

**WASHINGTON COUNTY PLANNING COMMISSION
WORKSHOP MEETING
January 25, 2021**

Due to current social meeting restrictions put in place by the Governor of Maryland because of the COVID-19 pandemic, the Washington County Planning Commission held a workshop on Monday, January 25, 2021 at 6:30 p.m. virtually using Zoom software. No physical meeting took place.

Planning Commission members present were: Clint Wiley, Dennis Reeder, Robert Goetz, David Kline, Jeremiah Weddle, Jeff Semler, and Ex-officio County Commissioner Randall Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director, Jennifer Kinzer, Deputy Director, Meghan Jenkins, GIS Analyst; and Debra Eckard, Administrative Assistant.

The Chairman called the meeting to order at 6:30 p.m.

WORKSHOP – SOLAR ENERGY GENERATING SYSTEMS

Ms. Baker announced that she attended the planner affiliates meeting of the Maryland Association of Counties (MACO) today in which they reported on issues that are being discussed during the current legislative session. There are changes proposed by the Public Service Commission (PSC) in response to a task force coordinated by the Governor regarding issues of solar sightings and their review. Currently, the PSC makes the final decision; however, they are required to take into consideration what each County is proposing in its Comprehensive Plan and Zoning Ordinance regulations. Amendments to the PSC section of COMAR are being proposed that would require solar companies/developers to contact local governments before submitting an application for certificate of public need. As a point of record, DNR would require proof that the solar company/developer has gone through the local process before submitting the application. The local government would have 90 days to review, evaluate, discuss, comment and make recommendations which would be provided to the PSC as part of the application submittal. Each County would follow its own process. For example, Washington County would require a Board of Zoning Appeals public hearing within the 90 day period. The County would then submit their comments and recommendations. The PSC would still have the final say, but the County would at least have a voice during the early phase of the process.

Ms. Baker stated that currently there are minimal regulations in the Zoning Ordinance for SEGs. In the rural areas, SEGs are prohibited in the Rural Legacy areas, Priority Preservation Areas (PPAs) and Antietam Overlay zones. The PSC relies heavily upon reports from the Maryland Department of Natural Resources under its power plant research program. Under that program, DNR has been extremely supportive of our County's initiatives when talking about land preservation efforts and land management policies. To date, the PSC has been respectful of these decisions. Four maps were presented to Commission members: 1) a map showing areas where the SEGs are currently prohibited, 2) a map of soils classifications throughout the County, 3) a map of all protected lands in the County, and 4) a map showing where all the approved solar energy generating systems are currently located in the County.

Discussion and Comments: Mr. Wiley noted that currently most of the SEGs in the County are located in areas where they are not taking up prime agricultural land. He believes we should try to keep the SEGs in more industrialized, urban areas within the County. Mr. Weddle agreed with these comments.

Mr. Goetz noted that Salisbury University has solar panels set up in their parking lots so they can park cars underneath. He suggested this could be implemented in areas around the County, such as parking lots at Citicorp, Volvo, the Valley Mall, First Data, etc. These types of SEGs do not infringe on the wildlife or agricultural property. Mr. Wiley agreed that large impervious areas such as parking lots and rooftops would be an ideal place for solar panels. Mr. Reeder agreed, noting that there are empty quarries and landfills around the County that could be used for solar panels. He also asked if solar panels could be placed in flood plains and retention ponds. Ms. Baker stated that solar panels create an impervious surface that would have a negative impact on flood plains and retention ponds.

Mr. Wiley discussed property rights and incentives to direct SEGs where we want to see them in the County. Mr. Weddle discussed the property rights of neighboring property owners and depreciation of property values near solar fields.

Mr. Kline expressed his opinion that SEGs create a negative impact on the environment. He explained that you need a constant source of power on the grid to disperse energy. Any time the source of energy, such as the sun or the wind is disrupted, the power plant will run which is dispersing carbon into the air. He also noted that solar panels are like giant mirrors that reflect heat back into the atmosphere and create more impervious surface. Mr. Kline believes that the County should be promoting the use of already disturbed areas such as rooftops or large parking areas. Mr. Reeder concurred with Mr. Kline's comments.

Mr. Semler agrees that rooftops and large impervious areas should be used for solar panels and agreed with previous comments made by other members. He suggested raising solar panels that have been put on agricultural land so that animals can graze under them. This would help control the weeds and keep an agricultural presence.

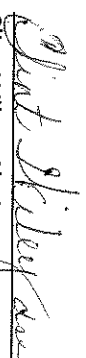
There was a brief discussion regarding tax relief and negotiations for tax relief for solar energy generating systems. SEGs are subsidized through Federal and State government entities and some tax incentives are offered through all government entities. Maryland Tax Assessment assesses SEGs put on agricultural property as a commercial use which increases the tax liability. Some companies ask to use a PILOT (payment in lieu of taxes) program to negotiate with local jurisdictions in order to lower the amount of tax liability. There was a brief discussion regarding special taxes for SEGs placed on prime agricultural property. Mr. Goetz believes it would be difficult to get a special tax through the legislature because this is a renewable energy source.

Ms. Baker stated that staff previously presented information describing what other counties in the State have adopted in their Ordinances regarding SEGs. She will update this information and send it to the Commission members to review and make recommendations for changes to the Zoning Ordinance. Proposed changes to the County's Zoning Ordinance would ultimately need to be approved by the Board of County Commissioners.

There was a brief discussion regarding expansion of the Priority Preservation Areas. Ms. Baker noted that the PPAs were set up to justify land use preservation funding expenditures. The PPAs focus funding in specific areas and created blocks of land preservation.

The Chairman adjourned the meeting at 8:00 p.m.

Respectfully submitted,


Clint Wiley, Chairman