

Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

Main: 410-313-2640 | Fax: 410-313-2648

TDD 410-313-2323 | Toll Free 1-866-313-6300

www.hchealth.org

Facebook: www.facebook.com/hocohealth

Twitter: HowardCoHealthDep

Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Geoff Goins
Division of Zoning Administration and Public Service

FROM: Jeff Williams
Program Supervisor, Well & Septic Program
Bureau of Environmental Health

RE: **BA-19-008C**

DATE: April 8, 2019

The Health Department has reviewed the above referenced petition and has the following comments.

1. The plan does not show the well or sewage disposal system serving the house. The proposed underground BGE line runs near where those components may be located. The Health Department will review any conflicts with existing wells and onsite sewage disposal system components during the building permit review process.

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: March 11, 2019

Hearing Examiner TBD
Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA-19-008C Map No. _____ Block _____ Parcel _____ Lot _____

Petitioner: OneEnergy Development, LLC

Petitioner's Address: _____

Address of Property: SEE PETITION

Return Comments by 03/25/19 to Public Service and Zoning Administration

Owner: (if other than applicant) _____

Owner's Address: _____

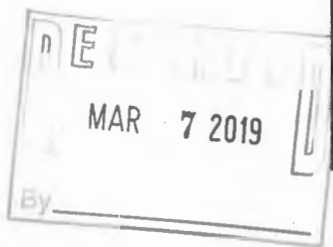
Petition: SEE APPLICATION

- To:
- _____ MD Department of Education – Office of Child Care
3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)
 - _____ Bureau of Environmental Health
 - _____ Development Engineering Division
 - _____ Department of Inspections, Licenses and Permits
 - _____ Department of Recreation and Parks
 - _____ Department of Fire and Rescue Services
 - _____ State Highway Administration
 - _____ Sgt. Karen Shinham, Howard County Police Dept.
 - _____ James Irvin, Department of Public Works
 - _____ Office on Aging, Terri Hansen (senior assisted living)
 - _____ Police Dept., Animal Control, Deborah Baracco, (kennels)
 - _____ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
 - _____ Land Development - (Religious Facility & Age-Restricted
Adult Housing)
 - _____ Housing and Community Development
 - _____ Resource Conservation Division – Beth Burgess
 - _____ Route 1 Cases – DCCP – Kristen O'Connor
 - _____ Telecommunication Towers – (Comm. Dept.)
 - _____ Division of Transportation – Dave Cookson

COMMENTS: PLEASE REVIEW FOR CONDITIONAL USE CRITERIA FOUND IN SECTION 131.0 IN THE ZONING REGULATIONS.

See comments


SIGNATURE



For DPZ Office use only:	
BA CASE NO.	<u>BA-19-0085</u>
Date Submitted	<u>3/7/19</u>

**CONDITIONAL USE PETITION
TO THE HOWARD COUNTY HEARING AUTHORITY**

(This application will only be accepted after a pre-submission meeting. See attached info.)

1. Conditional Use Request

Conditional Use Category Commercial Solar Facility Section 131.N. 52

Specific Use Requested Commercial solar facility

2. Name of Petitioner OneEnergy Development, LLC

Trading as (If applicable) _____

Mailing Address 2003 Western Avenue, Suite 225, Seattle, Washington 98121

Phone Number(s) 206-922-7072

E-Mail Address kate@oneenergyrenewables.com

Name of Principal Contact (If different) Kate Larkin

3. Counsel for Petitioner Thomas G. Coale

Mailing Address 5100 Dorsey Hall Drive, Ellicott City, MD 21042

Phone Number(s) 410-964-0300

E-Mail Address tcoale@talkin-oh.com

4. Conditional Use Site Description

Address/Street for Property 700 Sykesville Road, Sykesville, MD 21784

Tax Map 9 Grid/Block 3 Parcel 94 Lot _____

Department of Assessments and Taxation Account No. 03-298205

Total Land Area of Property 143.19 (X Acres) (_____ Square Feet) Check one.

Election District 3rd Zoning of Property RC-DEO

Subdivision Name and Plat No. (If Applicable) _____

Total Land Area of Use (If different than above) 19.91 (X Acres) (_____ Square Feet)

5. Petitioner's Interest in Subject Property

OWNER (Including joint ownership)

OTHER (Described and give name and address of owner)

Name of Owner Samuel L. Warfield Trust c/o Ronald L. Warfield

Mailing Address 688 Route 32, Sykesville, MD 21784

If the Petitioner is not the owner, written authorization for this petition from the owner must be submitted.

6. Conditional Use Plan Requirements

If the petition is approved, the conditional use plan will be made a part of the Hearing Examiner's Decision and Order, subject to modifications and conditions required by the Hearing Examiner. The conditional use plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining properties
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Same as (e) and (f) above, of adjoining properties
- (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities
- (i) Election District in which the subject property is located
- (j) Tax Map and Parcel Number(s) of the subject property
- (k) Name of local community in which the subject property is located or name of nearby community
- (l) Name, mailing address, telephone number (and e-mail address, if any) of the Petitioner
- (m) Name, mailing address, telephone number (and e-mail address, if any) of Counsel
- (n) Name, mailing address, telephone number of property owner
- (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (q) Ownership of abutting roads, right-of-way width, and existing pavement width
- (r) Any other information as may be necessary for full and proper consideration of the petition

7. Additional Information Requirements

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.
- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

8. Summary of Request

The following items should be answered by summary statements. If additional space is needed, please attach a Supplement to this petition.

- a. The present use of the subject property Agriculture
- b. Details of the proposed use, including, **where applicable:** types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.

See attached Supplemental Statement

- c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.N.

See attached Supplemental Statement

- d. Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?

See attached Supplemental Statement

- e. Will the number of parking spaces be appropriate to serve the use and will the parking areas, loading areas, driveways, and trash receptacle areas be appropriately located and buffered from public roads and residential areas?

See attached Supplemental Statement

- f. Will the ingress and egress driveway(s) provide safe access with adequate sight distance?

See attached Supplemental Statement

- g. Are there any environmentally sensitive areas in the vicinity of the property and, if so, will the proposed use have any potential to affect such areas?

Petitioner is not aware of any environmentally sensitive areas in the vicinity of the property.

- h. Are there any historic sites in the vicinity of the property and, if so, will the proposed use have any potential to diminish the character and significance of such sites?

Petitioner is not aware of any historic sites in the vicinity of the property.

9. Prior Petitions

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property been denied by the Hearing Examiner within twenty four (24) months of the date of this petition?

() Yes (X) No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

10. Additional Materials, Fees, Posting and Advertising Requirements

- a. Supplemental pages may be attached to the petition. **You must submit one original petition with original signatures, and one original of any other signed documents.** The following number of sets including petitions, plans and supplemental pages must be submitted:
- *If the subject property adjoins a State road- original and 20 copies (application & plans)*
 - *If the subject property adjoins a County road- original and 18 copies (application & plans)*
- b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with this petition.
- c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.
- d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Hearing Examiner public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared and approved by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the Hearing Examiner public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

11. Signatures

The Petitioner hereby affirms that he/she has read the instructions on this form, filing herewith all of the required accompanying information, and affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

Katelyn J. [Signature] 2/28/2019
Signature of Petitioner Date

OneEnergy Development, LLC, Project Manager
Print Name of Petitioner

[Signature] 3/6/19
Signature of Attorney Date

Thomas G. Coale
Print Name of Attorney

12. General Standards for Conditional Uses

All requests for conditional uses must meet the following general standards set forth in Section 131.B. of the Zoning Regulations for approval:

1. The proposed conditional use plan will be in harmony with the land uses and policies indicated in the Howard County General plan for the district in which it is located. In Evaluating the plan under this standard, the Hearing Examiner shall consider:
 - a. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site; and
 - b. If a conditional use is combined with other conditional uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks.
2. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the plan under this standard, the Hearing Examiner shall consider whether:
 - a. The impact of adverse effects such as noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions will be greater at the subject site than it would generally elsewhere in the zone or applicable other zones.
 - b. The location, nature and height of structures, walls and fences, and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and structures more at the subject site than it would generally in the zone or applicable other zones.
 - c. Parking areas will be of adequate size for the particular use. Parking areas, loading areas, driveways and refuse areas will be properly located and screened from public roads and residential uses to minimize adverse impacts o adjacent properties.
 - d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.

In addition to the specific requirements of the appropriate subsection within Section 131.0.N of the Zoning Regulations, conditional uses within residential developments in the R-ED, R-SC, R-SA-8, R-H-ED, R-APT, R-A-15, R-MH or R-VH districts are subject to the standards enumerated in Section 131.0.C.

PETITIONER OneEnergy Development, LLC

ADDRESS 2003 Western Avenue, Suite 225, Seattle, Washington 98121

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended:

The person(s) signing below hereby declare(s) that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached petition to the Hearing Examiner for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

[Signature]
Witness

[Signature] 2/28/2019
Signature Date

Witness

Signature Date

Witness

Signature Date

Application Fee: \$500.00 Poster Fee: \$25.00 per sign/poster

Make check payable to: Director of Finance.

For DPZ use only:	
Hearing fee:	\$ _____
Poster fee:	\$ _____
Total:	\$ _____
Receipt No. _____	

County Website: www.howardcountymd.gov

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION.

Please access the online application process for the pre-submission meeting by using the link below:

[https://pdox.howardcountymd.gov/ProjectDox/workflowforms/Anonymous Form CZ Presub.aspx](https://pdox.howardcountymd.gov/ProjectDox/workflowforms/Anonymous_Form_CZ_Presub.aspx)

Pre-Submission Community Meeting

A pre-submission community meeting is required prior to the initial submittal of a petition for a Conditional Use subject to the same procedures for such meetings as specified in Section 16.128 of the Subdivision and Land Development Regulations.

Please use the following web address to access the community notification list

http://data.howardcountymd.gov/HOA_Register/GCommunityView_new.asp. You will be prompted to enter the three-digit sign code assigned to your development. Once your sign code has been entered, you will be provided with a list of community contacts that have requested information about your development.

T:\DPZ\Shared\Public Service and Zoning\Applications\Hearing Examiner\Conditional Use Application.doc REV 08/14

IN RE:	*	BEFORE THE
ONEENERGY RENEWABLES	*	HOWARD COUNTY
REQUEST FOR	*	HEARING EXAMINER
CONDITIONAL USE	*	Case No: BA-_____

***** ** ***** ** *****

**NARRATIVE SUPPLEMENT TO
CONDITIONAL USE PETITION**

8. Summary of Request

c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.0.N.

Under Section 131.0.N.52 (Solar Facility, Commercial) of the Howard County Zoning Regulations (the "Regulations"), a Conditional Use for a Commercial Solar Facility may be granted for property located in the RC or RR zone. This use complies with the specific criteria for a Commercial Solar Facility as stated below.

a. The maximum size of a solar facility shall be 75 acres notwithstanding the size of the parcel. The parcel on which the commercial solar facility is proposed must be a minimum of 10 acres in size.

The area of the conditional use is 19.91 acres. The parcel on which the Commercial Solar Facility is proposed is approximately 143 acres.

b. All structures and uses must meet a minimum 50 foot setback from all property lines.

This criterion is met as shown on the additional Conditional Use Exhibit.

c. No structure or use may be more than 20 feet in height.

No structures exceed 20' in height.

d. A 'Type D' landscaping buffer must be provided around the perimeter of the proposed commercial solar facility unless the Hearing Authority determines that an alternative buffer is sufficient.

A Type D landscape buffer is proposed along portions of the conditional use area as demonstrated on the attached Exhibit. There is also significant natural landscaping along the eastern borders of the project area that Petitioner would ask to be considered as an alternative buffer. This existing landscape meets or exceeds landscaping that would be required in a Type D buffer.

e. All security fencing must be located between the landscaping buffer and the commercial solar facility.

Security fencing will be installed between the landscape buffer and the solar panels.

f. The systems shall comply with all applicable local, state, and federal laws and provisions.

All systems will comply with applicable local, state, and federal laws.

g. A commercial solar facility that is no longer used shall be removed from the site within one year of the date that the use ceases.

Petitioner agrees to comply with this criterion.

h. The premises shall be maintained at all times in a clean and orderly condition, including the care or replacement of plant materials required in the landscaping plan. The responsibility for compliance with this provision shall be with all parties having a lease or ownership interest in the commercial solar facility. The applicant shall provide the Hearing Authority with details regarding maintenance and access for the site.

Petitioner agrees to comply with this criterion and will maintain the site in a clean and orderly fashion. Petitioner will submit additional information regarding the maintenance of the Property at the hearing on this matter.

i. A solar collector or combination of solar collectors shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard. The petitioner shall include a glare study with the Conditional Use petition.

A glare study conducted by OneEnergy utilizing the Federal Aviation Administration's approved tool, GlareGauge made available by Forge Solar, is attached to this Petition. This analysis included the modeling of the potential for glare from thirteen observation points biased to simulate the views from immediate project neighbors and roadways. The analysis considered site- and project-specific location, topography, and equipment data and determined that no glare would be produced at any time of year. The GlareGauge tool is a conservative analysis of glare potential as the tool does not account for physical obstructions that may exist between the solar facility and the observations points, such as landscape buffers to be installed.

Glare will be further mitigated by the Petitioner's use of single axis tracking, which will ensure that there will be no glare impacts on adjacent properties or roadways. Axis tracking design allows the panels to move and be synchronized with the sun so that they do not reflect glare onto surrounding properties.

j. The applicant shall agree to register all solar collectors with the Department of Fire and Rescue Services. The registration shall include a map of the solar facility noting the location of the solar collectors and the panel disconnect.

Petitioner agrees to comply with this criterion.

k. Tree removal shall be minimized and reforestation shall be done in accordance with Section 16.1026 of the Howard County Code.

Tree removal will be minimized and reforestation will be provided in accordance with Section 16.1026 of the Howard County Code

l. Scenic Views

(1) The applicant shall demonstrate that the solar facility does not harm the scenic characteristics of the view of or from:

A. A public park;

B. A national or state designated scenic byway;

C. A road listed in the Scenic Roads Inventory adopted under Section 16.1403 of the Howard County Code; or

D. A historic structure as defined in Section 16.601 of the Howard County Code.

(2) Visual Impact Analysis Required to Demonstrate Minimal Impact to or from Scenic Views

A. The Conditional Use petition shall include a visual impact analysis mapping all viewshed impacts and any proposed mitigation. This analysis shall include mapped visual impact assessments of all important or critical viewpoints or elevations from which the solar facility can be seen from a fixed vantage point. For purposes of this subsection, A viewshed is a topographically defined area including all critical observation points from which the solar facility is viewed.

B. If the visual impact assessment as mapped particularly interferes with and compromises critical observation points within the viewshed that warrant viewshed protection, the petitioner shall mitigate the view through additional landscaping or other forms of mitigation, including reconfiguration of the solar panels, or as may be required by the Hearing Authority.

C. Fencing along road frontage or the perimeters of the commercial solar facility site where the fencing would be visible shall be constructed of a material and design consistent with the character of the roadway or area.

D. The petition shall include a landscape plan.

The proposed Commercial Solar Facility is not visible or within the viewshed of any scenic views.

(The Property is in the Agricultural Land Preservation Program and Petitioner is in compliance with Criteria M. and N.)

This use also complies with the General Standards Required for Approval under Section 131.0.B. of the Regulations:

1. The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.

The proposed Commercial Solar Facility is consistent with the PlanHoward 2030 and the land uses prescribed for the RC zone. Policy 4.12 specifically supports the development of renewable energy resources such as solar power.

2. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.

Access to the site is from Sykesville Road/Route 32, which is a major arterial road. This is a low intensity use that is appropriate for the site and the surrounding community, as it does not require water, sewer, or roadway improvements, does not produce sound, emissions or traffic, and is sized to occupy one field on a portion of a larger property that will be largely and immediately shielded from surrounding views due to existing topography and vegetation.

3. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:

a. The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.

The proposed Commercial Solar Facility at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with the use. As indicated above, Petitioner will be utilizing single axis tracking design, which will ensure that there will be no glare impacts on adjacent properties or roadways. In this respect, Petitioner's proposal will have less adverse impacts on the vicinal properties than what may be ordinarily associated with a Commercial Solar Facility that does not have axis tracking. The use will not produce dust, fumes, odors, lighting vibrations or other hazards.

b. The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.

The area of the conditional use is 19.91 acres in size. The conditional use area will be enclosed with up to an eight-foot fence with landscaping installed between the fencing and the property line so that the solar panels and the fencing are adequately screened from the view of vicinal properties and the roadways. In addition, the project has been conscientiously setback from area roadways and residential uses and within an area currently and largely screened from view by existing vegetation and topography. The location, nature, and height of fences and solar panels are such that the use will not hinder or discourage the development and use of adjacent land.

c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.

This use does not require parking spaces.

d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.

There is safe access and adequate sign distance providing access to the Site.

e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

Petitioner is not aware of environmentally sensitive areas in the vicinity of the site. Moreover, the Petitioner is not aware of any potential impact the solar facility would have on any proximal environmentally sensitive areas, as the solar facility does not require any water or sewer infrastructure, does not produce sound, glare, emissions or traffic, and will be designed to mitigate any stormwater runoff and soil or sediment erosion.

f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

Petitioner is not aware of historic sites in the vicinity of the proposed Commercial Solar Facility.

8.d: Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?

The proposed use will not generate physical conditions such as noise, dust, fumes, odors, lighting, or vibrations that would be discernible from abutting and vicinal properties and will not create any adverse impacts greater at the Property than elsewhere in the zone or applicable other zones.

Ronald L. Warfield
688 Sykesville Road
Sykesville, MD 21784

February 14, 2019

Howard County Planning & Zoning
3430 Courthouse Drive
Ellicott City, Maryland 21043

Re: Conditional Use Petition – Commercial Solar Facility
700 Route 32, Sykesville, Maryland 21784
Tax Map 9, Grid 3, Parcel 94

To Whom It May Concern:

Please accept this letter as documentation of permission from the property owner of the above referenced parcel to allow OneEnergy Development, LLC to submit the accompanying Conditional Use Petition. I am aware of the filing of this petition and support the request.



Ronald L. Warfield

February 14, 2019

Date

List of Adjoining and Confronting Property Owners/One Energy Renewables—
Conditional Use

Subject Property: 12800 Old Frederick Road
Sykesville, Maryland 21784
Tax Map 9, Grid 23, Parcel 19, Tract 2
and
700 Route 32
Sykesville, Maryland 21784
Tax Map 9, Grid 3, Parcel 94

Adjoiners—12800 Old Frederick Road:

Parcel 336/
Lot 8: Andrew and Ashley Royle
1455 Coventry Meadows Drive
Sykesville, Maryland 21784

Parcel 336/
Lot 9: Kurt and Christine Hinds
1465 Coventry Meadows Drive
Sykesville, Maryland 21784

Parcel 176: Gertrude E. Sewell, Trustee
13000 Old Frederick Road
Sykesville, Maryland 21784

Parcel 352: Arnold Montgomery Sewell, Trustee
13000 Old Frederick Road
Sykesville, Maryland 21784

Parcel 17/
Lot 2; Scott D. Butler
12900 Old Frederick Road
Sykesville, Maryland 21784

Parcel 19/
Tract 2: Gerald and Kendra Hurt, Trustees
12800 Old Frederick Road
Sykesville, Maryland 21784

Mailing address: 1688 Sam Ryder Road
Annapolis, Maryland 21012

Parcel 19/
Tract 3: Gerald and Kendra Hurt, Trustees

12800 Old Frederick Road
Sykesville, Maryland 21784

Mailing address: 1688 Sam Ryder Road
Annapolis, Maryland 21012

Parcel 290/

Lot 2: James P. and Arlette Hurt
12700 Old Frederick Road
Sykesville, Maryland 21784

Parcel 18: Frank Edward Rhodes, Jr.
1500 Route 32
Sykesville, Maryland 21784

Mailing address: 6316 Silvery Star Path
Columbia, MD 21044

Adjoiners—700 Route 32:

Parcel 99: Ronald and Ida Warfield
688 Route 32
Sykesville, Maryland 21784

Parcel 1: State of Maryland
Hugg Thomas Wildlife Farm
Annapolis, Maryland 21201

Parcel 65: Abilio and Isabel Machado
13325 Forsythe Road
Sykesville, Maryland 21784

Parcel 66: John J. Scheeter
13365 Forsythe Road
Sykesville, Maryland 21784

Mailing address: 4260 Bleinheim Place
Jacksonville, FL 32225-1646

Parcel 67/

Lot 2: Robert and Elizabeth Taylor
13375 Forsythe Road
Sykesville, Maryland 21784

Mailing address: 19050 New Hampshire Avenue
Brinklow, MD 20862

Parcel 70: William C. Barker
13415 Forsythe Road
Sykesville, Maryland 21784

Mailing address: P.O. Box 44
Sykesville, Maryland 21784

Parcel 36: David and Mary Garratt
13445 Forsythe Road
Sykesville, Maryland 21784

Mailing address: P.O. Box 1198
Sykesville, Maryland 21784

Parcel 175/
Lot 3: Ralph and Lori Ferraro
964 Day Road
Sykesville, Maryland 21784

Parcel 175/
Lot 2: Efrain and Diana Hernandez
956 Day Road
Sykesville, Maryland 21784

Parcel 175/
Lot 1: Robert Corbin
Michael Corbin
948 Day Road
Sykesville, Maryland 21784

Parcel 347: Jeffrey and Cheryl Warfield
940 Day Road
Sykesville, Maryland 21784

Mailing address: 930 Day Road
Sykesville, Maryland 21784

Parcel 104: Ethel L. Warfield, Trustee
c/o Ronald Warfield
910 Day Road
Sykesville, Maryland 21784

Mailing address: 688 Sykesville Road
Sykesville, Maryland 21784

- Parcel 94/
Lot 2: Charles and Kimberly Warfield
900 Day Road
Sykesville, Maryland 21784
- Parcel 79: Susan Loper
810 Route 32
Sykesville, Maryland 21784
- Parcel 115: Sally Lazewski Roby
825 Day Road
Sykesville, Maryland 21784
- Parcel 316/
Lot 3: Kazam and Farah Ali
835 Day Road
Sykesville, Maryland 21784
- Parcel 116: David and Marion Malat
845 Day Road
Sykesville, Maryland 21784
- Parcel 122: Cheryl and Jonathan Follmer, Jr.
855 Day Road
Sykesville, Maryland 21784
- Parcel 120: Cheryl and Jonathan Follmer, Sr.
875 Day Road
Sykesville, Maryland 21784
- Parcel 121: Jonathan Follmer, Sr.
915 Day Road
Sykesville, Maryland 21784
- Mailing address: 875 Day Road
Sykesville, Maryland 21784
- Parcel 137: Jay Switzer
935 Day Road
Sykesville, Maryland 21784
- Parcel 38: Linda C. Gondeck
945 Day Road
Sykesville, Maryland 21784
- Parcel 141: Wayne J. Straight

951 Day Road
Sykesville, Maryland 21784

Mailing address: 961 Day Road
Sykesville, Maryland 21784

School Principals

West Friendship Elementary School
12500 Frederick Road
West Friendship, Maryland 21794
Attention: Kaye Breon, Principal

Mount View Middle School
12101 Woodford Drive
Marriottsville, Maryland 21104
Attention: Allen Cosentino, Principal

Marriotts Ridge High School
12100 Woodford Drive
Marriottsville, Maryland 21104
Attention: Tammy Goldeisen, Principal

PTA Presidents

West Friendship Elementary School
12500 Frederick Road
West Friendship, Maryland 21794
Attention: PTA PRESIDENT

Mount View Middle School
12101 Woodford Drive
Marriottsville, Maryland 21104
Attention: PTA PRESIDENT

Marriotts Ridge High School
12100 Woodford Drive
Marriottsville, Maryland 21104
Attention: PTA PRESIDENT

OneEnergy Development, LLC
2003 Western Avenue, Suite 225
Seattle, Washington 90121

Notice of Pre-Submission Community Meeting

In accordance with Section 131.0 of the Howard County Zoning Regulations, this is notice that OneEnergy Development, LLC, Petitioner, intends to submit Conditional Use Petitions for two (2) commercial solar facilities. The subject properties consist of two (2) parcels totaling approximately 196.4 acres, more or less, and are located as follows: 12800 Old Frederick Road, Sykesville, Maryland 21784 (Tax Map 9, Grid 23, Parcel 19, Tract 1) and 700 Route 32, Sykesville, Maryland 21784 (Tax Map 9, Grid 3, Parcel 94) (see enclosed site location map). The subject properties are currently zoned RC-DEO (Rural Conservation-Density Exchange Option). The proposed Conditional Use Plans are for commercial solar facilities.

You are invited to attend a pre-submission community meeting to meet with the Petitioner, who will provide information concerning the Petition, and to ask questions, make comments and discuss this project.

The presubmission community meeting will be held on Monday, February 4, 2019 at 6:00 p.m. at Friendship Baptist Church, 1391 Sykesville Road (Route 32), Sykesville, Maryland 21784.

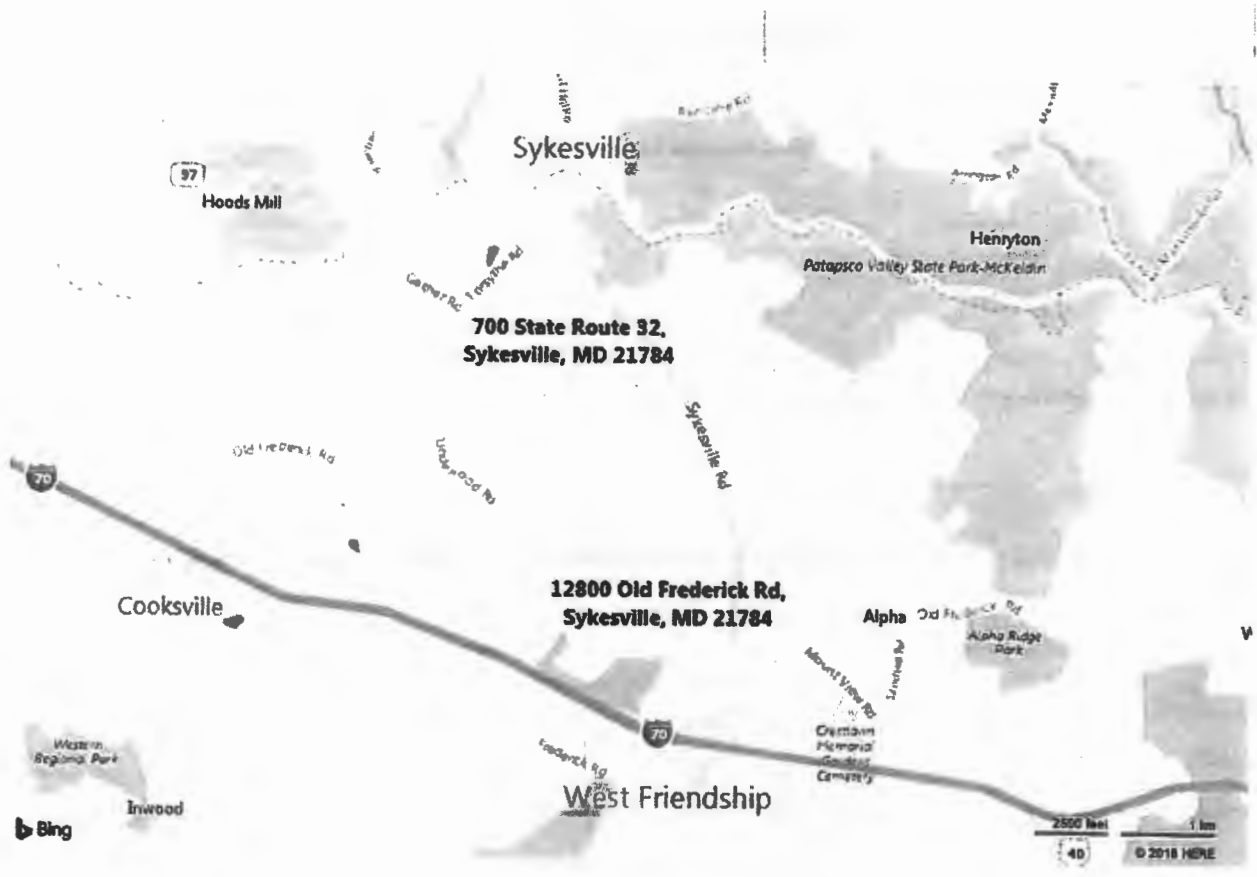
General information regarding the pre-submission community meeting can be found on the Department of Planning and Zoning's webpage at:
http://data.howardcountymd.gov/Search_Plans/Search_Plans_Web.aspx

If you are unable to attend the meeting, you may contact Tom Coale at (410) 964-0300 to receive meeting minutes and follow-up correspondence.

bing map:

12800 Old Frederick Rd, Sykesville, MD 21784

Location: 39.3248, -76.9571



OneEnergy Development, LLC
 2003 Western Avenue, Suite 225
 Seattle, Washington 90121
 12800 Old Frederick Road, Sykesville, MD 21784
 (Tax Map 9, Grid 23, Parcel 19, Tract 1)
 and
 700 Route 32, Sykesville, MD 21784
 (Tax Map 9, Grid 3, Parcel 94)

Pre-Submission Community Meeting
 held on Monday, February 4, 2019 at 6:00 p.m. at
 Friendship Baptist Church,
 1391 Sykesville Road (Route 32),
 Sykesville, Maryland 21784

SIGN IN SHEET

NAME	ADDRESS	EMAIL
Harry + Cindy Pressman	970 Day Road Sykesville, MD 21784	harry_pressman@ hotmail.com
Roger Hopp	1534 EVERLEA RD	rthoff_2145@yahoo.com
Bill + Norma Service	1725 Heatherwood Way Sykesville MD 21784	wdnag96@verizon.net normaservice@yahoo.com
CHARLIE GOEDEKE (THE) 40C.CA)	1054 PATUXENT RIDGE WAY LAUREL, MD 20723	tooldude@me.com
Liz Feighner	10304 Champions Way Laurel, MD 20723	liz.feighner@gmail.com
Wayne Livesay	1120 Day rd Sykesville 21784	wlivesay@comcast.net
Jay + Kay Switzer	935 Day Rd Sykesville, MD 21784	switzerjk@gmail.com
Scott Butler	12900 Old Frederick Rd 21784	scott.butler@nm.com
RON MICHAEL	1709 HEATHERWOOD WAY SYKESVILLE, MD 21784	RMICHAEL@ FREESTATEELECTRIC.COM
WENDY EMBLIN	12486 INDIAN HILL DR, 21784 Sykesville	EMBLIN @ AOC
Sheila Gordon	1701 Heatherwood Wy 21784 Sykesville	sheila.gordon@LNFCO
Lori Colson	1102 Underwood Rd, Sykesville	1102 Underwood Rd.
Ruth Keating-White	8945 Forest Ridge Columbia MD	Ruth FELK-AD (?) @gmail.com

mailed
mailed

NAME	ADDRESS	EMAIL
Pat Soffen	5310 Honey Ct Elliott City	patricia.soffen@gmail.com
Cheryl W	Day Rd	cswarfield@yahoo.com cswarfield@yahoo.com
K V	Day Rd	Kim@Shannonbuck.com
JOHN & ELIZABETH KREIDER	12045 OLD FREDERICK RD SYKESVILLE, MD 21784	jrkreider3@gmail.com
Suzen Dawn Lopez	810 Route 32 Sykesville, 21784	Suzie10810@gmail.com
sandy Renovetz	1180 DAY RD SYKESVILLE 21784	sandyrenovetz@gmail.com
Christine Hughes	1445 Coventry Meadows Dr Sykesville MD 21784	chughesq@gmail.com
WILL HEINZ	1148 DAY RD., Sykesville MD 21784	wheinze@gmail.com
Nancy Lawson	1148 Day Rd. Sykesville MD 21784	nancy@humancgardener.com
Kate Switzer	935 Day Road Sykesville	switzerke@yahoo.com
Chris Rhodes	1500 Rt 32 Sykesville	Crhodes1360@gmail.com
Jackie Breeden	587 Boutlers Rd Sykesville	breedenfamily@me.com
Jolke Franz	1500 Rt 32 Sykesville 21784	JFranz1934@yahoo.com
Don Marston	12571 Indian Hill Dr Sykesville	dbmarstonjre@aol.com
Bob Haney	15038 Scottswood Ct Woodbine 21797	bhaney@countrysspringswholesale.com
- Arnold Sewell	13000 Old Frederick Rd Sykesville MD 21784	

ONEENERGY DEVELOPMENT, LLC – CONDITIONAL USE

12800 Old Frederick Road, Sykesville, MD 21784
(Tax Map 9, Grid 23, Parcel 19, Tract 1)
and
700 Route 32, Sykesville, MD 21784
(Tax Map 9, Grid 3, Parcel 94)

Pre-Submission Community Meeting
held on Monday, February 4, 2019 at 6:00 p.m. at
Friendship Baptist Church,
1391 Sykesville Road (Route 32),
Sykesville, Maryland 21784

A Pre-Submission Community Meeting was held on Monday, February 4, 2019 at 6:00 p.m. at Friendship Baptist Church.

The following people were in attendance at that meeting of behalf of the Petitioner:

Tim Ahrens (*Petitioner*), Marni Carroll (*Petitioner*), Rob Vogel (*Engineer*), and Thomas G. Coale (*attorney*).

After a brief presentation by Petitioner of its request for a commercial solar facility at 12800 Old Frederick Road, Sykesville, MD (the “Old Frederick Property”), the following questions and answers were provided:

- 1) Is this Old Frederick or Frederick Road
 - a) Old Frederick
- 2) How long is the driveway?
 - a) Over 1,000 feet long
- 3) We may not even see if from Old Frederick Road?
 - a) As part of the CU package, we will submit a visibility study to show what is visible from Route 99, which is a scenic road.
 - b) If the panels are visible, we will need to show how it is visible and mitigate the visible impact.
 - c) We think it is unlikely you will be able to see the panels from Old Frederick Road.
- 4) Is this the driveway associated with the old farmhouse?
 - a) No
- 5) Where is 32?
 - a) (Indicated on the plan)
- 6) How many acres will be used for the panels?
 - a) Total area of panels is 13.5 acres
- 7) My farm is right next to the proposed site. Will there be a buffer?
 - a) 50 feet setback
 - b) There will also be landscaping and fencing. The fence will be 6’ high. The material of the fence has not yet been determined.

- c) Type D landscape buffer is required, which is the thickest required under Howard County zoning.
- 8) Is this fence going to be 6 feet high with barbed wire?
 - a) Material of the fence and has not yet been determined. We will be working to decide what style is most appropriate for the project.
 - b) We would look forward to discussing fence materials with community members.
- 9) Define a type D buffer.
 - a) Don't have them memorized. It is a heavy buffer. Deciduous and evergreen trees.
 - b) Double row of evergreens. 20 feet on center. Every 60 feet a deciduous tree.
 - c) Planted at 6-7 foot height
- 10) When do you ask community for preferences on landscaping?
 - a) Now.
- 11) What is the anticipated height of the panels?
 - a) 8 foot high at max. 5 feet high when horizontal
- 12) Will the panels be pointed toward Old Frederick Road?
 - a) Facing east in the morning and west in the afternoon
- 13) Where will BGE interconnect be?
 - a) (Indicated on the plan)
- 14) Are you leasing that land?
 - a) Yes. For 25 years with extensions
- 15) Who owns the panels?
 - a) Clean Choice/One-Energy
 - b) Owners of property do not own the system
- 16) Is this property in Agricultural Preservation?
 - a) Yes.
- 17) What was the result of the Agricultural Preservation Board?
 - a) Favorable. Minutes are online
- 18) Zoning Regulations require that the advisory review minutes made be available at Presubmission Community Meeting.
 - a) The Regulations Require that the advisory review be made available at the meeting. The advisory review was supportive and there were no additional advisory comments.
 - b) Petitioner will voluntarily share its Agricultural Preservation Board submission and the written comments of the Board with the attendees.
- 19) I believe this project is predatory on farmers.
- 20) Have any other projects?
 - a) Yes.
- 21) Want the address of the other projects?
 - a) We are complying with all elements of the Zoning Regulations regarding this project.
 - b) We appreciate the interest in finding out more about the other projects, but will not be providing that information.
- 22) Single-axis rotating or Aspen?
 - a) Aspen
- 23) Would you explain to people what community solar is? It is something many of us is tracking and we understand One Energy is very well established and is working well with groups across Maryland.
 - a) Tim Ahrens described community solar. Those interested can subscribe to the project.

- b) Average discount of up to 10% from existing energy bills.
- 24) What is the size?
 - a) 2 megawatts; 13.5 acres
- 25) How big is the whole farm?
 - a) 50 acres
- 26) Does the residual farm have to meet a certain soil quality?
 - a) No.
- 27) What happens if One Energy doesn't do well? What happens to the panels?
 - a) Entity that owns the property has incentives to keep it running
 - b) Once the investment is there, the system is guarantee to generate energy.
 - c) County will customarily require a bond that would cover the cost of removal if OneEnergy was suddenly unable to remove the panels itself.
- 28) Will we have access to the lease between property owner and petitioner?
 - a) We do not plan to share that document.
- 29) You're saying that in 25 years the property can be returned to farmland?
 - a) Yes, unless the lease is renewed.
- 30) Is this a PPA arrangement?
 - a) No. This is community solar.
- 31) Estimated cost for this project?
 - a) Range of \$3-\$4 million
- 32) What's the advantage for the property owner to do community solar instead of PPA?
 - a) Community solar allows smaller parcels.

After a brief presentation by Petitioner of its request for a commercial solar facility at 1391 Sykesville Road, Sykesville, MD (the "Route 32 Property"), the following questions and answers were provided:

- 1) What is planned for the dark grey area of plan?
 - a) That's a lay down area. Will only be used during the construction phase.
- 2) Where is the existing driveway?
 - a) (Indicated on plan)
- 3) Do solar panels increase or decrease property values for surrounding parcels?
 - a) I don't know.
- 4) Which households are eligible to participate in community solar?
 - a) Available for BGE customers only.
 - b) One Energy sells subscriptions with a priority for those immediately closest to project and radiating outward
- 5) Who pays the delivery charge?
 - a) OneEnergy pays the supply charge
- 6) How long in general does construction take? What kind of increased traffic can we expect?
 - a) Construction is phased. 4 months start to finish. Varying crew sizes throughout that time - more on site when they are setting panels. Less when they are setting the posts.
- 7) How tall are the panels?
 - a) Flat - 5 feet. Vertical - 8 feet
- 8) Will anything grow under panels?

- a) OneEnergy follows what's called a "pollinator friendly solar" standard for plantings under the panels.
- b) This will include multi-blooming flowering species
- 9) Could you provide list of plantings around panels?
 - a) (Provided some species names)
- 10) Will there be any stormwater runoff studies?
 - a) County and state will require stormwater management. State has a policy specific to solar.
- 11) Our property is next door and has an existing stormwater problem from that property.
 - a) (Engineer asked for contact information to follow up on whether this issue may be addressed)
- 12) A statement from Route 32 Property owner Buck Warfield was read to the attendees, which explained the reasons why this solar project is being pursued and what it would mean for the sustainability of his farm.
- 13) My sister lives near property. She doesn't access internet.
 - a) We will mail information to her
- 14) Do you need other properties for solar panels?
 - a) We appreciate your interest, but not right now.
- 15) Community solar is limited to 350 sites, correct?
 - a) Yes.
- 16) Could you include the rules for how to subscribe to community solar in the email to attendees?
 - a) We will circulate information about how to subscribe
 - b) There will be a campaign of outreach after the project is underway
- 17) Are there rules for community solar and who can subscribe?
 - a) There are rules for community solar, but not rules that say who can subscribe. That is a company policy/approach to obtaining subscriptions.
- 18) You still get a bill from BGE?
 - a) Yes.
- 19) Any special accommodation for low income families?
 - a) There is a component of the program for that.
- 20) What happens if other Agricultural Preservation property owners want to do the same thing?
 - a) Nothing stopping that.
 - b) There are limitation on number of community solar projects and what the existing infrastructure can support. Physical capacity on the lines themselves
 - c) Not every parcel would work for solar.
- 21) Owning a farm next to this property, we may not be able to do solar because of this project?
 - a) The lines would need to be studied. If the project would put the lines beyond capacity, the entity proposing an additional project would have to pay to expand capacity.
- 22) The existing infrastructure could be expanded by the applicant, which means the infrastructure is not limiting.
- 23) What is the discount from existing energy costs?
 - a) Up to 10%
- 24) Would that be for the duration of the project?
 - a) Impossible to project what future energy costs will be.
- 25) Isn't that the problem? What if solar is no longer viable?

- a) County will require that panels be removed if this project is no longer viable.
- 26) Have you evaluated property values of those in proximity to solar?
 - a) No.
- 27) Old Frederick Road wildlife lands in fields and eat crops. I've heard that birds flying over solar panels can be killed by reflection. Have you done any studies on these things?
 - a) There is a style of solar that will use mirrors, which has been found to sometimes be harmful to birds.
 - b) These are not those types of panels - they absorb the energy. Bird injury is not feasible or possible with these panels.
- 28) How much of a disruption do these panels cause to wildlife?
 - a) Minimal. Animals are very adaptive.
 - b) Some solar projects are beneficial to habitat
 - c) Pollinators will also benefit the surrounding habitat.
- 29) Deer come onto this property. Also concerned about taking property out of agricultural production. Concerned about grass growing underneath to prevent erosion.
- 30) Any sound?
 - a) No.
- 31) Any light?
 - a) No lighting.

Meeting ended at 7:34 pm

**AFFIDAVIT OF POSTING
Pre-submission Meeting**

Case: One Energy Development, LLC

STATE OF MARYLAND)

COUNTY OF HOWARD)

I, Matthew Ahearn, HEREBY CERTIFY that to the

best of my information, knowledge and belief the property which is the subject of the above-captioned petition has been posted in accordance with the following requirements of the Department of Planning and Zoning:

1. The poster(s) shall be erected and shall remain on the subject property for three weeks prior to the pre-submission meeting.
2. The poster(s) shall be erected using 2 wooden stakes, one on each side of the poster.
3. The poster(s) shall be placed at the location indicated by the Department of Planning and Zoning.


I further certify that the poster(s) has been posted at least 21 days immediately prior to the pre-submission meeting scheduled for **February 4, 2019** giving notification of the place, date and time of the meeting.

Subscribed and sworn to before me on this 10th day of January, 2019.

Petitioner's/Agent's Signature



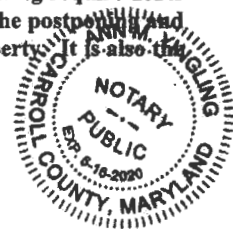
Notary Public:

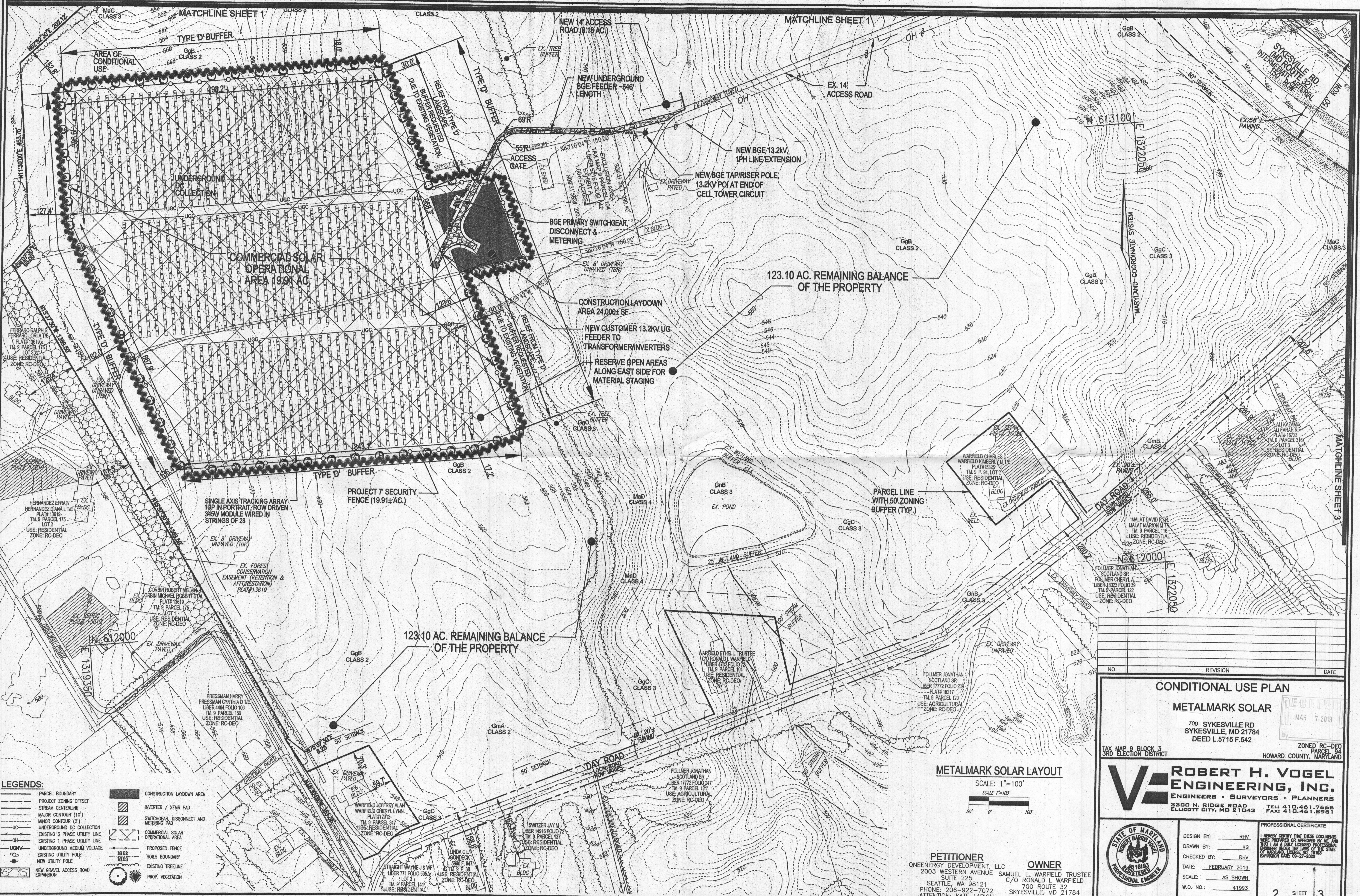


My Commission expires:

5/16/2020

Note: It is the responsibility of the Petitioner to ensure that all of the Posting requirements have been met. Failure to meet any of these requirements may result in the postponing and rescheduling a meeting in order to ensure the proper posting of the property. It is also the petitioner's responsibility to remove the poster 2 weeks after the meeting.





- LEGENDS:**
- Parcel Boundary
 - Project Zoning Offset
 - Stream Centerline
 - Major Contour (10')
 - Minor Contour (2')
 - Underground DC Collection
 - Existing 1 Phase Utility Line
 - Existing 3 Phase Utility Line
 - Underground Medium Voltage
 - Existing Utility Pole
 - New Utility Pole
 - New Gravel Access Road Expansion
 - Construction Laydown Area
 - Inverter / XMR Pad
 - Switchgear, Disconnect and Metering Pad
 - Commercial Solar Operational Area
 - Proposed Fence
 - Soils Boundary
 - Existing Treeline
 - Prop. Vegetation

METALMARK SOLAR LAYOUT
 SCALE: 1"=100'
 SCALE: 1"=100'

PETITIONER
 ONEENERGY DEVELOPMENT, LLC
 2003 WESTERN AVENUE
 SUITE 225
 SEATTLE, WA 98121
 PHONE: 206-922-7072
 ATTENTION: KATE LARKIN

OWNER
 SAMUEL L. WARFIELD TRUSTEE
 C/O RONALD L. WARFIELD
 700 ROUTE 32
 SKYKESVILLE, MD 21784

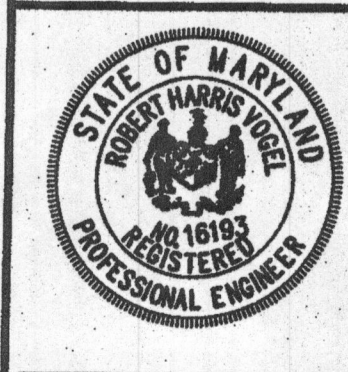
NO.	REVISION	DATE

CONDITIONAL USE PLAN
METALMARK SOLAR
 700 SYKESVILLE RD
 SYKESVILLE, MD 21784
 DEED L.5715 F.542

TAX MAP 9 BLOCK 3
 3RD ELECTION DISTRICT

ZONED RC-DEO
 PARCEL 54.84
 HOWARD COUNTY, MARYLAND

ROBERT H. VOGEL
ENGINEERING, INC.
 ENGINEERS • SURVEYORS • PLANNERS
 3300 N. RIDGE ROAD
 ELLICOTT CITY, MD 21114
 TEL: 410.461.7566
 FAX: 410.461.8961



PROFESSIONAL CERTIFICATE

DESIGN BY: RHV
 DRAWN BY: KC
 CHECKED BY: RHV
 DATE: FEBRUARY 2019
 SCALE: AS SHOWN
 W.O. NO.: 41993

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. EXPIRATION DATE: 02-27-2020

2 OF 3