

Minutes

Public Hearing 11/30/2022

Proposed Zoning Code Amendments

To Exhibit A to Ordinance No. 681, Chapter 112- Zoning

NOTICE is hereby given by the Mayor and City Council of City of Crisfield, that on Wednesday, November 9, 2022, Ordinance Number 715, an Ordinance to Amend Exhibit A to Ordinance No. 681, Chapter 112- Zoning was introduced and read at the regular meeting of the City Council, proposing and recommending that: Article III Definitions; Interpretation §112-20 be amended to add definitions for solar energy system, solar energy system, small scale, and solar energy system, medium scale; Article VIII Permitted Uses §112-46 Public, Civic and Institutional Use Category and §112-55 Use of Designations be amended to clarify and rectify any inconsistencies including allowing solar energy system, medium scale in the R-4 district by special exception and prohibiting solar energy system medium scale in the R-1, R-2, and R-3; Article IX. Supplemental Use Regulations, §112-73 be amended to clarify and rectify any inconsistencies and adding a decommissioning requirement for solar energy system, small and medium scale.

PRESENT

Darlene Taylor, Mayor
Ivan Lankford, via Zoom
Eric Banks, Councilman via Zoom
Charlotte Scott, Councilwoman
Casey Goldsborough, Councilman
Andrew Illuminati, City Solicitor
Joyce L. Morgan, Clerk-Treasurer

Also in attendance – LaFabian Marshall; Dean Bozman, Inspector; Tammy Truitt; David Girton; Eric Emely; Tim Linhard; Philip Walzer, ODU; Chief Rick Taylor; Dean Bozman; Richard Crumbacker; and Jennifer Merritt.

Mayor Taylor called the meeting to order with the Lord's Prayer and the Pledge of Allegiance.

Mayor Taylor requested any comments against the proposed zoning code amendment concerning the proposed zoning amendment regarding solar.

Tammy Truitt, who is an opponent of the solar farm proposal, advised that she had several concerns, as follows.

- 1) "Associated Equipment" needs definition
- 2) Insurance & damage
- 3) Distance to the school (Woodson)
- 4) Noise
- 5) Board of Education – not aware
- 6) The site, when done being a solar farm, will be Brownfield

- 7) There will be no further use for the land
- 8) There will be no further income
- 9) The company will get no Personal Property taxes
- 10) Only the utility customers who sign on will get a break; the rest will pay more because of the cost to generate this type of electricity
- 11) The cost to decommission the farm will be \$772K

Mr. David Girton, 6 E. Main Street, spoke as a proponent of the solar farm. He advised that he feels it should be added for the City.

Mr. Eric Emely, 4490 Briarwood Court, and previous Councilmember, spoke as a proponent of the solar farm. He noted that there is a solar farm on the UMES campus, and safety for kids is his number one concern. Mr. Emely urged everyone to give the company a chance, noting that this is green energy and electric cars are up and coming. He added that he feels it will be beneficial to the City.

Mr. Tim Linhard, 3107 Calvary Road, commented that the property may be more beneficial as a location to build houses for low-income residents, as there are so many dilapidated houses in the area. People would move here, and it would create more tax base.

COUNCIL COMMENTS

Councilwoman Scott commented that she supports the solar farm as it is good for the tax base and provides green energy. She further commented that we need to be more business friendly as well providing more housing.

Councilwoman Johnson advised that she agrees and supports the proposal adding that Crisfield is going to be business friendly. She added that we need both housing and businesses.

Mr. Illuminati went on to explain the tax break law noting that this isn't about any one solar company; it's about rezoning property to allow by special exception, which doesn't mean it's an automatic right to do something. He advised that it means you must go before the BZA and have a public hearing and public comment process, prior to the BZA deciding whether to grant the special exception as the Ordinance is currently written. Mr. Illuminati noted that there are certain things that ECA Solar would have to do to get tax breaks and meet the criteria.

At this time, Mr. Jack Rowland, ECA Solar, entered the meeting, via zoom. Mr. Illuminati inquired of Mr. Rowland if he was aware of the House Bill concerning the waiver of PP Taxes for Solar Farms and the City's concerns about the impact on the revenue that it would be receiving.

Mr. Rowland advised that he was aware of the Bill and that ECA Solar came into this opportunity before this Bill was ever addressed. He advised that they have every intention of paying the City the proper property taxes and will do whatever they need to work with the City.

Further discussion followed regarding the Green Energy aspect.

At this time, Mayor Taylor noted that time was drawing near for the regular meeting and advised that she wanted to make sure all of the Councilmembers could speak, which were Council Vice President Lankford and Councilman Banks, via zoom.

Council Vice President Lankford advised that he sees opportunity and he welcomes anything that is good for growth and positive for Crisfield. He noted that solar is everywhere you look, and he doesn't see a danger from it. He commented that when it comes time to vote, there will need to be discussion, but he thinks this is a good move for Crisfield.

Councilman Banks advised that he limit his conversation, noting that he had been under the weather and thanking everyone for their prayers. He commented that yesterday's solar is not the same as today and the property has been sitting there undeveloped. He further commented that we are aware of the decommissioning, and we are not going into a contract with someone and get the lesser end of the deal. He commented that we need to have an open mind and know that we are not going to be able to satisfy everyone. He advised that he supports the project if it is safe and can work for the entire city.

Mayor Taylor thanked Councilman Banks for his comments. She advised that ECA Solar is working on a presentation that they can do for us prior to a vote. Mayor Taylor then turned the meeting back over to Mr. Rowland for any further questions.

Mr. Rowland advised that they have enjoyed coming to Crisfield and getting to know people and their insight. He advised that he appreciates the support and hopes they can make something work in the community and the city as a whole. He noted that they are working on a presentation in regard to taxes. He advised that he would email the presentation to Mrs. Swift.

Mayor Taylor advised that the presentation will be at an upcoming open meeting and voted on possibly in the new year.

With no further business for discussion, Councilwoman Johnson made a motion to adjourn the public hearing, seconded by Councilwoman Scott and carried unanimously.

Meeting adjourned at 5:59

Respectfully submitted,

Joyce L. Morgan, Clerk-Treasurer

Prepared by Valerie Swift, Secretary
(absent from meeting due to illness)