

MINUTES

July 2, 2026

1:30 p.m.

Video recordings of the meetings may be available online, dependent on internet availability, access, and functionality: <https://kentcountymd.portal.civicclerk.com/>

The Planning Commission met in regular session on Thursday, July 2, 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 Joseph Hickman, Vice Chair Paul Ruge, James Saunders, Sean Jones, and Bill Crowding.

County Attorney Bobby Mowell, Esquire, was present. Staff attending included Carla Gerber, AICP, Director; and Jordan Johnson, Planning Specialist, serving as clerk.

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

MINUTES

Jim Saunders moved to accept the minutes as presented. Paul Ruge seconded. The motion passed unanimously.

APPLICATIONS FOR REVIEW

26-03 and 26-04: Towerco/Stephen and Mary Etta Stoltzfus – Major Site Plan (Concept) and Special Exception – Personal Wireless Facility Tower, Morgnec Road, Kennedyville (Map 30, Parcel 5)

Chair Hickman noted a potential conflict of interest and recused himself from this application, turning the gavel over to Vice Chair Ruge to preside for this item.

Ms. Gerber presented the staff report noting that TowerCo is requesting concept site plan review and a special exception for a 199-foot monopole personal wireless facility tower on a 220-acre farm owned by Stephen and Mary Etta Stoltzfus located on Morgnec Road in the Agricultural Zoning District. The tower would accommodate Verizon Wireless as anchor tenant, with T-Mobile having since committed as a second carrier, and space for at least two additional co-locators. Ms. Gerber reviewed the applicable standards under Article 3, Section 2.118 and Article 4, Section 4.4. She noted the site is situated within an area of mature woods intended to screen the base of the tower, exceeds all required setbacks by a substantial margin, and that staff identified no known adverse impacts on cultural or historic resources, natural features, wildlife habitat, or property values. Staff recommended a favorable recommendation to the Board of Appeals. Ms. Gerber noted that eight letters had been received prior to the meeting and would be added to the packet.

Sean Hughes, outside counsel for TowerCo, and Elizabeth Dietrich of TowerCo presented the application, joined at various points by Paul Dugan (radio frequency engineer), Erin Gould (environmental consultant with EBI Consulting), Chris Sorrentino (MRA, Civil Engineering Firm), and Regina Chang (of NB&C, who assisted with

community outreach). Mr. Hughes reviewed the setback distances, the visual screening provided by surrounding trees, the anticipated lack of FAA lighting requirements, and letters of support including one from the Kent County Office of Emergency Services. He submitted a property value analysis, a radio frequency design report, an FCC radio frequency safety compliance certification, and a letter from the Maryland Department of Natural Resources Wildlife and Heritage Service indicating no records of state- or federally-listed species in the project area.

Commission members asked whether relocating the tower elsewhere on the 220-acre property had been considered, and about the potential visual and wildlife impacts on neighboring properties, including an adjoining apiary. Mr. Hughes and Ms. Dietrich responded that the site was selected based on radio frequency coverage objectives, willing landowner participation, and setback compliance, and that a list of 17 candidate properties had initially been considered. Mr. Dugan testified regarding radio frequency coverage gaps in the area and FCC safety compliance. Ms. Gould testified regarding the environmental review process.

Several members of the public testified in opposition, including Michele Bennetta, an adjoining property owner who operates an apiary near the proposed site and who questioned whether the photo simulations, environmental screening, and analysis of alternative locations (including possible co-location on existing grain silos) adequately supported the findings required under the ordinance; a resident who hunts on a neighboring farm; a longtime area hunting-lease holder. Janet Lewis, who argued that the application did not sufficiently document that alternatives had been exhausted or that the visual analysis reflected the views from the most directly affected residences, asked that the Commission forward an unfavorable recommendation if it could not conclude the standards had been met. Diane Hague participated by phone, testifying in opposition, citing concerns about permitting exceptions to agricultural zoning.

Following discussion, members expressed sympathy for the concerns raised by neighboring property owners but generally agreed that the application met the applicable special exception criteria and setback requirements, and that a 199-foot tower could not be effectively screened regardless of location. Members discussed whether to table the item for further review or to condition a favorable recommendation on the applicant investigating an alternative location on the same farm prior to appearing before the Board of Appeals. The applicant's representatives indicated a willingness to accept such a condition.

Mr. Crowding made a motion to send a favorable recommendation to the Board of Appeals for TowerCo/Stephen and Mary Etta Stoltzfus to construct a personal wireless facility tower on their farm located on Morgnec Road, Kennedyville, Maryland, in the Second Election District, finding that the application meets the criteria listed in items one through twelve under Article 4, Section 4.4 for granting the special exception, with the additional recommendation that the applicant look for an alternative site on the 220-acre farm prior to going to the Board of Appeals. Mr. Saunders seconded, and the motion passed unanimously.

26-06: Network Towers II, LLC/Olan H. Simpkins – Major Site Plan (Preliminary and Final) – Personal Wireless Facility Tower, Cypress Road, Millington (Map 33, Parcel 3)

Ms. Gerber presented the staff report for preliminary and final site plan review of a 199-foot monopole personal wireless facility tower on a farm owned by Olan Simpkins located on Cypress Road, east of Millington, that was previously granted a special exception and concept plan approval. Verizon Wireless will be the initial tenant, with capacity for at least three additional co-locators. The lease area is 80 feet by 80 feet. Ms. Gerber reviewed the site plan review objectives under Article 4, Section 1.3, noting no known issues with access, traffic, noise, or compatibility with the surrounding area, and recommended final site plan approval contingent upon final approval of erosion and sediment control and stormwater management plans.

Sam Avera, land use and asset manager for Network Towers, presented the application. He confirmed the tower would be unlit, would use a galvanized steel finish, and would be enclosed within a 60-foot by 60-foot fenced compound accessed by a new gravel drive off Cypress Road. In response to a follow-up question from a member regarding communication with the Massey Air Museum, Mr. Avera confirmed that he had contacted the museum by phone and e-mail and had received no response or objection. He provided a copy of the e-mail correspondence for the record. Members also asked about landscaping maintenance; Mr. Avera confirmed that Network Towers, as tower owner, would be responsible for maintaining the landscaping and site.

Mr. Crowding made a motion to grant preliminary and final site plan approval for Network Towers II, LLC/Olan H. Simpkins for a 199-foot monopole telecommunications tower on the property located on Cypress Road, Millington, Maryland, finding that the application meets Article 4, Section 1.3 of the Unified Development Ordinance as reflected in staff comments one through eleven, contingent upon the applicant receiving final approval of erosion and sediment control and stormwater management plans, and submission of sureties for landscaping and sediment control. Mr. Jones seconded, and the motion passed unanimously.

26-26 and 26-30: Town of Galena – Major Site Plan (Concept) and Special Exception – Personal Wireless Facility Tower, 13265 Augustine Herman Highway, Galena

Ms. Gerber presented the staff report for a special exception application by the Town of Galena to construct a 180-foot personal wireless facility tower within the fenced area of the town's wastewater treatment plant property, which lies outside the town limits in the Agricultural Zoning District. The tower would accommodate multiple carriers; and T-Mobile has expressed interest through its representative, SiteLink Wireless. Ms. Gerber noted that the proposed tower does not meet the fall zone setback requirement along the western property line, but that the adjacent property is also owned by the town and is unlikely to be developed. She noted the tower would be approximately 580 feet from Augustine Herman Highway, a designated scenic byway, and that staff identified no known adverse impacts on cultural, historic, or natural resources. Staff recommended a favorable recommendation to the Board of Appeals.

Marisa Pisapia, Town Administrator, and Michael Gibson, Maintenance Coordinator for the Town of Galena presented the application. They explained that the town's two existing water towers are at capacity and cannot accommodate additional carriers, that the County previously conveyed to the town an unused monopole tower formerly located near Tolchester, and that the town intends to relocate that structure to the wastewater treatment plant site. Ms. Pisapia explained that lease revenue from the tower would be deposited into the town's sewer enterprise fund, reducing the cost share the County pays toward operation of the wastewater treatment plant, which is operated by a County employee. Mike West of SiteLink Wireless participated by phone and confirmed that T-Mobile has an active project for this location and would occupy the tower once built.

Members asked about the reduced fall zone setback and whether the town could guarantee continued ownership of the adjoining parcel. Staff and the County Attorney noted that the Board of Appeals has authority to reduce the required fall zone by up to fifty percent, and that the proposed reduction falls within that limit. Ms. Pisapia indicated the town has no intention of selling the adjoining parcel and that the two parcels may ultimately be combined through a lot line adjustment.

Mr. Jones made a motion to send a favorable recommendation to the Board of Appeals for a special exception for the Town of Galena to build a personal wireless facility tower at 13265 Augustine Herman Highway, finding that the application meets the applicable standards of Article 3, Section 2.118 of the Unified Development Ordinance. Mr. Crowding seconded, and the motion passed unanimously.

GENERAL DISCUSSION

Following up on the Commission's June 4, 2026, discussion regarding utility-scale solar review, Ms. Gerber reported that, based on Commissioner guidance, staff will now require an applicant to have obtained a Certificate of Public Convenience and Necessity (CPCN) from the Maryland Public Service Commission before an application will be considered substantially complete. Ms. Gerber noted that one pending application had been advised of this requirement and had elected to proceed to the Technical Advisory Committee regardless.

Members discussed concerns regarding the condition of vegetative buffer plantings at a previously approved solar facility, including reports that some planted trees appear dead or stunted. Members expressed concern that testimony given by the landscaping contractor at the time of approval regarding the quality and maintenance of plantings may not have been accurately reflected in conditions on the ground and noted that survivability is assessed at intervals tied to the release of the applicant's letter of credit for landscaping. Members indicated the matter would be revisited when the applicant returns before the Commission.

STAFF REPORTS

Ms. Gerber reported that she did not have a formal staff report this meeting due to the volume of applications recently processed. She reported that the department continues to interview candidates for its vacant planner positions, with several interviews scheduled in the coming weeks. She noted that the August agenda is expected to include a lot coverage variance in the Critical Area.

ADJOURN

Mr. Saunders moved to adjourn. The motion passed unanimously, and the meeting adjourned at approximately 3:45 p.m.

_____/s/
Francis J. Hickman, Chair

_____/s/
Jordan Johnson, Planning Specialist

Please note 95% of this document was created by Claude Sonnet 4.5 from Anthropic with a transcript from MS Teams.