



**TOWN OF PORT DEPOSIT APPLICATION  
BOARD OF APPEALS  
FOR SPECIAL EXCEPTION, VARIANCE OR APPEAL**

REQUEST IS FOR: (✓) Special Exception ( ) Variance ( ) Variance Critical Area ( ) Appeal ( ) Renewal

**Fee – Submit with Application**

Appeals	\$1000	Special Exception w/site plan	\$300
Special Exception w/out site plan	\$200	Variance	\$200

**TOWN USE ONLY**

File No: 15-2023 Filing Date: 5/9/2023 Fee: \$300.00

Received By (Name and Title): PN

PC or HAC Meeting: 5/22/2023

Board of Appeals Meeting: 6/10/2023

Appeal Decision by: N/A Permit No. \_\_\_\_\_ Date: \_\_\_\_\_

**A. PROPERTY INFORMATION**

BAINBRIDGE - LANDFILL AREA

PROPERTY ADDRESS – PLEASE PRINT CLEARLY

<u>23G</u>	<u>648</u>	<u>746.64</u>	<u>B&amp;I</u>
TAX MAP#	BLOCK	PARCEL NO.	LOT NO.
		#ACRES	ZONE

Existing Use of Property: CAPPED LANDFILL

**B. LAND USE DESIGNATION**

Is property in the Chesapeake Bay Critical Area: \_\_\_\_yes ✓no

Is property in the Historic District: \_\_\_\_yes ✓no

Is property in the Floodplain Overlay District: \_\_\_\_yes ✓no

**C. APPLICANT INFORMATION**

NEXAMP - GREG WERNER

APPLICANT NAME – PLEASE PRINT CLEARLY

<u>101 SUMMER STREET</u>	<u>BOSTON</u>	<u>MA / 02110</u>	<u>617-431-1440</u>	<u>GWERNER@NEXAMP.COM</u>
ADDRESS	CITY	STAT /ZIP CODE	PHONE	EMAIL

**D. PROPERTY OWNER INFORMATION**

BAINBRIDGE DEVELOPMENT CORPORATION - TONI SPREngle

PROPERTY OWNER NAME – PLEASE PRINT CLEARLY

<u>748 JACOB TOME MEMORIAL HWY</u>	<u>PORT DEPOSIT</u>	<u>MD / 21904</u>	<u>410-378-9200</u>	<u>TSPREngle@BAINBRIDGEDEV.ORG</u>
ADDRESS	CITY	STATE/ZIP CODE	PHONE	EMAIL

**E. PURPOSE OF APPLICATION** – Indicate reasons why this application is submitted)

Zoning Ordinance Provision of the Chesapeake Bay Critical Area Program under which this application is being submitted (if applicable):

N/A

Port Deposit Zoning Ordinance Provision under which this application is submitted (Section and Paragraph):

PER ARTICLE X - PERMISSIBLE USES, SECTION 174, PARAGRAPH 2, ALTERNATIVE ENERGY PRODUCTION INCLUDING SOLAR IS

PERMITTED AS A SPECIAL EXCEPTION.

**E. REASON FOR REQUEST** Indicate the reasons why the applicant/owner feels this request should be granted:

THIS REQUEST SHOULD BE GRANTED AS THE SOLAR ENERGY GENERATED WILL BENEFIT THE TOWN AND LOCAL COMMUNITY.

ADDITIONALLY, PROPOSING SOLAR PANELS ON A CAPPED LANDFILL IS A WAY TO REPURPOSE THE AREA, AS IT CANNOT BE USED

FOR ANY OTHER DEVELOPMENT.

**F. PROPOSED PROJECT** – Submit required site plans of property that includes the proposed project location on the property, distance from front, sides and rear property lines, and dimensions of the project, etc.

**G. ADDITIONAL REQUIREMENTS/INFORMATION**

How will the literal enforcement of the provisions of the Zoning Ordinance result in hardship for the applicant/owner:

N/A

Describe all special conditions and circumstances that exist which are peculiar to the land, structure, or building involved:

THE SITE IS A CAPPED LANDFILL.

How will the provision of the Zoning Ordinance deprive the applicant/owner of rights commonly enjoyed by other properties in the same district:

N/A



Does the special conditions and circumstances result from the actions of the applicant/owner: Yes ☒ No

Will the character of the historic district be changed by granting this application: Yes ☐ No ☒

If yes, please explain: \_\_\_\_\_

Describe why granting this application will not be detrimental to the neighborhood or public welfare:

THIS REQUEST WILL NOT BE DETRIMENTAL TO THE NEIGHBORHOOD OR PUBLIC WELFARE AS IT WILL REPURPOSE A CAPPED

LANDFILL AND BRING ALTERNATIVE ENERGY TO THE TOWN.

**H. APPLICANT IS RESPONSIBLE FOR THE FOLLOWING:**

- Meeting the criteria for a Special Exception, Appeal, or Variance as set forth in Town ordinances.
- Contacting any Cecil County offices as required for the application request.
- Contacting the Chesapeake Bay Critical Area Commission, the Maryland Department of the Environment or any other state agency as required for the application request.
- Subject properties located in the Chesapeake Bay Critical Area, Floodplain Overlay District, and Historic Area Overlay District may require additional information and must meet all provisions and requirements pertaining to those areas.

**I. APPLICANT CERTIFICATIONS – Please initial line items and sign below:**

- ☒ I am the owner of this property, or am providing a notarized letter of authorization from the owner.
- ☒ Information provided on this application represents an accurate description of the proposed project. I have omitted no information that may affect the decision of the BOA.
- ☒ I or my representative will attend the public meeting about this application. I understand that failure to appear at the hearing will result in the withdrawal of the application and subsequent fee to reapply.
- ☒ I or my representative understands that approval of this application is good for one year from the time of approval.
- ☒ I may request an extension through the Town of Port Deposit if needed 30 days before the expiration date.
- ☒ I understand that other permits may be required for the proposed project.
- ☒ I have read, understand, and agree to all statements in this application.

**APPLICANT(S) SIGNATURE:**

Greg S. Werner Greg S. Werner (Nexamp) 5/9/2025  
APPLICANT SIGNATURE DATE

\_\_\_\_\_  
APPLICANT SIGNATURE DATE

\_\_\_\_\_  
APPLICANT SIGNATURE DATE

\_\_\_\_\_  
APPLICANT SIGNATURE DATE



PROPERTY OWNER(S) SIGNATURE:

Joni Sprinkle  
PROPERTY OWNER SIGNATURE

5/9/25  
DATE

PROPERTY OWNER SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

TOWN USE ONLY

Date reviewed by HAC/PC: 5/22/2025

Date reviewed by BOA: 6/10/2025

Action: Recommend Special Exception

Action: \_\_\_\_\_

Authorized Signature: Bill Bann

Authorized Signature: \_\_\_\_\_

Contingencies/ Conditions: Letter w/ conditions sent to BOA

Contingencies/Conditions: \_\_\_\_\_

Critical Area Regulations Applicable: Yes \_\_\_\_\_ No X

Flood Plain Regulations Applicable: Yes \_\_\_\_\_ No X

If yes, approved by: \_\_\_\_\_

100 Year Flood Elevation \_\_\_\_\_

Date Approved: \_\_\_\_\_

Proposed structural lowest floor elevation \_\_\_\_\_

Critical Area Designation: \_\_\_\_\_

Is structure elevated/ flood proofed? \_\_\_\_\_

Total Disturbed Area: \_\_\_\_\_

Elevation Certificate required? \_\_\_\_\_

Non-conversion Agreement required? \_\_\_\_\_

If yes, date received EC: \_\_\_\_\_

COMPLIANCE REPORT

Date: \_\_\_\_\_ Compliance: Yes \_\_\_\_\_ No \_\_\_\_\_ Project Completed: \_\_\_\_\_







## Town of Port Deposit

64 S. Main Street  
Port Deposit, MD 21904  
410.378.2121  
www.portdeposit.org



**Wayne Tome, Jr.**  
Mayor

**Vicky Rinkerman**  
Town Administrator

### MEMORANDUM

TO: Port Deposit Board of Appeals  
FROM: Planning Commission  
DATE: May 27, 2025  
RE: Recommendation for Nexamp Application for Solar Energy Project

Dear Board of Appeals Members:

The Planning Commission held a public meeting on File 15-2025 from Nexamp and Bohler Engineering on a special exception pursuant to the Zoning Ordinance Section 58 and 175 for the installation of a 2.5 MW ground-mounted solar photovoltaic (PV) energy system installation located on the Bainbridge property landfills on Thursday, May 22, 2025 at 6:00 p.m. in town hall.

The Planning Commission voted unanimously to recommend approval of File 15-2025 pursuant to the Zoning Ordinance, Section 58 and 175 for installation of a 2.5 MW ground mounted solar PV energy system on the Bainbridge landfills with the following conditions:

1. Acknowledgement that the proposed special exception meets the criteria for considering a special exception and the project is not contrary to the objectives of the Port Deposit Comprehensive Plan, Section 4.2.4 Business and Industrial District.
2. The applicant, Nexamp, shall provide a Decommissioning Plan that shall include how it shall be done, a cost estimate and a provision to provide some kind of surety for the decommissioning. This shall be provided in the site plan review of the project.
3. The applicant, Nexamp, shall provide a view shed study from Route 276 and a glare study to ensure the panels are not impacting Route 276 and/or the surrounding residential properties. This shall be provided in the site plan review of the project.

Sincerely,

William Baron, Chair

Cc: Planning Commission  
Tom McCarron, Town Counsel  
Chris Rogers, AECOM