



**HOWARD COUNTY
AGRICULTURAL PRESERVATION BOARD**

September 21, 2020

Staff Report

Owners: The Richard Warfield Trust
c/o E. Alexander and Betty Adams, trustees
6160 Ten Oaks Road
Clarksville, MD 21029

Farm Location: South side of Ten Oaks Rd, west of Route 32
Tax Map 34, Parcel 43; 113 +/- acres.

Easement Designation: Howard County easement #HO-91-04-E

Request: Advisory comments on a proposed Commercial Solar Facility

Summary:

The Richard Warfield Trust, E. Alexander and Betty Adams, trustees, is the current owner of the subject property, which was placed in the Howard County Agricultural Land Preservation Program (ALPP) on April 19, 1991 by Susan and Jean Warfield. The current request is for the APB to provide advisory comments on the proposed commercial solar facility (CSF) regarding consistency with the APB Commercial Solar Facility policy.

Background:

In October 2016, the Howard County Council approved legislation to amend the Zoning Regulations to allow CSFs of up to 75 acres on properties in the ALPP. Council Bill 59-2016 requires the APB to provide advisory comments for Conditional Use Petitions for CSFs prior to submission to the County. The APB's comments are to be based on whether a proposal meets the following criteria, as set forth in Section 131 of the Howard County Zoning Regulations:

1. "The siting of the CSF on the parcel or parcels is an ancillary business which supports the economic viability of the farm, or
2. The siting of the CSF on the parcel or parcels supports the primary agricultural purpose of the easement property."

The APB subsequently developed standards of review in its Commercial Solar Facilities policy to determine if each proposal meets one or both of the aforementioned criteria. Pursuant to their revised policy of September 23, 2019, the Board will apply the following standards to the CSF Conditional Use Petition criteria:

1. In determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 10 acres or 10% of the Property's size, whichever is less. The commercial solar operational area is defined as the entire area of the CSF (including any equipment, spacing, structures or other uses that support the CSF) and any new roads that must be constructed in order to access the CSF. Existing roads

being used to access the new facility are not included within the 10% operational area (i.e. existing dirt, gravel, or paved farm lanes).

2. In determining if the siting of the CSF supports the primary agricultural purpose of the Property, the portion not included in the commercial solar operational area must have a soils capability of more than 60% USDA Classes I-III and more than 66% USDA Classes I-IV.

Other standards the APB may consider include:

1. If possible, the prescribed landscape buffer should be placed within the 50-foot conditional use setback. Landscaping should only be required alongside public road frontage, and not along sidelines or the Property's interior. When present, existing vegetation should be used as a landscaped buffer (i.e. hedgerows, fencerows, trees, shrubs, etc.).
2. Placement of the commercial solar operational area will minimize impact on existing environmental features (for example: Green Infrastructure Network, streams, wetlands, etc.)
3. In general, the commercial solar operational area should maintain the integrity and spirit of the Agricultural Land Preservation Program.

Staff Analysis:

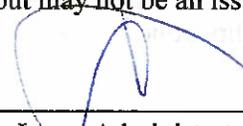
The applicant has provided documentation that their proposal meets the two primary standards. The requested CSF area is 10 acres, which is approximately 8% of the overall property size.

Regarding the soils capability of the land not included in the solar operational area, 75.8% would be USDA Classes I-III. This exceeds the minimum requirements of the APB policy of 60% Classes I-III and 66% Classes I-IV.

According to farmer Rick Warfield, whose family's trust owns the land, there is an existing grain crop (~65 acres) and beef cattle (~20 acres of pasture) operation on the property. The remaining land is in woods, wetlands and the homesite area. Mr. Warfield's intent is to keep the operation the same, except for the 10-acre CSF. He states that solar will be used as an alternative crop/opportunity to diversify income from farming operations.

The applicant plans on incorporating pollinator habitat into the CSF design but has concerns about future shading from the required landscape buffer trees, once they mature. This is especially true given the need to maximize the targeted 10 acres to get optimal production, but may not be an issue depending on the species of trees used for the buffer.

Prepared by:


Joy Levy, Administrator
Agricultural Land Preservation Program

Date:



Attachments:

Aerial Photo
Preservation Map
Soils Map
APB Commercial Solar Facilities policy
Letter from M/M Adams

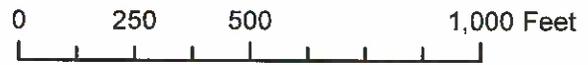


Proposed
+/- 10.00 Acres
CSF Operational
Area

Adams, E. Alexander and Betty Trustees
6160 Ten Oaks Road
Clarksville, MD 21029
Tax Map: 34 Parcel(s): 43

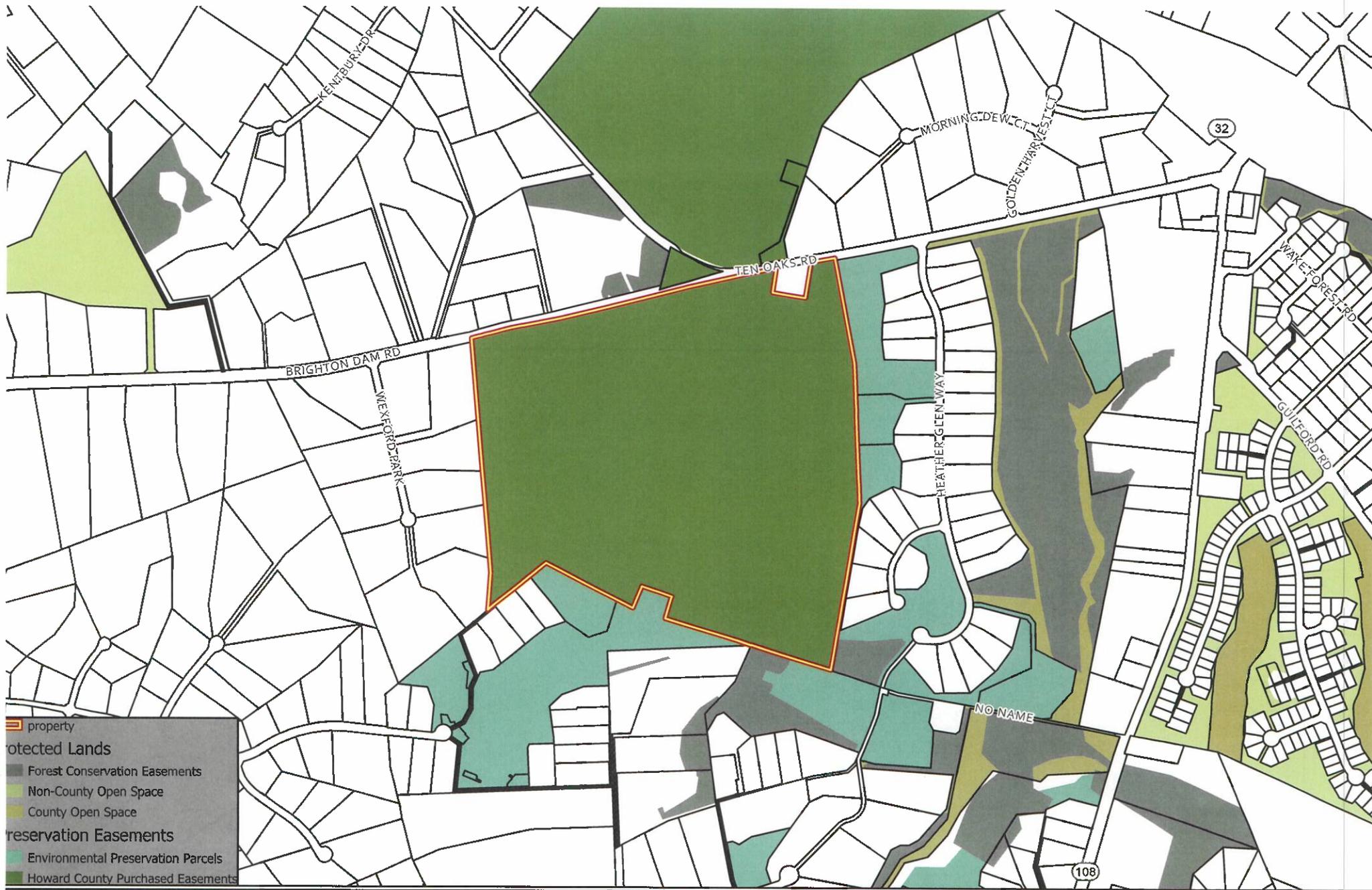
Aerial

 property



Howard County Department of Planning & Zoning
Resource Conservation Division
September 10, 2020





- property
- Protected Lands**
- Forest Conservation Easements
- Non-County Open Space
- County Open Space
- Preservation Easements**
- Environmental Preservation Parcels
- Howard County Purchased Easements

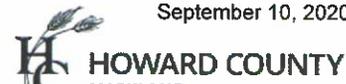
Adams, E. Alexander and Betty Trustees
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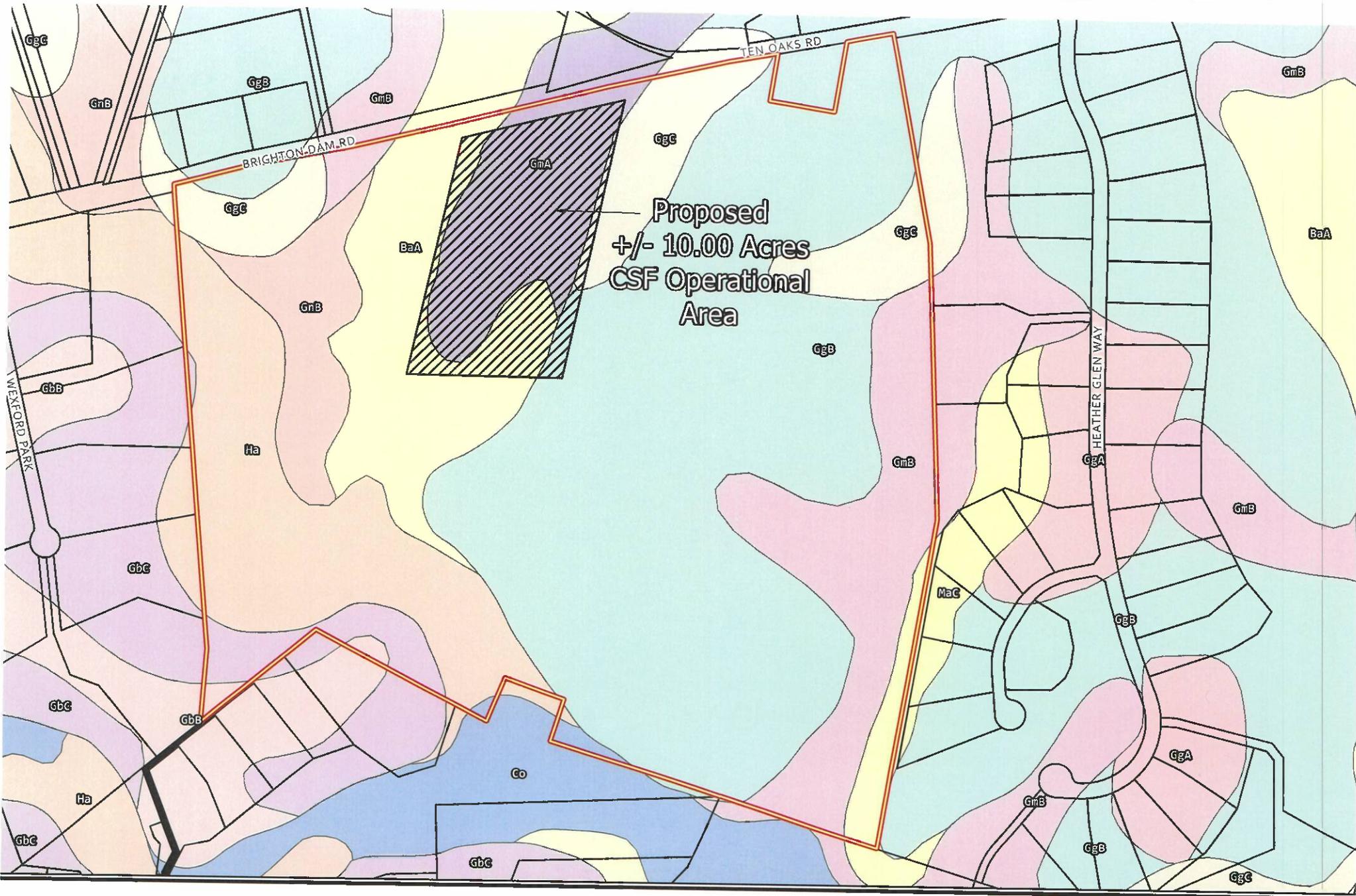
Protected Lands

0 500 1,000 2,000 Feet



Howard County Department of Planning & Zoning
 Resource Conservation Division
 September 10, 2020





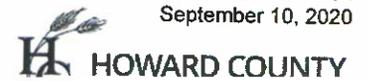
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Soils

 property



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E. Alexander Adams and Betty
Smith Adams, Trustees of the
Richard Trust, Jean Warfield Estate
6096 Keyser Road
Hume, VA 21738

August 31, 2020

Howard Soil Conservation District
14735 Frederick Road
Cooksville, MD 21723

RE: Permission to release current Soil Conservation and Water Quality Plan for 6160 Ten Oaks Road Clarksville, MD 21029 to SolHarvest Energy and/or Vogel Engineering + Timmons Group

To Whom It May Concern:

As Trustees of the Richard Trust, Jean Warfield Estate, we are granting permission that the Howard Soil Conservation District may release the current Soil Conservation and Water Quality Plan ("Plan") for the farm located at 6160 Ten Oaks Road Clarksville, MD 21029, and further described as the following to representatives from SolHarvest Energy and/or Vogel Engineering + Timmons Group.

- Map: 0034, Grid: 0011, Parcel: 0043
- District - 05, Account Number- 370957
- ~Acres: 114.60

The Plan will be utilized for various permitting applications related to a proposed commercial solar facility to be constructed on a portion of the property. We can be contacted at (443) 812-0817 if you have any questions. Thank you for your help in this matter.

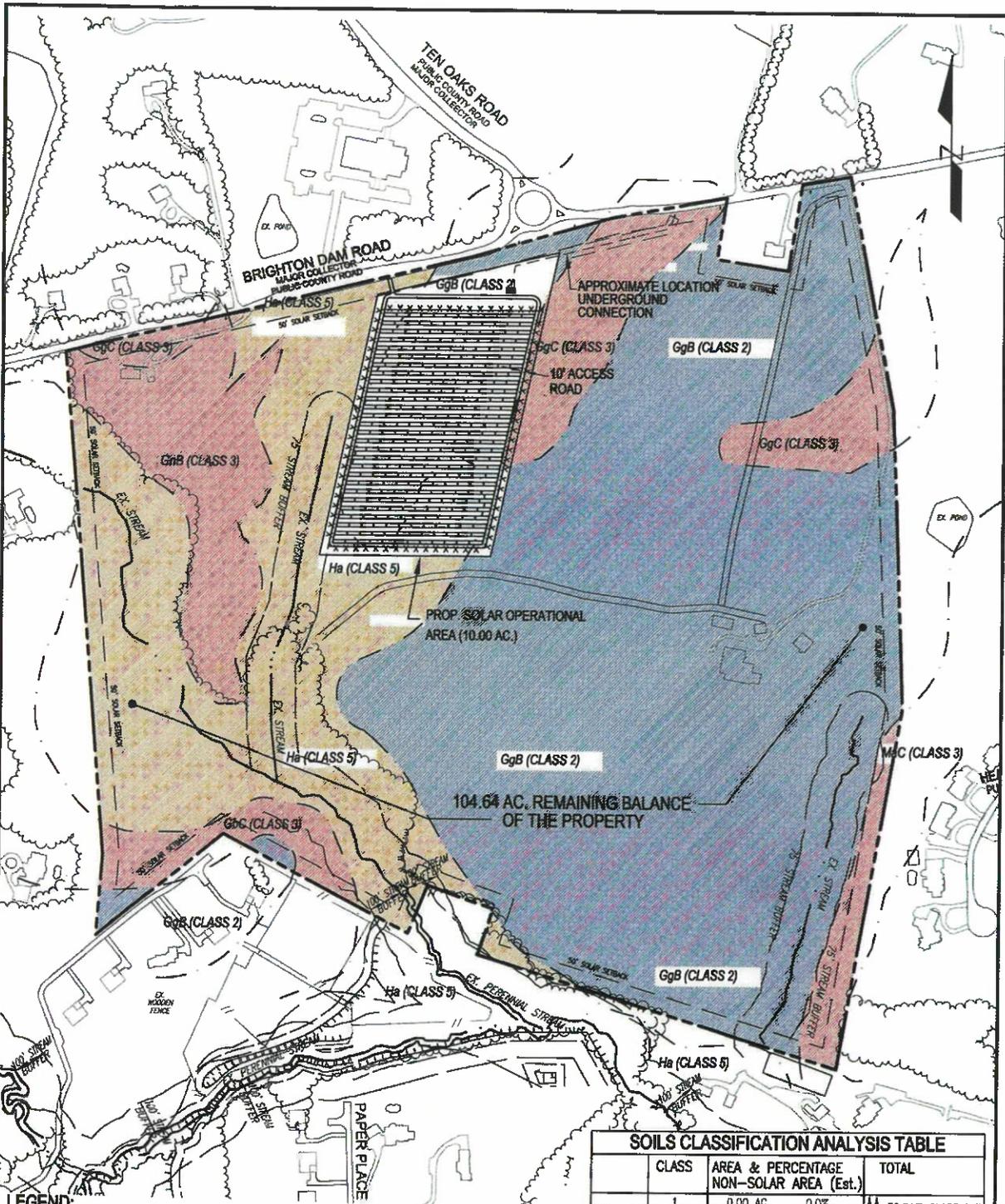
Sincerely,

By: E. Alexander Adams

Name: E. Alexander Adams
Title: Trustee of the Richard Trust, Jean Warfield Estate

By: Betty Smith Adams

Name: Betty Smith Adams
Title: Trustee of the Richard Trust, Jean Warfield Estate



LEGEND:

- EXISTING TREELINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- SOILS BOUNDARY
- PROP. SOLAR OPERATIONAL AREA
- EXISTING STREAM
- EXISTING STREAM BUFFER

CLASS	AREA & PERCENTAGE NON-SOLAR AREA (Est.)	TOTAL
1	0.00 AC. 0.0%	75.81% CLASS I-III (78.51 AC)
2	59.74 AC. 57.69%	
3	18.77 AC. 18.12%	75.81% CLASS I-IV (78.51 AC)
4	0.00 AC. 0.0%	
5+	25.05 AC. 24.19%	

TOTAL BOUNDARY AREA: 113.5647 AC
 COMMERCIAL SOLAR AREA: 10.00 AC.
 TOTAL BALANCE OF THE PROPERTY: 103.56 AC.

VOGEL ENGINEERING
 +
TIMMONS GROUP
 3300 NORTH RIDGE ROAD, SUITE 110, ELLICOTT CITY, MD 21043
 P: 410.461.7666 F: 410.461.8961 www.timmons.com

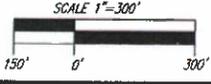
PETITIONER
 SOLHARVEST ENERGY
 ATTN: JOHN FORGASH
 THE PATRIOT BUILDING
 172 TUCKERTON ROAD
 MEDFORD, NJ 08055
 PHONE: 609-678-6911

OWNER
 E. ALEXANDER AND
 BETTY SMITH ADAMS
 TRUSTEES OF THE
 RICHARD TRUST,
 JEAN WARFIELD ESTATE
 6160 TEN OAKS RD
 CLARKSVILLE, MD 21029

DESIGN BY: RHY
 DRAWN BY: KG
 CHECKED BY: RHY
 DATE: SEPTEMBER 2020
 SCALE: 1"=300'
 W.O. NO.: 46576

TAX MAP 34 BLOCK 11
 5TH ELECTION DISTRICT

**TEN OAKS SOLAR
 SOIL CLASSIFICATION ANALYSIS MAP**



ZONED RR-DEO
 PARCEL 43
 HOWARD COUNTY, MARYLAND