

# **WORCESTER COUNTY PLANNING COMMISSION AGENDA**

**Thursday, August 7, 2025**

**Worcester County Government Center**

**One West Market St., Room 1102**

**Snow Hill, Maryland 21863**

The public is invited to view this meeting live: <https://worcestercountymd.swagit.com/live>

**I. Call to Order (1:00 p.m.)**

**II. Administrative Matters**

- A. Planning Commission Meeting Minutes – July 3, 2025
- B. Planning Commission Work Session Meeting Minutes – July 10, 2025
- C. Board of Zoning Appeals Agenda – August 14, 2025
- D. Technical Review Committee Agenda – August 13, 2025

**III. Site Plan Review**

- A. WO27 Solar – Major Site Plan Review and Landscaping Irrigation Waiver Request
- B. WO60 Solar – Major Site Plan Review and Landscaping Irrigation Waiver Request
- C. Crepe Myrtle Court – RPC Step II Master Plan Approval

**IV. Rezoning**

- A. Rezoning Case No. 451 - Request to rezone approximately 150 acres out of a 232.12-acre parcel from E-1 Estate District to A-1 Agricultural District, Tax Map 65, Parcel 48, Tax District 2, Richard and Elizabeth Smithson, property owners; Hugh Cropper, IV, attorney for the applicant.

**V. Text Amendment**

- A. Solar Energy Systems

**VI. Adjournment**

**WORCESTER COUNTY PLANNING COMMISSION  
MEETING MINUTES – July 3, 2025**

**Meeting Date:** July 3, 2025

**Time:** 1:00 P.M.

**Location:** Worcester County Government Office Building, Room 1102

**Attendance:**

**Planning Commission**

Jerry Barbierri, Chair

Betty Smith

Marlene Ott

Kathy Drew

Mary Knight

**Staff**

Jennifer Keener, Director, DRP

Kristen Tremblay, Zoning Administrator, DRP

Ben Zito, DRP Specialist, DRP

Robert Mitchell, Director, Environmental Programs

Brian Soper, Natural Resources Administrator,  
Environmental Programs

**I. Call to Order**

**II. Administrative Matters**

**A. Review and approval of minutes, June 5, 2025.**

As the first item of business, the Planning Commission reviewed the minutes of the June 5, 2025, meeting.

**Following the review, a motion was made by Mrs. Wimbrow to approve the minutes as written, Ms. Knight seconded the motion, and the motion carried unanimously.**

**B. Board of Appeals Agenda, July 10, 2025.**

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for July 10, 2025. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission.

**Following the review, no comments were provided to the Board.**

**C. Technical Review Committee Agenda, July 9, 2025.**

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting scheduled for July 9, 2025. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission.

No comments were forwarded to the Committee.

**III. Miscellaneous – Snow Hill Property, LLC Landscaping Irrigation Waiver Request**

As the next item of Business, the Planning Commission review a landscaping irrigation waiver request for Snow Hill Property, LLC.

Mr. Issa approached the table. Mr. Issa briefly explained the project, and the need for a landscaping irrigation waiver, as the plants will be manually watered.

**WORCESTER COUNTY PLANNING COMMISSION  
MEETING MINUTES – July 3, 2025**

**Following the review, a motion was made by Mrs. Drew to approve the landscaping irrigation waiver, Ms. Ott seconded the motion, and the motion carried unanimously.**

**IV. Site Plan Review – Pocomoke City Community Energy Initiative, LLC**

As the next item of business, the Planning Commission reviewed a site plan and landscaping irrigation waiver request for Pocomoke City Community Energy Initiative, LLC.

Ted Hastings of Becker Morgan Group, Inc., Michael Redding of ECA Solar, and Jack Rowland of ECA Solar approached the table. Mr. Hastings provided an overview of the project, and Mr. Redding explained that the project proposed to use portable water cannons and watering bags rather than an irrigation system.

**Following the review, a motion was made by Mrs. Ott to approve the site plan as submitted and the landscaping irrigation waiver, Ms. Knight seconded the motion, and the motion carried unanimously.**

**V. Rezoning Case No. 448 - ±1.0729 acres out of an approximately 9.25-acre parcel from RP Resource Protection District to C-2 General Commercial District, Tax Map 21, Parcel 79, Racetrack Rd.(MD 589) Berlin, MD. Racetrack Plaza, LLC, Property Owner, and Mark Spencer Cropper Attorney**

In attendance were Mark Cropper, attorney for the applicant; Michael Lupacchini, member, Racetrack Plaza, LLC; and Frank Lynch, Jr., Maryland Registered Land Surveyor.

Mr. Cropper introduced Frank Lynch, Jr. as an expert witness. He then described the location of the subject property. The applicant is seeking to adjust the current zoning boundary between the C-2 General Commercial District and the RP Resource Protection District. This request is based first on a change in the character of the neighborhood, as defined and accepted under Rezoning Case Nos. 392 and 396. Following those rezoning requests, Mr. Cropper noted that he filed individual rezoning requests for multiple properties across from the Casino at Ocean Downs that were either zoned A-1 Agricultural District or E-1 Estate District to C-2 General Commercial District. The County Commissioners agreed to convert those individual rezoning applications into a comprehensive (sectional) rezoning, which incorporated approximately 15 properties between US Route 50 (Ocean Gateway) to the south, north to Turville Creek, and located on the westerly side of MD Route 589 (Racetrack Road). The County Commissioners adopted Resolution No. 19-2 which rezoned those properties to C-2 District. As a comprehensive (sectional) rezoning, specific, individual site characteristics were not the determining factor in how that zoning line was arranged.

Mr. Cropper explained that last year, he came before the Planning Commission and County Commissioners with an amendment to the 2006 Comprehensive Plan Land Use Map to change the land use designation from Agricultural to Commercial Center. Without the

**WORCESTER COUNTY PLANNING COMMISSION**  
**MEETING MINUTES – July 3, 2025**

amended land use designation, his client could not proceed with a request for a Water and Sewer Amendment. The amendment was adopted in 2024.

The second purpose of this request is based on a mistake in the boundary between the C-2 District and the RP District. Mr. Cropper alleges that the zoning boundary should have been aligned with the Critical Area designation. The Limited Development Area (LDA) allows commercial uses, but the Resource Conservation Area (RCA) does not. Mr. Cropper referred to Applicant's Exhibit A which was submitted with the revised application. Mr. Lynch explained the zoning and Critical Area boundary lines on his exhibit. He stated that he worked with county staff to get a determination of where the lines were, as the tax maps had shown the parcel boundary incorrectly. The tax maps have been updated with the boundary survey data provided. Mr. Lynch alleges that there are inconsistencies. For example, the non-tidal wetland line almost resembles the RCA boundary. Therefore, he claimed that the physical condition in the field matches the proposed amended Critical Area map, and what is not correct is the official, adopted 2002 Critical Area map.

Mr. Cropper reiterated that based on prior rezonings, including of the subject parcel, there should be no dispute that there has been a change in the character of the neighborhood that supports a commercial zoning designation, which is why those rezoning cases were approved. In addition, Mr. Cropper stated that there was a mistake in the zoning, as outlined in the 2006 Comprehensive Plan, pages 20 and 21, submitted as Applicant's Exhibit No. 1. The Plan states that the E-1 Estate District was to be eliminated with the next comprehensive rezoning, which did not occur in 2009. This is one of the reasons why the subject parcel was rezoned from E-1 District to C-2 District in 2019. The second mistake is site specific. Mr. Cropper reiterated that the C-2 District zoning stops short of the LDA/RCA boundary on Mr. Lynch's exhibit. The applicant is requesting a zoning classification that is consistent with the land use map update.

As part of this application, the Critical Area Commission (CAC) and staff reviewed the three petitioned areas which are labeled on the maps as Areas A, B and C. The 2002 adopted Critical Area maps were reviewed, and staff worked with the Critical Area staff to evaluate potential revisions to the proposed Critical Area maps. Mr. Cropper noted that the Critical Area staff did not oppose the request for Areas A and B, as the zoning would be consistent with the proposed LDA boundary when the new maps are adopted. The main issue is Area C. Mr. Cropper contends that Mr. Lynch's exhibit shows Area C as 90% uplands, not wetlands. However, the CAC did not agree to modify this area on the proposed Critical Area maps and is showing it as RCA. Mr. Cropper said they will be requesting that Area C be adjusted on the proposed Critical Area maps. He claims that there is no reason to designate it as RCA when it meets LDA criteria.

Mr. Barbierri clarified with staff that if the Planning Commission were to give a favorable recommendation on the rezoning for Areas A and B, but not Area C, could the applicant come back after working with the CAC? Staff agreed that they could. Mrs. Drew asked about the January 2025 notifications for the Critical Area map changes. The most recent letter that addresses the subject parcel was from June 16, 2025, in the staff report package. The



**WORCESTER COUNTY PLANNING COMMISSION  
MEETING MINUTES – July 3, 2025**

rezoning application was filed in January 2025, and they met with staff in March 2025 to revise the initial exhibit. Mr. Cropper noted that there have been various communications between staff, the applicants and CAC staff. He reiterated the change and mistake arguments, stating that Exhibit A is accurate and should be what controls.

The mistake claimed is that the C-2 District and RP District boundary line should correspond with the LDA and RCA Critical Area line. Mr. Soper stated that the 2002 Critical Area maps were accurate and the boundaries as shown are what controls, even though the parcel line was not accurate. The Critical Area staff reviewed Applicant's Exhibit A and adjusted/verified Areas A and B on the proposed draft maps, as well as the RCA boundary that runs in a north-south orientation down the westerly property boundary. However, they did not concur with the applicant on Area C; that remains in the RCA designation. It is the staff's position that the rezoning of Area C would therefore not be consistent with the mistake argument on the proposed Critical Area boundary line. Mr. Soper stated that if the applicants disagree with the Critical Area map, then they may apply for a Critical Area map amendment. Staff cannot change the line administratively.

Several Planning Commission members felt that a favorable recommendation for Areas A and B would be a good compromise. Mr. Cropper requested conditional approval for Area C. Staff stated that they do not support a conditional rezoning.

**Following the discussion, a motion was made by Mrs. Knight, seconded by Ms. Ott, and carried unanimously to find the proposed amendment to rezone Areas A and B of the petitioned area from RP Resource Protection District to C-2 General Commercial District consistent with the Comprehensive Plan based on a change in the character of the neighborhood and a mistake, and forward a favorable recommendation to the Worcester County Commissioners for Areas A and B, with an unfavorable recommendation for Area C due to a lack of consistency with the draft Critical Area map designation boundary.**

**VI. Text Amendment - Add a new subsection ZA 1-201(b)(21) – Multi-family Dwelling Units in the C-2 General Commercial District. Hugh Cropper, IV and Kristina Watkowski, on behalf of Todd Ferrante.**

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.

**WORCESTER COUNTY PLANNING COMMISSION**  
**MEETING MINUTES – July 3, 2025**

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.

**WORCESTER COUNTY PLANNING COMMISSION**  
**MEETING MINUTES – July 3, 2025**

**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.**

---

Mary Knight, Secretary

---

Ben Zito, DRP Specialist

**WORCESTER COUNTY PLANNING COMMISSION  
WORK SESSION  
MEETING MINUTES – July 10, 2025**

**Meeting Date:** July 10, 2025

**Time:** 1:00 P.M.

**Location:** Worcester County Government Office Building, Third Floor Training Room A

**Attendance:**

**Planning Commission**

Jerry Barbierri, Chair

Kathy Drew

Marlene Ott

Betty Smith

Mary Knight

Ken Church

**Staff**

Jennifer Keener, Director, DRP

Matt Laick, Deputy Director, DRP

Bob Mitchell, Director, EP

**I. Call to Order**

**II. Comprehensive Plan Work Session**

As the first item of business, the Planning Commission met with Michael Bayer and Ainsley Pressl from Wallace Montgomery to discuss the most recent working draft of the Water Resources Element (WRE) that was provided to staff just before the meeting. Several data points need to be added or verified within the document, and they are highlighted within the draft. He identified the current goals and objectives, which were carried forward from the 2011 element. Mr. Bayer noted that after the chapter is finalized, they may pull out some of the text where there is overlap within other chapters as part of the document consolidation process to make sure all of the pieces fit together.

The first section of the chapter discusses water supply and is relatively complete. It addresses topics such as available groundwater resources, general hydrology, discussion on the various aquifers, and water planning areas. He noted that much of this is similar to the prior document.

Noting that water and sewer planning typically occurs separately from the comprehensive plan, there are many references to those planning documents. Mr. Mitchell stated that relative to the water planning areas, language was added in 2007 stating “the inclusion of any water system in the *Water and Sewer Plan* does not legally obligate the County or any of its political subdivisions to take any action to implement such projects or to enforce the implementation of such projects.” Therefore, applicants cannot use the inclusion of properties via water and sewer amendments as sole justification for a change in the character of the neighborhood associated with a requested rezoning (map) amendment.

Relative to Figure 9-4, Mr. Mitchell explained that the St. Martin’s River/Ocean Pines Water Service Area has been designated as a Water Management Strategy Area, only one of five in the state of Maryland. The specific issue identified was the potential for saltwater intrusion into the Columbia aquifer, an unconfined aquifer. Mr. Mitchell further explained that water

**WORCESTER COUNTY PLANNING COMMISSION**  
**WORK SESSION**  
**MEETING MINUTES – July 10, 2025**

withdrawals are managed as part of the permit approval process at the state level to protect the resource.

Relative to the water supply assessment section, Mr. Mitchell explained that they were going to try to better quantify some of the agricultural withdrawals using data from Maryland Department of the Environment, who issues the withdrawal limits on the permits. He noted that farmers are increasingly adding irrigation to their farms. Overall, Mr. Mitchell stated that Worcester County has sufficient water supply to serve agricultural uses as well as new growth, they just want to quantify it better.

The Planning Commission asked about the total number of wells in the County, which Mr. Mitchell stated were over 8,000. Ms. Ott inquired about the conversion of agricultural farms to solar installations. Mr. Mitchell said that property owners would shelve their permit with MDE if they no longer needed it. Relative to well abandonment, Mr. Mitchell stated that his department does track abandonments, especially along the waterfront where the chlorides and iron spikes. Property owners must properly abandon the well and drill a newer, deeper well to reach a different aquifer. He also explained that well abandonment occurs with demolition permits.

Mr. Bayer explained that Table 9-4 represents the analysis that was done because of the initial growth areas identified by the Planning Commission. The calculations became the input to the WRE. There were assumptions made relative to the gallons per day (GPD) per Equivalent Dwelling Unit (EDU). If the actual gpd per EDU is less, then the overall additional demand projected will be less.

In Table 9-6, Mr. Mitchell stated that the Village of Showell was listed as n/a for water systems. He stated that this will likely have to be footnoted if it will remain as a planned growth area. He anticipates that any development would be served by Ocean Pines for sewer via a restricted line. Water would require a well, tower and water treatment plant, depending on the size of the development. In addition, this may require additional infrastructure improvements in Ocean Pines to get service to the development.

Mr. Bayer stated that there is a placeholder for specific recommendations for water system improvements. His team will work with Mr. Mitchell to review and provide suggestions to be reviewed by the Planning Commission at the next meeting.

Relative to the wastewater services section, Mr. Bayer stated that the descriptions of the wastewater treatment plant in Table 9-7 have been updated to reflect current facility capacity and discharge types. Certain sections are still a work in progress, with areas in need of data highlighted. They are trying to use the Chesapeake Assessment Scenario Tool (CAST) to extract impervious surface data by watershed. Mr. Mitchell stated that relative to impervious surfaces, the Assawoman Bay watershed (which includes the Town of Ocean City) is in the worst condition. When a watershed approaches 10% impervious surface, there are more readily apparent impacts on the water bodies as a result of the stormwater runoff. He stated

**WORCESTER COUNTY PLANNING COMMISSION  
WORK SESSION  
MEETING MINUTES – July 10, 2025**

that there are some watersheds in Delaware that are over 10%. In Worcester County, the worst impervious area is Manklin Creek, a subwatershed of the Assawoman Bay watershed. Mr. Mitchell stated that language could be added to the plan to recommend limits placed on new development within watersheds that are at or nearing the 10% threshold.

Mr. Mitchell explained the boundaries of the Coastal and Chesapeake Bay watersheds, the limited growth that the Chesapeake Bay watershed will be anticipating, and upgrades that have occurred to the Snow Hill and Pocomoke City municipal wastewater treatment plants. In addition, new septic systems are required to have pre-treatment installed. Mr. Mitchell mentioned a potential for retrofitting older communities in Pocomoke City with grant funds, as well as a potential nutrient reduction project in Snow Hill.

Mr. Mitchell provided a brief discussion on Total Maximum Daily Loads (TMDLs), Watershed Implementation Plans (WIPs) and the impacts on various watersheds. He mentioned that there are ongoing projects that have received grants to improve the Newport Bay watershed, such as the sewer service to Lewis Road residences, as well as flooding and stormwater management projects in and around Berlin. Mr. Mitchell explained that agricultural uses have the largest land area and have the highest alleged nutrient contribution. Residential uses contribute less nutrient runoff. The goal is to try to get more Best Management Practices (BMPs) on farmland, especially waterfront property owners, to reduce non-point source discharge.

Relative to impervious surfaces, the Planning Commission inquired if a homeowner or developer wanted to convert their gravel driveway to asphalt, whether a permit would be required? Mr. Mitchell stated that it would not, as the gravel driveway is already considered lot coverage under Critical Area and stormwater management regulations.

Mr. Bayer noted that the findings were to be determined, but his team will work with Mr. Mitchell to update the recommendations.

Mrs. Keener stated that the draft chapter will be forwarded to the Planning Commission members for their review and asked that any questions or comments be sent to her for consolidation and forwarding to the consultant. The revised element, along with the land use chapter, will likely be reviewed in September at a joint work session with the County Commissioners.

**III. Adjourn**

---

Mary Knight, Secretary

---

Jennifer Keener, Director

**NOTICE OF PUBLIC HEARING  
WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
AGENDA**

*THURSDAY AUGUST 14, 2025*

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held in-person before the Board of Zoning Appeals for Worcester County, in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland. Audio and video recording will take place during this public hearing.

The public is invited to view this meeting live online at - <https://worcestercountymd.swagit.com/live>

**6:30 p.m.**

**Case No. 25-40**, on the lands of Dara and John Wooten, requesting a variance to the side yard setback from 7 feet to 4 feet (to encroach 3 feet) for a proposed landing with steps in the A-2 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(b)(5), ZS 1-122(c)(1) and ZS 1-305, located at 10610 Flower Street, Tax Map 25, Parcel 97, Tax District 3, Worcester County, Maryland.

**6:35 p.m.**

**Case No. 25-43**, on the lands of Candian Newnam, requesting a variance to the front yard setback from 50 feet to 5 feet (to encroach 45 feet) for an existing deck proposed for outdoor seating in the C-2 General Commercial District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-210(b)(2) and ZS 1-305, located at 5342 Snow Hill Road, Tax Map 63, Parcel 122, Tax District 2, Worcester County, Maryland.

**6:40 p.m.**

**Case No. 25-48**, on the lands of Michelle and Michael Haas, requesting a variance to the rear yard setback from 30 feet to 24.6 feet (to encroach 5.4 feet) for a proposed screened porch in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 70 Watertown Road, Tax Map 16, Parcel 47, Section 11, Lot 339, Tax District 3, Worcester County, Maryland.

**6:45 p.m.**

**Case No. 25-49**, on the lands of Linda and John Jensen, on the application of Tyler Building Company, requesting a variance to the rear yard setback from 30 feet to 20.59 feet (to encroach 9.41 feet) for a proposed open deck in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 106 Pine Forest Drive, Tax Map 21, Parcel 309, Section 17, Lot 3, Tax District 3, Worcester County, Maryland.

**6:50 p.m.**

**Case No. 25-47**, on the lands of Kristie and Stephen St. Pierre, on the application of Paul Thornton, requesting an after-the-fact special exception for the enlargement of a nonconforming structure (barn) in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(5), ZS 1-122(d)(1), ZS 1-116(c)(3) and ZS 1-305, located at 5956 Whitesburg Road, Tax Map 53, Parcel 1, Tax District 7, Worcester County, Maryland.

**6:55 p.m.**

**Case No. 25-46**, on the lands of Holly and Matthew Mumford, requesting a special exception to allow a commercial kennel in the A-1 Agricultural District and a variance to reduce the setback from perimeter lot lines for outside pens and runways from 200 feet to 68 feet (to encroach 132 feet), pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-201(c)(30) and ZS 1-305, located at 8812 Peerless Road, Tax Map 8, Parcel 141, Lot 1, Tax District 3, Worcester County, Maryland.

**7:00 p.m.**

**Case No. 25-42**, on the lands of Dorkhanai and Mohammad Sharif Roshan, requesting a variance to reduce the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 37 feet (to encroach 63 feet) for a proposed garage in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(m), ZS 1-205(b)(2) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located at 11347 Marina Drive, Tax Map 16, Parcel 91, Block C, Lot 6C, Tax District 3, Worcester County, Maryland.

**7:05 p.m.**

**Case No. 25-41**, on the lands of Everett Glenn Holland Revocable Trust and Jean Truitt Holland Revocable Trust, on the application of Cedar Hall Energy Center LLC, requesting a special exception for a public utility structure (battery energy storage system) in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(3) and ZS 1-206(c)(10), located on the north side of Cedar Hall Road at its intersection with the Pocomoke Beltway, Tax Map 91, Parcel 68, Tax District 1, Worcester County, Maryland.

### **Administrative Matters**



**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE  
AGENDA**

**Wednesday, August 13, 2025 at 1:00 p.m.**

**Worcester County Government Center, Room 1102, One West Market Street,  
Snow Hill, Maryland 21863**

**I. Call to Order**

**II. Site Plan Review (§ ZS 1-325)**

**A. Solito Properties, LLC – Minor Site Plan Review**

Proposed site development for agritourism facility and for the commercial hosting of non-agricultural events. Located at 11010 Worcester Highway, Berlin, MD 21811. Tax Map 15, Parcel 256, Tax District 3, A-1 Agricultural District, Solito Properties, LLC, owner / Russell T. Hammond Surveying, LLC, surveyor/engineer.

**III. Adjourn**

## WORCESTER COUNTY PLANNING COMMISSION

**MEETING DATE:** August 7, 2025

**PURPOSE:** Major Site Plan Review

**DEVELOPMENT:** TPE MD WO27 Solar

**PROJECT:** Development of a 2.0 MW AC 'large' solar energy system.

**LOCATION:** Located at 9251 Peerless Road, Bishopville, MD 21813. Tax Map 8, Parcel 5, Tax District 1.

**ZONING DESIGNATION:** A-1 Agricultural District.

**BACKGROUND:** The property is located on Peerless Road in Bishopville on a parcel located between US Route 113 and MD Route 610. The project consists of 16.13 acres of solar arrays and is adjacent to the WO60 project.

**TRAFFIC CIRCULATION:** The site will be accessed from Peerless Road via a 20-foot-wide access drive. The access drive will also serve as the entrance for the WO60 project on the adjacent parcel.

A commercial entrance and bond will be required by the Worcester County Roads Division for the project.

**LANDSCAPING:** A landscape plan has been prepared in accordance with §ZS 1-322. A 10-foot-wide landscape buffer, consisting of evergreen trees, has been proposed along the perimeter of the arrays in locations where there is no existing vegetation.

An automatic irrigation system has not been proposed for landscaping as required by §ZS 1-322(b)(7). **The applicant will need to request a waiver for the Planning Commission for this requirement.**

**FENCING:** A seven (7) foot-tall 'agricultural' fence is proposed along the entire perimeter of the solar arrays.

**FOREST CONSERVATION LAW:** In accordance with House Bill 723, as of July 1, 2024, solar photovoltaic facilities are exempt from the County's Forest Conservation Law provided there is no cutting or clearing of forest, and provided that all forested area cut or cleared is

replaced at a ratio of one (1) acre planted for each one (1) acre removed, or, is replaced at a ratio of one half (1/2) acre planted for each one (1) acre removed in a priority funding area.

**STORMWATER MANAGEMENT/ SEDIMENT EROSION CONTROL:** The project has received Stormwater Development Plan approval.

**PROPERTY OWNER:** Dana B. West & Sharon A. Baker Irrevocable Trust

**APPLICANT/DEVELOPER:** TPE MD WO27 Solar, LLC

**ENGINEER:** Kimley-Horn and Associates, Inc.

**PREPARED BY:** Ben Zito, DRP Specialist

### **WAIVERS REQUESTED**

**\*According to §ZS 1-322(b)(7), all landscaped areas are required to be readily accessible to a water supply and provided with an automatic irrigation system with rain sensors.**

**A waiver to the irrigation code requirement is being requested.**

PROPERTY	
OVERALL PROPERTY AREA (TM. 8, GR. 24, P. 5)	= 30.21 AC± (PER ONSITE SURVEY)
EXISTING ZONING:	A1
EXISTING LAND USES:	AGRICULTURE
PROPOSED ZONING:	A1
PROPOSED LAND USES:	SOLAR ENERGY SYSTEM, LARGE

LIMITS OF DISTURBANCE (INCLUDING BUFFER AREA)	=18.53 AC±
SOLAR ARRAY(AREA W/IN FENCE)	=16.13 AC±
AREA WITHIN CRITICAL AREA	=0.00 AC±
AREA WITHIN 100-YR FLOODPLAIN	=0.00 AC±

EXISTING IMPERVIOUS AREA	=0.00 AC±
EXISTING IMPERVIOUS AREA TO BE REMOVED	=0.00 AC±
PROPOSED IMPERVIOUS AREA	=0.97 AC±
ROAD ENTRANCES, ACCESS/DRIVES	=0.94 AC±
EQUIPMENT & PADS (INVERTERS/TRANSFORMERS)	=0.03 AC±
TOTAL IMPERVIOUS AREA	=0.97 AC±

1. FOR DEED REFERENCE TO SUBJECT PROPERTY: (TAX MAP - 8, PARCEL - 5) SEE DEED 08332/00481. TAX ACCOUNT NUMBER 05003237.
2. OUTLINE COURSES AND DISTANCES, SITE FEATURES, AND TOPOGRAPHICAL CONTOURS ARE TAKEN FROM SURVEY PREPARED BY CENTURY ENGINEERING, LLC, TITLED "9251 PEERLESS (W027) ALTA" DATED 2/4/2025, SUPPLEMENTED WITH WORCESTER COUNTY GIS. SURVEY WAS PREPARED USING AERIAL PHOTOGRAMMETRY.
3. SITE IS NOT LOCATED WITHIN THE CRITICAL AREA.
4. THE SUBJECT PROPERTY IS PARTIALLY LOCATED WITHIN ZONE "A" PER FEA MAP 24047C0040H. HOWEVER, THE PROJECT AREA IS OUTSIDE OF ZONE "A" AND ENTIRELY WITHIN ZONE "X", AREA OF MINIMAL FLOOD HAZARD
5. SOILS SHOWN HEREON WERE TAKE FROM U.S. DEPARTMENT OF AGRICULTURE WEB SOIL SURVEY FOR WORCESTER COUNTY, MARYLAND. THE FOLLOWING SOILS EXIST ON SITE: Fada, FALLSINGTON SANDY LOAMS, 0 TO 2 PERCENT SLOPES, LO, LONGMARSH AND INDIANTOWN SOIL, 0 TO 1 PERCENT SLOPES, Mkb, MATAPEX SILT LOAM, 2 TO 5 PERCENT SLOPES, Mda, MATTAPEX SILT LOAM, 0 TO 2 PERCENT SLOPES, Mdb, MATTAPEX SILT LOAM, 2 TO 5 PERCENT SLOPES, Nnb, NASSAWANGO FINE SANDY, 2 TO 5 PERCENT, Oia, OTHELLO SILT LOAMS, 0 TO 2 PERCENT SLOPES.
6. BASED ON THE MARYLAND HISTORIC TRUST MEDUSA MAP, THERE ARE NO HISTORICAL RESOURCES ON THE SITE.
7. THERE IS A WETLAND AND STREAM (BIRCH BRANCH) ALONG THE NORTHERN EDGE OF THE SUBJECT PARCEL, ACCORDING TO THE WETLAND AND STREAM DELINEATION COMPLETED BY HOLLY OAK CONSULTING, INC., AS SHOWN ON THE FOREST STAND DELINEATION PLAN AND EXISTING CONDITIONS PLAN. THE PROJECT AREA IS ENTIRELY OUTSIDE OF THE WETLAND AND STREAM AREA AND ASSOCIATED BUFFERS.
8. SITE BULK REGULATIONS REQUIREMENTS:

	REQUIRED:	PROVIDED:
FRONT SETBACK	50 FT	> 50 FT
REAR SETBACK	50 FT	>50 FT
SIDE SETBACK	50 FT	>50 FT

9. STORMWATER QUANTITY AND QUALITY CONTROL REQUIREMENTS ARE PROVIDED IN ACCORDANCE WITH THE COUNTY STORMWATER MANAGEMENT ORDINANCE AND THE MDE STORMWATER DESIGN GUIDANCE FOR SOLAR PANEL INSTALLATIONS. QUALITY CONTROL IS TO BE PROVIDED THROUGH THE IMPLEMENTATION OF NON-ROOFTOP DISCONNECTION (N-2). DISCONNECTION OF NON-ROOFTOP RUNOFF (N-2) IS USED TO ADDRESS RUNOFF FROM THE GRAVEL ACCESS DRIVES AND EQUIPMENT PADS.
10. THE PROJECT IS LOCATED WITHIN A PRIORITY PRESERVATION AREA (PPA) AND THE BISHOPVILLE-SHOWELL RURAL LEGACY AREA (RLA).

PER PLAN REVIEW LETTER DATED 06/04/2025 FROM DEPARTMENT OF ENVIRONMENTAL PROGRAMS NATURAL RESOURCES DIVISION, THIS PROJECT IS EXEMPT FROM THE WORCESTER COUNTY FOREST CONSERVATION LAW. IN ACCORDANCE WITH HOUSE BILL 723, AS OF JULY 1, 2024, SOLAR PHOTOVOLTAIC FACILITIES ARE EXEMPT FROM THE COUNTY'S FOREST CONSERVATION LAW PROVIDED THERE IS NO CUTTING OR CLEARING OF FOREST, AND PROVIDED THAT ALL FORESTED AREA CUT OR CLEARED IS REPLACED AT A RATIO OF ONE ACRE PLANTED FOR EACH ONE ACRE REMOVED, OR, IS REPLACED AT A RATIO OF ONE HALF ACRE PLANTED FOR EACH ONE ACRE REMOVED IN A PRIORITY FUNDING AREA. FURTHERMORE, ANY FUTURE APPROVAL OF THIS LAND FOR A REGULATED ACTIVITY SHALL BE SUBJECT TO THE COUNTY'S FOREST CONSERVATION LAW.

1. OUTLINE COURSES AND DISTANCES, SITE FEATURES, AND TOPOGRAPHICAL CONTOURS ARE TAKEN FROM SURVEY PREPARED BY CENTURY ENGINEERING, LLC, TITLED "9251 PEEBLES ROAD (W027) ALTA" DATED 2/4/2025, SUPPLEMENTED WITH WORCESTER COUNTY GIS. SURVEY WAS PREPARED USING AERIAL PHOTOGRAMMETRY.

2. ENVIRONMENTAL DATA WAS SHOWN BASED ON SITE WALK PERFORMED BY HOLLY OAK CONSULTING, LLC IN JULY 2023. WETLANDS, STREAMS, AND FOREST STANDS ARE PRESENT ON SITE, OUTSIDE OF THE PROPOSED PROJECT AREA. REFER TO SEPARATE FOREST STAND DELINEATION.

3. NORTH, BEARINGS AND COORDINATES SHOWN HEREON ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM (NAD'83/2011). ELEVATIONS SHOWN HEREON REFER TO THE NAVD'88 DATUM, AND BOTH ARE BASED ON THE FOLLOWING CONTROL STATIONS:

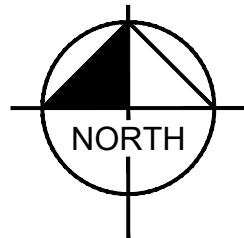
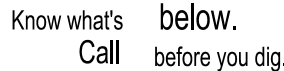
STATION	NORTH	EAST	ELEVATION
MDAI	177,205.843	1,833,237.749	10.274
DNRC	547,271.813	1,730,956.199	67.260
HNPT	337,014.401	1,560,899.089	27.000

HORIZONTAL DATUM REFERS TO NAD83.GPS OBSERVATIONS REFERENCED TO THE KEYNET VRS NETWORK AND THE NGS CORS NETWORK TO ESTABLISH THE SITE DATUM.

PRIOR TO CONSTRUCTION IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION

CALL 48 HOURS  
BEFORE YOU DIG

IT'S THE LAW!  
DIAL 811



SCALE: 1" = 500'

GRAPHIC SCALE IN FEET

0 250 500 1000

A horizontal scale bar with four segments. The first segment (0 to 250) is white. The second segment (250 to 500) is black. The third segment (500 to 750) is white. The fourth segment (750 to 1000) is black. The segments are labeled 0, 250, 500, and 1000 at their respective positions.

SCALE: 1" = 2000

DANA B WEST & SHARON A BAKER, IRREVOCABLE TRUST  
7937 CIRCLE RD  
WHALEYVILLE, MD 21872

KIMLEY-HORN AND ASSOCIATES, INC.  
ATTN: HEATHER HUTTON, PE  
215 WASHINGTON AVE  
SUITE 500  
TOWSON, MD 21204  
TEL: (443) 743- 3500  
EMAIL: HEATHER.HUTTON@KIMLEY-HORN.COM

TPE MD WO27, LLC  
ATTN: FRANCES YUHAS  
3720 SOUTH DAHLIA STREET  
DENVER, CO 80237

CENTURY ENGINEERING  
10710 GILROY ROAD  
HUNT VALLEY, MD 21031

1. REFER TO STRUCTURAL IFC DRAWINGS AND CALCULATIONS FOR FINAL LOCATION, DIMENSIONS, AND ELEVATIONS OF ALL PROPOSED STRUCTURES.
2. REFER TO ELECTRICAL IFC DRAWINGS AND CALCULATIONS FOR FINAL LOCATION, DIMENSIONS, AND SPECIFICATIONS OF ALL PROPOSED ELECTRICAL EQUIPMENT.
3. REFER TO RACKING IFC DRAWINGS AND CALCULATIONS FOR FINAL LOCATION, DIMENSIONS, AND SPECIFICATIONS OF ALL PROPOSED RACKING EQUIPMENT.

Sheet List Table	
Sheet Number	Sheet Title
C-000	COVER SHEET
C-100	OVERALL EXISTING CONDITIONS PLAN
C-200	OVERALL SITE PLAN
C-201	ENLARGED SITE PLAN
C-202	ENLARGED SITE PLAN
C-210	SITE DETAILS
C-211	SIGNAGE DETAILS
C-250	LANDSCAPE DETAILS
C-260	ENTRANCE PLAN ENLARGEMENT
C-261	ENTRANCE GRADING INSET PLAN
C-500	OVERALL STORMWATER MANAGEMENT PLAN
C-510	PRE-DEVELOPMENT DRAINAGE AREA PLAN
C-520	POST-DEVELOPMENT DRAINAGE AREA PLAN
C-550	STORMWATER MANAGEMENT DETAILS
C-600	OVERALL EROSION & SEDIMENT CONTROL PLAN
C-601	ENLARGED EROSION & SEDIMENT CONTROL PLAN
C-602	ENLARGED EROSION & SEDIMENT CONTROL PLAN
C-650	EROSION & SEDIMENT CONTROL NOTES
C-651	EROSION & SEDIMENT CONTROL NOTES
C-652	EROSION & SEDIMENT CONTROL NOTES
C-653	EROSION & SEDIMENT CONTROL DETAILS

[illegible]

**Kimley»»Horn**

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM



PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

KHA PROJECT 114734301		SCALE AS SHOWN	
DATE 7/9/2025		DESIGNED BY HHH	
		DRAWN BY CJB	
		CHECKED BY HHH	

# COVER SHEET

TPE MD WO27 SOLAR  
PREPARED FOR  
TPE MD WO27, LLC

WORCESTER COUNTY  
MARYLAND

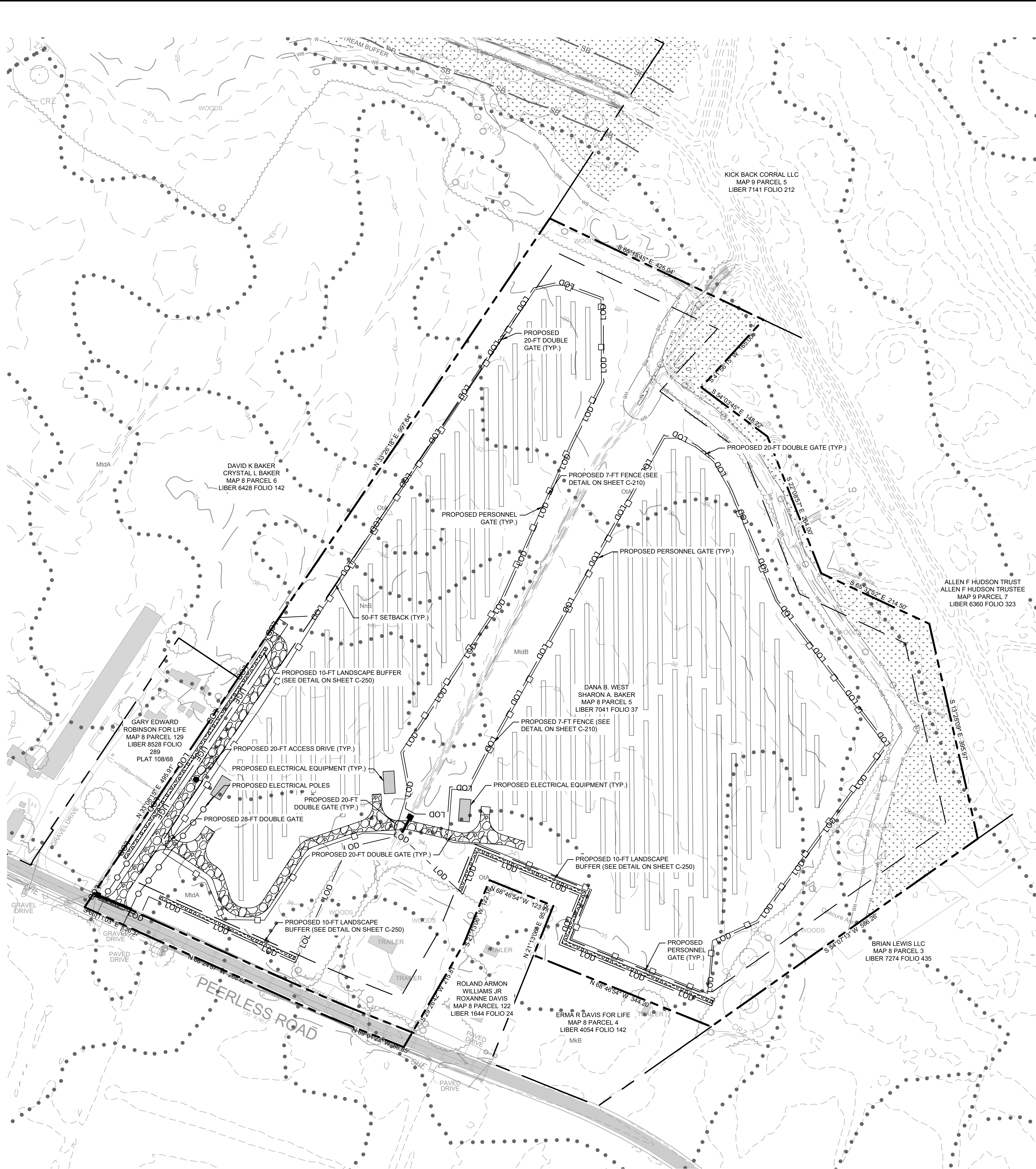
SHEET NUMBER  
**C-000**







Plotted By: Hutton, Heather Sheet: Set W027 Bishopville Solar Layout: C-200 OVERALL SITE PLAN July 09, 2025 02:38:16pm K:\NECO\_DS\114734301-W027 Bishopville Solar\CAD\PlanSheets\C-200 SITE PLAN.dwg  
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**OVERALL SITE PLAN**  
SCALE: 1" = 100'

CALL 48 HOURS  
BEFORE YOU DIG

IT'S THE LAW!  
DIAL 811

Know what's  
Call below.  
before you dig.

**SITE PLAN LEGEND**

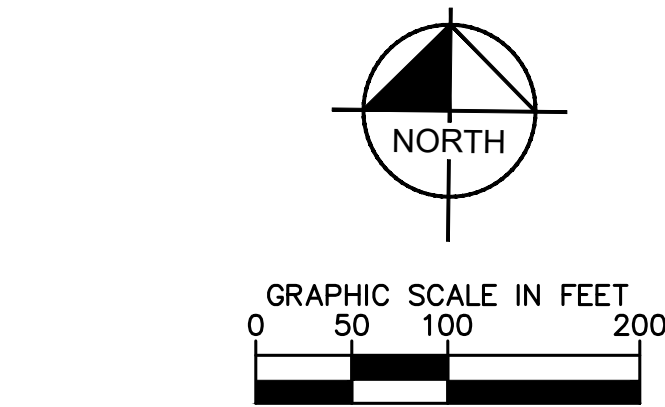
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING ROAD
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- LIMIT OF DISTURBANCE
- EXISTING STREAM
- EXISTING 50' STREAM BUFFER
- EXISTING NON-TIDAL WETLAND
- EXISTING 25' WETLAND BUFFER
- SOIL BOUNDARY
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING ELECTRICAL STRUCTURES
- EXISTING STORMDRAIN
- EXISTING BUILDING
- EXISTING TREELINE
- EXISTING TREE
- SPECIMEN TREE / CRITICAL ROOT ZONE
- PROPOSED GRAVEL ACCESS DRIVE
- PROPOSED FENCE
- PROPOSED DOUBLE GATE
- PROPOSED PERSONNEL GATE
- PROPOSED OVERHEAD ELECTRIC
- PROPOSED ELECTRIC POLE
- PROPOSED ELECTRICAL EQUIPMENT
- PROPOSED SOLAR PANEL
- PROPOSED LANDSCAPE BUFFER
- PROPOSED STORMDRAIN
- PROPOSED RIP RAP PAD

**NOTES:**

- REFER TO SHEET C-201 TO C-202 FOR ENLARGED SITE PLAN
- REFER TO SHEET C-500 TO C-550 FOR STORMWATER MANAGEMENT PLAN
- REFER TO SHEET C-600 TO C-653 FOR EROSION AND SEDIMENT CONTROL PLANS AND TEMPORARY STAGING/STOCKPILE AREAS
- REFER TO SHEET C-210 FOR SITE DETAILS
- REFER TO SHEET C-250 FOR LANDSCAPE BUFFER DETAILS
- CONTRACTOR TO USE EXTREME CAUTION WHEN WORKING IN THE VICINITY OF OVERHEAD ELECTRIC LINES.



**VICINITY MAP**  
SCALE: 1" = 2000'



**Kimley»Horn**

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM

STATE OF MARYLAND  
Professional Engineer  
49509  
7/9/2025

**NOT FOR CONSTRUCTION**

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NO. 49509  
EXPIRATION DATE 12/15/2028

KHA PROJECT	DATE	SCALE	AS SHOWN	DESIGNED BY	HHH	DRAWN BY	CJB	CHECKED BY	HHH
114734301	7/9/2025								

**OVERALL SITE PLAN**

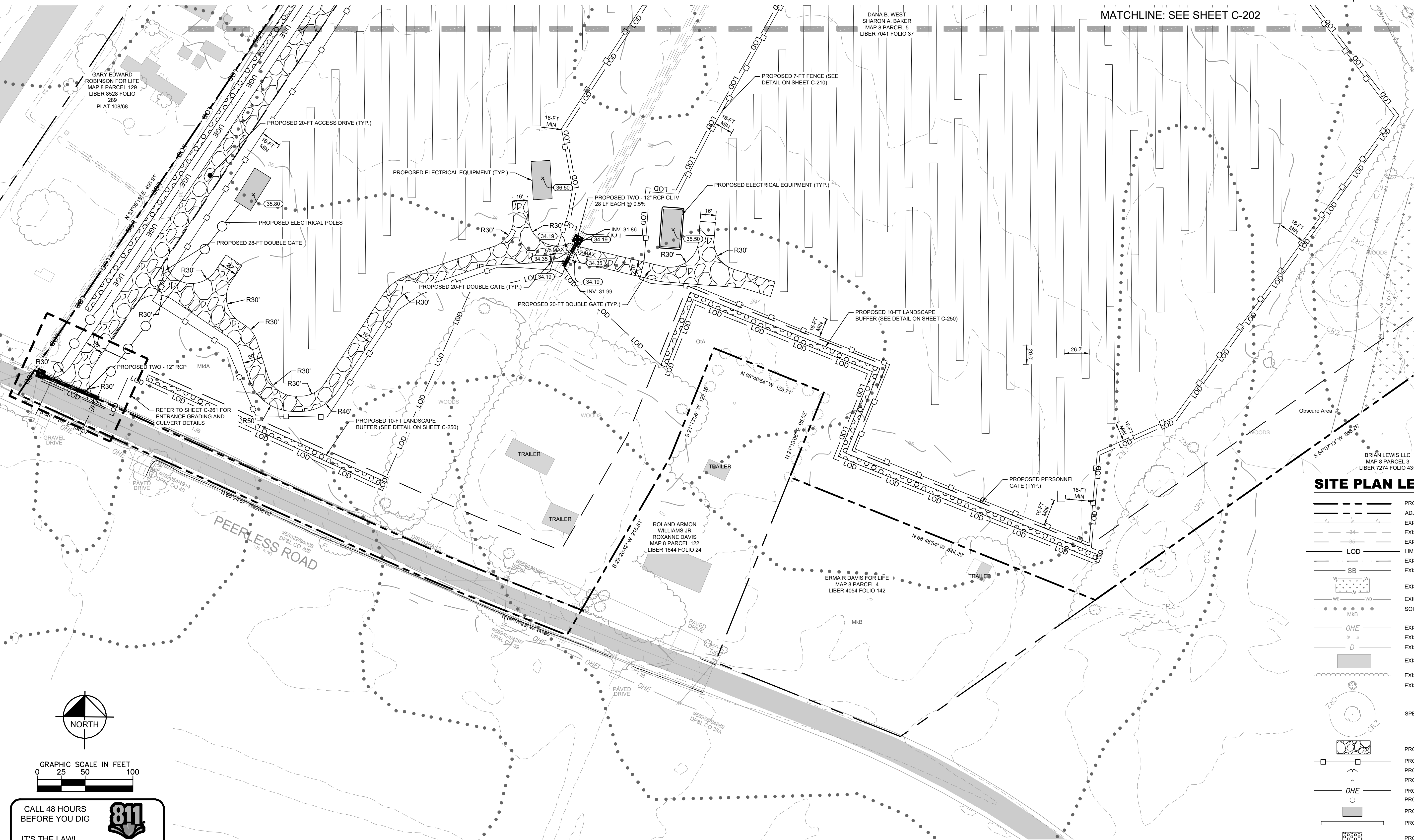
TPE MD W027 SOLAR  
PREPARED FOR  
TPE MD W027, LLC

WORCESTER COUNTY MARYLAND

SHEET NUMBER  
**C-200**



This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation

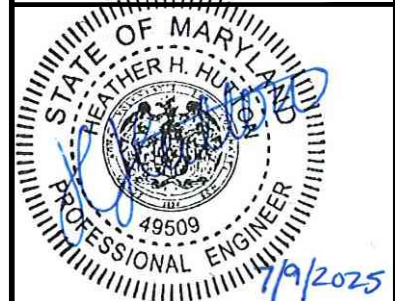


# ENLARGED SITE PLAN

SCALE: 1" = 50'

[illegible]

**Kimley»Horn**  
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
[WWW.KIMLEY-HORN.COM](http://WWW.KIMLEY-HORN.COM)



NOT FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION: I HEREBY  
CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED OR APPROVED BY ME, AND THAT I  
AM A DULY LICENSED PROFESSIONAL  
ENGINEER UNDER THE LAWS OF THE STATE  
OF ARIZONA AND

KHA PROJECT		114734301		DATE		7/9/2025		SCALE		AS SHOWN		DESIGNED BY		HHH		DRAWN BY		CJB		CHECKED BY		HHH	
-------------	--	-----------	--	------	--	----------	--	-------	--	----------	--	-------------	--	-----	--	----------	--	-----	--	------------	--	-----	--

# ENLARGED SITE PLAN

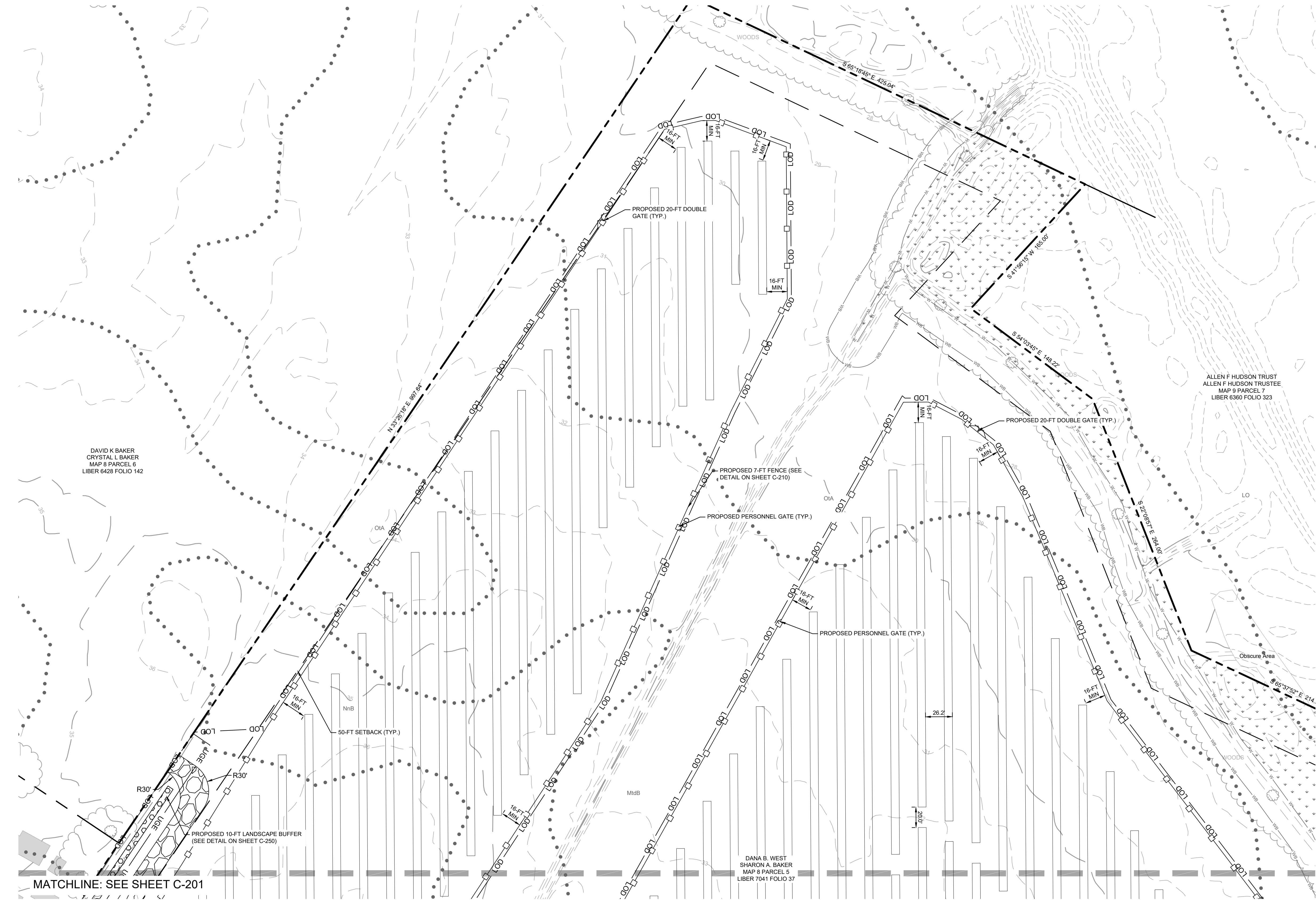
TPE MD WO27 SOLAR  
PREPARED FOR  
TPE MD WO27, LLC

SHEET NUMBER  
**C-201**

WORCESTER COUNTY  
MARYLAND



Plotted By: Hutton, Heather Sheet: Set W027 Bishopville Solar Layout: C-202 ENLARGED SITE PLAN July 09, 2025 02:38:46pm K:\BCO\_DS\14734-TPE\14734301-W027 Bishopville Solar\CAD\PlanSheets\C-201 ENLARGED SITE PLAN.dwg  
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



ENLARGED SITE PLAN

SCALE: 1" = 50'

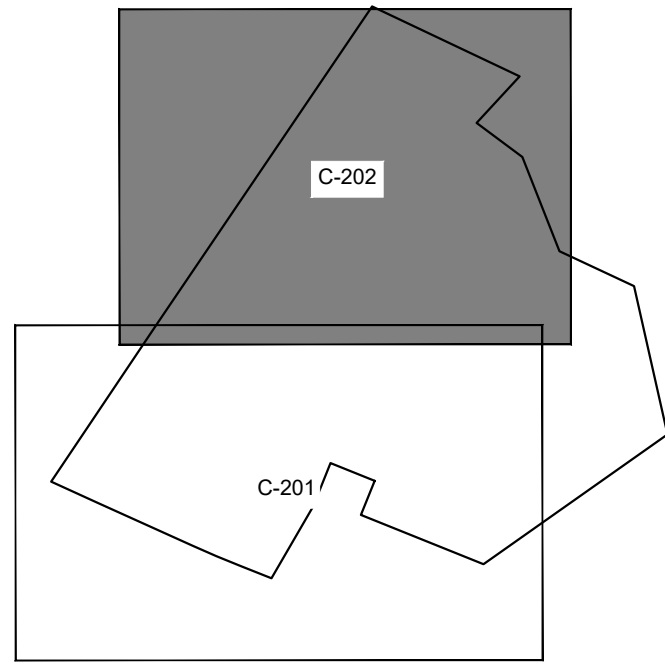
CALL 48 HOURS  
BEFORE YOU DIG

IT'S THE LAW!  
DIAL 811

Know what's  
Call below.  
before you dig.

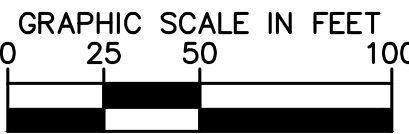
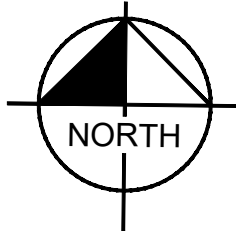


KEY MAP  
SCALE: 1" = 500'



SITE PLAN LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING ROAD
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- LOD
- LIMIT OF DISTURBANCE
- EXISTING STREAM
- EXISTING 50' STREAM BUFFER
- EXISTING NON-TIDAL WETLAND
- EXISTING 25' WETLAND BUFFER
- SOIL BOUNDARY
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING ELECTRICAL STRUCTURES
- EXISTING STORMDRAIN
- EXISTING BUILDING
- EXISTING TREELINE
- EXISTING TREE
- SPECIMEN TREE / CRITICAL ROOT ZONE
- PROPOSED GRAVEL ACCESS DRIVE
- PROPOSED FENCE
- PROPOSED DOUBLE GATE
- PROPOSED PERSONNEL GATE
- PROPOSED OVERHEAD ELECTRIC
- PROPOSED ELECTRIC POLE
- PROPOSED ELECTRICAL EQUIPMENT
- PROPOSED SOLAR PANEL
- PROPOSED LANDSCAPE BUFFER
- PROPOSED STORMDRAIN
- PROPOSED RIP RAP PAD



NO.	REVISIONS	DATE	BY

**Kimley»Horn**  
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM



NOT FOR CONSTRUCTION

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. 49509  
EXPIRATION DATE 12/31/2028

KHA PROJECT	DATE	SCALE	AS SHOWN	DESIGNED BY	CHKD BY	CHECKED BY
114734301	7/9/2025	HHH	HHH	HHH	HHH	HHH

ENLARGED SITE PLAN


TPE MD W027 SOLAR  
PREPARED FOR  
TPE MD W027, LLC

SHEET NUMBER  
C-202

WORCESTER COUNTY MARYLAND



Plotted By: Hutton, Heather Sheet Set: W027, Bishopville Solar Layout: C-210 SITE DETAILS July 09, 2025 02:38:00pm k:\BCO\_DS\114734-1PE\114734-01-W027 Bishopville Solar\CAD\PlanSheets\C-210 SITE DETAILS.dwg  
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**Sunny Highpower  
PEAK3-US**

125 / 150 / 165 / 172

A superior distributed generation  
solution for large-scale power plants

**25** YEARS  
WARRANTY

SMA Smart Connected

UL 1741

- Cost effective**
- Modular architecture reduces BOS and maximizes system uptime
  - Compact design and high power density maximize transportation and logistical efficiency
- Maximum flexibility**
- Scalable 1,500 VDC building block with best-in-class performance
  - Flexible architecture creates scalability while maximizing land usage
- Simple install, commissioning**
- Ergonomic handling and simple connections enable quick installation
  - Centralized commissioning and control with SMA Data Manager
- Highly innovative**
- SMA Smart Connected reduces O&M costs and simplifies field service
  - Powered by award winning enracOS cross sector energy management platform

The Sunny Highpower PEAK3 1,500 VDC inverter offers high power density in a modular architecture that achieves a cost-optimized solution for large-scale PV integrators.

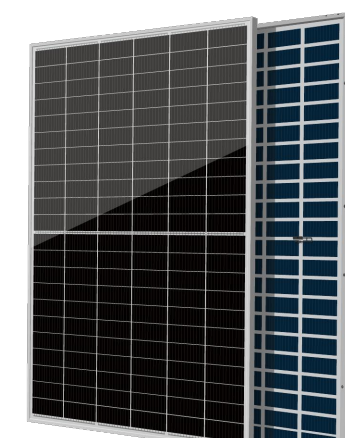
With fast, simple installation and commissioning, the PEAK3 is accelerating the path to energization. SMA has also brought its field-proven Smart Connected technology to the PEAK3, which simplifies O&M and contributes to lower lifetime service costs. The PEAK3 power plant solution is powered by the enracOS cross sector energy management platform, 2018 winner of the Intersolar smarter E AWARD.

Technical Data	Sunny Highpower PEAK3 125-US	Sunny Highpower PEAK3 150-US	Sunny Highpower PEAK3 165-US	Sunny Highpower PEAK3 172-US
Input (DC)				
Maximum array power <sup>1</sup>	250 kWp	300 kWp	330 kWp	344 kWp
Maximum system voltage	1500 Vdc	1500 Vdc	1500 Vdc	1500 Vdc
Rated MPPT voltage range	700 V...1450 V	880 V...1450 V	924 V...1450 V	968 V...1450 V
MPPT operating voltage range	644 V...1500 V	825 V...1500 V	898 V...1500 V	941 V...1500 V
MPPT tracks				
Maximum operating input current	1800 A	1800 A	1800 A	1800 A
Output (AC)				
Rated AC power	125 kW	150 kW	165 kW	172 kW
Maximum apparent power	125 kVA	150 kVA	165 kVA	172 kVA
Output phases / line connections		3 / 3-φ		
Rated AC voltage	480 V	600 V	630 V	660 V
Compatible backfeed wiring configuration		Wye-grounded		
Maximum output current	131 A	131 A	131 A	131 A
Rated grid frequency	60 Hz	60 Hz	60 Hz	60 Hz
Grid frequency / range	50 Hz, 60 Hz / ±6 Hz	±6 Hz	±6 Hz	±6 Hz
Power factor at rated power / adjustable displacement	1 / 0.9 leading...0.8 lagging			
Harmonics (THD)				
Efficiency				
CEC efficiency	98.5 %	99.0 %	99.0 %	99.0 %
Protection and safety features				
Ground fault monitoring: Res / differential current		•••		
DC reverse polarity protection		•••		
AC short-circuit protection		•••		
Monitored surge protection (Type 2) DC / AC		•••		
Protection class / overvoltage category (as per UL 849)		II / II		
General data				
Device dimensions (W / H / D)		775 / 835 / 465 (30.3 / 32.7 / 18.2 in)		
Device weight		99 kg (218 lb)		
Operating temperature range		25°C...+40°C (77°F...+104°F)		
Storage temperature range		-40°C...+70°C (-40°F...+158°F)		
Audible noise emission (dB power @ 1m and 25°C)		< 69 dB(A)		
Internal consumption of energy		< 1 W		
Topology		Transformerless		
Cooling concept		OptiCool (forced convection, variable speed fan)		
Enclosure protection rating		Type 4X 100%		
Maximum permissible relative humidity (noncondensing)		100%		
Additional information				
Monitoring		Rock-mount SMA Smart Connected (monitoring and remote O&M service)		
DC connection		Terminal lug (up to 400 kcmil CU/Al)		
AC connection		Screw terminal (up to 300 kcmil CU/Al)		
IEC indication (Status/Ready/Communication)		• (2 x 4.5 pins)		
SMA Specifier (Ethernet network interface)		•		
Data protocol: SMA Modbus / SunSpec Modbus		•		
Integrated Pilot Control / On Demand 24/7		•		
Optional: SMA Hybrid Controller compatible		•		
Warranty				
Standard		5 years		
Optional warranties (kWh warranty coverage cannot exceed 25 years)		+5 / +10 / +15 / +20 years		

Toll Free +1 888 4 SMA USA  
www.SMA-America.com

SMA America, LLC

ZN SHINESOLAR

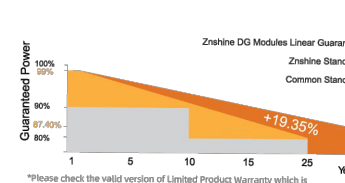


## XZM8-TPLDD132 Series

12BB HALF-CELL N-Type TOPCON Bifacial Double Glass  
Monocrystalline PV Module

675-700W POWER RANGE 22.53% MAXIMUM EFFICIENCY 0.40% YEARLY DEGRADATION

12 YEARS PRODUCT WARRANTY 30 YEARS OUTPUT GUARANTEE



### KEY FEATURES

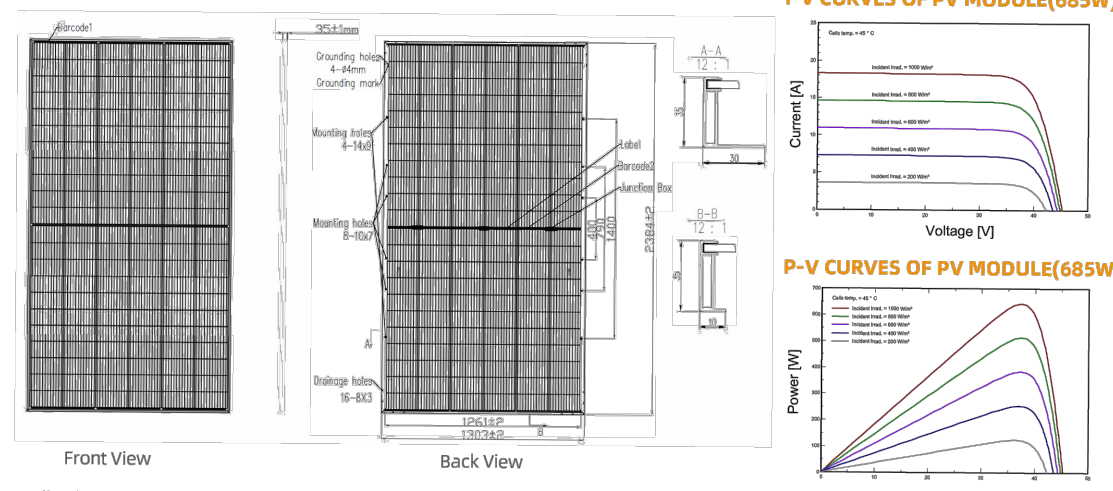
- Excellent Cells Efficiency**  
MBB technology reduce the distance between busbars and finger grid line which is benefit to power increase.
- Anti PID**  
Ensured PID resistance through the quality control of cell manufacturing process and raw materials.
- TIER 1**  
Global Tier 1 bankable brand with independently certified advanced automated manufacturing
- Bifacial Technology**  
Up to 25% additional power gain from back side depending on albedo.
- Better Weak Illumination Response**  
More power output in weak light condition, such as haze, cloudy, and early morning.
- Adapt To Harsh Outdoor Environment**  
Resistant to harsh environments such as salt, ammonia, sand, high temperature and high humidity environment.
- Excellent Quality Management System**  
Warranted reliability and stringent quality assurances well beyond certified requirements.

XZM8-TPLDD132 Series

12BB HALF-CELL N-Type TOPCON Bifacial Double Glass Monocrystalline PV Module

ZN SHINESOLAR

### DIMENSIONS OF PV MODULE(mm)



### ELECTRICAL CHARACTERISTICS | STC\*

Parameter	675	680	685	690	695	700	Solar cells	N-type Monocrystalline
Maximum Power (Pmax)	35.50	35.70	35.90	36.10	36.30	36.50	Cell connection	132 (6x21)
Maximum Power Current (Imp)	17.08	17.13	17.17	17.21	17.25	17.28	Module dimension	2384x1303x35 mm (96th Frame)
Open Circuit Voltage (Voc)	47.30	47.50	47.70	47.90	48.10	48.30	Weight	36.5x1.0kg
Short Circuit Current (Isc)	18.07	18.11	18.15	18.19	18.23	18.27	Glass	2.0 mm±2.0mm, High Transmittance, All Coated Heat Strengthened Glass
Module Efficiency (%)	21.72	21.89	22.05	22.21	22.37	22.53	Interlayer	IP 68, 3 slices
Short Circuit Current (Isc)	18.07	18.11	18.15	18.19	18.23	18.27	Cables	4 mm², 350 mm (36P Connectors)
Temperature Coefficient of Pmax	-0.40%	-0.40%	-0.40%	-0.40%	-0.40%	-0.40%	Connectors	MC4-compatible

### ELECTRICAL CHARACTERISTICS | NMOT\*

Parameter	675	680	685	690	695	700	Temperature Coefficient of Pmax	Working Conditions
Maximum Power (Pmax)	31.00	31.20	31.40	31.60	31.80	32.00	-0.40%	Maximum system voltage 1000 VDC
Maximum Power Current (Imp)	15.70	15.80	15.90	16.00	16.10	16.20	-0.40%	Operating temperature -40°C~+85°C
Open Circuit Voltage (Voc)	45.70	45.90	46.10	46.30	46.50	46.70	-0.20%	Maximum series fuse 35A
Short Circuit Current (Isc)	16.50	16.60	16.70	16.80	16.90	17.00	-0.20%	Peak Side Maximum Load Current Up to 1000V

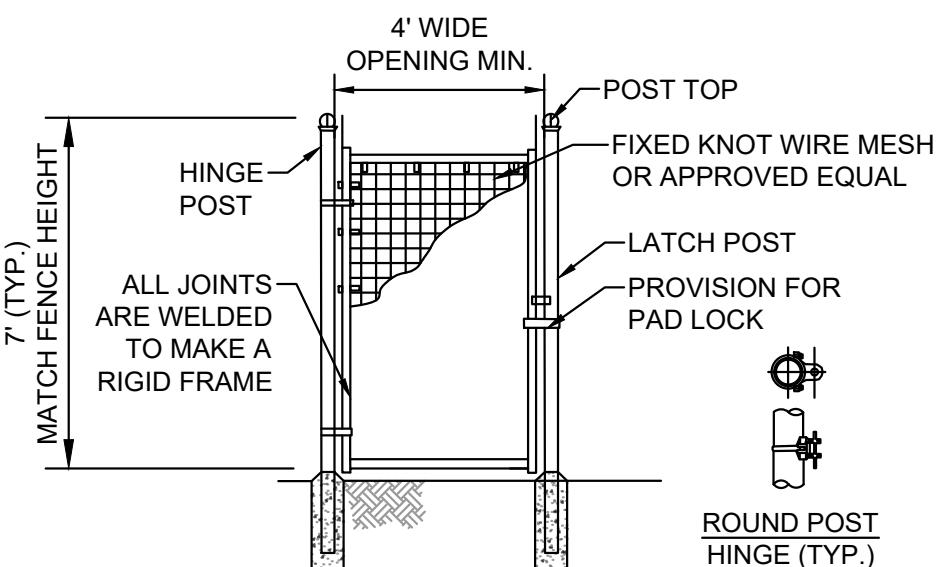
### ELECTRICAL CHARACTERISTICS | 25% HEAT SINK POWER GAIN\*

Parameter	675	680	685	690	695	700	Packaging Configuration
Front power Pmax(W)	844	850	856	863	869	875	31
Total power Pmax(W)	844	850	856	863	869	875	31
Vmp(VCTotal)	39.60	39.60	39.60	39.60	39.60	39.60	31
Imp(ACTotal)	21.31	21.36	21.41	21.46	21.50	21.55	31
Voc(VCTotal)	47.40	47.40	47.40	47.40	47.40	47.40	31
Isc(ACTotal)	22.50	22.50	22.50	22.50	22.50	22.50	31

Notes: Specifications included in this database are subject to change without notice. ZN SHINESOLAR reserves the right of final interpretation. © ZN SHINESOLAR 2023 | Version: XZM8-TPLDD132 2.0.0.0  
No special understanding or warranty for the suitability of special purpose or being installed in extraordinary surroundings is granted unless an otherwise specifically mentioned in contract document.

## MODULE DETAIL<sup>1</sup>

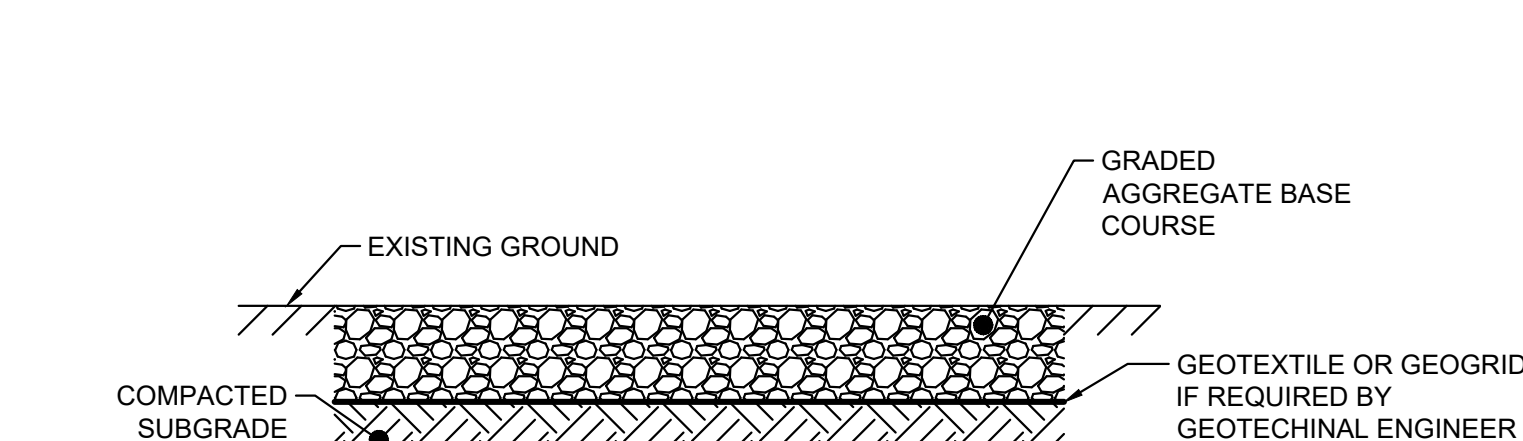
SCALE: NOT TO SCALE



- NOTES
- INSTALL ALL FENCING COMPONENTS PER MANUFACTURES SPECIFICATIONS.
  - ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
  - HINGE POSTS MAY BE TIMBER IF CONTRACTOR DESIRES. TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURERS RECOMMENDATIONS.
  - IF CONTRACTOR UTILIZES METAL HINGE POST THAN POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
  - BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
  - FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
  - BRACE RAILS AND/ OR TRUSS RODS ARE NOT SHOWN, MAY BE REQUIRED PER MANUFACTURES RECOMMENDATIONS
  - FENCE AND REQUIRED FOOTINGS TO BE DESIGNED BY A STRUCTURAL ENGINEER

## FIXED KNOT FARM FENCE - PERSONNEL GATE

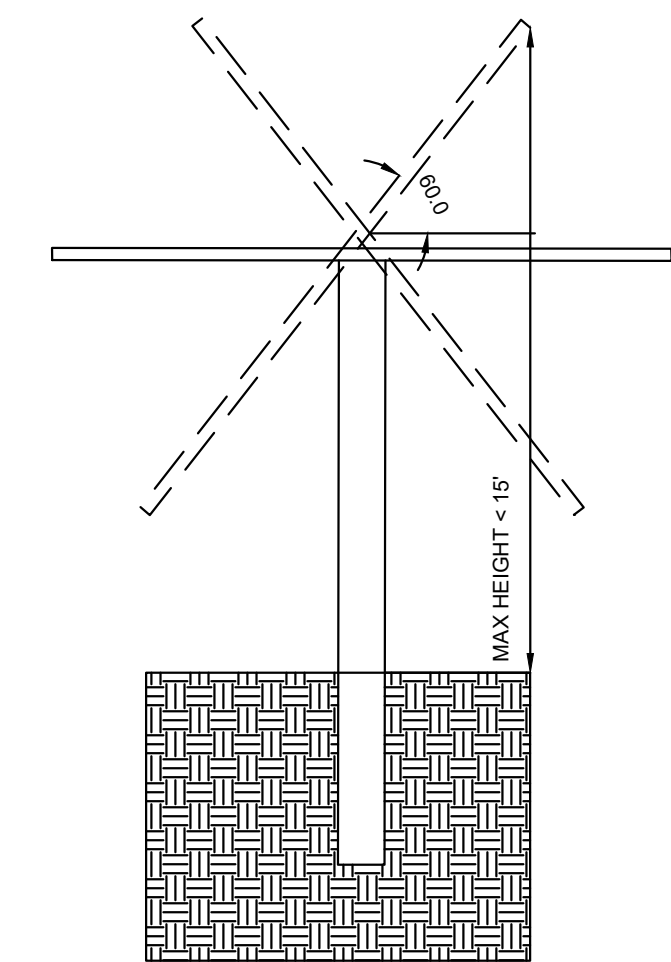
NOT TO SCALE



## ACCESS DRIVE TYPICAL SECTION

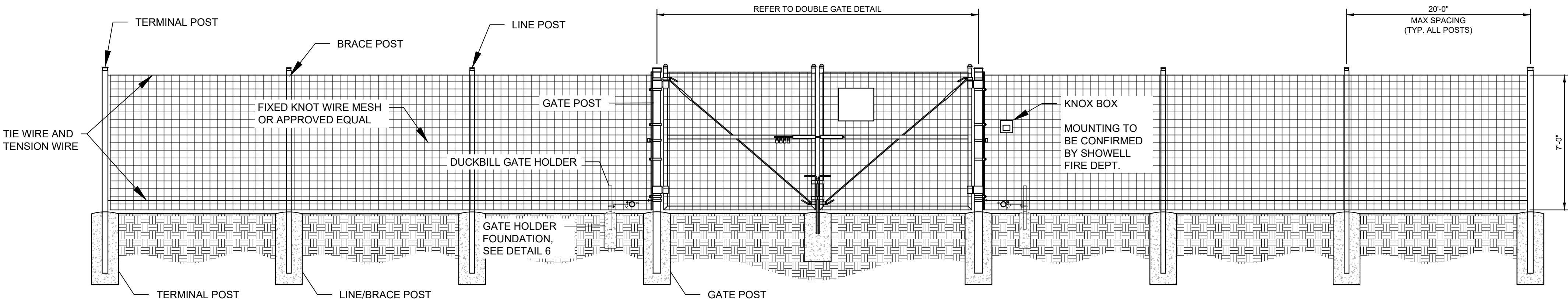
SCALE: NOT TO SCALE

- REFER TO GEOTECHNICAL REPORT TO BE PREPARED BY OTHERS FOR ALL ACCESS DRIVE SOIL COMPACTION REQUIREMENTS
- GEOTEXTILE OR GEOGRID TO BE APPROVED BY GEOTECHNICAL ENGINEER
- ALL ROAD IMPROVEMENTS AND MAINTENANCE TO FOLLOW RECOMMENDATIONS IN GEOTECHNICAL REPORT.



## TRACKER CROSS SECTION<sup>1</sup>

SCALE: NOT TO SCALE



- NOTES
- INSTALL ALL FENCING COMPONENTS PER MANUFACTURES SPECIFICATIONS.
  - ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
  - ALL SQUARE POSTS TO BE MIN. 5"x5" NOMINAL SIZE OR ROUND POST WITH MIN. 5" OR 6" DIAMETER PRESSURE TREATED WOOD OR APPROVED EQUAL. PREFER POSTS TO HAVE A CHAMFERED TOP
  - ALL LINE POST TO BE SET TO A MIN. DEPTH OF 4' BELOW GRADE, ALL CORNER, END OR GATE POSTS SHALL BE SET TO A MIN. DEPTH OF 6' BELOW GRADE, UNLESS OTHERWISE NOTED.
  - FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL.
  - BRACING IS REQUIRED AT ALL CORNER, END, AND GATE POSTS. DOUBLE BRACING (TWO BRACE ASSEMBLIES IN A ROW) SHOULD BE USED FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,000 LF. AN ADDITIONAL BRACE ASSEMBLY SHOULD BE INSTALLED MID SPAN FOR STRAIGHT RUNS OF FENCE THAT EXCEED 1,320 LF. ADDITIONAL BRACING MAY BE STILL BE REQUIRED OVER UNLEVEL TERRAIN. CONTRACTOR SHALL INSTALL ADDITIONAL BRACING AS NEEDED IF DEFLECTION IS NOTICED DURING TENSIONING
  - FENCE AND REQUIRED FOOTINGS TO BE DESIGNED BY A STRUCTURAL ENGINEER
  - REFER TO FINAL ELECTRICAL PLANS FOR CODE REQUIRED SIGNAGE INFORMATION AND FENCE MOUNTING LOCATIONS AND DETAILS.

## FIXED KNOT FARM FENCE

NOT TO SCALE



**KNOX PADLOCKS™**

**PRELIMINARY KNOX BOX  
DETAIL. KNOX BOX SHALL BE  
FURNISHED BY THE SHOWELL  
VOLUNTEER FIRE  
DEPARTMENT.**

**EXTERIOR PADLOCK FEATURES AND BENEFITS**

Knox exterior padlocks utilize the same master key used with the Knox Rapid Access System. The exterior, heavy-duty Knox Padlocks (Models #3781, #3782, #3783) are built with a stainless-steel shackle designed for securing storage areas, temporary construction sites, gated communities, etc. The shrouded all-weather padlock (Model #3784) provides additional security against pry and cut attacks. The lock cylinder is UL 437 listed which demonstrates it has met the rigorous standard. Performance is tested with a battery of endurance and attack tests.

**FEATURES**

- All-weather rust-free stainless-steel Grade 5 shackle
- Weather resistant body with durable weather cover includes: cylinder protection, sealed shackle holes, and drainage system
- Available in 4", 3" and 2" shackle lengths
- Attack resistant
- Key retaining (when open)
- Precision pin cylinder
- High-security shroud version available (for all Knox lock cores)
- Authorized agency identification labels available: Fire (red), EMS (white), Police (blue), Sheriff (gold), Security (white)

**BENEFITS**

- New shackle lengths support additional applications
- Improved attack resistance provides longer service life
- Key retention prevents dropped/lost keys
- Utilizes the Knox master key solution

**EXTERIOR PADLOCK FEATURES AND BENEFITS**

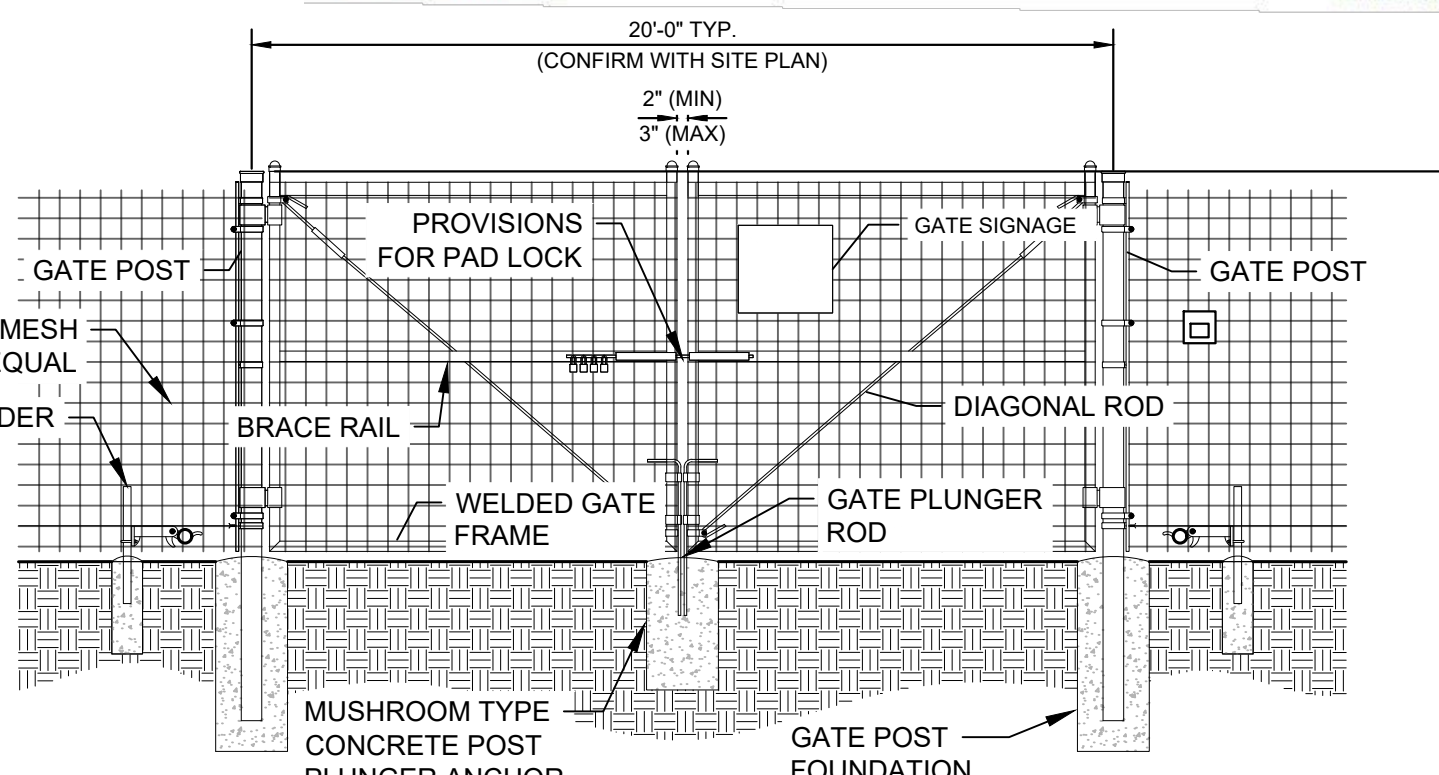
Knox interior padlocks utilize the same master key used with the Knox Rapid Access System. The interior Knox Padlock (Models #3771 and #3774) are designed to secure fire sprinkler contr systems, hazardous chemical supplies, restricted utility areas, equipment lockers, and cases. The lock cylinder is UL Listed which demonstrates it has met the rigorous standard. Performance is tested with a battery of endurance and attack tests.

**FEATURES**

- Diamond steel shackle, 5/16" diameter available in 2-3/8" and 1-1/8" shackle options
- Heavy-duty lock design and solid brass body resists pull attacks
- Precision pin cylinder
- Key retaining (when open)
- Authorized agency identification labels available: Fire (red), EMS (white), Police (blue), Sheriff (gold), Security (white)

**BENEFITS**

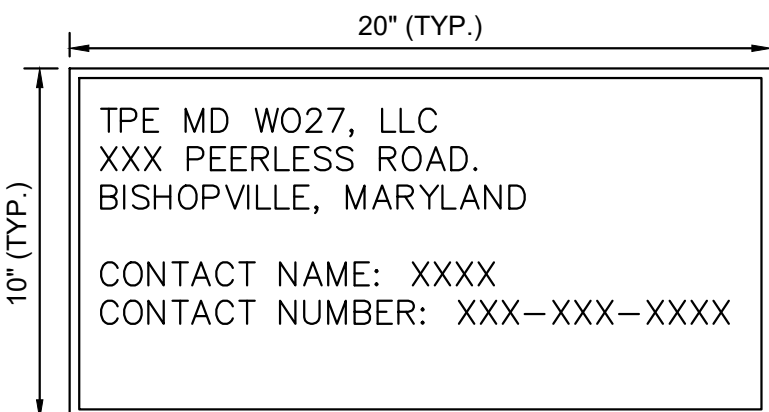
- Two shackle lengths support additional applications
- Key retention prevents dropped/lost keys
- Utilizes Knox master key solution



- NOTES
- INSTALL ALL FENCING COMPONENTS PER MANUFACTURES SPECIFICATIONS.
  - ALL FENCING AND HARDWARE SHALL BE GALVANIZED, UNLESS OTHERWISE NOTED.
  - HINGE POSTS MAY BE TIMBER IF CONTRACTOR DESIRES. TIMBER HINGE POSTS DO NOT NEED TO BE SET IN CONCRETE. UTILIZE HINGE THRU BOLTS TO CONNECT TO TIMBER HINGE POSTS OR LAG SCREWS, PER MANUFACTURERS RECOMMENDATIONS.
  - IF CONTRACTOR UTILIZES METAL HINGE POST THAN POSTS SHALL BE SET IN CONCRETE AS SHOWN ON DETAIL.
  - BRACING REQUIRED AT FOR ALL GATES. SEE FIXED KNOT FARM FENCE DETAIL.
  - FIXED KNOT WIRE MESH TO BE BEKAERT SOLIDLOCK® PRO, 12.5 GAUGE, CLASS 3 GALVANIZED, 6" VERTICAL SPACING OR APPROVED EQUAL
  - BRACE RAIL SHOWN FOR REFERENCE. ADDITIONAL BRACE RAILS MAY BE REQUIRED (NOT SHOWN) OR TRUSS RODS MAY BE REQUIRED PER MANUFACTURES RECOMMENDATIONS
  - FENCE AND REQUIRED FOOTINGS TO BE DESIGNED BY A STRUCTURAL ENGINEER.

## FIXED KNOT FARM FENCE - DOUBLE GATE

NOT TO SCALE



## TYPICAL ENTRANCE GATE SIGNAGE DETAIL

NOT TO SCALE

- NOTES:
- CODE REQUIRED SIGNAGE WILL BE PROVIDED AROUND THE PERIMETER OF THE PROJECT FENCING. REFER TO ELECTRICAL PLANS FOR PROPOSED SIGNAGE DETAILS.
  - TYPICAL ENTRANCE GATE SIGNS WILL BE POSTED AT ENTRANCES FROM PUBLIC ROADS.
  - SIGNAGE SHOWN FOR REFERENCE ONLY. REFER TO ELECTRICAL PLANS FOR FINAL DESIGN REQUIREMENTS.

**Kimley»Horn**

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM

**NOT FOR CONSTRUCTION**

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

EXPIRATION DATE: 12/31/2026

44309

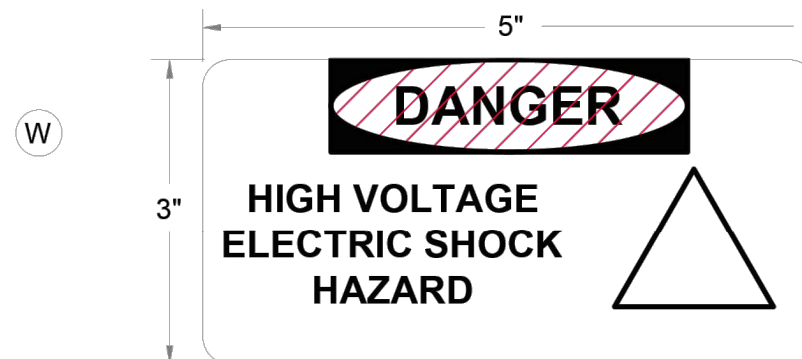
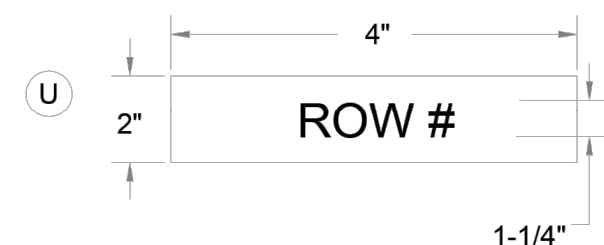
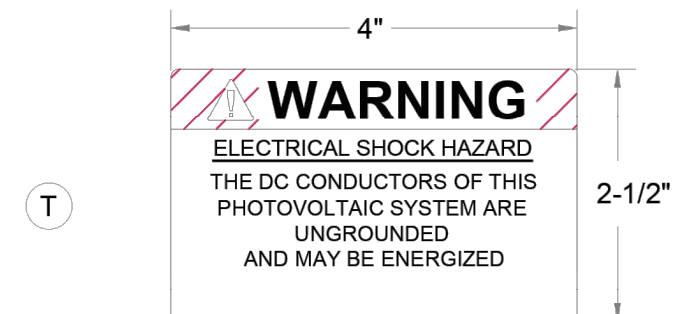
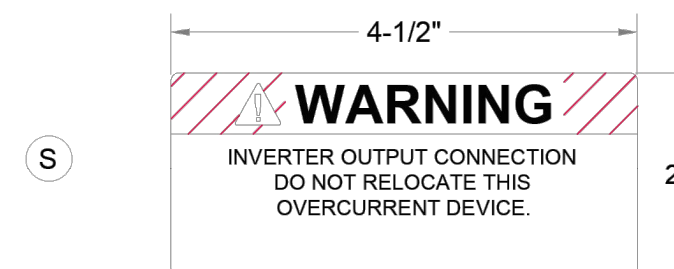
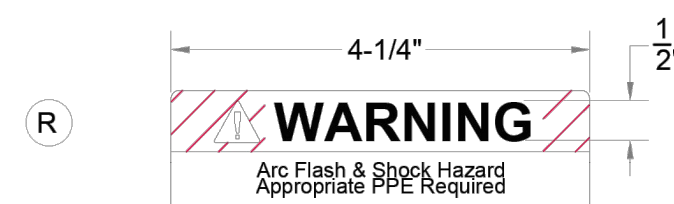
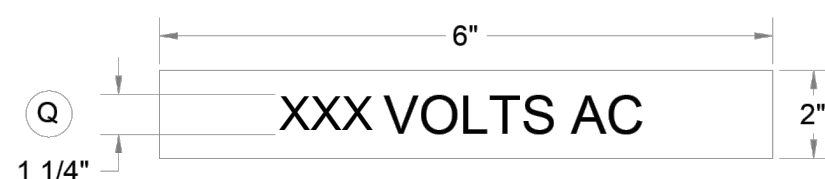
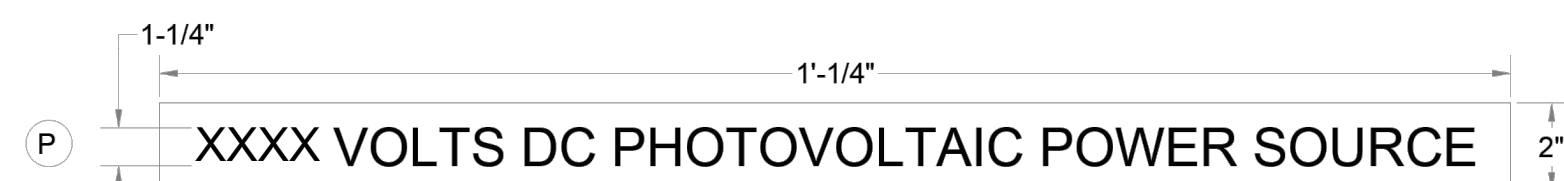
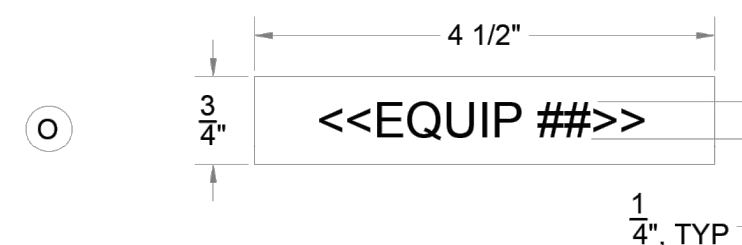
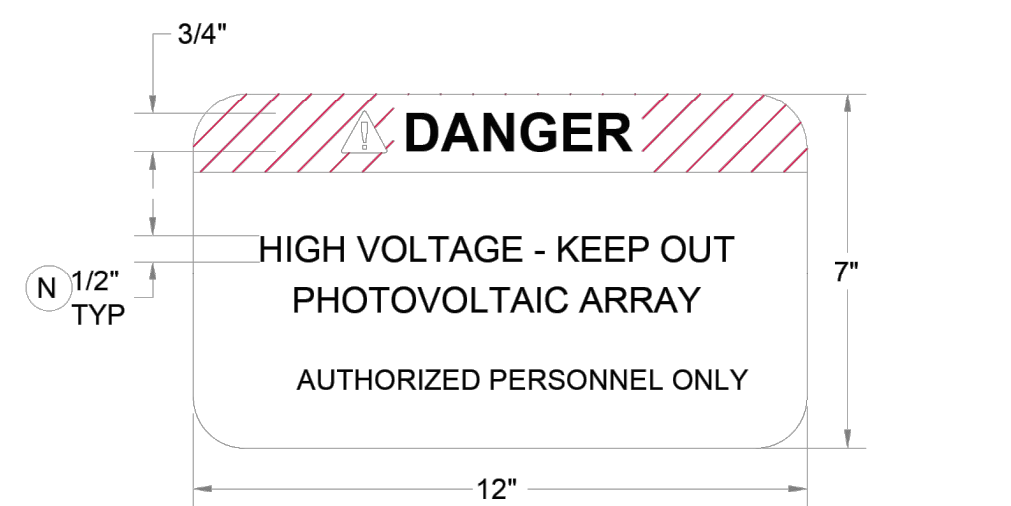
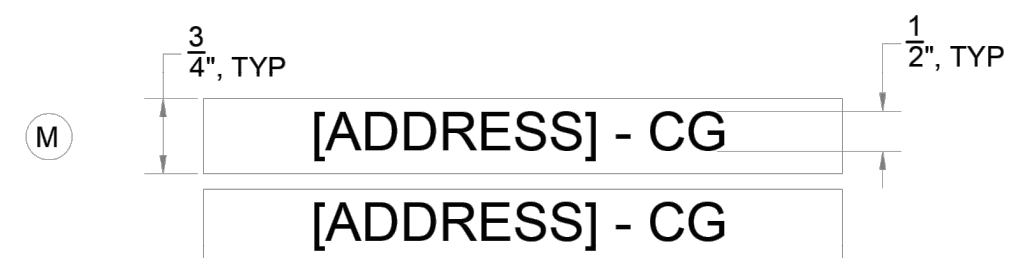
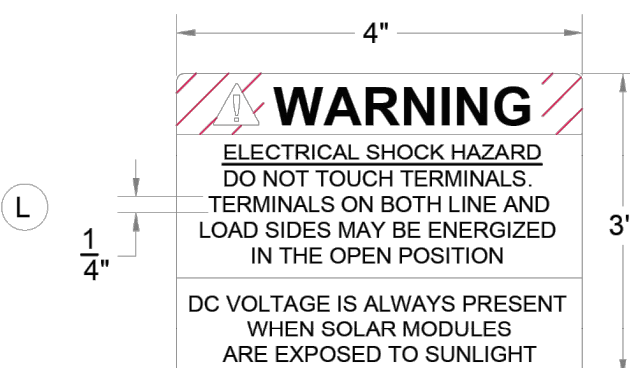
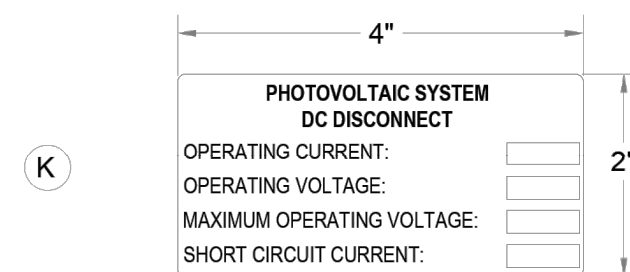
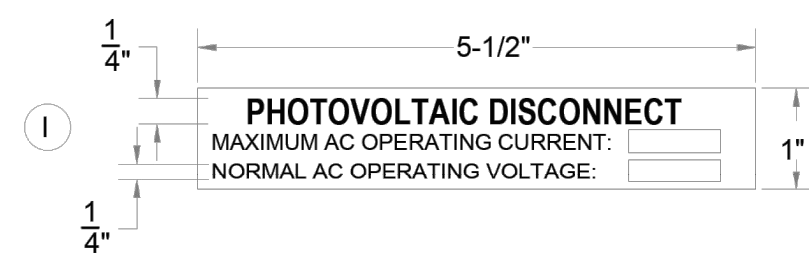
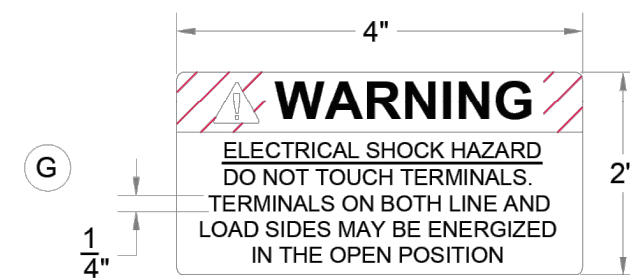
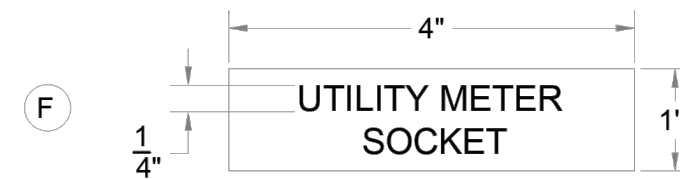
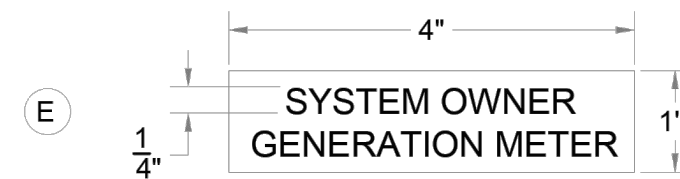
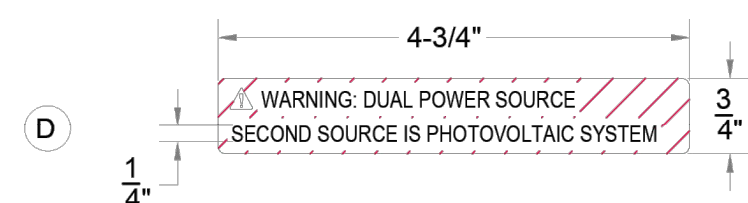
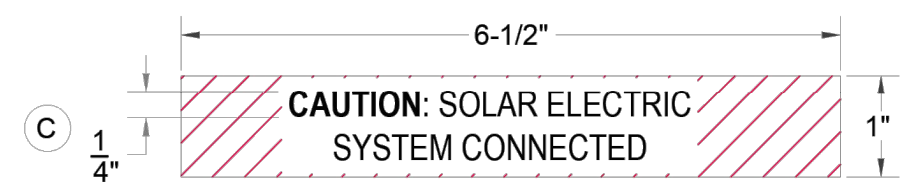
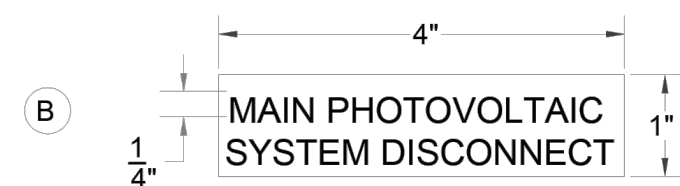
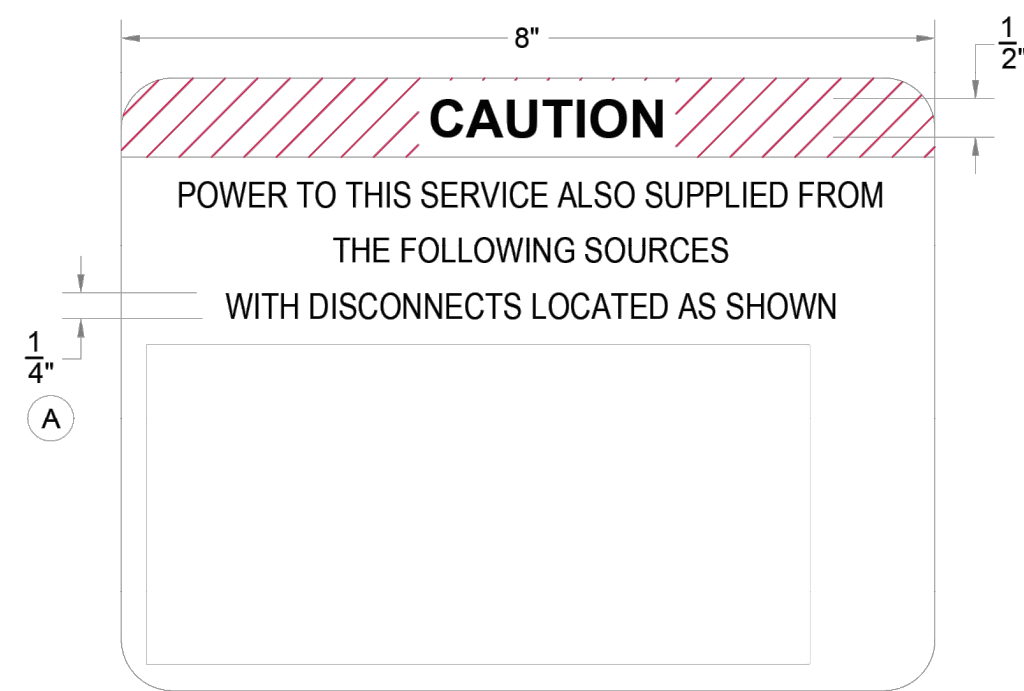
11/17/2025

KHA PROJECT 114734301  
DATE 7/9/2025  
SCALE AS SHOWN  
DESIGNED BY HHH  
DRAWN BY CJB  
CHECKED BY HHH

**TPE MD W027 SOLAR**  
PREPARED FOR  
TPE MD W027, LLC  
MARYLAND  
WORCESTER COUNTY

SHEET NUMBER  
**C-210**





ALL DETAILS ARE PRELIMINARY. FINAL ELECTRICAL SIGNAGE  
DETAILS TO BE PROVIDED BY ELECTRICAL ENGINEER. ALL SAFETY  
AND ELECTRICAL SIGNAGE WILL BE PROVIDED AS REQUIRED BY  
CODE. REFER TO FINAL ELECTRICAL PERMIT DRAWINGS.

CALL 48 HOURS  
BEFORE YOU DIG

IT'S THE LAW!  
DIAL 811

Know what's  
Call

 below.  
before you dig.

[illegible]

**Kimley»»Horn**  
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE., SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM



**NOT FOR CONSTRUCTION**

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

KHA PROJECT		114734301	
DATE		7/9/2025	
SCALE		AS SHOWN	
DESIGNED BY		HHH	
DRAWN BY		CJB	
CHECKED BY		HHH	

## SIGNAGE DETAILS

TPE MD WO27 SOLAR  
PREPARED FOR  
TPE MD WO27, LLC

SHEET NUMBER  
**C-211**





## WORCESTER COUNTY PLANNING COMMISSION

**MEETING DATE:** August 7, 2025

**PURPOSE:** Major Site Plan Review

**DEVELOPMENT:** TPE MD WO60 Solar

**PROJECT:** Development of a 2.0 MW AC 'large' solar energy system.

**LOCATION:** Located at 9223 Peerless Road, Bishopville, MD 21813. Tax Map 8, Parcel 6, Tax District 1.

**ZONING DESIGNATION:** A-1 Agricultural District.

**BACKGROUND:** The property is located on Peerless Road in Bishopville on a parcel located between US Route 113 and MD Route 610. The project consists of 14.69 acres of solar arrays and is adjacent to the TPE MD WO27 project.

**TRAFFIC CIRCULATION:** The site will be accessed from Peerless Road via a 20-foot-wide access drive constructed as part of the WO27 project on the adjacent parcel.

**LANDSCAPING:** A landscape plan has been prepared in accordance with §ZS 1-322. A 10-foot-wide landscape buffer, consisting of evergreen trees, has been proposed along the perimeter of the arrays in locations where there is no existing vegetation.

An automatic irrigation system has not been proposed for the landscaping as required by §ZS 1-322(b)(7). **The applicant will need to request a waiver for the Planning Commission for this requirement.**

**FENCING:** A seven (7) foot-tall 'agricultural' fence is proposed along the entire perimeter of the solar arrays.

**FOREST CONSERVATION LAW:** In accordance with House Bill 723, as of July 1, 2024, solar photovoltaic facilities are exempt from the County's Forest Conservation Law provided there is no cutting or clearing of forest, and provided that all forested area cut or cleared is replaced at a ratio of one (1) acre planted for each one (1) acre removed, or, is replaced at a ratio of one half (1/2) acre planted for each one (1) acre removed in a priority funding area.

**STORMWATER MANAGEMENT/ SEDIMENT EROSION CONTROL:** The project has received Stormwater Development Plan approval.

**PROPERTY OWNER:** David K. Sr. & Crystal L. Baker

**APPLICANT/DEVELOPER:** TPE MD WO60 Solar, LLC

**ENGINEER:** Kimley-Horn and Associates, Inc.

**PREPARED BY:** Ben Zito, DRP Specialist

### **WAIVERS REQUESTED**

**\*According to §ZS 1-322(b)(7), all landscaped areas are required to be readily accessible to a water supply and provided with an automatic irrigation system with rain sensors.**

**A waiver to the irrigation code requirement is being requested.**



<u>PROPERTY</u>	
OVERALL PROPERTY AREA (TM. 8, GR. 24, P. 6)	= 34.29 AC± (PER ONSITE SURVEY)
EXISTING ZONING:	A1
EXISTING LAND USES:	AGRICULTURE
PROPOSED ZONING:	A1
PROPOSED LAND USES:	SOLAR ENERGY SYSTEM, LARGE

LIMITS OF DISTURBANCE (INCLUDING BUFFER AREA)	=14.69 AC±
SOLAR ARRAY (AREA W/IN FENCE)	=13.45 AC±
AREA WITHIN CRITICAL AREA	=0.00 AC±
AREA WITHIN 100-YR FLOODPLAIN	=0.00 AC±

EXISTING IMPERVIOUS AREA	=0.00 AC±
EXISTING IMPERVIOUS AREA TO BE REMOVED	=0.00 AC±
PROPOSED IMPERVIOUS AREA	=0.25 AC±
ROAD ENTRANCES, ACCESS/DRIVES	=0.21 AC±
EQUIPMENT & PADS (INVERTERS/TRANSFORMERS)	=0.04 AC±
TOTAL IMPERVIOUS AREA	=0.25 AC±

1. FOR DEED REFERENCE TO SUBJECT PROPERTY: (TAX MAP - 8, PARCEL - 6) SEE DEED 06428/00142. TAX ACCOUNT NUMBER 05003458.
2. OUTLINE COURSES AND DISTANCES, SITE FEATURES, AND TOPOGRAPHICAL CONTOURS ARE TAKEN FROM SURVEY PREPARED BY CENTURY ENGINEERING, LLC, TITLED "9223 PEERLESS (W060) ALTA" DATED 2/4/2025, SUPPLEMENTED WITH WORCESTER COUNTY GIS. SURVEY WAS PREPARED USING AERIAL PHOTOGRAMMETRY.
3. SITE IS NOT LOCATED WITHIN THE CRITICAL AREA.
4. THE SUBJECT PROPERTY IS PARTIALLY LOCATED WITHIN ZONE "A" PER FEMA MAP 24047C0040H. HOWEVER, THE PROJECT AREA IS OUTSIDE OF ZONE "A" AND ENTIRELY WITHIN ZONE "X". AREA OF MINIMAL FLOOD HAZARD
5. SOILS SHOWN HEREON WERE TAKE FROM U.S. DEPARTMENT OF AGRICULTURE WEB SOIL SURVEY FOR WORCESTER COUNTY, MARYLAND. THE FOLLOWING SOILS EXIST ON SITE: F6dA, FALLSINGTON SANDY LOAMS, 0 TO 2 PERCENT SLOPES, L0, LONGMARSH AND INDIANTOWN SOIL, 0 TO 1 PERCENT SLOPES, M6b, MATAPEAKE SILT LOAM, 2 TO 5 PERCENT SLOPES, M6dA, MATTAPEX SILT LOAM, 0 TO 2 PERCENT SLOPES, M6dB, MATTAPEX SILT LOAM, 2 TO 5 PERCENT SLOPES, N6b, NASSAWANGO FINE SANDY, 2 TO 5 PERCENT, O1a, OTHELLO SILT LOAMS, 0 TO 2 PERCENT SLOPES.
6. BASED ON THE MARYLAND HISTORIC TRUST MEDUSA MAP, THERE ARE NO HISTORICAL RESOURCES ON THE SITE.
7. THERE IS A WETLAND AND STREAM (BIRCH BRANCH) ALONG THE NORTHERN EDGE OF THE SUBJECT PARCEL. ACCORDING TO THE WETLAND AND STREAM DELINEATION COMPLETED BY HOLLY OAK CONSULTING, LLC., AS SHOWN ON THE WETLAND DELINEATION PLAN AND EXISTING CONDITIONS PLAN. THE PROJECT AREA IS ENTIRELY OUTSIDE OF THE WETLAND AND STREAM AREA AND ASSOCIATED BUFFERS.
8. SITE BULK REGULATIONS REQUIREMENTS:

	REQUIRED:	PROVIDED:
FRONT SETBACK	50 FT	> 50 FT
REAR SETBACK	50 FT	>50 FT
SIDE SETBACK	50 FT	>50 FT
9. STORMWATER QUANTITY AND QUALITY CONTROL REQUIREMENTS ARE PROVIDED IN ACCORDANCE WITH THE COUNTY STORMWATER MANAGEMENT ORDINANCE AND THE MDE STORMWATER DESIGN GUIDANCE FOR SOLAR PANEL INSTALLATIONS. QUALITY CONTROL IS TO BE PROVIDED THROUGH THE IMPLEMENTATION OF NON-ROOFTOP DISCONNECT (N-2). DISCONNECTION OF NON-ROOFTOP RUNOFF (N-2) IS USED TO ADDRESS RUNOFF FROM THE GRAVEL ACCESS DRIVES AND EQUIPMENT PADS.
10. THE PROJECT IS LOCATED WITHIN A PRIORITY PRESERVATION AREA (PPA) AND THE BISHOPVILLE-SHOWELL RURAL LEGACY AREA (RLA).

PER PLAN REVIEW LETTER DATED 06/04/2025 FROM DEPARTMENT OF ENVIRONMENTAL PROGRAMS NATURAL RESOURCES DIVISION, THIS PROJECT IS EXEMPT FROM THE WORCESTER COUNTY FOREST CONSERVATION LAW. IN ACCORDANCE WITH HOUSE BILL 723, AS OF JULY 1, 2024, SOLAR PHOTOVOLTAIC FACILITIES ARE EXEMPT FROM THE COUNTY'S FOREST CONSERVATION LAW PROVIDED THERE IS NO CUTTING OR CLEARING OF FOREST, AND PROVIDED THAT ALL FORESTED AREA CUT OR CLEARED IS REPLACED AT A RATIO OF ONE ACRE PLANTED FOR EACH ONE ACRE REMOVED, OR, IS REPLACED AT A RATIO OF ONE HALF ACRE PLANTED FOR EACH ONE ACRE REMOVED IN A PRIORITY FUNDING AREA. FURTHERMORE, ANY FUTURE APPROVAL OF THIS LAND FOR A REGULATED ACTIVITY SHALL BE SUBJECT TO THE COUNTY'S FOREST CONSERVATION LAW.

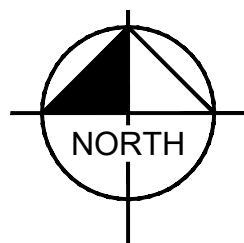
1. OUTLINE COURSES AND DISTANCES, SITE FEATURES, AND TOPOGRAPHICAL CONTOURS ARE TAKEN FROM SURVEY PREPARED BY CENTURY ENGINEERING, LLC, TITLED "9223 PEERLESS (W060) ALTA" DATED 2/14/2025, SUPPLEMENTED WITH WORCESTER COUNTY GIS. SURVEY WAS PREPARED USING AERIAL PHOTOGRAMMETRY.
2. ENVIRONMENTAL FEATURES SHOWN BASED ON SITE WALK PERFORMED BY HOLLY OAK CONSULTING, LLC IN JULY 2023. WETLANDS, STREAMS, AND FOREST STANDS ARE PRESENT ON SITE, OUTSIDE OF THE PROPOSED PROJECT AREA. REFER TO SEPARATE FOREST STAND DELINEATION AND WETLAND DELINEATION.
3. NORTH, BEARINGS AND COORDINATES SHOWN HEREON ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM (NAD'83/2011); ELEVATIONS SHOWN HEREON REFER TO THE NAVD'88 DATUM; AND BOTH ARE BASED ON THE FOLLOWING CONTROL STATIONS:

STATION	NORTH	EAST	ELEVATION
MDAI	177,205.843	1,833,237.749	10.274
DNRC	547,271.813	1,730,956.199	67.260
HNPT	337,014.401	1,560,899.089	27.000

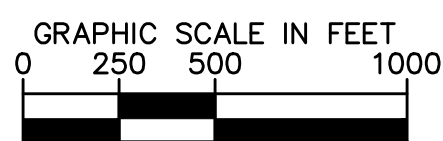
PRIOR TO CONSTRUCTION IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION

The map displays a proposed development site and surrounding land parcels. Key features include:

- Roads:** MURRAY RD (vertical on the left), PEERLESS RD (diagonal across the center), and CAMPBELLTOWN RD (vertical on the right).
- Central Development:** A large area labeled M.8 P.6 is shaded with vertical lines, indicating the proposed development. It is situated between Murray Rd and Peerless Rd.
- Other Land Parcels:** Several other parcels are labeled, including M.8 P.7 (top center), M.9 P.5 (top right), M.9 P.7 (middle right), M.8 P.5 (bottom right), M.8 P.3 (bottom right), M.8 P.4 (bottom center), M.8 P.122 (bottom center), and M.8 P.129 L. 1 (bottom left).
- Infrastructure:** A small building footprint is visible near the center, adjacent to the M.8 P.6 area. A small 'C' label is also present near the bottom of the M.8 P.6 area.



SCALE: 1" = 500'



SCALE: 1" = 2000

DAVID K SR & CRYSTAL L BAKER  
8011 CIRCLE RD  
WHALEYVILLE, MD 21872

KIMLEY-HORN AND ASSOCIATES, INC.  
ATTN: HEATHER HUTTON, PE  
215 WASHINGTON AVE  
SUITE 500  
TOWSON, MD 21204  
TEL: (443) 743- 3500  
EMAIL: HEATHER.HUTTON@KIMLEY-HORN.COM

TPE MD WO60, LLC  
ATTN: FRANCES YUHAS  
3720 SOUTH DAHLIA STREET  
DENVER, CO 80237

CENTURY ENGINEERING  
10710 GILROY ROAD  
HUNT VALLEY, MD 21031

Sheet List Table	
Sheet Number	Sheet Title
C-000	COVER SHEET
C-100	OVERALL EXISTING CONDITIONS PLAN
C-200	OVERALL SITE PLAN
C-201	ENLARGED SITE PLAN
C-202	ENLARGED SITE PLAN
C-210	SITE DETAILS
C-211	SIGNAGE DETAILS
C-250	LANDSCAPE DETAILS
C-500	OVERALL STORMWATER MANAGEMENT PLAN
C-510	PRE-DEVELOPMENT DRAINAGE AREA PLAN
C-520	POST-DEVELOPMENT DRAINAGE AREA PLAN
C-550	STORMWATER MANAGEMENT DETAILS
C-600	OVERALL EROSION & SEDIMENT CONTROL PLAN
C-601	ENLARGED EROSION & SEDIMENT CONTROL PLAN
C-602	ENLARGED EROSION & SEDIMENT CONTROL PLAN
C-650	EROSION & SEDIMENT CONTROL NOTES
C-651	EROSION & SEDIMENT CONTROL NOTES
C-652	EROSION & SEDIMENT CONTROL NOTES
C-653	EROSION & SEDIMENT CONTROL DETAILS

1. REFER TO STRUCTURAL IFC DRAWINGS AND CALCULATIONS FOR FINAL LOCATION, DIMENSIONS, AND ELEVATIONS OF ALL PROPOSED STRUCTURES.
2. REFER TO ELECTRICAL IFC DRAWINGS AND CALCULATIONS FOR FINAL LOCATION, DIMENSIONS, AND SPECIFICATIONS OF ALL PROPOSED ELECTRICAL EQUIPMENT.
3. REFER TO RACKING IFC DRAWINGS AND CALCULATIONS FOR FINAL LOCATION, DIMENSIONS, AND SPECIFICATIONS OF ALL PROPOSED RACKING EQUIPMENT.

[illegible]

**Kimley»»Horn**

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM



**NOT FOR CONSTRUCTION**

PROFESSIONAL CERTIFICATION: I HEREBY  
CERTIFY THAT THESE DOCUMENTS WERE  
PREPARED OR APPROVED BY ME, AND THAT I  
AM A DULY LICENSED PROFESSIONAL  
ENGINEER UNDER THE LAWS OF THE STATE

OF MARYLAND.		49509	
LICENSE NO.		12/16/2026	
EXPIRATION DATE			
KHA PROJECT	DATE	SCALE AS SHOWN	
114734300	07/09/2025	DESIGNED BY HHH	
		DRAWN BY CJB	
		CHECKED BY HHH	

## COVER SHEET

TPE MD WO60 SOLAR  
PREPARED FOR  
TPE MD WO60, LLC

WORCESTER COUNTY  
MARYLAND

SHEET NUMBER  
**C-000**

CALL 48 HOURS  
BEFORE YOU DIG

IT'S THE LAW!  
DIAL 811



Know what's below.  
Call before you dig



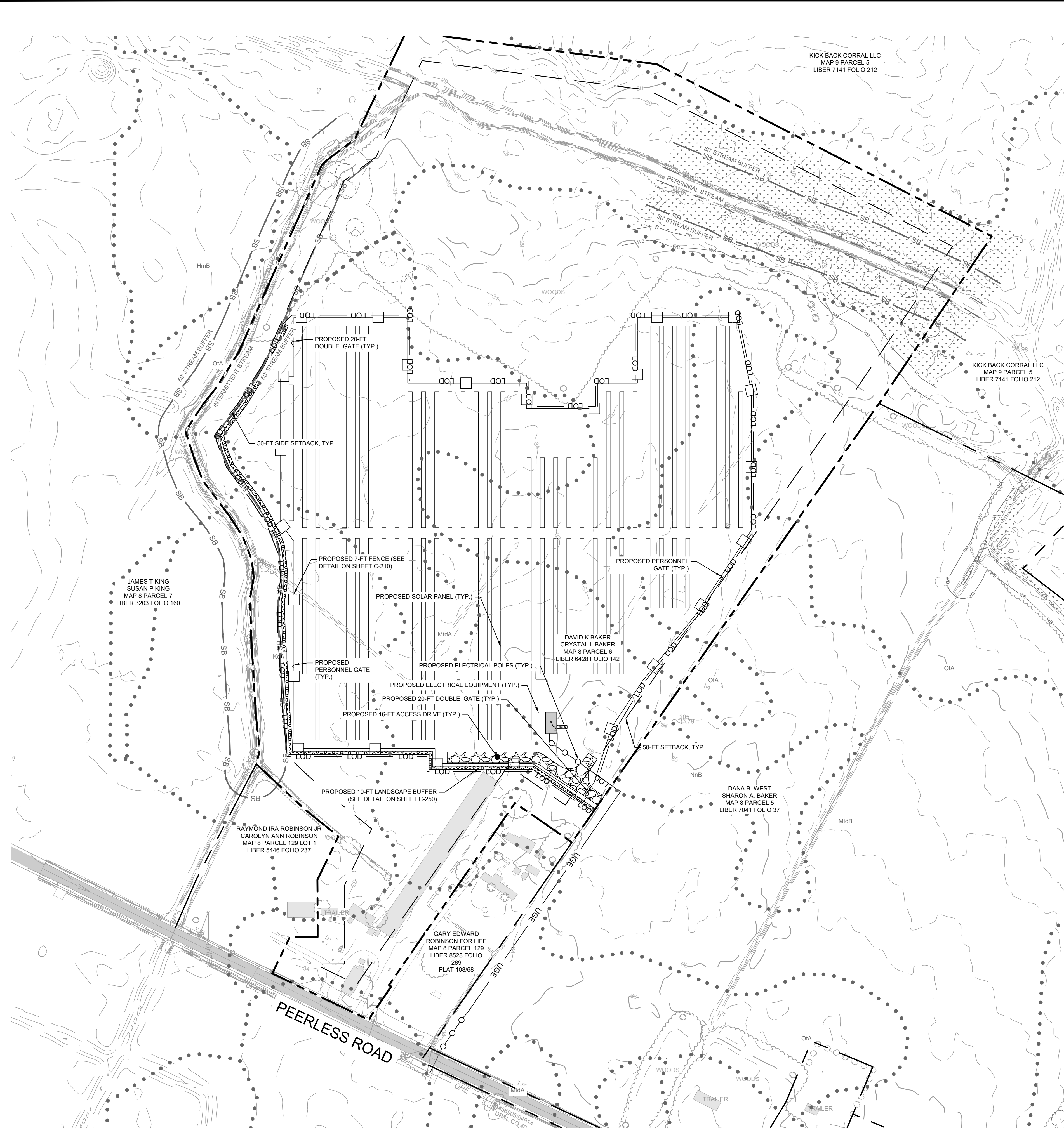


	PROPERTY LINE
	ADJACENT PROPERTY LINE
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	EXISTING ROAD EDGE
	LIMIT OF DISTURBANCE
	EXISTING STREAM
	EXISTING 50' STREAM BUFFER
	EXISTING NON-TIDAL WETLAND
	EXISTING 25' WETLAND BUFFER
	SOIL BOUNDARY
	EXISTING OVERHEAD ELECTRIC LINE
	EXISTING ELECTRICAL STRUCTURES
	EXISTING STORMDRAIN
	EXISTING BUILDING
	EXISTING ROAD
	EXISTING FREELINE
	EXISTING TREE
	SPECIMEN TREE / CRITICAL ROOT ZONE

MAP 8 PARCEL 6 - DAVID K BAKER & CRYSTAL L BAKER - 6428/142 - ZONED: A1 - CURRENT USE: AGRICULTURAL

MAP 8 PARCEL 7 - JAMES T KING & SUSAN P KING - 3203/160 - ZONED: A1 - CURRENT USE: AGRICULTURAL  
 MAP 9 PARCEL 5 - KICK BACK CORRAL LLC - 7141/212 - ZONED: A1 - CURRENT USE: AGRICULTURAL  
 MAP 9 PARCEL 5 - DANA B. WEST & SHARON A. BAKER - 7041/137 - ZONED: A1 - CURRENT USE: AGRICULTURAL  
 MAP 8 PARCEL 129 - GARY EDWARD ROBINSON FOR LIFE - 8528/289 - ZONED: A1 - CURRENT USE: AGRICULTURAL  
 MAP 8 PARCEL 129 LOT 1 - RAYMOND IRA ROBINSON JR & CAROLYN ANN ROBINSON - 5446/237 - ZONED: A1 - CURRENT USE: AGRICULTURAL





ADJACENT PROPERTY LINE  
 EXISTING MINOR CONTOUR  
 EXISTING MAJOR CONTOUR  
 EXISTING ROAD EDGE  
 LIMIT OF DISTURBANCE  
 EXISTING STREAM  
 EXISTING 50' STREAM BUFFER  
 EXISTING NON-TIDAL WETLAND  
 EXISTING 25' WETLAND BUFFER  
 SOIL BOUNDARY  
 EXISTING OVERHEAD ELECTRIC LINE  
 EXISTING ELECTRICAL STRUCTURES  
 EXISTING STORMDRAIN  
 EXISTING BUILDING  
 EXISTING TREELINE  
 EXISTING TREE  
 SPECIMEN TREE / CRITICAL ROOT ZONE  
 PROPOSED GRAVEL ACCESS DRIVE  
 PROPOSED FENCE  
 PROPOSED DOUBLE GATE  
 PROPOSED PERSONNEL GATE  
 PROPOSED OVERHEAD ELECTRIC  
 PROPOSED ELECTRICAL POLE  
 PROPOSED ELECTRICAL EQUIPMENT  
 PROPOSED SOLAR PANEL  
 PROPOSED LANDSCAPE BUFFER

## NOTES:

1. REFER TO SHEET C-201 TO C-202 FOR ENLARGED SITE PLAN
2. REFER TO SHEET C-500 TO C-550 FOR STORMWATER MANAGEMENT PLAN
3. REFER TO SHEET C-600 TO C-653 FOR EROSION AND SEDIMENT CONTROL PLANS AND TEMPORARY STAGING/STOCKPILE AREAS
4. REFER TO SHEET C-210 FOR SITE DETAILS
5. REFER TO SHEET C-250 FOR LANDSCAPE BUFFER DETAILS
6. CONTRACTOR TO USE EXTREME CAUTION WHEN WORKING IN THE VICINITY OF OVERHEAD ELECTRIC LINES.

[illegible]

**Kimley»»Horn**  
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
[WWW.KIMLEY-HORN.COM](http://WWW.KIMLEY-HORN.COM)



NOT FOR CONSTRUCTION

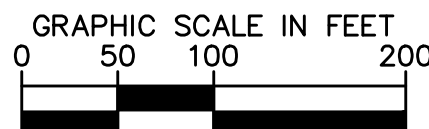
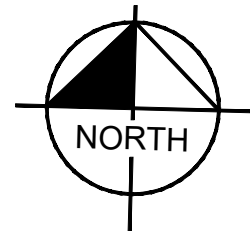
KHA PROJECT 114734300		SCALE AS SHOWN	
DATE 07/09/2025		DESIGNED BY HHH	
		DRAWN BY CJB	
		CHECKED BY HHH	

# OVERALL SITE PLAN

TPE MD WO60 SOLAR  
PREPARED FOR  
TPE MD WO60, LLC

SHEET NUMBER  
**C-200**

WORCESTER COUNTY  
MARYLAND



CALL 48 HOURS  
BEFORE YOU DIG

IT'S THE LAW!  
DIAL 811

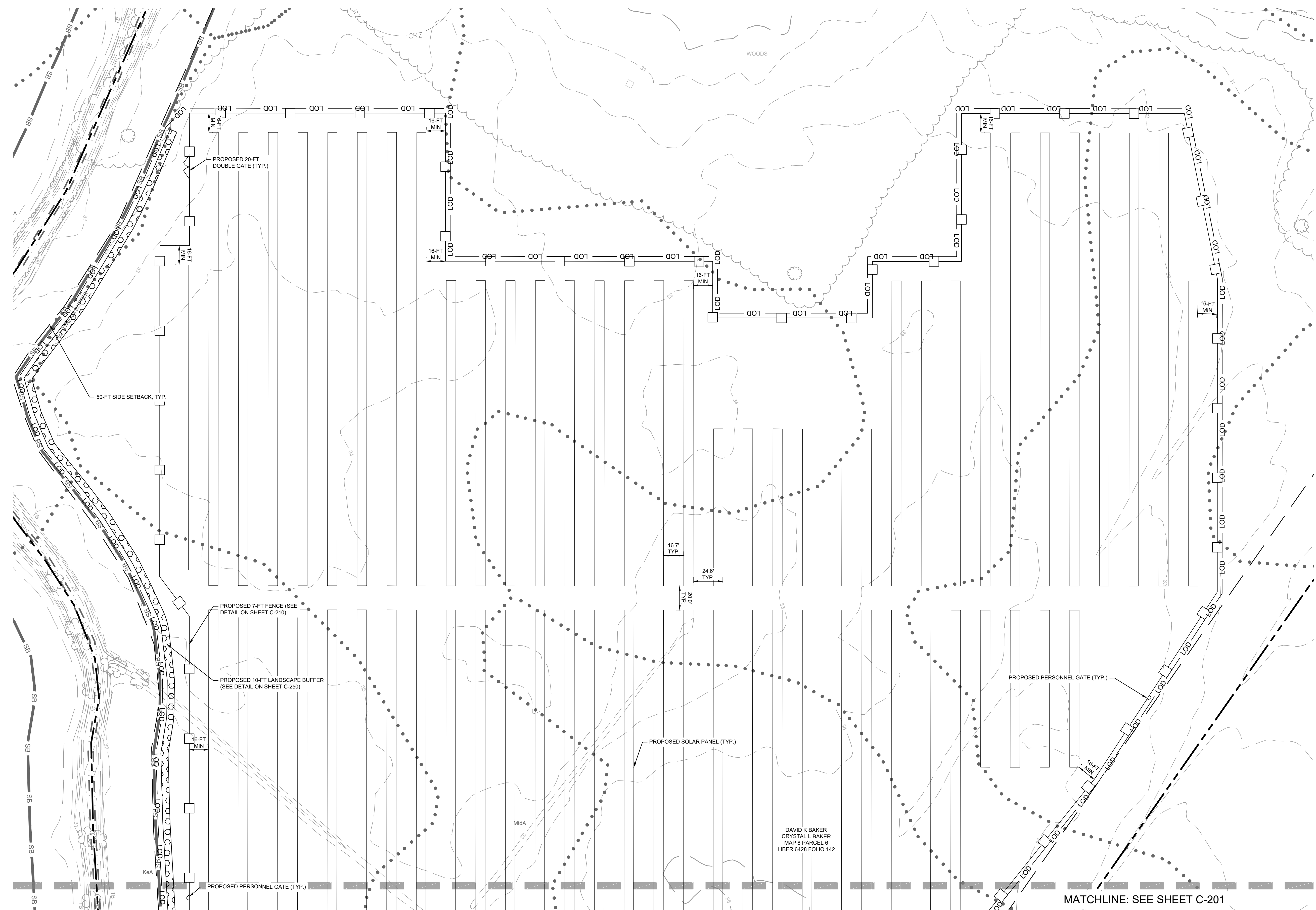
## OVERALL SITE PLAN



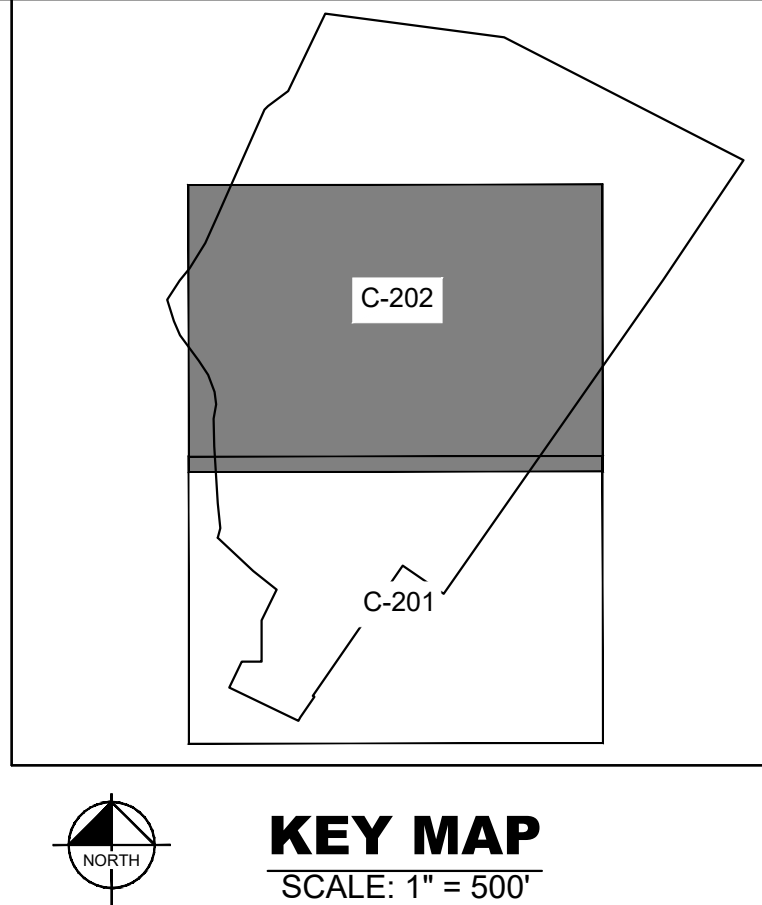




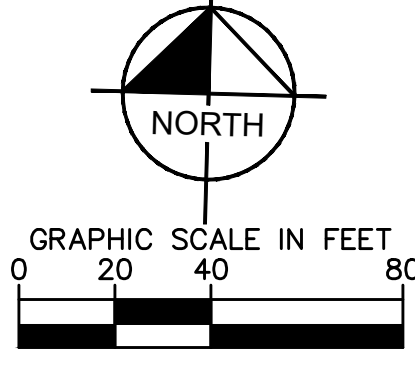
Plotted By: Jordan, Katie Sheet: Set: WO 60 Bishopville Solar Layout: C-202 ENLARGED SITE PLAN July 09, 2025 04:13:13pm K:\BDO-DS\114734-TPE\114734300-WO60 Bishopville Solar\CAD\PlanSheets\C-201 ENLARGED SITE PLAN.dwg  
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**ENLARGED SITE PLAN**  
SCALE: 1" = 40'



- SITE PLAN LEGEND**
- PROPERTY LINE
  - ADJACENT PROPERTY LINE
  - EXISTING MINOR CONTOUR
  - EXISTING MAJOR CONTOUR
  - EXISTING ROAD EDGE
  - LIMIT OF DISTURBANCE
  - EXISTING STREAM
  - EXISTING 50' STREAM BUFFER
  - EXISTING NON-TIDAL WETLAND
  - EXISTING 25' WETLAND BUFFER
  - SOIL BOUNDARY
  - EXISTING OVERHEAD ELECTRIC LINE
  - EXISTING ELECTRICAL STRUCTURES
  - EXISTING STORMDRAIN
  - EXISTING BUILDING
  - EXISTING TREELINE
  - EXISTING TREE
  - SPECIMEN TREE / CRITICAL ROOT ZONE
  - PROPOSED GRAVEL ACCESS DRIVE
  - PROPOSED FENCE
  - PROPOSED DOUBLE GATE
  - PROPOSED PERSONNEL GATE
  - PROPOSED OVERHEAD ELECTRIC
  - PROPOSED ELECTRIC POLE
  - PROPOSED ELECTRICAL EQUIPMENT
  - PROPOSED SOLAR PANEL
  - PROPOSED LANDSCAPE BUFFER



**Kimley»Horn**  
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.  
215 WASHINGTON AVE, SUITE 500, TOWSON, MD 21204  
PHONE: 443-743-3470  
WWW.KIMLEY-HORN.COM

**NOT FOR CONSTRUCTION**

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.  
LICENSE NO. 49509  
EXPIRATION DATE 12/31/2028

KHA PROJECT	DATE	SCALE	AS SHOWN	DESIGNED BY	DRAWN BY	CHECKED BY
114734300	07/09/2025	HHH	CJB	HHH	CJB	HHH

**ENLARGED SITE PLAN**

TPE MD WO60 SOLAR  
PREPARED FOR  
TPE MD WO60, LLC  
WORCESTER COUNTY  
MARYLAND

SHEET NUMBER  
**C-202**

CALL 48 HOURS BEFORE YOU DIG

IT'S THE LAW! DIAL 811

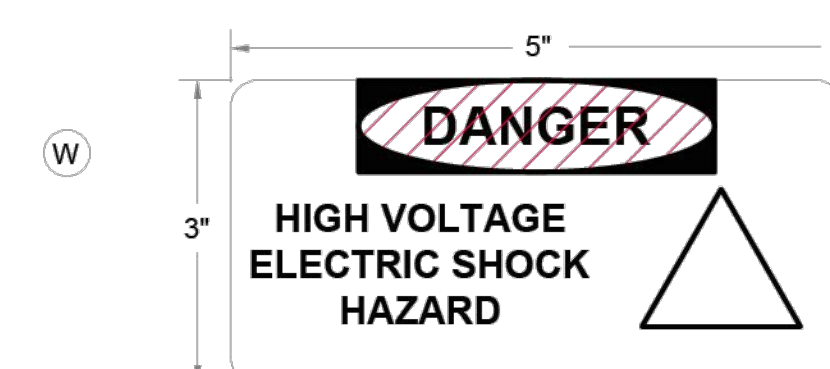
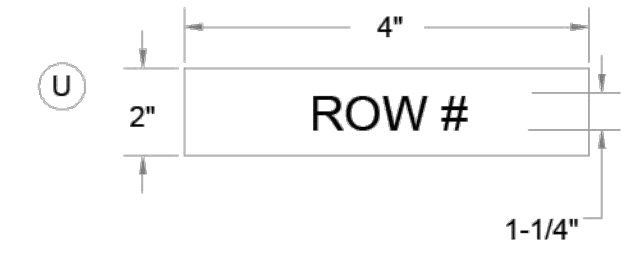
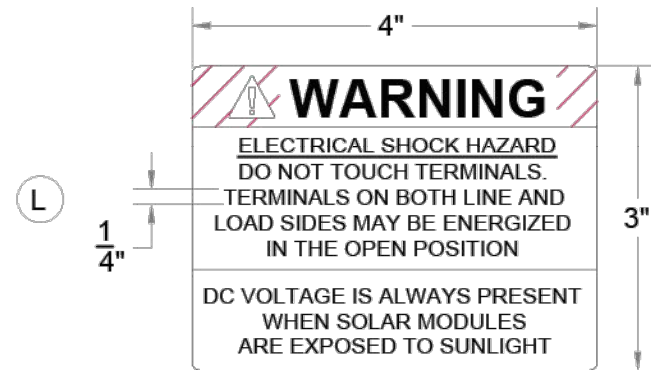
Know what's below. Call before you dig.

**811**









CALL 48 HOURS  
BEFORE YOU DIG

IT'S THE LAW!  
DIAL 811

Know what's  
Call

 below.  
before you dig.

SHEET NUMBER
C-211





**TECHNICAL REVIEW COMMITTEE**

**REPORT**

**CREPE MYRTLE COURT**

**RESIDENTIAL PLANNED COMMUNITY**

**STEP II**

**July 18, 2025**

## **GENERAL INFORMATION:**

**Date of TRC Review:** July 9, 2025

**Date of Planning Commission Review:** August 7, 2025

**Approval requested:** Step II Residential Planned Community

**Project Description:** Proposed construction of 24 two-family dwellings and one (1) single-family dwelling.

**Location:** South side of MD Route 707 (Old Bridge Road), west of Greenridge Lane, Tax Map 26, Parcel 157, Tax District 10, R-4 General Residential District.

**Owner:** Kathleen Clark  
12319 Ocean Gateway, Suite 304  
Ocean City, MD 21842

**Land Planner:** Iott Architecture & Engineering, Inc.  
310 Hammond St., Suite 100  
Salisbury, MD 21804

**Existing Conditions:** The 4.82 acre site area is comprised of approximately 4.51 acres of uplands, 0.18 acres of non-tidal wetlands, and 0.06 acres of tidal wetlands. Much of the property is cleared, with some existing forested areas to the rear.

**Prior Approvals:** The County Commissioners approved the establishment of a residential planned community (RPC) floating zone on the subject property on May 6, 2025. The County Commissioners' resolution approving the establishment of the residential planned community floating zone is attached.

**Proposed Project:** The Crepe Myrtle Court RPC as shown on the **Step II** plan is proposed to be a residential community comprised of 24 two-family dwellings and one (1) single-family dwelling. Proposed open space totals approximately 2.23 acres. 0.14 acres of active recreation space is provided through a swimming pool, playground amenity, and a dock for waterfront access. 0.30 acres of passive recreation space is also provided.

Proposed typical lot setbacks have been proposed, with a front yard setback of 75', side yard setbacks of 15', and a rear yard setback of 100'. The Technical Review Committee

(TRC) reminds the Planning Commission that for individual structures, the minimum lot area, setbacks, lot width, and road frontage requirements shall be approved by the Planning Commission during this Step II review. A chart has been provided in the Planning Commission Considerations below.

**FINDINGS OF THE TECHNICAL REVIEW COMMITTEE WITH REGARD TO THE ITEMS CITED IN §ZS 1-315(k)(2)B.3:**

- 1. The plans for the development fulfill the goals and objectives and comply with the recommendations of the Comprehensive Plan and are compatible with and complement the character and nature of existing and anticipated development in the vicinity of the proposed development:**

As it did when reviewing the Step I submittal for Crepe Myrtle Court RPC and as was confirmed by the Planning Commission and County Commissioners, the Technical Review Committee finds that the subject property is currently in the “Existing Developed Areas” (EDA) land use category of the Comprehensive Plan. One aspect of this land use category is to identify areas to be utilized for infill residential development. The project is consistent with surrounding densities and the types of development proposed. It is also providing protection to the sensitive wetland areas that are an important environmental feature.

The project will be designed in the ‘Seaside’ architectural tradition of the *Design Guidelines and Standards for Commercial Uses*, which is consistent with the Eastern Shore vernacular style encouraged by the Comprehensive Plan and many of the surrounding developments.

- 2. The design of the development will, as its first priority, protect to the greatest extent feasible existing forested areas and greenways, floodplains, the Critical Area, where applicable, tidal and non-tidal wetlands, sensitive areas or special habitats, and source water and aquifer recharge areas:**

The Technical Review Committee finds that the open space provided exceeds the minimum required under the RPC regulations. The development abuts tidal waters of Herring Creek and has existing vegetation that will be maintained along the rear of the property. Additionally, the entire 100’ Critical Area buffer will be protected and is required to be planted.



- 3. The residential planned communities' design lends itself to a clustered, pedestrian scaled development, providing mixed uses where appropriate, and is in keeping with the scale, layout, uses, architectural style and landscape design of existing County towns and villages and blends the natural and built environments:**

The Technical Review Committee finds that the project is providing a two-family dwelling development with pedestrian walkways throughout the site, and along the MD Route 707 (Old Bridge Road) frontage. As stated above, the project is being designed in accordance with the Seaside architectural tradition of the *Design Guidelines and Standards for Commercial Uses*, which is consistent with the Eastern Shore vernacular style encouraged by the Comprehensive Plan and the surrounding area.

- 4. The residential planned communities design minimizes impervious surfaces and the consumption of vacant lands while maximizing open space:**

The Technical Review Committee finds that the project is providing well above the minimum open space required as part of the development and maximizes contiguous open spaces at the rear of the parcel. The development activity is clustered along a single loop road to reduce impervious surfaces.

- 5. The project's layout and design promote street, trail and sidewalk connectivity within the project and to and through adjoining properties and neighborhoods:**

The Step II plan indicates that there will be one (1) point of access for vehicular traffic from MD Route 707 (Old Bridge Road). The Maryland Department of Transportation, State Highway Administration (MDOT SHA) has reviewed the proposed entrance design and will require a commercial access permit as part of their review.

During the Step I review, the Technical Review Committee recommended that consideration be given to internal pedestrian sidewalks, which were not originally proposed. The Planning Commission, as a condition of their approval during the Step I process, required the installation of sidewalks as required under Design Guidelines Section 16(b)(2).

**A 5' wide sidewalk has been proposed along Old Bridge Road, and a 4' wide sidewalk has been proposed on the outer loop of the private road within the community. The 4' wide sidewalk will need to receive a waiver from the Planning Commission, as sidewalks are required to be 5' wide under Design Guidelines Section 16(b)(2).**

- 6. The types and extent of uses and structures in the project will not adversely affect the future development or value of undeveloped neighboring areas or the use, maintenance and value of neighboring areas already developed:**

The Technical Review Committee finds that the property proposed to be developed into the Crepe Myrtle Court RPC is presently zoned R-4 General Residential District. A two-family dwelling development at a density of eight (8) units per net acre is permitted by zoning. Thus, the proposed density of 5.18 units per acre is within the permissible threshold.

There are no commercial components proposed within this project. The surrounding lands to the north and west are zoned C-2 General Commercial District. To the south and east there are R-2 Suburban Residential and R-4 General Residential District zoned lands. A landscape "buffer" is required along the easterly side property line, and the proposed landscaping is illustrated on sheet L200. Overall, the Technical Review Committee concludes that the proposed development will not have an adverse long-term implication on development patterns or values in the area.

- 7. The development will secure for the residents of the County a development which is consistent with the Comprehensive Plan and which is compatible with and complementary to established development in the County:**

As thoroughly described in the items above, the Technical Review Committee finds that this project is generally consistent with the policies and recommendations of the Comprehensive Plan and is compatible with and will be complementary to current established and future development patterns in the area.

**NOTE: The County Commissioners Resolution approving the Step I of this RPC, and the comments from the individual members of the Technical Review Committee are attached.**

## PLANNING COMMISSION ACTIONS:

The Planning Commission shall meet with the applicant and review the Step II master plan, any associated documents and the Technical Review Committee's recommendations, as listed above. In its review, the Planning Commission is empowered to request any changes or additional information that it may deem necessary. Following its review, the Planning Commission shall either approve or disapprove the application. In the case of disapproval, the Planning Commission shall present the applicant with a written report of its findings, including the reasons for disapproval. In the case of approval, the Planning Commission may attach conditions concurrent with the approval of the residential planned community and impose time limits on the development.

**Please review the seven (7) considerations above and address any concerns that you have regarding the project's compliance.**

**In addition, the Planning Commission will specifically need to address the following items:**

1. The Lot Requirements for this project shall be set by the Planning Commission during their review and approval of the Step II Master Plan. As illustrated on the Site Development Plan sheet C200, it is proposed to consist of the following minimum standards:

Lot Requirement	Proposed
Front Yard Setback (collector highway)	75 feet (from centerline of road right-of-way)
Side Yard Setbacks	15 feet
Rear Yard Setback	100 feet

2. Section 16 of *Design Guidelines and Standards for Commercial Uses* required that sidewalks are at least five (5) feet in width. During its Step I concept approval meeting on February 6, 2025, the Planning Commission required that a sidewalk be constructed throughout the development, and the Step II Master Plan has incorporated a sidewalk four (4) feet wide within the interior of the community. The *Design Guidelines and Standards for Commercial Uses*, however, requires sidewalks to be five (5) feet in width.

**Therefore, the Step II Master Plan will need to receive the following waivers from the Planning Commission:**

- a. **16(b)(2): Sidewalks at least five feet in width shall be provided along all sides of the lot that abut a public or private right-of-way.**

**Next Steps:** If approved, the applicant shall revise the plan based upon the comments received. Once the plan is in conformance with the Planning Commission's approval, the Department shall grant signature approval. The applicant shall then proceed to the Step III review, which would involve a 'major' residential subdivision application. Staff can address any questions about the procedures for the Step III review that the applicant may have.

SITE DEVELOPMENT PLAN  
PROPOSED RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT  
WORCESTER COUNTY, MARYLAND

CONTACT INFORMATION

LANDOWNER

KATHLEEN M. CLARK  
12319 OCEAN GATEWAY STE 304  
OCEAN CITY, MARYLAND 21842  
PHONE: (410) 213-1633

APPLICANT

KATHLEEN M. CLARK  
12319 OCEAN GATEWAY STE 304  
OCEAN CITY, MARYLAND 21842  
PHONE: (410) 213-1633

DEVELOPER

KATHLEEN M. CLARK  
12319 OCEAN GATEWAY STE 304  
OCEAN CITY, MARYLAND 21842  
PHONE: (410) 213-1633

CONSULTANT

IOTT ARCHITECTURE & ENGINEERING, INC.  
310 HAMMOND STREET, SUITE 100  
SALISBURY, MD. 21804  
PHONE: (410) 749-7229  
E-MAIL: kiott@iottarchitecture.com

PROJECT DATA

DEED REF: 02129/00058  
PLAT REF:  
PARCEL No: 0157  
LOT No.:  
COUNTY: WORCESTER  
TAX MAP: 0026  
GRID: 0006  
PLAT No.:  
SUBDIVISION: 73AF

STEP TWO  
SITE PLAN APPROVAL SUBMISSION  
JULY 10, 2025

VICINITY MAP

SITE VICINITY

LOCATION MAP

SITE LOCATION

IOTT FILE NO. 19-055B

ENGINEER'S CERTIFICATION

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND

KEITH IOTT LICENSE NO: 17961  
EXPIRATION DATE: 3/11/2026

ARCHITECTURE  
ENGINEERING  
INCORPORATED

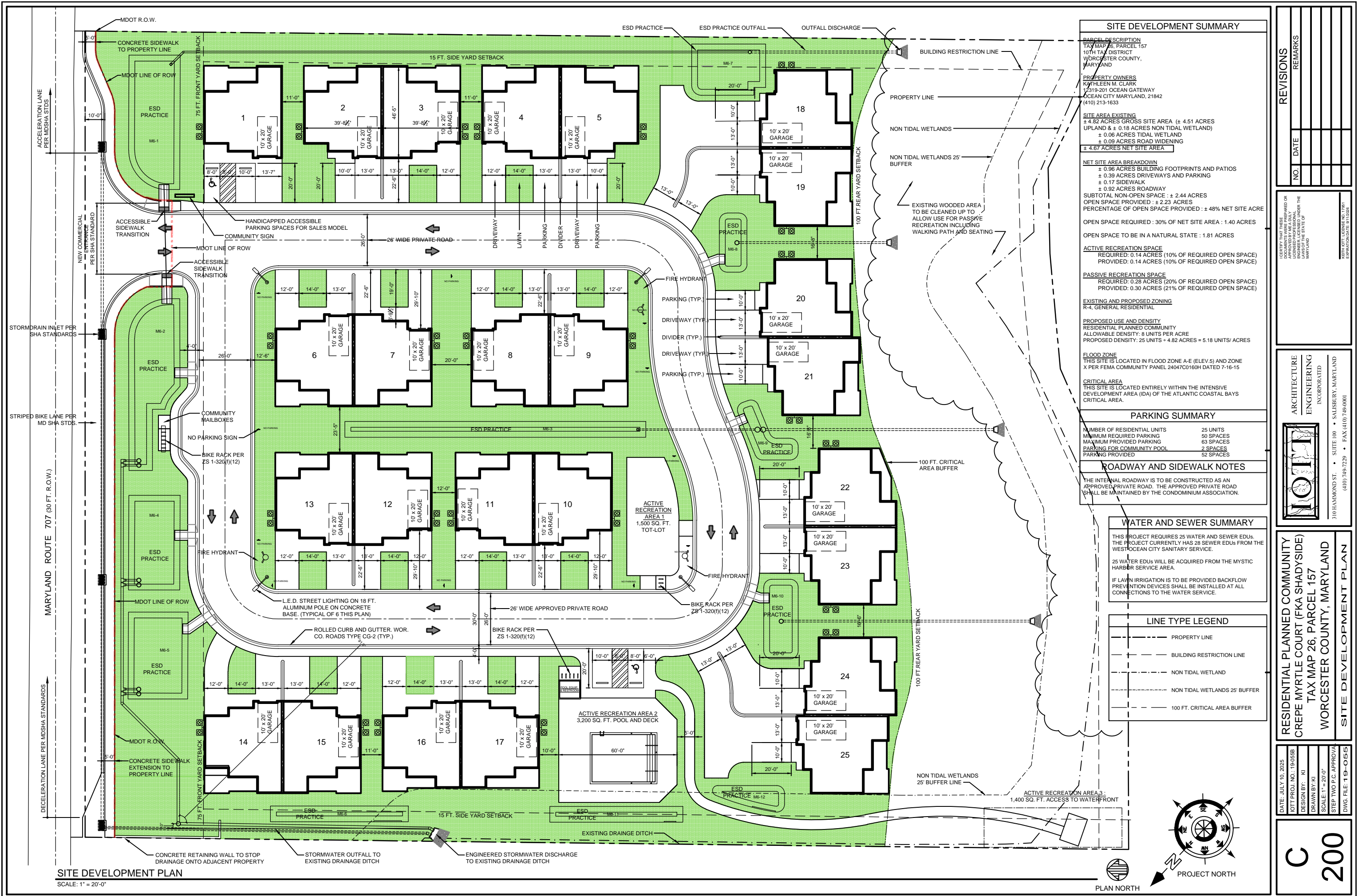
310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND  
(410) 749-7229 • FAX (410) 749-0881

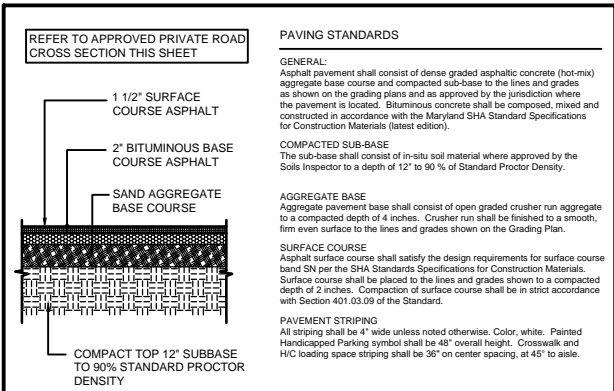
LIST OF DRAWINGS		ISSUE DATE	REV. DATE
CS1	COVER SHEET	7-10-2025	
CIVIL			
C100	EXISTING CONDITIONS SITE PLAN	7-10-2025	
C200	SITE DEVELOPMENT PLAN	7-10-2025	
C201	SITE DETAILS	7-10-2025	
C600	SITE UTILITIES PLAN	7-10-2025	
L200	LANDSCAPING PLAN AND SCHEDULE	7-10-2025	
CA210	CRITICAL AREAS MITIGATION PLAN	7-10-2025	
ARCHITECTURAL			
A100	FIRST FLOOR PLANS	7-10-2025	
A101	SECOND FLOOR PLANS	7-10-2025	
A300	FRONT AND LEFT SIDE ELEVATIONS	7-10-2025	
A301	REAR AND RIGHT SIDE ELEVATIONS	7-10-2025	

TRC-SITE PLAN APPROVAL SUBMISSION  
RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT  
WORCESTER COUNTY, MARYLAND

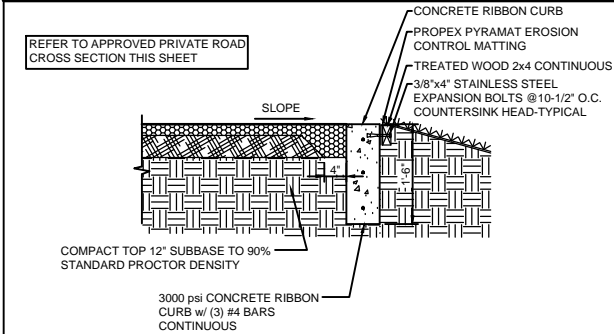




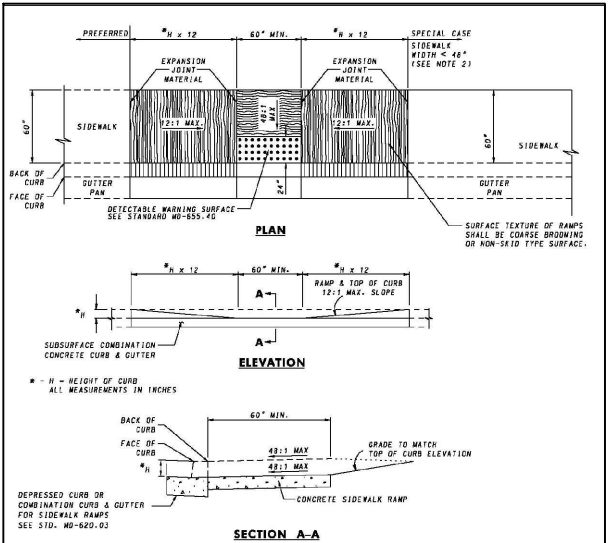




**BITUMINOUS PAVEMENT DETAIL** SCALE : 3/4" = 1'-0"



**RIBBON CURB DETAIL** SCALE : 3/4" = 1'-0"

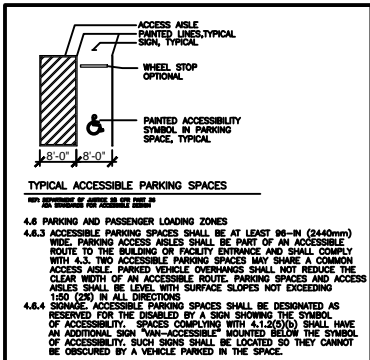


**NOTES**

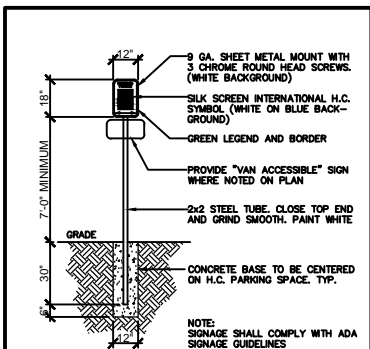
1. TO BE USED WHERE SIDEWALK IS ADJACENT TO THE CURB. THIS STANDARD MAY BE MODIFIED TO SUIT A PARTICULAR LOCATION.
2. WHERE 60" SIDEWALK CAN NOT BE PROVIDED, A DESIGN WAIVER MUST BE REQUESTED.
3. NO TRAVERSABLE SLOPE ON THE RAMP OR SIDEWALK SHALL EXCEED 12% IN THE DIRECTION OF PEDESTRIAN TRAVEL, OR 4% IN PERPENDICULAR TO THE DIRECTION OF PEDESTRIAN TRAVEL.
4. EXPANSION JOINT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH STD. MD-655-01.
5. SIDEWALK RAMP SHALL BE INCLUDED IN PRICE BID FOR CONCRETE SIDEWALK. DEPRESSED CURB AND CURB TRANSITION SHALL BE INCLUDED IN PRICE BID FOR CURB & GUTTER ADJACENT TO SIDEWALK RAMP. DETECTABLE WARNING SURFACE SHALL BE PAID FOR IN ACCORDANCE WITH SECTION 611 OF THE SPECIFICATIONS.
6. SIDEWALK RAMP TO BE SHOWN ON PLANS SPECIFICALLY AND REFERENCED WITH THE CENTER OF THE RAMP ALIGNED TO A STATION ON THE CONSTRUCTION CENTERLINE. SEPARATE DETAILS SHALL BE SHOWN WHERE PROPOSED RAMP VARIES FROM STANDARD CASE.

**APPROVED** *K.E.G. Mallon*  
**SHA** STATE HIGHWAY ADMINISTRATION  
 CATEGORY CODE ITEMS  
 SPECIFICATION 611  
 STANDARD NO. MD 655.12

**SIDEWALK RAMP AND DETECTABLE WARNING SURFACE DETAILS**



**ACCESSIBLE PARKING SPACE DETAIL** NOT TO SCALE



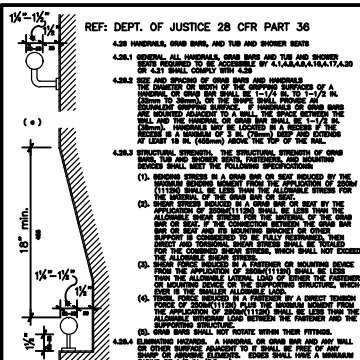
**EXTERIOR HANDICAPPED SIGN** NOT TO SCALE

- INTERNATIONAL SYMBOL OF ACCESSIBILITY**
1. ALL SIGNAGE SHALL COMPLY WITH: a.201 CFR PART 38 b.UNIFORM FEDERAL ACCESSIBILITY STANDARDS.
  2. ALL SIGNS SHALL COMPLY WITH 4.30 OF THE ABOVE STANDARDS.
  3. ELEMENTS AND PARKING SPACES OF ACCESSIBLE FACILITIES WHICH SHALL BE IDENTIFIED BY THE INTERNATIONAL SYMBOL OF ACCESSIBILITY ARE: a.PARKING SPACES DESIGNATED AS RESERVED FOR PHYSICALLY HANDICAPPED PEOPLE; b.PASSENGER LOADING ZONES; c.ACCESSIBLE ENTRANCES; d.ACCESSIBLE TOILET AND BATH FACILITIES.
  4. CHARACTER PROPORTION, LETTERS AND NUMBERS ON SIGNS SHALL HAVE A WIDTH-TO-HEIGHT RATIO BETWEEN 3/5 AND 1/1 AND A STROKE WIDTH-TO-HEIGHT RATIO BETWEEN 1/5 AND 1/10.
  5. COLOR CONTRAST: CHARACTERS AND SYMBOLS SHALL CONTRAST WITH THEIR BACKGROUND—EITHER LIGHT CHARACTERS ON A DARK BACKGROUND OR DARK CHARACTERS ON A LIGHT BACKGROUND.

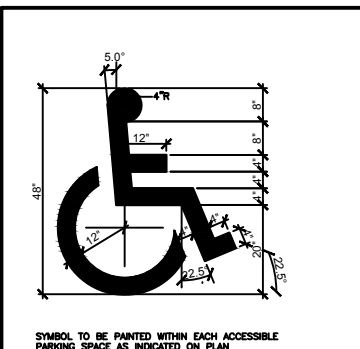
**SYMBOL DETAIL** NOT TO SCALE



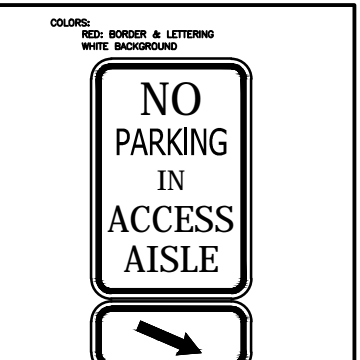
**ACCESSIBLE PARKING SPACE SIGN DETAIL** NOT TO SCALE



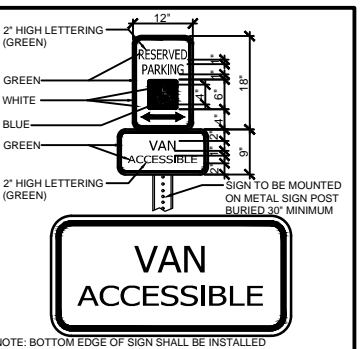
**HANDRAILS, GRAB BARS and TUB & SHOWER SEATS** NOT TO SCALE



**HANDICAPPED SYMBOL DETAIL** NOT TO SCALE



**ACCESS AISLE NO PARKING SIGN DETAIL** NOT TO SCALE



**VAN ACCESSIBLE PARKING SPACE SIGN DETAIL** NOT TO SCALE

**AMERICANS WITH DISABILITIES ACT (ADA)**

The legislation set forth a variety of requirements that effect the construction of new buildings and the alteration of existing buildings. The legislation states that failure to implement "reasonable accommodations" to facilitate the employment of persons with disabilities and ensure accessibility by removing architectural barriers where "readily achievable" will constitute an act of discrimination against people with disabilities and subject the owner to civil action.

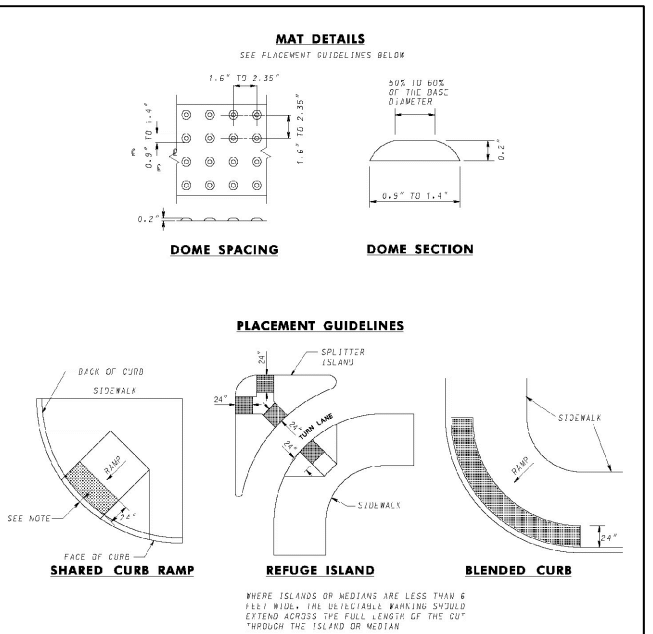
Ref: American with Disabilities Act, Public Law 101-336  
 Uniform Federal Accessibility Standards, FED STD-795  
 Specifications for Making Buildings and Facilities Accessible to, and Usable by, Physically Handicapped People, ANSI A117.1

**PROVISIONS FOR ACCESSIBILITY**

THIS PROJECT CONSISTING OF THE SITE AND BUILDING IMPROVEMENTS AND FACILITIES WITHIN THE BUILDING SHALL MEET AND COMPLY WITH THE REQUIREMENTS OF BARRIER FREE ACCESSIBILITY TO AND USABLE BY THE PHYSICALLY HANDICAPPED AND PERSONS WITH DISABILITIES AS INDICATED ON THE DRAWINGS AND/OR AS REQUIRED BY THE "HANDICAPPED AND ACCESSIBILITY" CODES.

AREAS AND ITEMS SO REQUIRED TO BE ACCESSIBLE AND USABLE SHALL CONFORM TO THE AMERICAN NATIONAL STANDARD INSTITUTE, INC. ANSI A117.1-(LATEST EDITION) "SPECIFICATIONS FOR MAKING BUILDINGS AND FACILITIES ACCESSIBLE TO AND USABLE BY PHYSICALLY HANDICAPPED PEOPLE". THE UNIFORM FEDERAL ACCESSIBILITY STANDARDS AND THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) AND SHALL BE CLEARLY IDENTIFIED WITH THE INTERNATIONAL SYMBOL OF ACCESSIBILITY FOR THE HANDICAPPED

**SITE ACCESSIBILITY NOTES AND DETAILS**

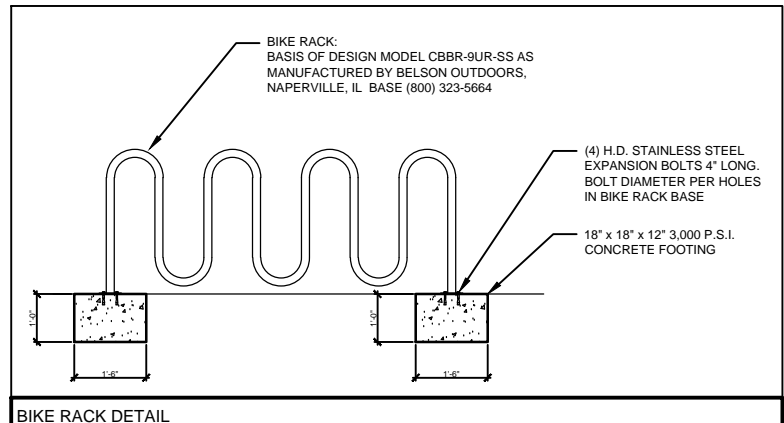


**NOTES**

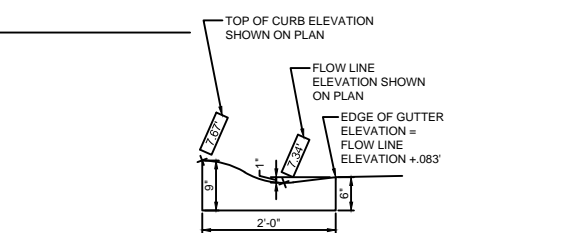
1. THE DETECTABLE WARNING SURFACE SHALL BE LOCATED SO "HAT THE EDGE NEAREST THE CURB LINE IS 6 TO 8 INCHES FROM THE FACE OF CURB.
2. FOR SIGNED APPLICATIONS DETECTABLE WARNING SHALL BE PLACED SUCH THAT THE DOMES CLOSEST TO THE BACK OF CURB ARE NO LESS THAN 6'-5" AND NO MORE THAN 3'-5" FROM THE BACK OF CURB. TRUNCATED DOME SURFACES SHALL BE FABRICATED TO PROVIDE FULL DOMES ONLY.
3. DETECTABLE WARNING SURFACE SHALL BE PAID FOR IN ACCORDANCE WITH SECTION 611 OF THE SPECIFICATIONS.
4. DETECTABLE WARNING SURFACES ARE REQUIRED AT STREET CROSSINGS & SIGNALIZED INTERSECTIONS.

**APPROVED** *K.E.G. Mallon*  
**SHA** STATE HIGHWAY ADMINISTRATION  
 CATEGORY CODE ITEMS  
 SPECIFICATION 611  
 STANDARD NO. MD 655.40

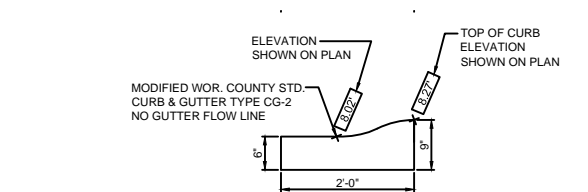
**DETECTABLE WARNING SURFACES**



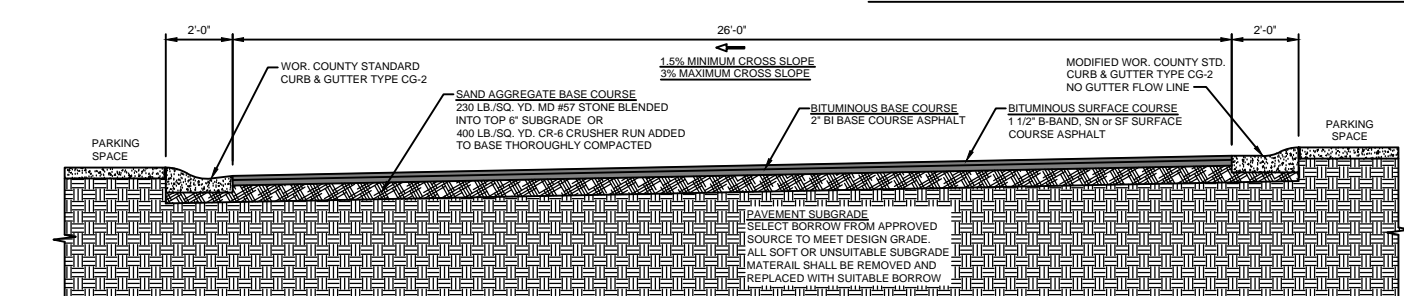
**BIKE RACK DETAIL**



**CURB AND GUTTER WITH GUTTER FLOW LINE**



**CURB AND GUTTER WITHOUT GUTTER FLOW LINE**



**APPROVED PRIVATE ROADWAY CROSS SECTION**

PRIVATE ROAD APPROVED BY THE WORCESTER COUNTY COMMISSIONERS BY RESOLUTION DATED 12-7-2021

NO.	DATE	REVISIONS	REMARKS
1	12-15-2021		ADD BIKE RACK - UPDATE PRIVATE ROAD SEC

CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVIEWED BY A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND

**ARCHITECTURE**  
**ENGINEERING**  
 INCORPORATED

**LOTT**

**RESIDENTIAL PLANNED COMMUNITY**  
**CREPE MYRTLE COURT (FKA SHADYSIDE)**  
**TAX MAP 26, PARCEL 157**  
**WORCESTER COUNTY, MARYLAND**

**DATE:** JULY 10, 2025  
**LOTT PROJ. NO.:** 19-059  
**DESIGN BY:** KI  
**DRAWN BY:** RE  
**SCALE:** AS NOTED  
**STEP TWO P.C. APPROVA**  
**DWG. FILE:** 12-041 C201

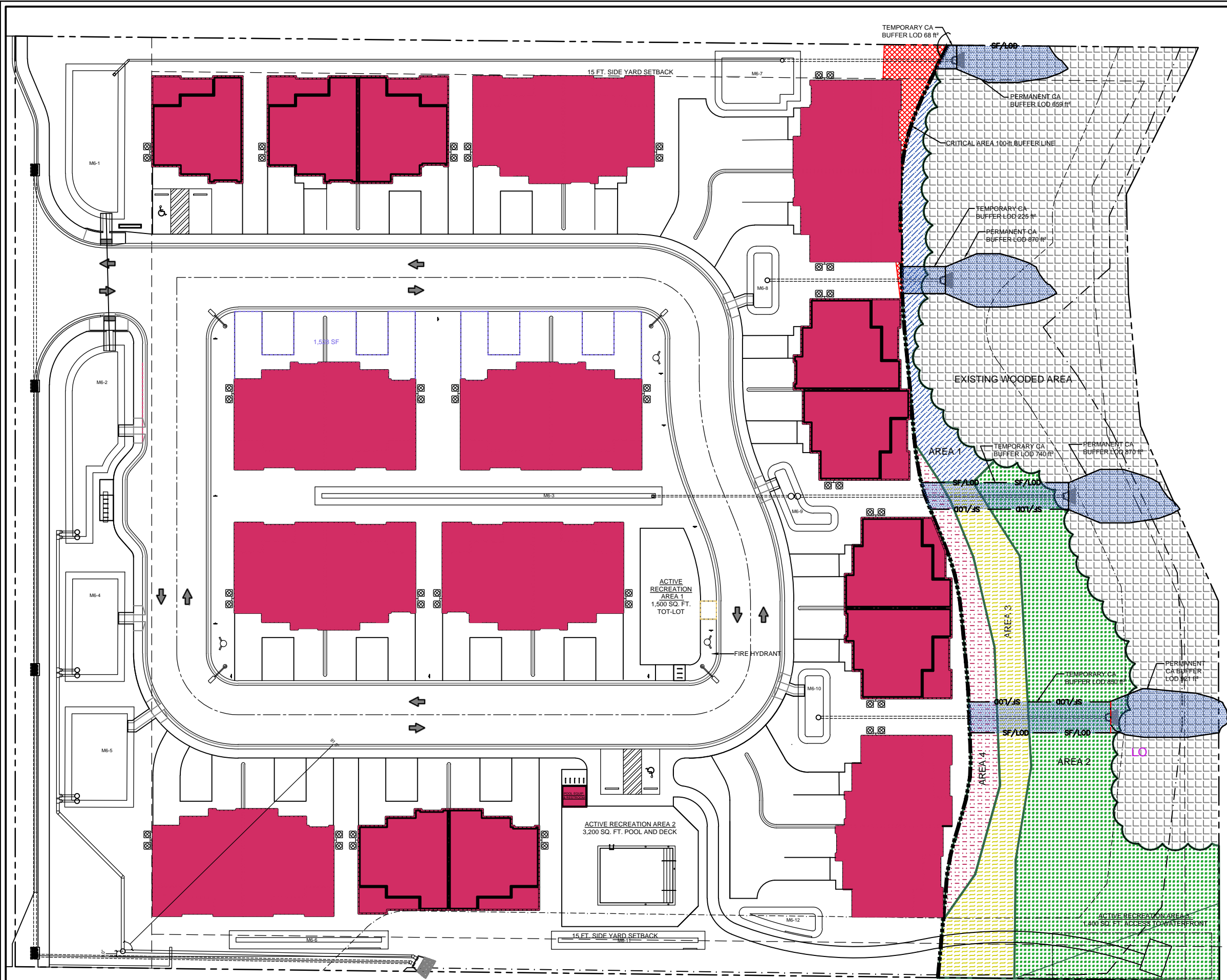
**SITE PAVING AND ACCESSIBILITY DETAILS**

**201**





C 600



**BUFFER ESTABLISHMENT PLAN LEGEND**

PARCEL DESCRIPTION  
TAX MAP 26, PARCEL 157  
10TH TAX DISTRICT  
WORCESTER COUNTY,  
MARYLAND

PROPERTY OWNERS  
KATHLEEN M. CLARK  
12319-201 OCEAN GATEWAY  
OCEAN CITY MARYLAND, 21842  
(410) 213-1633

AREA WITHIN 100 FT. CRITICAL AREA BUFFER 44,566 SQ. FT.

AREA 1 = 1,818 ft<sup>2</sup>  
NORTHWIND  
SWTCHGRASS x 80 = 4,000

AREA 2 = 11,338 ft<sup>2</sup>  
RED MAPLE x 15 = 3,000  
WHITE OAK x 15 = 3,000  
TULIP POPLAR x 15 = 3,000  
SYCAMORE x 15 = 3,000  
TOTAL = 12,000

AREA 3 = 3,953 ft<sup>2</sup>  
EASTERN  
DOGWOOD x 30 = 3,000  
EASTERN  
REDBUD x 30 = 3,000  
TOTAL = 6,000

AREA 4 = 2,252 ft<sup>2</sup>  
ERNST WILDFLOWER  
SEED MIX ERNMX 1680#

BUFFER PLANTINGS POINT TOTAL = 22,000 POINTS

EXISTING WOODED AREA = 25,205 ft<sup>2</sup>  
EXISTING WOODED AREA TO REMAIN. PRIOR  
TO ANY REMOVAL CONTACT TOM BLAIR,  
NATURAL RESOURCES INSPECTOR FOR  
APPROVAL. REMOVE DEAD TREES AND DEAD  
OR DAMAGED UNDERSTORY USING  
HAND-HELD MACHINERY. MINIMIZE GROUND  
DISTURBANCE. REMOVE AND MITIGATE  
INVASIVE BAMBOO INCLUDING ROOT  
NETWORK. BAMBOO ROOT NETWORK  
REMOVAL METHOD TO BE APPROVED BY  
NATURAL RESOURCES INSPECTOR. AFTER  
REMOVAL OF BAMBOO, HAND-GRADE  
DISTURBED AREAS AND STABILIZE WITH JUTE  
MATTING. SEED THE BAMBOO REMOVAL  
DISTURBED AREAS WITH THE SAME  
WILDFLOWER MIX USED IN AREA 4.

TOTAL AREA FOR HERBACEOUS PERENNIALS = 4069 ft<sup>2</sup>  
4069 ft<sup>2</sup> / 44566 ft<sup>2</sup> = .0913 OR 9.13%  
9.13% < 10% PER COMAR 27.01.09.01

**CRITICAL AREA PLANTING SPECIFICATIONS**

200 SQ. FT. TREES 2" CALIPER DBH - BALLED & BURLAP  
100 SQ. FT. TREES 1" CALIPER DBH - BALLED & BURLAP  
SWTCHGRASS 3 GALLON CONTAINER

**BUFFER PLANTINGS BONDING**

BUFFER ESTABLISHMENT PLANTINGS WILL BE BONDED IN THE  
AMOUNT OF \$ 22,825.00 (PLANTING POINT TOTAL x 0.83 x 125%) IN  
ACCORDANCE WITH WORCESTER COUNTY REQUIREMENTS.

**15% SITE AFFORESTATION SUMMARY**

TOTAL SITE AREA = 210,035.1 ft<sup>2</sup>  
15% OF TOTAL SITE AREA = 15(210,035.1 ft<sup>2</sup>) = 31,505.3 ft<sup>2</sup>  
PROPOSED BUFFER WOODED AREA = 19,361.0 ft<sup>2</sup>  
EXISTING BUFFER WOODED AREA = 25,205.0 ft<sup>2</sup>

TOTAL POST DEVELOPMENT WOODED AREA = 44,566.0 ft<sup>2</sup>

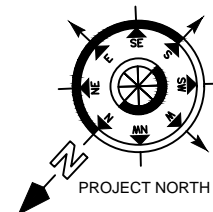
PERCENT OF TOTAL SITE OF POST DEVELOPMENT WOODED AREA =  
44,566.0 ft<sup>2</sup> / 210,035.1 ft<sup>2</sup> = 21.2%

EXISTING WOODS WITHIN LOD  
TO BE CLEARED 1133.9 ft<sup>2</sup>

**DISTURBANCE WITHIN C/A BUFFER**

TEMPORARY DISTURBANCE FOR THE INSTALLATION OF STORMWATER  
OUTFALL PIPE = 1,883 ft<sup>2</sup>

PERMANENT DISTURBANCE WITHIN CRITICAL AREA BUFFER FOR THE  
OUTFALL ENDWALL AND RIP-RAP EROSION CONTROL DEVICE = 3,320 ft<sup>2</sup>



REVISIONS	
NO.	DATE

CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVIEWED BY A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND

ARCHITECTURE  
ENGINEERING  
INCORPORATED

310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND  
(410) 749-7229 • FAX (410) 749-0001

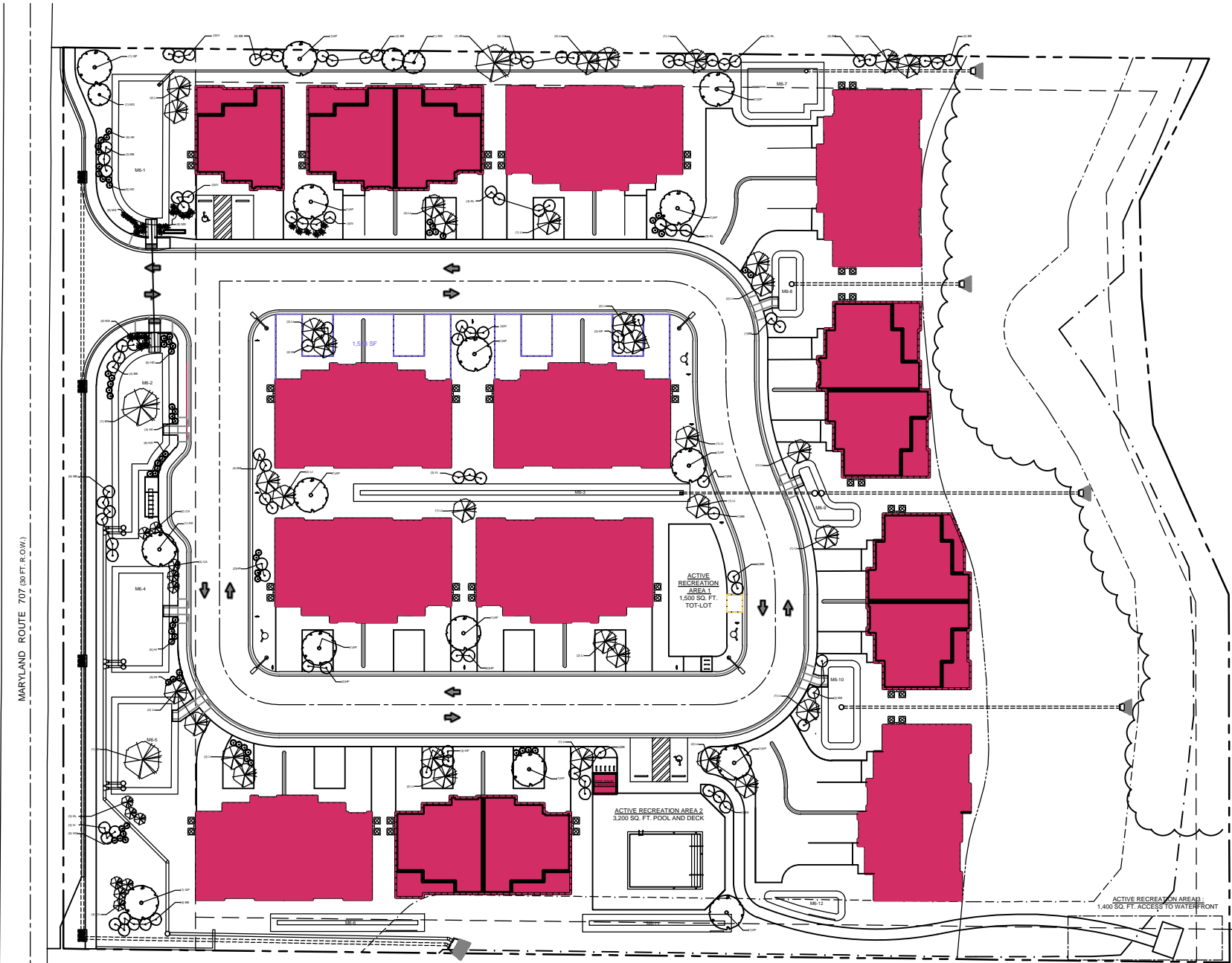
RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT (FKA SHADYSIDE)  
TAX MAP 26, PARCEL 157  
WORCESTER COUNTY, MARYLAND

ATLANTIC COASTAL BAYS CRITICAL AREA BUFFER ESTABLISHMENT PLAN

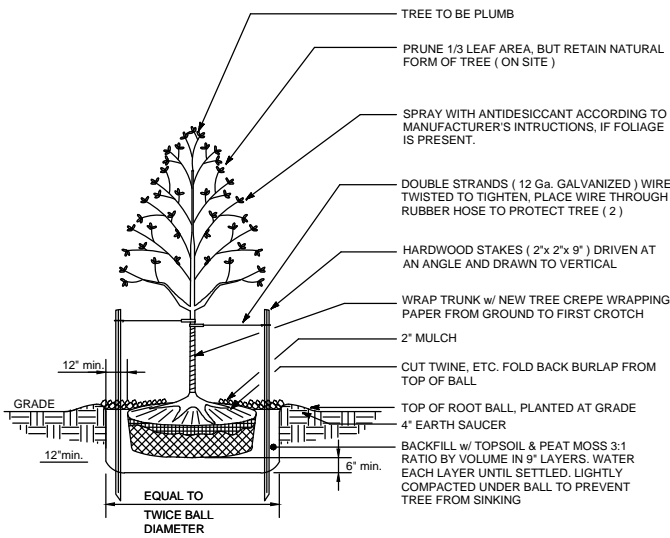
DATE: JULY 10, 2025  
IOTT PROJ. NO.: 19-055B  
DESIGN BY: KI  
DRAWN BY/RE: KL  
SCALE: 1" = 20'-0"  
STEP TWO P.C. APPROVAL  
DWG. FILE: 19-055B

CA  
210

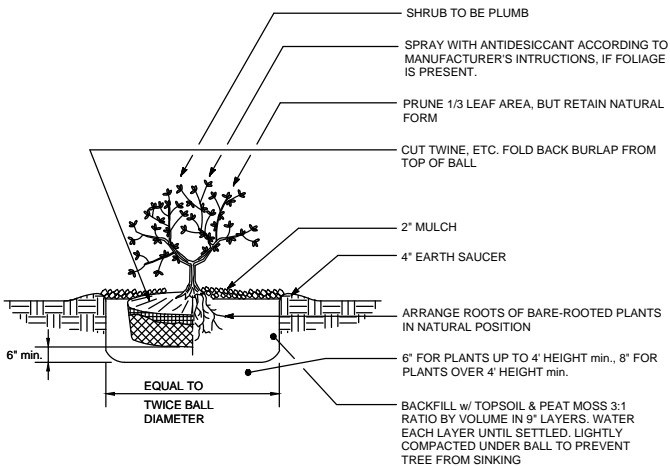
LANDSCAPE PLANTING SCHEDULE												
	Count within CA Buffer	Count not in Buffer	SYMBOL	COMMON	BOTANICAL	FORM	CAM-POINTS	SIZE	ROOT	HEIGHT	SPREAD	CAM POINTS
		3	BN	RIVER BIRCH	Betula Nigra	Canopy Tree	200	2" Caliper	Ball & Burlap	40ft	25ft	0
		2	QP	WILLOW OAK	Quercus Phello	Canopy Tree	200	2" Caliper	Ball & Burlap	40ft	25ft	0
		3	AR	SUNSET RED MAPLE	Acer Rubrum - Franksred	Canopy Tree	200	2" Caliper	Ball & Burlap	30ft	20ft	0
		5	MG	LITTLE GEM MAGNOLIA	Magnolia Grandiflora	Understory Tree	100	3/4" Caliper	Container	15ft	8-10ft	0
		12	AP	RED DRAGON JAPANESE MAPLE	Acer Palmatum	Understory Tree	100	3/4" Caliper	Container	6ft	6ft	0
		36	LI	CREPE MYRTLE	Ligerstroemia Indica	Understory Tree	100	3/4" Caliper	Container	12ft	8-10ft	0
		47	BB	NORTHERN BAYBERRY	Myrica Pensylvanica	Large Shrub	75	3 Gallon	Container	5ft-10ft	5ft-10ft	0
		17	KL	MOUNTAIN LAUREL	Kalmia Latifolia	Large Shrub	75	3 Gallon	Container	5ft-8ft	5ft-8ft	0
		19	IV	VIRGINIA SWEETSPIRE	Itea Virginica	Large Shrub	75	3 Gallon	Container	5ft-8ft	5ft-8ft	0
		13	CA	SILKY DOGWOOD	Cornus Amomum	Large Shrub	75	3 Gallon	Container	5ft-8ft	5ft-8ft	0
		10	HP	LIMELIGHT HYDRANGEA	Hydrangea Paniculata	Large Shrub	75	3 Gallon	Container	5ft-6ft	5ft-10ft	0
		11	HD	ST JOHN'S WORT	Hypericum Densifolium	Small Shrub	25	1 Gallon	Container			0
		9	HI	ST JOHN'S WORT - ALBURY PURPLE	Hypericum Inodorum	Small Shrub	25	1 Gallon	Container			0
			CC	LEMON GRASS	Cymbopogon Citratus	Small Shrub	25	1 Gallon	Container			0
		11	HG	RHODODENDRON HARDY GARDENIA	Rhododendrun Hardy Gardenia	Small Shrub	25	1 Gallon	Container			0
		9	AK	AZALEA JAPONICA - JOHANNA	Azalea Kaempferi	Small Shrub	25	1 Gallon	Container			0
		14	MS	MASCANTHUS	Sinensis Adajio	Plant	2	1 Quart	Container	24in-36in	----	0
Total	0	221						TOTAL CRITICAL AREA MITIGATION POINTS				0



LANDSCAPING PLAN  
SCALE: 1" = 30'-0"



DECIDUOUS TREE PLANTING DETAILS  
NOT TO SCALE :



SHRUB PLANTING REQUIREMENTS  
NOT TO SCALE :

REVISIONS		REMARKS
NO.	DATE	

CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR REVIEWED BY A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND

JOHN P. KESSLER, P.E. 13961  
EXPIRATION DATE: 8/1/2026

ARCHITECTURE  
ENGINEERING  
INCORPORATED

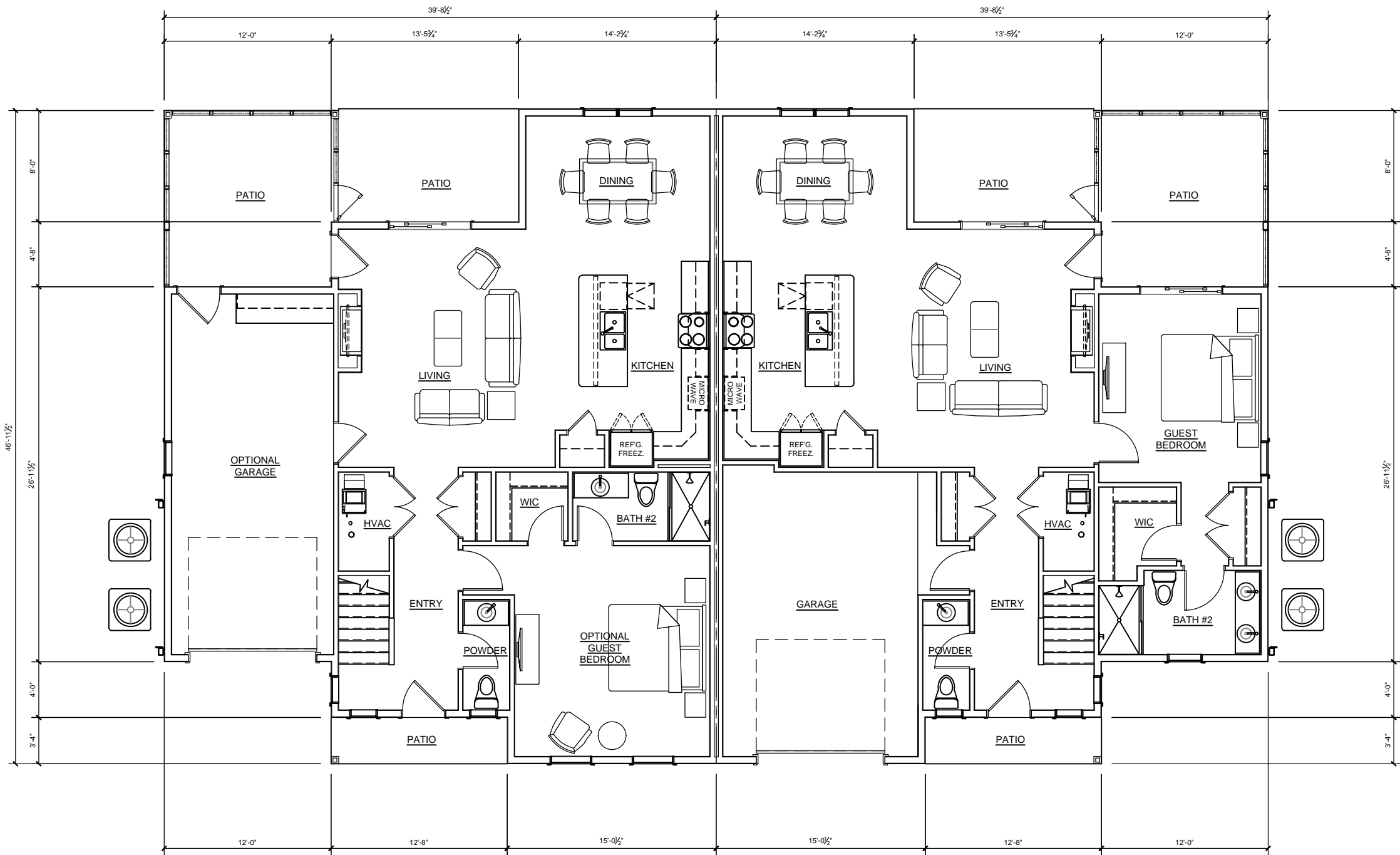
**JOIT**

310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND  
(410) 749-7229 • FAX (410) 749-0001

RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT (FKA SHADYSIDE)  
TAX MAP 26, PARCEL 157  
WORCESTER COUNTY, MARYLAND

LANDSCAPING PLAN

DATE: JULY 10, 2025
JOIT PROJ. NO.: 19-055B
DESIGN BY: KI
DRAWN BY: RE
SCALE: AS NOTED
STEP TWO P.C. APPROVAL
DWG. FILE: 19-055B-L200



FIRST FLOOR PLAN - FOUR BEDROOM UNIT  
SCALE: 1/4" = 1'-0"

REVISIONS	
NO.	DATE

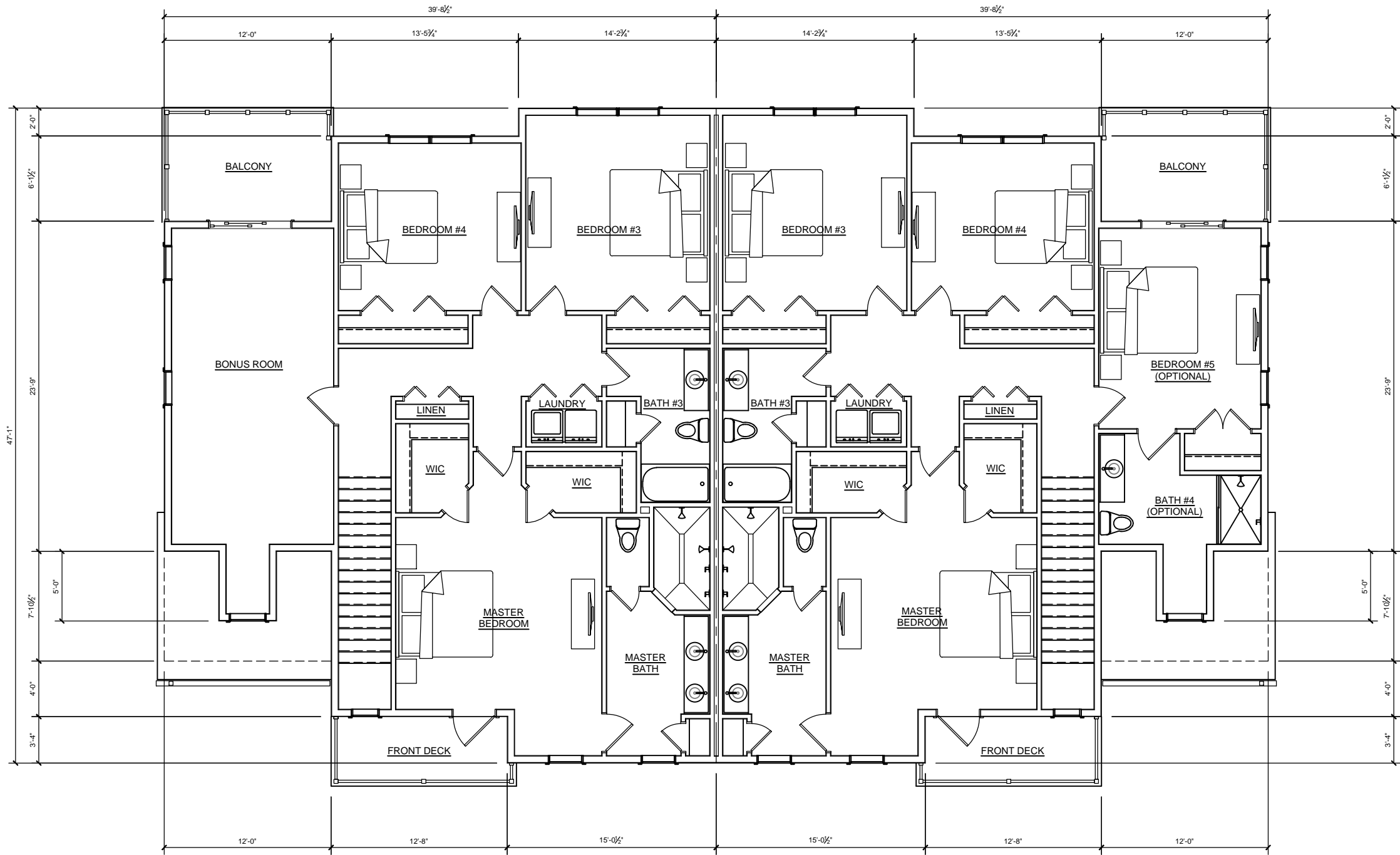
I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR DESIGNED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED ARCHITECT, LICENSED PROFESSIONAL ENGINEER, OR LANDSCAPE ARCHITECT OF THE STATE OF MARYLAND.

ARCHITECT  
ENGINEERING  
INCORPORATED  
310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND  
(410) 749-7229 • FAX (410) 749-0001

RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT  
TAX MAP 26, PARCEL 157  
WORCESTER COUNTY, MARYLAND

FIRST FLOOR PLAN - FOUR BEDROOM UNIT

DATE: JULY 10, 2025
LOTT PROJ. NO.: 19-055B
DESIGN BY: KI
DRAWN BY: M.S.
SCALE: 1/4" = 1'-0"
STEP TWO P.C. APPROVAL
DWG. FILE: 19-055B-A100

SECOND FLOOR PLAN - FOUR BEDROOM UNIT  
SCALE: 1/4" = 1'-0"

REVISIONS	
NO.	DATE

CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR DESIGNED BY A LICENSED ARCHITECT, LICENSED ENGINEER OR LANDSCAPE ARCHITECT OF THE STATE OF MARYLAND.

ARCHITECT: JAMES M. BERRY  
EXPIRATION DATE: 3/25/2025

LOTT

ARCHITECTURE  
ENGINEERING  
INCORPORATED  
310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND  
(410) 749-7229 • FAX (410) 749-0001

RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT  
TAX MAP 26, PARCEL 157  
WORCESTER COUNTY, MARYLAND

SECOND FLOOR PLAN - FOUR BEDROOM UNIT

DATE: JULY 10, 2025
LOTT PROJ. NO.: 19-055B
DESIGN BY: KI
DRAWN BY: M.S.
SCALE: 1/4" = 1'-0"
STEP TWO P.C. APPROVAL
DWG. FILE: 19-055B-A100





LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

ELEVATION KEYNOTE LEGEND

- |    |   |
|----|---|
| 1  | ARCHITECTURAL FIBERGLASS/ASPHALT SHINGLE<br>ROOF OVER 30# ROOF FELT AND OSB SHEATHING |
| 2  | PREFINISHED ALUMINUM GUTTER AND<br>DOWNSPOUT  |
| 3  | PREFINISHED ALUMINUM FASCIA   |
| 4  | 1 x 4 FRIEZE BOARD BELOW RAKE BOARD   |
| 5  | HORIZONTAL VINYL SIDING   |
| 6  | VERTICAL VINYL SIDING   |
| 7  | 1 x 4 COMPOSITE TRIM CASING AROUND<br>WINDOWS & DOORS                                 |
| 8  | VINYL CORNER TRIM BY SIDING MANUFACTURER  |
| 9  | COMPOSITE WRAPPED COLUMN WITH BASE<br>OVER TREATED POST                               |
| 10 | 1 x 6 COMPOSITE TRANSITION BAND WITH<br>FLASHING CAP                                  |
| 11 | VINYL CASEMENT PICTURE WINDOW   |
| 12 | 24 x 30 VINYL OR PVC LOUVER   |
| 13 | 3/4 x 8 AZEK SKIRTBOARD   |
| 14 | VINYL DOUBLE-HUNG WINDOW  |
| 15 | BRICK WAINSCOT  |
| 16 | FIBERGLASS ENTRY DOOR AND TRANSOM   |
| 17 | VINYL SLIDING GLAZED PATIO DOOR   |
| 18 | INSULATED METAL GARAGE DOOR   |
| 19 | VINYL SLIDING WINDOW  |

REVISIONS

NO.	DATE	REMARKS

I CERTIFY THAT THESE  
DOCUMENTS WERE PREPARED OR  
DESIGNED BY A LICENSED ARCHITECT,  
ENGINEER, LANDSCAPE ARCHITECT,  
OR SURVEYOR OF THE STATE  
OF MARYLAND.

JOHN P. ST. JOHN, P.E.  
EXPIRATION DATE: 3/25/2026

ARCHITECTURE  
ENGINEERING  
INCORPORATED

310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND  
(410) 749-7229 • FAX (410) 749-0001

RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT  
TAX MAP 26, PARCEL 157  
WORCESTER COUNTY, MARYLAND

FRONT AND LEFT SIDE ELEVATIONS

DATE: JULY 10, 2025  
LOTT PROJ. NO.: 19-055B  
DESIGN BY: KI  
DRAWN BY: M.S.  
SCALE: 1/4" = 1'-0"  
STEP TWO P.C. APPROVAL  
DWG. FILE: 19-055B-A300

A  
300



RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



REAR ELEVATION  
SCALE: 1/4" = 1'-0"

REVISIONS	
NO.	DATE

CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR DESIGNED BY A LICENSED ARCHITECT, LICENSED ENGINEER, OR LANDSCAPE ARCHITECT OF THE STATE OF MARYLAND.

JOHN P. ST. LOUIS, AIA, AIA 0007  
EXPIRATION DATE: 3/25/2025

ARCHITECTURE  
ENGINEERING  
INCORPORATED

310 HAMMOND ST. • SUITE 100 • SALISBURY, MARYLAND  
(410) 749-7229 • FAX (410) 749-0001

RESIDENTIAL PLANNED COMMUNITY  
CREPE MYRTLE COURT  
TAX MAP 26, PARCEL 157  
WORCESTER COUNTY, MARYLAND

REAR AND RIGHT SIDE ELEVATIONS

DATE: JULY 10, 2025
JOTT PROJ. NO.: 19-055B
DESIGN BY: KI
DRAWN BY: M.S.
SCALE: 1/4" = 1'-0"
STEP TWO P.C. APPROVAL
DWG. FILE: 19-055B-A300

COPY OF  
RESOLUTION NO. 25-13  
ESTABLISHMENT OF THE  
RESIDENTIAL PLANNED COMMUNITY  
FLOATING ZONE,  
APPLICANT STATEMENT, AND  
COMMENTS FROM THE  
TECHNICAL REVIEW COMMITTEE



RESOLUTION NO. 25-13

A RESOLUTION OF THE COUNTY COMMISSIONERS  
OF WORCESTER COUNTY, MARYLAND, PURSUANT  
TO SECTION ZS 1-315 OF THE ZONING AND SUBDIVISION  
CONTROL ARTICLE OF THE CODE OF PUBLIC LOCAL  
LAWS OF WORCESTER COUNTY, MARYLAND,  
ESTABLISHING A RESIDENTIAL PLANNED COMMUNITY  
FLOATING ZONE ON A CERTAIN PARCEL OF LAND SHOWN  
ON TAX MAP 26 PARCEL 157 KNOWN AS CREPE MYRTLE COURT RPC

WHEREAS, pursuant to Section ZS 1-315 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, Kathleen Clark, owner, has filed an application for the establishment of a Residential Planned Community (RPC) Floating Zone on approximately 4.82 acres of land shown on Tax Map 26 as Parcel 157, located on the southerly side of MD Route 707 (Old Bridge Road), west of Greenridge Lane, in the Tenth Tax District of Worcester County, said residential planned community designated as Crepe Myrtle Court RPC; and

WHEREAS, said application was referred to the Worcester County Planning Commission which gave the application a favorable recommendation during its review on February 6, 2025; and

WHEREAS, subsequent to a public hearing held on May 6, 2025, following due notice and all procedures as required by Sections ZS 1-315, 1-113, and ZS 1-114 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland, the County Commissioners made the finding that the establishment of a Residential Planned Community Floating Zone on the subject property would be compatible with the Worcester County Comprehensive Plan and the Worcester County Zoning and Subdivision Control Article.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, that the land partitioned by Kathleen Clark, shown on Tax Map 26 as Parcel 157, and consisting of approximately 4.82 acres of land, is hereby approved and established as a Residential Planned Community Floating Zone in accordance with the provisions of § ZS 1-315 of the Worcester County Zoning and Subdivision Control Article.

AND, BE IT FURTHER RESOLVED that the effective date of this Resolution shall be nunc pro tunc, May 6, 2025.

EXECUTED this 3rd day of June, 2025.

Attest:

Worcester County Commissioners



Weston S. Young  
Chief Administrative Officer



Theodore J. Elder  
President



Eric J. Fiori  
Vice President



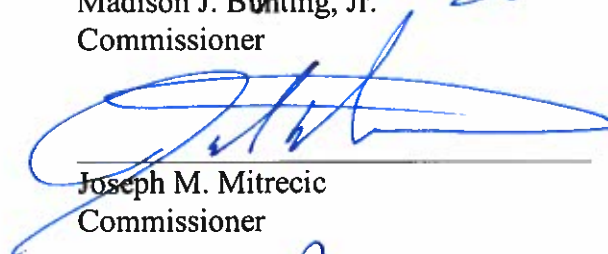
Caryn G. Abbott  
Commissioner



Anthony W. Bertino, Jr.  
Commissioner



Madison J. Bunting, Jr.  
Commissioner



Joseph M. Mitrecic  
Commissioner



Diana Purnell  
Commissioner



**CREPE MYRTLE COURT  
RESIDENTIAL PLANNED COMMUNITY**

TAX MAP 26, PARCEL 157 TENTH  
ELECTION DISTRICT  
WORCESTER COUNTY, MARYLAND

PHASE II Planning Commission  
Submission

July 11, 2025

Crepe Myrtle Court is a proposed Residential Planned Community (RPC) consisting of 25 residential units, twenty-four arranged in duplex configuration and one single-family configuration. The project includes associated parking, surface and garage enclosed. Active Recreational Areas will include a Children's Play Area, a Community Pool with associated toilet room and a Walking Trail to provide access to the adjacent Herring Creek. Passive Recreational Areas will include Walking Trails through the existing wooded area, and pedestrian access to the heavily planted Critical Areas mitigation buffer zone.

Crepe Myrtle Court will be structured as a condominium regime allowing for the sale of individual residential units. The private road will be named Crepe Myrtle Lane and will be owned and maintained by the condominium association.

The Crepe Myrtle Court RPC construction is anticipated to begin in the Fall of 2025 or Spring of 2026 depending on timing of final approvals and weather. The site infrastructure including all sewer, water services and roadways to base paving for the project will be constructed in one phase. The final paving will be after the project construction is completed.

For construction of the residential units, it is intended to begin on the easterly side of the project with Lot 1. Lot 1 will be used as a model home for on-site presence during the sales and marketing phase. The construction of residential units is intended to follow in sequence, but may need to be varied based on market demand. The sequence would be each duplex building at the same time starting with 6/7, then 2/3, 8/9, 4/5, 13/12, 14/15, 11/10, 16/17, 18/19, 20/21, 22/23 and finishing with 24/25.

Color schemes for the project will either be monotone by duplex building or throughout the project with accent colors being used for front doors.

The active recreation area would be provided after the 11/10 duplex is complete, and the pool area after the 16/17 duplex is complete. Adding the recreation areas at these times allows for enough owners to be in place to economically support the costs of those amenities with the association's dues. The project will include a four-foot wide sidewalk on the roadway's perimeter.





DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

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>

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

### WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE MEETING

July 9, 2025

**Project: Step II Master Plan Review –Crepe Myrtle Court Residential Planned Community (RPC).** Proposed construction of 25 Two-Family Dwelling Units and one (1) single family dwelling. Located on the southerly side of MD Rt. 707 (Old Bridge Road) west of Keyser Point Road, Tax Map 26, Parcel 157, Tax District 10, R-4 General Residential District, Kathleen Schardt C/O Kathleen Marie Clark, owner/ Iott Architecture & Engineering, Inc., engineer.

**Prepared by:** Ben Zito, DRP Specialist

**Contact:** [bmzito@worcestermd.gov](mailto:bmzito@worcestermd.gov) or (410) 632-1200, extension 1134

**The Technical Review Committee shall consider the items listed below. The Technical Review Committee Report is required to be prepared within 90 days of the review for an upcoming Planning Commission meeting.**

- (i) The plans for the development fulfill the goals and objectives and comply with the recommendations of the Comprehensive Plan and are compatible with and complement the character and nature of existing and anticipated development in the vicinity of the proposed development.
- (ii) The design of the development will, as its first priority, protect to the greatest extent feasible existing forested areas and greenways, floodplains, the Critical Area, where applicable, tidal and nontidal wetlands, sensitive areas or special habitats, and source water and aquifer recharge areas.
- (iii) The residential planned community's design lends itself to a clustered, pedestrian scaled development, providing mixed uses where appropriate, and is in keeping with the scale, layout, uses, architectural style and landscape design of existing County towns and villages and blends the natural and built environments.
- (iv) The residential planned community's design minimizes impervious surfaces and the consumption of vacant lands while maximizing open space.
- (v) The project's layout and design promote street, trail and sidewalk connectivity within the project and to and through adjoining properties and neighborhoods.

- (vi) The types and extent of uses and structures in the project will not adversely affect the future development or value of undeveloped neighboring areas or the use, maintenance and value of neighboring areas already developed.
- (vii) The development will secure for the residents of the County a development which is consistent with the Comprehensive Plan and which is compatible with and complementary to established development in the County.

**Project Specific Comments:** This project is subject to, but not limited to, the following sections of the Zoning and Subdivision Control Article:

<b>§ZS1-208</b>	R-4 General Residential District
<b>§ZS1-305</b>	Lot Requirements Generally
<b>§ZS1-306</b>	Access to Structures
<b>§ZS1-312</b>	Two-family and Multi-family Development
<b>§ZS1-315</b>	RPC Residential Planned Communities
<b>§ZS1-319</b>	Access and Traffic Circulation Requirements
<b>§ZS1-320</b>	Off-Street Parking Areas
<b>§ZS1-321</b>	Off-Street Loading Spaces
<b>§ZS1-322</b>	Landscaping and Buffering Requirements
<b>§ZS1-323</b>	Exterior Lighting
<b>§ZS1-324</b>	Signs
<b>§ZS1-325</b>	Site Plan Review
<b>§ZS1-326</b>	Classification of Highways

\*The proposed project is also subject to the *Design Guidelines and Standards for Commercial Uses* as revised and adopted on January 17, 2017. Under Section 2 of the Design Guidelines, the Planning Commission is able to grant a waiver to the requirements contained within, as long as the applicant can meet the provisions described. Please keep in mind that if a similar standard is listed in the Zoning Code and does not allow for a waiver, that standard cannot be waived. “These guidelines and standards apply to all projects other than multi-family and townhouse development which are subject to site plan review under ZS1-325 of the Zoning and Subdivision Control Article and which cumulatively total ten thousand square feet in gross floor area or more.” – Page 5 of Design Guidelines and Standards. Multi-family is defined by the Zoning Ordinance as a building containing three (3) or more dwellings. <https://ecode360.com/14018289>

**\*Please provide a detailed listing of all site plan changes along with any resubmission.**

### **Site Plan and General Comments:**

- (1) The lot requirements shall be set by the Planning Commission during their review and approval of the Step II Master Plan. The proposed setbacks are as follows:

Lot Requirement	Proposed
Front Yard Setback (Collector Highway)	75 feet (from centerline of road right-of-way)
Side Yard Setback	15 feet
Rear Yard Setback	100 feet

- (2) Please revise the density calculations on Sheet C200 to 25 units, and 5.18 units per acre.
- (3) Please revise the passive recreation percentage calculation provided from 28% to 21%.
- (4) The proposed pool at active recreation area # 2 will require approval from the Worcester County Health Department. Please reach out to Ryan Hayward for more information.
- (5) Please demarcate the 10'x 20' outdoor parking spaces for each unit.
- (6) Please demarcate which 13 additional parking spaces will be pervious pavement.
- (7) Please add a landscaped buffer along the east side property line adjacent to the residentially zoned properties. §ZS1-322(e)(5)(A)(2). <https://ecode360.com/14021125>. "Buffering" is defined as concentrated landscaping shall be provided to diminish the visual and physical impacts of the use or structure, both on the site and from adjacent properties. Landscaping may be a mix of trees, shrubs and other vegetation and of such density that the view, while not obscured, is diffused. §ZS1-322(e)(2). <https://ecode360.com/14021106>.
- (8) A maintenance and replacement bond for required landscaping is mandatory for a period not to exceed two (2) years in an amount not to exceed one hundred and twenty-five percent (125%) of the installation cost. A landscape estimate for a nursery will be required to be provided at permit stage to accurately determine the bond amount. §ZS1-322(g). <https://ecode360.com/14021139>.
- (9) An additional zoning permit for all site improvements including but not limited to the model's ADA parking, any additional parking spaces, signage, recreation areas and landscaping will be needed at the time of building permits.
- (10) Please also provide a detailed time schedule for the implementation and construction of the development, and if appropriate, a plan for phasing the construction of the residential planned community, showing the general geographical coverage of future plats or plans, their approximate sequence of submission, each of which must meet pertinent requirements either on their own or in conjunction with prior phases. <https://ecode360.com/14020791>.



### **Next Steps for Step II Master Plan Approval. §ZS1-315(k)(2)**

- 1) The Technical Review Committee shall, within ninety days after the submission of a complete application, submit its written findings and recommendation to the Planning Commission. In the review of the application, the Technical Review Committee and, subsequently, the Planning Commission shall be guided by the standards set forth in this Title and principles of good planning and shall also give consideration to whether:
  - (i)** The plans for the development fulfill the goals and objectives and comply with the recommendations of the Comprehensive Plan and are compatible with and complement the character and nature of existing and anticipated development in the vicinity of the proposed development.
  - (ii)** The design of the development will, as its first priority, protect to the greatest extent feasible existing forested areas and greenways, floodplains, the Critical Area, where applicable, tidal and nontidal wetlands, sensitive areas or special habitats, and source water and aquifer recharge areas.
  - (iii)** The residential planned community's design lends itself to a clustered, pedestrian scaled development, providing mixed uses where appropriate, and is in keeping with the scale, layout, uses, architectural style and landscape design of existing County towns and villages and blends the natural and built environments.
  - (iv)** The residential planned community's design minimizes impervious surfaces and the consumption of vacant lands while maximizing open space.
  - (v)** The project's layout and design promote street, trail and sidewalk connectivity within the project and to and through adjoining properties and neighborhoods.
  - (vi)** The types and extent of uses and structures in the project will not adversely affect the future development or value of undeveloped neighboring areas or the use, maintenance and value of neighboring areas already developed.
  - (vii)** The development will secure for the residents of the County a development which is consistent with the Comprehensive Plan and which is compatible with and complementary to established development in the County.
- 2) The Planning Commission will meet with the applicant and review the Step II master plan, any associated documents and the Technical Review Committee's recommendations. In its review, the Planning Commission is empowered to request any changes or additional information that it may deem necessary. Following its review, the Planning Commission shall either approve or disapprove the application. In the case of disapproval, the Planning Commission shall present the applicant with a written report of its findings, including the reasons for disapproval. In the case of approval, the Planning Commission may attach conditions concurrent with the approval of the residential planned community and impose time limits on the development.
- 3) Substantial modification of the plan, as determined by the Department, may only be processed as a new Step II master plan in accordance with the provisions hereof and shall require Planning Commission review and action. Any significant modification to the detailed time schedule will require Planning Commission approval upon a showing of reasonable cause by the developer

filed in writing. Minor modifications to the Step II master plan may be approved by the Department when limited to the layout, road alignment, landscaping, and stormwater management. Other amendments to the Step II approval and any conditions which may be imposed thereon may be granted by the Planning Commission upon the request of the applicant. Changes in the density or bulk of the residential planned community's structures may only be approved by the County Commissioners as an amendment to the approved Step I concept plan after a duly advertised public hearing where they determine the change to be of such significance that a public hearing is necessary.

- 4) Failure to comply with the conditions and regulations as herein established and as specifically made applicable to a particular project may be cause for cancellation of the approval for said project.
- 5) All approvals shall be in writing. An applicant may withdraw an application for a residential planned community at any time within sixty days after Step II master plan approval. In the event of withdrawal, the Step I concept plan and Step II master plan approvals shall be rendered null and void.
- 6) Step III implementation plan approval must be obtained within three years from the date of the Step II master plan approval or the Step I concept plan and Step II master plan approvals shall automatically expire. Provided that a request for extension is made in writing no less than sixty days prior to the expiration, the Planning Commission may grant a single one-year extension to the Step II master plan approval. For the purposes of this subsection, Step III implementation plan approval shall be construed to be obtaining the approval of final plats or site plans, as appropriate, for no less than twenty percent of the residential units or residential lots in the residential planned community.
- 7) The Department shall delineate and designate approved residential planned communities on the Official County Zoning Maps for informational and reference purposes.



**Worcester County**  
Department of Environmental Programs  
Environmental Programs Division

## Memorandum

---

**To:** Technical Review Committee (TRC) for a July 9, 2025 Meeting

**From:** Environmental Programs Staff

**Subject:** **RPC Step II Review: Crepe Myrtle Court – proposed 25-unit residential development  
Tax Map 26, Parcel 157**

**Date:** July 7, 2025

---

Environmental Programs comments are based on the plans submitted. These comments are subject to change every time a change is made to the plans that affect water and/or sewage for this site.

1. Environmental Programs requires a \$200 fee for any Technical Review Committee projects submitted that contain 6 lots or more on public water & sewer. This fee will need to be submitted prior to Signature Approval being given on this project.
2. All fees associated with water & sewer EDUs must be paid prior to building permits & stormwater permits being signed.
3. Plumbing permits will also need to be obtained for the interior work for each residence and a separate one for the site utility work will also be required.
4. Lawn irrigation systems must have backflow prevention installed and permitted under the plumbing permit pulled by a Master Plumber.
5. Plumbing Code is the 2021 International Plumbing Code (IPC) Illustrated (National). The Gas Code is the 2021 International Fuel Gas Code (IFGC), for natural gas.

**Citizens and Government Working Together**





GOVERNMENT CENTER

ONE WEST MARKET STREET, ROOM 1302

SNOW HILL, MARYLAND 21863-1294

TEL: 410-632-5666

FAX: 410-632-5664

---

## TECHNICAL REVIEW COMMITTEE COMMENTS

---

PROJECT: **Crepe Myrtle Court**

TRC #: **20250260**

LOCATION: **Tax Map 26, Parcel 157, South side of MD route 707 west of Greenridge Lane**

CONTACT: **New England Dev Inc**

MEETING DATE: **June 11, 2025**

COMMENTS BY: **Robert Korb, Jr.**

**Chief Deputy Fire Marshal**

---

As you requested, this office has reviewed plans for the above project. Construction shall be in accordance with applicable Worcester County and State of Maryland fire codes. This review is based upon information contained in the submitted TRC plans only, and does not cover unsatisfactory conditions resulting from errors, omissions, or failure to clearly indicate conditions. A full plan review by this office is required prior to the issuance of a building permit. The following comments are noted from a fire protection and life safety standpoint.

### **Scope of Project:**

Site development consisting of a 25 unit residential development.

### **General Comments**

1. Fire hydrants shall be located within 3 ft. of curb line. Placement of fire hydrants shall be coordinated with this office prior to installation.
2. Obstructions shall not be placed or kept near fire hydrants, fire department inlet connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately visible and accessible.
3. All underground water mains and hydrants **shall be installed, completed, and in service** prior to construction work or as soon as combustible material accumulates, whichever comes first. A stop work order will be issued if fire hydrants are not in service prior to construction work start.
4. Fire Lanes shall be provided at the start of a project and shall be maintained throughout construction. Fire lanes shall be not less than 20 ft. in unobstructed width, able to withstand live loads of fire apparatus, and have a minimum of 13 ft. 6 in. of vertical clearance. Fire lane access roadways must be established prior to construction start of any structure in the project.

Failure to maintain roadways throughout the project will be grounds to issue stop work orders until the roadway access is corrected.

5. Coordinate 9-1-1 addressing with Worcester County Department of Emergency Services (410) 632-1311.

### **Specific Comments**

1. The proposed homes shall be protected by an automatic sprinkler system. Plans shall be submitted and approved by this office prior to the installation of such system.
2. The turning radius shall meet the most restrictive Ocean City Fire Department apparatus turning radius which is 33 feet inside and 55 feet outside. Approved turnarounds or cul-de-sacs shall be provided on roadways exceeding 150 ft. in length.
3. All fire hydrant locations shall be approved by this office.
4. A complete set of building plans shall be submitted and approved prior to the start of construction.
5. No further comments at this time.





## Worcester County

Department of Environmental Programs  
Natural Resources Division

### Memorandum

---

**To:** Technical Review Committee

**From:** David Mathers, Natural Resources Planner IV *DM*

**Subject:** Forest Conservation Review

**Date:** June 26, 2025

**Date of Meeting:** July 9, 2025

**Project:** Crepe Myrtle Court

**Location:** Old Bridge Road, Tax Map: 26, Parcel: 157

**Owner/Developer:** Kathleen Clark

**Surveyor/Engineer:** Iott Architecture

---

**This project is not required to comply with the Worcester County Forest Conservation Law.** This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

**Citizens and Government Working Together**



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>

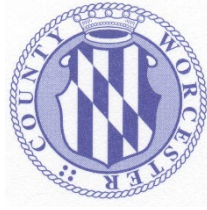
ZONING DIVISION  
BUILDING DIVISION  
LIQUOR LICENSE DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICES DIVISION

To: Ben Zito, DRP Specialist  
From: Kelly Henry, Technical Services Division Manager  
Date: June 16, 2025  
RE: Crepe Myrtle Court

\*\*\*\*\*

The site plan indicates the street / driveway is a loop and does not show any indication to extend and/or continue the street / driveway to the adjoining parcels. If that is the case, I suggest simply calling the street / driveway Crepe Myrtle Lane / Circle / Loop. The road type would be dictated by whether the road is public, approved private or private. Each duplex unit will be assigned a unique street number.



**Worcester County**  
Department of Environmental Programs  
Natural Resources Division

## Memorandum

---

**To:** Technical Review Committee

**From:** Brian Soper, Natural Resources Administrator *BS*

**Subject:** July 9, 2025 – Technical Review Committee Meeting

**Date:** July 3, 2025

---

**Crepe Myrtle Court (Previously Shadyside) – Residential Planned Community – Step II - Proposed 25-unit residential development. Located on the south side of MD Route 707(Old Bridge Road), west of Greenridge Lane, Tax Map 26 Parcel 157, Tax District 10, R-4 General Residential District, Kathleen Clark, owner/developer - Iott Architecture, surveyor/engineer.**

### **Critical Area:**

This project is located in the Atlantic Coastal Bays Critical Area (ACBCA) program boundary designated Intensely Developed Area (IDA) with a 100' buffer. Please see the following comments:

1. This project meets the requirement for the Maryland Critical Area Commission Project Notification parameters; the Critical Area Report, 10% rule compliance details, and all other pertinent documents when submitted will be forwarded to Commission Staff for review and comment.
2. Please submit the Critical Area review fee of \$366.75 for Step II. Additional review fees will be collected at each step of the RPC process. The fee for Step I has been paid.

### **Storm Water Management & Erosion and Sediment Control:**

**Storm Water Management & Erosion and Sediment Control:**

**Citizens and Government Working Together**



Stormwater Management Concept Plan has been approved.

General Provisions:

- All Erosion and Sediment controls should comply with the 2011 Maryland Standards and Specifications for Erosion and Sediment Control.
- All Storm water Management practices shall be designed to meet the requirements of the 2007 Maryland Storm water Management Act.
- All projects over one (1) acre shall be required to file for a General Permit / Notice of Intent (NOI) for construction activity through Maryland Department of Environment. This is mandated through the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES). Any permits to be issued by Worcester County for disturbance that exceeds one acre will not be issued without NOI authorization being obtained prior to.

cc: File.  
Joy Birch, NR Planner III (via email).  
Kristen Tremblay, Zoning Administrator (via email).

**WORCESTER COUNTY  
DEPARTMENT OF PUBLIC WORKS  
INTEROFFICE MEMORANDUM**

---

**TO:** Kristen M. Tremblay, AICP  
Zoning Administrator  
**FROM:** Christopher S. Clasing, P.E., Deputy Director  
**DATE:** May 21, 2025  
**SUBJECT:** TRC Meeting – June 2025 –Roads & Water/Wastewater Comments

---

1. WO27 – Solar Project 9251 Peerless Rd
  - a. Water and Wastewater Division has no comments as it is outside our water and wastewater service area.
  - b. A commercial entrance and bond will be required by the Roads Division for this project. Please add the commercial entrance detail to the plans.
2. WO60 – Solar Project 9223 Peerless Rd
  - a. No comments from DPW Roads and Water & Wastewater Divisions.
3. Snow Hill Property, LLC – 12004 Ocean Gateway
  - a. No comments from DPW Roads and Water & Wastewater Divisions.
4. Pocomoke Storage, LLC – 1757 Worcester Highway
  - a. No comments from DPW Roads and Water & Wastewater Divisions.
5. Lighthouse Business Park – 13203 Handy Lane
  - a. No comments from DPW Roads and Water & Wastewater Divisions.
6. Crepe Myrtle Court – MD707 Old Bridge Rd
  - a. Utility plans need to be submitted to Water and Wastewater office for further review.
  - b. Water and sewer profiles need to be added to the plans.
  - c. Sheet C-600, is missing building numbers and please include hatching for driveway/paved areas.
    - i. Please show a 10' Worcester County Utility Easement capturing the water/sewer mains, cleanouts, and meter pits. Please relocate any structures, bike racks, or street lights outside of this 10' utility easement.
  - d. No comments from the DPW Roads Division.

cc: Tony Fascelli, W/WW Superintendent  
Kevin Lynch, Roads Superintendent

---

**RE: 6/11/25 TRC Transmittal - Crepe Myrtle Court RPC Step II Review**

---

**From** Jeffrey Fritts <JFritts@mdot.maryland.gov>

**Date** Tue 5/20/2025 2:22 PM

**To** Benjamin M. Zito <bmzito@worcestermd.gov>; Kristen Tremblay <ktremblay@worcestermd.gov>; Brian M. Soper <bmsoper@worcestermd.gov>; Cathy Zirkle <czirkle@worcestermd.gov>; Chris Clasing <cclasing@co.worcester.md.us>; Dallas Baker <dbaker@co.worcester.md.us>; Daniel Wilson <DWilson12@mdot.maryland.gov>; David M. Bradford <dbradford@worcestermd.gov>; David Mathers <dmathers@worcestermd.gov>; Gary Serman <gserman@co.worcester.md.us>; Gary R. Pusey <grpusey@worcestermd.gov>; Jennifer Keener <jkkeener@worcestermd.gov>; Jessica Wilson <jwilson@co.worcester.md.us>; Joy Birch <jbirch@worcestermd.gov>; Kevin Lynch <klynch@co.worcester.md.us>; Laurie Bew <lbew@worcestermd.gov>; Lisa Lawrence <llawrence@co.worcester.md.us>; Mmknight@comcast.net <Mmknight@comcast.net>; Matt Owens <mowens@worcestermd.gov>; Matthew Laick <mlaick@worcestermd.gov>

Ben,

Crepe Myrtle will require a commercial access permit from SHA District 1.



**Jeff Fritts**

Access Management

Regional Engineer

410.677.4039 **office**

443.397.5063 **mobile**

[Jfritts@mdot.maryland.gov](mailto:Jfritts@mdot.maryland.gov)

**Maryland Department of Transportation**

660 West Road, Salisbury, MD 21801

---

**From:** Benjamin M. Zito <bmzito@worcestermd.gov>

**Sent:** Monday, May 19, 2025 8:14 AM

**To:** Kristen Tremblay <ktremblay@worcestermd.gov>; Brian M. Soper <bmsoper@worcestermd.gov>; Cathy Zirkle <czirkle@worcestermd.gov>; Chris Clasing <cclasing@co.worcester.md.us>; Dallas Baker <dbaker@co.worcester.md.us>; Daniel Wilson <DWilson12@mdot.maryland.gov>; David M. Bradford <dbradford@worcestermd.gov>; David Mathers <dmathers@worcestermd.gov>; Gary Serman <gserman@co.worcester.md.us>; Gary R. Pusey <grpusey@worcestermd.gov>; Jeffrey Fritts <JFritts@mdot.maryland.gov>; Jennifer Keener <jkkeener@worcestermd.gov>; Jessica Wilson <jwilson@co.worcester.md.us>; Joy Birch <jbirch@worcestermd.gov>; Kevin Lynch <klynch@co.worcester.md.us>; Laurie Bew <lbew@worcestermd.gov>; Lisa Lawrence <llawrence@co.worcester.md.us>; Mmknight@comcast.net; Matt Owens <mowens@worcestermd.gov>; Matthew Laick <mlaick@worcestermd.gov>; Paul Miller <pmiller@worcestermd.gov>; Robert Korb Jr. <rkorb@worcestermd.gov>; Robert Mitchell <bmitchell@worcestermd.gov>; Stuart White <swhite@worcestermd.gov>; Tony Fascelli <tfascelli@co.worcester.md.us>; Kelly Henry <khenry@worcestermd.gov>

**Subject:** 6/11/25 TRC Transmittal - Crepe Myrtle Court RPC Step II Review



**Caution:** Suspicious? Double-check! This email is from an external source. If something seems unusual, even from someone you know, verify directly. Report concerns to [MDOTServiceDesk@mdot.maryland.gov](mailto:MDOTServiceDesk@mdot.maryland.gov) or 410-768-7181.

All,

Please see the attached site plan and transmittal for the Crepe Myrtle Court RPC Step II review that will be on the 6/11/25 TRC meeting.

I did not send a hard copy. Please let me know if you need one.

Thank you,

Ben Zito

DRP Specialist III

Dept. of Development, Review and Permitting

Worcester County Government

One West Market Street, Room 1201

Snow Hill, MD 21863

(410) 632-1200, ext. 1134

[bmzito@worcestermd.gov](mailto:bmzito@worcestermd.gov)

## **STAFF REPORT**

### **REZONING CASE NO. 451**

**PROPERTY OWNERS:** Richard and Elizabeth Smithson  
1053 Cape May Avenue  
Cape May, NJ 08204

**ATTORNEY:** Hugh Cropper, IV  
9927 Stephen Decatur Highway, F-12  
Ocean City, Maryland 21842

**TAX MAP/PARCEL INFO:** Tax Map 65, Parcel 48, Tax District 2

**SIZE:** The petitioned area consists of approximately 150 acres out of a 232.12-acre parcel.

**LOCATION:** Northerly side of MD Route 365 (Public Landing Road), Snow Hill, west of Outten Road.

**CURRENT USE OF PETITIONED AREA:** The petitioned area is under agricultural production and improved with a dwelling and accessory residential and agricultural structures.

**CURRENT ZONING CLASSIFICATION:** E-1 Estate District. The remaining lands are currently zoned RP Resource Protection District and are not the subject of the requested rezoning.

As defined in the Zoning Code, the intent of this district is to preserve the rural and estate character of low-density residential areas, particularly those located in environmentally sensitive or hazard-prone zones. This district is intended for large-lot residential development that maintains open space, minimizes environmental impact, and aligns with the County's vision for rural preservation. Due to the unique characteristics of these areas, including hurricane inundation risks and limited infrastructure capacity—development must be carefully managed. Design standards, landscaping, buffering, and site layout must be compatible with the natural landscape and community character. Urban-style or high-density development forms are strongly discouraged.

**REQUESTED ZONING CLASSIFICATION:** A-1 Agricultural District.

As defined in the Zoning Code, the intent of this district is to preserve, encourage, and protect the county's farms and forestry operations along with their economic productivity. It ensures that agricultural and forestry enterprises retain the necessary flexibility to adjust their production as economic conditions evolve. Furthermore, the district provides that there shall be no basis, under this title, for recourse against the effects of any normal farming or forestry operation permitted in this district, including but not limited to noise, odor, vibration, fumes, dust, or glare. Additionally, the district aims to protect the land base resources essential for the county's agricultural and forestry industries from the encroachment of incompatible uses.

**APPLICANT'S BASIS FOR REZONING:** The application indicates that there was a mistake made during the Comprehensive Rezoning on November 3, 2009, since the property was under a Deed of Conservation Easement with the State of Maryland that was recorded on June 26, 2009. The easement restricts the use of the property to limited residential and agricultural functions.

**ZONING HISTORY:** At the time zoning was first established in 1964, the petitioned area was given an A-1 Agricultural District classification, with a small portion near Outten Road zoned R-2 Suburban Residential District. The property also had C-1 Conservation District zoning along the creek. These zoning classifications were retained in the 1978 comprehensive rezoning. In the 1992 comprehensive rezoning, the petitioned area was given an E-1 Estate District zoning classification and retained C-1 Conservation District zoning along the creek. In 2009, the E-1 Estate District was retained, and the C-1 Conservation District was renamed to RP Resource Protection District. The E-1/RP boundary was modified to follow the existing woods line.

**SURROUNDING ZONING:** Adjoining properties to the west are zoned A-1 Agricultural and RP Resource Protection Districts; to the south E-1 Estate and V-1 Village Districts; to the east E-1 Estate and V-1 Village Districts; and to the north RP Resource Protection District.

**IN REGARD TO THE APPLICANT'S ARGUMENT FOR MISTAKE:** The applicant is arguing that a mistake was made on November 3, 2009, that supports a rezoning classification to A-1 Agricultural District. Staff notes that during the drafting of the initial zoning maps, the subject property received preliminary plat approval for a 37-lot single-family major cluster subdivision under the 1992 E-1 Estate District regulations (January 2007). Subsequently, construction plans for the subdivision were reviewed in December 2008. As Mr. Cropper references in his application, the Deed of Conservation Easement with the State of Maryland was recorded on June 26, 2009, subsequent to the initial public hearing held by the County Commissioners on the draft code and maps on June 2, 2009.

#### **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 a 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 Section 1-113(c)(3) of the Zoning Ordinance and as summarized at the end of this Staff Report.

According to Chapter 2 – Land Use of the Comprehensive Plan and the associated land use map, the petitioned area lies within the Agricultural Land Use Category. Regarding the Agricultural Land Use Category, the Comprehensive Plan states the following:

“The importance of agriculture to the county cannot be overstated. Its significance is economic, cultural, environmental, and aesthetic. Agriculture is simply the bedrock of the county's way of life. . . . The county must do all it can do to preserve farming as a viable industry. This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of



productive farms and forest shall be maintained for agricultural uses. . . . Residential and other conflicting land uses, although permitted, are discouraged. . . . Also as a general policy, the practice of not rezoning agricultural land for other uses should continue.”  
(Page 18)

Pertinent objectives cited in Chapter 2 – Land Use state the following:

2. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions.
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.
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.
19. Limit rural development to uses compatible with agriculture and forestry.
20. Direct new development in growth areas to planned communities.

(Pages 12 & 13)

Much of the surrounding area is also designated as “Agriculture” on the Land Use Plan; the only exceptions are an area designated “Village” to the east that recognizes existing residences along Public Landing Wharf Road and the surrounding roads; and land designated “Green Infrastructure” to the north along the tributary of Chincoteague Bay (Scarboro Creek).

In Chapter 3 – Natural Resources, pertinent objectives include:

3. Identify and protect environmentally sensitive areas.
5. Reduce imperviousness of existing and new development.
8. Conserve resources by reducing unnecessary consumption.
10. Establish sufficient buffers for sensitive areas.

(Page 33)

In Chapter 4 – Economy, the Plan notes that the agricultural industry, among others, “relies on the county’s natural resources and its rural and coastal character for their success” (page 58).

Pertinent objectives cited in the agriculture and forestry section of Chapter 4 – Economy state the following:

1. Work to preserve farming and increase its economic viability.
2. Provide for sufficient agricultural support services
3. Reduce farm area fragmentation through agricultural zoning permitting only minor subdivisions (five or less lots).
6. Review permitted land uses in the agricultural zone to ensure compatibility with agriculture as a quasi-industrial use.

(Pages 59 & 60)

“Preservation of farming is a key to the county’s rural character. Therefore, it is important to continue the “right to farm” policies and work to develop alternative income sources for farmers” (page 63).

Chapter 6 – Public Infrastructure acknowledges the county’s policy to have developers provide all on-site infrastructure relative to new development. In addition, “infrastructure costs should be borne by those who directly benefit; developers will remain responsible for the services required by new development” (Page 70). Sewer service is identified as “one of the county’s most powerful growth management tools” (Page 74).

Pertinent objectives cited in Chapter 6 – Public Infrastructure - General state the following:

2. Permit development to occur only as rapidly as services can be provided.
3. Ensure adequate public facilities are available to new development.
4. Require new development to “pay its way” by providing adequate public facilities to meet the infrastructure demands it creates. (Page 70)

**WATER AND WASTEWATER:** According to the attached response memo from Mr. Mitchell, the subject properties have a planning designation of S-6 (no planned service). The existing dwelling is served by private well and septic. The parcel has two additional residential septic reserve areas on record.

The primary soil types on the petitioned areas according to the Worcester County Soil Survey are KsA – Klej loamy sand; HbB – Hambrook sandy loam; and GaB – Galestown loamy sand. As illustrated on the attached soil map, the property contains predominantly well drained, moderately well drained, and somewhat excessively drained soils, with small pockets of poorly drained soils.

**EMERGENCY SERVICES:** Fire and ambulance service are available from the Snow Hill Volunteer Fire Company, located approximately 6.5 miles away. No comments were received from the fire company regarding this review. Police protection will be available from the Maryland State Police Barracks in Berlin, 21.8 miles away, and the Worcester County Sheriff's Office in Snow Hill, approximately 7.4 miles away. No comments were received from the Sheriff's Office or the Maryland State Police.

**ROADWAYS AND TRANSPORTATION:** The petitioned area has frontage on MD Route 365 (Public Landing Road), a State-owned and maintained minor collector highway.

No comments were received from the Maryland Department of Transportation State Highway Administration (MDOT SHA). Any future development will be required to be reviewed, approved and permitted by District 1 Access Management. No comments were received from the County Roads Division of the Department of Public Works.

**SCHOOLS:** The petitioned area is within Zone 4 of the Worcester County Public School Zones and is served by the following schools: Snow Hill Elementary, Snow Hill Middle, and Snow Hill High School. Chapter 6 – Public Infrastructure of the Comprehensive Plan calls for the county to conduct long-term planning for educational facilities. The 2024-2025 Educational Master Facilities Plan prepared by the Worcester County Board of Education states that the population of Snow Hill has remained relatively stable, which is reflected in the enrollment numbers. No comments were received from the Worcester County Board of Education (WCBOE).

**CHESAPEAKE/ATLANTIC COASTAL BAYS CRITICAL AREAS:** The petitioned area is partially located within the Atlantic Coastal Bays Critical Area with a designation of Resource Conservation Area (RCA). Comments from the State Critical Area Commission have been received. The letter states that they are not opposed to the requested rezoning, provided that any future development within the RCA is compliant with the Critical Area regulations.

**FOREST CONSERVATION LAW:** The portion of the petitioned area located outside of the Critical Area is subject to the Forest Conservation Law.

**DEED OF EASEMENT:** This parcel is subject to a deed of conservation easement that was recorded in the Land Records of Worcester County on June 26, 2009, held by the Maryland Department of Natural Resources (MD DNR). As described in Mr. Mitchell's memo, the easement was funded through Program Open Space and US Fish and Wildlife's National Coastal Wetlands Conservation Grant Program. He notes that the proposed rezoning would be consistent with the terms of the easement, as the property could not be developed as a major subdivision due to the easement and the fact that the subdivision was not grandfathered under the Sustainable Growth and Agricultural Preservation Act. Any proposed activities or new construction would require MD DNR approval under the terms of the easement. MD DNR (Forest Service) has supported the request.

**FLOOD ZONE:** The FIRM map (24047C0270H, effective July 16, 2015) indicates that the petitioned areas are located outside of the floodplain in Zone X (Area of Minimal Flood Hazard).



**PRIORITY FUNDING AREAS:** The petitioned area is not within a designated Priority Funding Area (PFA). The closest PFA is the village area surrounding Public Landing Wharf Road immediately to the east and south.

**INCORPORATED TOWNS:** The petitioned area is approximately five miles from the Town of Snow Hill.

**ADDITIONAL COMMENTS RECEIVED:** The following agencies submitted responses:

- Email from Will Dyer, DNR.
- Memo from Bob Mitchell, Director, Department of Environmental Programs
- Letter from Kathryn Hayden, Natural Resources Planner, Critical Area Commission

!!**IMPORTANT**!!

**THE PLANNING COMMISSION MUST MAKE FINDINGS OF FACT IN EACH SPECIFIC CASE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING MATTERS:**

1. Does the Planning Commission concur with the applicant's claim of a change in the character of the neighborhood or that there was a mistake in the existing zoning as of November 3, 2009?
2. Does the Planning Commission concur with the applicant's definition of the neighborhood? If not, how does the Planning Commission define the neighborhood? (Not applicable if request is based solely on a claim of mistake in existing zoning.)
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. Would a change in zoning be more desirable in terms of the objectives of the Comprehensive Plan?

**From:** [Will Dyer -DNR-](#)  
**To:** [Jennifer Keener](#)  
**Subject:** Re: Rezoning Case #451 – Smithson Memo  
**Date:** Tuesday, July 15, 2025 10:10:42 AM

---

Hi Jennifer,

I agree with and support the proposed rezoning to Ag use.

Thank you

On Tue, Jul 15, 2025 at 9:40 AM Jennifer Keener <[jkkeener@worcestermd.gov](mailto:jkkeener@worcestermd.gov)> wrote:

Good morning,

This is just a reminder that comments are due on this requested rezoning by the end of the day on **Friday, July 18, 2025**.

Thank you,

Jen

Jennifer K. Keener, AICP

Director

Dept. of Development, Review and Permitting

Worcester County Government

One West Market Street, Room 1201

Snow Hill, MD 21863

(410) 632-1200, ext. 1123

[jkkeener@worcestermd.gov](mailto:jkkeener@worcestermd.gov)

---

**From:** Maria McVey <[mmcvey@co.worcester.md.us](mailto:mmcvey@co.worcester.md.us)>

**Sent:** Wednesday, June 11, 2025 11:40 AM

**To:** Robert Mitchell <[bmitchell@worcestermd.gov](mailto:bmitchell@worcestermd.gov)>; Matt Owens <[mowens@worcestermd.gov](mailto:mowens@worcestermd.gov)>;



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 *hy*  
Director, Environmental Programs

**Subject:** EP Staff Comments on Rezoning Case No. 451  
Reclassify approximately 150 Acres of  
From E-1 Estate District to A-1 Agricultural District

**Date:** 7/16/25

---

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 ZS1-113(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 application argues that there was a mistake in the Comprehensive Rezoning that was approved by the County Commissioners on November 3, 2009. 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. The property has an Agricultural land use designation in the Land Use Map in the *Comprehensive Plan*. This land use designation is common in the general vicinity of the property, except for sensitive natural areas bordering this property containing wetlands and marsh areas which are not being actively farmed or otherwise disturbed and those lands carry a Green Infrastructure designation. Regarding the agricultural land use designation, according to Chapter 2 - Land Use of the *Comprehensive Plan*, the *Plan* states the following: “This category is reserved for farming, forestry and related industries with minimal residential and other incompatible uses permitted. Large contiguous areas of productive farms and forest shall be maintained for agricultural uses.” (Page 18) Some particularly relevant objectives cited in Chapter 2 - Land Use relatable to this application would include:
  - a. Continue the dominance of agriculture and forestry uses throughout the county’s less developed regions.
  - b. Regulate development to minimize consumption of land, while continuing the county’s rural and coastal character
  - c. Develop green infrastructure system.
  - d. Limit rural development to uses compatible with agriculture and forestry.(Pages 12-13)
2. The subject property has a designation of Sewer Service Category S-6 (*no Planned Service*). The existing dwelling is served by existing well and septic. There are two additional residential septic reserve areas for this property in addition to the existing system serving the dwelling. The property had received approval for thirty-three (33) building lots, which were mostly eliminated with the acceptance of a conservation easement.



3. The property is encumbered by a June 2009 Conservation easement funded through Program Open Space and US Fish and Wildlife's National Coastal Wetlands Conservation Grant Program. The proposed zoning reclassification to A-1 appears to be consistent with the terms of the easement and is considerably more consistent than an E-1 classification. This property cannot be developed as a major subdivision because of the acceptance of the conservation easement. Even if the easement were not present, a major subdivision would also be prohibited as the property was not grandfathered for a major subdivision consistent with the requirements under the state's Sustainable Growth and Agricultural Preservation Act.
4. We would note that a reclassification to A-1 zoning for the property doesn't mean the owners can enjoy any use that the zoning district might allow. In addition to review by county staff, any new activities proposed will also need to be reviewed by MD DNR. Since this is a conservation easement we do not hold at the local level, deference is given MD DNR on any related compliance reviews.
5. This proposed rezoning is located within the Atlantic Coastal Bays Critical Area (ACBCA). The parcel is partially designated as a Resource Conservation Area ("RCA").
6. All rezonings located wholly or partially within the Critical Area require a notification to be sent to the Critical Area Commission for comment. In the attached letter dated July 2, 2025, Kathryn Hayden stated the Commission is not opposed to the proposed rezoning. The Commission commented that future development and redevelopment will need to comply with RCA requirements.
7. We also comment that an A-1 zoning classification is not inconsistent with the requirements of the RCA as there are many other county properties located within the RCA with A-1 zoning.

If you have any questions regarding these comments, please do not hesitate to contact me.

Attachment

Wes Moore  
*Governor*  
Aruna Miller  
*Lt. Governor*



Erik Fisher  
*Chair*  
Nick Kelly  
*Executive Director*

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

July 2, 2025

Mr. Brian Soper  
Worcester County Department of Environmental Programs  
One West Market Street – Room 1306  
Snow Hill, Maryland 21863

Re: Smithson Rezoning

Dear Mr. Soper,

Thank you for submitting the above referenced rezoning to our office for review. The applicant is proposing to rezone approximately 128 acres in the Resource Conservation Area (RCA) from E-1 Estate District to A-1 Agriculture District. The petitioned area is located at 8145 Public Landing Road in Snow Hill Maryland (Tax Map 65 Parcel 48).

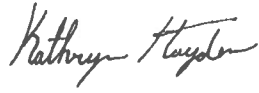
The property is 232.12 acres, of which, 128 acres is within the Critical Area on lands designated RCA. There is one dwelling unit on the property and portions of the property are actively farmed, growing corn, soybeans, wheat, and other crops. In June 2009, the entire property was subject to a Deed of Conservation Easement to the benefit of the State of Maryland Department of Natural Resources.

Our office is not opposed to this rezoning provided that any future development within the RCA meets the requirements for development in the RCA. These requirements include a lot coverage limit of 15%, limitations on tree clearing of 30% without the granting of a variance, and restrictions on density (1 dwelling per 20 acres). In addition to meeting the RCA requirements, future development will need to comply with Habitat Protection Area (HPA) requirements, including for nontidal wetlands and Forest Interior Dwelling Species (FIDS) habitat which appear to be located on site. Authorization from the Department of the Environment is required prior to any proposed impacts to regulated wetlands, including the wetland buffers. Development in FIDS habitat may require additional mitigation in accordance with COMAR 27.01.09 and the Critical Area Commission's [A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake Bay Critical Area](#). Please note that development for agricultural activities may follow development provisions within COMAR 27.01.06 provided that the applicant has an up-to-date Soil Conservation and Water Quality Plan with the Worcester County Soil Conservation District.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3479 or [kathryn.hayden@maryland.gov](mailto:kathryn.hayden@maryland.gov).

Smithson Rezoning  
Page 2 of 2

Sincerely,

A handwritten signature in cursive script, reading "Kathryn Hayden".

Kathryn Hayden  
Natural Resources Planner

File: WC 0163-25  
CC: Jennifer Esposito, Critical Area Commission





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: Robert Mitchell, Director, Worcester County Environmental Programs  
Matt Owens, Director, Worcester County Emergency Services & Fire Marshal  
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  
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  
Mark Crampton, District Engineer, Maryland State Highway Administration  
Rebecca L. Jones, Health Officer, Worcester County Health Department  
Will Dyer, Project Manager, Maryland Forest Service  
Anderson Spratt, District Conservationist, Worcester County NRCS  
Andrew Quillen, Snow Hill Volunteer Fire Department

FROM: Jennifer Keener, Director

DATE: June 12, 2025

RE: Rezoning Case No. 451– Tax Map 65, Parcel 48, located on the North side of Public Landing Road  
Snow Hill, MD (100 feet west of Outten Road), Richard S. Smithson and Elizabeth R. Smithson,  
Property Owners and Hugh Cropper, Attorney

\*\*\*\*\*

This application seeks to rezone approximately **150 acres** of land shown on Tax Map 65, Parcel 48, from **E-1 Estate District** to **A-1 Agricultural District**. The property is currently a working farm growing corn, soybeans, and wheat, among other crops, and is under a conservation easement held by the State of Maryland, Department of Natural Resources. 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 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. The Planning Commission must consider if: 1. There was a mistake made in assigning the property to an E-1 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, July 18, 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 E-1 Estate District** is to preserve the rural and estate character of low-density residential areas, particularly those located in environmentally sensitive or hazard-prone zones. This district is intended for large-lot residential development that maintains open space, minimizes environmental impact, and aligns with the County's vision for rural preservation. Due to the unique characteristics of these areas, including hurricane inundation risks and limited infrastructure capacity—development must be carefully managed. Design standards, landscaping, buffering, and site layout must be compatible with the natural landscape and community character. Urban-style or high-density development forms are strongly discouraged.

Permitted uses by right include single-family detached dwellings, limited agricultural activities, and certain community and recreational uses compatible with estate living. Special exception uses may include private clubs, schools, religious facilities, and similar low-impact community-oriented uses. For a full list of permitted and special exception uses in the E-1 District, please refer to the County Code here: [§ 267-41 - E-1 Estate District](#).

**The purpose and intent of the A-1 Agricultural District** is designed to preserve, encourage, and protect the county's farms and forestry operations along with their economic productivity. It ensures that agricultural and forestry enterprises retain the necessary flexibility to adjust their production as economic conditions evolve. Furthermore, the district provides that there shall be no basis, under this title, for recourse against the effects of any normal farming or forestry operation permitted in this district, including but not limited to noise, odor, vibration, fumes, dust, or glare. Additionally, the district aims to protect the land base resources essential for the county's agricultural and forestry industries from the encroachment of incompatible uses.

The A-1 Agricultural District allows uses such as crop production, livestock farming, forestry, single-family dwellings, roadside stands for local produce and seafood, and public/private conservation areas by right. Additionally, uses such as private noncommercial storage buildings, large and utility-scale solar energy systems, kennels, and sawmills are allowed by special exception. For a complete list of permitted and special exception uses, please refer to the following link: [§ ZS 1-201 – A-1 Agricultural District](#).

If you have any questions or require further information, please do not hesitate to reach me by phone at (410) 632-1200, ext. 1123 or via email at [jkkeener@worcestermd.gov](mailto:jkkeener@worcestermd.gov). On behalf of the Planning Commission, thank you for your attention to this matter.

Attachments

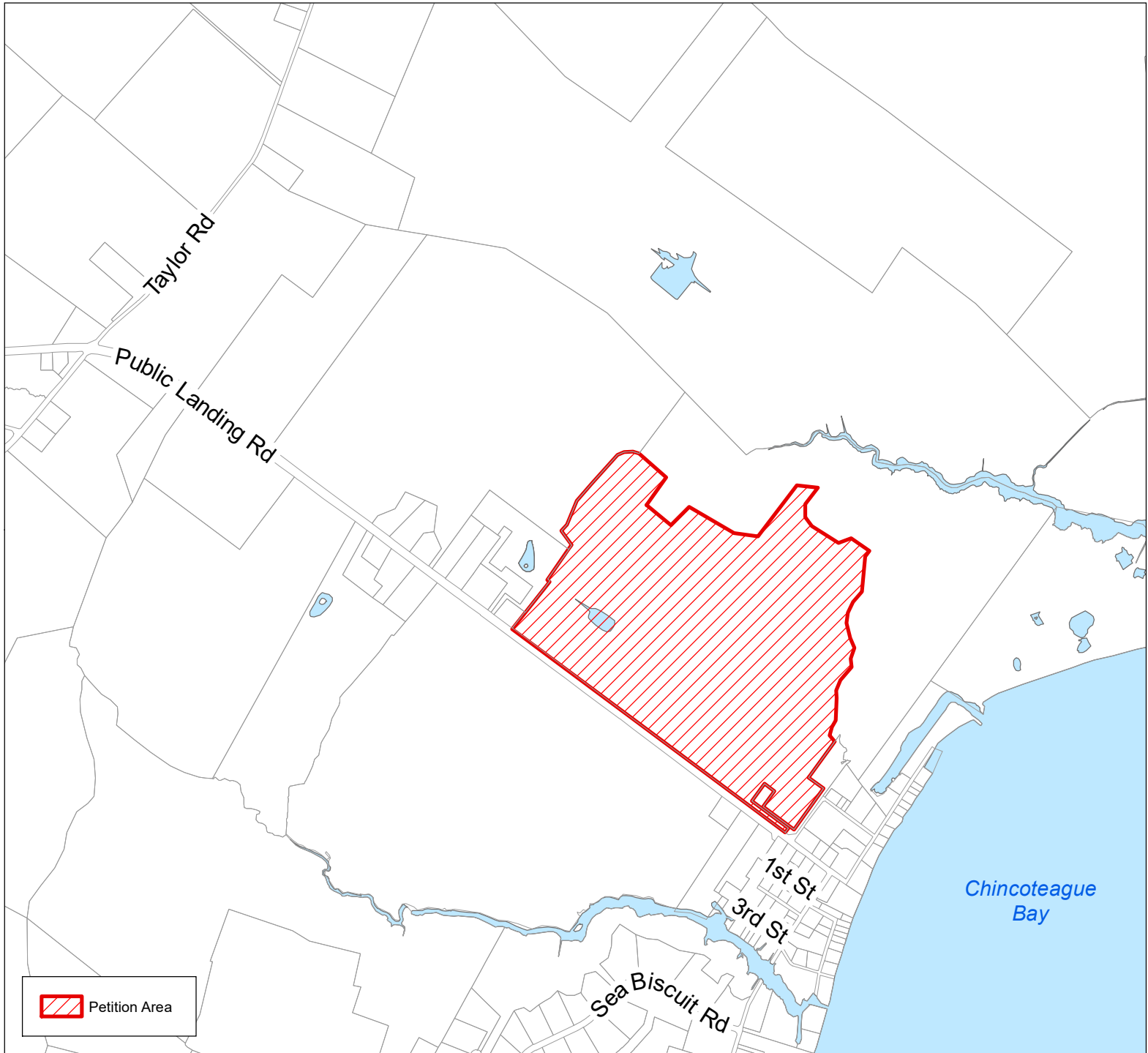
# WORCESTER COUNTY, MARYLAND



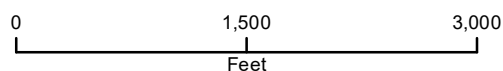
REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## LOCATION MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: June 2025  
Source: County GIS Data Layers

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



REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## AERIAL MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 700 1,400  
Feet

Prepared: June 2025  
Source: County GIS Data Layers, 2024 Aerial Imagery

Drawn By: KLH Reviewed By: JKK

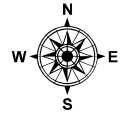
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.



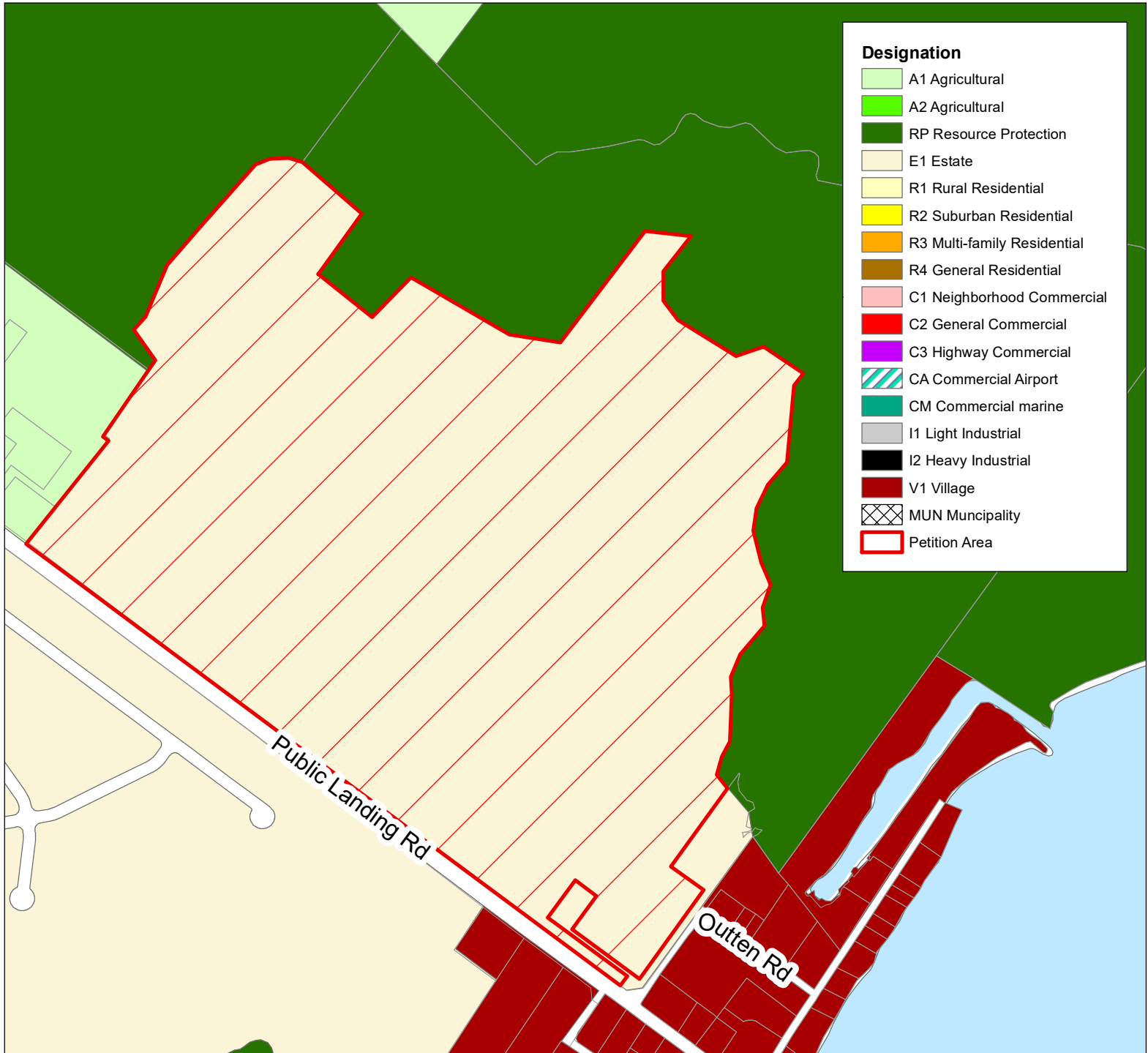
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## ZONING DISTRICT MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 700 1,400  
Feet

Prepared: June 2025  
Source: County GIS Data Layers, 2009 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.

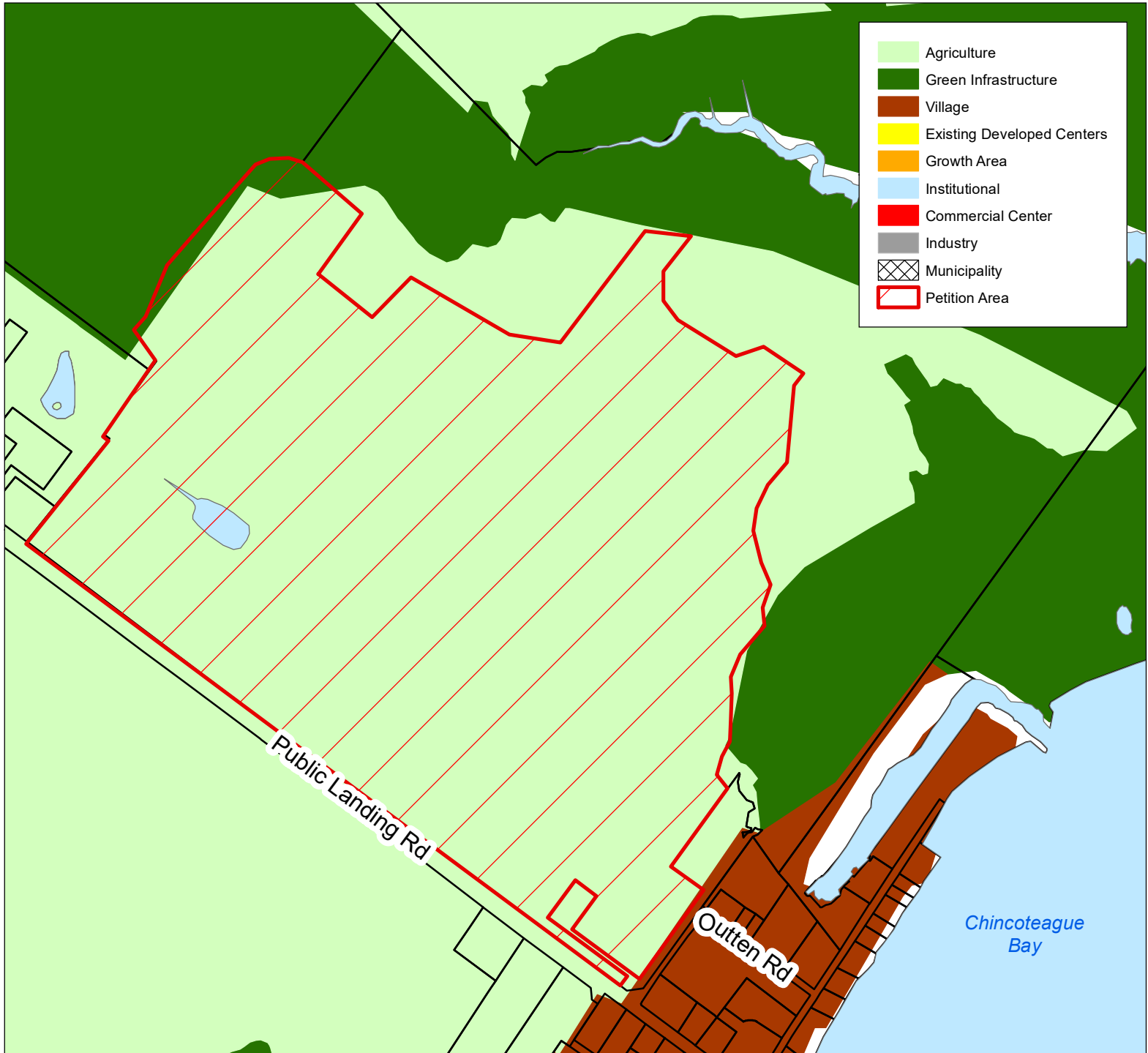
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## LAND USE PLAN MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 700 1,400  
Feet

Prepared: June 2025  
Source: County GIS Data Layers, 2006 Land Use Plan

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.



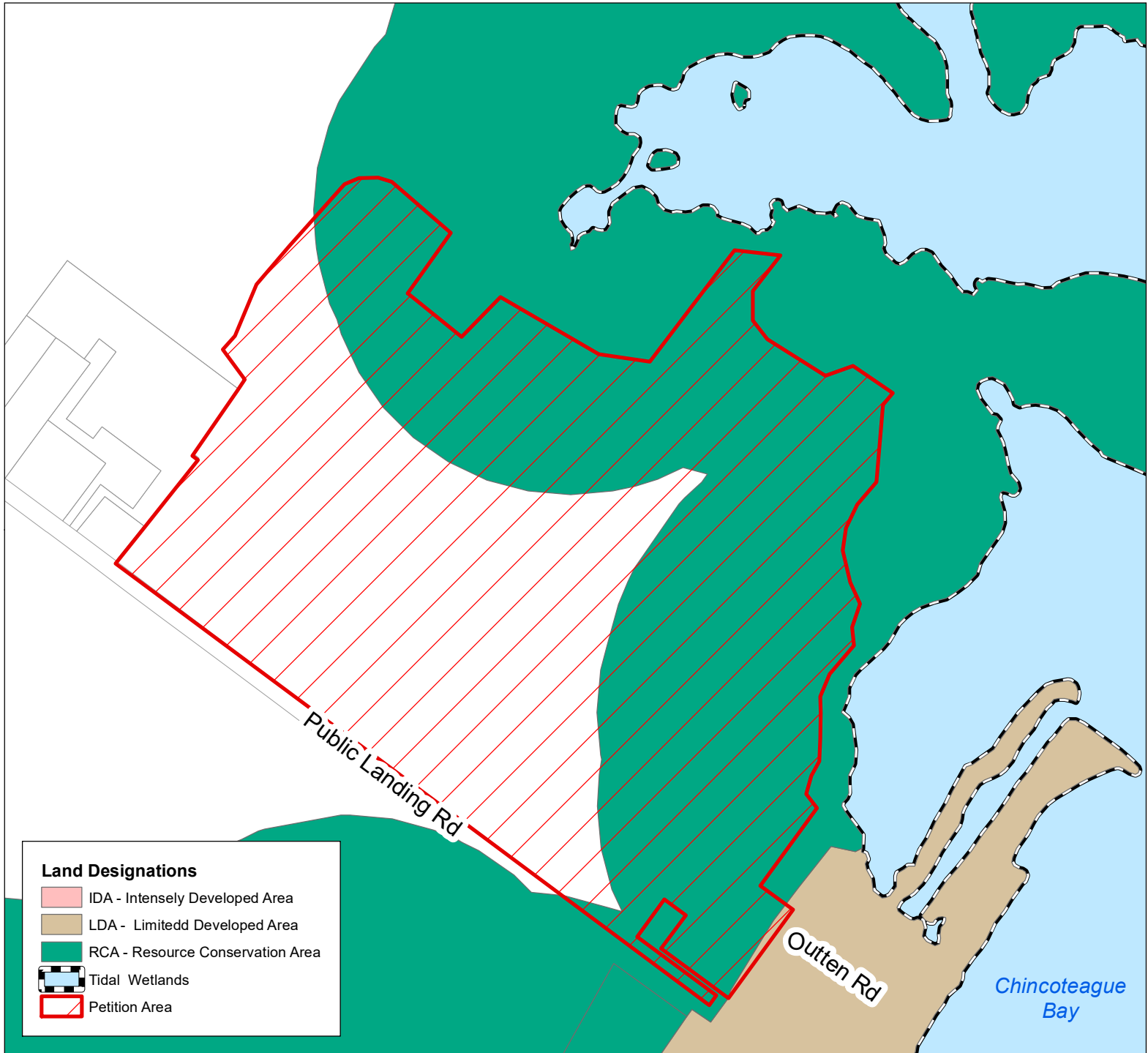
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## COASTAL BAY CRITICAL AREA MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 700 1,400  
Feet

Prepared: June 2025

Source: County GIS Data Layers, MD Coastal Bay Critical Area

Drawn By: KLH

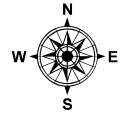
Reviewed By: JKK

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

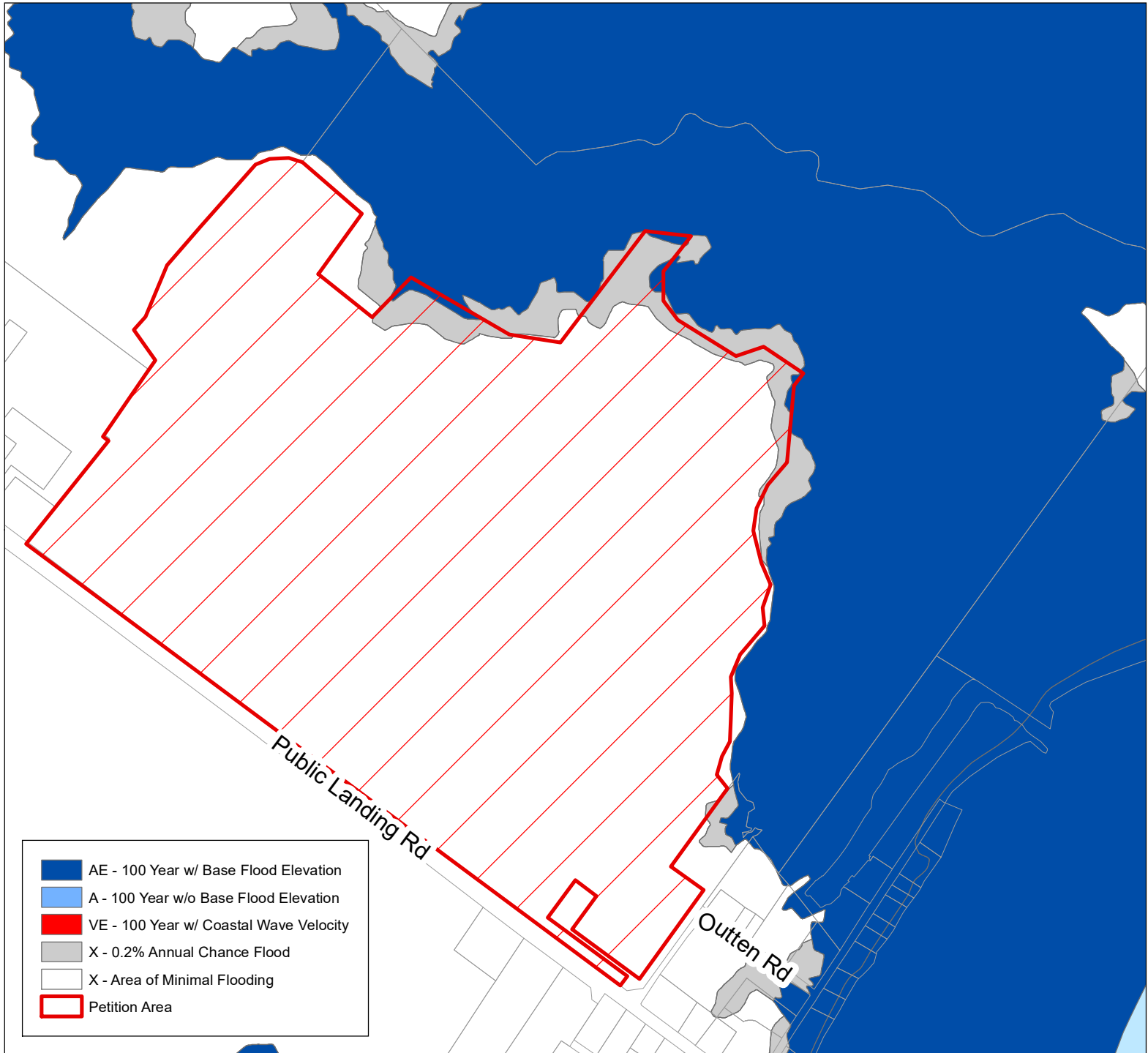
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## FEMA FLOOD RATE MAP



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 700 1,400  
Feet

Prepared: June 2025

Source: County GIS Data Layers, 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.

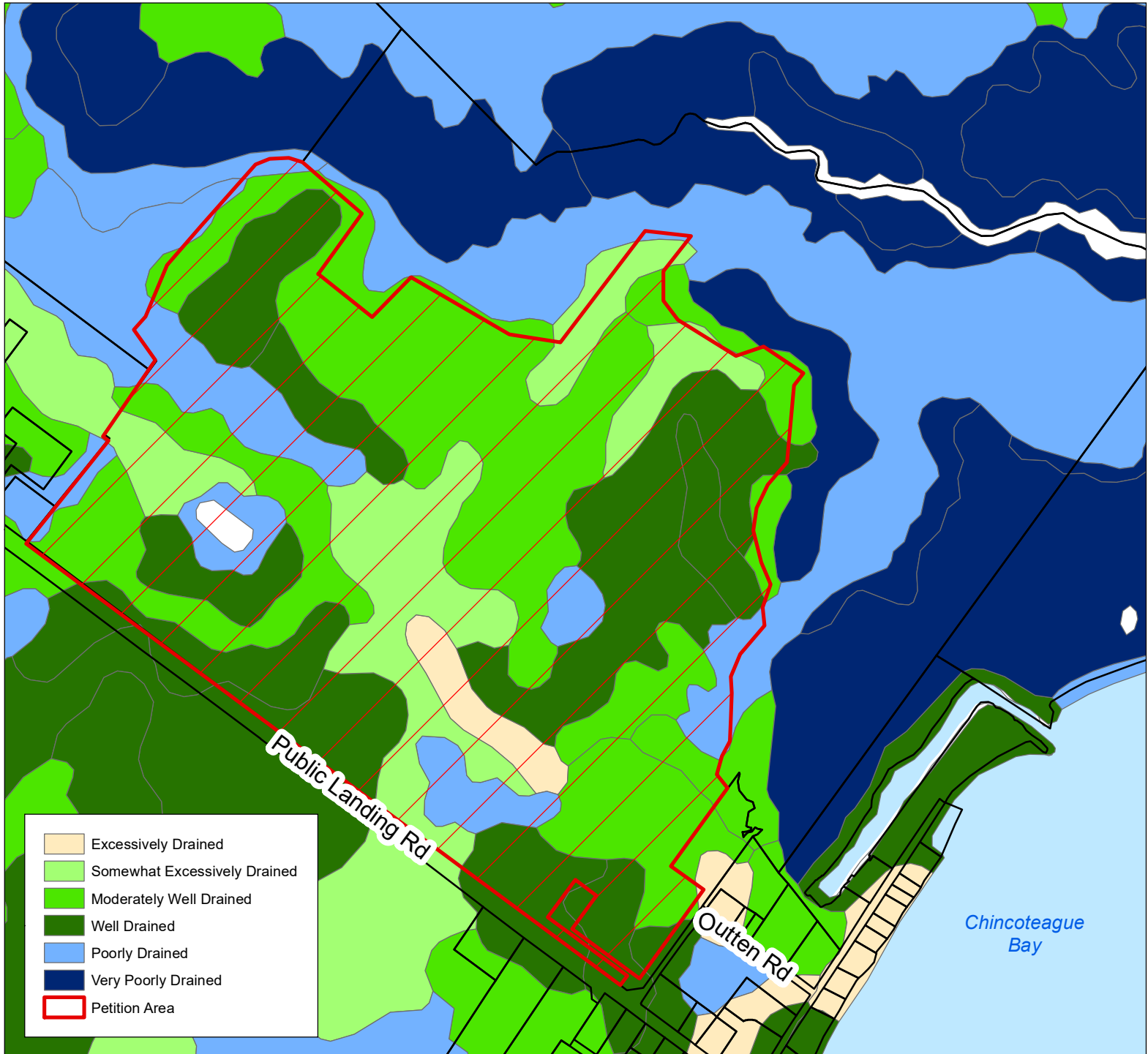
# WORCESTER COUNTY, MARYLAND



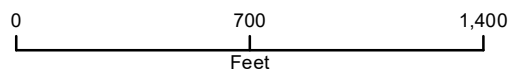
REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## SOILS



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division



Prepared: June 2025

Source: County GIS Data Layers, 2007 Soil Survey

Drawn By: KLH

Reviewed By: JKK

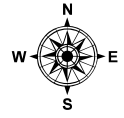
This map is intended to be used for illustrative purposes only and is not to be used for regulatory action.



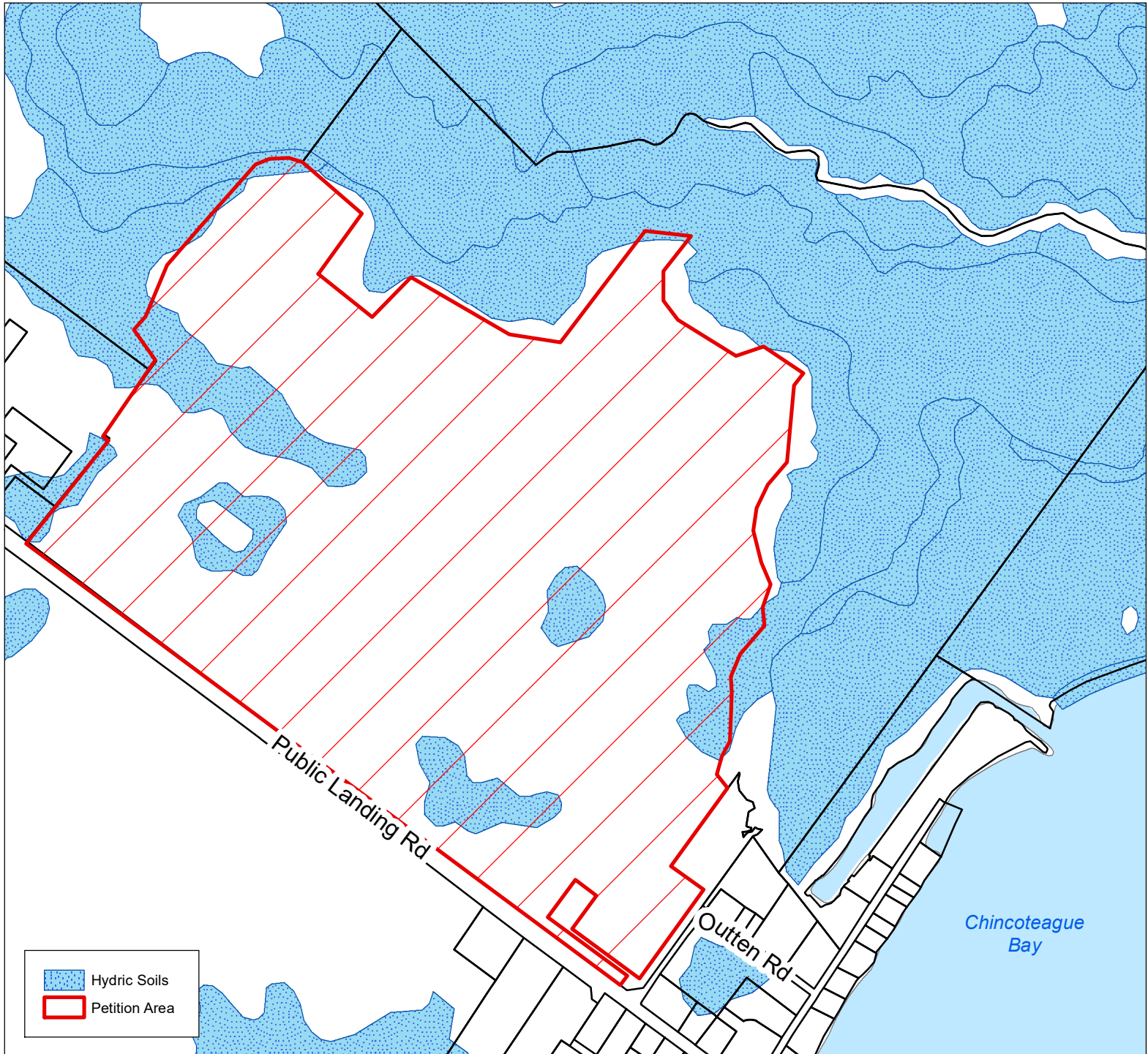
# WORCESTER COUNTY, MARYLAND



REZONING CASE NO. 451  
E-1 Estate District to A-1 Agricultural District  
Tax Map: 65, P/O Parcel 48



## HYDRIC SOILS



DEPARTMENT OF DEVELOPMENT REVIEW AND PERMITTING  
Technical Services Division

0 700 1,400  
Feet

Prepared: June 2025  
Source: County GIS Data Layers, 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.



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

---

**APPLICATION FOR AMENDMENT OF THE OFFICIAL ZONING MAP**

---

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

Rezoning Case No. 451

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

Date Received by Development Review and Permitting 5/30/25

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): 65  
B. Parcel Number(s): 48  
C. Lot Number(s), if applicable: \_\_\_\_\_  
D. Tax District Number: 02

III. Physical Description of Property

- A. Located on the north side of Public Landing Road, approximately \_\_\_\_\_ to the \_\_\_\_\_ side of \_\_\_\_\_ Road.
- B. Consisting of a total of 232.12 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): E-1, Estate District  
(name and zoning district)
- B. Acreage of zoning classification(s) in "A" above: 150
- C. Requested zoning classification(s): A-1, Agricultural District  
(name and zoning district)
- D. Acreage of zoning classification(s) in "C" above: 150

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

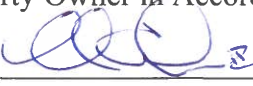
A. Every application shall contain the following information:

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: 5/27/25

C. Signature of Property Owner in Accordance with VI.A. above.

Signature(s):  attorney for Smithson  
Printed Name(s): Richard S. Smithson & Elizabeth R. Smithson  
Mailing Address: 1053 Cape May Avenue, Cape May, New Jersey 08204  
Phone Number: 856-297-4928 Email: doug@bigskyaviation.net  
Date: 5/27/25

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: 5/27/25

(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 FORM

**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 zoning 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.**

Richard D. Smithson and Elizabeth R. Smithson, are the owners of Worcester County Tax Map 65, Parcel 48, 232.12 acres, more or less, located on the north side of Public Landing Road. The majority of the property is zoned E-1, Estate District. This is a request to rezone the E-1 Estate District to A-1, Agricultural District.

By estimation, the upland portion of the property is approximately 150 acres, and is currently zoned E-1, Estate District, and is the subject of this request. The remainder of the property, namely the non-tidal wetlands and the area along Scarborough Creek, is zoned RP, Resource Protection District. The property owners are not seeking a rezoning of the RP District.

A copy of the official Zoning Map is attached hereto as an exhibit.

At the time of the Comprehensive Rezoning, November 3, 2009, the entirety of the property was subject to a Deed of Conservation Easement to the benefit of the State of Maryland, to the use of the Department of Natural Resources, which was actually dated June 22, 2009, and recorded among the Land Records of Worcester County on June 26, 2009.

Therefore, at the time of the Comprehensive Rezoning, the property was ineligible for the vast majority of the uses described in the E-1, Estate District.

Furthermore, although the property has high, well drained soils, and many opportunities for on-site septic systems, it is not eligible for public sewer. Worcester County did not adopt a tier system, so the property is not eligible for a major subdivision, as contemplated by the E-1, Estate District Zoning.

A portion of the property is in the Atlantic Coastal Bays Critical Area (now combined with the Chesapeake Bay Critical Area) and is designated Resource Conservation Area, or RCA, with a



residential density of one unit per twenty acres. Again, this is incongruent with the E-1, Estate Zoning.

The property is a working farm, growing corn, soybeans, wheat, among other crops.

The property is in the Agricultural District pursuant to the Worcester County Land Use Plan, which accompanies the Worcester County Comprehensive Plan.

The property owners respectfully request that the property be rezoned (actually downzoned) from E-1, Estate District to A-1, Agricultural District, for the foregoing reasons, and for additional reasons to be presented at the hearing before the Planning Commission.

**B. What is the definition of the neighborhood in which the subject property is located, as determined by the applicant.**

At this time, the property owners are not proffering a definition of the neighborhood, because the rezoning is based solely upon a mistake.

**C. Findings of Fact as to Section 1-113(c)(3) of the Zoning Code:**

**1. Relating to population change:** There has been little, if any, population change since the last Comprehensive Rezoning.

**2. Relating to the availability of public facilities:** The property is served by an on-site septic system. The availability of public facilities will not be impacted by the rezoning request. In fact, to the extent that the E-1, Estate District, provides the density of one unit per two acres (which is approximately 75 units in 150 acres), the agricultural zoning will provide a much, much less imposition on public facilities.

**3. Relating to present and future transportation patterns:** As stated in the last paragraph, an E-1, Estate District Subdivision includes densities of up to one unit per two acres. This would definitely impact the traffic patterns in the Public Landing area. The agricultural zoning will be consistent with the surrounding neighborhood, and will have no impact on transportation patterns.

**4. Relating to the compatibility with existing and proposed development and**

**existing environmental conditions for the area:** The entire area is agricultural at this time, with a variety of agricultural uses. This is a working farm, with agricultural uses. The rezoning will be compatible with existing and proposed development in the area.

**5. Relating to compatibility with the Comprehensive Plan:** The Comprehensive Plan designates this farm as agriculture, and it is in a large area of agriculture. The agricultural zoning will definitely be more consistent with the terms of the Comprehensive Plan.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'H. Cropper IV', written over a horizontal line.

Hugh Cropper IV, Attorney for Property Owners

M. 0065  
P. 0060  
AC. 303.2

P. 0017  
L. A

PUBLIC LANDING LLC  
M. 0065  
P. 0048  
AC. 232.12

DUNCAN

0076

Rd

P. 00

Putten Ro  
42

0080  
2 p. 003

Public L...



A1

RP

A2

E1





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: Worcester County Planning Commission  
From: Jennifer Keener, AICP, Director  
Date: July 31, 2025  
Re: Text Amendment– Solar Energy Systems

\*\*\*\*\*

At the direction of the Worcester County Commissioners, I have prepared the attached text amendment to the Zoning and Subdivision Control Article pertaining to solar as emergency legislation. While the request was specific to decommissioning, many of our definitions and review procedures are outdated and need to be amended. Broadly, the bill proposes to do the following:

- Align the definitions.
- District regulations have been updated to reflect the new definition/title.
- Modifying the lot requirements for major and utility systems to be consistent with state law.
- Modifying the utility review process to be consistent with current practices and state law.
- Create local decommissioning and restoration plan requirements and local bonding.
- Adding a nuisance provision to the Public Health Article for abandoned projects.

Starting on the second page of this memo, I have provided more detail on the amendments made to each section of the draft bill to be further discussed at the meeting.

The Planning Commission shall review the bill 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.

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

**Bill Sections 1 through 5:** These sections amend definitions within existing § ZS 1-344(b).

- Solar Energy System: Relocated existing language to the definition; system rated capacity to be based on the alternating current (AC) wattage.
- Small and medium systems are proposed to be combined into the definition of minor solar energy system (up to 200 kW).
- Large systems are proposed to be renamed as a major solar energy system.
- The threshold between large/major and utility systems will be reduced to 2 MW (currently 2.5 MW) consistent with the Public Service Commission's level of review.

**Bill Section 6:** This section amends the standards for all systems under § ZS 1-344(d).

- Subsection (d)(1)A-H was only amended to reflect the new definition (minor vs. small or medium).
- Subsection (d)(1)I was amended to remove the direct current (DC) wattage rating and replace it with existing language from the definition of solar energy system, small, for specific exemptions.
- Subsection (d)(2) incorporates the state solar siting standards. The policy sheet is attached.
- Subsection (d)(3) modifies the setbacks for major and utility scale systems to be 100 feet, consistent with the state's siting standards.
  - Currently, large systems have setbacks of either 50' or 100' depending on the zoning district. There are currently no setbacks for utility systems.
  - The existing lot area limitations have been removed as it is not a siting standard.
  - This section also stipulates that the Planning Commission or County Commissioners have the authority to amend the setbacks under the solar policy developed in May 2025.
  - As a reminder, state law stipulates that jurisdictions shall not adopt laws that prohibit the construction or operation of a system; nor deny site plans if they meet the siting standards.
- Subsection (d)(4) addresses landscaping for systems between 200 kW and one MW which are not covered under the state's siting standards.
  - The language was not modified from the existing large solar energy system requirements. **Staff recommends that the Planning Commission and/or County Commissioners evaluate whether the buffer requirements are sufficient.**
- Subsection (d)(5) acknowledges the site plan review process for major solar energy systems.
- Subsection (d)(6) – Utility Solar Energy System Plan Review Process – This section was heavily amended to reflect the current procedures for the pre-application review of solar projects subject to the requirements of the Certificate of Public Convenience and Necessity.
  - The documents required to be submitted to the local jurisdiction include the environmental review document and a concept plan.
    - The standards that are in the existing code for concept plan preparation are covered under the state specifications in COMAR and therefore are proposed to be deleted.
  - Specified the findings that the County Commissioners must find either consistent or inconsistent, which mirror state law, as well as the siting standards. If the Commissioners do not make any findings, the staff report will stand as the record.
- Subsection (d)(7) – Decommissioning – This is an entirely new subsection to address the Commissioners request for decommissioning plans and bonding. As part of my research, I reached out to MACo's Planning Affiliate with a survey. I took language from multiple jurisdictions, including Carroll County, Talbot County, Queen Anne's County, Caroline County and Wicomico County to develop this section.
  - As part of the major site plan review process, detailed decommissioning and restoration plans are required. Bonding of the project at the permit stage would be held at 125% of the cost

estimate, NOT to include salvage value. The bond value would be reevaluated every five years, when the property/ lease transfers, and just prior to decommissioning. The cost estimate is to be prepared by an independent certified professional engineer approved by the county.

- The state bond will also be held at 125% of the cost estimate and reviewed every five years. However, the state allows salvage costs to be removed from the bond value.
- **This bond would be in addition to any bond held at the state level. If the Planning Commission and County Commissioners wish to amend this section to allow the state bond to replace local bonding, staff can amend the bill.**
- Decommissioning timeline:
  - County to be notified when the system is out of production for six months.
  - Deemed abandoned when the system is out of production for twelve months.
  - Decommissioning must be completed within an additional twelve months.
  - The plan shall give the county the authority to enter the site if it is suspected that the system is not in production and notice has not been received.
  - Failure to decommission would result in the County calling the bond to do the work and permit the county to lien the property should the expenses exceed the bond amount.
- Decommissioning is proposed to apply to major and utility solar energy systems (over 200 kW), where the purpose is to provide electrical power for sale to the grid or to be sold to other power consumers through a power purchase agreement.
  - **Projects this applies to as drafted:** Any stand-alone system over 200 kW whose purpose is to sell to the electricity produced.
  - **Projects this would NOT apply to as drafted:** Minor systems, as well as major systems where the principal purpose is for on-site consumption only. Examples include:
    - DRP has permitted several systems that would fall into the major/large category but are meant for on-site consumption by the farm on which they are situated.
    - However, this could exempt a similar project in a large commercial development.
    - **Staff is requesting that the Planning Commission and County Commissioners determine whether the scope should be widened to include ALL major systems.**

**Bill Section 7:** Modifies the existing code language on permissible setback encroachments to remove the phrase small solar energy systems (definition to be deleted).

**Bill Section 8:** Modifies the provisions that apply to all zoning districts to change the terminology from medium to minor solar energy systems.

**Bill Sections 9 through 17:** Modifies the district uses to change the terminology from large to major and utility solar energy systems. It is a special exception use in the E-1, V-1, and all C Districts. State law stipulates that jurisdictions shall not adopt laws that prohibit the construction or operation of a system; nor deny site plans if they meet the siting standards. Therefore, a special exception provision would not be enforceable on major systems over 1 MW in size and all utility systems.

- **Staff can modify the five affected zoning districts should the Planning Commission and/or County Commissioners request to make these permitted uses.**

**Bill Section 18:** This section adds a nuisance provision for major or utility solar energy systems that are not decommissioned by the leasee. It is another protection to be able to clean up the property via abatement of a nuisance and further lien the property should the expenses exceed the bond amount.



## Solar Energy System Siting Standards Checklist

### Public Utilities Article § 7-218(f)

The verbiage contained herein has been grouped and modified for ease of application. Please refer to the Renewable Energy Certainty Act for the exact wording. Effective July, 1, 2025, a solar energy system of 1 MW or larger shall comply with the siting standards unless a local siting agreement has been developed.

**Separation Distance:** § 7-218(f)(2)(i): Provide a boundary of 150 feet between the solar energy generating station and the nearest wall of a residential dwelling.

**Setbacks:** § 7-218(f)(2)(ii), § 7-218(f)(2)(v) and § 7-218(f)(9):

- ☐ 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.
- ☐ Only equipment required for interconnection with the electric system infrastructure may be located within a public road right-of-way.

**Fencing:** § 7-218(f)(2)(iii)1-2:

- Provide nonbarbed wire fencing:
  - ☐ Only on the interior of a landscape buffer or immediately adjacent to a solar energy generating station.
  - ☐ No more than 20 feet in height.
  - ☐ Only black or green vinyl wire mesh when chain link fencing is used.
  - ☐ Located not less than 50 feet away from the edge of any public right of way.
- Barbed wire fencing may be used around the substations or other critical infrastructure for protection of that infrastructure.

**Landscaping:** § 7-218(f)(2)(iv) and § 7-218(f)(3)-(4):

- Provide a maximum 35' wide a landscape buffer or vegetative screening:
  - ☐ Provided along all property lines unless there is existing wooded vegetation of 50 feet or more in width; or 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.
  - ☐ Shall provide four-season visual screening of the solar energy generating station, placed between any fencing and the public view.
    - Include multilayered, staggered rows of overstory and understory trees and shrubs:
      - ☐ A mixture of evergreen and deciduous vegetation.
      - ☐ Predominantly native to the region. Worcester County requires a minimum of 75% native species per § ZS 1-322(b)(5).
      - ☐ Are more than 4 feet in height at planting.
      - ☐ Are designed to provide screening or buffering within 5 years of planting.
      - ☐ May not be trimmed to stunt upward or outward growth or to otherwise limit the effectiveness of the visual screen.

- ☐ Conform to the plan size specifications established by the American Standard for Nursery Stock (ANSI Z60.1).
- ☐ Specified in a plan prepared by a qualified professional landscape architect.
- Be installed as early in the construction process as practicable and before the activation of the proposed solar energy generating station.
- Existing forests and hedgerows shall be preserved to the maximum extent practicable and supplemented with new plantings where necessary.
- The buffering or screening 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.
- A local jurisdiction may not require the use of a berm.

**Landscape Bond:** § 7–218(f)(5)(vi) and § 7–218(f)(6)(i)-(iii):

The provisions of state law shall supersede the bonding amount and length of time stipulated in § ZS 1-322(g).

- Worcester County shall hold a bond equal to 100% of the total landscaping cost for the first five years.
- After five years, 50% of the bond may be released if, on inspection, the vegetative protections meet a 90% survival threshold.
- The remaining 50% shall be held for an additional two years. If upon further inspection and confirmation that the vegetative protections continue to meet a 90% survival threshold, it shall be released.

**Visual Mitigation:** § 7–218(f)(2)(vi)1-2:

- Shall mitigate the visual impact of the solar energy generating station on:
  - A preservation area, rural legacy area, priority preservation area.
  - A public park, scenic river or byway.
  - A 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.
- ☐ A viewshed analysis is required for any area, structure, or site specified above.

**Notice to Emergency Services:** § 7–218(f)(2)(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.

**Additional internal site standards:** § 7–218(f)(5)(i)-(v):

- Minimize grading to the maximum extent possible.
- Shall not remove topsoil from the parcel but may move or temporarily stockpile topsoil for grading.
- Maintain soil integrity by planting native or noninvasive naturalized vegetation and other appropriate vegetative protections that have a 90% survival threshold for the life of the solar energy generating station.
- Limit mowing and other unnecessary landscaping.
- May not use herbicides except to control invasive species in compliance with the Department of Agriculture's weed control program.

**Lighting:** § 7–218(f)(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.

**Height:** § 7–218(f)(8): 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. This does not apply to equipment necessary for interconnection with the electric system or solar energy generating stations located on land that is also used for agricultural purposes.

**Modifications to the Siting Standards:** § 7-218(f)(10): The approving authority may enter into a siting agreement with the project owner that provides less stringent restrictions than those specified above.

### **Approval Authority:**

- **Over 1 MW up to 2 MW:** The siting standards will be reviewed by staff and any modifications approved by the Planning Commission. These projects are currently reviewed and approved by the Planning Commission as major site plans.
- **Over 2 MW:** The siting standards will be reviewed by staff and any modifications approved by the County Commissioners for any solar project over 2 MW (projects subject to the CPCN process).
- **Over 5 MW:** In addition to the siting standards required for projects over 2 MW, a local jurisdiction may deny a solar energy project over 5 MW if it is located on property that as of January 1, 2025, is within:
  - A Tier 1 or Tier 2 mapped locally designated growth area (i.e. Septic Tiers).  
Note: Worcester County did not adopt the tier maps.
  - A residential area defined in § 5-1601 of the Natural Resources Article as:
    - Medium density areas: zoned for densities greater than 1 dwelling unit per 5 acres and less than or equal to 1 dwelling unit per acre.
    - High density areas: zoned for densities greater than 1 dwelling unit per acre.
    - A mixed-use area with a residential component.

The total combined number of solar energy systems within a Priority Funding Area shall not exceed more than 5% of the total land area (195,332 acres) in a Priority Preservation Area that was established before January 1, 2025. This is equal to 9,766.6 acres.



COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND

EMERGENCY BILL 25-

---

BY:

INTRODUCED:

---

AN EMERGENCY BILL ENTITLED

AN ACT Concerning

Zoning – Solar Energy Systems  
and  
Public Health - Nuisances

For the purpose of amending the Zoning and Subdivision Control Article to amend definitions for solar energy systems; refine the review process for utility scale solar systems; and add decommissioning procedures and bonding for certain systems. To amend the Public Health Article to add non-decommissioned solar energy systems as a public nuisance.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-344(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the repeal of the definition of “solar energy power system” and the replacement of the term “solar energy system” to read as follows:

SOLAR ENERGY SYSTEM — Any device or facility that converts solar energy into electrical energy either directly, as in the case of photovoltaic cells, or indirectly by first capturing and/or concentrating solar radiation for the purpose of converting any liquid to a gas used to fuel or propel an electrical generator. All references herein to the rated capacity of solar systems or equipment are as stated in the manufacturer's maximum power rating for the solar panel system as alternating current (AC) wattage.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-344(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the repeal of the definition of “solar energy system, large” and the replacement of the term “solar energy system, major” to read as follows:

SOLAR ENERGY SYSTEM, MAJOR — A ground-mounted solar energy system with a rated capacity of more than two hundred kilowatts up to and including two megawatts, the principal purpose of which is to provide electrical power for sale to the general power grid or to be sold to other power consumers through a power purchase agreement as part of a net metering project which may include both physical or virtual aggregation, or be consumed on-site.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-344(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the repeal of the definition of “solar energy system, medium” and the replacement of the term “solar energy system, minor” to read as follows:

SOLAR ENERGY SYSTEM, MINOR — A ground-mounted solar energy system with a rated capacity of no more than two hundred kilowatts or a roof mounted solar energy system of any capacity and serving, or designed to serve, any agricultural, residential, commercial, institutional or industrial use the principal purpose of which is intended to reduce on-site consumption of utility power by generating electricity on a single lot or parcel or group of adjacent lots or parcels.

Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-344(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the deletion of a definition of the term “solar energy system, small”.

Section 5. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-344(b) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be amended by the repeal of the definition of “solar energy system, utility scale” and the replacement of the term “solar energy system, utility” to read as follows:

SOLAR ENERGY SYSTEM, UTILITY— A ground-mounted solar energy system with a rated capacity in excess of two megawatts, the principal purpose of which is to provide electrical power for sale to the general power grid.

Section 6. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-344(d) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (d) Solar energy system or heating equipment. Solar energy systems and solar energy heating equipment shall be permitted subject to the following conditions and limitations:
  - (1) Minor solar energy systems and solar energy heating equipment shall be permitted in all zoning districts subject to the following requirements:
    - A. Solar energy heating equipment may be a part of or attached to a principal or accessory structure located on a site and shall be subject to the same setback and height limitations of said structure except as may be modified by § ZS 1-305(k)(1)D hereof. Where not a part of or attached to a principal or accessory structure, solar energy heating equipment shall be considered an accessory use on any lot or parcel of land and shall be subject to the setback and height limitations as contained in the particular zoning district for other customary

accessory structures which are directly incidental to the permitted principal uses and structures on the site.

- B. Minor solar energy systems may be attached to or a part of a principal or accessory structure located on a site or may be located as freestanding independent arrays, systems or structures. In all cases they shall be subject to the setback and height limitations for the principal structure.
- C. All mechanical equipment associated with and necessary for the operation of the solar energy system shall not be located in the minimum front yard setback and shall be subject to the setback requirements for customary accessory structures in the zoning district.
- D. All mechanical equipment shall be screened from any adjacent property which is in the R-1, R-2, R-3, R-4 or V-1 Districts or used for residential purposes. The screen shall consist of shrubbery, trees or other ornamental or natural vegetation sufficient to provide an immediate visual barrier to the equipment. In lieu of a vegetative screen a decorative fence may be used.
- E. All solar panels shall be situated in such a manner as to prevent concentrated solar radiation or glare from being directed onto adjacent properties, roads, or public gathering places.
- F. All power transmission lines for freestanding ground-mounted solar energy systems or pipes from solar energy heating equipment connecting freestanding systems to a building shall be located underground.
- G. Signage or text on solar energy systems may be used to identify the manufacturer, equipment information, warning or ownership but shall not be used to display any commercial advertising message or anchor any streamers, balloons, flags, banners, ribbons, tinsel or other materials to attract attention.
- H. Any ground-mounted system which has not produced any electricity for a period of twelve months or more or found to be unsafe by the Building Official shall be considered abandoned and, as such, shall be repaired or decommissioned and removed by the property owner. The decommissioning shall include the removal of the solar energy system and all equipment, electrical components, support structures, cabling, or any other part of the system that is at ground level or above. The property owner shall be responsible for completing the decommissioning within ninety days of abandonment.
- I. Individual photovoltaic cells or small groups of such cells attached to and used to either directly power, or charge a battery which does so, an individual device such as a light fixture, fence charger, radio or water pump shall not be considered as a minor solar energy system as defined herein and may be used



in any zoning district without regard to lot or setback requirements.

- (2) Major and utility solar energy systems with a rated capacity of one megawatt or greater shall comply with the provisions of § 7-218 of the Public Utilities Article, Annotated Code of Maryland, as from time to time amended. The County Commissioners may adopt policies for the approval of modifications to the standards listed therein.
- (3) Major and utility solar energy systems shall be set back a minimum of one hundred feet from all property lines. Notwithstanding the provisions of § ZS 1-116, the Planning Commission or County Commissioners may reduce the setback for any system subject to the provisions of § 7-218 of the Public Utilities Article, Annotated Code of Maryland, as from time to time amended.
- (4) All major solar energy systems with a rated capacity of more than two hundred kilowatts up to and including one megawatt shall provide a vegetated buffer at least six 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.
- (5) All major solar energy systems shall be reviewed and processed as a major site plan in accordance with the provisions of § ZS 1-325 hereof.
- (6) Utility solar energy systems shall be reviewed in accordance with a two-step process. The first step must be completed in its entirety, including the obtaining of all necessary decisions, prior to proceeding to the second step.
  - A. Step I concept plan approval. In this step the applicant shall submit a draft environmental review document as specified in COMAR 20.79.02-.04 and a concept site plan as specified in COMAR 20.79.03.01 as from time to time amended. This submission shall constitute the application for a utility solar energy system.
    1. The Department shall review the concept plan and written information. The Department may request additional information from the applicant and may require changes or make suggestions to the applicant with regard to the application and its conformance with other sections of the Zoning and Subdivision Control Article and other pertinent laws and programs. The Department shall prepare a report to the County Commissioners of its findings and recommendations, a copy of which shall also be supplied to the applicant. The findings shall include:
      - (i) A statement or finding whether the proposed project is consistent with the current Comprehensive Plan.
      - (ii) A statement or finding whether the proposed project is consistent

with the Zoning and Subdivision Control Article.

(iii) Compliance with or modifications requested to the provisions of § 7-218 of the Public Utilities Article, Annotated Code of Maryland, as from time to time amended.

(iv) Suggestions for improving or modifying the application.

2. The County Commissioners shall consider the application and recommendation of the Department within ninety days of receipt of the Department's report, unless extended by a majority vote of the County Commissioners. The County Commissioners shall review the application and the Department's report and shall find the application consistent or inconsistent with the required findings. Should the County Commissioners fail to render a decision on the application within six months of their review, the findings outlined in the Department's report shall be adopted as the final report.

B. Step II master site plan approval. Upon completion of Step I the project shall be reviewed and processed as a major site plan in accordance with the provisions of § ZS 1-325 hereof.

(7) Decommissioning. Major and utility solar energy systems, where the principal purpose is to provide electrical power for sale to the general power grid or to be sold to other power consumers through a power purchase agreement, shall provide a decommissioning plan and bond for review and approval by the Department as part of the site plan review process.

A. The plan shall include:

1. The expiration date of the contract, lease, easement, or other agreement for installation of the solar energy system and a timeframe for removal of the solar energy system within one year following termination of the use.
2. A requirement that the operator or property owner provide the Department with written notice whenever the solar energy system is out of active production for more than six months. At any point in time that the Department suspects that a solar energy system is no longer in active production, the operator and property owner grant the Department the right to conduct an on-site inspection. Any facility that ceases to produce electricity for twelve months shall be considered abandoned.
3. An initial cost estimate prepared by an independent certified professional engineer approved by the county for decommissioning, dismantling, restoration of the site and lawful disposal of all components. While recycling and reuse of materials is recommended, the salvage costs shall

not be deducted from the overall estimate.

4. A decommissioned site shall be restored to its original predevelopment condition within twelve months of the proposed date of discontinued operation or abandonment. Restoration to predevelopment conditions shall be documented in the decommissioning plan and include:
  - (i) Removal of all above and below ground solar electric systems, buildings, cabling, electrical components, foundations, pilings, and any other associated facilities.
  - (ii) Disposal of all solid and hazardous waste shall be in accordance with local, state, and federal waste disposal regulations.
  - (iii) Removal of all concrete pads, graveled areas, fences, and access roads unless agreement is presented, in writing, in which the property owner agrees for these features to remain.
  - (iv) Removal of substations, overhead poles, and/or aboveground electric lines located on-site or within a public right-of-way that are not usable by any other public or private utility.
  - (v) Replacement of topsoil removed or eroded.
  - (vi) Re-vegetation of disturbed areas with native seed mixes and plant species suitable to the area or evidence of an approved nutrient management plan.
  - (vii) Onsite burial of any material associated with the solar energy generating system during restoration of the site to predevelopment conditions is prohibited.
  - (viii) A requirement for county inspection and approval of the decommissioning and reclamation of the site before the release of any financial surety.
- B. Failure to comply with the requirements of this section shall authorize, but not require, the county to remove the solar energy system and restore the site to its predeveloped condition at the expense of the operator or property owner. Any unpaid and delinquent statement shall become a lien upon all real estate and personal property of the subject in the same manner as delinquent taxes and a notation shall be made upon the tax records of the County Finance Officer.
- C. Prior to issuance of a building permit, the operator or property owner shall provide a bond, surety, letter of credit, or other financial assurance in a form acceptable to the county to secure payment of 125% of the anticipated cost of

removal of associated site improvements and restoration of the site to its predevelopment condition. The financial assurance will be reviewed and approved by the Department and shall remain in full force and effect while the solar energy generating system remains in place. The financial assurance shall be established with automatic renewals.

1. Every five years, the operator shall provide the Department with an updated cost estimate prepared by an independent certified professional engineer for decommissioning and restoration of the site. The Department may increase or decrease the amount of financial surety required if the county determines, in its sole discretion, that the posted security no longer equals 125% of the decommissioning cost.
  2. Before decommissioning can commence, a decommissioning cost estimate must be prepared by an independent certified professional engineer, regardless of the amount of time that has passed since the prior cost estimate. If the change in the estimated cost to decommission and restore the site exceeds the current financial surety, then the financial surety shall be increased to reflect the new estimated costs.
- D. Notice must be provided to the County within 30 days of the sale or transfer of the lease or property, and a new financial guarantee must be provided by the new lease holder or property owner.
- E. Decommissioning must be completed within twelve months of the proposed date of discontinued operation or abandonment. If decommissioning is not successfully completed within twelve months, the solar energy system becomes a nuisance and the County may act in accordance with § PH 1-101(a)(14) of the Public Health Article of the Code of Public Local Laws of Worcester County, Maryland.

Section 7. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-305(k)(1)D of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- D. Bay windows, balconies, chimneys and solar energy heating equipment may project a distance not to exceed three feet, provided that such features do not occupy, in the aggregate, more than one-third of the length of the wall on which they are located.

Section 8. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-105(c)(6) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:



- (6) Minor solar energy systems and solar energy heating equipment, subject to the requirements of § ZS 1-344(d) hereof.

Section 9. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-201(b)(18) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (18) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 10. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-202(b)(19) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (19) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 11. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-203(c)(15) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (15) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 12. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-204(c)(17) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (17) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 13. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-209(c)(14) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (14) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 14. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-210(c)(15) of the Zoning and

Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (15) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 15. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-211(c)(10) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (10) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 16. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-212(b)(21) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (21) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 17. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-213(b)(24) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- (24) Major and utility solar energy systems in accordance with the provisions of §§ ZS 1-325 and ZS 1-344 hereof.

Section 18. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § PH 1-101(a)(14) of the Public Health Article of the Code of Public Local Laws of Worcester County, Maryland be renumbered as § PH 1-101(a)(15) and a new subsection § PH 1-101(a)(14) be enacted to read as follows:

- (14) A major or utility solar energy system not successfully decommissioned within twelve months of the proposed date of discontinued operation or abandonment pursuant to § ZS 1-344(d)(7) of the Zoning and Subdivision Control Article of the Public Local Laws of Worcester County.

Section 19. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect immediately upon passage.

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