Carroll County Environmental Advisory Council

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Karen Leatherwood, Chair
David Hynes, Vice Chair

Brenda Dinne, Staff Liaison
Department of Land
& Resource Management

Meeting Summary for January 20, 2016

Members
Karen Leatherwood, Chair
Curtis Barrett
Ellen Cutsail – Absent
David Hynes
Amy Krebs
Frank Vleck
Sandy Zebal

County Government
Brenda Dinne, Special Projects Coordinator / EAC Staff Liaison
Cindy Myers-Crumbacker, Recording Secretary
Tom Devilbiss, Director, Department of Land and Resource Management

Other Attendees
None

1. **CALL TO ORDER** –
   Ms. Leatherwood, Chair, officially called the January 20, 2016, meeting to order at 6:30 p.m. in the Reagan Room of the County Office Building.

2. **PUBLIC COMMENTS AND CONCERNS** –
   No public comments were offered.

3. **APPROVAL OF MEETING MINUTES** –
   No corrections or comments were made to the December minutes.

APPROVAL OF MINUTES – Motion 241-16: Motion was made by Curtis Barrett and seconded by David Hynes to approve the December 17, 2015, meeting minutes. Motion carried.

4. **CHAIR AND COMMITTEE REPORTS** –
   a. ***Solid Waste Subcommittee:***
      Ms. Leatherwood informed the Council that the committee is continuing to meet monthly, but there is nothing new to report at this time.

5. STAFF LIASION REPORT

Ms. Dinne reported that items thus far for the January meeting agenda include: discussion of residential solar size requirements and a status update on the Environmental Awareness Awards.

Ms. Dinne informed the Council that the meetings will no longer be video recorded.

The annual Financial Disclosure Forms are due by the end of January. A notary is available in the Resource Management office, the Ag Preservation office, and the Office of Administrative Hearings (which is where the forms need to be turned in). Ms. Dinne suggested, for their convenience, the members could stop in to notarize the forms before or after the joint meeting with the Commissioners on January 21.

Ms. Dinne asked if the group would like to continue receiving paper handouts or prefer to receive them electronically. The consensus was to receive paper copies of the agenda and significant items to be discussed. However, they did not feel they needed paper copies of the minutes or of large volumes of information by email, such as the research circulated for the residential solar size requirements project.

Correspondence was received from Julie Arbit with the Weed Warriors of Carroll County. She requested her program be included in the Environmental Stewardship booklet. Weed Warriors is associated with the Carroll County Forestry Board and is looking for volunteers to pull weeds at parks. They are currently focused on Piney Run and plan to add Charlotte's Quest in two years. While the Weed Warriors function does not generally fit with the content of the booklet, and will not be updated again until 2017, the EAC agreed to request that next year Ms. Arbit send facts related to the environmental benefit of the Weed Warriors' work (such as number of acres cleared of noxious weeds). The EAC will review the information and consider at that time whether to include it. Ms. Arbit also requested that a link be added to the EAC website to the Weed Warriors website. The EAC decided that, although the general policy is to only include on the webpage links to other government organizations, a link could be added in this case since the Weed Warriors serve a quasi-government function as a subset of the Carroll County Forestry Board. The suggestion was made to note next to the link that Service Learning Hours may be available. Ms. Dinne will respond to this correspondence to convey the EAC's discussion and decisions.

6. OLD BUSINESS –

a. Business Community MS4 Workshop

Ms. Leatherwood thanked everyone for their hard work on the workshop. The evaluations reflected an overall positive response. Ms. Krebs noted that the only items with a fair rating were the meeting time and the length of the meeting. Mr. Hynes added that the business speakers were well received. He was pleased that the business community was well represented.

Ms. Dinne shared that, of the 16 registered, 10 attended, and there was one walk-in attendee. Three municipalities were represented. It was suggested that a different location could be used if the group remains this size. The Reagan Room of the County Office Building would be well suited, but Ms. Dinne offered that it was seen as a benefit to hold the workshop at that location not associated with the County Office Building. The members discussed holding the workshop from 3:00 to 5:00 p.m. next time to help address the feedback.

Mr. Barrett asked if there is a report with the number of violations and resolutions. Mr. Devilbiss answered that the NPDES Annual Report contains this information. Ms. Dinne added

that there were 15 in 2015. Mr. Devilbiss indicated that most of them were abated. There was no need to bring MDE in on any of the issues. Mr. Devilbiss praised Mr. Edwards on educating and correcting the problems that were reported.

Ms. Leatherwood relayed that she is still not sure what else could be done to encourage more participation. Mr. Hynes suggested having a booth at the Ag Fair. Ms. Dinne replied that Mr. Edwards is already doing this. In addition, the EAC had previously offered to volunteer at the booth at whichever events it was needed, and Ms. Dinne had passed this offer along to Mr. Edwards. However, she added that she could suggest to him that the EAC's materials be available as well.

Mr. Devilbiss thanked the EAC members for their hard work on this project.

b. 2016 Environmental Awareness Awards

A news release for the 2016 Environmental Awareness Awards was sent out on January 7. The EAC webpage changes to reflect the awards nomination information and the CCG homepage banner went live on January 6 and 7. The nomination packets were sent out to the distribution list. Some of the recipients receive electronic copies and come receive hardcopies to set out or to distribute. The Council had previously decided that all members will review all of the applications, rather than forming a committee. Ms. Dinne said the first nomination has been received. Nominations will be sent to the EAC members once five or more have been submitted. Each member is to send their votes by email to Ms. Dinne to tally the results. The results will be discussed at the March meeting. Ms. Leatherwood offered to *request* of Mike McMullin, the president of the Carroll County Chamber of Commerce, to *interview* an EAC member on their radio program to help get the word out about the awards.

c. Joint Meeting with Board of County Commissioners – Review Agenda

Ms. Dinne reviewed the agenda for the joint meeting with the Board scheduled for the following day, January 21, 2016. She asked the members to volunteer to lead the different agenda items or portions thereof. Mr. Devilbiss will open the meeting with the purpose of the meeting, followed by introductions. Ms. Dinne will briefly review the role of the EAC. Ms. Zebal then will briefly review the 2015 Annual Report. Moving on to the proposed 2016 Work Plan, Mr. Vleck will summarize the solar-related projects – Solar Surface Area Requirements for Residential Districts project and Residential Solar Public Outreach Materials. Mr. Barrett will follow by reviewing the following projects: General Public Community MS4 Workshop; 2016 Environmental Awareness Awards; and Amend Chapter 31 of Code to Remove Tree Commission. The EAC will have one hour to cover the agenda items. Mr. Hynes and Ms. Krebs will not be able to attend the joint meeting.

d. Residential Solar Size Requirements-Review of Other Jurisdictions' Requirements

Ms. Dinne noted that the final overall scope of work, as well as the EAC's working document for the process, were emailed to the members with the agenda and draft minutes. She also noted that Mr. Voight was to research the average electricity use per household, but was unexpectedly unable to attend the meeting this evening. The discussion tonight is to focus on review of requirements of other Maryland jurisdictions.

Ms. Leatherwood was assigned to research requirements in many of the **rural counties** in Maryland. She said she found very little in their codes, particularly related to ground-mounted

systems. Those that had requirements in place primarily seemed to allow systems on the roof. If ground-mounted systems were mentioned, they had to follow the setbacks and size requirements of other accessory uses. Three of the counties did address utility-scale systems, but not residential.

Ms. Zebal checked on **Baltimore County**. Baltimore County also required ground-mounted systems to follow the setback and size requirements of other accessory uses. She called the zoning office in Baltimore County. The equipment cannot cover more than 40 percent of the lot and is restricted to 15 feet in height. The code for roof mounted systems was recently revised to address access to roofs by firefighters. Separations between panels and around chimneys were made less restrictive.

Mr. Hynes visited the **Howard County** offices for information. Electrical and building permits are required for residential solar installations. Therefore, most are reviewed on a case by case basis. No specific height requirements are included in the code. He was told most requests are for roof-mounted facilities, which generally get approved.

Mr. Hynes added that a building permit is needed in **Baltimore City** as well. Panels cannot be raised more than 42 includes above the roof surface

Ms. Krebs looked at **Eastern Shore** counties. She said that, because stormwater is regulated, there are requirements in some areas for spacing and angles.

Mr. Vleck researched Alleghany, **Garrett**, and Washington Counties. He said he did not find any requirements for Garrett County. However, he found an article that stated that Garrett County has a signed agreement with Solar City. They have five spots around the county to provide solar power for utilities.

Mr. Vleck also checked on **Washington County**. He felt they had substantial information available, particularly finding the three-page section regarding solar and wind turbine facilities useful. He said solar facilities are treated as accessory uses in all zoning districts. Bulk requirements included 6-foot setbacks and 20-foot maximum height, and the footprint cannot exceed half the building footprint or 600 square feet – whichever is greater. There are some exceptions. They are permitted on the roof or on a wall, not to extend beyond 12 feet above the roofline. Applicants are required to provide a structural certificate to show the structure can accommodate the proposal. They can be located on accessory structures as well. The requirements include a provision making it the applicant's responsibility to coordinate with neighbors and secure any needed easements to prevent structures or landscaping on adjacent properties that would block the sun. There is no recourse with the County; it must be worked out with the neighbor.

Ms. Zebal also researched **Frederick County**. Wall or roof-mounted solar collection systems are allowed in all zoning districts. Solar arrays are permitted in any zoning district. The total square footage of all arrays cannot exceed the footprint of the principle structure. The footprint of an individual array shall not exceed one half the footprint of the principle structure or 600 square feet.

Mr. Barrett researched **Montgomery, Anne Arundel, Prince George's, Calvert, and St. Mary's Counties**. He said many are promoting the use of solar to receive tax credits. He was not able to find the requirements for Anne Arundel or Calvert Counties. The standards for Prince George's and St. Mary's Counties are the same. The solar facilities must meet accessory structure setbacks and height requirements, although there is a 20-foot maximum height for freestanding systems. Three of the counties for which he found information required permits.

Members volunteered to call one of three counties to inquire if their solar requirements are working as desired, and if not, what they might change. Ms. Leatherwood volunteered to *call* Washington County, Mr. Barrett to call Montgomery County, and Ms. Zebal to call Frederick County. The results of these follow-up conversations are to be emailed to Ms. Krebs within the next week.

Ms. Krebs volunteered to prepare a *matrix* to compare the various requirements related to size. The matrix/spreadsheet will include both the information on the Maryland counties as well as the information on other jurisdictions provided by Ms. Dinne in December. The follow up phone conversations with Washington, Montgomery, and Frederick Counties are to be incorporated into the matrix. Ms. Krebs will email the matrix prior to the next meeting so all the members have time to review it before the meeting.

Ms. Krebs added that she does not feel that the size of a residential solar facility should be based on the size of the house. The size of the property would be a better measure. Also, the solar reflection on neighbors should be considered.

Ms. Dinne suggested that the EAC members take time to *review* the *options* related to size requirements originally provided to them, as well as the requirements of *other jurisdictions* around the country, before discussing recommendations or deciding to mirror another Maryland county's requirements.

Ms. Dinne also clarified that the research and recommendations should include both roof- and ground-mounted systems. However, they may want to address wall-mounted systems as well to be proactive.

7. <u>NEW BUSINESS –</u>

Nothing to report.

8. <u>OTHER</u> –

Mr. Hynes asked if the EAC was going to pursue a project to eliminate the requirement for people to replace their conventional septic systems with best available technology (BAT) systems. Ms. Dinne replied that this requirement is a State law, and the regulations would have to be changed. Ms. Leatherwood stated that this project would be too big of an issue for the EAC and would not necessarily fit with the EAC's charge.

9. <u>ADJOURN REGULAR MEETING</u> –

<u>ADJOURNMENT – MOTION 242-16:</u> Motion was made by Curtis Barrett and seconded by Frank Vleck to adjourn the January meeting. Motion carried.

The meeting adjourned at 8:24 p.m. The next regular monthly meeting is scheduled for Wednesday, February 17, 2016 at 3:00 p.m. in the Reagan Room of the County Office Building.