

MINUTES

March 5, 2026

1:30 p.m.

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The Planning Commission met in regular session on Thursday, March 5, 2026, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. Members of the public were invited to attend in person or via conference call.

The following members were in attendance: Chair Joe Hickman, Vice Chair Paul Ruge, Jim Saunders, Ray Strong, and Jon Quinn.

Staff attending included Carla Gerber, AICP, Director; Rob Tracey, AICP, Associate Planner; Holly Baldwin, Associate Planner; and Beth Grieb, Office Manager, serving as Clerk.

Representatives for Halo Warwick and Halo Worton included Sean Miller, Kimley-Horn; Brendan Mullaney, Esq.; and Michael Lossia, Halo Energy, via Teams.

Representatives for TPE MD KE51 included David Chance, property owner; Frances Yuhas, TPE; Genevieve Macfarlane, Esq., Stevens Palmer, LLC; Chris Martin, Kimley-Horn; and Nick Leffner, Kimley-Horn.

Chair Hickman called the meeting to order at 1:30 p.m.

MINUTES

Mr. Saunders moved to accept the minutes of the January 8, 2026, meeting as presented. Mr. Quinn seconded. The motion passed unanimously.

APPLICATIONS FOR REVIEW

ALP 25-01: Duck Puddle Farming Enterprises, LLC – Ag Preservation District
Carroll Clark Rd, Massey (Tax Map: 24, Parcel 2, Lot 2) – First Election District – Zoned AZD

Ms. Baldwin presented the staff report noting that the 88.098-acre farm consists of primarily Class I & II prime agricultural soils and is adjacent to extensive preserved lands. It is outside any 10-year water/sewer service area and meets MALPF criteria and Comprehensive Plan goals. Staff and the Agricultural Preservation Advisory Board recommended approval.

Mr. Strong made a recommendation to send a favorable recommendation to the County Commissioners for the farm on Carroll Clark Road, Massey, for Duck Puddle Farming Enterprises. The property meets or exceeds the criteria for creating an agricultural land preservative district and complies with the goal of

the Comprehensive Plan to preserve large blocks of contiguous prime agricultural land. Mr. Quinn seconded ; the motion carried unanimously.

**ALP 25-02: Jennifer Wright and Charles Kealey– Ag Preservation District
10412 Augustine Herman Hwy, Chestertown – First Election District – Zoned AZD**

Ms. Baldwin presented the staff report noting that the 199.72-acre parcel contains 147.1 acres of cropland, significant prime soils, and is within the Priority Preservation Area. The application meets MALPF criteria. Staff and the Agricultural Preservation Advisory Board recommended approval.

From a question asked by Mr. Ruge, Ms. Baldwin clarified that the entire 199.72-acre parcel (including woodland under a forest management plan) would be included in the district.

Mr. Ruge proposed we make a recommendation—a positive recommendation—to the County Commissioners for the proposal of the agricultural preservation district on the 199.72 acre farm located 10412 Augustine Herman Highway, Chestertown, in the third election district. It meets all the agricultural preservation requirements, and the Agricultural Preservation Advisory Board has reviewed and recommends the approval. Mr. Strong seconded; the motion carried unanimously.

**ALP 25-03: Robert and Amy Crow, contract purchasers – Ag Preservation District
30189 Duck Puddle Road, Kennedyville – First Election District – Zoned AZD**

Ms. Baldwin presented the staff report noting that the 83.502-acre farm includes 66 acres of cropland, with approximately 92% Class II & III soils; that the farm is within the PPA; is adjacent to extensive preserved acreage; and is outside water/sewer service areas. It meets MALPF criteria. The current owners (trustees) have signed the paperwork acknowledging the application. Staff recommended a favorable recommendation to the County Commissioners.

Mr. Quinn made a motion to send a favorable recommendation to the County Commissioners to create an agricultural preservation district on the 83.502-acre farm located at 30189 Duck Puddle Road, Kennedyville, in the second election district. The proposed district complies with the MALPF criteria and complies with the goal of the Comprehensive Plan to preserve large blocks of contiguous prime agricultural land. The Agricultural Preservation Advisory Board has reviewed the application and recommends approval. Mr. Ruge seconded; the motion carried unanimously.

**25-28: Halo Worton, LLC – Preliminary Site Plan – Utility Scale Solar
Chinquapin Road, Worton – Third Election District – Zoned EC**

Mr. Tracey presented the staff report noting that the application is for a proposed 1 MW community/utility-scale solar facility on 11 acres with 60-foot buffers on all sides. An irrigation plan and vegetative maintenance agreement was submitted, as well as a decommissioning plan and draft bond. The glare analysis shows no anticipated glare; the design limits noise to 45 dBA at property lines; and the entrance was designed to avoid unscreened views. Staff recommended preliminary approval noting outstanding item necessary for final approval.

The applicant referenced their prior appearance for concept review. They informed the Planning Commission that on February 26 a virtual community meeting was held but no one attended. Notices were mailed to adjacent properties. The applicant noted the proposed 60-foot buffers, which exceed the minimum standard, and the automated irrigation via a proposed well.

Discussion focused on questions on AC vs. DC megawatt ratings; emphasis on irrigation adequacy and scheduling (automation vs. truck watering); and community outreach methods (mailings and after-hours meeting).

Mr. Strong moved to grant preliminary site plan approval to Chinquapin Solar based on the following criteria: that the 60-foot wide landscape buffer is proposed along all 4 sides; an irrigation plan and vegetation maintenance agreement has been submitted; a decommissioning plan and draft bond have been submitted; the site plan states the noise will be limited to 45 decibels; a glare analysis has been submitted with no glare is anticipated. The proposal is consistent with the Comprehensive Plan. Final approval is subject to approval of sediment control and stormwater management plans and the execution of landscaping, stormwater, sediment control, and decommissioning sureties. Mr. Quinn seconded; the motion carried unanimously.

25-31: Treeline Harvesting LLC/Halo Warwick, LLC - Edmonds Creek Solar – Final Site Plan – Utility Scale Solar 12206 Galena Road, Massey – First Election District – Zoned AZD and EC

Mr. Tracey presented the staff report noting the applicant proposes 60-foot buffers along the north, east and south sides; the application exceeds the setback requirements; the glare analysis shows no anticipated glare; a decommissioning plan and bond estimate were submitted; a vegetative maintenance agreement was submitted with watering proposed by water truck. Staff recommended final approval with conditions: approval of landscape maintenance agreement; approval of erosion and sediment and stormwater management plans; submission of sureties for sediment and erosion control, stormwater management, landscaping, and decommissioning.

The applicant confirmed the CPCN has been issued and noted they held a community meeting on February 16. Three residents attended and they had questions on lighting and subscriptions. The applicant noted that lighting is limited to equipment pad as-needed.

The Planning Commission had extensive discussion on irrigation standards, noting a preference for wells vs. truck watering, maintenance enforcement, and bond terms. There was broader dialogue on state preemption and the local role in site plan conditions, including irrigation.

Mr. Quinn made a motion that we grant final site plan approval to Halo Warwick LLC to operate a 5 megawatt utility scale solar energy system at 12206 Galena Road, Massey, with the following conditions: approval of the landscape maintenance agreement; approval of erosion and sediment control and stormwater management plans; approval of sureties for sediment and erosion control and stormwater management; approval of landscape maintenance and decommissioning. The proposal is consistent with the Comprehensive Plan; internal traffic is anticipated to be minimal and restricted to maintenance.

There are no known unreasonable demands on public services and infrastructure; no sewage or refuse disposal activities are proposed; and no smoke, fumes, dust, or odors are anticipated. Mr. Ruge seconded; the motion carried unanimously.

25-48: TPE MD KE51/William M. Chance, Jr., Successor Trustee – Preliminary and Final Site Plan – Utility Scale Solar Facility, 10066 Peacock Corner Road, Millington – First Election District – Zoned AZD

Ms. Baldwin presented the staff report noting that the application is for a 5 MW, 40.90-acre solar facility. The applicant is proposing 35-ft landscape buffers and preservation of pedestrian access to private burial site. The CPCN was issued on June 24, 2025, with conditions. A glare assessment shows no impactful glare; forest conservation is exempt; the wetland delineation shows no encroachment; vegetative maintenance and landscaping inspection agreements were submitted; stormwater management and sediment/erosion control plans are approved. Staff recommended preliminary and final approval with conditions: landscape maintenance and decommissioning approval; septic reserve area approval; sureties for sediment and erosion control, stormwater management, landscaping, and decommissioning.

The applicant noted they are requesting combined preliminary/final review under Article 4, §12(D). They noted that community outreach included two CPCN meetings within one in-person at Galena Elementary and early letters to adjacent owners. They noted that Irrigation is via watering truck with a detailed schedule.

The Planning Commission commended the early neighbor outreach and reiterated interest in robust screening and irrigation maintenance.

Mr. Ruge made to motion to grant preliminary and final site plan approval on 25-48 Chance / TPE MD KE51 LLC on Peacock Corner Road, Millington. The project is in conformance with the Comprehensive Plan and the following conditions need to be met: approval of the submitted landscape maintenance agreement and decommissioning plan; approval of the septic reserve area for the dwelling on the farm; and approval of sureties for sediment and erosion control, stormwater management, landscaping, and decommissioning.” Mr. Strong seconded; the motion carried unanimously.

25-22: Brickwood Assisted Living, LLC – Preliminary and Final Site Plan – Assisted Living Facility with 16 beds, 5307 Elburn Lane, Rock Hall – Fifth Election District – Zoned CR and CAR

Mr. Tracey presented the staff report noting that the proposal is to renovate an existing 40 foot by 60 foot metal pole barn and connect it to the existing facility with a hallway addition. Parking meets the requirements of the Ordinance. There are no unreasonable demands on public services/infrastructure, and there are no known impacts on community facilities or historic resources. Staff recommended final approval conditioned on signing the Public Works Agreement and paying allocation fees.

The Planning Commission noted that the Applicant was not present, but stated they were comfortable with proceeding based on the record. They noted a public need for increased assisted living capacity.

Mr. Strong made a motion to move forward with the final site plan for Brickwood Assisted Living for the property located at 5307 Elburn Lane, Rock Hall, Maryland. The applicant shall sign the Public Works Agreement and pay allocation fees. Mr. Quinn seconded; the motion carried unanimously.

General Discussion

Ms. Gerber thanked Mr. Hickman for representing the Planning Commission as a recent Citizens' Academy class and noted that she would be speaking later about Planning and Zoning, in general. She noted routine permit activity and reported two proposed communications towers beginning the review process, which requires a special exception, then site plan review. Members briefly discussed state preemption for solar, local enforcement tools (e.g., landscape bonds, maintenance agreements), and continuing emphasis on irrigation and screening standards for solar projects.

ADJOURN

Chair Hickman called for a motion. Mr. Quinn moved to adjourn. Mr. Strong seconded. The meeting adjourned at 3:00 PM.

_____/s/
Francis J. Hickman, Chair

_____/s/
Carla Gerber, AICP, Director

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