



**Board of Zoning Appeals**  
**Department of Planning, Housing, and Zoning**

**MINUTES**

June 17, 2024

5:00 PM

*Video recordings of the Kent County Board of Appeals meetings are available online for viewing on the County's YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>.*

The Board of Appeals met on June 17, 2024, at 5:00 p.m. in the County Commissioners Hearing Room. Board members in attendance were Chair Dr. Albert Townshend, Member John Massey, and Member Joan Horsey.

Thomas N. Yeager, Esq., Board Attorney; William Mackey, AICP, DPHZ Director; Carl Gerber, AICP, Deputy Director; and Mark Carper, LEED Green Associate, Associate Planner were in attendance.

Applicants' representatives included Anthony P. Kupersmith, Esq. of McAllister, DeTar, Showalter & Walker LLC; Ted Hastings, Edward (Ted) H. Hastings, PMP, Associate of Becker Morgan Group, Inc.; and John Shields of Pivot Energy.

Members of the public who attended in person and spoke included: Richard O'Connor; Linda O'Connor; Greg Blankenship; Karen Blankenship; Franklin A. Hynson of Mt. Pleasant United Methodist Church; Violet Rose of Mt. Pleasant United Methodist Church; Rosemary Crawford; and Elizabeth Watson, FAICP.

The meeting was called to order at 5:00 pm by Chair Townshend.

**APPLICATIONS FOR REVIEW**

*24-18 MDL 153 Mason Solar -- Special Exception -- Utility-Scale Solar Energy System in AZD  
9425 Fairlee Road, Chestertown -- Sixth Election District -- Zoned Agricultural Zoning District (AZD)*

Tony Kupersmith, Esq., Ted Hastings, and John Shields presented the project to the Board of Appeals, noting that berms were added at the recommendation of the Kent County Planning Commission. Solar arrays will track the movement of the sun. The panels will be flat at midday and on end at the beginning and end of the day with the highest elevation being 15 feet. For most of the day the panels will be less than 15 feet in height. Landscape maintenance, bonding, lifespan of the panels, and subscriber qualifications were discussed.

The following members of the public spoke in opposition: Richard O'Connor; Greg Blankenship; Karen Blankenship; Linda O'Connor; Franklin A. Hynson of Mt. Pleasant United Methodist Church; Violet Rose of Mt. Pleasant United Methodist Church and Rosemary Crawford. Elizabeth Watson, FAICP spoke expressing that certain conditions can be imposed, even if a use must be permitted because it meets required criteria.

Adopted on August 19, 2024

