

From: [Sokoni, Khandikile Mvunga](#)
To: [Beall, Mark](#); [Butler, Patrick](#); [Vaias, Emily](#); [Yearwood, Nikosi](#)
Cc: [Beall, Mark](#); [Butler, Patrick](#); [Yearwood, Nikosi](#); [Vaias, Emily](#); [Johnson, Nana](#); [Guisao-Ospina, Jony](#); [Soo Lee-Cho](#)
Subject: RE: CU 25-07 - Davis Hill Development , LLC
Date: Friday, July 18, 2025 12:28:59 PM
Attachments: [image001.png](#)
[Exhibit-21-DawnLetter.pdf](#)

Good Afternoon Mark,

Thank you for the Staff Report which contains very helpful analysis. In reviewing the report alongside the application materials, I would greatly appreciate Planning Staff's thoughts/clarifications on the following points:

Community Letters:

I am forwarding a community letter that was received by OZAH on July 15, 2025 for your information. This letter has been posted to the hearing website as Exhibit 21. Since Planning staff would not have seen it at the time you prepared your report, please feel free to provide any comments you may have.

Staff Report page 3

Condition #3 contains a requirement that "A copy of the approved Conditional Use Plan, along with any subsequent amendments, must be on site at all times."

However, it is noted at page 8 that "*The facility will be unmanned Solar Collection System with occasional visits for maintenance purposes.*"

Are you able to kindly shed some light on the rationale behind that part of Condition 3 and whether there is a way to accomplish the goal given the practical limitations of the facility being unmanned.

Staff Report page 12

An expansion/clarification of the environmental analysis at page 12 would be greatly appreciated.

Staff Report page 13.

Regarding the finding under Sect. 59.3.7.2.B.2 that the solar collection system is compliant with the requirements of the State's net metering program under Maryland Code §7-306, COMAR 20.50.10, and COMAR 20.62. Are you able to confirm if the applicant has demonstrated this compliance in writing?

Staff Report pages 6 & 16

Page 6 of the Report states that "*If approved, this will be the only Solar Collection System within the general area and therefore will not overburden the neighborhood with Conditional Uses or specifically Solar Collection Systems.*"

At page 16 the Report states: "*There are two previously approved Conditional Uses for Solar Collection Systems, making this Application the third project. Cumulatively, the three total 31.6 acres of Conditional Use are and 19.95 acres of fenced in solar arrays, well under the 1,800 acres of land.*"

Is it possible to set out the locations, conditional use case numbers, approval dates and acreage for each previously approved solar facility currently located in the AR Zone?

Report page 18

Regarding the **(6)Signage 59.6.7** finding will the site contain an emergency contact sign? If so, do we have a sign size (square footage) and location?

Report pages 18-19

Regarding the Sect. 59.7.3.1.E.c.) required finding that the Conditional Use "...*substantially conforms with the recommendations of the applicable master plan.*"

Are you able to kindly specify how the proposed use conforms with any **Rustic Roads Master Plan recommendations for Barnesville Road?**

Did the Rustic Roads Committee or Town of Barnesville provide any comments that would help inform an analysis on conformance with the AROS Master Plan?

Report pages 19-20

Regarding the required finding under Sect. 59.7.3.1.E. f: "...*will be served by adequate public services and facilities...*"

I may have missed them in the record but are you able to provide the water and sewer categories to serve the proposed use.

Restoration/Obsolescence

Would Staff have any thoughts or concerns on including a condition that addresses restoration such as:

"The Solar Collection system equipment and associated support structures must be removed at the cost of the owner of the Solar Collection System when the Solar Collection system is no longer in use by any energy company for more than 12 months."

Since you already have a condition addressing bonds for construction and maintenance, maybe that bond could be also encompass restoration once the use is retired?

Kind regards,

Khandikile



Khandikile Mvunga Sokoni
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From: Soo Lee-Cho <sleecho@bregmanlaw.com>

Sent: Wednesday, July 16, 2025 2:45 PM

To: Sokoni, Khandikile Mvunga <Khandikile.Sokoni@montgomerycountymd.gov>

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