

From: [MARTINE BERNARD](#)
To: [MCP-Chair](#)
Subject: Mandatory Referral No. MR2026010 Chaberton Solar Victoria LLC
Date: Wednesday, January 14, 2026 4:40:47 PM

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To: mcp-chair@mncppc-mc.org
Chair, Montgomery County Planning Board, 2425 Reddie Drive, 14th Floor, Wheaton, MD 20902

From: Martine Bernard and Reza Amirkhalili
[REDACTED]

**Re: Mandatory Referral No. MR2026010
Chaberton Solar Victoria LLC**

I live at [REDACTED]. My husband and I also own two adjacent lots of more than five acres each. Our property includes a large pond that receives neighborhood runoff. The pond's overflow drains into a stream that passes beneath River Road and ultimately empties into the Potomac River.

The pond supports a rich ecosystem of fish, amphibians, turtles, and serves as a habitat for blue herons, geese, ducks, hawks, bald eagles, wild turkeys, foxes, and many other birds and wildlife—all living together in an undisturbed natural state. I fear that the reckless development of the enormous Chaberton solar projects in our neighborhood will have a devastating impact on the health of this pond and the surrounding ecosystem.

Chemical runoff and other unnatural debris will inevitably be swept into the pond during post-rainfall water surges created by this expansive, ground-level solar installation. The result will be catastrophic outcomes and potentially irreversible damage to a pristine natural environment for which I am the steward.

How does Montgomery County allow an enormous mega-solar structure to be recklessly constructed in the middle of a residential neighborhood? How does this benefit the people who live here? It does not. This project will have ruinous effects on the beauty and tranquility of the area, not to mention the trauma inflicted on the wildlife that depends on this habitat.

Why is Montgomery County not directing these developments—both visual eyesores and environmental risks—to industrial areas, where residential property values and wildlife would not be harmed? I would like to understand why Montgomery County believes this is a good idea for its taxpayers.

-Martine Bernard and Reza Amirkhalili

Martine Bernard



From: [Kara McNulty](#)
To: [MCP-Chair](#)
Cc: [Ken McNulty](#); [Aprile Pilon](#); [Gatling, Tsaiquan](#); [Dickel, Stephanie](#); lza.Hisel-McCoy@montgomeryplanning.org
Subject: Written Testimony related to Jan 29 meeting
Date: Monday, January 19, 2026 6:05:14 PM
Attachments: [PastedGraphic-1.tiff](#)

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Hello

Via this email I am submitting written testimony related to Items 6 and 7 on the Montgomery County Planning Board agenda for January 29th.

The agenda items are noted below:

Chaberton Solar Victoria LLC – Mandatory Referral No. MR2026010 & Forest Conservation Plan No. F20260280

Chaberton Solar Victoria II LLC – Mandatory Referral No. MR2026011 & Forest Conservation Plan No. F20260280

I am a resident of [REDACTED] and live 3 houses down from the massive construction project and utility plant installation that is being proposed.

The first thing I will note is that these two projects are named Project Victoria and Project Victoria II. Until not too long ago (August 2025), these 2 projects were one single Project Victoria which was submitted to the state for review by the MD PSC. Chaberton has determined that it is easier to act as if it is two projects and submit it for County review as opposed to treating it as the one project that it substantively is, and follow the more rigorous state review process. This planning commission is facilitating Chaberton's circumvention of state oversight. I find that very disheartening and this contributes to lack of trust in the good faith of the Montgomery County Planning Commission.

You will have seen from the other written testimony that there is a third (second) solar project in the same neighborhood, called Project Santa Rosa. We therefore have multiple contiguous solar power plants installed within a residential community. Project Santa Rosa has proven to be disruptive to the community (traffic interruptions, documented Verizon FIOS interruptions) and a huge eyesore. The local community does not want these circumstances to be further exacerbated by further projects, especially given that Chaberton has been unreliable in living up to their commitments to the local community. In fact, Chaberton has already sold Project Santa Rosa to another company and therefore Chaberton will not follow through on its commitments to the local community.

Chaberton is proposing accessing this massive industrial construction site in the middle of a suburban neighborhood via a residential road, Manor Stone Drive. The project abuts River Road, State Road MD 190 (see map below). Access via Manor Stone drive will be disruptive to the residential community on Manor Stone Drive with industrial traffic traveling the full length of the road (approximately 1 mile, past approximately 20 homes) for months and months of construction. This is not safe for the residents of this community, including the many children and elderly who use this road for recreation and exercise.

I am also concerned about the flood and fire risk that this massive industrial construction project and future utility plant will cause to the community. We know that residents of Signal Tree are seeing increases in insurance cost so it seems the insurance industry agrees this is a risk. These communities use well water and therefore cannot risk any contamination from the construction or installation. If there were to be a fire at the facility, there is no water on site to contain the fire, and

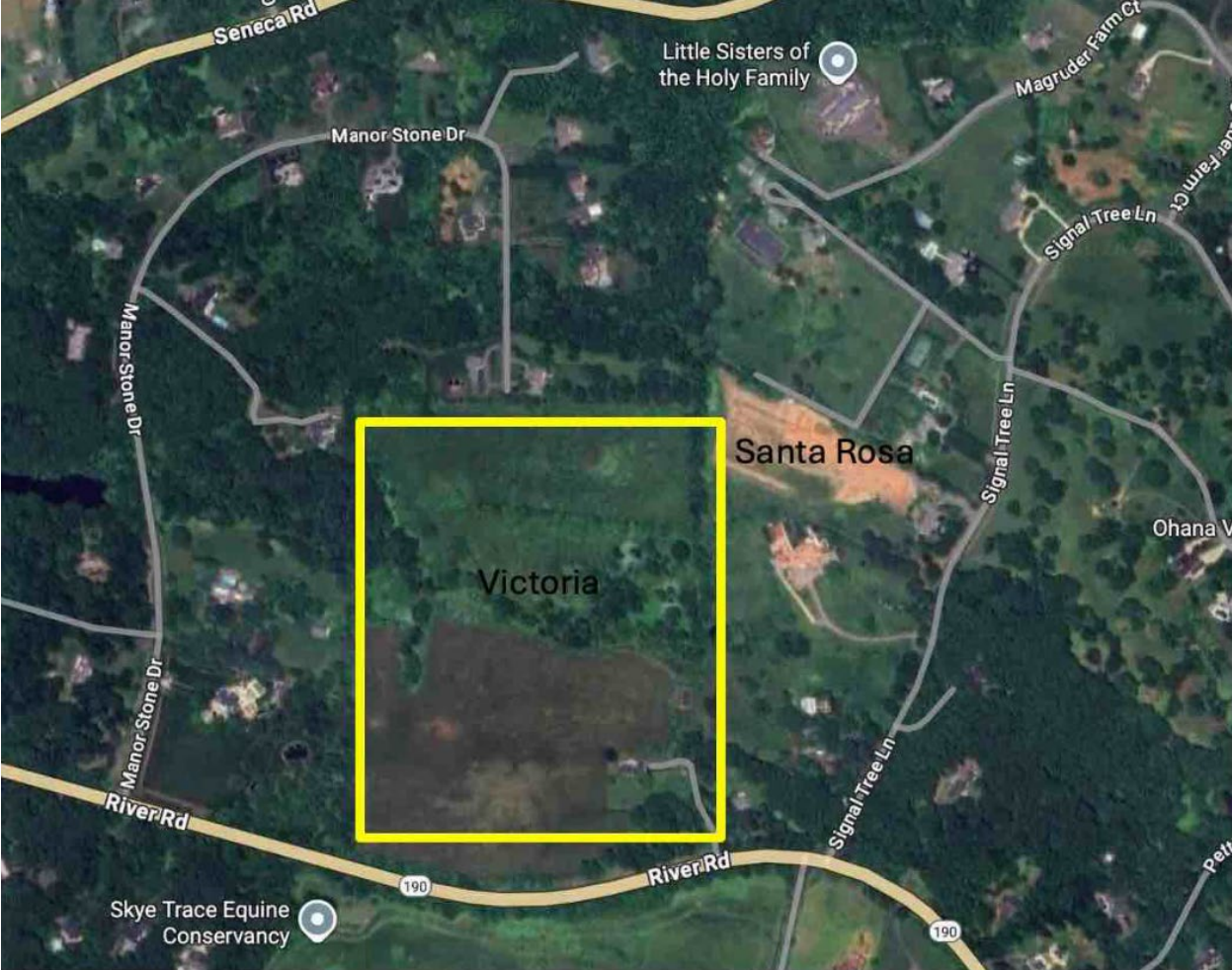
many residential homes would be put at risk. Water run off is a huge consideration given the location is less than 1 mile from the Potomac River.

I encourage you to not allow this project to proceed as planned given the clear disruption to the local community and limited reliability of the company proposing this project.

Many thanks for your consideration,

Kara McNulty





From: [Martin Franke](#)
To: [MCP-Chair](#); [Gatling, Tsaiquan](#); [Dickel, Stephanie](#); Iza.Hisel-McCoy@montgomeryplanning.org
Cc: [Mary Farrar](#); [Aprile Pilon](#)
Subject: Letter re: Chaberton Project Victoria (MR2026010 and MR2026011)
Date: Tuesday, January 20, 2026 7:33:27 AM
Attachments: [Letter against Project Victoria Mary Farrar and Martin Franke.pdf](#)

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Good morning Montgomery County Planning Committee,

Attached please find a letter opposing the Chaberton Project Victoria solar generation facility.

Sincerely,

Martin Franke and Mary Farrar

Mary Farrar
Martin Franke

January 19, 2026

To: Montgomery County Planning Board

Subject: Next Door Neighbor Opposition to Chaberton Project Victoria (MR2026010 and MR2026011)

As a neighbor directly next to the proposed Chaberton Project Victoria, we are opposed to approval for this project. While we support solar energy generation in concept, it is clear from the experience of our friends and neighbors on Signal Tree Lane (Project Santa Rosa) that Chaberton is not a good partner to develop these sorts of installations in a suburban residential community.

Chaberton has fallen down in a number of ways on Project Santa Rosa, which can then be expected in the two proposed Project Victorias.

- Most significantly, Chaberton fundamentally and significantly misrepresented the project, and the planning authorities approved it based on these misrepresentations. These include:
 - o The project planned to install mounted solar panels.
 - Instead, panels were installed directly on the ground.
 - This will result in extraordinarily fast water runoff (faster than asphalt).
 - This has required the installation of an unsightly 8' high detention-facility style fence to keep wildlife from damaging the ground-installed panels.
 - The fencing disturbs the ability for the plentiful wildlife (deer, coyotes, foxes, squirrels, bunnies, turkeys, etc.) to move through the area.
 - o The project planned to retain certain listed trees.
 - Those trees were cut down.
 - o The project planned to install visual screening trees, shrubs, etc.
 - No trees were planted.
- Chaberton does not seem to desire a long-term, collaborative partnership in the community. It has already sold off Project Santa Rosa, even though it is not finished.
 - o The project was supposed to be completed within a two-year timeframe. It is not yet completed after 4 years of disruption to the many Signal Tree Lane residents.
 - o The agreement with the owner of Santa Rosa has some sort of non-disclosure clause, making it harder to get real facts from the landowner about the performance of Chaberton, its contractors, and the subsequent developer/operators of the facility.

Adding Project Victoria – with an additional 3.25 MW of generation – on top of the 1.75 MW Project Santa Rosa generation facility in a small area of a suburban residential community would fundamentally change the characteristics of our neighborhood.

- Initially, we would expect an extraordinary amount of road traffic on Manor Stone Drive.
 - o There is no way to turn a large truck around at the end of Manor Stone Drive. This has been a problem, even for snow plows.
 - When neighbors have a large delivery on a semi-truck, the truck must back nearly 1 mile from River Road or turn around in our driveway.
 - o The heavy construction traffic would endanger the families that live on Manor Stone with their children, pets, elderly family members, etc.

- At a minimum, there would be substantial disruption, like that experienced by our neighbors on Signal Tree Lane.
- It appears that the development traffic could come directly off River Road onto the currently empty fields, but there appears to be no plan for that.
- Once built, there would be 5 MW of generation effectively in the same residential neighborhood.
 - It is unclear whether the nearby power grid can handle this amount of power. It seems that Project Santa Rosa alone is having trouble getting the generated power to the grid; it has not yet been connected to PEPCO.

In conclusion, we (the neighbors, and the broader Montgomery County community) have experienced a track record for Chaberton that has been very disappointing to date. We cannot trust the plans Chaberton has offered because they have not honored or followed previous plans that were approved. We do not want them ruining more land by cutting down trees, restricting wildlife, and introducing dangerous changes to water run-off in our neighborhood. We cannot trust Chaberton to do the right thing! We urge you to carefully weigh the negative experiences of our neighbors on Signal Tree Lane before approving further expansion of this solar plan into our residential neighborhood.

Sincerely,



Mary Farrar



Martin Franke

From: [Drmetzger](#)
To: [MCP-Chair](#)
Subject: Written Testimony for January 29, 2026, Hearing: MR2026010 (Item 6) and MR2026011 (Item 7) – Chaberton Solar Victoria Projects
Date: Wednesday, January 21, 2026 8:20:00 PM
Attachments: [Metzger Written Testimony for Jan 29 2026 - MR2026010 MR2026011 F20260280.pdf](#)
[PSC 9770 \(Chaberton Victoria\) - PPRP DR 2 - 8.5.25.docx](#)
[Motion to Deem Application Incomplete - \(9770\) - June 26.2025.pdf](#)

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Dear Chair Harris and Planning Board Members,

Attached is my written testimony opposing Mandatory Referrals MR2026010 and MR2026011, and Forest Conservation Plan F20260280 for the Chaberton Solar Victoria projects at 15220 River Road, Potomac, MD. As a directly impacted neighbor at [REDACTED], I urge denial or additional conditions as detailed in the attachment.

Thank you for your consideration.

Sincerely,
Dennis Metzger

[REDACTED]

Dennis Metzger

January 21, 2026

Montgomery County Planning Board

Attn: Chair Artie Harris

Maryland-National Capital Park and Planning Commission (M-NCPPC)

2425 Reedie Drive, 14th Floor

Wheaton, MD 20902

planningboard@mncppc-mc.org

Re: Concerns Regarding Mandatory Referrals MR2026010 and MR2026011, and Forest Conservation Plan F20260280 for Chaberton Solar Victoria LLC and Chaberton Solar Victoria II LLC Projects at 15220 River Road, Potomac, MD – Request for Denial or Additional Conditions

Dear Chair Harris and Members of the Montgomery County Planning Board:

I am Dennis Metzger, a resident of [REDACTED], Maryland, which shares a substantial boundary with the proposed Chaberton Solar Victoria projects at 15220 River Road. As a directly impacted neighbor, I previously intervened in the Maryland Public Service Commission (PSC) Case No. 9770 for the original 4.25 MW proposal, which was withdrawn on August 13, 2025, after significant scrutiny. I write to express strong opposition to the current Mandatory Referrals MR2026010 (2 MW northern array) and MR2026011 (1.25 MW southern array), as well as the shared Forest Conservation Plan F20260280, ahead of the January 29, 2026, Planning Board hearing.

These projects, while split to evade the PSC's Certificate of Public Convenience and Necessity (CPCN) requirement under Public Utilities Article (PUA) §7-207 for facilities over 2 MW, raise serious unresolved issues regarding environmental impacts, neighborhood disruption, visual aesthetics, and compliance with Montgomery County Zoning Ordinance (Chapter 59) and the 2002 Potomac Subregion Master Plan. The staff reports (dated January 19, 2026) recommend approval with conditions, but they fail to adequately address these concerns, potentially violating local and state regulations. I urge the Board to deny the referrals or impose stringent conditions requiring comprehensive assessments before any approval.

1. Absence of Bat Impact Assessment and Threat to Endangered Species

The applications and staff reports do not address potential impacts to bats, despite the site's proximity to documented bat habitats, including a seasonal colony on my property that may include the federally endangered Northern long-eared bat (*Myotis septentrionalis*) and the proposed-for-listing tricolored bat (*Perimyotis subflavus*). Under the U.S. Endangered Species Act (16 U.S.C. §1531 et seq.) and Maryland's Nongame and Endangered Species Conservation Act (Natural Resources Article §10-2A), projects must evaluate and mitigate harm to listed species. The prior CPCN application (Case No. 9770) prompted

inquiries from the Power Plant Research Program (PPRP) about tree removal (1.52 acres proposed here) and bat effects, referencing U.S. Fish and Wildlife Service (USFWS) IPaC reports. Yet, no such analysis appears in the current submissions, and the Forest Conservation Plan focuses only on tree retention without wildlife considerations.

Studies (e.g., Tinsley et al., 2023) indicate solar farms can reduce bat activity by up to 86% due to habitat disruption and altered foraging. Given the site's tree lines and my evidence of bats (photos available upon request), an Environmental Impact Assessment (EIA) specific to bats is essential, including USFWS consultations and surveys. Approval without this violates Montgomery County Environmental Guidelines and could lead to federal enforcement. I request the Board condition approval on a bat-specific EIA and mitigation measures, such as habitat preservation or seasonal construction restrictions.

2. Disruptive Access via Manor Stone Drive and Potential Exploitation of Regulatory Exemptions

The northern array (MR2026010) proposes access via Manor Stone Drive—a narrow, rural residential road without sidewalks—despite the property's primary frontage on River Road (MD 190). This will increase construction and maintenance traffic (potentially 10-30 vehicles daily during construction), endangering pedestrians, children, and school buses in our neighborhood. The staff report justifies separate access due to a bisecting stream but provides no analysis of alternatives, such as a stream crossing.

Under Montgomery County Code Chapter 19 (Water Quality Control) and MDE guidelines, stream crossings are not prohibited but regulated with permits (e.g., Waterway Construction Permit) to minimize erosion and habitat impacts. Avoiding a crossing appears convenient for splitting the project into sub-2 MW segments, exploiting the CPCN exemption under PUA §7-207 and HB 1036 (2025), which allows local approvals only for smaller facilities. This "loophole" circumvents PSC's holistic review of cumulative impacts (e.g., with the adjacent Chaberton Solar Santa Rosa project), as raised in prior PPRP data requests. Why disrupt a residential area when a unified River Road access could be feasible with proper engineering? I urge a traffic safety study and exploration of stream crossing options under County transportation standards (Chapter 49), or denial if this setup prioritizes regulatory avoidance over community welfare.

3. Inadequate Screening Due to Site Topography

The proposed 35-foot vegetative buffers (evergreens and shrubs) may comply with Zoning Ordinance Section 59.3.7.2 (requiring screening for visible sides within 200 feet of residences) and Section 59.6.5.3.C.8 (Option A landscape buffering), but they fail to account for the site's hilly topography. From my home, the northern array will be installed on a hill extending both below and above my grade, creating views looking down at lower panels and up at higher ones. Conventional ground-level planting will not block these sightlines, leading to visual blight and non-compliance with the ordinance's intent to minimize aesthetic impacts.

The 2002 Potomac Subregion Master Plan emphasizes preserving rural character, and staff reports acknowledge visual screening but provide no topography-specific analysis. Best practices (e.g., EPA solar siting guidelines) recommend enhanced measures like berms, taller plantings, or array repositioning for hilly sites. Without a Visual Impact Assessment (VIA) simulating views from my property, the buffers are insufficient. I request conditions for a topography-adjusted screening plan or VIA before approval.

4. Lack of Glare Analysis

Notably, neither the applications nor staff reports include a glare analysis, despite solar panels' potential for reflective impacts on nearby residences. The prior CPCN application (Case No. 9770) included a flawed glare study (Appendix 19) with errors like omitting my home (receptor 61) and incorrect array heights, as highlighted in PPRP data requests. Zoning Ordinance Section 59.3.7.2 requires anti-reflective coatings, but without a current study assessing glare from the split arrays—considering topography and panel orientation—approval risks unmitigated hazards. A Forge Solar or similar analysis is standard for such projects and should be mandated here to ensure compliance with aesthetic standards.

Requested Relief

In light of these deficiencies, I respectfully request that the Planning Board:

1. Deny the Mandatory Referrals and Forest Conservation Plan until the applicant submits and the Board reviews: a bat-specific EIA with USFWS input; a traffic safety study and stream crossing feasibility analysis; a topography-adjusted screening plan with VIA; and a comprehensive glare analysis.
2. Consider the cumulative impacts of these projects with adjacent solar developments, as if under PSC review, to uphold the Rural Cluster zone's intent.
3. If approved, impose conditions requiring ongoing monitoring, community input, and mitigation for all raised issues.

These projects, while advancing renewable energy, must not come at the expense of environmental protection, neighborhood safety, and property values. I am available for the January 29 hearing and request inclusion on the mailing list for updates. Thank you for your attention to these critical matters.

Respectfully submitted,

/s/ Dennis Metzger

Dennis Metzger

Enclosures:

- Motion to Deem Application Incomplete in PSC Case No. 9770 (June 26, 2025)
- PPRP Data Requests (No. 2)

Cc:

Elza Hisel-McCoy, Chief, West County Planning, M-NCPPC (Elza.Hisel-McCoy@montgomeryplanning.org)
Stephanie Dickel, Supervisor, West County Planning, M-NCPPC
(Stephanie.Dickel@montgomeryplanning.org)
Tsaiquan Gatling, Planner III, West County Planning, M-NCPPC
(Tsaiquan.Gatling@montgomeryplanning.org)

Christopher Conklin, Director, Montgomery County Department of Permitting Services (DPS)
(dps.director@montgomerycountymd.gov)

Maryland Department of the Environment (MDE), Water and Science Administration
(wsa@maryland.gov)

U.S. Fish and Wildlife Service (USFWS), Chesapeake Bay Field Office (chesapeakebay@fws.gov)

Maryland Public Service Commission (PSC), Executive Secretary Andrew S. Johnston
(andrew.johnston@maryland.gov)

Montgomery County Council President Andrew Friedson
(councilmember.friedson@montgomerycountymd.gov)

Montgomery County Executive Marc Elrich (ocemail@montgomerycountymd.gov)

PSC Case No. 9770
Chaberton Solar Victoria Holdings, LLC - 4.25 MW AC Solar Project
PPRP Data Request No. 2
August 5, 2025

Engineering

- 2-1 Please refer to the Applicant's Response to PPRP Data Request No. 1-10, Attachment 1-10, updated Concept Site Plan. Provide a description of permanent storage as depicted in Drawing No. C-101 and No. C-102 and indicate whether the facilities will be removed during decommissioning.
- 2-2 The Applicant's Petition p. 7 states "With respect to zoning, the Project will be located on land in Montgomery County that is zoned as Rural Cluster ("RC"). As discussed in detail in the Application Appendix, the Applicant is following all the zoning codes required by Montgomery County with the exception of the proposed system size of 4.25 MW, which is not allowed in the RC zone." For each of the requirements under Montgomery County limited use standards for a Solar Collection System and applicable use standards of the RC zone, please describe how the Project as proposed complies, plans to comply, or will not comply with the requirement.
- 2-3 For each of the following permits or approvals, please indicate which entity is the permitting/approving authority. Provide the name of the County entity, or the Maryland National Capital Park and Planning Commission (M-NCPPC), specifying whether it is through the Montgomery County Planning Board or the Office of General Counsel or other branch.
- i. Final Site Plan
 - ii. Soil Erosion and Sediment Control Plan
 - iii. Stormwater Management Plan
 - iv. Exterior Lighting Plan (if applicable)
 - v. Grading Plan
 - vi. Forest Conservation Plan
 - vii. Final Truck Routing and Traffic Management Plan
 - viii. Road Permits
 - ix. Landscaping Maintenance Agreement
 - x. Public Works Agreement
 - xi. Landscape Surety Agreement
 - xii. Fire and Rescue Access Plan
 - xiii. Decommissioning Plan
 - xiv. Agrivoltaics Plan (if applicable)

Biological

- 2-4 The Applicant states that the Project will remove approximately 1.52 acres of trees (Applicant's Response to PPR Data Request No. 1-21), and indicates that 3 specimen trees will be removed for the Project (Applicant's Response to PPR Data Request No. 1-10, Attachment 1-10: Updated Concept Site Plan). In reference to Exhibit 6 of the Motion to Deem Application Incomplete, filed by Dennis and Autumn Metzger on June 26, 2025 (PSC Case No. 9770, ML 319917), which includes a photograph of a bat within "close proximity to the Project." While the initial USFWS correspondence provided in Appendix 7 of the Applicant's ERD, indicates there are no critical habitats within the Project area, the IPAC report notes that the Applicant is still required to determine if the Project may have effects on the four threatened, endangered, or candidate species that may be presented in the Project area. Additionally, the Applicant stated, during the 7/10/25 Site Visit with PPRP, that it will continue coordination with USFWS to address any potential impact on the protected bat species.
- a. Please provide any additional consultation the Applicant has had with USFWS regarding potential impacts from the Project tree removal on the Endangered and Proposed Endangered bat species identified in the IPAC report.
 - b. Please indicate whether the Applicant includes the bat photo and provide information regarding the proposed removal of 1.52 acres of tree and the two or three specimen trees in the correspondence with USFWS.
 - c. Please identify which, if any, effect analysis method or bat survey(s) and mitigation measures recommended by the USFWS the Applicant would consider using for this matter. If the Applicant would not consider using any, please explain why not.
 - d. If the Applicant has not contacted USFWS to discuss an effect analysis, please provide a timeline for the continued coordination. Provide any additional written communication or correspondence not yet provided to PPRP that the Applicant has had with USFWS as it becomes available.
- 2-5 The Applicant's updated Conceptual Site Plan, included as Attachment 1-10 of the Applicant's Response to PPRP DR1-10, shows that the Applicant plans to

remove Specimen Tree #1 (ST-1) near River Road. However, during the 7/10/25 Site Visit, the Applicant stated that ST-1 will not be removed but the root system of the tree will be disturbed. Please confirm that ST-1 will not be removed, state the total number of specimen trees to be removed, and provide an updated conceptual site plan reflecting this change.

Socioeconomics

- 2-6 The Applicant states “The Applicant plans to invest up to approximately \$19 million in the Project” (Applicant’s Amended Petition, p. 3). However, the Applicant’s JEDI Report (Amended ERD Confidential Appendix 9) indicates the value of Project Construction or Installation Cost that is lower than \$19 million. Please clarify what expenditures are excluded from the investment amount or explain the discrepancy.
- 2-7 Please refer to the Applicant’s Updated Glare Analysis (Applicant’s Response to PPRP Data Request No. 1-16, Attachment 1-16).
- a. The Applicant indicates that the landscape screening at a height of 8 feet which is the height at the time of installation was included in the glare analysis (Attachment 1-16, p.5). However, the Applicant provided the height of 6 feet at planting for all types of tree proposed in the landscape buffer (Applicant’s Response to PPRP Data Request No. 1-14). Please update the glare analysis using the correct tree height at planting as an input for the glare modeling.
 - b. The Applicant states “The revised glare analysis identifies only one affected receptor which is receptor OP-61. The analysis predicts a total of less than one hour of green glare per year at this location.” Figure 6 of the updated Glare Analysis depicted the location of OP-61, which is a residence to the west of the Project. However, the ForgeSolar Report Attachment D registered green glare on OP 21 from the South Array (Attachment 1-16, PDF page 128), while the report refers to Obs Points 41-62 in the Site configuration (Attachment 1-16, PDF page 111). Please explain whether OP 21 in the Glare Report - Attachment D, is the same receptor identified as OP-61 in Figure 6.
 - c. That Applicant states “The model registered glare on one of the 117 receptors: #61 which is a residence to the west of the project as shown on Figure 5. The glare would be green (low potential for a temporary after image for less than one hour over the course of the year. It would occur

around 2:30 pm for a window of less than 2 minutes each day during the last two weeks in January.” The ForgeSolar Report - Attachment D provides glare profiles from South Array on OP 21 that indicates different information than what is stated by the Applicant. Please provide a correct interpretation of the green glare profiles on OP 21 providing daily duration (minute per day) and time of day for the last two weeks in January.

- 2-8 Is the Applicant purchasing or leasing the property from the current owner? If the Applicant is leasing the property, please clarify whether the leased area includes the existing vegetation that the applicant plans to use as their vegetative buffer.

BEFORE THE
MARYLAND PUBLIC SERVICE COMMISSION

In the Matter of the Application of
Chaberton Solar Victoria Holdings, LLC
for a Certificate of Public Convenience
and Necessity to Construct a 4.25 MW
Solar Generating Facility in Montgomery
County, Maryland

Case No. 9770

MOTION TO DEEM APPLICATION INCOMPLETE

Dennis and Autumn Metzger
13321 Manor Stone Drive
Darnestown, MD 20874
(240) 375-2450
drmetzger@protonmail.com

June 26, 2025

COME NOW Dennis and Autumn Metzger, Interveners, pursuant to COMAR 20.07.01.07 and PUA §7-207, and move the Maryland Public Service Commission to deem the application of Chaberton Solar Victoria Holdings, LLC (Applicant) for a Certificate of Public Convenience and Necessity (CPCN) incomplete due to deficiencies in addressing environmental, socioeconomic, aesthetic, and land use impacts, per COMAR 20.79.01.04B and PUA §7-207(e). This urgent motion requires review before the June 30, 2025, prehearing conference, supported by the Neighborhood Petition to Stop Proposed Project Victoria (Exhibit 1, Spring 2025, signed by 70 residents, including Interveners and Dr. Gregory and JaLynn Prince) and our Maryland DNR correspondence (Exhibit 2), showing broad community concern and environmental oversight failures.

Furthermore, the deadline for Petitions to Intervene, set for June 27, 2025, exacerbates the prejudice caused by the application's incomplete state. The absence of critical documents, including an agrivoltaics plan, bat-specific environmental impact assessment, fire safety plan and other required studies, creates a troublesome barrier to other potential petitioners who might come forward if the application were complete. This incomplete submission limits the ability of additional community members to fully assess the project's impacts and exercise their right to intervene, undermining the public participation process mandated by PUA §7-207 and COMAR 20.79.01.03.

The application fails to include:

1. ****Agrivoltaics Plan****: The application lacks a detailed agrivoltaics plan to mitigate the loss of 21.91 acres of prime farmland, which will be required by SB 931 (PUA §7-306.2, 2025 Laws, effective October 1, 2025) for approvals after its effective date. Under current law, the Applicant's intent to "explore" apiculture or sheep grazing, deferred to a future landscape plan (ERD, p. 22, Appendix 13, May 7, 2025), fails to provide a concrete mitigation strategy for farmland impacts, described as "one of the last large private farms with green space" in a \$4,000,000 property listing (Kersellius, MLS# MDMC2084630, accessed June 26, 2025; ERD, p. 7; PPRP Q4, Q13, Exhibit 3). This violates COMAR 20.79.01.04B(3) and PUA §7-207(e)(3), exacerbating potential devaluation and environmental impacts at our residence (13321 Manor Stone Drive, 200 yards from the project with a shared boundary; Petition to Intervene, June 8, 2025,

Exhibit 4; Exhibit 1, p. 14). The Neighborhood Petition (Exhibit 1, p. 15) criticizes co-location on private land, reinforcing community concern.

2. **Adequate Screening Plan**: The 30-foot vegetative buffer for the northwest array is ineffective due to topography, as evidenced by the project's proximity and elevation differences affecting our residence (Exhibit 4; further topographic analysis needed), causing visual blight. PPRP Data Request No. 1 (June 24, 2025, Q10, Q11, Q14; Exhibit 3) questions buffer compliance and plant heights, indicating an incomplete aesthetic assessment under COMAR 20.79.01.04B(4) and PUA §7-207(e)(3). The Neighborhood Petition (Exhibit 1, p. 14) underscores community concern over visual impacts.

3. **Reliable Glare Study**: The glare study (ERD, Appendix 19, May 7, 2025) omits our residence (receptor 61) from impact analysis yet shows glare in Figure 6 (Exhibit 4). Errors include a 0-foot North Array height, 0-degree resting angle, and receptor discrepancies (PPRP Q16, Exhibit 3), rendering the aesthetic assessment incomplete under COMAR 20.79.01.04B(4) and PUA §7-207(e)(3). The Neighborhood Petition (Exhibit 1, p. 14) supports community aesthetic concerns.

4. **Bat Population Impact Assessment**: The application lacks a bat-specific Environmental Impact Assessment (EIA) for our seasonal bat colony at 13321 Manor Stone Drive, located in close proximity to the project, potentially including federally endangered Northern long-eared and proposed-for-listing tricolored bats, facing 86% activity reduction (Tinsley et al., 2023, Exhibit 5; ERD, p. 13). All 10 species of bats occurring in Maryland are designated as Species of Greatest Conservation Need (SGCN) under the Maryland State Wildlife Action Plan, underscoring their ecological importance and the urgent need for protective measures (Maryland Department of Natural Resources, State Wildlife Action Plan, 2015–2025). This designation heightens the significance of our bat colony, as any impact could affect species critical to Maryland's biodiversity and ecosystem health. The ERD acknowledges these bats in a USFWS IPaC review (February 4, 2025, Appendix 7) but claims no critical habitats, failing to assess adjacent properties like ours despite our photos of evidence of bat roost (Exhibit 6).^[^1] Proposed arrays overlap tree lines, requiring unspecified clearing (PPRP Q25–26, Exhibit 3), and the vegetation plan's grasses/wildflowers with inadequate management (semi-annual inspections, 2–3 mows per season; ERD, p. 22, Appendix 13) fail to support bat foraging, violating COMAR 20.79.01.04B(3), PUA §7-207(e)(6), and MEPA (COMAR 20.79.01.03). The DNR's claim of "no official records" (Appendix 5, January 10, 2024, February 28, 2025; Exhibit 2) is contradicted by the IPaC review and our evidence. The Neighborhood Petition (Exhibit 1, p. 11) highlights community concern over bat habitat disruption.

[^1]: At a Fall 2024 community meeting, Applicant acknowledged construction impacts on bats, proposing mitigation absent from the application (Correspondence to DNR, February 24, 2025, Exhibit 2).

5. **Fire Safety Plan**: No fire safety plan addresses electrical system risks in a non-hydrant, drought-prone area, with increasing wildfire risks in Montgomery County as evidenced by an April 2025 wildfire near River Road (Exhibit 1, pp. 11–12), threatening our property (Exhibit 4). The vegetation plan's grasses/wildflowers increase fire risk with inadequate mowing (ERD, p. 22, Appendix 13; PPRP Q15, Exhibit 3), violating COMAR 20.79.01.04B(4) and PUA §7-207(e)(2). The Neighborhood Petition (Exhibit 1, pp. 11–12) emphasizes elevated fire risks.

6. **Traffic Safety Study**: The application omits a traffic safety study for construction/maintenance vehicles (10–30 daily, Application Appendix, p. 19) on Manor Stone Drive, risking pedestrian safety on a narrow, sidewalk-free road (Exhibit 4; Exhibit 1, pp. 4–7). Conflicting access plans (River Road vs. Manor Stone Drive) and unaddressed permits (PPRP Q17–20, Exhibit 3) violate COMAR 20.79.01.04B(5) and PUA §7-207(e)(2). The Neighborhood Petition (Exhibit 1, pp. 4–7) supports community concern over traffic impacts.

7. **Cumulative Impact Assessment**: No assessment addresses impacts with the Santa Rosa project (6.72 MW, El-Hibri Petition, February 24, 2025), exacerbating devaluation, traffic, and environmental harm, including stormwater runoff (Exhibit 4; Exhibit 1, pp. 6–7, 10). PPRP Q27 (Exhibit 3) requests related studies, confirming an incomplete assessment under COMAR 20.79.01.04B(3) and MEPA. The Neighborhood Petition (Exhibit 1, pp. 6–7, 10) emphasizes combined runoff and habitat impacts.

These deficiencies, supported by PPRP Data Request No. 1 (Exhibit 3), the Neighborhood Petition (Exhibit 1), and DNR correspondence (Exhibit 2), prejudice our ability to assess impacts to our property at 13321 Manor Stone Drive. With Dr. Gregory and JaLynn Prince (13320 Signal Tree Lane) as co-interveners, and following the El-Hibri petition denial (June 24, 2025), we represent broad community concerns.

Relief Requested: The Commission should:

1. Deem the application incomplete and suspend the procedural schedule until Chaberton submits a revised screening plan, corrected glare study, bat-specific EIA, fire safety plan, traffic safety study, cumulative impact assessment, and detailed agrivoltaics plan.
2. Ensure a minimum of 30 days between the time the Applicant provides the missing application documents, the PSC deems the application complete following PPRP's review, and any prehearing conference, to allow interveners and potential petitioners sufficient time to review the revised application and assess its impacts, in accordance with the public participation requirements of PUA §7-207 and COMAR 20.79.01.03.

Certificate of Service: I certify that on June 26, 2025, copies of this motion were served via email to all parties on the Service List for Case No. 9770, including Andrew J. Flavin (andy.flavin@troutman.com).

Respectfully submitted,

/s/ Dennis Metzger
Dennis Metzger

/s/ Autumn Metzger
Autumn Metzger

Exhibits:

1. Neighborhood Petition to Stop Proposed Project Victoria (Spring 2025)
2. Correspondence with Maryland DNR (February 24, 2025, including Appendix 5, MD DNR Letter Response, January 10, 2024, February 28, 2025)
3. Excerpts of PPRP Data Request No. 1 (June 24, 2025, Q4, Q10–11, Q14–20, Q25–26, Q27)
4. Petition to Intervene (June 8, 2025)
5. Tinsley et al., 2023 (Excerpts on Bat Impacts)
6. Photos of Evidence of Bat Roost

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

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I. EXECUTIVE SUMMARY

Proposed Project Victoria is a 4.25 megawatt solar farm proposed to be built on a 38.2 acre parcel (Pilkerton Property or site) at 15220 River Road, Potomac, Montgomery County, Maryland, 20854. It is contiguous with an already approved 2.47 megawatt solar farm, called Project Santa Rosa, located on a 10 acre parcel at 13330 Signal Tree Lane, Potomac, Montgomery County, Maryland, 20854. Proposed Project Victoria and Project Santa Rosa are surrounded by Maryland State Parks which are Natural Heritage Areas. Although 3 different satellite LLCs own each of the 3 arrays contained in these two projects, the parent company for the applicant/installer for both solar farm projects is Chaberton Energy, LLC of Rockville, MD (“Chaberton”).

The State of Maryland and Montgomery County, in their race to increase the use of solar energy, have disregarded the health and welfare of residents and property owners, as well as future generations, in enabling the violation of zoning laws in order to promote a veritable “Gold Rush Free-For-All” for solar farm installers. They have ignored the advice of their own consultants to avoid locating solar installations on agricultural lands rather than thoughtful placement at sites such as roads and highways, commercial parking lots, and other accessible, impermeable surfaces that would have minimal impact on the environment and the well-being of residents. And they have not put in place the ordinances and infrastructure to accomplish their solar energy goals in a safe and reasonable manner.

These two projects, Victoria and Santa Rosa, along with many others, violate zoning law for land bearing agricultural, agricultural reserve, and rural cluster designations. Approval of these rural solar installation sets an alarming precedent for totally disregarding established regulations designed to protect the community and the environment. This is not only a tragedy with respect to land use but a betrayal of trust of the owners of the nearby lands and residences who expected zoning law to be upheld when they invested in their properties.

Proposed Project Victoria, and many other solar farms placed in rural settings in Maryland, will create an unacceptably elevated fire risk to the surrounding residents and properties. The area surrounding the Pilkerton property lacks fire hydrants, a source of public water with which to fight fires, and is at best 15 minutes away from the nearest fire station. Chaberton will plant grasses and other vegetation in and around the solar arrays in an attempt to create a pollinator-friendly environment. Maryland and Montgomery county are currently in a drought approaching Summer, and droughts will only increase in severity and duration as climate change progresses. Some of the largest, most deadly and costly wildfires were started by, in, and around electrical equipment and transmission lines juxtaposed to dry vegetation during Summer droughts and located in rural, remote locations without fire hydrants.

Proposed Project Victoria will have numerous negative impacts on residents and properties, including avoidable health and mental health risks, depletion and/or contamination of well water, damaging storm water runoff causing erosion, flooding, sediment deposition, and surface water contamination, as well as drive down property values and inflate property insurance costs.

The Pilkerton Property is not a suitable site for a solar farm installation because it is surrounded by residences and there are multiple slopes with grades exceeding 15%. Moreover, the environmental site

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assessment and environmental review document in the Chaberton application for Project Victoria, PSC case #9770, did not evaluate the impact of the combination of Projects Victoria and Santa Rosa, leaving the Proposed Project Victoria application flawed and incomplete. In addition, there are several additional inconsistencies, errors, possible deceptions, and unrealistic plans in the Chaberton application.

There is no accountability for Chaberton and its stakeholders built in to this process in the event that promised are not kept and one or more negative impacts that harm residents and/or their property are realized. The haphazard approach taken by the state and county in allowing and actually promoting this “Gold Rush Free-For-All” without care for zoning, ordinances, and necessary infrastructure such as fire hydrants does not inspire confidence that these solar farms will be held to any of the promises in their applications or conditions of their approval.

For these reasons, Proposed Project Victoria should NOT be approved.

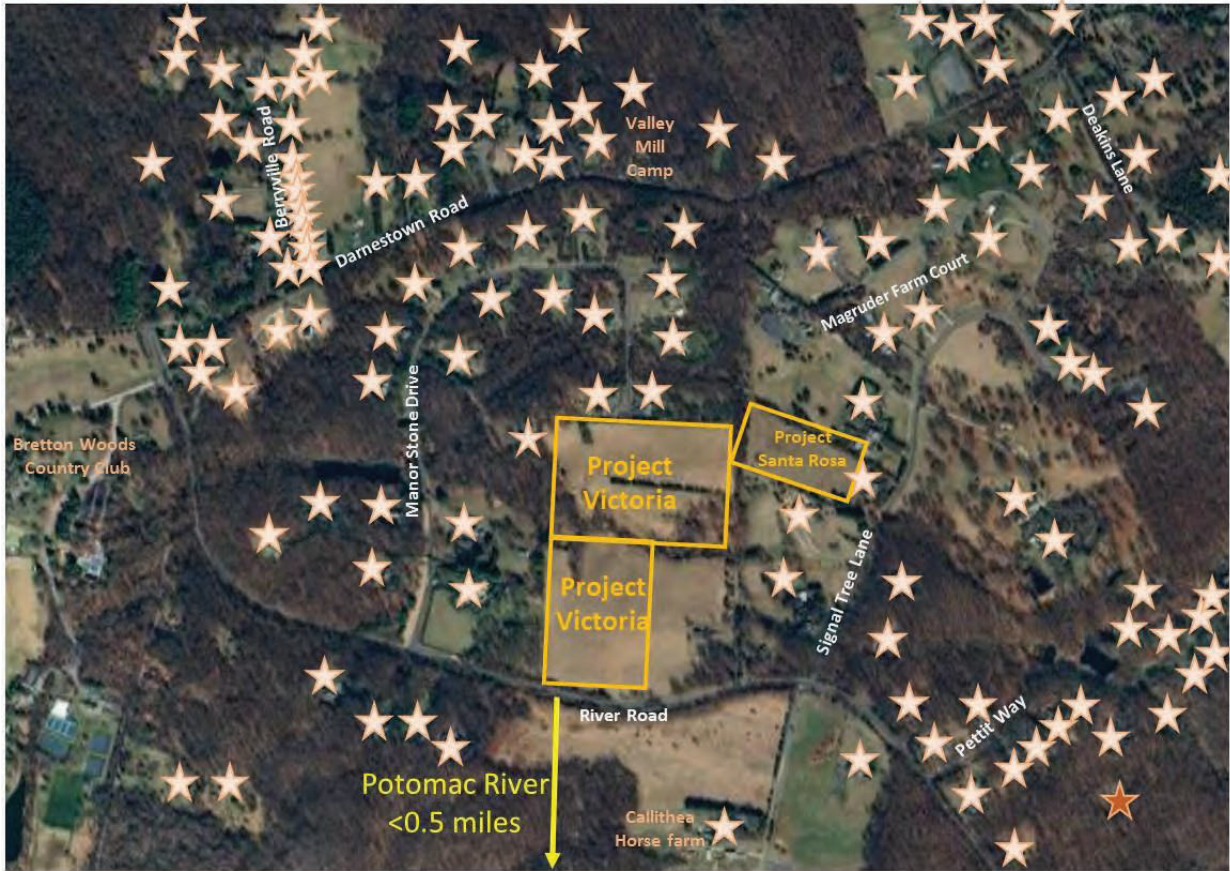
II. **GROUNDS FOR THE PETITION**

1. Introduction.

Project Victoria is proposed to be built on a 38.2 acre parcel (Pilkerton Property or site) on route 190, River Road, a scenic byway in Montgomery County, Maryland. According to the Maryland property tax database, this parcel is limited to agricultural use. The parcel is bisected by a stream that feeds into the Potomac River via Tributary 87. It is located in the middle of a residential area occupied by dozens of single family homes located on Manor Stone Drive, Signal Tree Lane, Magruder Farm Court, and River Road with Petit Drive, Deakins Lane, Berryville Road, and Seneca Road in close proximity. It is also surrounded on three sides by Natural Heritage Areas including Callithea Farm Special Park, Blockhouse Point Conservation Park, Seneca Aqueduct/Riley’s Lockhouse 24 and Seneca Creek. Significant portions of the parcel exceed 15% grades, especially on the North side. The area is reliant on well water. The Potomac River and the C&O Canal National Historic Park lie nearby. Residents living here are in a non-hydrant area with an elevated fire risk. See the map of the Project site below showing locations of the residences relative to Proposed Project Victoria and the abutting Project Santa Rosa which has already been approved (Projects).

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Proposed Project Victoria should NOT be authorized by the PSC for the following reasons:

- 1.1 Inefficient and Unsuitable Use of a Prime Greenfield Site
- 1.2. Failure of Montgomery County to deliver the Critical Infrastructure to support Solar Farms
- 1.3 Non Compliance of Projects with Zoning and Environmental Impact Study (EIS) Requirements Applicable to Solar Farms
- 1.4. Failure of Montgomery County to Develop a Detailed Ordinance applicable to Solar Farm Projects with Community Input
- 1.5 Negative Environmental Impact of Projects on Adjacent Natural Heritage Areas, Flood Plains, Natural Habitats and Wildlife
- 1.6 Elevated Fire Risk of Projects in Non Hydrant Area contrary to Montgomery County Climate Action Plan
- 1.7 Danger of Projects to Water Aquifer in Area unconnected to Public Water Supply and to Public Water

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1.8 Negative Impact of Projects on Property Values and Property Insurance

1.9 Negative Impact of Projects on Health of Persons, Domestic and Farm Animals

1.10 Co-location of privately-owned solar farm projects on non-public land is NOT consistent with the intent of the co-location regulation and is NOT advantageous to the local community

If the PSC decides to authorize this Project it would undermine its own stated goals to ensure that Maryland's electric distribution systems are customer-centered, affordable, reliable and environmentally sustainable.

PSC's approval would also be contrary to Montgomery County's Climate Action Plan (CAP) which identified the need to strengthen critical infrastructure in order to meet its climate goals, its zoning regulations which aim to protect the health and safety of its residents and the fundamental intent of Natural Heritage Area designations.

Ironically, PSC would also ignore the findings and conclusions of its own energy consultant, Daymark Energy Advisors (DEA) who was hired in connection with the Public Conference 44 to review the benefits and costs of distributed solar energy resources in Maryland (see DEA Report dated April 10, 2018 on PSC website). DEA assumed that certain steps would be taken, namely the development of a detailed Ordinance applicable to Solar Farm Projects. Such an Ordinance should address land use types, construction, setbacks, glare mitigation, screening buffers, height, lighting, vegetation removal, security, storm water runoff, dual land use, security, decommissioning, and fire safety.

An orderly process for solar farm approval would also demand that certain minimum conditions be fulfilled, namely: a) the necessary infrastructure should be in place in and around the proposed solar farm site; b) mandatory mail notifications should go out to each of the residents living near the proposed solar farm site (not just those directly adjacent to the site, but all residents within a certain radius such as, for example, 0.5 mile); c) at least two mandatory in-person public hearings should be convened with ample advance notice to allow questions about a proposed project; d) mandatory disclosure should take place as regards agreements between solar farm operators and landowners; e) mandatory disclosure and combined environmental impact evaluations for multiple solar farm sites within one mile of each other, and f) mandatory establishment of financial vehicles should be put in place at the expense of solar farm installers/operators to provide a form of insurance to safeguard the public in case of environmental disaster or grievous bodily injury.

Anything less than this would be undemocratic and contrary to internationally-established environmental principles of Community Right to Know and Polluter Pays. Only then would the public be protected from the "Gold Rush Free-For-All" that characterizes solar farm development today.

As it is, residents living in the neighborhood of Proposed Project Victoria are largely unaware that a Project is afoot or that Project Santa Rosa has already been approved because neither the PSC, Montgomery County, Chaberton, nor the landowners have reached out to them. The lack of transparency and absence of communication around the Project and PSC's failure to this day to ask Chaberton to lift the veil of

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secrecy as regards the terms of its lease agreement with the landowners of the Victoria and Santa Rosa sites constitute a gross breach of trust with Montgomery County taxpayers.

2. Grounds for Rejection of Proposed Project Victoria.

Proposed Project Victoria should be DENIED on the following grounds:

2.1. Inefficient and Unsuitable Use of a Prime Agricultural Greenfield Site

According to DEA, ground-based solar arrays typical of utility scale installations are an inefficient use of prime greenfield sites given that they require much more acreage per MW of power generation as compared to conventional power facilities. Moreover, they are considered intermittent energy sources because sunlight varies in availability. Consequently, they do not provide a constant and predictable flow of power.

Using precious agricultural land in the midst of protected Natural Heritage Areas and residential areas for the purpose of a 4.25 MW solar farm is particularly egregious, especially since other sites in Montgomery County can easily be identified. This leads us to believe that the siting of Proposed Project Victoria is purely opportunistic and not a strategic and well thought out decision. PSC's own consultant, DEA, noted that "open land sites may be available that have little or no competing use value or are compatible with solar development such as highway or transmission rights of way, brownfield sites or existing power plant sites" (see page 162 of DEA Report). PSC should take note that in Table 65 of the DEA Report, Natural Heritage Areas are specifically listed as places which should not be impacted by solar farms. Other states are successfully utilizing impermeable surfaces such as commercial parking lots and roads and highways (medians, sound barriers, overhead) with minimal impact to residents or the environment and with ready access to fire safety and emergency services.

2.2 Failure of Montgomery County to deliver the Critical Infrastructure to support Solar Farms

The Montgomery County Action Plan (CAP) identifies extreme heat, high winds and drought as three of the top four largest climate hazards (see CAP page 12). The goal of CAP is to identify actions the County should take to enhance the resilience of the community and infrastructure assets to mitigate these hazards. So far, Montgomery County has not addressed the need for critical infrastructure to battle the worst effects of climate change namely extreme heat, winds and drought anywhere near the Pilkerton Property.

Montgomery County and PSC are, therefore, putting the proverbial "cart before the horse" in approving solar farm development when critical infrastructure required to support such development is sorely lacking. Montgomery County's own CAP identifies areas of weakness, especially as regards the need to refurbish and upgrade storm water runoff channels. In areas like the Pilkerton Property, the absence of public water and fire hydrants should be an automatic disqualifier for siting solar farms and all pending applications, as well as work on the already approved Project Santa Rosa, should come to an immediate halt on public safety grounds.

2.3 Non-Compliance with Zoning Requirements and EISs applicable to Solar Farms

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The primary purpose of zoning laws is to promote the health, safety, and welfare of the community, to prevent the overcrowding of land, and to maintain property values by preventing incompatible uses of land from being located next to each other, such as setting a factory or solar farm next to a residential area.

2.3.1 Non-compliant land grade. The installation of solar panels in Montgomery County on grades equal to or exceeding 15% is prohibited.

According to the DEA Report, the requirement is even stricter. It states that solar farms should not be sited on land where the gradient is >10% (see Table 65 on page 162 of DEA Report). In any event, the Pilkerton Property is not a suitable site for a solar farm installation because there are multiple slopes with grades exceeding 15% comprising 20-30% of the surface to be covered by the planned solar arrays (see map in section 2.5.3). This clearly exceeds the recommended maximums. As a result, storm water runoff from Proposed Project Victoria will directly impact some of the adjacent properties, most of which have easements and are not permitted to mitigate foreseeable erosion and flood damage.

2.3.2 Non-compliant MW output limit for solar arrays

Montgomery County sets a 2MW limit for solar arrays on agricultural land. While the Pilkerton Property is not zoned as Agricultural Reserve (AR), its use is designated “agricultural” and it is composed of Class II prime soils. It has been used off and on for haymaking and cattle grazing in the past 20 years and possibly longer. Therefore, it is prudent to compare it to AR zoning conditions, which prohibit solar farms greater than 2 MW. The proposed output of Project Victoria is 4.25MW, which more than doubles this limit, rendering it non-compliant with current local zoning laws.

Furthermore, the Project is directly adjacent to, and contiguous with, Project Santa Rosa, a 2.47MW solar farm. Thus, the output of the aggregate installation would be in excess of a 6MW facility in 3 solar arrays on 48 acres, with solar panels covering ~25 acres of surface area. This result would exceed more than triple the limit on MW output imposed by law. Not only is this well in excess of the 2MW limit set for agricultural and residential land use but the combined effect of the two Projects constitute an unfair and disproportionate burden on the River Road neighborhood.

Such a deviation from legally imposed limits, particularly in a residential community, should not be tolerated by the PSC if it purports to deliver customer-centered electric distribution systems in Montgomery County.

2.3.3 Non-compliance with Environmental Impact Study (EIS) requirements. All environmental impacts of solar farms should be properly assessed as required under applicable Federal and State regulations. Environmental requirements in this matter have not been met because the existence of Project Santa Rosa was not referred to in the Environmental Site Assessment and Environmental Review Document for Project Victoria. Moreover, Chaberton did not perform an EIS on the combination of the two sites. Each site was assessed individually without regard for the amplification of impacts to the environment because of the proximity of the two sites. Storm water runoff from Project Santa Rosa feeds into the same surface waters as will Project Victoria, compounding erosion and flood risk, as shown in the

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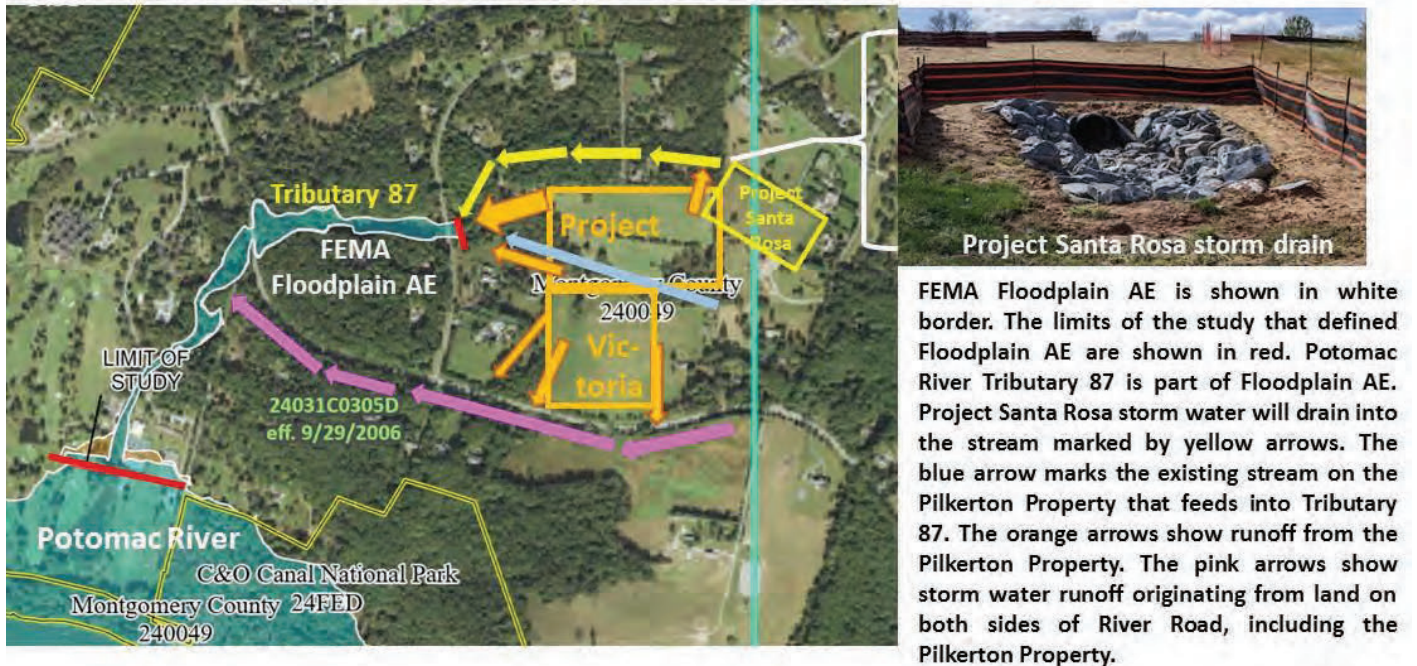
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figure below. Elevated erosion and flood risk due to alteration of existing storm water runoff patterns and flow rates will be a hazard to existing structures and properties.

Observed Flow of Storm Water around Project Victoria and Project Santa Rosa



2.4. Failure to Develop a Detailed Ordinance applicable to Solar Farm Projects with Community Input. Solar Farms have a role to play in mitigating climate change. However, their siting, construction and operation should take place in an orderly, well thought out manner and not be handed over to the private sector and the vagaries of the marketplace without a robust regulatory framework.

Taxpayers and homeowners should have a reasonable expectation that the zoning laws for the area in which their homes were purchased or built would be upheld and that their safety and well-being would be secured. Thus, the principle of Community Right to Know should be observed when hazardous chemicals are being brought into residential and agricultural neighborhoods such as the Pilkerton Property where Project Victoria is proposed to be sited. Yet to this day, the majority of Montgomery County residents and even close neighbors of Project Victoria remain unaware of its existence because of the failure of communication by the PSC, the Montgomery County Planning Board, and the private parties.

If PSC were to approve Proposed Project Victoria without informing and safeguarding the interests of Pilkerton Property neighbors and Montgomery County taxpayers, it would in effect be sanctioning the flow of profits to private entities, in this instance Chaberton and the owner of the Pilkerton Property, while allowing the associated costs of operating the solar farms and their risks to fall on the shoulders of Montgomery County taxpayers.

It is significant that the PSC has not sought to reassure Montgomery County taxpayers by making public the provisions of solar farm agreements and informing taxpayers whether any provisions are in place

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which would indemnify the owners of land where solar farms are sited as well as third party neighbors and Maryland taxpayers generally for damages arising from solar farm construction, operation and decommissioning. Such damages would include but not be limited to dust, erosion, fire, storm water runoff, aquifer pollution, loss of natural habitat, soil and ground water pollution by metals such as lead, cadmium and aluminum and microplastics, radiation and bodily injury to persons, livestock, domestic and farm animals and wildlife. Currently, such matters are apparently unknown and unaddressed. This appears to violate the Polluter Pays principle.

Proposed Project Victoria cannot be approved by the PSC until it is determined and disclosed where liability for such damage lies. This should be public knowledge.

2.5 Negative Environmental Impact of Projects on Adjacent Natural Heritage Areas, Flood Plains, Natural Habitats, Wildlife and Carbon Sequestration

Proposed Project Victoria, Project Santa Rosa, and many other solar farm projects, will undermine Montgomery County's own environmental, conservation and carbon sequestration goals and regulations.

2.5.1 Pollution Risks and Effect of Particulate Matter, Sediment Contamination and Deposition on Natural Heritage and Wilderness Areas. The DEA Report states that "the use of greenfield sites such as agricultural or forested land for ground based solar photovoltaic installations may have a potentially negative impact on land use" (see page 162).

"Photovoltaic panels contain hazardous materials and although they are sealed under normal operating conditions, there is a potential for environmental contamination if they are damaged or improperly disposed upon decommissioning." (see Solar Energy Development Environmental Considerations prepared by the US Bureau of Land Management and the US Department of Energy). Some solar farms may employ materials such as oils or molten salts, hydraulic fluids, coolants and lubricants that may be hazardous and present spill risks. (Ibid.)

It is recognized by the Bureau of Land Management and the Department of Energy which collaborated on the Solar Programmatic Environmental Impact Statement (EIS) guidelines that the construction and operation of solar facilities disturbs soils and generates particulate matter, sediment contamination and deposition which can be a significant pollutant particularly in any nearby areas classified as Class I under Prevention of Significant Deterioration Regulations (such as national parks and wilderness areas)" (see Solar Energy Development Environmental Considerations prepared by the US Bureau of Land Management and the US Department of Energy). Proposed Project Victoria is surrounded by Maryland State Parks which are Natural Heritage Areas with the same vulnerability.

2.5.2 Risk of Destruction of Natural Habitats Impacting Wildlife. The removal of trees and vegetation will disturb natural habitats and wildlife which relies on contiguous areas of trees and grasses. DEA notes that impacts could also occur to existing wetland, waterbodies or rivers and streams and soil erosion and storm water management at these sites needs to be considered. (see DEA Report at pg 160).

Proposed Project Victoria will unquestionably remove valuable mature specimen trees, including those situated on the high-grade hillsides. These trees play a crucial role in maintaining soil stability. Their

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removal would not only lead to a direct loss of ecological habitat but would also significantly increase the vulnerability of the hillside to erosion, particularly in heavy rain conditions. In addition, Proposed Project Victoria, similar to Project Santa Rosa will remove vegetation and shrubs which will destroy the existing natural habitat.

Chaberton's documentation states that it will install a "pollinator-friendly" habitat when construction is complete on each Project. This entails planting various wildflowers, grasses, and shrubs under and around the solar panels to provide habitat and food sources for pollinators. However, this habitat must be "well-managed" in order to be successful. It is difficult to envision how the solar farm habitat can be well-managed when only a single monitoring visit per month is planned, according to the application. Furthermore, the "Vegetation Management Plan" is inadequate, calling for semi-annual inspections and "infrequent mowing 2 to 3 times per growing season." Growth of pollinator-friendly grasses is rampant during warmer months. Moreover, during droughts, intermingled and surrounding vegetation will only further increase the fire risk associated with electrical equipment. Construction of Project Santa Rosa is underway, so there is already a loss of pollinator habitat and the advancement of Proposed Project Victoria will exacerbate the situation, leaving our local area predisposed towards possibly overly-aggressive pollinators and lacking in functional pollinators to service neighborhood gardens and wild flora. The risk of Proposed Project Victoria to the natural habitat and to pollinators is unacceptable.

2.5.3 Effect of Grading on Storm Water Runoff. The storm water management plan for Proposed Project Victoria has raised serious concerns about its accuracy and reliability, particularly in reflecting the true slope grades on the project site, with between 25-35% of the Northern side area designated for solar panels at or above 15% slope and another 10% of the Northern side allocated for a roadway, equipment stations, and other structures as shown in the figure below. It is difficult to imagine these areas being rendered suitable for the 2 planned solar arrays, electrical equipment, water retention areas, "drainage divides", and driveway without extensive perturbation of the topsoil and re-grading of the slopes, both of which are supposed to be avoided. There is a significant discrepancy between areas covered by $\geq 15\%$ grades (shaded areas) the initial and amended Concept Plans of the Chaberton application. About 20-30% of the project-occupied surface area Northern side is placed on grades $\geq 15\%$ shown by the shading map from the initial application, in great contrast to Chaberton's table indicating a total of $< 6\%$ of the project area is on grades $\geq 15\%$ (see map below). The storm water management plan for both the Northern and Southern sides appears to depict a system of ditches that will channel storm water but it is unclear where the water will flow from there.

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Grading on Northern field

Initial application

Amended application



The blue lines delineate the approximate borders of the Northern solar array including all engineered area and excluding landscaping. The purple lines delineate the approximate locations of the solar panels. The shaded areas showing grades exceeding 15% in the Northern field represented 20-30% of the total array area in the initial Chaberton application (left panel). This shaded area shrank significantly to less than 10% of the solar panel area in the amended application, despite that the visible elevation numbers did not change. Thus, Chaberton's estimate of slopes with grades >15% to be disturbed by Proposed Project Victoria of <6% is a gross underestimate.

2.5.4 Effect of Projects on Flood Plain and Wetlands. Nearly all runoff from the Northern side of Proposed Project Victoria will be directed into a pond located in the River Gauge Estates neighborhood on Manor Stone Drive which is essentially located in FEMA floodplain AE. Runoff from Project Santa Rosa will also feed into this floodplain. This floodplain is known for its high risk of flooding, which could be exacerbated by the additional runoff from the solar farms, especially if extreme weather, erosion or other event leads to unexpected water flow patterns. This could result in severe flooding and/or sediment deposition, damaging properties and endangering lives in the surrounding area. The risk of Proposed Project Victoria alone and in combination with Project Santa Rosa to the River Gauge Estates is unacceptable. Refer to the previously shown figure entitled: Observed flow of storm water around Project Victoria and Project Santa Rosa.

Storm water from Project Santa Rosa will flow downhill through a large drain at the back of the property and into a small stream that feeds into the streams and wetlands that flow through several Manor Stone properties adjacent to Proposed Project Victoria, taking runoff from both projects. Chaberton has committed an egregious omission in failing to take into account the combined runoff from Project Santa Rosa in the in the environmental site assessment for Proposed Project Victoria.

The solar farms' storm water runoff will be redirected into new areas that directly affect certain homeowners. Moreover, some of the areas to be affected by altered storm water runoff are protected by a Maryland National Park and Planning Category I Forest Conservation Easement. This designation, the most protective type, prohibits the clearing of any trees, bushes, or vegetation and restricts construction, paving, or grading.

The storm water runoff from the farm will directly threaten these sensitive areas, disturbing mature trees and wildlife and violating easement terms intended to preserve natural resources. Furthermore, excess runoff has the potential for increased velocity during heavy rains due to reduced ground absorption

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caused by the 19.6 acres of solar panels of the combined Projects. The runoff will enter specific areas with steep hills on which residences are located. Increased water and higher velocity water entering these areas may not be able to support the runoff without the risk of erosion and sediment deposition, and the easement's restrictions will prevent homeowners from being able to take action to mitigate any adverse effects as a result. Finally, alterations in storm water runoff can also impact the microbial content of the ground water, with potential infection of the human population by *Giardia* and other endemic pathogens that are not currently problematic. The risk of Proposed Project Victoria alone and in combination with Project Santa Rosa to the health of residents and the water supply is absolutely unacceptable.

The Pilkerton Property and surrounding area supports a diverse array of wildlife, including a bat colony and species such as owls, hawks, eagles, turkeys, deer, red foxes, and coyotes, as well as bees, butterflies, and other pollinators. Solar farms are known to disrupt habitats, particularly for bats and birds, which suffer from habitat disruption due to the construction and operation of the solar farm. All ten species of bats found in Maryland are considered species of greatest conservation need. Located less than 100 yards from the proposed farm, this bat colony lives under the constant threat of habitat disruption, a concern substantiated by recent studies, such as one led by the University of Bristol, which demonstrate a strong negative effect of solar farm developments on foraging and commuting bats. Furthermore, mitigation of loss of local pollinator function through creation of "pollinator-friendly" solar farms is only successful when the properties are "well-managed", which is inconsistent with the projected single employee monitoring visit per month and Vegetation Management Plan. The risk of Proposed Project Victoria alone and/or in combination with Project Santa Rosa to wildlife, especially rare or endangered wildlife, in the surrounding area is unacceptable.

2.5.5 Effect on Carbon Sequestration Goals. Carbon sequestration is part of Montgomery County's Climate Action Plan. It is implemented by the M-NCPPC Planning Reforest Montgomery Team which spends taxpayer money to plant trees in Montgomery County parks and the Agricultural Reserve to act as carbon sinks. Meanwhile, the PSC is contemplating the authorization of Project Victoria in the same area which will result in the destruction of more trees, shrubs and vegetation. This makes no sense, even if Chaberton offers to fund the planting of a few trees and shrubs. Does the right hand even know what the left hand is doing in Montgomery County? The environmental impact of Proposed Project Victoria alone and/or in combination with Project Santa Rosa is unacceptable.

2.6 Elevated Fire Risk in Non Hydrant Area contrary to Montgomery County Climate Action Plan

2.6.1. Potential Causes of Fires on Solar Farms. There are numerous causes of fires on solar farms, including: a) overheating, short circuiting, or lightning strikes on electrical components; b) electrical arcing due to installation errors; c) overheating and hot spots caused by moisture ingress, dirt buildup, bird droppings, and foliage on and around panels, as well as combustible materials (e.g., vegetation or support structures) that contribute to fire spread in dry conditions; and d) overheating or thermal runaway of lithium-ion batteries.

2.6.2. Special Heat related Risks of Solar Farms. Solar farms generate heat that is dissipated into the local environment where, under drought conditions, spontaneous fires may start. They present a particular set of heat-related risks. It is widely acknowledged that high ambient temperatures are

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exacerbated by solar farm heat island effects. It has been documented that temperatures in and near solar farms rise by an additional $>4^{\circ}\text{C}$ (8°F), further increasing the risk of fire. Thus, 100°F temperatures (not uncommon during Montgomery County summers) can rise to 108°F in and around the solar arrays. Fire fueled by dry grass and other dehydrated vegetation during drought will spread rapidly.

Elevated fire risk from a solar farm, associated electrical equipment, and high voltage transmission lines poses a significant danger to all homes, property, and life in the surrounding area, especially during the prolonged droughts brought on by climate change.

2.6.3 Project Area is a Non-Hydrant Area. There are no local fire hydrants with which to combat wildfires caused by electrical equipment fires anywhere near the proposed location of Project Victoria. Any sort of spark from the panels, equipment, or transmission lines due to natural (or unnatural) causes could ignite a wildfire that could not and would not be easily extinguished due to the lack of critical infrastructure. Thus, Proposed Project Victoria would create an unacceptably elevated fire risk to residents and homes in the surrounding area from high voltage electrical equipment located in grass-filled fields and nearby transmission lines.

2.6.4 Frequent Drought Warnings in Project Area. The Maryland Department of the Environment (MDE) periodically issues drought warnings for the State of Maryland due to the extended dry conditions and lack of needed rainfall. This risk has been higher recently in Montgomery County where, for the last year there has been a significant drought, including in the area proposed for the Project.

Any doubts about the high likelihood of a fire and risks to the residents of this area was eliminated when, less than two weeks ago, in April 2025 a wild fire was sparked in a residential area not far from the location of the Project Victoria which like the River Road neighborhood has no fire hydrants. Approximately 45 firefighters were required to respond to the wildfire. See Annex 1 for news article on this important topic.

2.6.5 Project will Exert a Strain on Water Resources Needed for Fire Fighting. Both Projects Victoria and Santa Rosa will purportedly have underground water storage tanks (as with the 30,000 gallon tank proposed for Project Ramiere). Such water may be used during construction, for fire-fighting and any necessary cleaning of solar panels. During times of drought, which are frequent in Maryland, any increase in water demand can strain available water resources, leaving residents who depend on well water at a disadvantage.

2.6.6 Chaberton has no Fire Mitigation Plan. The Chaberton Concept Plan for Proposed Project Victoria contains no mention of a fire mitigation strategy or plan, which is unacceptable in this rural area in which no local fire hydrants are present. The closest fire stations are 6.5 and 8 miles away, taking at least 12-16 minutes to arrive in minimal traffic conditions. Accessing an underground water storage tank upon arrival will be insufficient to stop a fire that has spread rapidly outside the solar farm through dry vegetation. The time it would take for firefighters to access surface water from neighborhood pools and local ponds surrounded by thick vegetation would likely result in significant loss of life and property. Moreover, insurers will increase the costs of, if not outright cancel, homeowner property insurance policies due to the elevated fire risk. Indeed, one neighbor has already queried his property insurance

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provider and been informed that his policy may be cancelled if Proposed Project Victoria is installed due to fire risk.

Allowing Project Victoria to go forward would exacerbate the exposure of Montgomery County residents to climate hazards. This is entirely contrary to the goals of Montgomery County's CAP.

The SIGNIFICANTLY-INCREASED FIRE RISK created by Project Victoria alone and/or in combination with Project Santa Rosa is unacceptable.

2.7 Danger to Quality of Water Aquifer in Area unconnected to Public Water and Potential Effect on Public Water Supply. All homes in the surrounding area of the proposed Project rely solely on well water, therefore, the quantity and quality of ground water is essential to the health and well-being of residents.

2.7.1 Availability of Water to Private Homeowners will become more Unpredictable. Proposed Project Victoria, alone and in combination with Project Santa Rosa, will significantly reduce the replenishment of local ground water sources through loss of ground absorption of rainwater under the 19.6 acres of solar panels. Proposed Project Victoria panels are planned to be fixed-tilt type (15.6 acres of semi-permeable surface area) while Project Santa Rosa panels are planned to be ground-mounted (4 acres of essentially impermeable surface). Through a combination of altered storm water runoff and 19.6 acres of semi-permeable and impermeable solar panel surface area, these solar installations can deplete ground water reserves in a manner inconsistent with zoning and force a significant financial burden on local homeowners to somehow supplement their water supplies.

The PSC has not communicated with residents in the Pilkerton Property area about what would happen during a drought if private water wells dry out and who would be liable to compensate homeowners. Residents living adjacent and near the Pilkerton Property are endangered by Project Victoria.

2.7.2 Quality of Water will likely deteriorate. According to the guidance provided by the Department of Energy on Solar Programmatic Environmental Impact Statements "[the] [u]se of or spills of chemicals at solar facilities (for example dust suppressants, dielectric fluids, herbicides) could result in contamination of surface or groundwater." (see Solar Energy Development Environmental Considerations prepared by the US Bureau of Land Management and the US Department of Energy 2012).

According to a study conducted by the Interstate Commission on the Potomac River Basin, the Pilkerton Property is a high-priority parcel for land conservation from a drinking water source perspective. Just on that basis Proposed Project Victoria should not receive authorization by the PSC and the CPCN permit should be denied. There is a real risk that both Projects Victoria and Santa Rosa will leach toxic compounds, heavy metals and microplastics from electrical equipment and deteriorating solar panels caused by poor quality, weather (hail, wind, lightning, snow, ice)- or climate (humidity)-induced damage. This will affect not only the quality of the drinking water in water wells relied on by nearby residents but also potentially compromise the quality of the public water supply in Montgomery County.

Additionally, the Pilkerton Property is located a mere one half mile from the Potomac River and only 5.5 miles upriver from WSSC's Potomac River Filtration Plant which serves as one of the primary fresh water

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sources for Montgomery County residents downstream. Proposed Project Victoria alone and in combination with Project Santa Rosa poses a risk of contaminating this critical water supply through runoff containing sediments and potentially laden with heavy metals, toxic chemicals, and other pollutants such as microplastics. Altered storm water runoff patterns can also be contaminated unpredictably with common endemic pathogenic microbes (such as *Giardia* species present in deer feces) and feed them into the Potomac.

The risk of Proposed Project Victoria to downstream water supply and quality is unacceptable.

2.8 Negative Impacts of Combined Projects on Property Values, the Availability of Property Insurance, and Insurance Rates. Proposed Project Victoria's approval will decrease property values in the surrounding area by 20% or more. There are many reasons stemming from lack of zoning enforcement, including increased fire risk, real and perceived health risks, real and perceived property risks, decreased potential for future residential development, increased risk of well water contamination and/or depletion, increased risk of storm water runoff flooding and erosion. In addition, the visual impact of unsightly solar panels, electrical equipment, and transmission lines disrupting the rural residential setting and the scenic byway designation of route 190 will have a negative impact on property values and real estate investment.

How will it be possible for residents, homeowners, and developers to invest in future residential properties and communities in Montgomery County and in Maryland when zoning laws are upended by the exceptions granted to solar farms and residents are kept in the dark?

Montgomery County and the PSC should also be prepared for the possibility that the Solar Farm "Gold Rush Free-For-All" may inadvertently create a property insurance crisis. In the absence of a well-regulated and thoughtful process for solar farm siting, construction, operation and decommissioning, it will become increasingly difficult to find buyers for residential properties situated near solar farms. This will be due to the ripple effect of increased insurance rates or outright policy cancellations which in turn result in homeowners being unable to insure their properties. This chain of events will then affect the real estate market because prospective real estate buyers will be unable to secure mortgages. What is described here is not a remote possibility but already beginning to happen. It will impact the real property market in Montgomery County and eventually lead to a loss in property tax income for the State.

The impact on property values because of Proposed Project Victoria alone and/or in combination with Project Santa Rosa is unacceptable.

2.9 Potential Negative Impact on Health of Persons, Domestic and Farm Animals. Solar farm electrical equipment (inverters, transformers) and associated power transmission lines emit low-level electromagnetic fields (EMFs) which, over time, can cause headaches, fatigue, restlessness, insomnia, cardiovascular stress, and cancer in humans living close by. These can have negative long-term effects on health and mental health. Pets, particularly dogs, share many of these effects as do farm animals. Moreover, these EMFs have negative impacts on bees and other pollinators, causing disorientation, increased aggression, and ultimately decreased viability.

Solar panels and other equipment installed in a solar farm contain various toxic chemicals and heavy metals that pose a serious risk to health if released into the environment. Exposure of the solar panels

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and electrical equipment to severe weather (hail, wind, lightening, snow, ice) and Maryland's typically humid climate can damage them and release toxic chemicals and heavy metals over time which end up in the ground or surface waters, contaminating local water sources and impacting both human and animal health. The quality of the solar panels also impacts leaching, however, the type and source of solar panels to be used in Projects Victoria and Santa Rosa remain to be seen. The risk of Proposed Project Victoria alone, and/or in combination with Project Santa Rosa, to human and animal health is absolutely unacceptable, especially in the absence of the PSC requiring Chaberton and landowners to provide for financial arrangements in advance as a type of insurance policy.

2.9 Co-location of privately-owned solar farm projects on non-public land is NOT consistent with the intent of the regulation and is NOT advantageous to the local community. Co-location of public facilities was not intended for the purpose of placing two privately-owned solar farms next to each other, but rather to harmonize and maximize the dual use of common public building, venues, and facilities. Co-location of similar solar farm land uses that are contrary to and/or against municipal zoning regulations should be prohibited. One "special exception" in the same neighborhood presents the environment with enough non-conforming uses and related impacts; two special exceptions in the same neighborhood is a disproportionate burden likely to harm it in many ways.

For all of the above reasons, we vehemently oppose Proposed Project Victoria.

III. **REQUEST FOR RELIEF**

We, the local homeowners near the Pilkerton Property, request that the Montgomery County Planning Board and all other relevant agencies recommend against the Chaberton application for Proposed Project Victoria (PSC case #9770) and that that the Maryland Public Service Commission deny the application for a Certificate of Public Convenience and Necessity by Chaberton for Proposed Project Victoria. We demand that all relevant agencies uphold existing local zoning laws to preserve our beautiful and healthy living area, our lives and our property values. We strongly object to Proposed Project Victoria, particularly in view of the adjoining Project Santa Rosa and we request that any necessary permits and recommendations at the county and state level for the project be denied in order to permanently and irrevocably block it.

To keep us safe, we insist that the county and state develop wildfire response plans in concert with the Maryland Fire Prevention Commission and Maryland Fire Marshal for each solar farm installation, including Proposed Project Victoria, in order to preserve the lives and property of those living in proximity to these installations, particularly in areas lacking fire hydrants and local accessible water far from fire stations. The most deadly wildfires in recent memory (Camp fire that wiped out Paradise, CA and Lahaina fire that wiped out Lahaina, Maui) were started in rural areas with no local fire hydrants or water sources by electrical equipment igniting dried vegetation during Summer droughts. They spread rapidly and overwhelmed local fire-fighting capacity. The losses of life and property were staggering. Solar farms, their attendant electrical equipment, and high voltage transmission lines elevate fire risk in several ways and the proliferation of these installations in rural and agricultural sites is alarming. Furthermore, they present not only safety risk but also economic risk by elevating property insurance cost or outright

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cancellation of insurance, and decreasing property values. We also request that the county and state allocate resources to bring public water and rapid response capability to these areas.

Because Project Santa Rosa was advanced to the implementation stage without the knowledge of the majority of neighbors who will be impacted by it, we request that the relevant State and County agencies consider revising the requirement of companies planning solar farm installations in rural neighborhoods and agricultural lands to inform all residents within a 0.5 mile radius of the intended site.

Because Proposed Project Victoria abuts another solar farm project, Project Santa Rosa, we further request that the relevant State and County agencies put in place a mechanism for requiring companies planning multiple solar farm installations adjacent to each other or within a 0.5 mile radius of the intended sites to perform studies of the combined environmental impact of the multiple sites in order to protect residents and limit the negative impacts of larger aggregate installations.

We further request that the relevant State and County agencies consider instituting a new requirement for companies advancing solar farm installations to create and fund an escrow account for the purpose of compensating homeowners whose health and property is damaged by the Project, as well as to remove the solar panels at the end of their life and install new panels or remediate the land regardless of whether Chaberton, successors or assigns still exist.

We further request that the state and county put appropriate ordinances in place to insure consistent and safe and thoughtful solar farm site selection and development. Infrastructure to support each project must be in place before sites can be approved. We request that incentives to place solar farms on impermeable surfaces with existing infrastructure and minimal environmental impact like roads and parking lots be developed. Consider integrating solar farming with state and county highways, like the Intercounty Connector. We also request that the state and county put in place a mechanism to monitor solar farm sites, complete with surprise inspections, to insure that installers and operators of these farms monitor and maintain sites not only to insure compliance and operational efficiency but also to keep all residents safe.

Solar farms can have a place in Maryland; the onus is on the Governor, the Maryland Public Service Commission, the Montgomery County Planning Board, the Department of Natural Resources, the Maryland Department of the Environment, the Maryland Parks and Planning Commission, the Maryland Fire Marshall, the Maryland State Fire Prevention Commission, and anyone else in the decision making process to ensure that the solar farms are approved in appropriate locations with the necessary infrastructure, such as state-owned impermeable surfaces and roadways, commercial or industrial settings. Many projects have been installed in the parking lots of commercial buildings, which creates a win-win situation where shade is created for cars and residents' health and safety are not put in jeopardy. Others are placing solar arrays over and beside roadways, in medians or on sound barriers. There is a significant amount of state-owned and commercial area that Chaberton could use to create a solar farm if it insists on pursuing the Proposed Victoria Project. We propose the Intercounty Connector, Route 200, as an excellent site for the acreage Maryland seeks to allocate to solar farms. But Proposed Project Victoria should not be approved for the Pilkerton Property, in the middle of a well-based residential

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community with no fire hydrants, less than 0.5 miles from the Potomac River, and abutting Project Santa Rosa.

IV. CONCLUSION

In conclusion, because Proposed Project Victoria violates zoning law, it should not be approved and any necessary permits and recommendations at the county and state level for the project should be denied. Specifically, the law limits solar farms to a maximum output of 2 megawatts (AC), and yet the output of the Proposed Project Victoria would be 4.25 megawatts. In addition, when combined with the adjacent Project Santa Rosa, which will have an output of 2.47 megawatt, the community would be forced to house a 6.72 megawatt combined facility, a disproportionately high burden for a single rural residential community to bear.

Proposed Project Victoria should also be DENIED approval because:

- (1) it violates zoning law designed to protect the community and environment and goes against the recommendations of PSC's own consultants;
- (2) it will create an unacceptably elevated fire risk;
- (3) it represents an avoidable set of health and mental health risks;
- (4) all homes in the surrounding area of Proposed Project Victoria rely solely on well water;
- (5) the Pilkerton Property is not a suitable site for a solar farm installation because it is surrounded by residences and there are multiple slopes with grades exceeding 15%;
- (6) it will create damaging storm water runoff, erosion, flooding, and sediment deposition and contamination;
- (7) the Pilkerton Property is too close to FEMA Floodplain AE, Tributary 87, and the Potomac River and the risk of flooding and contamination is too high;
- (8) it will drive down property values and inflate property insurance costs;
- (9) the environmental site assessments and environmental review documents did not evaluate the impact of the combination of Projects Victoria and Santa Rosa, therefore the Project Victoria application is flawed and incomplete;
- (10) there are numerous other inconsistencies, errors, possible deceptions, and unrealistic plans in the Chaberton application, PSC case #9770.

Solar farms can have a place in Maryland, but they are better suited to impermeable surfaces such as roadways and parking lots, and in commercial or industrial settings. Many projects in Maryland have been installed over the parking lots of commercial buildings, creating a benefit to all because shade is created for cars and residents' health, safety, and property are not put in jeopardy. The Maryland Transportation Authority owns and manages many impermeable surface roadways, such as the Intercounty Connector, (ICC, MD200), that have better access to the electrical grid, to fire and rescue services, and to storm water

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management infrastructure than rural agricultural and residential communities. *It is in every Montgomery County and Maryland resident's interest to see that solar farms are installed in places that make a minimal impact on health, safety, and the environment.*

The Proposed Project Victoria should not be approved for the Pilkerton Property, in the middle of a rural residential community with no fire hydrants.

Signature page follows:

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V. SIGNATURE PAGE

I agree with the above statements and request that necessary permits for Proposed Project Victoria from the Maryland Public Service Commission and any other relevant State and County agencies be **denied** and that Proposed Project Victoria be recommended **NOT** to proceed by the Montgomery County Planning Board and any other relevant agency. I request that any other action required to block the project be taken by state and county agencies on my behalf. Thank you for your sincere and careful consideration.

Sincere regards,

martine bernard

Printed name



[martine bernard \(May 9, 2025 17:13 EDT\)](#)

Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

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Sincere regards,

Dennis Metzger

Printed name



Dennis Metzger (May 11, 2025 12:20 EDT)

Signature

May 11, 2025

Date

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V. SIGNATURE PAGE

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Sincere regards,

Autumn Metzger

Printed name



Autumn Metzger (May 12, 2025 09:35 EDT)

Signature

May 12, 2025

Date

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Sincere regards,

Charles Yanjanin

Printed name

Charles Yanjanin

Charles Yanjanin (May 9, 2025 17:03 EDT)

Signature

May 9, 2025

Date

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Sincere regards,

Donna Yanjanin

Printed name

Donna Yanjanin

Donna Yanjanin (May 9, 2025 17:08 EDT)

Signature

May 9, 2025

Date

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Sincere regards,

alicia calderon

Printed name


alicia calderon (May 9, 2025 16:18 EDT)

Signature

May 9, 2025

Date

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Sincere regards,

Aprile L. Pilon-Clayton

Printed name


Aprile L. Pilon-Clayton (May 9, 2025 16:59 EDT)

Signature

May 9, 2025

Date

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Sincere regards,

Brian & Angel Siever

Printed name

Brian & Angel Siever

Brian & Angel Siever (May 12, 2025 12:37 EDT)

Signature

May 12, 2025

Date

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Sincere regards,

Allison Kozicharow

Printed name

Allison Kozicharow

Allison Kozicharow (May 9, 2025 18:15 EDT)

Signature

May 9, 2025

Date

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Sincere regards,

Richard Batz

Printed name



Richard Batz (May 9, 2025 16:56 EDT)

Signature

May 9, 2025

Date

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Sincere regards,

Joseph T Gardemal III

Printed name



Joseph T Gardemal III (May 9, 2025 16:59 EDT)

Signature

May 9, 2025

Date

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Sincere regards,

Kent Goulding

Printed name



[Kent Goulding \(May 9, 2025 22:56 EDT\)](#)

Signature

May 9, 2025

Date

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Sincere regards,

Nihad Kaibni

Printed name

Nihad Kaibni

Nihad Kaibni (May 12, 2025 12:08 EDT)

Signature

May 12, 2025

Date

EXHIBIT 1

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Sincere regards,

Alexander Herz

Printed name



Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

I agree with the above statements and request that necessary permits for Proposed Project Victoria from the Maryland Public Service Commission and any other relevant State and County agencies be **denied** and that Proposed Project Victoria be recommended **NOT** to proceed by the Montgomery County Planning Board and any other relevant agency. I request that any other action required to block the project be taken by state and county agencies on my behalf. Thank you for your sincere and careful consideration.

Sincere regards,

Ileana Quintas

Printed name

Ileana Quintas

Ileana Quintas (May 12, 2025 18:05 EDT)

Signature

May 12, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Nancy El Hibri

Printed name



[Nancy El Hibri \(May 9, 2025 16:56 EDT\)](#)

Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Brenda Whitehurst

Printed name



[Brenda Whitehurst \(May 9, 2025 16:57 EDT\)](#)

Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

doug ortega

Printed name



[doug ortega \(May 9, 2025 16:59 EDT\)](#)

Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Gregory Prince

Printed name



Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Nicole Lynn Kobrine

Printed name

Nicole Lynn Kobrine

Nicole Lynn Kobrine (May 10, 2025 12:16 EDT)

Signature

May 10, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Paul Garrett

Printed name

Paul Garrett

Paul Garrett (May 9, 2025 20:22 EDT)

Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Amy Silins

Printed name


Amy Silins (May 9, 2025 17:07 EDT)

Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Dan Bateman

Printed name

Dan Bateman

Dan Bateman (May 9, 2025 20:47 EDT)

Signature

May 9, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Mary M. Bateman

Printed name

Mary M. Bateman

Mary M. Bateman (May 10, 2025 10:53 EDT)

Signature

May 10, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Michael Pollard

Printed name

Michael Pollard

Michael Pollard (May 10, 2025 13:35 EDT)

Signature

May 10, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Naomi Pollard

Printed name

Naomi Pollard

Naomi Pollard (May 10, 2025 13:36 EDT)

Signature

May 10, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Edward L. Brown

Printed name

Edward L. Brown

Edward L. Brown (May 10, 2025 12:14 EDT)

Signature

May 10, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Dr. Randall Kawamura

Printed name

Dr. Randall Kawamura

Dr. Randall Kawamura (May 10, 2025 17:17 EDT)

Signature

May 10, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

I agree with the above statements and request that necessary permits for Proposed Project Victoria from the Maryland Public Service Commission and any other relevant State and County agencies be denied and that Proposed Project Victoria be recommended NOT to proceed by the Montgomery County Planning Board and any other relevant agency. I request that any other action required to block the project be taken by state and county agencies on my behalf. Thank you for your sincere and careful consideration.

Sincere regards,

Fannie Kawamura

Printed name

Fannie Kawamura

Fannie Kawamura (May 10, 2025 17:14 EDT)

Signature

May 10, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

I agree with the above statements and request that necessary permits for Proposed Project Victoria from the Maryland Public Service Commission and any other relevant State and County agencies be **denied** and that Proposed Project Victoria be recommended **NOT** to proceed by the Montgomery County Planning Board and any other relevant agency. I request that any other action required to block the project be taken by state and county agencies on my behalf. Thank you for your sincere and careful consideration.

Sincere regards,

Alcide B. Clayton

Printed name

Alcide B. Clayton

Alcide B. Clayton (May 13, 2025 17:19 EDT)

Signature

May 13, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

I agree with the above statements and request that necessary permits for Proposed Project Victoria from the Maryland Public Service Commission and any other relevant State and County agencies be **denied** and that Proposed Project Victoria be recommended **NOT** to proceed by the Montgomery County Planning Board and any other relevant agency. I request that any other action required to block the project be taken by state and county agencies on my behalf. Thank you for your sincere and careful consideration.

Sincere regards,

Amy Carey

Printed name

Amy Carey

Amy Carey (May 13, 2025 1:51:51 EDT)

Signature

May 13, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Ana Agharahimi

Printed name



Ana Agharahimi (May 13, 2025 15:45 EDT)

Signature

May 13, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Carmen Harb

Printed name



[Carmen Harb \(May 14, 2025 11:02 EDT\)](#)

Signature

May 14, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Christine Nuyen

Printed name

Christine Nuyen

Christine Nuyen (May 15, 2025 17:28 EDT)

Signature

May 15, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

JaLynn Prince

Printed name

JaLynn Prince

JaLynn Prince (May 14, 2025 15:43 EDT)

Signature

May 14, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

John Hardy

Printed name



John Hardy (May 14, 2025 07:33 EDT)

Signature

May 14, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Kara McNulty

Printed name



Kara McNulty (May 13, 2025 13:23 PDT)

Signature

May 13, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Ken McNulty

Printed name



[Ken McNulty \(May 13, 2025 17:26 EDT\)](#)

Signature

May 13, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Lonnie Carey

Printed name


Lonnie Carey (May 13, 2025 15:17 EDT)

Signature

May 13, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Nicola Kozicharow

Printed name

Nicola Kozicharow

Nicola Kozicharow (May 15, 2025 17:38 EDT)

Signature

May 15, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Pamela DuBous

Printed name


Pamela DuBous (May 15, 2025 17:47 EDT)

Signature

May 15, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Yongmei Zhu

Printed name

Yongmei Zhu

Yongmei Zhu (May 15, 2025 16:29 EDT)

Signature

May 15, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Diego Calderon

Diego Calderon

May 16, 2025

Printed name

Signature

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Eugene Kozicharow

Printed name

Eugene Kozicharow

Eugene Kozicharow (May 17, 2025 15:19 EDT)

Signature

May 17, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Thomas Doyle

Printed name



Thomas Doyle (May 19, 2025 08:08 EDT)

Signature

May 19, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

reza amirkhalili

Printed name

reza amirkhalili

reza amirkhalili (May 19, 2025 10:58 EDT)

Signature

May 19, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Matthew Calderon

Printed name



[Matthew Calderon \(May 19, 2025 09:30 PDT\)](#)

Signature

May 19, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Catherine Briere

Printed name



Catherine Briere (May 24, 2025 08:44 EDT)

Signature

May 24, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025


V. SIGNATURE PAGE

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Sincere regards,

David A. Perez

Printed name



Signature

May 23, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Domina Son

Printed name

Domina Son

Domina Son (May 22, 2025 20:32 EDT)

Signature

May 22, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Hilda Johanna Hoffman

Printed name

Hilda Johanna Hoffman

Hilda Johanna Hoffman (May 22, 2025 18:00 EDT)

Signature

May 22, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Kevin Clayton

Printed name



[Kevin Clayton \(May 23, 2025 05:26 EDT\)](#)

Signature

May 23, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA
Solar Farm at 15220 River Rd, Potomac, MD 20874
PSC Case #9770
Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

William Calderon

Printed name

William Walker Calderon

Signature

May 23, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

Ying Yeung

Printed name



Ying Yeung (May 22, 2025 16:39 EDT)

Signature

May 22, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770


Spring 2025

V. SIGNATURE PAGE

I agree with the above statements and request that necessary permits for Proposed Project Victoria from the Maryland Public Service Commission and any other relevant State and County agencies be denied and that Proposed Project Victoria be recommended NOT to proceed by the Montgomery County Planning Board and any other relevant agency. I request that any other action required to block the project be taken by state and county agencies on my behalf. Thank you for your sincere and careful consideration.

Sincere regards,

George Braswell
Printed name


Signature

5.30.2025
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

V. SIGNATURE PAGE

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Sincere regards,

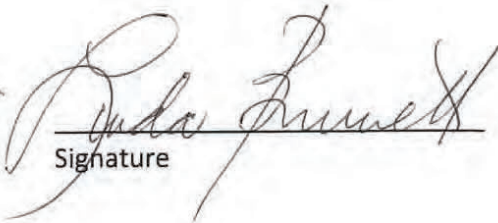
LINDA BRUNETT  5/30/25
Printed name Signature Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

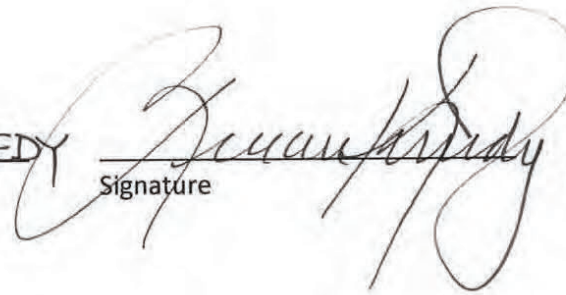
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Sincere regards,

RENN KENNEDY

Printed name



Signature

5.30.2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

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Sincere regards,

Luke Kennedy
Printed name


Signature

05/30/2025
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA
Solar Farm at 15220 River Rd, Potomac, MD 20874
PSC Case #9770
Spring 2025

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Sincere regards,

J. J. Kennedy
Printed name

J. J. Kennedy
Signature

5.30.2025
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA
Solar Farm at 15220 River Rd, Potomac, MD 20874
PSC Case #9770
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Sincere regards,

Edwin Kennedy
Printed name

[Signature]
Signature

5.30.2025
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

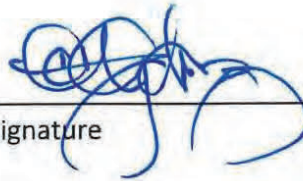
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Sincere regards,

ALEX DE LA CRUZ

Printed name



Signature

30 MAY '25

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

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Sincere regards,

AMRIT KAUR SAINI
Printed name

Amrit Kaur Saini
Signature

5-29-25
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

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Sincere regards,

Duane Perez
Printed name


Signature

June 2, 2025
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

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Sincere regards,

Faustina Apaza
Printed name

Faustina Apaza
Signature

June 02, 2025
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770


Spring 2025

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Sincere regards,

FRANCIS STANFORD
Printed name


Signature

5/30/25
Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

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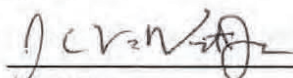
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Sincere regards,

VERNA VAN WERT

JERRY VAN WERT JR

Printed name



Signature

5.30.25

5.30.25

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

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Sincere regards,

VISHAV DEV SAINI

Printed name

Vishav Dev Saini

Signature

5/30/2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

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Sincere regards,

Heidi Williams

Printed name

Heidi Williams

Signature

May 30, 2025

_ Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

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Sincere regards,

Tessa Kristina Batz

Printed name



[Tessa Kristina Batz \(May 30, 2025 18:18 EDT\)](#)

Signature

05/30/2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

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Sincere regards,

Delegate Mike Griffith

Printed name

Delegate Mike Griffith

Delegate Mike Griffith (Jun 4, 2025 11:17 EDT)

Signature

Jun 4, 2025

Date

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

PETITION RECIPIENTS

- a. Montgomery County Planning Board
2425 Reddie Drive, Floor 14
Wheaton, MD 20902
Attn: Patrick Butler, Chief
Patrick.Butler@montgomeryplanning.org; 301-495-4561
- b. Jennifer A. Purvis, Esq.
Harrison Scherr, Esq.
Office of Staff Counsel
Maryland Public Service Commission
William Donald Schaefer Tower
6 St. Paul Street
Baltimore, MD 21202-6806
410-767-8120
Jennifer.purvis@maryland.gov; Harrison.scherr2@maryland.gov
- c. Honorable Andrew M. Friedson, President
County Council
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, MD 20850
240-777-7828
Councilmember.friedson@montgomerycountymd.gov
- d. Diamond Hawkins, Assistant People's Counsel (Diamond.Hawkins@Maryland.gov)
Maryland Office of the People's Counsel
6 St. Paul Street, Suite 2102
Baltimore, MD 21202
Office: 410-767-8150
- e. Mark C. Etheridge, Manager
Montgomery County Department of Permitting Services Water Resources Section
2425 Reddie Drive, 7th Floor
Wheaton, MD 20902
- f. Maryland Fire Marshal
Jason M. Mowbray Acting State Fire Marshal
1201 Reistertown Road
Pikesville, MD 21208
msp.osfm@maryland.gov

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

- g. Maryland State Fire Prevention Commission
Maryland State Police, Western Operations Center
18345 Colonel Henry K. Douglas Drive, Suite 240
Hagerstown, MD 21740

- h. Maryland Department of Health
Office of Constituent Services
Rachel Rosebrock
201 W. Preston Street
Baltimore, MD 21201

Plus Chaberton application list "9770-SL-3"

Plus Chaberton contacts in case 9770

EXHIBIT 1

PETITION TO STOP PROPOSED PROJECT VICTORIA

Solar Farm at 15220 River Rd, Potomac, MD 20874

PSC Case #9770

Spring 2025

ANNEX 1

This article describes a fire emergency in a non hydrant neighborhood near River Road in April 2025. <https://mocoshow.com/2025/04/28/approximately-45-firefighters-respond-to-fire-in-non-hydrant-area/>



The article provided as follows:

“Montgomery County Fire and Rescue Service (MCFRS) responded to a fire involving a shed, vehicle, fence line, and brush/bamboo in the 13300 block of Travilah Road in Potomac on Monday afternoon.

According to Chief Spokesperson for MCFRS Pete Piringer, the incident occurred in a non-hydrant area and approximately 45 firefighters responded to the scene. Travilah Road is closed between Turkey Foot Road and Glen Road due to fire department activity.”



EXHIBIT 2

Dennis Metzger <dmetzger@gmail.com>

RE: Environmental Review for Project Victoria Solar Development, 15220 River Road, Potomac, Tax Map DR51 Parcel P133, Montgomery County, Maryland.

Dennis <[REDACTED]>
To: lori.byrne@maryland.gov

Mon, Feb 24, 2025 at 8:08 AM

Dear Lori Byrne,

I am writing concerning your letter dated January 10, 2024 to Mr. Piero Mellits at Century Engineering, Inc. Concerning the Solar development project named "Project Victoria," attached for your reference.

In your letter you indicated that the "Wildlife and Heritage Service has no official records for State or Federal listed, candidate, proposed, or rare plant or animal specific within the project area shown on the map provided."

My questions to you are 1) I would like your help to understand the process that the Wildlife and Heritage Service performed to come to this conclusion and to request any supporting documentation of such analysis. 2) I am requesting a copy of the map of the boundaries reviewed. 3) I would like to understand the process the Wildlife and Heritage Service undergoes to evaluate adjacent properties to Project Victoria to be able to determine potential impacts.

Thank you,
Dennis Metzger

[REDACTED]


 Appendix 5. MD DNR Letter Response.pdf
388K

EXHIBIT 2

Appendix 5: MD DNR Letter Response

EXHIBIT 2



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

January 10, 2024

Mr. Piero V. Mellits
Century Engineering, Inc.
16901 Melford Boulevard
Suite 129
Bowie, MD 20715

RE: Environmental Review for Project Victoria Solar Development, 15220 River Road, Potomac, Tax Map DR51 Parcel P133, Montgomery County, Maryland.

Dear Mr. Mellits:

The Wildlife and Heritage Service has no official records for State or Federal listed, candidate, proposed, or rare plant or animal species within the project area shown on the map provided. As a result, we have no specific concerns regarding potential impacts to such species or recommendations for protection measures at this time. If the project changes in the future such that the limits of proposed disturbance or overall site boundaries are modified, please provide us with revised project maps and we will provide you with an updated evaluation.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at lori.byrne@maryland.gov or at (410) 260-8573.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Byrne". The signature is written in a cursive, flowing style.

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2023.1970.MO

CC: F. Kelley, DNR

EXHIBIT 3

EXHIBIT 3: EXCERPTS OF PPRP DATA REQUEST NO. 1 (June 24, 2025)

Submitted by:
Dennis and Autumn Metzger



June 27, 2025

****Excerpts from PPRP Data Request No. 1 to Chaberton Solar Victoria Holdings, LLC (June 24, 2025)****

****Q4**:** Provide details on compliance with SB 931 (PUA §7-306.2, 2023 Laws, Ch. 572), including any plans for agrivoltaics to mitigate the loss of 21.91 acres of prime farmland at the project site (15220 River Road, Germantown, MD). If no agrivoltaics plan is included, explain why.

****Relevance**:** The Applicant's response fails to provide a detailed agrivoltaics plan, only noting an intent to "explore" apiculture or sheep grazing (ERD, p. 22, Appendix 13), supporting the motion's claim of an incomplete land use assessment (COMAR 20.79.01.04B(3), PUA §7-207(e)(3)).

****Q10**:** Clarify whether the 30-foot vegetative buffer for the northwest array complies with Montgomery County setback requirements, given topographic challenges at the project site.

****Q11**:** Provide details on the proposed plant heights and species for the northwest array's vegetative buffer, including maintenance plans to ensure effective screening.

****Q14**:** Explain how the vegetative buffer addresses aesthetic impacts for residences within 200 yards, including 13321 Manor Stone Drive, given PPRP's concerns about visibility.

****Relevance**:** Responses to Q10, Q11, and Q14 reveal deficiencies in the screening plan's design and maintenance, indicating an incomplete aesthetic assessment (COMAR 20.79.01.04B(4), PUA §7-207(e)(3)).

****Q15**:** Provide a fire safety plan addressing electrical system risks in a non-hydrant, drought-prone area, including measures to mitigate fire hazards from grasses/wildflowers proposed in the vegetation plan (ERD, p. 22, Appendix 13).

****Relevance**:** The Applicant's failure to provide a fire safety plan violates COMAR 20.79.03.04(B)(4)(a) and PUA §7-207(e)(2), as the vegetation plan increases fire risk.

****Q16**:** Address discrepancies in the glare study (ERD, Appendix 19), including the omission of receptor 61 (13321 Manor Stone Drive), 0-foot North Array height, 0-degree resting angle, and inconsistent receptor data.

****Relevance**:** The Applicant's response confirms errors in the glare study, rendering the aesthetic assessment incomplete (COMAR 20.79.01.04B(4), PUA §7-207(e)(3)).

****Q17**:** Clarify whether construction and maintenance vehicles (10–30 daily, Application Appendix, p. 19) will access the site via River Road or Manor Stone Drive.

EXHIBIT 3

****Q18****: Provide a traffic safety study assessing impacts of construction and maintenance vehicles on Manor Stone Drive, a narrow road without sidewalks.

****Q19****: Detail permits required for vehicle access on Manor Stone Drive, including compliance with Montgomery County regulations.

****Q20****: Explain measures to mitigate traffic safety risks for residents near the project site, particularly on Manor Stone Drive.

****Relevance****: Responses to Q17–20 highlight the absence of a traffic safety study and unresolved access plans, violating COMAR 20.79.01.04B(5) and PUA §7-207(e)(2).

****Q25****: Quantify the extent of tree clearing required for the proposed arrays, particularly where arrays overlap tree lines near 13321 Manor Stone Drive.

****Q26****: Assess the impact of tree clearing on local wildlife, including potential bat colonies (e.g., Northern long-eared and tricolored bats).

****Relevance****: Responses to Q25–26 indicate unspecified tree clearing, failing to assess impacts on bat habitats, violating COMAR 20.79.01.04B(3), PUA §7-207(e)(6), and MEPA.

****Q27****: Provide a cumulative impact assessment addressing environmental, aesthetic, and socioeconomic effects of the Project Victoria (4.25 MW) and Santa Rosa (2.47 MW) projects, given their proximity.

****Relevance****: The Applicant's failure to provide a cumulative impact assessment violates COMAR 20.79.01.04B(3) and MEPA, exacerbating concerns about devaluation, traffic, and environmental harm.

****Note****: The full PPRP Data Request No. 1 is available in the PSC docket (Case No. 9770, filed June 24, 2025). These excerpts include questions directly relevant to the motion's arguments.

EXHIBIT 4

BEFORE THE MARYLAND PUBLIC SERVICE COMMISSION

Dennis and Autumn Metzger

[REDACTED]

June 8, 2025

Andrew S. Johnston
Executive Secretary
Maryland Public Service Commission
6 St. Paul Street, 16th Floor
Baltimore, MD 21202

Re: Petition to Intervene, Case No. 9770 (Chaberton Solar Victoria Holdings LLC)

Dear Mr. Johnston,

We respectfully petition to intervene in Case No. 9770, regarding the proposed 4.25 MW solar photovoltaic generating facility (Project Victoria) at 15220 River Road, Germantown, MD, pursuant to Maryland Public Utilities Code §3-106 and COMAR 20.01.02.02. As owners of 13321 Manor Stone Drive, we have a direct interest due to our home's proximity to the project, significant safety risks, environmental impacts, aesthetic degradation, property value reduction, and the project's violation of Montgomery County's 2 MW Rural Cluster zoning limit.

1. **Proximity**: Our property shares a substantial boundary with the project site, with solar arrays in close proximity to our residence, per the site plan, amplifying all impacts.
2. **Safety Concerns**: The project poses material risks, including stormwater runoff from an inadequate, previously denied management plan, necessitating a revised plan to prevent threats to our property and a downstream neighborhood pond dam in a FEMA floodplain; fire hazards from electrical systems in a non-hydrant, drought-prone area; and increased construction and maintenance traffic on Manor Stone Drive, a poorly maintained rural road without sidewalks, used by our family and other neighborhood families for pedestrian and recreational activities and school bus access.
3. **Environmental Impacts**: A downstream Category I conservation easement on our property faces erosion and ecological harm from runoff, particularly from the northernmost solar array field. Additionally, our property hosts a seasonal (spring–fall) bat colony roosting on our residence, in close proximity to the arrays, potentially including federally endangered Northern long-eared and proposed for listing as endangered tricolored bats. Studies (e.g., Tinsley et al., 2023) show solar farms reduce bat activity by up to 86%, threatening colony survival.
4. **Aesthetic Impacts**: The 30-foot vegetative buffer for the northwest array is ineffective due to the project's topography, with arrays visible from our residence, causing visual blight. The glare study (Appendix 19) contains material inaccuracies, such as incorrect labeling of subject properties throughout; specifically, receptor 61, which appears to be our residence, is omitted from the report's glare impact

EXHIBIT 4

analysis, yet Figure 6 indicates it is impacted by glare, necessitating a revised study with additional screening or plan modifications for the southern arrays.

5. ****Property Value Reduction****: These factors—proximity, safety, environmental, and aesthetic impacts—are expected to cause a 9–12% property value loss (\$180,000–\$240,000), worsened by cumulative impacts with the adjacent Santa Rosa project (6.72 MW total), exacerbating environmental and aesthetic concerns.

We request intervenor status to participate in hearings, submit evidence, and ensure the PSC conducts a holistic review of both projects' cumulative impacts, including an Environmental Impact Assessment for threatened bat species. Please add us to the case mailing list and notify us of all filings and hearing schedules. We reserve the right to be represented by counsel.

****Certificate of Service****: I certify that on June 8, 2025, copies of this petition were served via email to all parties on the Service List for Case No. 9770.

Respectfully submitted,

/s/ Dennis Metzger
Dennis Metzger

/s/ Autumn Metzger
Autumn Metzger

EXHIBIT 5

EXHIBIT 5: TINSLEY ET AL., 2023 (EXCERPTS ON BAT IMPACTS)

Submitted by:



June 27, 2025

Excerpts from Tinsley, J.N., et al., "Impacts of Solar Energy Facilities on Bat Activity and Habitat Use," Environmental Conservation Journal, 2023

Abstract (Excerpt):

Solar energy facilities are expanding rapidly, yet their ecological impacts on wildlife, particularly bats, remain understudied. This research quantifies bat activity and habitat use near solar arrays in the Mid-Atlantic region, finding significant reductions in foraging and roosting behaviors due to habitat alteration and light pollution. Our findings inform mitigation strategies for solar development in sensitive areas.

Results (Excerpt, p. 12):

Acoustic monitoring at 10 solar facilities revealed an average 86% reduction in bat activity (calls per hour) within 100 meters of solar arrays compared to control sites. Species including the Northern long-eared bat (*Myotis septentrionalis*, federally endangered) and tricolored bat (*Perimyotis subflavus*, proposed for listing) exhibited the most pronounced declines, attributed to loss of tree cover, altered foraging habitats, and artificial lighting from panels. Tree clearing for arrays, as observed at sites with 20–30 acres of disturbance, significantly reduced roosting opportunities.

Discussion (Excerpt, p. 18):

Solar facilities disrupt bat populations by fragmenting forested habitats critical for roosting and foraging. The absence of mitigation, such as pollinator habitats or reduced panel heights, exacerbates impacts. Environmental Impact Assessments (EIAs) specific to bats are essential to evaluate site-specific risks, particularly for endangered species. Recommendations include maintaining forested buffers and integrating agrivoltaics to support insect prey.

Relevance to Case No. 9770:

This study supports Interveners' claim that the Applicant's failure to include a bat-specific EIA renders the application incomplete (COMAR 20.79.01.04B(3)). The project's proposed arrays, overlapping tree lines (PPRP Q25, June 24, 2025), threaten our seasonal bat colony at 13321 Manor Stone Drive, potentially including Northern long-eared and tricolored bats (Petition, October 13, 2024). The 86% activity reduction underscores the need for an EIA to assess impacts, per PUA §7-207(e)(6) and MEPA (COMAR 20.79.01.03).

EXHIBIT 6

Exhibit 6. Photos of Evidence of Bat Roost

Image 1 and Image 2 show evidence of bats roosting @ 13321 Manor Stone Drive. Roosting activity specifically shows bat guano all from 2025 season, to date.

Image 3 shows further evidence of bats roosting. In this image, we show a juvenile pup that was born in the 2025 season. This pup did not survive, likely due to recent heat, but this image shows the population is a breeding and reproducing population.

Pictures taken June 26, 20205.

EXHIBIT 6



EXHIBIT 6



EXHIBIT 6



From: [Ben Movahed](#)
To: [Dickel, Stephanie](#); Iza.Hisel-McCoy@montgomeryplanning.org; [Gatling, Tsaiquan](#); [MCP-Chair](#)
Cc: [Bezad](#); [REDACTED]; [Sam Yousefi](#); [Helen Yousefi](#)
Subject: Chaberton Solar Victoria LLC - Petition to STOP the project
Date: Monday, January 26, 2026 9:06:28 AM
Attachments: [PETITION for Proposed Project Victoria v061125.pdf](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Montgomery County Planning Board

On behalf of my family, who owns multiple properties near and adjacent to the proposed solar project, we hereby kindly request the planning board to reject this project for multiple reasons listed in the attached petition.

Thank you for your consideration

Ben and Zohreh Movahed, ETAL, [REDACTED]
Behzad Bashiri, [REDACTED]
Massoud Javid, [REDACTED] d
Hessamedin Yousefi, [REDACTED]
Family Owned, Out-lot

PETITION TO STOP PROPOSED PROJECT VICTORIA
Solar Farm at 15220 River Rd, Potomac, MD 20874
PSC Case #9770
Spring 2025

I. EXECUTIVE SUMMARY

Proposed Project Victoria is a 4.25 megawatt solar farm proposed to be built on a 38.2 acre parcel (Pilkerton Property or site) at 15220 River Road, Potomac, Montgomery County, Maryland, 20854. It is contiguous with an already approved 2.47 megawatt solar farm, called Project Santa Rosa, located on a 10 acre parcel at 13330 Signal Tree Lane, Potomac, Montgomery County, Maryland, 20854. Proposed Project Victoria and Project Santa Rosa are surrounded by Maryland State Parks which are Natural Heritage Areas. Although 3 different satellite LLCs own each of the 3 arrays contained in these two projects, the parent company for the applicant/installer for both solar farm projects is Chaberton Energy, LLC of Rockville, MD (“Chaberton”).

The State of Maryland and Montgomery County, in their race to increase the use of solar energy, have disregarded the health and welfare of residents and property owners, as well as future generations, in enabling the violation of zoning laws in order to promote a veritable “Gold Rush Free-For-All” for solar farm installers. They have ignored the advice of their own consultants to avoid locating solar installations on agricultural lands rather than thoughtful placement at sites such as roads and highways, commercial parking lots, and other accessible, impermeable surfaces that would have minimal impact on the environment and the well-being of residents. And they have not put in place the ordinances and infrastructure to accomplish their solar energy goals in a safe and reasonable manner.

These two projects, Victoria and Santa Rosa, along with many others, violate zoning law for land bearing agricultural, agricultural reserve, and rural cluster designations. Approval of these rural solar installation sets an alarming precedent for totally disregarding established regulations designed to protect the community and the environment. This is not only a tragedy with respect to land use but a betrayal of trust of the owners of the nearby lands and residences who expected zoning law to be upheld when they invested in their properties.

Proposed Project Victoria, and many other solar farms placed in rural settings in Maryland, will create an unacceptably elevated fire risk to the surrounding residents and properties. The area surrounding the Pilkerton property lacks fire hydrants, a source of public water with which to fight fires, and is at best 15 minutes away from the nearest fire station. Chaberton will plant grasses and other vegetation in and around the solar arrays in an attempt to create a pollinator-friendly environment. Maryland and Montgomery county are currently in a drought approaching Summer, and droughts will only increase in severity and duration as climate change progresses. Some of the largest, most deadly and costly wildfires were started by, in, and around electrical equipment and transmission lines juxtaposed to dry vegetation during Summer droughts and located in rural, remote locations without fire hydrants.

Proposed Project Victoria will have numerous negative impacts on residents and properties, including avoidable health and mental health risks, depletion and/or contamination of well water, damaging storm water runoff causing erosion, flooding, sediment deposition, and surface water contamination, as well as drive down property values and inflate property insurance costs.

The Pilkerton Property is not a suitable site for a solar farm installation because it is surrounded by residences and there are multiple slopes with grades exceeding 15%. Moreover, the environmental site

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assessment and environmental review document in the Chaberton application for Project Victoria, PSC case #9770, did not evaluate the impact of the combination of Projects Victoria and Santa Rosa, leaving the Proposed Project Victoria application flawed and incomplete. In addition, there are several additional inconsistencies, errors, possible deceptions, and unrealistic plans in the Chaberton application.

There is no accountability for Chaberton and its stakeholders built in to this process in the event that promises are not kept and one or more negative impacts that harm residents and/or their property are realized. The haphazard approach taken by the state and county in allowing and actually promoting this “Gold Rush Free-For-All” without care for zoning, ordinances, and necessary infrastructure such as fire hydrants does not inspire confidence that these solar farms will be held to any of the promises in their applications or conditions of their approval.

For these reasons, Proposed Project Victoria should NOT be approved.

II. GROUNDINGS FOR THE PETITION

1. Introduction.

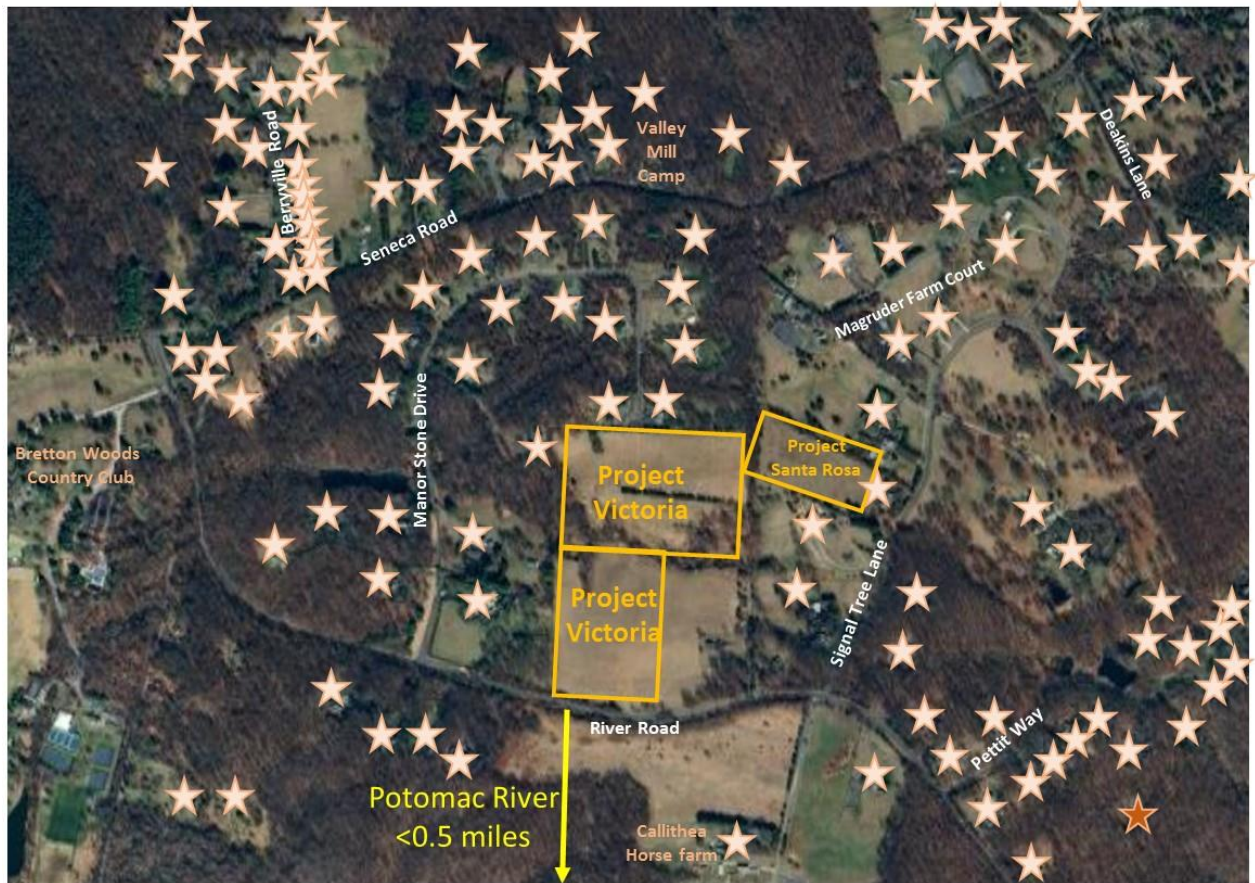
Project Victoria is proposed to be built on a 38.2 acre parcel (Pilkerton Property or site) on route 190, River Road, a scenic byway in Montgomery County, Maryland. According to the Maryland property tax database, this parcel is limited to agricultural use. The parcel is bisected by a stream that feeds into the Potomac River via Tributary 87. It is located in the middle of a residential area occupied by dozens of single family homes located on Manor Stone Drive, Signal Tree Lane, Magruder Farm Court, and River Road with Petit Drive, Deakins Lane, Berryville Road, and Seneca Road in close proximity. It is also surrounded on three sides by Natural Heritage Areas including Callithea Farm Special Park, Blockhouse Point Conservation Park, Seneca Aqueduct/Riley’s Lockhouse 24 and Seneca Creek. Significant portions of the parcel exceed 15% grades, especially on the North side. The area is reliant on well water. The Potomac River and the C&O Canal National Historic Park lie nearby. Residents living here are in a non-hydrant area with an elevated fire risk. See the map of the Project site below showing locations of the residences relative to Proposed Project Victoria and the abutting Project Santa Rosa which has already been approved (Projects).

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Proposed Project Victoria should NOT be authorized by the PSC for the following reasons:

- 1.1 Inefficient and Unsuitable Use of a Prime Greenfield Site
- 1.2. Failure of Montgomery County to deliver the Critical Infrastructure to support Solar Farms
- 1.3 Non Compliance of Projects with Zoning and Environmental Impact Study (EIS) Requirements Applicable to Solar Farms
- 1.4. Failure of Montgomery County to Develop a Detailed Ordinance applicable to Solar Farm Projects with Community Input
- 1.5 Negative Environmental Impact of Projects on Adjacent Natural Heritage Areas, Flood Plains, Natural Habitats and Wildlife
- 1.6 Elevated Fire Risk of Projects in Non Hydrant Area contrary to Montgomery County Climate Action Plan
- 1.7 Danger of Projects to Water Aquifer in Area unconnected to Public Water Supply and to Public Water

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1.8 Negative Impact of Projects on Property Values and Property Insurance

1.9 Negative Impact of Projects on Health of Persons, Domestic and Farm Animals

1.10 Co-location of privately-owned solar farm projects on non-public land is NOT consistent with the intent of the co-location regulation and is NOT advantageous to the local community

If the PSC decides to authorize this Project it would undermine its own stated goals to ensure that Maryland's electric distribution systems are customer-centered, affordable, reliable and environmentally sustainable.

PSC's approval would also be contrary to Montgomery County's Climate Action Plan (CAP) which identified the need to strengthen critical infrastructure in order to meet its climate goals, its zoning regulations which aim to protect the health and safety of its residents and the fundamental intent of Natural Heritage Area designations.

Ironically, PSC would also ignore the findings and conclusions of its own energy consultant, Daymark Energy Advisors (DEA) who was hired in connection with the Public Conference 44 to review the benefits and costs of distributed solar energy resources in Maryland (see DEA Report dated April 10, 2018 on PSC website). DEA assumed that certain steps would be taken, namely the development of a detailed Ordinance applicable to Solar Farm Projects. Such an Ordinance should address land use types, construction, setbacks, glare mitigation, screening buffers, height, lighting, vegetation removal, security, storm water runoff, dual land use, security, decommissioning, and fire safety.

An orderly process for solar farm approval would also demand that certain minimum conditions be fulfilled, namely: a) the necessary infrastructure should be in place in and around the proposed solar farm site; b) mandatory mail notifications should go out to each of the residents living near the proposed solar farm site (not just those directly adjacent to the site, but all residents within a certain radius such as, for example, 0.5 mile); c) at least two mandatory in-person public hearings should be convened with ample advance notice to allow questions about a proposed project; d) mandatory disclosure should take place as regards agreements between solar farm operators and landowners; e) mandatory disclosure and combined environmental impact evaluations for multiple solar farm sites within one mile of each other, and f) mandatory establishment of financial vehicles should be put in place at the expense of solar farm installers/operators to provide a form of insurance to safeguard the public in case of environmental disaster or grievous bodily injury.

Anything less than this would be undemocratic and contrary to internationally-established environmental principles of Community Right to Know and Polluter Pays. Only then would the public be protected from the "Gold Rush Free-For-All" that characterizes solar farm development today.

As it is, residents living in the neighborhood of Proposed Project Victoria are largely unaware that a Project is afoot or that Project Santa Rosa has already been approved because neither the PSC, Montgomery County, Chaberton, nor the landowners have reached out to them. The lack of transparency and absence of communication around the Project and PSC's failure to this day to ask Chaberton to lift the veil of

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secrecy as regards the terms of its lease agreement with the landowners of the Victoria and Santa Rosa sites constitute a gross breach of trust with Montgomery County taxpayers.

2. Grounds for Rejection of Proposed Project Victoria.

Proposed Project Victoria should be DENIED on the following grounds:

2.1. Inefficient and Unsuitable Use of a Prime Agricultural Greenfield Site

According to DEA, ground-based solar arrays typical of utility scale installations are an inefficient use of prime greenfield sites given that they require much more acreage per MW of power generation as compared to conventional power facilities. Moreover, they are considered intermittent energy sources because sunlight varies in availability. Consequently, they do not provide a constant and predictable flow of power.

Using precious agricultural land in the midst of protected Natural Heritage Areas and residential areas for the purpose of a 4.25 MW solar farm is particularly egregious, especially since other sites in Montgomery County can easily be identified. This leads us to believe that the siting of Proposed Project Victoria is purely opportunistic and not a strategic and well thought out decision. PSC's own consultant, DEA, noted that "open land sites may be available that have little or no competing use value or are compatible with solar development such as highway or transmission rights of way, brownfield sites or existing power plant sites" (see page 162 of DEA Report). PSC should take note that in Table 65 of the DEA Report, Natural Heritage Areas are specifically listed as places which should not be impacted by solar farms. Other states are successfully utilizing impermeable surfaces such as commercial parking lots and roads and highways (medians, sound barriers, overhead) with minimal impact to residents or the environment and with ready access to fire safety and emergency services.

2.2 Failure of Montgomery County to deliver the Critical Infrastructure to support Solar Farms

The Montgomery County Action Plan (CAP) identifies extreme heat, high winds and drought as three of the top four largest climate hazards (see CAP page 12). The goal of CAP is to identify actions the County should take to enhance the resilience of the community and infrastructure assets to mitigate these hazards. So far, Montgomery County has not addressed the need for critical infrastructure to battle the worst effects of climate change namely extreme heat, winds and drought anywhere near the Pilkerton Property.

Montgomery County and PSC are, therefore, putting the proverbial "cart before the horse" in approving solar farm development when critical infrastructure required to support such development is sorely lacking. Montgomery County's own CAP identifies areas of weakness, especially as regards the need to refurbish and upgrade storm water runoff channels. In areas like the Pilkerton Property, the absence of public water and fire hydrants should be an automatic disqualifier for siting solar farms and all pending applications, as well as work on the already approved Project Santa Rosa, should come to an immediate halt on public safety grounds.

2.3 Non-Compliance with Zoning Requirements and EISs applicable to Solar Farms

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The primary purpose of zoning laws is to promote the health, safety, and welfare of the community, to prevent the overcrowding of land, and to maintain property values by preventing incompatible uses of land from being located next to each other, such as setting a factory or solar farm next to a residential area.

2.3.1 Non-compliant land grade. The installation of solar panels in Montgomery County on grades equal to or exceeding 15% is prohibited.

According to the DEA Report, the requirement is even stricter. It states that solar farms should not be sited on land where the gradient is >10% (see Table 65 on page 162 of DEA Report). In any event, the Pilkerton Property is not a suitable site for a solar farm installation because there are multiple slopes with grades exceeding 15% comprising 20-30% of the surface to be covered by the planned solar arrays (see map in section 2.5.3). This clearly exceeds the recommended maximums. As a result, storm water runoff from Proposed Project Victoria will directly impact some of the adjacent properties, most of which have easements and are not permitted to mitigate foreseeable erosion and flood damage.

2.3.2 Non-compliant MW output limit for solar arrays

Montgomery County sets a 2MW limit for solar arrays on agricultural land. While the Pilkerton Property is not zoned as Agricultural Reserve (AR), its use is designated “agricultural” and it is composed of Class II prime soils. It has been used off and on for haymaking and cattle grazing in the past 20 years and possibly longer. Therefore, it is prudent to compare it to AR zoning conditions, which prohibit solar farms greater than 2 MW. The proposed output of Project Victoria is 4.25MW, which more than doubles this limit, rendering it non-compliant with current local zoning laws.

Furthermore, the Project is directly adjacent to, and contiguous with, Project Santa Rosa, a 2.47MW solar farm. Thus, the output of the aggregate installation would be in excess of a 6MW facility in 3 solar arrays on 48 acres, with solar panels covering ~25 acres of surface area. This result would exceed more than triple the limit on MW output imposed by law. Not only is this well in excess of the 2MW limit set for agricultural and residential land use but the combined effect of the two Projects constitute an unfair and disproportionate burden on the River Road neighborhood.

Such a deviation from legally imposed limits, particularly in a residential community, should not be tolerated by the PSC if it purports to deliver customer-centered electric distribution systems in Montgomery County.

2.3.3 Non-compliance with Environmental Impact Study (EIS) requirements. All environmental impacts of solar farms should be properly assessed as required under applicable Federal and State regulations. Environmental requirements in this matter have not been met because the existence of Project Santa Rosa was not referred to in the Environmental Site Assessment and Environmental Review Document for Project Victoria. Moreover, Chaberton did not perform an EIS on the combination of the two sites. Each site was assessed individually without regard for the amplification of impacts to the environment because of the proximity of the two sites. Storm water runoff from Project Santa Rosa feeds into the same surface waters as will Project Victoria, compounding erosion and flood risk, as shown in the

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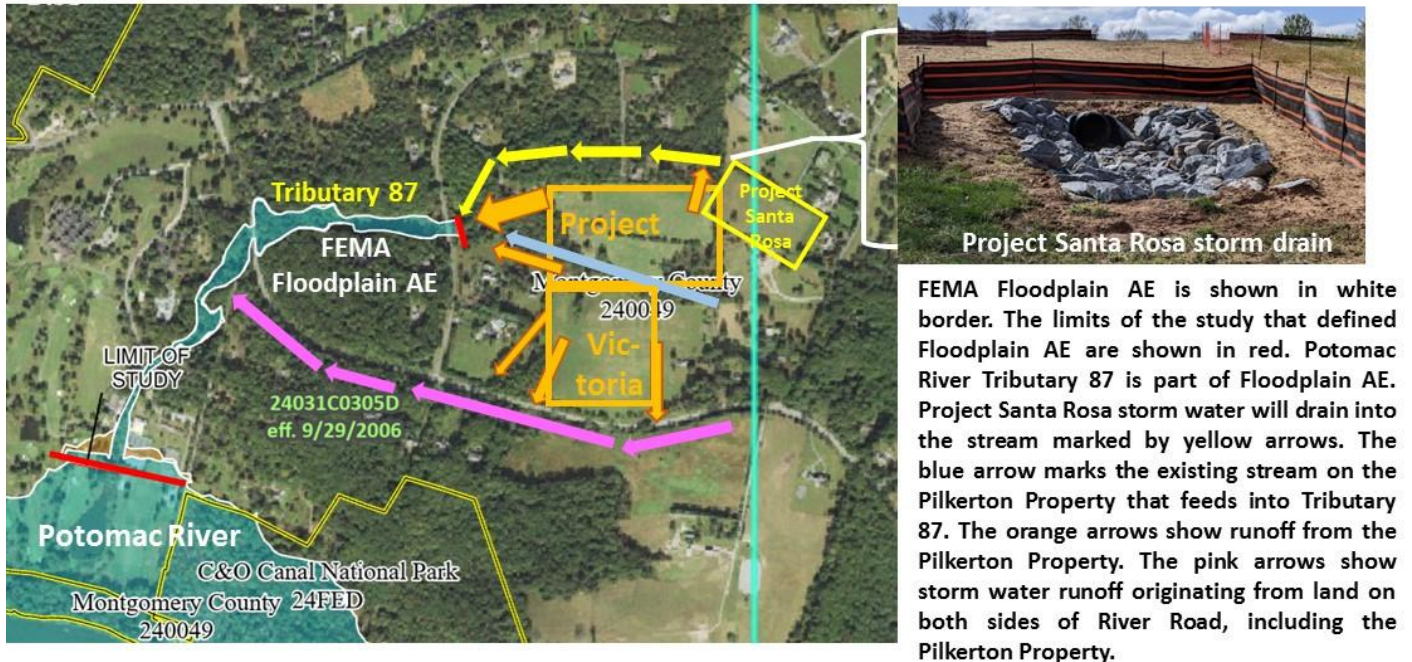
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figure below. Elevated erosion and flood risk due to alteration of existing storm water runoff patterns and flow rates will be a hazard to existing structures and properties.

Observed Flow of Storm Water around Project Victoria and Project Santa Rosa



FEMA Floodplain AE is shown in white border. The limits of the study that defined Floodplain AE are shown in red. Potomac River Tributary 87 is part of Floodplain AE. Project Santa Rosa storm water will drain into the stream marked by yellow arrows. The blue arrow marks the existing stream on the Pilkerton Property that feeds into Tributary 87. The orange arrows show runoff from the Pilkerton Property. The pink arrows show storm water runoff originating from land on both sides of River Road, including the Pilkerton Property.

2.4. Failure to Develop a Detailed Ordinance applicable to Solar Farm Projects with Community Input. Solar Farms have a role to play in mitigating climate change. However, their siting, construction and operation should take place in an orderly, well thought out manner and not be handed over to the private sector and the vagaries of the marketplace without a robust regulatory framework.

Taxpayers and homeowners should have a reasonable expectation that the zoning laws for the area in which their homes were purchased or built would be upheld and that their safety and well-being would be secured. Thus, the principle of Community Right to Know should be observed when hazardous chemicals are being brought into residential and agricultural neighborhoods such as the Pilkerton Property where Project Victoria is proposed to be sited. Yet to this day, the majority of Montgomery County residents and even close neighbors of Project Victoria remain unaware of its existence because of the failure of communication by the PSC, the Montgomery County Planning Board, and the private parties.

If PSC were to approve Proposed Project Victoria without informing and safeguarding the interests of Pilkerton Property neighbors and Montgomery County taxpayers, it would in effect be sanctioning the flow of profits to private entities, in this instance Chaberton and the owner of the Pilkerton Property, while allowing the associated costs of operating the solar farms and their risks to fall on the shoulders of Montgomery County taxpayers.

It is significant that the PSC has not sought to reassure Montgomery County taxpayers by making public the provisions of solar farm agreements and informing taxpayers whether any provisions are in place

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which would indemnify the owners of land where solar farms are sited as well as third party neighbors and Maryland taxpayers generally for damages arising from solar farm construction, operation and decommissioning. Such damages would include but not be limited to dust, erosion, fire, storm water runoff, aquifer pollution, loss of natural habitat, soil and ground water pollution by metals such as lead, cadmium and aluminum and microplastics, radiation and bodily injury to persons, livestock, domestic and farm animals and wildlife. Currently, such matters are apparently unknown and unaddressed. This appears to violate the Polluter Pays principle.

Proposed Project Victoria cannot be approved by the PSC until it is determined and disclosed where liability for such damage lies. This should be public knowledge.

2.5 Negative Environmental Impact of Projects on Adjacent Natural Heritage Areas, Flood Plains, Natural Habitats, Wildlife and Carbon Sequestration

Proposed Project Victoria, Project Santa Rosa, and many other solar farm projects, will undermine Montgomery County's own environmental, conservation and carbon sequestration goals and regulations.

2.5.1 Pollution Risks and Effect of Particulate Matter, Sediment Contamination and Deposition on Natural Heritage and Wilderness Areas. The DEA Report states that "the use of greenfield sites such as agricultural or forested land for ground based solar photovoltaic installations may have a potentially negative impact on land use" (see page 162).

"Photovoltaic panels contain hazardous materials and although they are sealed under normal operating conditions, there is a potential for environmental contamination if they are damaged or improperly disposed upon decommissioning." (see Solar Energy Development Environmental Considerations prepared by the US Bureau of Land Management and the US Department of Energy). Some solar farms may employ materials such as oils or molten salts, hydraulic fluids, coolants and lubricants that may be hazardous and present spill risks. (Ibid.)

It is recognized by the Bureau of Land Management and the Department of Energy which collaborated on the Solar Programmatic Environmental Impact Statement (EIS) guidelines that the construction and operation of solar facilities disturbs soils and generates particulate matter, sediment contamination and deposition which can be a significant pollutant particularly in any nearby areas classified as Class I under Prevention of Significant Deterioration Regulations (such as national parks and wilderness areas)" (see Solar Energy Development Environmental Considerations prepared by the US Bureau of Land Management and the US Department of Energy). Proposed Project Victoria is surrounded by Maryland State Parks which are Natural Heritage Areas with the same vulnerability.

2.5.2 Risk of Destruction of Natural Habitats Impacting Wildlife. The removal of trees and vegetation will disturb natural habitats and wildlife which relies on contiguous areas of trees and grasses. DEA notes that impacts could also occur to existing wetland, waterbodies or rivers and streams and soil erosion and storm water management at these sites needs to be considered. (see DEA Report at pg 160).

Proposed Project Victoria will unquestionably remove valuable mature specimen trees, including those situated on the high-grade hillsides. These trees play a crucial role in maintaining soil stability. Their

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removal would not only lead to a direct loss of ecological habitat but would also significantly increase the vulnerability of the hillside to erosion, particularly in heavy rain conditions. In addition, Proposed Project Victoria, similar to Project Santa Rosa will remove vegetation and shrubs which will destroy the existing natural habitat.

Chaberton's documentation states that it will install a "pollinator-friendly" habitat when construction is complete on each Project. This entails planting various wildflowers, grasses, and shrubs under and around the solar panels to provide habitat and food sources for pollinators. However, this habitat must be "well-managed" in order to be successful. It is difficult to envision how the solar farm habitat can be well-managed when only a single monitoring visit per month is planned, according to the application. Furthermore, the "Vegetation Management Plan" is inadequate, calling for semi-annual inspections and "infrequent mowing 2 to 3 times per growing season." Growth of pollinator-friendly grasses is rampant during warmer months. Moreover, during droughts, intermingled and surrounding vegetation will only further increase the fire risk associated with electrical equipment. Construction of Project Santa Rosa is underway, so there is already a loss of pollinator habitat and the advancement of Proposed Project Victoria will exacerbate the situation, leaving our local area predisposed towards possibly overly-aggressive pollinators and lacking in functional pollinators to service neighborhood gardens and wild flora. The risk of Proposed Project Victoria to the natural habitat and to pollinators is unacceptable.

2.5.3 Effect of Grading on Storm Water Runoff. The storm water management plan for Proposed Project Victoria has raised serious concerns about its accuracy and reliability, particularly in reflecting the true slope grades on the project site, with between 25-35% of the Northern side area designated for solar panels at or above 15% slope and another 10% of the Northern side allocated for a roadway, equipment stations, and other structures as shown in the figure below. It is difficult to imagine these areas being rendered suitable for the 2 planned solar arrays, electrical equipment, water retention areas, "drainage divides", and driveway without extensive perturbation of the topsoil and re-grading of the slopes, both of which are supposed to be avoided. There is a significant discrepancy between areas covered by $\geq 15\%$ grades (shaded areas) the initial and amended Concept Plans of the Chaberton application. About 20-30% of the project-occupied surface area Northern side is placed on grades $\geq 15\%$ shown by the shading map from the initial application, in great contrast to Chaberton's table indicating a total of $< 6\%$ of the project area is on grades $\geq 15\%$ (see map below). The storm water management plan for both the Northern and Southern sides appears to depict a system of ditches that will channel storm water but it is unclear where the water will flow from there.

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Grading on Northern field
Initial application

Amended application



The blue lines delineate the approximate borders of the Northern solar array including all engineered area and excluding landscaping. The purple lines delineate the approximate locations of the solar panels. The shaded areas showing grades exceeding 15% in the Northern field represented 20-30% of the total array area in the initial Chaberton application (left panel). This shaded area shrank significantly to less than 10% of the solar panel area in the amended application, despite that the visible elevation numbers did not change. Thus, Chaberton’s estimate of slopes with grades >15% to be disturbed by Proposed Project Victoria of <6% is a gross underestimate.

2.5.4 Effect of Projects on Flood Plain and Wetlands. Nearly all runoff from the Northern side of Proposed Project Victoria will be directed into a pond located in the River Gauge Estates neighborhood on Manor Stone Drive which is essentially located in FEMA floodplain AE. Runoff from Project Santa Rosa will also feed into this floodplain. This floodplain is known for its high risk of flooding, which could be exacerbated by the additional runoff from the solar farms, especially if extreme weather, erosion or other event leads to unexpected water flow patterns. This could result in severe flooding and/or sediment deposition, damaging properties and endangering lives in the surrounding area. The risk of Proposed Project Victoria alone and in combination with Project Santa Rosa to the River Gauge Estates is unacceptable. Refer to the previously shown figure entitled: Observed flow of storm water around Project Victoria and Project Santa Rosa.

Storm water from Project Santa Rosa will flow downhill through a large drain at the back of the property and into a small stream that feeds into the streams and wetlands that flow through several Manor Stone properties adjacent to Proposed Project Victoria, taking runoff from both projects. Chaberton has committed an egregious omission in failing to take into account the combined runoff from Project Santa Rosa in the in the environmental site assessment for Proposed Project Victoria.

The solar farms’ storm water runoff will be redirected into new areas that directly affect certain homeowners. Moreover, some of the areas to be affected by altered storm water runoff are protected by a Maryland National Park and Planning Category I Forest Conservation Easement. This designation, the most protective type, prohibits the clearing of any trees, bushes, or vegetation and restricts construction, paving, or grading.

The storm water runoff from the farm will directly threaten these sensitive areas, disturbing mature trees and wildlife and violating easement terms intended to preserve natural resources. Furthermore, excess runoff has the potential for increased velocity during heavy rains due to reduced ground absorption

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caused by the 19.6 acres of solar panels of the combined Projects. The runoff will enter specific areas with steep hills on which residences are located. Increased water and higher velocity water entering these areas may not be able to support the runoff without the risk of erosion and sediment deposition, and the easement's restrictions will prevent homeowners from being able to take action to mitigate any adverse effects as a result. Finally, alterations in storm water runoff can also impact the microbial content of the ground water, with potential infection of the human population by *Giardia* and other endemic pathogens that are not currently problematic. The risk of Proposed Project Victoria alone and in combination with Project Santa Rosa to the health of residents and the water supply is absolutely unacceptable.

The Pilkerton Property and surrounding area supports a diverse array of wildlife, including a bat colony and species such as owls, hawks, eagles, turkeys, deer, red foxes, and coyotes, as well as bees, butterflies, and other pollinators. Solar farms are known to disrupt habitats, particularly for bats and birds, which suffer from habitat disruption due to the construction and operation of the solar farm. All ten species of bats found in Maryland are considered species of greatest conservation need. Located less than 100 yards from the proposed farm, this bat colony lives under the constant threat of habitat disruption, a concern substantiated by recent studies, such as one led by the University of Bristol, which demonstrate a strong negative effect of solar farm developments on foraging and commuting bats. Furthermore, mitigation of loss of local pollinator function through creation of "pollinator-friendly" solar farms is only successful when the properties are "well-managed", which is inconsistent with the projected single employee monitoring visit per month and Vegetation Management Plan. The risk of Proposed Project Victoria alone and/or in combination with Project Santa Rosa to wildlife, especially rare or endangered wildlife, in the surrounding area is unacceptable.

2.5.5 Effect on Carbon Sequestration Goals. Carbon sequestration is part of Montgomery County's Climate Action Plan. It is implemented by the M-NCPPC Planning Reforest Montgomery Team which spends taxpayer money to plant trees in Montgomery County parks and the Agricultural Reserve to act as carbon sinks. Meanwhile, the PSC is contemplating the authorization of Project Victoria in the same area which will result in the destruction of more trees, shrubs and vegetation. This makes no sense, even if Chaberton offers to fund the planting of a few trees and shrubs. Does the right hand even know what the left hand is doing in Montgomery County? The environmental impact of Proposed Project Victoria alone and/or in combination with Project Santa Rosa is unacceptable.

2.6 Elevated Fire Risk in Non Hydrant Area contrary to Montgomery County Climate Action Plan

2.6.1. Potential Causes of Fires on Solar Farms. There are numerous causes of fires on solar farms, including: a) overheating, short circuiting, or lightning strikes on electrical components; b) electrical arcing due to installation errors; c) overheating and hot spots caused by moisture ingress, dirt buildup, bird droppings, and foliage on and around panels, as well as combustible materials (e.g., vegetation or support structures) that contribute to fire spread in dry conditions; and d) overheating or thermal runaway of lithium-ion batteries.

2.6.2. Special Heat related Risks of Solar Farms. Solar farms generate heat that is dissipated into the local environment where, under drought conditions, spontaneous fires may start. They present a particular set of heat-related risks. It is widely acknowledged that high ambient temperatures are

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exacerbated by solar farm heat island effects. It has been documented that temperatures in and near solar farms rise by an additional $>4^{\circ}\text{C}$ (8°F), further increasing the risk of fire. Thus, 100°F temperatures (not uncommon during Montgomery County summers) can rise to 108°F in and around the solar arrays. Fire fueled by dry grass and other dehydrated vegetation during drought will spread rapidly.

Elevated fire risk from a solar farm, associated electrical equipment, and high voltage transmission lines poses a significant danger to all homes, property, and life in the surrounding area, especially during the prolonged droughts brought on by climate change.

2.6.3 Project Area is a Non-Hydrant Area. There are no local fire hydrants with which to combat wildfires caused by electrical equipment fires anywhere near the proposed location of Project Victoria. Any sort of spark from the panels, equipment, or transmission lines due to natural (or unnatural) causes could ignite a wildfire that could not and would not be easily extinguished due to the lack of critical infrastructure. Thus, Proposed Project Victoria would create an unacceptably elevated fire risk to residents and homes in the surrounding area from high voltage electrical equipment located in grass-filled fields and nearby transmission lines.

2.6.4 Frequent Drought Warnings in Project Area. The Maryland Department of the Environment (MDE) periodically issues drought warnings for the State of Maryland due to the extended dry conditions and lack of needed rainfall. This risk has been higher recently in Montgomery County where, for the last year there has been a significant drought, including in the area proposed for the Project.

Any doubts about the high likelihood of a fire and risks to the residents of this area was eliminated when, less than two weeks ago, in April 2025 a wild fire was sparked in a residential area not far from the location of the Project Victoria which like the River Road neighborhood has no fire hydrants. Approximately 45 firefighters were required to respond to the wildfire. See Annex 1 for news article on this important topic.

2.6.5 Project will Exert a Strain on Water Resources Needed for Fire Fighting. Both Projects Victoria and Santa Rosa will purportedly have underground water storage tanks (as with the 30,000 gallon tank proposed for Project Ramiere). Such water may be used during construction, for fire-fighting and any necessary cleaning of solar panels. During times of drought, which are frequent in Maryland, any increase in water demand can strain available water resources, leaving residents who depend on well water at a disadvantage.

2.6.6 Chaberton has no Fire Mitigation Plan. The Chaberton Concept Plan for Proposed Project Victoria contains no mention of a fire mitigation strategy or plan, which is unacceptable in this rural area in which no local fire hydrants are present. The closest fire stations are 6.5 and 8 miles away, taking at least 12-16 minutes to arrive in minimal traffic conditions. Accessing an underground water storage tank upon arrival will be insufficient to stop a fire that has spread rapidly outside the solar farm through dry vegetation. The time it would take for firefighters to access surface water from neighborhood pools and local ponds surrounded by thick vegetation would likely result in significant loss of life and property. Moreover, insurers will increase the costs of, if not outright cancel, homeowner property insurance policies due to the elevated fire risk. Indeed, one neighbor has already queried his property insurance

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provider and been informed that his policy may be cancelled if Proposed Project Victoria is installed due to fire risk.

Allowing Project Victoria to go forward would exacerbate the exposure of Montgomery County residents to climate hazards. This is entirely contrary to the goals of Montgomery County's CAP.

The SIGNIFICANTLY-INCREASED FIRE RISK created by Project Victoria alone and/or in combination with Project Santa Rosa is unacceptable.

2.7 Danger to Quality of Water Aquifer in Area unconnected to Public Water and Potential Effect on Public Water Supply. All homes in the surrounding area of the proposed Project rely solely on well water, therefore, the quantity and quality of ground water is essential to the health and well-being of residents.

2.7.1 Availability of Water to Private Homeowners will become more Unpredictable. Proposed Project Victoria, alone and in combination with Project Santa Rosa, will significantly reduce the replenishment of local ground water sources through loss of ground absorption of rainwater under the 19.6 acres of solar panels. Proposed Project Victoria panels are planned to be fixed-tilt type (15.6 acres of semi-permeable surface area) while Project Santa Rosa panels are planned to be ground-mounted (4 acres of essentially impermeable surface). Through a combination of altered storm water runoff and 19.6 acres of semi-permeable and impermeable solar panel surface area, these solar installations can deplete ground water reserves in a manner inconsistent with zoning and force a significant financial burden on local homeowners to somehow supplement their water supplies.

The PSC has not communicated with residents in the Pilkerton Property area about what would happen during a drought if private water wells dry out and who would be liable to compensate homeowners. Residents living adjacent and near the Pilkerton Property are endangered by Project Victoria.

2.7.2 Quality of Water will likely deteriorate. According to the guidance provided by the Department of Energy on Solar Programmatic Environmental Impact Statements "[the] [u]se of or spills of chemicals at solar facilities (for example dust suppressants, dielectric fluids, herbicides) could result in contamination of surface or groundwater." (see Solar Energy Development Environmental Considerations prepared by the US Bureau of Land Management and the US Department of Energy 2012).

According to a study conducted by the Interstate Commission on the Potomac River Basin, the Pilkerton Property is a high-priority parcel for land conservation from a drinking water source perspective. Just on that basis Proposed Project Victoria should not receive authorization by the PSC and the CPCN permit should be denied. There is a real risk that both Projects Victoria and Santa Rosa will leach toxic compounds, heavy metals and microplastics from electrical equipment and deteriorating solar panels caused by poor quality, weather (hail, wind, lightning, snow, ice)- or climate (humidity)-induced damage. This will affect not only the quality of the drinking water in water wells relied on by nearby residents but also potentially compromise the quality of the public water supply in Montgomery County.

Additionally, the Pilkerton Property is located a mere one half mile from the Potomac River and only 5.5 miles upriver from WSSC's Potomac River Filtration Plant which serves as one of the primary fresh water

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sources for Montgomery County residents downstream. Proposed Project Victoria alone and in combination with Project Santa Rosa poses a risk of contaminating this critical water supply through runoff containing sediments and potentially laden with heavy metals, toxic chemicals, and other pollutants such as microplastics. Altered storm water runoff patterns can also be contaminated unpredictably with common endemic pathogenic microbes (such as *Giardia* species present in deer feces) and feed them into the Potomac.

The risk of Proposed Project Victoria to downstream water supply and quality is unacceptable.

2.8 Negative Impacts of Combined Projects on Property Values, the Availability of Property Insurance, and Insurance Rates. Proposed Project Victoria's approval will decrease property values in the surrounding area by 20% or more. There are many reasons stemming from lack of zoning enforcement, including increased fire risk, real and perceived health risks, real and perceived property risks, decreased potential for future residential development, increased risk of well water contamination and/or depletion, increased risk of storm water runoff flooding and erosion. In addition, the visual impact of unsightly solar panels, electrical equipment, and transmission lines disrupting the rural residential setting and the scenic byway designation of route 190 will have a negative impact on property values and real estate investment.

How will it be possible for residents, homeowners, and developers to invest in future residential properties and communities in Montgomery County and in Maryland when zoning laws are upended by the exceptions granted to solar farms and residents are kept in the dark?

Montgomery County and the PSC should also be prepared for the possibility that the Solar Farm "Gold Rush Free-For-All" may inadvertently create a property insurance crisis. In the absence of a well-regulated and thoughtful process for solar farm siting, construction, operation and decommissioning, it will become increasingly difficult to find buyers for residential properties situated near solar farms. This will be due to the ripple effect of increased insurance rates or outright policy cancellations which in turn result in homeowners being unable to insure their properties. This chain of events will then affect the real estate market because prospective real estate buyers will be unable to secure mortgages. What is described here is not a remote possibility but already beginning to happen. It will impact the real property market in Montgomery County and eventually lead to a loss in property tax income for the State.

The impact on property values because of Proposed Project Victoria alone and/or in combination with Project Santa Rosa is unacceptable.

2.9 Potential Negative Impact on Health of Persons, Domestic and Farm Animals. Solar farm electrical equipment (inverters, transformers) and associated power transmission lines emit low-level electromagnetic fields (EMFs) which, over time, can cause headaches, fatigue, restlessness, insomnia, cardiovascular stress, and cancer in humans living close by. These can have negative long-term effects on health and mental health. Pets, particularly dogs, share many of these effects as do farm animals. Moreover, these EMFs have negative impacts on bees and other pollinators, causing disorientation, increased aggression, and ultimately decreased viability.

Solar panels and other equipment installed in a solar farm contain various toxic chemicals and heavy metals that pose a serious risk to health if released into the environment. Exposure of the solar panels

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and electrical equipment to severe weather (hail, wind, lightening, snow, ice) and Maryland's typically humid climate can damage them and release toxic chemicals and heavy metals over time which end up in the ground or surface waters, contaminating local water sources and impacting both human and animal health. The quality of the solar panels also impacts leaching, however, the type and source of solar panels to be used in Projects Victoria and Santa Rosa remain to be seen. The risk of Proposed Project Victoria alone, and/or in combination with Project Santa Rosa, to human and animal health is absolutely unacceptable, especially in the absence of the PSC requiring Chaberton and landowners to provide for financial arrangements in advance as a type of insurance policy.

2.9 Co-location of privately-owned solar farm projects on non-public land is NOT consistent with the intent of the regulation and is NOT advantageous to the local community. Co-location of public facilities was not intended for the purpose of placing two privately-owned solar farms next to each other, but rather to harmonize and maximize the dual use of common public building, venues, and facilities. Co-location of similar solar farm land uses that are contrary to and/or against municipal zoning regulations should be prohibited. One "special exception" in the same neighborhood presents the environment with enough non-conforming uses and related impacts; two special exceptions in the same neighborhood is a disproportionate burden likely to harm it in many ways.

For all of the above reasons, we vehemently oppose Proposed Project Victoria.

III. REQUEST FOR RELIEF

We, the local homeowners near the Pilkerton Property, request that the Montgomery County Planning Board and all other relevant agencies recommend against the Chaberton application for Proposed Project Victoria (PSC case #9770) and that that the Maryland Public Service Commission deny the application for a Certificate of Public Convenience and Necessity by Chaberton for Proposed Project Victoria. We demand that all relevant agencies uphold existing local zoning laws to preserve our beautiful and healthy living area, our lives and our property values. We strongly object to Proposed Project Victoria, particularly in view of the adjoining Project Santa Rosa and we request that any necessary permits and recommendations at the county and state level for the project be denied in order to permanently and irrevocably block it.

To keep us safe, we insist that the county and state develop wildfire response plans in concert with the Maryland Fire Prevention Commission and Maryland Fire Marshal for each solar farm installation, including Proposed Project Victoria, in order to preserve the lives and property of those living in proximity to these installations, particularly in areas lacking fire hydrants and local accessible water far from fire stations. The most deadly wildfires in recent memory (Camp fire that wiped out Paradise, CA and Lahaina fire that wiped out Lahaina, Maui) were started in rural areas with no local fire hydrants or water sources by electrical equipment igniting dried vegetation during Summer droughts. They spread rapidly and overwhelmed local fire-fighting capacity. The losses of life and property were staggering. Solar farms, their attendant electrical equipment, and high voltage transmission lines elevate fire risk in several ways and the proliferation of these installations in rural and agricultural sites is alarming. Furthermore, they present not only safety risk but also economic risk by elevating property insurance cost or outright

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cancellation of insurance, and decreasing property values. We also request that the county and state allocate resources to bring public water and rapid response capability to these areas.

Because Project Santa Rosa was advanced to the implementation stage without the knowledge of the majority of neighbors who will be impacted by it, we request that the relevant State and County agencies consider revising the requirement of companies planning solar farm installations in rural neighborhoods and agricultural lands to inform all residents within a 0.5 mile radius of the intended site.

Because Proposed Project Victoria abuts another solar farm project, Project Santa Rosa, we further request that the relevant State and County agencies put in place a mechanism for requiring companies planning multiple solar farm installations adjacent to each other or within a 0.5 mile radius of the intended sites to perform studies of the combined environmental impact of the multiple sites in order to protect residents and limit the negative impacts of larger aggregate installations.

We further request that the relevant State and County agencies consider instituting a new requirement for companies advancing solar farm installations to create and fund an escrow account for the purpose of compensating homeowners whose health and property is damaged by the Project, as well as to remove the solar panels at the end of their life and install new panels or remediate the land regardless of whether Chaberton, successors or assigns still exist.

We further request that the state and county put appropriate ordinances in place to insure consistent and safe and thoughtful solar farm site selection and development. Infrastructure to support each project must be in place before sites can be approved. We request that incentives to place solar farms on impermeable surfaces with existing infrastructure and minimal environmental impact like roads and parking lots be developed. Consider integrating solar farming with state and county highways, like the Intercounty Connector. We also request that the state and county put in place a mechanism to monitor solar farm sites, complete with surprise inspections, to insure that installers and operators of these farms monitor and maintain sites not only to insure compliance and operational efficiency but also to keep all residents safe.

Solar farms can have a place in Maryland; the onus is on the Governor, the Maryland Public Service Commission, the Montgomery County Planning Board, the Department of Natural Resources, the Maryland Department of the Environment, the Maryland Parks and Planning Commission, the Maryland Fire Marshall, the Maryland State Fire Prevention Commission, and anyone else in the decision making process to ensure that the solar farms are approved in appropriate locations with the necessary infrastructure, such as state-owned impermeable surfaces and roadways, commercial or industrial settings. Many projects have been installed in the parking lots of commercial buildings, which creates a win-win situation where shade is created for cars and residents' health and safety are not put in jeopardy. Others are placing solar arrays over and beside roadways, in medians or on sound barriers. There is a significant amount of state-owned and commercial area that Chaberton could use to create a solar farm if it insists on pursuing the Proposed Victoria Project. We propose the Intercounty Connector, Route 200, as an excellent site for the acreage Maryland seeks to allocate to solar farms. But Proposed Project Victoria should not be approved for the Pilkerton Property, in the middle of a well-based residential

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community with no fire hydrants, less than 0.5 miles from the Potomac River, and abutting Project Santa Rosa.

IV. CONCLUSION

In conclusion, because Proposed Project Victoria violates zoning law, it should not be approved and any necessary permits and recommendations at the county and state level for the project should be denied. Specifically, the law limits solar farms to a maximum output of 2 megawatts (AC), and yet the output of the Proposed Project Victoria would be 4.25 megawatts. In addition, when combined with the adjacent Project Santa Rosa, which will have an output of 2.47 megawatt, the community would be forced to house a 6.72 megawatt combined facility, a disproportionately high burden for a single rural residential community to bear.

Proposed Project Victoria should also be DENIED approval because:

- (1) it violates zoning law designed to protect the community and environment and goes against the recommendations of PSC's own consultants;
- (2) it will create an unacceptably elevated fire risk;
- (3) it represents an avoidable set of health and mental health risks;
- (4) all homes in the surrounding area of Proposed Project Victoria rely solely on well water;
- (5) the Pilkerton Property is not a suitable site for a solar farm installation because it is surrounded by residences and there are multiple slopes with grades exceeding 15%;
- (6) it will create damaging storm water runoff, erosion, flooding, and sediment deposition and contamination;
- (7) the Pilkerton Property is too close to FEMA Floodplain AE, Tributary 87, and the Potomac River and the risk of flooding and contamination is too high;
- (8) it will drive down property values and inflate property insurance costs;
- (9) the environmental site assessments and environmental review documents did not evaluate the impact of the combination of Projects Victoria and Santa Rosa, therefore the Project Victoria application is flawed and incomplete;
- (10) there are numerous other inconsistencies, errors, possible deceptions, and unrealistic plans in the Chaberton application, PSC case #9770.

Solar farms can have a place in Maryland, but they are better suited to impermeable surfaces such as roadways and parking lots, and in commercial or industrial settings. Many projects in Maryland have been installed over the parking lots of commercial buildings, creating a benefit to all because shade is created for cars and residents' health, safety, and property are not put in jeopardy. The Maryland Transportation Authority owns and manages many impermeable surface roadways, such as the Intercounty Connector, (ICC, MD200), that have better access to the electrical grid, to fire and rescue services, and to storm water

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management infrastructure than rural agricultural and residential communities. ***It is in every Montgomery County and Maryland resident's interest to see that solar farms are installed in places that make a minimal impact on health, safety, and the environment.***

The Proposed Project Victoria should not be approved for the Pilkerton Property, in the middle of a rural residential community with no fire hydrants.

Signature page follows:

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V. SIGNATURE PAGE

I agree with the above statements and request that necessary permits for Proposed Project Victoria from the Maryland Public Service Commission and any other relevant State and County agencies be **denied** and that Proposed Project Victoria be recommended **NOT** to proceed by the Montgomery County Planning Board and any other relevant agency. I request that any other action required to block the project be taken by state and county agencies on my behalf. Thank you for your sincere and careful consideration.

Sincere regards,

Ben Movahed, ETAL



1/26/2026

Printed name

Signature

Date

PETITION TO STOP PROPOSED PROJECT VICTORIA
Solar Farm at 15220 River Rd, Potomac, MD 20874
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PETITION RECIPIENTS

- a. Montgomery County Planning Board
2425 Reddie Drive, Floor 14
Wheaton, MD 20902
Attn: Patrick Butler, Chief
Patrick.Butler@montgomeryplanning.org; 301-495-4561

- b. Jennifer A. Purvis, Esq.
Harrison Scherr, Esq.
Office of Staff Counsel
Maryland Public Service Commission
William Donald Schaefer Tower
6 St. Paul Street
Baltimore, MD 21202-6806
410-767-8120
Jennifer.purvis@maryland.gov; Harrison.scherr2@maryland.gov

- c. Honorable Andrew M. Friedson, President
County Council
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, MD 20850
240-777-7828
Councilmember.friedson@montgomerycountymd.gov

- d. Diamond Hawkins, Assistant People's Counsel (Diamond.Hawkins@Maryland.gov)
Maryland Office of the People's Counsel
6 St. Paul Street, Suite 2102
Baltimore, MD 21202
Office: 410-767-8150

- e. Mark C. Etheridge, Manager
Montgomery County Department of Permitting Services Water Resources Section
2425 Reddie Drive, 7th Floor
Wheaton, MD 20902

- f. Maryland Fire Marshal
Jason M. Mowbray Acting State Fire Marshal
1201 Reistertown Road
Pikesville, MD 21208
msp.osfm@maryland.gov

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- g. Maryland State Fire Prevention Commission
Maryland State Police, Western Operations Center
18345 Colonel Henry K. Douglas Drive, Suite 240
Hagerstown, MD 21740

- h. Maryland Department of Health
Office of Constituent Services
Rachel Rosebrock
201 W. Preston Street
Baltimore, MD 21201

Plus Chaberton application list "9770-SL-3"
Plus Chaberton contacts in case 9770

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ANNEX 1

This article describes a fire emergency in a non hydrant neighborhood near River Road in April 2025.
<https://mocoshow.com/2025/04/28/approximately-45-firefighters-respond-to-fire-in-non-hydrant-area/>



The article provided as follows:

“Montgomery County Fire and Rescue Service (MCFRS) responded to a fire involving a shed, vehicle, fence line, and brush/bamboo in the 13300 block of Travilah Road in Potomac on Monday afternoon.

According to Chief Spokesperson for MCFRS Pete Piringer, the incident occurred in a non-hydrant area and approximately 45 firefighters responded to the scene. Travilah Road is closed between Turkey Foot Road and Glen Road due to fire department activity.”

From: [Karen Kalla](#)
To: [MCP-Chair](#); [Stamets, Molly](#); Councilmember.Fani-Gonzalez@montgomerycountymd.gov;
Councilmember.Balcombe@montgomerycountymd.gov; Councilmember.Evans@montgomerycountymd.gov;
Councilmember.Glass@montgomerycountymd.gov; Councilmember.Jawando@montgomerycountymd.gov;
Councilmember.Sayles@montgomerycountymd.gov
Subject: Chaberton Project Victoria, Letter of Opposition
Date: Monday, January 26, 2026 3:25:05 PM
Attachments: [ChabertonProjectVictoria.Kalla.docx](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

To:
Montgomery County Planning Board
Molly Stamets, Planner
Council District 6: Natalie Fani-Gonzalez, President
Council District 2: Marilyn Balcombe, Vice President
At Large Councilmembers: Shebra Evans, Evan Glass, Will Jawando; Laurie-Anne Sayles,
Re: Opposition to Proposed Chaberton Solar Project Victoria Items 6 and 7
January 29, 2026 Planning Board Hearing

Montgomery County Residential Communities are not zoned, intended, nor suited for industrialization.

Piecemeal placement of industrial projects throughout county residential areas undermines the integrity of *your own* previous Master Plans and the quality of those communities. *You* are who we count on to get it right and who we trust to abide by designs of your own creation.

Breaking the proposed Chaberton solar projects of Santa Rosa and Victoria into three supposedly distinct entities does not reduce the overall scale or impacts of these co-located industries.

The fact that Chaberton is now proposing two co-located solar projects of 3.25 MW instead of the original 4.25 MW project – in addition to the adjacent 1.7 MW Santa Rosa project - does not change the questions regarding their effects on the character and health of neighboring residential properties. These are the same questions that Chaberton hoped to avoid by withdrawing their original proposal. Avoidance does not make them less important or the impacts disappear.

The proposed solar projects are not designed to benefit or serve the surrounding residents who will sacrifice their quality of life and property to benefit out-of-state contractors and owners.

These residential property owners have lived up to their commitment to maintain the well-being of their homes, land, and communities. They ask only that the Planning Board and County Council live up to their commitments to protect the characteristics of residential zones and residents' right to the quiet enjoyment of their property.

Serious questions which demand serious answers include:

What is Pepco's capacity to support the three proposed co-located solar projects and the residential communities that already exist? Residents of these communities are already experiencing significant problems with Pepco's service. Has the electrical capacity been thoroughly researched and its safety, reliability, and affordability confirmed transparently to all concerned and to these impacted neighboring residents?

How will water runoff effect water quality in existing residential wells? How will it impact tributaries to and the quality of the Potomac River?

What are the consequences of allowing large semi-trucks and other construction equipment to traverse narrow residential roads? Manor Stone Drive is not designed for the proposed industrial traffic and industrial traffic has no place on residential roads designed for the safe walking and commuting of residents, their families, and pets.

What is Montgomery County's big picture plan for the development of solar power?

It is important to halt any further discussion of Project Victoria until this question is answered. Project Victoria as well as any other solar projects must be discussed in the larger context of solar development in the county. *There is no net gain to the county from industrializing residential communities.* As our County continues to grow, we must do everything in our power to protect these residential enclaves if Montgomery County is to continue to be considered a desirable place to live, work, and raise families.

Solar power is an important key to the health, well-being, and economic viability of Montgomery County writ large. Preserving green space is part of the big picture making Montgomery County a desirable place to live. There are places where it makes sense to install solar panels. Solar panels fit well on top of parking areas, government buildings, school buildings, shopping malls, apartment and condo buildings, business, colleges and universities, homes, etc. These offer limitless opportunities that do not infringe on residents or the overall beauty of Montgomery County.

I respectfully request that you oppose the development of the proposed Project Victoria for its River Road/Manor Stone Drive location and instead work – in conjunction with the public - on a comprehensive plan for the development of solar power in Montgomery County. It is the smart move that puts county interests and residents first.

Karen Kalla



To:

Montgomery County Planning Board

Molly Stamets, Planner

Council District 6: Natalie Fani-Gonzalez, President

Council District 2: Marilyn Balcombe, Vice President

At Large Councilmembers: Shebra Evans, Evan Glass, Will Jawando; Laurie-Anne Sayles,

Re: Opposition to Proposed Chaberton Solar Project Victoria Items 6 and 7

January 29, 2026 Planning Board Hearing

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Karen Kalla

[Redacted signature block]

Mcp-chair@mncppc-mc.org

Molly.stamets@montgomeryplanning.org

Councilmember.Fani-Gonzalez@montgomerycountymd.gov

Councilmember.Balcombe@montgomerycountymd.gov

Councilmember.Evans@montgomerycountymd.gov

Councilmember.Glass@montgomerycountymd.gov

Councilmember.Jawando@montgomerycountymd.gov

Councilmember.Sayles@montgomerycountymd.gov

From: [Dickel, Stephanie](#)
To: [MCP-Chair](#)
Subject: FW: Chaberton Energy Solar Farm Plan
Date: Tuesday, January 27, 2026 10:48:53 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)



Stephanie Marsnick Dickel
Regulatory Supervisor, West County Planning Division

Montgomery County Planning Department
2425 Reedie Drive, Wheaton, MD 20902
stephanie.dickel@montgomeryplanning.org
o: 301 495 4527



From: Carol Van Dam Falk <[REDACTED]>
Sent: Tuesday, January 27, 2026 10:47 AM
To: Gatling, Tsaiquan <tsaiquan.gatling@montgomeryplanning.org>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Iza.Hisel-McCoy@montgomeryplanning.org
Subject: Chaberton Energy Solar Farm Plan

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good morning,

West Montgomery County Citizens Association has several concerns about the Chaberton Energy plan for a huge solar farm at 15220 River Road, which has now been broken into two; Project Victoria I and II in order to fast-track it through Montgomery County regulatory bodies. We believe Montgomery County has not fully considered the impact of these two megawatt projects on our community.

We plan to testify at the Thursday public meeting to explain our concerns.

Sincerely,
Carol V. Falk
President, West Montgomery County Citizens Association

From: [Gatling, Tsaiquan](#)
To: [MCP-Chair](#)
Subject: FW: Letter Opposing Chaberton Solar Victoria Project
Date: Tuesday, January 27, 2026 11:05:07 AM
Attachments: [Letter to MoCo Planning Board re Chaberton Solar Victoria Project_SNY.docx.pdf](#)

Tsaiquan Gatling

Planner III, West County Planning

Montgomery County Planning Department
2425 Reedy Drive, Wheaton, MD 20902
Tsaiquan.Gatling@montgomeryplanning.org
p: 301.495.2116

From: Nicholas Anselmi <[REDACTED]>
Sent: Tuesday, January 27, 2026 11:03 AM
To: Stamets, Molly <Molly.Stamets@montgomeryplanning.org>; Gatling, Tsaiquan <tsaiquan.gatling@montgomeryplanning.org>
Cc: [REDACTED]
Subject: Letter Opposing Chaberton Solar Victoria Project

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning,

Stephany N. Yu, the owner of [REDACTED], respectfully submits the attached letter to the Montgomery County Planning Board opposing the Chaberton Solar Victoria Project (Plan F20260280/MR2026010/MR2026011).

Please confirm receipt- thank you for your consideration.

Nicholas P. Anselmi | Corporate Counsel
www.sunwatercapital.com | t: +1 (240) 552-7557

THIS MESSAGE CONTAINS CONFIDENTIAL INFO AND MAY BE SUBJECT TO THE ATTORNEY-CLIENT OR WORK PRODUCT RULES. IF YOU RECEIVED THIS MESSAGE IN ERROR, PLEASE DELETE WITHOUT USING AND NOTIFY ME.

NOTE: This e-mail will not bind Sunwater to any agreement unless sent pursuant to a written, signed document.

Montgomery County Planning Board
Montgomery County Planning Department
2425 Reddie Drive
Wheaton, MD 20902

1/27/2026

Re: Opposition to Final Forest Conservation Plan – Chaberton Solar Victoria (15220 River Road, RC Zone, Plan No. F20260280/MR2026010/MR2026011)

Dear Planning Board Members:

I am a neighboring property owner to the proposed Chaberton Solar Victoria project at 15220 River Road, and I respectfully submit this letter in strong opposition to the referenced application.

1. Impacts on surrounding residential property value

As an immediate neighbor, I am deeply concerned that a utility-scale solar installation of this size will diminish the value and marketability of nearby residential properties.

Multiple peer-reviewed and governmental studies over the last several years have found measurable, statistically significant price discounts for homes located close to large solar facilities, particularly where projects are visible and sited in rural or exurban settings similar to this part of River Road. A Lawrence Berkeley National Laboratory study of more than 1,500 large-scale solar projects and 1.8 million home sales across six states found an average 1.5% reduction in sale prices for homes within 0.5 miles of a large solar array, with larger 4–6% reductions in some rural states¹. A recent national analysis in the Proceedings of the National Academy of Sciences, using 8.8 million home sales and 3,699 solar sites, estimated an average 4.8% decline in residential property values within roughly three miles of large-scale solar projects, with effects driven by proximity and visibility and diminishing with distance and time². While a few regional studies (including Midwestern work) have found small neutral or positive effects under certain conditions, these generally involve

¹ <https://www.sciencedirect.com/science/article/pii/S0301421523000101>

² <https://www.pnas.org/doi/10.1073/pnas.2418414122>

smaller projects, agricultural settings, or different market structures than amenity-driven rural residential corridors like upper River Road.

The proposed 42-acre solar energy facility at 15220 River Road would fundamentally alter the visual and environmental character of the surrounding residential area, converting what is currently a rural, wooded, and open-space setting into an industrial-scale energy installation. Prospective buyers in this part of Montgomery County typically place a premium on rural residential character, scenic views, and undisturbed open space. A fenced and heavily mechanized solar field undermines those expectations and creates a stigma that, in turn, is likely to be reflected in reduced buyer interest and lower offers. Taken together, the empirical research and the specifics of this site both point toward a substantial risk of lost equity for neighboring homeowners that has not been adequately weighed against the project's claimed benefits.

2. Incompatibility with RC (Rural Cluster) zone intent and standards

The RC zone is intended to protect rural character, support very low-density residential development, and maintain open space and natural resources, not to host industrial-scale energy generation.

The scale of this proposal—one 42.04-acre lot dominated by solar energy generation infrastructure, fencing, pads, and access drives—effectively transforms a rural residential parcel into an industrial energy site. The RC zone's purpose is to preserve agricultural and rural open landscapes and to allow limited homes in a clustered pattern while maintaining large areas of contiguous open space. A dense field of panels, inverters, transformers, security fencing, and associated equipment is fundamentally inconsistent with that vision. Even if "solar energy generation" can be listed procedurally as a limited use, the Board must still determine whether this particular project—by its size, visual dominance, and operational characteristics—meets the RC zone's purpose clause and the broader compatibility requirements of the zoning ordinance and forest conservation regulations. A 42-acre solar facility in this location exceeds what most reasonable neighbors would understand as "limited" in the context of RC and sets a precedent that could erode the rural residential character the zone is supposed to protect.

3. Risks to birds and sensitive species along the Potomac River and C&O Canal

The project sits within the broader Potomac River/C&O Canal corridor, which is well documented as a biodiversity hotspot with numerous rare, threatened, and priority

species, including many birds that rely on the river, riparian forests, and associated habitats.

Large solar arrays create a “water-like” reflective surface that can mimic lakes or rivers to birds flying overhead. Water-oriented and migratory birds may mistake the panels for water and attempt to land, leading to collisions, crash-landing injuries, or wasted energy and reproductive effort; this “lake effect” has been described in studies of avian interactions with photovoltaic facilities and highlighted by agencies and researchers working on solar-wildlife conflicts. The Potomac River and C&O Canal corridor in this area support Bald Eagles, Prothonotary Warblers, Louisiana Waterthrush, and many other priority or sensitive species. Any increase in collision risk, disorientation, or habitat degradation is particularly troubling in such a high-value ecological area. Fencing and associated infrastructure also create barriers and edge effects that can fragment habitats used by birds and other wildlife, indirectly affecting foraging, nesting, and migration behavior. Given the recognized ecological importance of the Potomac corridor, the Board should apply a precautionary approach and require a far more rigorous analysis of avian impacts, including site-specific bird surveys and collision-risk assessment, before considering a project of this type and scale.

4. Forest conservation, habitat, stormwater, and precedent

Beyond the specific points above, there are broader reasons to deny this application.

Any clearing or fragmentation of existing forest or mature vegetation to accommodate the solar field, access infrastructure, and associated features will irreversibly reduce habitat quality and ecological connectivity in a sensitive corridor. Replanting elsewhere cannot fully replace the ecological functions, structural complexity, or microclimate provided by mature forest on this site, especially in the Potomac Gorge context where Maryland DNR has emphasized the unusual concentration of rare species and high-value natural communities. Converting a large, contiguous rural tract to a fenced energy facility also increases impervious and compacted surfaces, alters infiltration patterns, and can concentrate runoff from panel rows and access drives. Without careful design and strong, enforceable conditions, such changes can exacerbate stormwater runoff, erosion, and sediment delivery to nearby streams and the Potomac River—problems of particular concern along this corridor.

At a landscape level, approving a 42-acre industrial-style energy project in the RC zone contributes to cumulative fragmentation in the River Road/Potomac corridor and establishes a precedent for additional projects of similar character on other RC-zoned

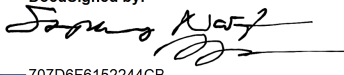
parcels. Over time, these risks will accelerate the incremental industrialization of Montgomery County's remaining rural landscapes and undermine long-standing planning goals for the Agricultural Reserve, rural wedges, and forest conservation.

5. Request to the Planning Board

In light of the likely negative effects on neighboring property values, the mismatch with the RC zone's intent, the heightened risk to birds and other wildlife in the Potomac River/C&O Canal corridor, and the broader environmental, stormwater, and precedent concerns, I respectfully request that the Planning Board deny the current application.

Thank you for your consideration of these comments and for your continued work to protect Montgomery County's rural communities and natural resources. I would appreciate being kept informed of any future hearings or actions on this application.

Sincerely,

DocuSigned by:

707D6F6152244CB...
Stephany N. Yu

[Redacted]

[Redacted]

From: [Gatling, Tsaiquan](#)
To: [MCP-Chair](#)
Subject: FW: Opposition to Chaberton Solar Victoria Items 6 and 7, January 29, 2026
Date: Tuesday, January 27, 2026 11:09:28 AM
Attachments: [Opposition to Chaberton--Kozicharow.pdf](#)

Tsaiquan Gatling

Planner III, West County Planning

Montgomery County Planning Department
2425 Reddie Drive, Wheaton, MD 20902
Tsaiquan.Gatling@montgomeryplanning.org
p: 301.495.2116

From: Stamets, Molly <Molly.Stamets@montgomeryplanning.org>
Sent: Monday, January 26, 2026 10:56 AM
To: Gatling, Tsaiquan <tsaiquan.gatling@montgomeryplanning.org>
Cc: Lindsey, Amy <amy.lindsey@montgomeryplanning.org>
Subject: Fw: Opposition to Chaberton Solar Victoria Items 6 and 7, January 29, 2026

Forwarding this community correspondence for your awareness.

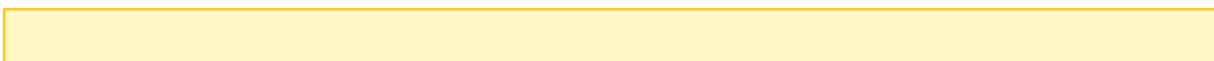
Thank you,

Molly Stamets

Environmental Planner I | Environment and Climate Division

Montgomery County Planning Department
2425 Reddie Drive, 13th Floor, Wheaton, MD 20902
Molly.Stamets@montgomeryplanning.org
o: 301.495.2108

From: Allison G. Kozicharow <[REDACTED]>
Sent: Monday, January 26, 2026 10:38 AM
To: councilmember.Balcombe@montgomerycountymd.gov
<councilmember.Balcombe@montgomerycountymd.gov>;
Councilmember.Glass@montgomerycountymd.gov
<Councilmember.Glass@montgomerycountymd.gov>;
Councilmember.Jawando@montgomerycountymd.gov
<Councilmember.Jawando@montgomerycountymd.gov>;
Councilmember.Sayles@montgomerycountymd.gov
<Councilmember.Sayles@montgomerycountymd.gov>; Stamets, Molly
<Molly.Stamets@montgomeryplanning.org>; Councilmember.Albornoz@montgomerycountymd.gov
<Councilmember.Albornoz@montgomerycountymd.gov>
Subject: Opposition to Chaberton Solar Victoria Items 6 and 7, January 29, 2026



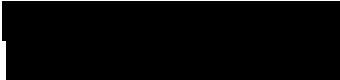
[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Montgomery County Councilmembers,

Please find attached my letter opposing the Chaberton solar Victoria Items 6 and 7, January 29, 2026.

Thank you for your consideration,
Allison Kozicharow

Allison, Eugene, and Nicola Kozicharow



January 25, 2026

To: Montgomery County Planning Board

Council District 2: Marilyn Balcombe

District Councilmember: Marilyn Balcombe

At Large Councilmembers:

Gabe Albornoz; Evan Glass

Will Jawando; Laurie-Anne Sayles

Molly Stamets

Re: Opposition to Chaberton Solar Victoria Items 6 and 7, January 29, 2026

After failing to secure a 4.25 megawatt solar farm at the State PSC level, Chaberton is now proposing two slightly smaller solar farms of 2 MW and 1.25 MW respectively. When you add in the 1.7 MW Santa Rosa project under construction you have 5 or 6 MW all together!

That means a mega industrial solar farm in the middle of zoned residential neighborhoods. (Look at the photo on the last page!)

Chaberton has already sold Santa Rosa, and it isn't even near completion. During the 4 years of construction, our Santa Rosa neighbors have experienced:

- Broken promises (e.g., planting trees and building decent fences to screen the ugliness)
- Trees removed without permission, barbed wire fences erected
- Constant traffic, huge semis tearing the road up and down
- General damage to the neighborhood
- Huge hikes in insurance bills
- Unprecedented number of sheep deaths due to solar construction disruption of coyote habitat

Fire risk is a big fear in our neighborhood. We have no fire hydrants and the closest fire station is almost 20 minutes away. A cistern isn't enough if brush fire spreads beyond the solar facility. Maryland has been in drought conditions for many years and it's irresponsible to allow more industrial construction given the replacement costs of these homes should there be a fire. Lives cannot be replaced.

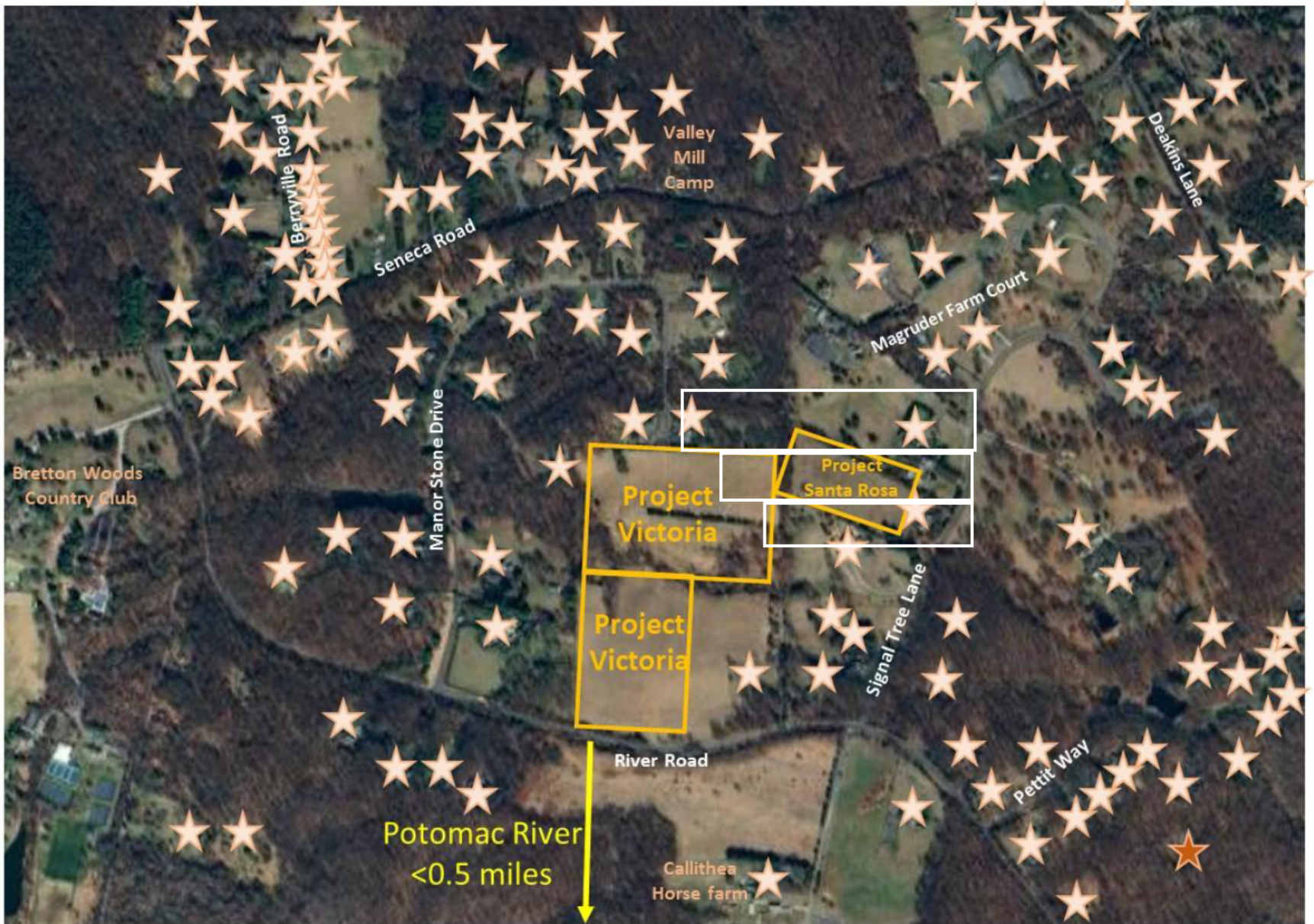
Another big concern is the **weakness of the PEPCO grid**, which Chaberton has not planned for. Our area is already facing electrical challenges. How can PEPCO supply electricity to three solar farms and all the homes? Electric bills are already rising even before any solar farm is on line!

Last, how is it that only people whose property abutted the farms were notified? We are all affected and are feel insulted that we were not told about industrial complexes being proposed right in our neighborhood! **We on Manor Stone NEVER KNEW that Santa Rosa was being built until our Signal Tree neighbors told us of the disastrous experiences they had and are still having!**

Chaberton, a company NOT from Maryland, is out for the “solar gold rush.” They sell the solar farms, make a quick profit, and get out without any responsibility.

We are all for solar power, but let’s please do it the right way so that residents of Montgomery County don’t suffer! Give us an incentive to put solar on our roofs as a neighborhood. Put industrial farms along highways, on top of buildings, on parking lots, next to industrial areas, etc. Why destroy the “green lung” of the county?

Sincerely yours,
Allison, Eugene, and Nicola Kozicharow



From: [Pam DuBois](#)
To: [MCP-Chair](#)
Subject: Darnestown Civic Association Testimony 1-29-26 Items 6 & 7
Date: Tuesday, January 27, 2026 11:32:23 AM
Attachments: [DCA Chaberton Solar Victoria Testimony 1-27-26.pdf](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Attached please find testimony for Chaberton Solar Victoria LLC Mandatory Referral No. MF2026010 and Chaberton Solar Victoria II LLC Mandatory Referral No. 2026011 and Forest Conservation No. F20260280

I have signed up to testify for both items but have not gotten any confirmation yet from you office. Thanks,

Pam DuBois
Acting Zoning Chair
Darnestown Civic Association



Date: January 27, 2026

From: Darnestown Civic Association (DCA)

To: Artie Harris, Chair, Montgomery County Planning Board

RE: Concerns impacting Darnestown regarding Chaberton Solar Victoria LLC Mandatory Referral No. MR2026010, Chaberton Solar Victoria II LLC Mandatory Referral No. MR2026011 and Forest Conservation No. F20260280

Planning Board Hearing January 29, 2026; Items #6 and #7

The DCA's mission is to support the general welfare of our community. While the DCA remains neutral on specific projects, the DCA has concerns regarding the safety and potential adverse impacts to the residential neighborhood surrounding the above referenced proposed projects. Specifically, important lessons learned from Chaberton's Santa Rosa pilot solar project in Montgomery County need to be addressed.

Planning Approval Process

The Darnestown community supports renewable energy but wants to ensure proper siting of solar generating facilities. The 2025 Maryland Renewable Energy Certainty Act resulted in Chaberton Solar Victoria's withdrawal from the state approval process to this County level Mandatory Referral process without consideration of comprehensive approval and implementation details.

1. Darnestown Character – Darnestown is well understood as a low-density residential community comprising more than 2,400 homes in a rural environment as documented by County sources cited below:

Per the County's *2001 Potomac Subregion Master Plan*: "most of the Darnestown area is zoned Rural Cluster (RC), intended to provide a compatible mix of agricultural and low-density residential development that promotes agriculture and protects scenic and environmentally sensitive areas. The Plan's recommendations are designed to preserve, protect and enhance Darnestown's unique residential and community character and to review major undeveloped sites for their potential to contribute to park land and open space." (page 89)

According to the County's *Community Trends Report: A Look at Montgomery County Communities Since 2010* (dated January 2026): "Darnestown is located in the western part of the County, is adjacent to the Agricultural Reserve and is bordered by the Potomac River to the south...and the C&O Canal National Historic Park where the Blockhouse Point Conservation Park is located. The character of Darnestown (defined by Land Use Indicators) is more than one-quarter of the land area is used as parkland...39% of land used for housing is almost exclusively of single-family detached units." (page 15-2)

Is the concentration of three solar generating facilities (Chaberton Solar Victoria LLC, Chaberton Solar Victoria II LLC and the adjacent Chaberton Santa Rosa) totaling approximately 5 MW and 24 acres of solar panels in keeping with the character of Darnestown? The DCA questions whether this concentration of solar generating facilities are:

- a) compatible with the adjacent residential community reliant on well water and historic parkland (including Callithea Farm Park (working horse farm) across River Road) ;
 - b) an equitable distribution of green infrastructure throughout the County as advocated in the County's General Plan, *Thrive Montgomery 2050* (referenced on page 13 of the staff report; and
 - c) in keeping with Darnestown's Land Use Characteristics in the County's *Community Trends Report* since utility-scale solar facilities are generally classified as an industrial / utility (infrastructure) land use which would increase this land use in Darnestown by over a million square feet (see Table 15-1 in the *Community Trends Report*)
2. Stormwater Runoff – Do the County's stormwater runoff requirements for the above referenced projects take into consideration additional stormwater impacts from the recently constructed Chaberton Santa Rosa. The stormwater runoff from Chaberton Santa Rosa, with 3.2 acres of ground mounted impervious solar panels, directly impacts this proposed Forest Conservation plan. In addition, possible lot-to-lot adverse drainage impacts could be even worse without a comprehensive evaluation of all three projects.
3. Solar Facility Operational Considerations
- a) Can the Applicant / Owner be responsible for routine groundwater testing? This could be complicated by the fact the DCA understands that the County has no mechanism in place to test the groundwater / well water since this project does not propose any habitable structure or occupancy associated with the Project and, therefore, does not require a water supply or wastewater disposal system.
 - b) Can the Applicant / Owner be responsible for routine fire inspections / assessments (i.e. electrical testing, proactive electric component maintenance)?
 - c) Does the Applicant propose the inclusion of fire suppressant systems in the PV infrastructure?

- d) Is the Applicant's proposed maintenance once a month adequate to maintain such large facilities and grounds? If the vegetation underneath the solar panels is not properly maintained, soil erosion and increased runoff could occur.
- e) Is the Applicant / Owner required to have a decommissioning plan including financial provisions?

4. Additional Administrative Implications

- a) Can the community rely on how the County monitors vegetation, landscaping and maintenance agreement compliance over entire project lifecycle? (FYI, it has taken the DCA over five years to get Pepco to finally comply with the required site plan landscaping plan for their substation located at the intersection of Riffle Ford and Darnestown Roads (CU 16-04)).
- b) Is the County planning to monitor energy production performance for all community solar projects being approved?
- c) Is the County going to provide additional resources to facilitate project transparency (i.e. project websites) with essential project status information and key contacts?
- d) Will the County consider expanding the project contact mailing list beyond adjacent properties to include all impacted parties in the surrounding neighborhood (i.e. residents on Manor Stone Drive who will be impacted by construction activity)?
- e) In the event that Chaberton Solar Victoria LLC and Chaberton Solar Victoria II LLC are sold to two different entities, who will be responsible for future preservation requirements of this shared Forest Conservation Plan?
- f) Regardless of existing classifications / treatment of solar panels, Chaberton's two Solar Victoria facilities comprise 20.5 acres of solar panels on a 42-acre parcel which realistically (visually and physically) constitute 57% lot coverage which exceeds the RC zone lot coverage requirement of 10%.

Potential Project Adverse Impacts

1. Water Quality – Photovoltaic panels contain hazardous materials and although they are sealed under normal operating conditions, there is a potential for environmental contamination if they are damaged or improperly disposed upon decommissioning. Some solar farms may employ materials such as oils or molten salts, hydraulic fluids, coolants and lubricants that may be hazardous and present spill risks and could result in contamination of surface or groundwater. (see Solar Energy Development Environmental Considerations prepared by the US Bureau of Land Management and the US Department of Energy 2012)
 - a) Private Residential Wells – Darnestown is unique in that it is one of three communities in Montgomery County that relies on well water. Should the well water be contaminated, whole house remediation is likely not a viable solution based on discussions with Montgomery County's Department of Permitting Services, Well and Septic Division.

- b) Montgomery County's source of public drinking is from reservoirs treated by WSSC Water in which the Potomac River is a main source. The Potomac River is approximately a half a mile downstream from the above referenced proposed project via Tributary 87.
2. Stormwater Runoff – As previously mentioned, the above referenced two solar projects, combined with the adjacent Chaberton Santa Rosa currently under construction, represent a total of approximately 24 acres of solar panels. The concentration of these three projects in the same vicinity may cause increases in stormwater runoff contributing to:
- a) Lot-to-Lot drainage property damage, not to mention Forest Conservation and Potomac River health consequences (especially if water is contaminated).
 - b) Increased runoff due to property slopes of grades of 15% or more with no slope caps (ZTA 20-01) or prohibitions.
3. Fire and Life Safety – The risks of solar generating facilities causing fires is well established and can include:
- a) overheating, short circuiting, or lightning strikes on electrical components;
 - b) electrical arcing due to faulty installation errors;
 - c) overheating and hot spots caused by moisture ingress, dirt buildup, bird droppings, and foliage on and around the panels, as well as combustible materials;
 - d) higher ambient temperatures resulting from solar heat island effects; and
 - e) construction and maintenance impacts include noise, dust and traffic.
4. Impact on Property Value – Adverse impacts from community solar generating stations adjacent to residential homes is exemplified by:
- a) substantial increase in Homeowners Insurance; and,
 - b) questions regarding decreases in existing adjacent residential property values (per independent national data).

Clearly this is an unprecedented process and the community is not reassured regarding the risks of solar project adjacency to residential property and associated municipal oversight over the project lifespan. The DCA appreciates your continued consideration of these community concerns.

Sincerely,



Scott Mostrom
DCA President

From: [Aprile Pilon](#)
To: [MCP-Chair](#); [Gatling, Tsaiquan](#); [Dickel, Stephanie](#); Iza.Hisel-McCoy@montgomeryplanning.org
Subject: Testimony for MR2026010 & MR2026011
Date: Tuesday, January 27, 2026 11:54:01 AM
Attachments: [Clayton letter 012726.pdf](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

To Whom It May Concern,
Attached please find my written testimony for Items 6 & 7 of the 1/29/26 meeting agenda.
Please confirm receipt. I plan to speak at the meeting as well.
Thank you.
Sincerely,
Aprile Pilon-Clayton

Aprile Pilon-Clayton & Bruce Clayton

Maryland-National Capital Park and Planning Commission (M-NCPPC)
2425 Reedy Drive, 14th floor
Wheaton, MD 20902

RE: Mandatory Referral No. MR2026010 & MR #2026011
Chaberton Solar Victoria I LLC & Chaberton Solar Victoria II LLC

January 26, 2026

Dear Voting Board Members and Staff,

We are writing to submit our testimony pertaining to the Chaberton Solar Victoria I & II LLC solar farm proposed for 15220 River Road, Potomac, MD 20854 (MR2026010 & MR2026011), formerly called Project Victoria (PSC #9770). We are residents, property owners and taxpayers located on Manor Stone Drive, located within ~0.25 mile of the proposed project and we will be negatively impacted by this project. Manor Stone Drive, Signal Tree Lane, and the local community is a suburban residential neighborhood with several hundred people living within a half mile of the proposed Victoria projects and surrounded by historical sites. When my husband and I moved our family to Manor Stone Drive, we wanted a safe, quiet, natural, rural environment to raise our children and visit with our grandchildren. We are middle-class taxpayers who have worked hard all of our lives and we earned it. We selected this neighborhood and paid for our home. We've owned 3 homes in Montgomery County Maryland in progressively more sophisticated neighborhoods and we now pay the highest property taxes we've ever had in Maryland. We bought this home intending to retire here and pass it on to our children with the understanding that our rural cluster zoning meant that we would never have to confront the possibility of an industrial utility or other non-agricultural commercial venture nearby. Yet now, our dream home is being threatened by not one, but three ≤ 2 megawatt solar farms on contiguous land at the end of our dead end street! If this project proceeds, not only will our homeowner's insurance increase, but our property value and quality of life will decrease. The **astonishing disregard** for public safety and well-being in the absence of public safety infrastructure for the **lifelong investment** of homeowners and farmers located in our suburban neighborhood, rural clusters and agricultural lands, in addition to the **environmental impact** and the **safety and stability of the local food supply**, that is inherent in the energy policy enacted in SB931, is **absolutely reprehensible**. You are taking away everything we have worked for in Maryland for the past 35 years. We don't feel like valued residents and taxpayers of the state of Maryland and Montgomery County. With no benefit to ourselves or our family from the Solar Victoria projects, we will be negatively impacted in the following ways:

1. Elevated fire risk due to presence of electrical equipment, solar connectors, and high voltage transmission lines coupled with no fire hydrants, a distant fire station, and no accessible local water supply is a wildfire disaster waiting to happen. The risk is already elevated due to Santa Rosa and would be tripled if the Victoria projects are approved.

2. Contamination of surface water and local aquifer from which our well water is drawn. All solar panels are susceptible to damage caused by hail, ice and snow, wind and impacts from airborne debris and break down as they age. Certainly the shared aquifer will be impacted by lead (from solder) and other toxic metals and compounds leaching from the solar panels, their connectors, electrical equipment, and high voltage transmission lines required to transfer the power harvest away from the local community. Contamination of ground water, including well, is inevitable in such close proximity to a total of nearly 10+ acres of solar panels located on about 50 acres of land in close proximity to our home. It is bad enough that Project Santa Rosa was approved and placed at 13330 Signal Tree Lane, also within ~0.25 miles of hundreds of non-abutting neighbors who will be impacted and without any notification or opportunity to object. Now Chaberton and the county seek to triple our risk with even more acres of solar panels before Santa Rosa is even connected to the grid! This is not acceptable. We are close to retirement and cannot afford annual or more frequent, testing of our well water, nor can we afford to install a water purification system capable of removing these types of contaminants.

3. These risks will only increase as climate change progresses. The summers will become hotter and droughts will become longer, while local solar heat island effects from utility scale solar arrays will exacerbate the elevated temperatures, further increasing the risk of fire and water contamination due to weather-induced solar panel damage. Note that solar heat islands elevate surrounding temperatures by as much as 8-10°F and reportedly extend approximately 100 feet from the border of the solar array. Such an elevation in summer temperatures could significantly impact the viability of plantings around the solar array.

4. Environmental impacts, including loss of wildlife, loss of trees and other vegetation, loss of pollinators, loss of bat colonies that control the local mosquito population increasing the risk of mosquito-borne illnesses, altered deer habitat and grazing patterns that can destroy our landscaping and altered coyote habitat and territory may be dangerous to small children and pets in the yard. All to our great detriment and none of it to our advantage.

5. The Chaberton Solar Victoria projects will result in the same kinds of disruptions experienced for Project Santa Rosa by our Signal Tree neighbors, including 3+ years of construction noise, ground compaction shaking their homes, heavy truck traffic, workers starting at 6 AM and on weekends, blocked road access, loss of privacy, loss of trees bordering the property, power and internet interruptions, an 8-foot barbed wire electric fence to keep deer and other animals out, loss of livestock, etc. Manor Stone Drive is a small dead-end road and construction traffic will be daunting. It especially concerns us because our three young grandchildren spend a lot of time here and have lived with us intermittently. Large trucks would not even see them on or near the road and it will be very dangerous for all pedestrians and pets if these projects move forward. My husband and I also work from home, so disruption of power and internet is not just an inconvenience, it causes real economic hardship. The County should hold off on the Victoria projects while it learns from Santa Rosa.

6. The disregard of local zoning law is a violation and a betrayal of trust in our government not only because the placement of utility scale solar power generation less than a half mile from our home but also because it is being done in the absence of public infrastructure that keeps us safe, like fire hydrants. Most of the Manor Stone Drive neighbors and non-abutting Signal Tree Lane neighbors had no idea that a 2 megawatt solar farm was approved and being installed. This is an egregious lack of transparency that must be rectified. Everyone in at least a half mile radius

will be affected by these installations; and a great many more will be affected if the ground water is contaminated by leaching of the toxic metals in the electrical connections and solar panels due to storm damage and aging. Moreover, it is an unfair burden on us to co-locate the Victoria and Santa Rosa projects, tripling our risk of negative impacts with no processes or recourse for recovering damages when they eventually happen.

7. Chaberton was not able to overcome issues raised during their PSC application process which emphasizes environmental impacts and enables public dissent. So now Chaberton seeks to avoid PSC accountability by dividing the former Project Victoria into 2 separate projects of ≤ 2 megawatt projects. This is also unacceptable and should not be permitted. Anne Arundel County has a "ten-mile rule" designed to prevent damage due to over-concentration of solar projects in rural areas in which solar facility (both community and utility-scale) may not be located within 10 miles of another solar energy generating facility. Montgomery County should have such a rule to protect us from unscrupulous solar developers and corrupt politicians. In our opposition to the PSC project #9770, we drafted a Petition against the project and 96 neighbors and concerned citizens signed it. Another neighbor (Ben Mohaved) recently submitted the petition to the M-NCPPC so that it becomes a part of the record for the current process.

8. If these applications are approved, you will be violating our rights, needlessly putting at us elevated risk, and we (us and our neighbors, Montgomery County, and Maryland) will all suffer for it. We and our neighbors aren't getting the protections we are due as homeowners in a suburban neighborhood. According to Montgomery County Code 7.3.1 Section E, we are entitled to protection from the Chaberton Solar Victoria applications, which are supposed to meet the following criteria:

E.1.d. **is harmonious with and will not alter the character of the surrounding neighborhood** in a manner inconsistent with the plan;

E.1.e. **will not increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area;**

E.1.f. **will be served by adequate public services and facilities including** schools, police and **fire protection, water**, sanitary sewer, public roads, **storm drainage**, and other public facilities.

E.1.g. **will not cause undue harm to the neighborhood** as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:

i. **the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;**

ii. **traffic, noise, odors, dust**, illumination, or a lack of parking; or

iii. **the health, safety, or welfare of neighboring residents, visitors, or employees.**

E.2. **Any structure to be constructed**, reconstructed, or altered **under a conditional use must be compatible with the character of the residential neighborhood.**

How can state and local government expect anyone to want to invest in a beautiful rural property for an agricultural business or personal residence in Maryland when they will be open to being victimized by this short-sighted energy policy? How do you expect to be able to maintain or increase economic growth, which requires the recruiting of top talent to Maryland and to Montgomery County, when property owners homes and properties are threatened by the potential for utility-scale solar power generation next door. How do you expect to retain retirees under these circumstances? How do you expect farmers to stay here or locate here when they cannot compete on land rent with solar developers? How do you expect the local food supply to remain safe if you allow the water supply to be needlessly contaminated? How do you expect to keep residents and taxpayers safe when dangerous solar arrays are placed alongside residential neighborhoods without adequate safety infrastructure? How will these solar farms be connected to unstable rural grids that require millions, if not billions, in infrastructure upgrades in order to safely handle the electrical loads that will be generated? Zoning law is important for many reasons. Just because you can ignore it in the current legislative reality, doesn't mean you should!

What will come next? We are being forced to pay for the electrical grid infrastructure necessary to collect the solar harvest from Projects Santa Rosa and Victoria and deliver it to distant lower income urban areas. In this version of the community solar concept, our neighborhood gets all of the disruption, increased costs, material losses, and elevated risks, while receiving none of the benefit. Last year the PSC allowed PEPCO to add a new charge to our electrical energy bills starting in January which nearly doubled with the addition of an "energy delivery" fee on top of paying by the kilowatt hour for the energy we used.

Why aren't these solar arrays being placed on parking lots, building tops, utility corridors, and industrial brown field sites? Because it is cheaper to place them on land that is already cleared and accessible absent structures. Because investors make more money if construction costs are minimized. Nevermind that people would love to walk out to a cooler car in the Walmart parking lot during on hot summer days. Arizona taxpayers apparently love the parking lot solar arrays. The landlord in my company's commercial building in Rockville put in solar panels over the parking lot several years ago; the installation was affordable, decreased energy costs of the building, and the tenants loved it! It is an obscene farce that investors and developers have managed to turn a well-intentioned Federal green energy incentive into a solar free-for-all gold rush and race to destroy the environment, leaving the local neighbors and taxpayers footing the bill while out of state investors harvest the cash and exit the operation to escape any liability and eventual site clean-up and restoration at the end of the solar panel life cycle (20-30 years). This is exactly what happened for Project Santa Rosa located at 13330 Signal Tree Lane, Potomac, MD 20854. Before Santa Rosa was even finished with construction, Chaberton sold it to Blue Sky LLC, an investment company located in Colorado.

I'd like to know how an injured homeowner, or even the county or the state, can hold Chaberton and/or the current owner of Project Santa Rosa accountable for damages caused directly or indirectly by the solar array. Let's say a connector for a solar panel starts a fire in the overgrown dried grass that will be present in mid-August to mid-September and starts a fire at the back of Project Santa Rosa. There will be a lot of highly flammable dried vegetation at that time of year

(whether during drought or not) and the fire will burn very hot and spread very quickly. Because it's not a manned site, nobody will know about it until the fire has grown beyond the point where it can be controlled. On top of that, the closest fire station is at least 20 minutes away and there are no fire hydrants except for a single spout connected to a 30,000 gallon water tank buried at the entrance to the array. By the time fire fighters arrive, the fire will be out of control. This is what happened in the Maui Fire that destroyed Lahaina, HI and killed 102 people in 2023 and the Camp Fire that destroyed Paradise, CA and killed 85 people in 2018. There are over 250 people living within a quarter mile radius of Project Santa Rosa with no fire-fighting infrastructure or accessible public water supply available. We are not comfortable with the elevated fire risk posed by Project Santa Rosa. It is grossly unfair to triple our risk by adding the Victoria Projects.

Maryland's own consultants recommended NOT to allow solar farms on rural and agricultural lands. Yet the Maryland legislature and governor enacted SB931 enabling 5% of the agricultural reserve to be gobbled up by solar arrays. It's a tremendous betrayal of earlier generations who tried to preserve agricultural land for future generations and food stability in Montgomery County. But they can't really do that, at least not quickly, because the electrical grid in rural areas was never designed to harvest large amounts of electricity and transfer it back into more populated areas. The rural grid grew organically over decades to deliver small amounts of power outward as more and more land was farmed and populated. Billions of dollars will need to be spent over many years in order to upgrade the grid to handle these new loads.

Where will we be in 30 years? Dying of toxic metal poisoning and choking on wildfire ash, viewing rows and rows of solar panels and burn scars from wildfires dotting the landscape, sick and dying animals and vegetation everywhere, unable to feed ourselves with local food production, children suffering from higher cancer rates, developmental delays caused by lead and other terrible health effects, fearing for our grandchildren's survival and future. It is easy to envision the type of futuristic hellscape that this type of short-sighted energy policy can produce – Flint, Michigan, Cancer Alley in Louisiana, Love Canal, the Hudson River, the Valley of the Drums are real possibilities. We hope it won't actually be that bad, but don't doubt that there will be horrific real-life examples of this abject failure to guard the environment and public health right here in Montgomery County, Maryland. We probably won't live to see it but we want, and we deserve, better for our children and our grandchildren and all of those who come after.

How did we get here? Simple – good intentions warped by greed and corruption. The Federal green energy incentives are having unintended consequences. Who wouldn't want to stimulate economic growth, add jobs, and grow wealth, at the same time as clean energy is employed to address our growing energy needs, mitigate climate change, and diminish reliance on fossil fuels? We are all for it. But important details and safeguards were left out. Maximizing return on investment (ROI) for investors is the real priority, not clean energy or economic prosperity for all. The expected ROI from solar farm development on rural land is apparently enormous compared to other locations. The power companies that build and maintain the electrical grid must by law accept power fed back into the system. This was put in place for the homeowner who put solar panels on the roof and wanted to sell excess power back to the power company. No problem. But now we have large utility-scale developers trying to take advantage, forcing the power

companies to provide grid infrastructure and pay for solar kilowatts at pre-negotiated and excessively high prices, which are already being passed on to us and our neighbors. This is why Project Santa Rosa, a 1.75 megawatt solar farm by Chaberton that is contiguous with Project Victoria, now going on 4 years of construction, is still not online, yet Chaberton is wants to move forward with the Victoria projects. The county should not allow this until it is clear that: 1) the power can be utilized by an upgraded grid and 2) safety concerns and public infrastructure deficits have been addressed.

We implore the voting members of the board and the staff to consider these points when considering the Victoria projects and any other solar farm projects in the County. We support solar energy development, but it must be done carefully and thoughtfully, despoiling as little living land and disrupting and endangering as few residents lives as possible.

Sincerely,
Aprile & Bruce Clayton

Suggested corrective legislation for SB931:

1. Improve transparency of these projects by requiring solar developers to notify all residents within a 0.5 mile radius of their projects, not just the abutting neighbors.
2. Require that the local electrical grid must be updated and able to safely handle the power generated by the solar farm BEFORE construction starts on the solar farm.
3. Require all new commercial buildings to be structurally able to support solar panels on the roof
4. Require that a portion of all new parking lots of a certain size to be covered by solar panels and pay for embedded electrical grid connectivity to handle some minimum of on-site solar power generation
5. Require all new commercial development and industrial sites to pay for embedded electrical grid connectivity to handle some minimum of on-site solar power generation
6. Require all data centers to generate at least 50% of their power on site through green energy
7. Require solar developers to develop some minimum acreage of solar power on parking lots, building roofs, utility corridors, and/or brown field sites and/or at least 50% of their developments on a per acre basis on these non-agricultural and non-rural cluster sites.

From: [Ginny Barnes](#)
To: [MCP-Chair](#)
Subject: Fwd: Chaberton Agenda items
Date: Tuesday, January 27, 2026 2:16:22 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

wow ! I was too hasty in sending and substituted my name for WMCCA corrected below
...sorry.....Ginny

----- Forwarded Message -----

Subject:Chaberton Agenda items
Date:Tue, 27 Jan 2026 12:14:23 -0500
From:Ginny Barnes <[REDACTED]>
To:MCP-Chair@mncppc-mc.org <MCP-Chair@mncppc-mc.org>
CC:ginny barnes <[REDACTED]>

Dear Chair Harris -

Having just learned from neighbors of the impact these projects will have on them based on a previous solar installation, WMCCA supports their concerns and objections. The terms of the Forest Conservation Plan, while laudable are too minimal to protect water quality from stormwater runoff. We believe these projects do not belong on the sites intended. We plan to testify at the hearing on January 29th.

Sincerely,

Ginny Barnes, *Environmental Chair*
West Montgomery County Citizens Association
www.wmcca.org
[REDACTED]

From: [Francoise Carrier](#)
To: [MCP-Chair](#)
Cc: [Tyler Richards](#)
Subject: FW: [EXTERNAL]Chaberton Solar Victoria LLC & Chaberton Solar Victoria II LLC 1-29-26 PB Presentation Materials
Date: Tuesday, January 27, 2026 5:30:28 PM
Attachments: [image001.png](#)
[image002.png](#)
[Victoria II Planning Board Hearing Presentation 1-29-2026.pptx](#)
[Victoria Planning Board Hearing Presentation 1-29-2026.pptx](#)
[Victoria Planning Board Hearing Presentation 1-29-2026.pdf](#)
[Victoria II Planning Board Hearing Presentation 1-29-2026.pdf](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello. Please find attached materials that the applicant will use for the Items 6 and 7 on this week's agenda.

Thanks,

Françoise

Françoise M. Carrier
BBS&G Attorneys
Mobile: 240-428-4671

From: Tyler Richards <tyler.richards@chaberton.com>
Sent: Tuesday, January 27, 2026 5:00 PM
To: tsaiquan.gatling@montgomeryplanning.org; Adam.Bossi@montgomeryplanning.org; Stephanie.Dickel@montgomeryplanning.org
Cc: Francoise Carrier <fcarrier@bregmanlaw.com>; Mike Doniger <Mike.Doniger@chaberton.com>; Amee Bearne <amee.bearne@chaberton.com>
Subject: [EXTERNAL]Chaberton Solar Victoria LLC & Chaberton Solar Victoria II LLC 1-29-26 PB Presentation Materials

Hi Montgomery County team,

I have attached both the slide deck and PDF versions of the presentations for Chaberton Solar Victoria LLC and Chaberton Solar Victoria II LLC for the January 29, 2026 Planning Board meeting.

Please let me know if you have any questions or encounter any issues accessing the materials.

Thank You,

Tyler Richards
Senior Development Manager
Chaberton Energy



Phone [443.914.4100](tel:443.914.4100) | **Mobile** [304.886.8809](tel:304.886.8809)

Website www.chaberton.com | **Email** Tyler.Richards@chaberton.com

Address [1700 Rockville Pike, Suite 305, Rockville, MD 20852](#)



CAUTION: This email originated from outside of Bregman Law. Do not click links or open attachments unless you recognize the sender and know the content is safe.



CHABERTON SOLAR VICTORIA II LLC

Montgomery County Planning Board
Mandatory Referral Hearing

January 29, 2026



MARYLAND'S LEADING COMMUNITY SOLAR DEVELOPER

At Chaberton Energy, we're powering communities with local energy that saves residents money, improves grid reliability, and delivers economic benefits to the areas we serve.

**Inc.
5000**
2024 & 2025

**Inc.
Best in
Business**
2024



Public benefit corporation headquartered in **Rockville**



Two-time **Inc. 5000** awardee, #34 in 2024 and #53 in 2025



200MW+ of distributed energy in development in Maryland



Through Chaberton Cares, **more than \$185K** donated to nonprofits local to our projects



Completed development on **100MW+**



80+ projects in development nationwide, with a **1.2GW+** pipeline

Chaberton Energy is a public benefit corporation developing community-scale energy projects, with a focus on distributed solar and battery energy storage.

PROJECT SUMMARY

Project Name:	Chaberton Solar Victoria II
Address:	15220 River Road, Germantown, MD 20874
Access:	River Road
Map Identifier:	06-00400535
Landowner:	Pilkerton Family LLC
Parcel Size:	42.04 acres
Premises:	11 acres
System Size:	1.96 MW _{DC}
Grid export limit:	1.25 MW _{AC}
Year 1 Estimated Production:	2,782 MWh
Homes served	~175



Project Victoria II

IDEAL SITE FOR A COMMUNITY SOLAR PROJECT



Proximity to 3-Phase Powerlines with Open Capacity

The site is located adjacent to existing three-phase circuit with adequate capacity to interconnect the project without major material upgrades. All utility interconnection studies are complete.



No Negative Environmental Impact

The project has been reviewed by Montgomery County and Maryland Department of the Environment staff. The proposed solar facility is outside of wetlands, wetland buffers, and forest conservation areas, and no impacts to threatened and endangered species were identified.



Gentle Slope

Most of the project area has southern facing slopes with less than 15% grade making it an ideal location as only minimal grading will be required.



Screening

Current site conditions provide partial screening. Additional screening is included in the design incorporating input from neighbors and the new Renewable Energy Certainty Act (“RECA”) requirements to provide a minimum 35-foot landscape screening buffer. The landscape design incorporates the topography of the site as well as augmenting the existing vegetation.



COMMUNITY FEEDBACK SHAPING THE PROJECT

Jun/Jul 2024	Initial outreach to 25 neighbors by first-class mail including invitation to a community meeting
7/17/2024	Community meeting at Thomas Farm Community Center ; ~15 community members attended
7/23/2024	Follow-up email sent to neighbors with additional information requested during community meeting
Fall 2024 thru Spring 2025	Additional meetings and conversations with individual neighbors
June 2025	Certified mail sent to 25 neighbors, and additional neighbors emailed with detailed update on permitting process and design changes incorporated based on neighbor input
Fall 2025	Additional meetings and conversations with individual neighbors including an on-site meeting
12/5/2025	Letters sent to neighbors by 3 rd -party engineering firm in compliance with Mandatory Referral process
12/26/2025	Voluntarily completed underground diligence at suggestion of a neighbor
1/20/2026	Email to neighbors offering to meet with anyone with questions ahead of today's hearing

Consistently seek community input and remain open to further adapting the design.

COMMUNITY FEEDBACK SHAPING THE PROJECT

Intentional use of topography, landscaping and privacy fences for visual aesthetics

We actively engage with neighboring property owners, carefully consider their input, and seek to incorporate design changes where practical.

Based on neighbor feedback, the project layout was revised to provide more than 3x the required 150-foot residential setbacks and add an 8-foot privacy fence in the western portion.

This was done due to the topography on the western side which includes a valley that runs roughly along the parcel boundary, meaning vegetation planted there would not impact the visual aesthetic for many years. Positioning the array higher on the slope allows for more effective and faster visual screening.

To accommodate this, the project was reduced by ~250 kW.



Project Victoria II

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COMMUNITY FEEDBACK SHAPING THE PROJECT

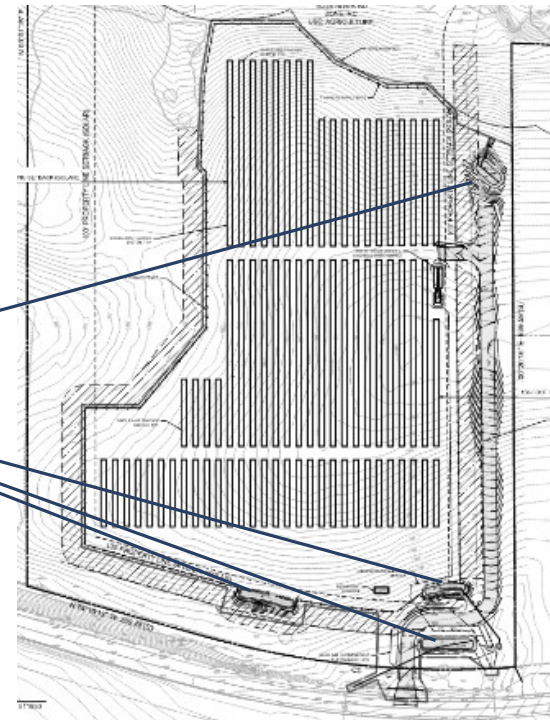
Detailed stormwater management design

Stormwater management for Victoria II project is designed to match pre-development runoff conditions, prevent erosion, protect water quality, and provide long-term site stability in compliance with State and County standards.



Example Micro-Bio Retention Facility

These designs will be finalized over the coming months following review and approval of the County.



Project Victoria II

Consistently seek community input and remain open to further adapting the design.

MEET OR EXCEED ALL LAND USE REQUIREMENTS

- The Site is zoned within Montgomery County as RC (Rural Cluster).
- The Project also complies with Montgomery County's RC zone requirements, where CSEGS is a permitted limited use.
- Project Victoria II is designed to meet the minimum siting standards required under RECA (PUA §7-218), with important elements, like 2-3x the minimum residential structure setback for several of the Project neighbors, exceeding the minimum requirements.

RECA (PUA § 7-218) Key Requirements

<input checked="" type="checkbox"/>	Min. 150 ft residential structure setback
<input checked="" type="checkbox"/>	Min. 100 ft property line setback
<input checked="" type="checkbox"/>	Max. 20 ft non-barbed fencing
<input checked="" type="checkbox"/>	Max. 35 ft wide landscape buffer or >50 ft existing forest
<input checked="" type="checkbox"/>	Multilayered landscaping buffer w/mix of deciduous and evergreen vegetation, min. 4 ft tall
<input checked="" type="checkbox"/>	No lights, except for safety, emergency, or as otherwise required by law
<input checked="" type="checkbox"/>	Average height of system under 15 ft
<input checked="" type="checkbox"/>	Landscaping bond to be held by Montgomery County
<input checked="" type="checkbox"/>	Decommissioning bond to be held by Public Service Commission.

LEARNINGS APPLIED FROM SANTA ROSA PROJECT

Construction largely complete pending PEPCO interconnection



Top of 8' fence is only part of project visible from road; understand landowner intends to plant decorative ivy (black cover will be removed) making it blend in further.

“Earth”-mounted technology chosen for Santa Rosa based on neighbor feedback – eliminates nearly all the traditional steel racking. A robot cleans the panels each evening.



Innovative solar technology enables powering ~200 homes from only 4 acres.



LEARNINGS APPLIED FROM SANTA ROSA PROJECT

Project Victoria II differs from Project Santa Rosa

Technology: The Santa Rosa project uses an innovative technology that represents a first of its kind deployment in Maryland. **Victoria II uses established ‘single axis tracker’ technology.**

Construction Timing: With newer technology, there is often a learning curve in the installation period. While we expected no more than 3 months of construction, the construction period lasted ~5 months with most activity occurring from May to September 2025. **Anticipate 8-10 months of active construction for Victoria II.**

Traffic / Parking: As the Santa Rosa project is located in a backyard, delivery trucks at times briefly obstructed the narrow road. **At Victoria II, ample space exists on the property. All parking and deliveries – including turning trucks around – will occur on site.**

Storm Water Management: Given the Erthos design, extensive SWM facilities are in place for SWM control. **Victoria II will also have a detailed SWM design reviewed and approved by County staff.**

Underground Lines: Unfortunately, a Verizon line not located by Miss Utility was damaged during construction of Santa Rosa. **Our contractors follow all best practices including calling Miss Utility and conducting ground penetrating radar and/or test digs where appropriate.**

Aesthetics: We selected the Erthos system for Santa Rosa based on the small site and neighbor desires to minimize the aesthetic impact. The ‘earth mounted’ panels are the lowest profile of any solar technology. As one neighbor described, the panels look like a swimming pool. **Victoria II has adequate space to use a combination of setbacks, privacy fencing, and augmenting existing / adding new 35’ depth of vegetation to minimize visual impacts.**

Neighbor feedback is very important and actively integrated in our projects.

PROJECT VICTORIA II BENEFITS THE COMMUNITY

Consumer Savings:

- Cumulative savings for Pepco customers of over \$3.4 million over life of the Project. Average annual savings of \$227 to \$566 per subscriber based on income

Local Benefits:

- Over \$500k tax revenue to Montgomery County over the life of the project
- Anticipate no cost to county (e.g. schools, water, sewer, etc)
- Installation of 30,000 gallon-cistern outside entrance project for use by fire department (benefits entire area)

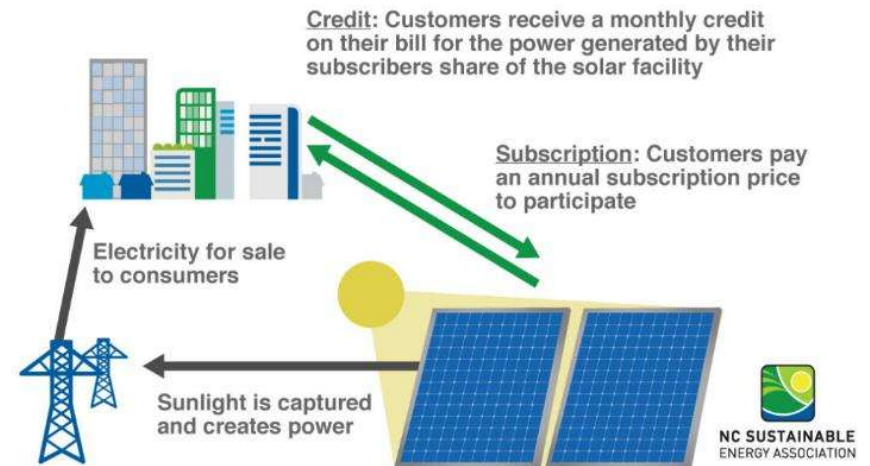
State Benefits:

- Nearly \$1 million tax revenue to State of Maryland over the life of the project

Available Household Subscriptions:

Victoria II

- Total subscribers: ~175 households
- Minimum low-to-moderate income: ~70 households



Project benefits the State, County, and local community.

PROJECT VICTORIA II BENEFITS THE COMMUNITY

Committed to keeping the economic and environmental benefits in Montgomery County

- Priority access for **low-to-moderate income** subscriptions to Victoria II will be provided to **Montgomery County affordable housing organizations and their tenants**
- Neighbors also have priority access to subscriptions
- Our Chaberton Cares initiative provides \$5,000 / MW_{AC} for each project we develop
- **\$6,250 commitment for Project Victoria II:**
 - \$1,250 already provided to **Habitat for Humanity Metro Maryland's Neighborhood Engagement Program**
 - Exploring options for additional \$5,000



Chaberton has donated >\$20k in Montgomery County; >\$40k additional planned in 2026-27.

THANK YOU!

Mike Doniger

January 29, 2026





CHABERTON SOLAR VICTORIA LLC

Montgomery County Planning Board
Mandatory Referral Hearing

January 29, 2026



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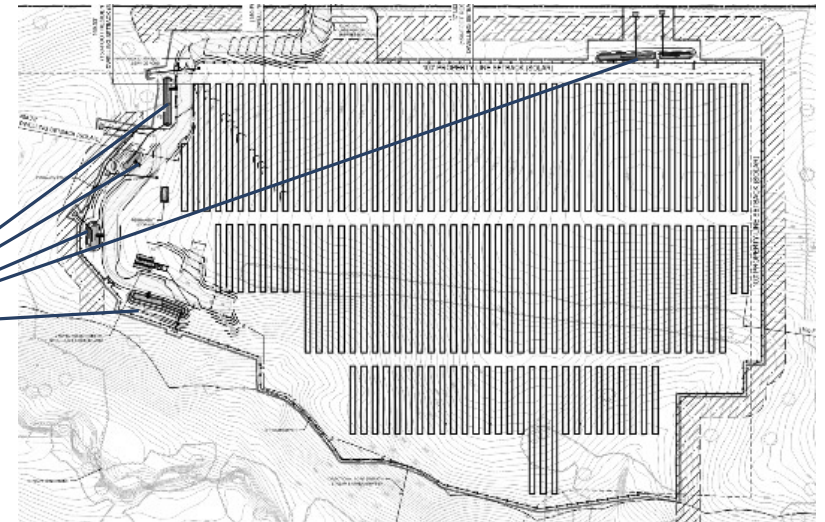
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- Cumulative savings for Pepco customers of over \$5.5 million over life of the project
- Average annual savings of \$227 to \$566 per subscriber based on income

Local Benefits:

- Over \$768k tax revenue to Montgomery County over the life of the project
- Anticipate no cost to county (e.g. schools, water, sewer, etc)
- Installation of 30,000-gallon cistern outside entrance to the project for use by fire department (benefits entire area)

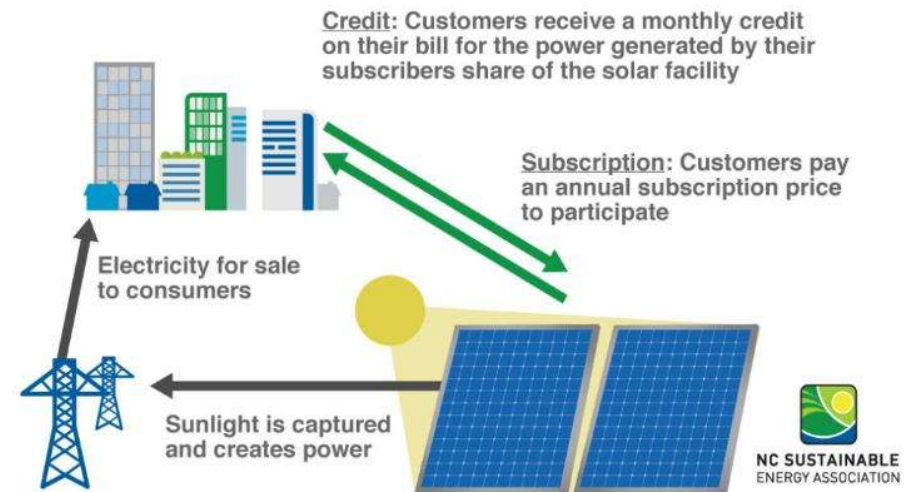
State Benefits:

- Over \$1.6 million tax revenue to State of Maryland over the life of the project

Available Household Subscriptions:

Victoria

- Total subscribers: ~300 households
- Minimum low-to-moderate income: ~120 households



Project benefits the State, County, and local community.

PROJECT VICTORIA BENEFITS THE COMMUNITY

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- Priority access for **low-to-moderate income** subscriptions to Victoria will be provided to **Montgomery County affordable housing organizations and their tenants**
- Neighbors also have priority access to subscriptions
- Our Chaberton Cares initiative provides \$5,000 / MW_{AC} for each project we develop
- **\$10,000 commitment for Project Victoria:**
 - \$2,000 already provided to **St. Marks United Methodist Church in Boyds** toward solving structural problems with Maryland historical register listed church building
 - Exploring options for additional \$8,000

Chaberton donated 100+ service hours to help build the urban community farm and design the PV system at MCPS's first resiliency hub at A. Mario Loiederman Middle School in Wheaton.



Chaberton has donated >\$20k in Montgomery County; >\$40k additional planned in 2026-27.

THANK YOU!

Mike Doniger

January 29, 2026



From: [Gatling, Tsaiquan](#)
To: [MCP-Chair; Francoise Carrier](#)
Cc: [Bossi, Adam; Dickel, Stephanie; Hisel-McCoy, Elza](#)
Subject: FW:
Date: Tuesday, January 27, 2026 10:15:31 PM

Tsaiquan Gatling

Planner III, West County Planning

Montgomery County Planning Department
2425 Reddie Drive, Wheaton, MD 20902
Tsaiquan.Gatling@montgomeryplanning.org
p: 301.495.2116

From: Belissa Rojas <[REDACTED]>
Sent: Tuesday, January 27, 2026 7:32 PM
To: Gatling, Tsaiquan <tsaiquan.gatling@montgomeryplanning.org>
Subject:

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Mr. Gaitling,

This is to state my full support to Mrs. Allison Fultz email as many of us from Brookdale neighborhood have recently received a copy of the proposed Forest Conservation Plan for Plan Number #F20260070 from MHG, apparently the engineering consultant that prepared it.

Recognizing that much about the process surrounding review of the Friendship Commons preliminary plan is a departure from the typical Planning Board review sequence, I was surprised to receive a proposed Forest Conservation Plan wholly without the context of a site development proposal.

The Forest Conservation Plan is accordingly premature. There is no imminent development that requires the removal of trees, and several of the trees shown on the plan as proposed for removal are significant shade trees.

In addition, the relevant starting point for forest conservation on the GEICO property is the Natural Resources Inventory/Forest Stand Delineation that was prepared in conjunction with the original Preliminary Plan approval in 1999-2000. GEICO has failed to preserve a number of the trees shown on that plan and has not replaced them.

Given the importance of Brookdale Park and expansion of the buffer between Western and Willard as part of the broader Friendship Heights Sector Plan process, consideration of any forest conservation proposal that does anything other than preserve the status quo (or, better, seeks to restore trees that have been lost in the

last nearly 30 years) is highly premature.

I also urge the Planning Board to suspend consideration of the currently proposed Forest Conservation Plan until a credible development proposal for some or all of the GEICO site is before it.

With gratitude,

Belissa Rojas

