

**WASHINGTON COUNTY PLANNING COMMISSION
WORKSHOP MEETING
March 15, 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, March 15, 2021 at 6:30 p.m. virtually using Zoom software. No physical meeting took place.

Planning Commission members present were: Clint Wiley, Dennis Reeder, David Kline, Jeremiah Weddle, Jeff Semler (joined at 7:00 p.m.), and Ex-officio County Commissioner Randall Wagner. Staff members present were: Washington County Department of Planning & Zoning: Jill Baker, Director; Jennifer Kinzer, Deputy Director; Travis Allen, Comprehensive Planner; Meghan Jenkins, GIS Analyst; John Baker, GIS Technician and Debra Eckard, Administrative Assistant.

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

WORKSHOP

Draft Solid Waste Management and Recycling Plan

Mr. Allen gave a brief overview of the draft Solid Waste Management & Recycling Plan, which must be updated every 10 years. The purpose of this Plan is to outline the County's existing and future plans for solid waste in compliance with State and Federal regulations. The Plan serves to inform the public of the County's plans for an essential service and to give us the opportunity to make sure it conforms with other established plans and policies, such as the Comprehensive Plan, the Water and Sewer Plan, etc. We have been working with the Solid Waste Department and the Environmental Management Advisory Committee to develop this Plan; the content of which is prescribed in COMAR under the Maryland Department of the Environment article.

Mr. Allen highlighted the various chapters and its content:

- Chapter 1 is the legal framework that governs solid waste including goals and objectives;
- Chapter 2 gives an overview of demographic, employment, and industry trends that effect waste generation and looks at zoning and the Comprehensive Plan and the effect on solid waste management;
- Chapter 3 is the characterization of existing waste streams that are being produced by the County and the various facilities that make up the system;
- Chapter 4 regards various components of the collection process and disposal and looks at alternatives that may better assist the County; and
- Chapter 5 is the Action Plan for the County.

Funding for this public service has its own dedicated account, which is an enterprise fund. The enterprise fund keeps the expenditures and revenues separate from the general fund for the County. Revenues can be adjusted over time to keep the program solvent.

Mr. Allen briefly discussed the solid waste management hierarchy as a tool for understanding alternatives that exist prior to the treatment and disposal of solid waste. He noted that landfills are currently permitted on property that is zoned for Rural Business. The Rural Business zoning classification is a floating zone, which must be applied for and would require public meetings before the zoning would be applied to a specific parcel of land.

Mr. Allen stated that waste streams must be tracked and reported to MDE. He gave a brief summary of the different types of waste streams available in the County. He briefly discussed recycling noting that between 2010 and 2018, the County's recycling rate was 50.8%. This rate has dropped due to significant changes in international recycling markets. Mr. Allen also summarized projections for waste streams calculated by using the average rate of population growth.

Mr. Allen gave a brief overview of the solid waste facilities in the County. The Forty West Landfill is the major solid waste facility in the County and includes both a sanitary and rubble landfill. The Rubble Landfill has been inactive for the past few years due to State regulatory changes and physical changes. The Solid Waste Department is initiating the process to formally close that landfill in the near future. The Forty West Landfill also provides recycling, composting and transfer facilities. The Solid Waste Department estimates there is approximately 50 years of space remaining. The County also provides 4 transfer stations around the County for municipalities and residents that cannot get to the Forty West Landfill easily. Use of these facilities does require residents to purchase a permit each year. Mr. Allen discussed the closed and inactive facilities around the County. A number of these sites have been repurposed with solar energy generating facilities.

Next Mr. Allen discussed alternatives for collection systems as follows:

- Free enterprise system: waste is collected by private haulers that are contracted by individuals, HOAs or businesses. Private haulers must obtain a license from the County and operate according to the requirements of the Solid Waste Collection Ordinance. Advantages: meets the needs of individual clients; requires minimal involvement by the County; encourages the development of private business. Disadvantages: less cost-effective system because there are many overlapping routes by different haulers; less control over the waste flow going in and out of the County.
- Contract collection: county is divided into districts of approximately equal population (municipalities would be their own district or lumped in with an adjacent unincorporated area) for one contract hauler. Advantages: more cost-effective system; new regulations could be introduced; more control over the flow of waste in the County. Disadvantages: significant start-up costs; staffing; less competition due to the limited number of districts.
- Hauler Licensing (includes elements of both franchise and contracting systems): allows private haulers to remain in business if they meet certain regulations of the Collection Ordinance. Advantages: competition to reduce collection costs; more control over waste flow; introduction of new regulations through licensing requirements. Disadvantages: overlapping routes; potential that companies looking to avoid some of the regulations would look for alternative avenues for disposing of waste outside the County.
- Full public operation: collection and hauling would be done by the County using its own equipment and financing would either be through taxation or direct billing. Advantages: greatest control over waste flow; don't need same profit requirements as a private business, only need to cover costs. Disadvantages: eliminates competition; could be more expensive due to salaries, benefits, etc.; large capital expenditure to implement and continue operations.
- Pay as You Throw: haulers would charge for the amount of refuse placed at the curb each week instead of a flat rate fee. Advantages: significant increase in recycling and reduction in waste disposal; generates other revenues to cover program costs; gives residents more control over their costs; more equitable system because people who are disposing less are not paying the cost for people who are disposing more. Disadvantages: significant hurdles to implement due to costs.

Mr. Allen discussed potential reuses of closed landfills, for uses such as solar energy generating systems and wind turbines or parks and open space areas. He discussed potential recycling technologies such as yard waste composting. He briefly discussed the waste to energy technology citing both advantages and disadvantages.

In November 2020, the Solid Waste Department and the Environmental Management Advisory Committee presented several recommendations to the Board of County Commissioners, including the following:

- Expand the recycling program by bringing on-line another private sorting facility
- Explore new markets and materials for recycling
- Expand the yard waste composting program to include other organic waste
- Investigate various waste-to-energy technologies

Discussion and Comments: Mr. Semler expressed his opinion that the County made a tactical error by requiring multiple stickers to use the landfill and transfer stations.

Solar Energy Generating Systems [SEGS]

Ms. Baker briefly reviewed the materials and information that was sent to the Planning Commission members prior to the meeting. She reminded members that SEGS are prohibited in the Priority Funding Areas (PFAs) and the Rural Legacy areas, which are dedicated to permanently preserving large blocks of land. She also reminded members that the Public Service Commission (PSC) has the final decision where SEGS can be located; however, the PSC has been sensitive to the recommendations of local government entities.

Discussion and Comments: There was a brief discussion with regard to encouraging the use of roof tops and parking lots for SEGS. Ms. Baker believes there are PILOT programs that we could investigate; however, the capital investment, liability and inconvenience could be a deterrent. There was a brief discussion about locating SEGS in flood plain areas. Ms. Baker stated we would need to discuss this option with the County's Engineering Department because placing SEGS in the flood plains could effect impervious areas.

Mr. Weddle expressed his concern that there are numerous acres of prime farmlands that are not within the PFAs or the Rural Legacy areas. He asked if there was a way to tax the SEGS. Ms. Baker believes that would be a legislative issue that would need to be a priority for the County Commissioners to take to the

local delegation and then before the General Assembly. The General Assembly promotes renewable energy legislation so a tax could be looked on unfavorably.

Mr. Weddle suggested that SEGS should not be permitted on any land with Class I and II soils. Mr. Semler suggested the following language: "The developer of the solar facility shall, to the degree practicable, avoid disturbing Class I and II prime agricultural soils outside of the growth area." Members agreed they liked this language and it should be included in the recommendation to the County Commissioners.

Mr. Weddle suggested additional buffering regulations to help protect the viewshed of neighboring property owners. Ms. Baker stated that there is currently language in the Zoning Ordinance regarding buffer yard setbacks and screening requirements. The Planning Commission may modify these requirements depending on the circumstance. Mr. Weddle recommended that the height of a tree used for buffering must be 10 feet at planting, not at maturity.

Staff will prepare a draft text amendment and present it to the Planning Commission at its May meeting.

ADJOURNMENT

Mr. Weddle made a motion to adjourn the meeting at 8:00 p.m. The motion was seconded by Mr. Semler and so ordered by the Chairman.

Respectfully submitted,


Clint Wiley, Chairman