-341-8989  
FAX: 410-341-8988  
WWW.LOWERSHORE.ORG

between Maryland Commerce and the Tri-County Council makes no mention of matching funds. Consequently, the MOU between the Tri-County Council and the County makes no mention of matching funds. This MOU was submitted to Maryland Commerce at the time of the application and was accepted.

For these reasons the Tri-County Council states that matching funds are not a requirement for the award of Rural Maryland Economic Development Fund monies.

Finally, the Tri-County Council for the Lower Eastern Shore remains under contract with Avantis LLC (principal Ms. Sarah Guy) to assist in reporting to Maryland Commerce throughout the life of the grant. Avantis LLC, among other duties and obligations pursuant to its contract with the Tri-County Council, secures my written approval prior to the submission of any reporting materials to Maryland Commerce.

Please feel free to contact me if you have additional questions or need further clarification.

Respectfully,

Gregory Padgham  
Executive Director

Enclosure

CC Melanie Pursel – Mpursel@co.worcester.md.us  
Sarah Guy – sarah@avantisllc.com



Serving Somerset, Wicomico and Worcester Counties





## Rural Maryland Economic Development Fund - Application and FAQs

**From** Heather Gramm -COMMERCE- <heather.gramm1@maryland.gov>

**Date** Mon 5/2/2022 8:15 AM

**To** jhartline@tccsmd.org <jhartline@tccsmd.org>; leanne@tccwmd.org <leanne@tccwmd.org>; Susan O'Neill <soneill@kentgov.org>; Scott Warner <swarner@midshore.org>; Gregory Padgham <gpadgham@tcclesmd.org>

**Cc** Lori Ratzburg Commerce <lori.ratzburg@maryland.gov>; Andrew Sargent <andrew.sargent@maryland.gov>; Steven Wall Commerce <steven.wall@maryland.gov>; Brigitte Peters -COMMERCE- <brigitte.peters@maryland.gov>; Nancy LaJoice -COMMERCE- <nancy.lajoice@maryland.gov>; Mindie Burgoyne <mindie.burgoyne@maryland.gov>

2 attachments (216 KB)

Rural Maryland Economic Development Fund - overview-instructions-application.pdf; Rural MD Fund FAQs.pdf;

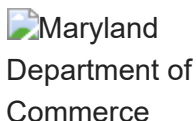
Good morning!

Maryland Commerce is pleased to officially release the application and fact sheet for the \$50,000,000 Rural Maryland Economic Development Fund. We are excited to support this unique opportunity to invest in projects and programs of significant economic development impact in your communities.

Attached you will find both the application and a FAQ. Applications are due August 5, 2022 at 12:00pm to Lori Ratzburg, Senior Director of Regional Growth & Retention, copied here. Her contact information is also included in the attachments.

We welcome an open dialogue during the application period, as you work with your counties to develop project proposals. If you have additional questions, please reach out to Lori or your Regional Business Development representative.

Kind regards,  
Heather



**Heather Gramm, CEcD**

Assistant Secretary,  
Business & Industry Sector  
Development

[Department  
of Commerce](#)

401 E. Pratt Street  
Baltimore, MD 21202

[heather.gramm1@maryland.gov](mailto:heather.gramm1@maryland.gov)

(410) 598-0842 (M)



Larry Hogan | Governor  
 Boyd Rutherford | Lt. Governor  
 R. Michael Gill | Secretary of Commerce  
 Signe Pringle | Deputy Secretary of Commerce

## **RURAL MARYLAND ECONOMIC DEVELOPMENT FUND OVERVIEW, INSTRUCTIONS & APPLICATION**

### Program Description and Purpose

- The Rural Maryland Economic Development Fund seeks to fund infrastructure projects that will support economic development activity, stimulate private investment, and grow jobs in the state's rural counties.
- The Maryland Department of Commerce will provide grant funds from the Fund for projects proposed by the state's five tri-county councils which serve the rural regions of Maryland. The regional councils shall coordinate with the local jurisdictions within their regions to identify the priority projects to be included in the application. Counties may identify projects that benefit the entire region as an eligible use of funds
- Eligible uses include developing public infrastructure such as utilities, transportation, and broadband to support the attraction, retention or expansion of businesses, as well as infrastructure projects related to specific industry sectors such as, but not limited to, manufacturing, clean energy, life sciences, cybersecurity and agribusiness. Funding can also be used for workforce development and stimulating entrepreneurship and innovation. Planning and feasibility studies are eligible, as well as capital and operational expenses.
- Ineligible uses include direct private sector incentive, subsidy, grants or loans; construction of facilities to be owned or leased to private-sector entities; and residential/housing projects.

### Applicant Eligibility Criteria

- Eligible applicants include the state's five tri-county councils (TCCs):
  - Mid-Shore Regional Council
  - Tri-County Council for the Lower Eastern Shore of Maryland
  - Tri-County Council for Southern Maryland
  - Tri-County Council for Western Maryland
  - Upper Shore Regional Council
- The regional councils shall submit applications on behalf of the local jurisdictions within their respective jurisdictions. Funds are intended to be regranted to local jurisdictions or other eligible institutions within the region to implement priority projects identified by the local jurisdictions.

### Not Eligible to Apply

- Local governments may not directly apply for funding. Local governments shall work with their regional council to propose potential projects for inclusion in the application(s).
- For-profit private sector entities are not eligible for funding through this program.

## Application Process / Submission Window

- The application form will be made available to the regional councils on or about May 2, 2022.
- Applications will be accepted from May 2, 2022 at 12:00 p.m. EDT through August 5, 2022 at 12:00 p.m. EDT. Submit application to Lori Ratzburg at [lori.ratzburg@maryland.gov](mailto:lori.ratzburg@maryland.gov)
- The Department of Commerce may contact applicants with questions at any time after receiving a completed application.
- Regional councils will be notified of the status of their application by August 31, 2022.
- The Department of Commerce intends to enter into grant agreements with the regional councils in September 2022.

## Grant Funding Criteria

- Regional projects which foster collaboration between multiple counties are encouraged.
- Multiple projects can be included in one application. Each project should be identified and described separately in the application.
- Awards from the Fund do not require matching funds. However if there are other sources of funds for the project, we encourage those sources to be identified.
- Eligible costs may include planning and feasibility studies in addition to “hard” project costs.
- Regional Councils and subgrantees may include NEW administrative costs associated directly to oversight and implementation of this funding as an eligible cost, up to 3% percent of the total award (maximum \$300,000 in total administrative costs).
- Existing projects (such as a business park) which are known to previously have received investments from the Maryland Department of Commerce should be identified as such, including the amount of funds invested and the date(s) of the investments.

## Application Requirements

- Regional councils must formally endorse the projects included in their application with a formal vote/resolution from the Board of Directors.
- Each county should submit a letter of support signed by the chief executive or chief administrative officer for inclusion with the application.

## Award Amounts

- The maximum funding request per TCC is \$10,000,000
- There is no limit on the amount of funding for a particular project, aside from the limit of the total request in the application of \$10 million.

## Award Term

- All grant funds must be expended within 24 months of the date of the grant award.
- Reports summarizing progress of the project(s) funded by the grant award are required. An interim report is due at the end of the first year, with a final report due at the end of the second year. 2 interim reports will be required at the 6-month and 18-month point of the grant term.
  - Applicants and sub-grantees will need to request demographic/MBE information for all contractors and vendors selected to perform work under this grant.

Contractor/vendor response will be voluntary, and additional information will be provided regarding the demographic survey at the time of grant agreement.

- If additional time is required after 24 months the rationale/justification for additional time must be explained in the report.
- Funds which are not expended within the required time period are subject to clawback.

Agency/Contact

- Maryland Department of Commerce  
Lori Ratzburg, Senior Director, Regional Growth and Retention  
[lori.ratzburg@maryland.gov](mailto:lori.ratzburg@maryland.gov)  
410-350-4242

## Maryland Rural Investment Fund – Application

### **Section I: Applicant Information**

Regional Council Legal Name: \_\_\_\_\_

- The legal name needs to be typed as it appears on your Certificate of Good Standing with the Maryland Department of Assessment and Taxation (SDAT).

Trade Name: \_\_\_\_\_

Federal ID #: \_\_\_\_\_

- The Federal ID # must be the same as listed on the W-9 submitted with this application.

Attach a signed and dated copy of your IRS W-9 Taxpayer Identification Number and Certification.

Mailing Address

- The mailing address must be the same as listed on the W-9 submitted with this application.

Street Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

County: \_\_\_\_\_

Website: \_\_\_\_\_

Contact Information

- Provide the primary contact for this application.

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

Title: \_\_\_\_\_

Best Phone Number: \_\_\_\_\_

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

### **Section II: Project Funding Requests:**

Below is the template to be followed for each project or program included in the application. Please complete all sections of the template for each individual project.

#### **Project/Program Request #1**

- Project Name
- Project Summary (250 words or less)
- County or counties where the project is located
- Project Primary Contact
  - Name
  - Title
  - Organization

- Address
  - Phone number
  - Email
- Funding Request Amount
- Budget - include both sources and uses of funds, including any request for administrative expenses
- Project Narrative –
  - Detailed project description
  - Describe the expected outcome of the project.
  - Describe any other funds being leveraged and their source.
  - Describe how this project will have a significant economic development impact for the jurisdiction.
  - Describe any partnerships that will be leveraged for this project.
  - Describe how the success and/or economic impact of the project will be measured.
- Project Timeline/Key Milestones
- Have potential vendors been identified? (Yes/No) If so, please identify.
  - Please attach any proposals from potential vendors.
- Please attach any other supporting materials that would be useful in understanding the project, such as feasibility studies, local economic development strategic plans, etc.

### **Section III: Attachments**

Please use this checklist for all documents to be submitted along with this application

- W-9
- Regional Council Resolution of Support
- 3 Letters of Support/Resolutions of Support from each county
- Letters of Commitment from partners/sub-grantees responsible for implementation of proposed projects
- Any additional letters of support from partner organizations