WHITEFORD, TAYLOR & PRESTON L.L.P.

11/26/13 Wa

JENNIFER R. BUSSE DIRECT LINE (410) 832-2077 DIRECT FAX (410) 339-4027 jbusse@wtplaw.com TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD COLUMBIA, MD FALLS CHURCH, VA TOWSON, MD WASHINGTON, DC WILMINGTON, DE*

<u>WWW.WTPLAW.COM</u> (800) 987-8705

13-428

(800) 987

November 26, 2013

Hand Delivery
Arnold Jablon, Esquire
Director,
Baltimore County Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Re: BGE Notch Cliff Facility

10650 Harford Road, Glen Arm, MD 21057 SDAT Tax Info: Map 62, Parcel 169, Lot 2 9th Election District; 3rd Councilman District

Request for Spirit & Intent Relief

Dear Mr. Jablon:

This office represents Baltimore Gas & Electric with regard to its property located at 10650 Harford Road in Glen Arm, Maryland. The site is utilized as a propane storage and processing facility and is used to supply gas to BGE customers during the peak winter time months; and as such it plays an important role in BGE's ability to ensure reliable service to the area.

The property comprises approximately 17 acres and is zoned RC 7. The property is triangular in shape. To the north of the property is the Gunpowder Falls, to the south and west is a BGE owned Right of Way for overhead transmission lines, and to the east is a 5.27 acre SHA owned parcel.

Attached hereto is a plan to accompany this request which shows the site and contains an aerial photograph of the area. Due to the need to upgrade certain process systems at the facility, BGE needs to install some new equipment at this facility.

The proposed improvements will all be housed within a single, new $24' \times 60'$ building to be located on existing impervious area adjacent to other existing buildings and within the existing fence line. The height of this building is 25' along the front and 31' along the rear. The proposed improvements will not generate any detrimental impacts to the area.

A copy of the zoning history for the site is also attached hereto. Specifically, the Zoning Commissioner granted Special Exception approval in Case No. 4970-X dated June 30, 1960, and then again when various improvements were required on September 13, 1968 in Case No. 69-64-X.

BGE has been advised by Colleen Kelly that a DRC approval would not be required for this project.

We respectfully request your agreement that the installation of this equipment falls within the spirit & intent of the previously granted zoning approvals. Enclosed please find a \$150.00 check as payment for this request. Thank you for your kind consideration of this matter.

Sincerely,

Jennifer R. Busse

Attachments

SPIRIT & INTENT APPROVED:

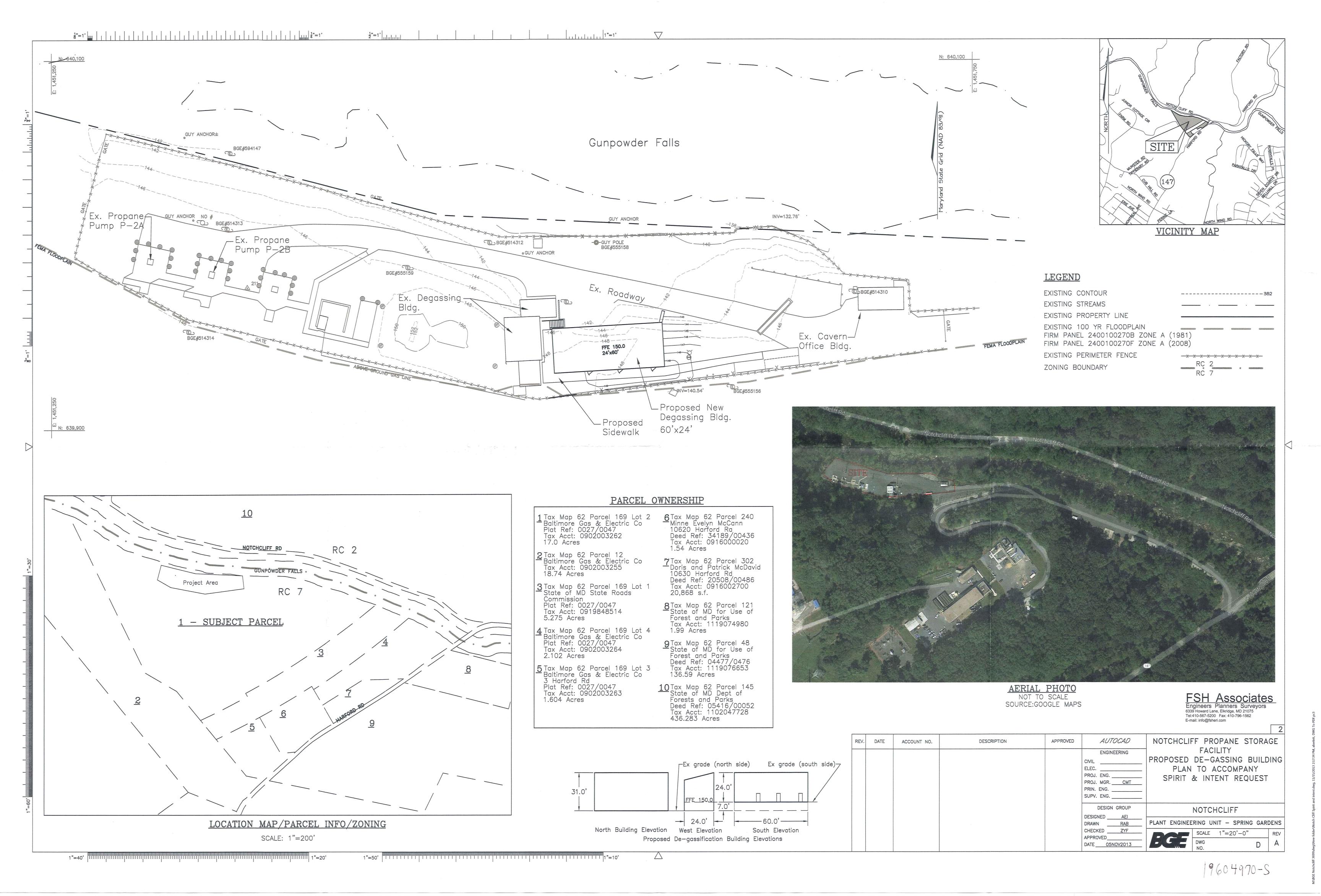
Arnold Jablon, Esq.

Director, Permits, Approvals & Inspections

12/2/13 Date

cc: Carl W. Richards
Collin Tydings
James F. Burkman
Joseph M. Bellew, Esq.
Zacharia Fisch, P.E.
Andy Berlett, P.E.

433457



6/30/60

IN THE MATTER OF THE PETITION OF
THE ARUNDSL COMPORATION AND
BALTIMORE GAS AND ELECTRIC CO.,
At the Intersection of the Northwest side of Harford Road and South Bank;
of Big Cumpowder Falls, 9th Dist.

BEFORE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

No. 4970-X

AMENDED ORDER

This petition for a special exception filed by The Arundel Corporation, owners of the property, and Baltimore Cas and Electric Co., contract purchaser, is located on the northwest side of Harford Road and the south Bank of the Big Gunpowder Falls, for the construction, operation and maintenance of a Stand-By Propane Plant for public utility purposes.

At the time of the hearing there was one protestant, Mr. Fritz
Albrecht of Notch Cliff Road. Mr. John L. Duerr, a representative of the
State Roads Commission was also present and stated he had reason to believe
that the plan submitted for the proposed plant would interfere with the
proposed State Road. It has since come to my attention that the Baltimore
Gas and Electric Co. and the State Roads Commission have resolved any
differences as evidenced by letter addressed to Baltimore Gas and Electric
Co., dated June 27, 1960.

Since the hearing the Zoning Commissioner has been notified that Committee on State Parks, headed by Judge Contrum, were also to meet to decide their position and the effect this proposal would have on the plans for the development of State parks. This Committee has met and passed a Resolution in favor of the proposal.

it is the opinion of the Zoning Commissioner that since this property has a nonobnforming use for quarrying purposes and that the non-conforming use for quarrying purposes will be abandoned in favor of the

Propane gas construction, that this will be an asset to the general public and, therefore, should be granted.

It is this 30% day of June, 1960, by the Zoning Commissioner of Baltimore County, OMDERED that the aforesaid special exception should be and the same is hereby granted, subject, however, to the submission of plans to the Office of Planning of Baltimore County.

Zoning Commissioner of Baltimore County

6/2/60

IN THE MATTER OF THE PUFITION OF THE ATUNDEL CORPORATION AND BULTIMORE CAS AND ELECTRIC CO., At the Intersection of the Northwest side of Harford Road and South Bank of the Big Oumpowder Falls - 9th District

BEFORE

ZONING COMPISSIONER

Œ

BALTINORE COUNTY

No. 4970-X

This patition for a special exception filed by the Arundal Corporation, owners of the property; located on the northwest side of Enford Road and the south Bank of the Big Gunpowder Falls, for the construction, operation and maintenance of a Stand-by Propane Plant for public utility purposes. Common for heavy found, 1960. Of the date hold.

At the time of the hearing there was one protestant, Mr. Fits Albrecht of Notch Cliff Road. Mr. John L. Duerr, a representative of the State Roads Commission was also present and stated he had reason to believe that the plan submitted for the proposed plant would interfere with the proposed State Road.

The Zoning Commissioner took this matter under advisement to give the petitioner an opportunity to meet with the State Roses Commission to see if this problem could be worked out. Jam and advant That they peaks, have been needed their different.

Since the hearing the Zoning Commissioner has been notified that the Committee on State Parks, headed by Judge Contrum, were also to meet to decide their position and the effect this proposal would have on the plans for the development of State parks. This Committee has met and passed a Resolution in Tayor of the proposal and the problems have been worked out with the State Roads Commission.

It is the opinion of the Zoning Commissioner that since this property has a nonconforming use for quarrying purposes will be abendoned in favor of

the Propane gas construction, that this will be an asset to the general public and, therefore, should be granted.

It is this ZZW day of June, 1960, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is bareby granted, subject, however, to the submission of plans to the Office of Planning of Baltimore County, and the State Hoads Commission for approval.

Coning Commissioner
Baltimore County

, ~

PETITION FOR SPECIAL EXCEPTION

Till 3,1960

IN THE MATTER OF

THE APPLICATION OF THE ARUNDEL

2

depone the

CORPORATION, RECORD OWNER, AND

ZONING COMMISSIORER

BALTIHORE GAS AND BLECTRIC COMPANT,

OF BALTIMORE COUNTY

CONTRACT PURCHASER AS TO CHE PARCEL

AND AS CHIER OF THE REMAINING PARCEL

For a Special Exception

To The Zoning Commissioner of Baltimore County

The Arundel Corporation, Record Owner, and Beltimore Gas and Electric Company, Contract Purchaser of a portion of the land involved and ac Owner of the remainder, hereby petition for a Special Exception under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, pursuant to authority granted them by the General Assembly of Maryland, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Exception for Public Utility Purposes to use the land (and improvements now or to be erected thereon) hereinafter described for the construction, operation and maintenance of a stand-by propene plant, including a controlled excavation for the underground storage of propene and the construction of surface buildings and structures, all as more particularly located and described on the plat and list of structures attached hereto, made a part hereof and designated as Petitioner's Exhibits A and B. The land in question is located in the Minth Election District of Beltimore County and lies southerly and southwesterly of the intersection of Sumpowder Falls and Harford Road, being more particularly described as follows:

Beginning for the same at the intersection of the northwest side of Harford Road and the south bank of the Big Gunpowder Falls, running thence on the northwest side of Harford Road southwesterly 462 feet, more or less, thence leaving the northwest side of Harford Road and running North 65 degrees 04 minutes West 106.10 feet, South 36 degrees 27 minutes West 193.25 feet, North 30

degrees 06 minutes West 100.00 feet, South 59 degrees 5h minutes West 371.30 feet, South 30 degrees 06 minutes East 172.30 feet, South 86 degrees 50 minutes East 87.57 feet to the northwest side of Harford Road, thence on the northwest side of Harford Road southwesterly 130 feet, more or less, thence leaving the northwest side of Harford Road South 77 degrees 15 minutes 10 seconds East 185.00 feet, North 10 degrees 00 minutes 10 seconds West 3132 feet, more or less, and South 54 degrees 32 minutes 10 seconds East 528.00 feet to the southermost bank of the Big Gunpowder Falls, thence binding on the southermost bank of the Big Gunpowder Falls southeasterly and easterly 35h0 feet, more or less, to the place of beginning.

Containing his? scres of land, more or less.

THE ARUNDEL CORPORATION (Record Owner)

President

John Grason Turnbull. 305 W. Chesapsake Avenue

Towers - Ly Karyland

William Barter

Wilser H. Driver 1707 Lexington Building Baltimore - I, Maryland

Attorneys for The Arundel Corporation and Baltimore Cas and Electric Company BALTIMORE GAS AND ELECTRIC COMPANY (Contract Purchaser as to a portion of said property and as Owner of the resainder)

VinesPresident

FEATBIT B LIST OF STRUCTURES

Aut of the

Item	Description	Length	nidth	Height
A	1 Air Compressor Building	1451	451	36+
B	1 Air Dehydrator Building	391	351	301
Ċ	2 Compressor Water Coolers	337	271	13,
D	4 Cylindrical Compressor Water Meat Exchangers -	23*	21	81
È	1 Cylindrical Water Supply Tank	•	101	341
F	1 Cylindrical Air Receiver	3/1 2	101	12#
0	2 Cylindrical Air Filters	•	3°	8*
Ħ	1 Regeneration Air Cooler	7.51	61	12'
1	1 Oylindrical Antifreese Tank	121	h*	5*
J	2 Cylindrical Vaporisers	23*	9.51	271
K	1 Operator's Shelter	<u> </u>	14	161
- L	1 Cylindrical Entrainment Separator		91	151
Ħ	1 Cylindrical Regeneration Air Heater		<u> </u>	271
N	1 Stack		4.51	371
0	3 Truck Unloading Compressors	5.51	2 *	31
þ	1 Loading Shaft		3.51	6*
Q	3 Pump Shafts		The	61
R	1 Electrical Rack Shelter	17*	9#	12.5
s	1 Cylindrical Water Flash Drum		7*	20°
I	1 Cylindrical Water Separator	18:	7*	91
v	2 Pump Lifting Frames	161	16*	361
¥	2 Power Supply Transformers	291	9*	121
*	5 Power Line Supports	11.	2+	14*
	Chain Link Feace approximately enclosing the improvements on the property as shown on the attached plat.			91

Improved Roads as shown on the attached plat.

I Excavation for Propose Storage - Approximately one acre floor area and 400 feet underground

CEU:ml 5-2-60

E. F. RAPHEL & ASSOCIATES Registered Land Surveyors 201 COURTLAND AVENUE TOWSON 4, MARYLAND

OFFICE VALLEY 8-3908

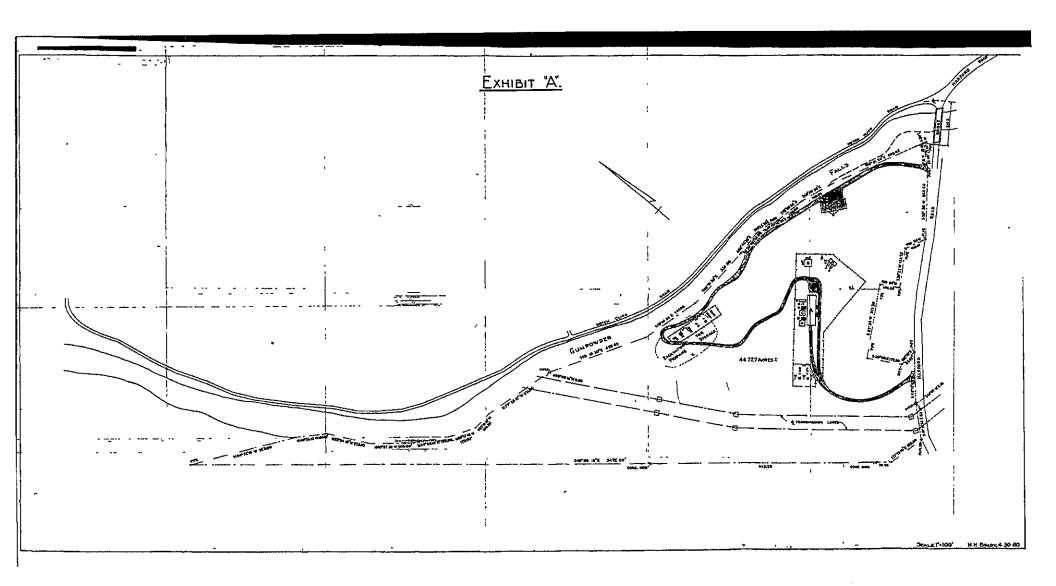
April 30, 2960

RESIDENCE. COCKEYSVILLE 1086W

Description to accompany zoning petition

BEGINNING for the same at the intersection of the northwest side of Harford Road and the south bank of the Big Gunpowder Falls, running thence on the northwest side of Harford Road southwesterly 462 feet, more or less, thence leaving the northwest side of Harford Road and running North 65 degrees 04 minutes West 106.10 feet, South 58 degrees 27 minutes West 193.25 feet, North 30 degrees 06 minutes West 100.00 feet, South 59 degrees 54 minutes West 371.30 feet, South 30 degrees 06 minutes East 172.30 feet, South 86 degrees 50 minutes East 87.47 feet to the northwest side of Harford Road, thence on the northwest side of Harford Road southwesterly 430 feet, more or less, thence leaving the northwest side of Harford Road South 77 degrees 15 minutes 10 seconds East 185.00 feet, North 40 degrees 00 minutes 10 seconds West 3432 feet, more or less, and South 54 degrees 32 minutes 10 seconds East 528.00 feet to the southernmost bank of the Big Gunpowder Falls, thence binding on the southernmost bank of the Big Gunpowder Falls southeasterly and easterly 3540 feet, more or less, to the place of beginning.

CONTAINING The acres of land, more or less.



#4970-XA

IN THE MATTER OF THE PETITION OF THE ARUDEL CORPORATION AND HALTHORS CAS AND ELECTRIC CO., At the Intersection of the North-west side of Harford Road and Sou of Big Composure Falls, 9th Dist.

REFORE ZONING COMMISSIONE

> BALTIMORE COUNTY No. 4970-X

AMENDED ORDER

This petition for a special exception filed by The Arundel Corporation owners of the property, and Baltimore Gas and Electric Co., contract purchaser, is located on the northwest side of Harford Road and the south Bank of the

Big Cumpowder Falls, for the construction, operation and maintenance of a Stand-By Propage Plant for public utility purposes.

At the time of the hearing there was one protestant, Mr. Fritz Albrecht of Notch Cliff Road. Mr. John L. Duerr, a representative of the State Roads Commission was also present and stated he had reason to believe that the plan submitted for the proposed plant would interfere with the proposed State Road. It has since come to my attention that the Baltimore Cas and Electric Co. and the State Roads Commission have resolved any

differences as evidenced by letter addressed to Baltimore Cas and Electric Co., dated June 27, 1960. Since the hearing the Zon'ng Commissioner has been notified that Committee on State Farks, headed by Judge Contrum, were also to meet to decide their position and the effect this proposal would have on the plans for the development of State parks. This Committee has met and passed a Resolution

in favor of the proposal. It is the opinion of the Zoning Commissioner that since this property has a nonconforming use for quarrying purposes and that the nonconforming use for quarrying purposes will be abandoned in favor of the

LIST OF STRUCTURES

Propane gas construction, that this will be am asset to the general public and, therefore, should be granted.

4970-XA

It is this 30 bd. day of Jume, 1960, by the Zoning Commissioner of Baltimore County, OMDERED that the aforesaid special exception should be and the same is wereby granted, subject, however, to the submission of plans to the Office of Planning of Baltimore County.

Zoning Commissioner of Baltimore County

IN THE MATTER OF THE PETITION OF THE ARUNDEL CORPORATION AND BALTIMOPE GAS AND ELECTRIC CO., At the Intersection of the Nort west side of Harford Road and South Bank of the Big Cumpowder Falls - 9th District

TOWNS COMMISSIONER Œ BALTIMORE COUNTY

No. 4970-X

..................

This petition for a special exception filed by the Arundel Corporation, owners of the property, located on the northwest side of Harford Road and the south Bank of the Big Cunpowder Falls, is for the construction, operation and maintenance of a Stand-by Propane Plant for public utility purposes.

At the time of the hearing there was one protestant, Mr. Fritz Albrecht of Notch Cliff Road. Mr. John L. Duerr, a representative of the State Roads Commission was also present and stated he had reason to believe that the plan submitted for the proposec plant would interfere with the proposed State Read.

The Zoning Commissioner took this matter under advisement to give the petitioner an opportunity to meet with the State Roads Commission to see if this problem could be worked out.

Since the hearing the Zoning Commissioner has been notified that the Committee on State Parks, headed by Judge Contrum, were also to meet to decide their position and the affect this proposal would have on the plans for the development of State parks. This Committee has set and passed a Resolution in favor of the proposal and the problems have been worked out with the State Roads Commission.

It is the opinion of the Zoning Commissioner that since this property has a neaconforming use for quartying purposes and that the nonconforming use for quarrying purposes will be abandoned in favor of

the Propane gas construction, that this will be an asset to the general public and, ther fore, should be granted

It is this 27th day of June, 1960, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is hereby granted, subject, however, to the submission of plans to the Office of Planning of Baltimore County and the State Roads Commission for approval.

4970 X PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF

9th

/970-X

Length Width Height

271 131

101 141

W. 101 121

- 31 81

7-51 61 121

12' h'

231 9.51

ha the 161

5.51 21

4. 27

4.5 37

3.51 61

14 61

91 12.5

161 161 361

291 Q1 12

111 21 11.

81

151 91

201

145' 45' 361

391 351 30 THE APPLICATION OF THE ARUNDEL CORPORATION, RECORD CHOICE, AND BATTIMORE GAS AND ELECTRIC COMPANY. CONTRACT PURCHASTR AS TO ONE PARCEL :

OLD MAF REFORE THE ZONING COMISSIONER #9 OF BALTIMORE COUNTY 5/27/60 AND AS CHOICE OF THE REMAINING PARCEL

For a Special Exception

The Arundel Corporation, Record Owner, and Beltimore Gas and

To The Zoning Commissioner of Baltimore County

Electric Company, Contract Purchaser of a portion of the land involved and a Owner of the remainder, hereby petition for a Special Exception under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, pursuant to authority granted them by the General Assembly of Maryland, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Exception for Public Utility Purposes to use the land (and improvements now or to be erected thereon) hereinafter described for the construction, operation and maintenance of a stand-by propane plant, including a controlled excavation for the underground storage of propane and the construction of surface buildings and structures, all as more particularly located and described on the plat and list of structures attached hereto, made a part hereof and designated as Petitioner's Exhibits A and B The land in question is located in the Minth Election District of Baltimore County and lies southerly and southwesterly of the intersection of Gunpowde Falls and Harford Road, being more particularly described as follows:

Beginning for the same at the intersection of the Big Gampoder Falls, running theme on the northwest's side of Harford Hood and the south bank of the Big Gampoder Falls, running theme on the northwest's side of Harford Hood southwesterly 162 feet, more or less, theme learning the northwest side of Harford Road and running Horth 65 degrees of minutes West 105.10 feet, South 55 degrees 27 minutes West 193.25 feet, North 30

- 2 -

5/27/6

Containing bl. 7 acres of land, more or less.

THE ARUNDEL CORPORATION (Record Owner)

4970

BALTIMORE GAS AND ELECTRIC COMPANY (Contract Purchaser as to a portion of said property and as Owner of

Attorneys for The Arundel Corporation and Saltimore Gas and Electric Cor

PROM.

Baltimore County, Maryland COUNTY OFFICE BUILDIN

COMMITTIAN H. KAMI

June 24, 1960

TO: Wilsie H. Adams, Zoning Commissioner

H. B. Staab

Attached is a copy of a letter to Judge Gontrum regarding Special Exception of 44.7 acres of land as proposed by the Baltimore Gas and Electric Company on the northwest side of Harford Road adjoining the south bank of Big Gunpowder

I would appreciate it very much if you would in-clude this in your files, as we wish to go on record in favor of this proposed site for the propane plant.

HBS/Ife

2-5/6XS

Improved Roads as shown on the attached plat. 1 Excavation for Propane Storage - Approximately one acre floor area and hOO feet underground

Item

Description

1 Air Compressor Building

1 Air Debydrator Building

2 Compassor Water Coolers

1 Cylindrical Air Receiver

2 Cylindrical Air Filters

1 Regeneration Air Cooler

J 2 Cylindrical Vanorizers

K 1 Operator's Shelter L 1 Cylindrical Entrainment Separator

N 1 Stack

P 1 Loading Shaft

Q 3 Pump Shafts

1 Cylindrical Antifreeze Tank

M 1 Cylindrical Reseneration Air Heater

0 3 Truck Unloading Compressors

1 Electrical Rack Shelter

S 1 Cultiviries Nator Flash Drus

T 1 Cylindrical Water Separator

2 Power Supply Transformers

Chain Link Fence approximately

2 Pump Lifting Frames

5 Power Line Supports

1 Cylindrical Water Supply Tank

& Cylindrical Compressor Water Heat Exchangers

6/1/60 10: pm. Baltimpre County, Maryland

Courty Engages

COUNTY OFFICE BUILDING
TOWSON 4 MARYLAND
June 24, 1960

The Honorable John B. Gontrum Mt. Vista Road Gles Arm, Maryland

Dear Judge Gostrum:

In January of this year the Baitimore County
Government created, through legislation, the Industrial
Development Commission. The major function of this
Commission is to adopt a progressive program to promote
the economic development of Baitimore County by attracting
additional industries and commerce.

Knowing of your interest, and having great respect for rose plagment regs edge the development of the Big Componder Palls area into a State park. I sen writing at Gas and Electric Company has requested Special Exception for soning of approximately 44.7 acres of land on the northwest side of literford load adjoining the south bank of the Big Compowder Palls. The proposal cells for the excition of a stand-by starting of the proposal cells for the excition of a stand-byst contract of the company of the contract of the company to the company of the contract of the company of the contract of the starting of proposal with acressing excited buildings and structures.

failty convinced that sonsing hearing on this matter and am failty convinced that the erection of this plant would be an asset to this general area eather than a detriment; in fact it would eliminate complicity an area presently used as a dump area, including shacks and a great amount of litter and debris which is certainly not in keeping with the overall area or the devices of your Committee.

Having full conditioned in the integrity of the Gas and Electric Company that this area would be properly landscaped and the general area retained to keeping with the overall coacept of good planning and design, I feel that the general improvement would be most helpful in the work that you and your Committee are trying to do.

Honorable John B. Goatrum Page 2

June 24, 1960

After you have reviewed this soilire matter, I feel that you will agree that the Clea and Electric Company is creating something of good, rather than that which presently nates. However, should you feel there are certain areas of question that you would like to discuss, I would be very glad to go over this matter with you or savone designated by your Committee.

With kindest personal regards, I am

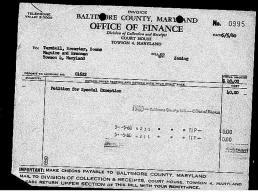
Stacerel

H. B. Staab, Director Industrial Development Commission

HBS/Ifc

c.c. - Mr. R. Brooke Maxwell, Chairman,
Department of Forests and Parks
Mr. William A. Parr, Superintendent of State Parks
Mr. Joseph F. Kajore, Director
Department of Forests and Parks

Thursday, May 12, 1960 9th., Dist. CERTIFICATE OF PUBLICATION BALTIMORE COUNTY, MARYI ND OFFICE OF FINANCE DATE 4/8/60 TOWSON, MD Nay 12 ision of Collection and Receip COURT COUSE THIS IS TO CERTIFY, That the annexed advertisement TOWSON 4, MARYLAND Art and Hernitstony of the Zool Funday, will held a make hear in Rison 164, Compty (iffice Indial), the Compty of the Compty Marvindo (iffice Indial), the Wednesder, Jane 1, 1800 on Wednesder, Jane 1, 1800 to deprint Marking of the Compty to deprint the Compty was published in The COUNTY Paper, Inc., a weekly newsthe Wedgester, reference of the decrease whether or both the Shevida Extrapolate nettlinened for an intervantal school for mannered the attention of the state of paper printed and published in Towson, Baltimore County, 1st day of June publication appearing on the 12th day of May 19 60 Petiti n for special exception - Balto. Gas & Elec. Co. the Northwest sides of Harder University and and running North 52 degrees a stansist West 164, is for North 153 degrees a stansis West 164, is for North 154 degrees at 164, is for North 156 degrees of mission West 166, is for North 156 degrees of mission West 166, is for North 156, The COUNTY Paper, Inc. Aclem 4 Sheldow MPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF CULLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE,



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Desired 9th Base of President Secretary Secret

