

7/24/86
NILES, BARTON & WILMER
ATTORNEYS AT LAW
93 MAIN STREET - P.O. BOX 589
ANNAPOLIS, MARYLAND 21404
301-268-3080
FROM BALTIMORE 200-1810
FROM WASHINGTON 202-1118

July 23, 1986

Malcolm F. Spicer, Esq.
County Attorney
Office of Law
Old Court House - Mezzanine
Towson, MD. 21204

RE: Allender Road Rubble Fill

Dear Mac:

Enclosed is the letter from my partner, Richard Rice, addressed to Leonard Jacobson on May 7, 1982, regarding the sludge operation. The letter refers to an existing and on-going sludge operation, prior to the enactment of the 1982 amendments to the zoning law. Subsequent to that letter we met with Leonard, yourself, and perhaps Ian Forrest and received the go ahead to continue the sludge disposal operation authorized by State law. For your information, the original sewage sludge operation permit appears to have been issued November 19, 1980.

We are in the final stages of acquiring the local Health Department permit for the rubble reclamation project. We are not placing any raw or even composted sludge material on the area subject to the State and Local permits for rubble reclamation. This is a full representation of that fact. Under the circumstances I do not believe that there should be any hold up in the issuance of the Rubble Reclamation Permit and the record should now be set straight once and for all that the sludge operation has proceeded since 1980, prior to the

1 There is an area where composted sludge had been placed, however, this practice has now been discontinued and the material will be removed prior to initiating operations in that cell area, which is the last area to be reclaimed presently.

Leonard Jacobson, Esq.
Page Three

By building berms and spreading sludge on both the subject property and the land adjacent thereto, Land Reclamation, Inc. acquired a vested right under Maryland law.

From the standpoint of the owners of the property, the landspreading of sludge constitutes a nonconforming use. Section 104.1 of the Baltimore County Zoning Regulations provides that: "A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue..." We believe that the construction of berms and the landspreading of sludge on the subject property meets the criteria for establishing an "existing use" under Maryland law.

"As understood in the ordinance, 'existing use' should mean the utilization of the premises so that they may be known in the neighborhood as being employed for a given purpose; i.e., the conduct of a business." *Land v. Board of Zoning Appeals*, 173 Md. 460, 469 (1938).

The neighboring residents knew that sludge had been spread on the subject property prior to the effective date of the zoning amendments. In cooperation with the Office of the Baltimore County Executive, this law firm has been negotiating an agreement with those residents that would establish acceptable operational procedures and environmental controls and create a trust fund for the benefit of the neighborhood.

I hope this letter explains our position that the landspreading of sludge on the subject property does not require a special exception. Please contact us if you require any additional information.

Very truly yours,

Richard E. Rice
Richard E. Rice

RRS/thc
cc: Mr. A. Tyler
Land Reclamation, Inc.

Malcolm F. Spicer, Esq.
June 23, 1986
Page 2

effective date of the special exception requirement. I am sending a copy of this letter to all interested parties.

Yours very truly,

Warren K. Rich
Warren K. Rich

WKR/cac

Enclosure

cc: Ian J. Forrest w/enc.
Arnold Jablon w/enc.
Joseph I. Smuck w/enc.
Stanley J. Smuck w/enc.
Augustus Crenonni w/enc.

7/24/86
NILES, BARTON & WILMER
48 RANDALL STREET
P.O. BOX 589
ANNAPOLIS, MARYLAND 21404
301-268-3080
FROM BALTIMORE 200-1810
FROM WASHINGTON 202-1118
May 7, 1982

Leonard Jacobson, Esquire
County Solicitor
Baltimore County
Court House
Towson, Maryland 21204

Dear Mr. Jacobson:

This office represents the owners of the property located along Allender Road and designated Parcel 17 on Baltimore County Tax Map 73. I am writing in response to your phone conversation of yesterday with my partner, Warren K. Rich, Esquire, during which you requested an explanation of our position that the property is not subject to the recently enacted County zoning requirement that a "sludge disposal facility-landspreading" is permitted only by special exception in RC-2 zones.

It is our understanding that, prior to the recent enactment of amendments to the Baltimore County Zoning Regulations, the uses permitted in RC-2 zones were governed by the provisions of Bill No. 98-75, enacted on October 6, 1975, and codified in Section 1A01 of the Zoning Regulations. Both farming and open space uses is our position, simply stated, that the landspreading of sewage sludge (mixed with soil) was totally consistent with the permitted farming and open space uses.

In a written opinion dated December 8, 1981, a copy of which is enclosed herewith, the Baltimore County Zoning Commissioner adopted the same position advanced by our office in this letter. The Zoning Commissioner's opinion precipitated enactment of the recent zoning amendments. See the document entitled "Final Report recent zoning amendments." See the document entitled "Proposed Amendments to the Baltimore County Zoning Regulations: Sludge Disposal in Baltimore County," at page 5. (Copy enclosed.)

Prior to enactment of the new amendments, the State Department of Health and Mental Hygiene issued an amendment to Sewage Sludge Utilization/Disposal Permit S-80-03-586-ABE (copy

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
474-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 3, 1985

Warren K. Rich, Esquire
410 Severn Avenue, Suite 401
P.O. Box 589
Annapolis, Maryland 21404

RE: Motion to Amend Site Plan
Case No. 5166-X

Dear Mr. Rich:

I am in receipt of your letter of April 1, 1985 with accompanying Motion.

Please forward a copy of said Motion to the People's Counsel with an appropriate certification. In addition, give notice to the People's Counsel that if a hearing is desired, such request must be received by the Zoning Commissioner by the close of business on April 22, 1985 and that if no hearing is requested, a decision shall be rendered. Also, please prepare an Order granting the relief you pray.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

AJ/srl

6/1/85
WILLIAM HARRINGTON & ASSOCIATES, INC.
ENGINEERS/PLANNERS
SUITE 610 7310 RICHMOND HIGHWAY
OLNEY SPRING, MARYLAND 20854
(301) 788-8400
PETER F. JARDELL P.E.

April 3, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Allender Road Rubble Fill

Dear Mr. Jablon:

As directed by Mr. Warren Rich, we are transmitting the proposed restoration grading plans and the mining plan amendment for the subject property.

The purpose of the restoration plan is to restore, as nearly as possible, the ground elevations that existed, prior to surface mining occurring on the site. The restoration of the original ground elevation is believed to facilitate the DNR - planned park development of the finally restored site.

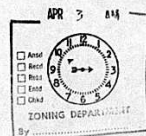
If you have any questions regarding this information, please call.

Very Truly Yours,

William M. Harrington, Jr.
William M. Harrington, Jr.

WHH/jlm
Enclosures

cc: Mr. Warren K. Rich



PROCESSED
APR 3 1985
G.L.H.

Leonard Jacobson, Esq.
Page Two

enclosed), permitting Land Reclamation, Inc. to use the subject property as an extension of the sludge landspreading project being operated at that time on adjacent land. After issuance of the permit extension, sludge disposal operations were continued on the adjoining site. In addition, drainage-control berms were lawfully erected and sludge (approximately 40-60 tons) was applied to the subject property as a continuation of the landspreading project being operated on the adjacent site. The placement of that sludge on the subject property was neither casual nor temporary. Cf. *Feldstein v. Loyale Zoning Board*, 246 Md. 204, 210 (1967). The intent of our clients was (and remains) to continue using the subject property for farming and open space, while allowing the landspreading of digested sewage sludge for a relatively short period of time, in order to improve the soil in accordance with the State permit (extension).

Land Reclamation, Inc. required a vested right in the sludge landspreading permit prior to enactment of the new zoning amendments requiring a special exception. In *Stearns Petroleum Co. v. St. Mary's County*, 276 Md. 435, 443, (1975), the Court of Appeals stated that

"While a property owner has no vested right in an existing zoning classification, *Rockville Fuel v. City of Gaithersburg*, 266 Md. 117, 133-35, 291 A.2d 672 (1972), there may be circumstances under which a property owner may either acquire a vested right to continue construction under a validly issued permit....

"This was the principle upon which we relied in the recent case of *Pemberton v. Montgomery County*, 275 Md. 363, 340 A.2d 240 (1975) where we held to be fairly debatable a finding by the County Board of Appeals that the obtaining of a permit for and the pouring of a foundation for a retaining wall and for a gasoline filling station, gratified a requirement that work be commenced within 12 months of the granting of a special exception, for the construction of a filling station."

The Court of Appeals has held that a vested right to continue work under a validly issued permit is acquired by the "manifest commencement of some work or labor on the ground" which is obviously the type of work authorized by the permit. See *id.* at 444; *People's Counsel v. Public Service Comm'n.*, 259 Md. 409, 416 (1970); *Supp. v. Earl H. Cline & Sons*, 230 Md. 573, 579 (1963).

1/ The terms involved less than 500 cubic yards of earthwork and less than 5,000 square feet of disturbed area. See Sec. 5-22(b)(7), Baltimore County Code (1978).

15/1983
LAW OFFICES
NILES, BARTON & WILMER
410 SEVERN AVENUE
SUITE 401
P.O. BOX 589
ANNAPOLIS, MARYLAND 21404
301-268-3080
FROM BALTIMORE 200-1810
FROM WASHINGTON 202-1118

April 1, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Allender Road Rubble Fill

Dear Mr. Jablon:

Enclosed on behalf of Stanley J. and Joseph I. Smuck is a motion for purposes of amending the existing site plan for the above-referenced project. Please note that the original motion, the restoration profiles and amended mining plan will be forwarded to you directly from the office of William Harrington.

Please feel free to call me should you have any questions regarding this matter.

Yours very truly,

Warren K. Rich
Warren K. Rich

WKR/cac

Enclosure



TO: ARNOLD JABLON
ZONING COMMISSIONER
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

RE: ALLENDER ROAD RUBBLE FILL

MOTION

STANLEY J. and JOSEPH I. SMUCK, successors in interest to Harry Smuck, submit this motion for purposes of amending the existing site plan from the mining operation authorized pursuant to Special Exception No. 5166-X, dated November 22, 1967. In support of said motion, Stanley and Joseph Smuck state as follows:

1. The present site plan is being amended pursuant to the Surface Mining Act of the State of Maryland. The only significant amendment is to show the restoration of the mined out areas by the placement of clean rubble fill into said areas.
2. The purpose of placement of such material is to restore the mined areas to as near original grade as possible.
3. Said restoration is consistent with the Department of Natural Resources capitol project for the Gunpowder State Park.
4. Your moving party has already submitted an application for a rubble landfill to the Department of Health and Mental Hygiene and is seeking authorization from the Baltimore County Health Department.

5. A copy of the restoration profiles and amendment to the mining plan are submitted herewith through the office of William Harrington & Associates.

Warren K. Rich
WARREN K. RICH
Attorney for Stanley J. Smuck and
Joseph I. Smuck

September 26, 1985

Warren K. Rich, Esquire
93 Main Street
P.O. Box 589
Annapolis, Maryland 21404

RE: Allender Road Sand and
Gravel Operation
11th Election District

Dear Mr. Rich:

With reference to your letter of September 24, 1985, please be advised that your conclusion is correct and no zoning hearing will be required.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/ar1

- 2 -

NILES, BARTON & WILMER

ATTORNEYS AT LAW
93 MAIN STREET - P.O. BOX 589
ANNAPOLIS, MARYLAND 21404
301-468-3000

(PRINCIPAL OFFICE)
300 N. HANCOCK STREET
BALTIMORE, MD 21201
FROM BALTIMORE 260-1810



September 24, 1985

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, MD. 21204

Dear Mr. Jablon:

This is a follow up of our conversation this morning. Sometime ago I was party to a three-way conversation between you and the People's Counsel of Baltimore County. In that conversation Mr. Freedman indicated that there was no need for a public hearing requiring a change in the site plan for the Allender Road sand and gravel operation and it is my understanding that you agreed with her position. Your agreement was premised upon the fact that the project would require approval by the State and local health department representatives.

I have subsequently had conversations with Mr. Forrest, who indicated that this matter would be the subject of further proceedings before the local and State health offices. Under the circumstances further zoning actions are not required. I would appreciate your confirming these facts by return letter.

Yours very truly,

Warren K. Rich
Warren K. Rich

WKR/cac

April 22, 1985

Warren K. Rich, Esquire
410 Severn Avenue, Suite 401
P.O. Box 589
Annapolis, Maryland 21404

RE: Motion to Amend Site Plan
Case No. 5166-X

Dear Mr. Rich:

As you are aware by now, the People's Counsel opposes my attempt to speed up the process to amend. I think the People's Counsel is being obstructionist, but if posting and advertising is not accomplished, followed by a mandated public hearing, the People's Counsel will only appeal. If you desire that I follow requests it (no one has to date), then I will sign the proposed order. However, I am sure the People's Counsel will appeal. I would certainly help you with any legal arguments to be made in support of this procedure. If, on the other hand, you wish to proceed as the People's Counsel insists is necessary, I will have to advertise and repeat the property, and you will have to pay a \$100 filing fee and the cost of advertising, which will later be billed separately. A hearing will then be scheduled within 45 to 50 days from the time we receive your filing fee.

If you have any questions, please feel free to contact me.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/ar1

RE: MOTION TO AMEND SITE PLAN
ALLENDER ROAD RUBBLE FILL
STANLEY J. & JOSEPH I. SMUCK,
Movants

: BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
: Case No. 5166-X

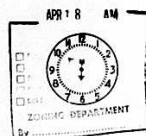
ANSWER TO MOTION

People's Counsel for Baltimore County answers as follows:

1. People's Counsel is without knowledge of the allegations of Paragraphs 1-4 of the Motion, and therefore can neither admit nor deny same: Paragraph 5 is admitted.

2. In further answering, People's Counsel states that a hearing is required following the usual posting of the property and publication in the newspaper, and review by County agencies, before a special exception may be amended, and that the procedure requested in the Motion is not authorized by law.

WHEREFORE, People's Counsel prays that the Motion be denied.



Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 18th day of April, 1985, a copy of the foregoing Answer to Motion was mailed to Warren K. Rich, Esquire, Niles, Barton & Wilmer, 410 Severn Ave., Suite 401, P. O. Box 589, Annapolis, MD 21404.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th
Posted for: Motion to amend site plan
Petitioner: Stanley J. & Joseph I. Smuck
Location of property: Sand and gravel operation, 11th Election District, 56.00
Palmer Hwy., via. Rte. 202
Location of Sign: 11th Election District, 11th Election District, 56.00
Per. Ex. certificate, as property of R. C. Smuck (see above)
Remarks: Sign posted at 11th Election District, 56.00
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 4/16/85
Date of return: 4/19/85

April 8, 1985

Phyllis Cole Friedman, Esq.
People's Counsel
Old Courthouse
Towson, MD. 21204

RE: Stanley J. & Joseph I. Smuck
Allender Road Rubble Fill
Motion to Amend Site Plan
Case No. 5166-X

Dear Ms. Freedman:

With reference to the above-referenced matter we enclose the following:

- Motion to amend site plan
- Amendment to site plan
- Proposed Order

Please note that in the event a hearing is desired, notice must be given to the Zoning Commissioner by the close of business on April 22, 1985, and that if no hearing is requested a decision shall be rendered.

Yours very truly,

Warren K. Rich

WKR/cac

Enclosures

cc: A. Jablon



TO: ARNOLD JABLON
ZONING COMMISSIONER
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

RE: ALLENDER ROAD RUBBLE FILL

MOTION

STANLEY J. and JOSEPH I. SMUCK, successors in interest to Harry Smuck, submit this motion for purposes of amending the existing site plan from the mining operation authorized pursuant to Special Exception No. 5166-X, dated November 22, 1967. In support of said motion, Stanley and Joseph Smuck state as follows:

1. The present site plan is being amended pursuant to the Surface Mining Act of the State of Maryland. The only significant amendment is to show the restoration of the mined out areas by the placement of clean rubble fill into said areas.
2. The purpose of placement of such material is to restore the mined areas to as near original grade as possible.
3. Said restoration is consistent with the Department of Natural Resources capitol project for the Gunpowder State Park.
4. Your moving party has already submitted an application for a rubble landfill to the Department of Health and Mental Hygiene and is seeking authorization from the Baltimore County Health Department.

5. A copy of the restoration profiles and amendment to the mining plan are submitted herewith through the office of William Harrington & Associates.

Warren K. Rich
WARREN K. RICH
Attorney for Stanley J. Smuck and
Joseph I. Smuck

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of April, 1985, that a copy of the foregoing Motion was sent, first class mail, postage prepaid to: Phyllis Cole Freedman, Esq., People's Counsel, Old Courthouse, Towson, MD. 21204

WKR
WARREN K. RICH

- 2 -

TO: ARNOLD JABLON
ZONING COMMISSIONER
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

RE: ALLENDER ROAD RUBBLE FILL

ORDER

IT IS this ____ day of April, 1985, ORDERED that the Motion of Stanley J. and Joseph I. Smuck to amend the existing site plan from the mining operation authorized pursuant to Special Exception No. 5166-X, dated November 22, 1967 is granted in accordance with the attached site plan.

TO: ARNOLD JABLON
ZONING COMMISSIONER
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

RE: ALLENDER ROAD RUBBLE FILL

MOTION

STANLEY J. and JOSEPH I. SMUCK, successors in interest to Harry Smuck, submit this motion for purposes of amending the existing site plan from the mining operation authorized pursuant to Special Exception No. 5166-X, dated November 22, 1967. In support of said motion, Stanley and Joseph Smuck state as follows:

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Warren K. Rich
WARREN K. RICH
Attorney for Stanley J. Smuck and
Joseph I. Smuck

- 2 -

5166-X

FORREST F. BRAMBLE, JR.
WARREN K. RICH
RICHARD E. RICE
STEPHEN F. KLING
WM. ROGER TRUITT

LAW OFFICES
NILES, BARTON & WILMER
410 SEVERN AVENUE
SUITE 401
P.O. BOX 580
ANNAPOLIS, MARYLAND 21404

301-268-3090
FROM BALTIMORE 269-1010
FROM WASHINGTON 201-1138

3/1/84
TO JD
please review
& comment
my report
9
PRINCIPAL OFFICE
BALTIMORE, MD 21201
626 N. HOWARD STREET
301-530-3240
CABLE ADDRESS: N1 WO
TELEX 87-466 NILES-LAW
CAMBRIDGE, MD 21013
314 HIGH STREET
P.O. BOX 836
301-226-7000
WASHINGTON, D.C. 20006
1015 H STREET, N.W.
202-737-0512

February 28, 1984

Malcolm F. Spicer, Jr., Esq.
County Attorney
Office of Law
Court House
Mezzanine
Towson, MD. 21204

Dear Mac:

It was a pleasure meeting with you on February 22nd for the purpose of reviewing the status of the present sand and gravel operation on the Smuck property. Roland Manger of Genstar Stone Products Company, which is the mining company for the site, was also in attendance. We informed you at that time that it was our intent to restore the mining excavations in accordance with the State mining plan by importing off-site materials.

The evolution of the mining operation on the property is as follows. The property was originally zoned R-40, however, on November 22, 1967, Baltimore County granted a special exception which authorized a "controlled excavation". The special exception was subjected to four conditions, all of which have been either modified or satisfied.

In 1975 the State of Maryland enacted a surface mining law for non-coal related activities. It was designed to regulate the mining of sand and gravel and it emphasized the restoration and rehabilitation of mined areas. The prefatory provisions and the intent indicated an attempt to restore mined areas to their original contours and grade. It is fair to say that that intent has not been uniformly achieved because of the lack of on-site back fill material. The State has not, therefore, enforced reclamation to original contours as a strict condition in the reclamation process. It has strictly enforced stabilization and restoration of beneficial uses subsequent to the mining operation. A major element in the State mining law is the requirement for reclamation and stabilization bonds.

MICROFILMED

From the time that the mining operation commenced on the subject property a significant interest in reclaiming the subject property in a manner which would be consistent with a passive State Park usage has been discussed and there has also been discussion regarding the donation of the property to the State.

Genstar seeks to use non-putrescible material, such as broken concrete, cement, brick and mortar as back fill material in order to raise the grade of the land and restore the area as closely as possible to original contours. It also seeks, in a separate cell, to utilize tree stumps as fill material. The material placed within the mined out areas to be used as fill is subject to both local and state health office approval. This operation would permit an expedient and more cost-effective restoration of the natural contours. In the environmental sense it is a recycling of spent inorganic material as part of the rehabilitation process. The finished grades will be stabilized and planted in accordance with state requirements. This is critical because of the state objective of including the mined area into the Gunpowder State Park system.

I have represented the intent to utilize off-site fill material and I expressed the intent to the two citizens associations in the area. To date I have received no negative responses, but both Genstar Stone Products Company and the Smucks wish to assure you that given the minimal impacted area and the use of inorganic material, there should be no negative environmental impacts. We are certain that we can work together with the Citizens Associations so that any of their concerns will be satisfied.

You indicated that this matter should be reviewed with the Zoning Officer of Baltimore County to satisfy all regulatory requirements. This letter should place our representations on record. Our review of the Baltimore County Zoning Ordinance would indicate that no further zoning approvals are required, so long as this restoration process is an integral part of the mining operation.

Yours very truly,



Warren K. Rich

WKR/cac

cc: Don Peters

PS: I just heard Roland Manger died.

MICROFILMED

WKR

3/1/84

reviewed w/ CA & ap'd
8

Rec'd 1-14-77
A.M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. James E. Dyer
TO Zoning Supervisor
Walter A. Reiter, Jr., Chairman
FROM County Board of Appeals

Date January 13, 1977

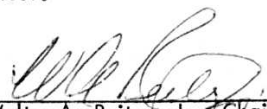
SUBJECT Special Exception for Controlled Excavation
on the Smuck property, situated at the
terminus of Allender Road, 11th Election District
Case No. 5166-X

In response to your correspondence dated November 4, 1976, I have reviewed the applicability of Restriction #4 in the above mentioned special exception granted by this Board's Order, dated November 22, 1967. I have reviewed the following correspondence:

1. September 24, 1976 letter from Roland E. Manger, Director Land Management, Harry T. Campbell Sons Co. to S. Eric DiNenna, Zoning Commissioner.
2. October 8, 1976 inter-office correspondence from James E. Dyer, Zoning Supervisor, to C. Richard Moore, Department of Traffic Engineering.
3. October 20, 1976 inter-office correspondence from Stephen E. Collins, Director of Traffic Engineering to James E. Dyer, Zoning Supervisor.
4. December 9, 1976 inter-office correspondence from H. E. Phipps, Zoning Inspector I to S. Eric DiNenna, Zoning Commissioner.
5. December 22, 1976 inter-office correspondence from S. Eric DiNenna, Zoning Commissioner to Norman E. Gerber, Acting Director of Planning.

In conclusion, it is my judgment that because Allender Road will not be used for ingress and egress to the subject property, Restriction #4 can serve no practical purpose. The alternate traffic pattern proposed for the subject property effectively eliminates the need for Restriction #4. Said alternate traffic pattern proposal is equal to or better than that mode of ingress anticipated when Restriction #4 was imposed.

The above conclusion is based upon the assumption, and not a finding of fact, that the above mentioned special exception is still in effect.


Walter A. Reiter, Jr., Chairman
County Board of Appeals

WAR:e

ENCLOSURE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

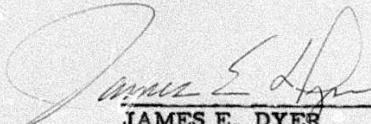
Mr. Walter A. Reiter, Jr., Chairman
Board of Appeals
TO _____ Date November 4, 1976
Mr. James E. Dyer
Zoning Supervisor
FROM _____
SUBJECT Special Exception for Controlled Excavation
on the Smuck Property Situated at the Terminus
of Allender Road - 11th Election District
Case No. 5166-X

I have enclosed all correspondence dealing with the subject matter, which is, more or less, self-explanatory.

As you will recall, I discussed this matter with you approximately three weeks ago, at which time you suggested that the Department of Traffic Engineering be consulted. My letter to C. Richard Moore, requesting their recommendation, is dated October 8, 1976, and their reply is dated October 20, 1976.

Please advise as to your final determination in this matter and how you would like the matter handled, i. e., you may notify me of your determination and I, in turn, will notify the Harry T. Campbell Sons' Company, or you may desire to notify said Company directly. In any case, all copies of said correspondence will be inserted in the above referenced file for the record.

If you have any questions concerning this matter, please do not hesitate to contact me.


JAMES E. DYER
Zoning Supervisor

JED/scw

Enclosures

cc: Mr. S. Eric DiNenna
Zoning Commissioner

✓ Case No. 5166-X

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

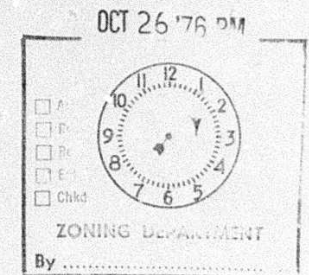
Mr. James E. Dyer
Zoning Supervisor
TO _____ Date October 20, 1976
Stephen E. Collins, Director of Traffic Engineering
FROM _____
SUBJECT Special Exception for Controlled Excavation on the Smuck
Property Situated at the Terminus of Allender Road - 11th Election
District - Case No. 5166-X

This office has reviewed the arrangement recommended by the Campbell Company to use their own private haul road with no trucks using Allender Road except to cross.

This arrangement is acceptable to the Department of Traffic Engineering.


Stephen E. Collins
Director of Traffic Engineering

SEC/CRM/bza



file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric Di Nenna
Zoning Commissioner
 Date December 9, 1976
 FROM H. E. Phipps
Zoning Inspector I
 SUBJECT Allender Road properties, 11th District
 1. Smuck parcel, File No. 5166 X
 2. Nottingham parcel, File Nos. 5109 X and 68-214-X

Per your request, inspections were made of subject properties, November 26 and November 29, 1976.

(1) Smuck parcel, File No. 5166X is not being worked at this time, for extraction of material. It is being used for the storage of equipment and machinery.

Seven photos were taken, the positions and directions of which are indicated on the attached plat.

Some of these show that at some time in the past, excavations took place. These are now holding run-off or ground seepage water.

(2) Nottingham property, File Nos. 5109 X and 68-214 X, has been, and is now, being worked extensively.

This is shown on the series of 7 photos, the locations and directions of which are indicated on the overlay for the Zoning Plat and Grading Plan prepared by Dollenger Bros., all of which are attached to this report.

The plats should be returned to the original files.

H. E. Phipps
 H. E. PHIPPS
 Zoning Inspector I

HEP:tk
 cc: H. E. Phipps
 Files

*5109-X } Nottingham
 68-214-X }
 5166X (Smuck)*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

*DD
 H. E. Phipps*

TO S. ERIC DiNENNA
Zoning Commissioner
 Date November 3, 1976
 FROM NORMAN E. GERBER, Acting Director
Office of Planning & Zoning
 SUBJECT Special Exceptions for Smuck and Nottingham Farms Properties

It has come to my attention that the special exceptions for controlled excavation granted to Harry A. Smuck and Nottingham Farms, Inc. for properties located at the eastern end of Allender Road have expired. In addition, it is my understanding that the requirements of the Special Exception Order were not met by either property owner. I would appreciate it if you would verify both of the aforementioned points.

Due to the environmentally sensitive nature of those properties and because of their proximity to the Big Gunpowder and Bird Rivers, I would also appreciate that notice of any future zoning changes or special exception requests for those properties be transmitted to our coastal zone planner, Cary B. Hinton.

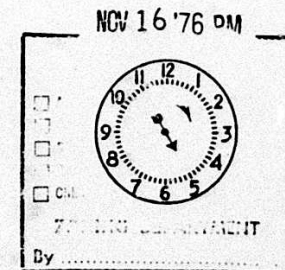
NEG/PJS/vh

Norman E. Gerber
 NORMAN E. GERBER
 Acting Director of Planning

cc: George J. Martinak
 Deputy Zoning Commissioner

Paul J. Solomon
 Environmental Planner

Cary B. Hinton
 Coastal Zone Planner



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. C. Richard Moore
 Department of Traffic Engineering
 TO: Mr. James E. Dyer
 Zoning Supervisor
 FROM: Mr. S. Eric DiNenna
 Zoning Commissioner
 SUBJECT: Special Exception for Controlled Excavation
 on the Smuck Property Situated at the Terminus
 of Allender Road - 11th Election District
 Case No. 5166-X

The Harry T. Campbell Sons' Company is negotiating with the Smuck family to lease the above referenced property, which has been constructed and granted a Special Exception for controlled excavation by the Board of Appeals. The Special Exception was granted with four conditions. Of the four conditions, three have been complied with and the fourth, which is the subject of this memorandum states:

"No transporting of sand or gravel shall commence until Allender Road, from Pulaski Highway to Loreley Beach Road, is improved to a paved width of 24 feet, and that the widening be extended or additional pull-offs be constructed from that point to the subject property, as required by the Baltimore County Bureau of Traffic Engineering."

In essence, the enclosed letter requests that the Campbell Company be permitted to utilize their own private haul road, which has been constructed entirely within the boundary of their property. Said haul road presently crosses Allender Road at one point and, if this request is granted, it would be extended into the adjoining Smuck property, which would necessitate one other grade crossing of Allender Road.

Please advise this office if you feel that such an arrangement would adequately substitute for the safeguards afforded the surrounding community by restriction number four.

If you have any questions concerning this matter, please feel free to contact me.

JAMES E. DYER
 Zoning Supervisor

JED/scw
 Enclosures

Mr. C. Richard Moore
 Page 2
 October 8, 1976

cc: Mr. S. Eric DiNenna
 Zoning Commissioner

Case No. 5166-X

CAMPBELL



QUARRYMEN
 CONTRACTORS
 MANUFACTURERS

AREA 301
 833-7009

HARRY T. CAMPBELL SONS' COMPANY
 CAMPBELL BLDG. • TOWSON, BALTIMORE, MD. 21204

September 24, 1976

Mr. S. Eric DiNenna
 Baltimore County Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Dear Mr. DiNenna:

Our company has recently negotiated with the Smuck family a long-term Mining Lease Agreement to conduct sand and gravel extraction and possibly processing on their landholdings east of Pulaski Highway, U. S. Route 40, at the end of Allender Road in the Eleventh Election District.

This property was the subject of a Special Exception Petition, finalized before the County Board of Appeals on the 22nd day of November, 1967. The case number is 5166-X.

Subsequent to the 1967 Order by the County Board of Appeals, Mr. Smuck, over the years, has been engaged in the development of the site for the purpose of establishing a venture for the commercial exploitation of the sand and gravel located therein. These development activities have included site preparation, moving in and staging of plant components and moving in, preparing and storing of excavation and mobile equipment. In addition, Mr. Smuck has engaged in the excavation of materials from the site and stored them on the premises. At present, however, there has been no transportation of excavated materials from the site in view of the fact that Condition No. 4 of the Special Exception requiring the improvement of Allender Road has not been undertaken.

Since our company has leased this property and is about to commence operations thereon for the extraction and removal of the sand and gravel for commercial sales, the purpose of this letter is to inform you generally of the status of compliance with the conditions attached to the above Special Exception and to specifically request your interpretation of the applicability of such Condition No. 4 regarding improvement of Allender Road in light of our company's ability to provide alternative egress from the site.

continued ...

HARRY T. CAMPBELL SONS' COMPANY
 A Division of THE FLINTKOTE COMPANY
 CAMPBELL BLDG. • TOWSON, BALTIMORE, MD. 21204

Mr. S. Eric DiNenna
 September 24, 1976
 Page 2

Concerning the four conditions of the Board of Appeals Order, I submit the following:

(1) "Site Plan"

A site plan was submitted by Mr. Smuck and approved by the Office of Planning and Zoning, dated March 22, 1963. A copy of this appears in the zoning case file.

(2) "Buffer Strip"

The above mentioned site plan calls for a 50' buffer strip around the Special Exception area. Our company's plan of operation would also provide at least a 50' buffer strip, as stipulated.

(3) "Siltation Run-off"

Since 1968 the County and State has passed legislation requiring all grading activities to have approved sediment and erosion control plans. As you well know, our company recognizes its responsibility on this particular subject and will comply. Further, all sand and gravel and/or quarrying activities are now under jurisdiction of the State of Maryland, Department of Natural Resources, and must have a Mining and Reclamation Permit. Part of that permit includes a sediment and erosion control plan, approved by the County Soil Conservation District.

(4) "Off-Site Road Improvements"

As mentioned earlier, activities on the property so far have been limited to site preparation, partial plant construction, and staging of plant materials, equipment, etc. No material has been transported from the site, and there have been no improvements to Allender Road as outlined in the Board of Appeals Order.

You are undoubtedly aware of the fact that our company also owns the large land assemblage west of the Smuck landholdings, upon which for many years we have been extracting sand and gravel material. Our company's property is shown on the attached plat. Part of the property is zoned Manufacturing-Light, that allows sand and gravel extraction as a permitted use, and part of the property has a Special Exception for

continued ...

HARRY T. CAMPBELL SONS' COMPANY
 A Division of THE FLINTKOTE COMPANY
 CAMPBELL BLDG. • TOWSON, BALTIMORE, MD. 21204

Mr. S. Eric DiNenna
 September 24, 1976
 Page 3

controlled excavation. Over the years we have constructed and developed a private road system through our land, that makes one right angle crossing of Allender Road and enters U. S. Route 40, Pulaski Highway, just north of Allender Road. Our truck traffic movements have followed this road pattern without incident. We have also maintained the surfacing of Allender Road where we cross it.

By this letter, we would like to request an alternative to the fourth condition, that would substantially comply with the Board's mandate and create an overall safer traffic condition on Allender Road, that, of course, was the Board's concern at the time.

As can be seen on the attached plat, the Campbell Special Exception and the Smuck Special Exception overlap along Allender Road. During our extraction operations on Campbell property, a private road was established and maintained in close proximity to this overlap. We, therefore, propose an extension of our private road system to the northeast, crossing Allender Road at right angles and continuing into the Smuck property. All materials then hauled from the Smuck parcel would make this new right angle crossing of Allender Road, proceeding through our property and again crossing Allender Road at our present location, continuing again through our property to Pulaski Highway. This would eliminate the necessity to reconstruct and widen Allender Road from Loreley Beach Road to Pulaski Highway, and also eliminate additional pull-offs on Allender Road east of the Loreley Beach Road intersection.

The Smuck family owns all of the property east of the proposed new easternmost crossing of Allender Road, with the exception of one improved lot and one unimproved parcel. Both parcels are shown on the attached plat.

It is our feeling that this alternative will create a much safer traffic condition in this area and, of course, virtually eliminate what could become extraordinary maintenance problems for almost one mile of County road. Our company would cooperate and maintain the proposed new crossing of Allender Road, as it has done in the past with the existing crossing. Proper site distance of the crossing would be maintained by us and appropriate security measures taken in order to discourage use of our private road system by the public.

We therefore request your confirmation that Condition No. 4 of the Special Exception is inapplicable to the transportation of the sand and gravel from the site in view of the fact that our company would not be utilizing Allender Road as was contemplated at the time of the granting of the Special Exception.

We would appreciate your decision and comments on these matters at your earliest convenience.

Very truly yours,
 ROLAND E. MANGER
 Director, Land Management

REMS:ey
 Enclosure cc: Harry A. Smuck, Sr.



106 St. Ives Drive
 Severna Park, Maryland 21146
 August 28, 1976

Mr. Roland Manger
 Harry T. Campbell Sons' Company
 100 West Pennsylvania Avenue
 Towson, Maryland 21204

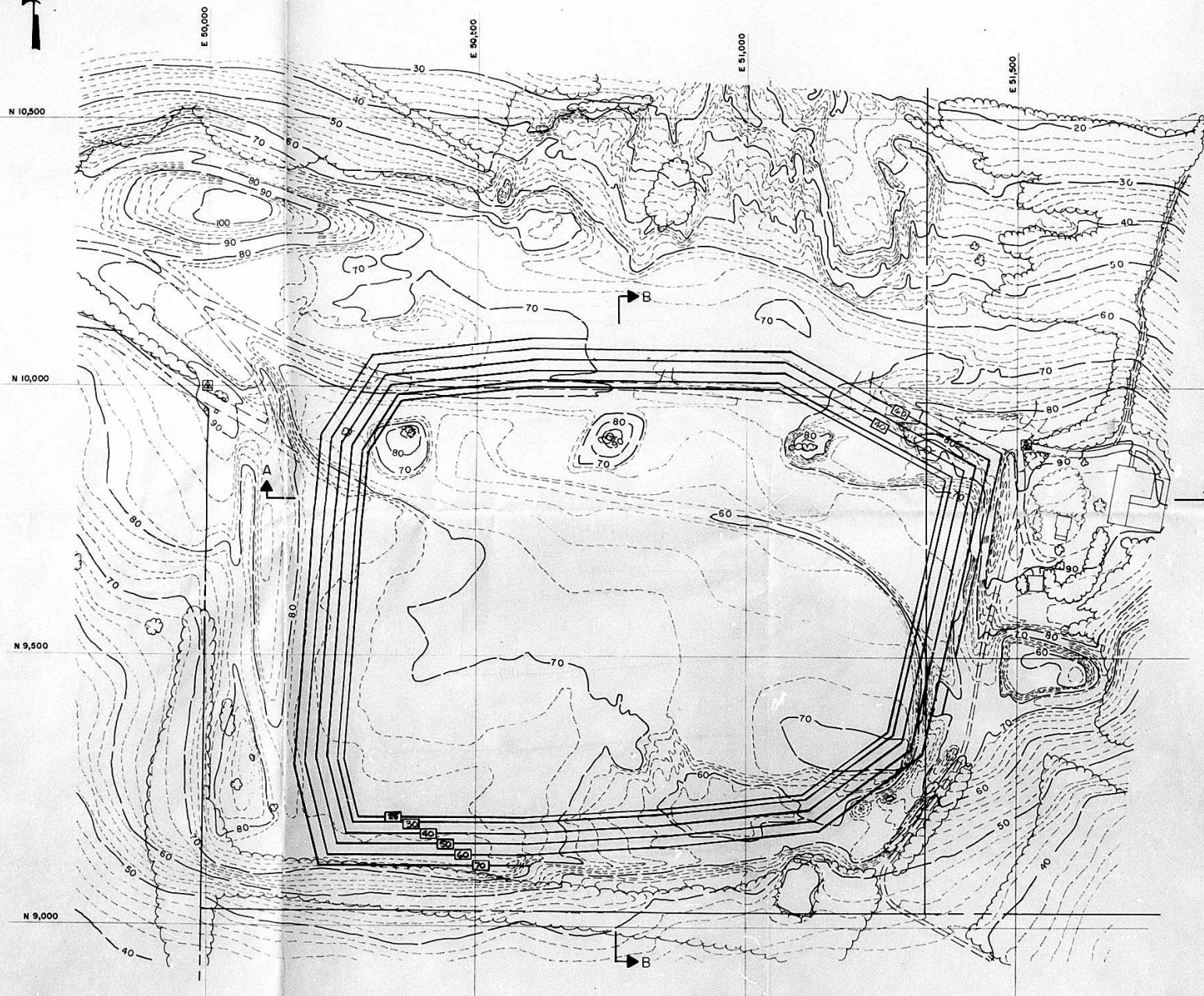
Dear Mr. Manger:

As per telephone conversation on August 23, 1976 regarding the Stanley Holding Company property recorded among the Land Records of Baltimore County in Liber 5468 Folio 775 and located on Allender Road, Baltimore County, Maryland, my brother, Joseph I. Smuck, had no authority either expressed or implied to act for the partnership by entering into a right-of-way agreement with the Harry T. Campbell Sons' Company and/or the Flintkote Company.

I am hereby giving you written notice as I gave you verbal notice on August 23, 1976 that I have not given any consent nor have I ever been consulted at any time regarding any right-of-way agreement across the aforesaid property.

Very truly yours,
 Ann T. Cecil
 Ann T. Cecil, Partner
 Stanley Holding Company

cc: Mr. S. Eric DiNenna
 Zoning Commissioner
 111 W. Chesapeake Avenue
 Towson, Maryland 21204



PLAN

LEGEND

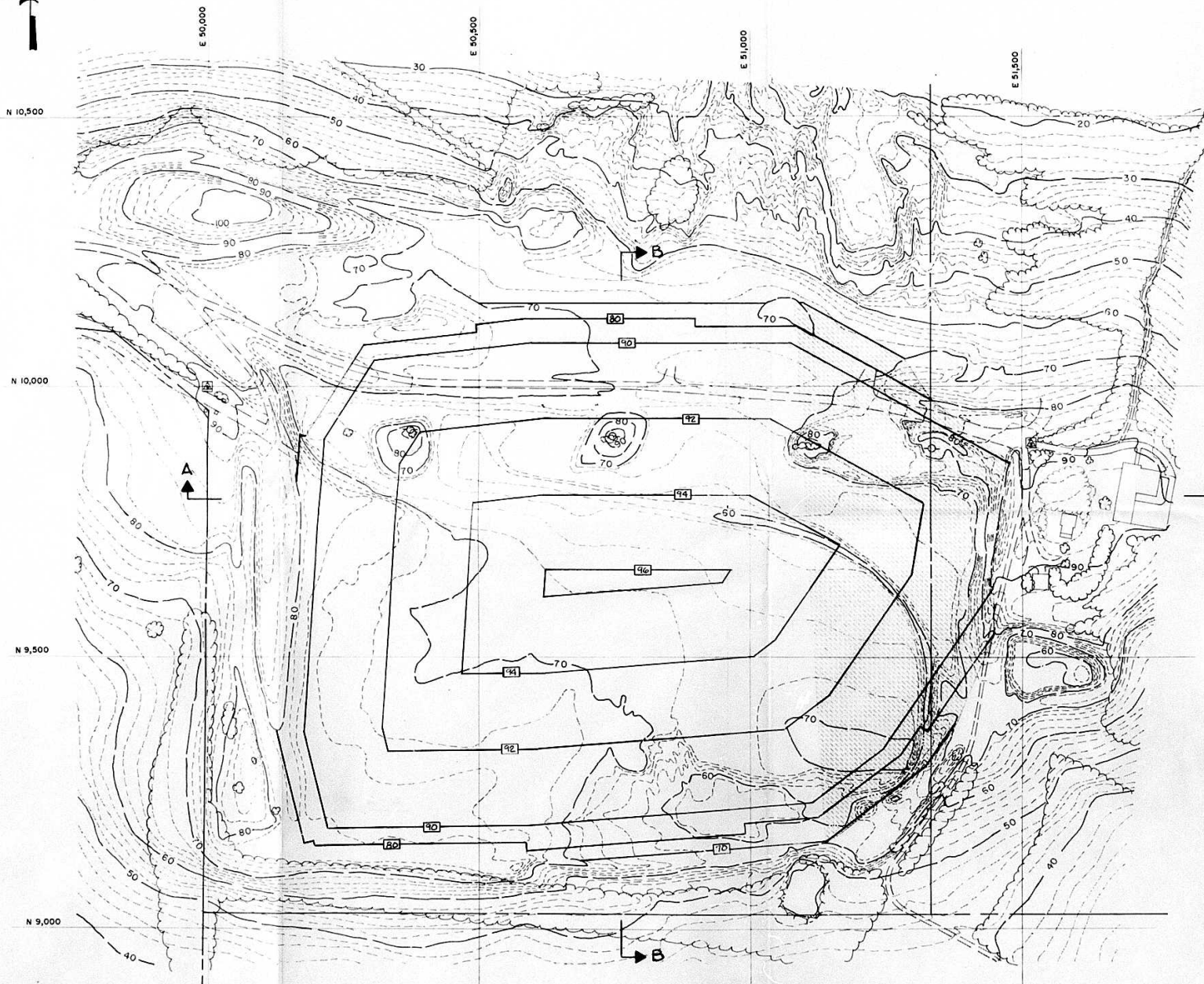
- EXISTING GROUND
- PROPOSED CONTOURS

TOPO BY

AIR SURVEY CORP
RESTON, VA 22090
REVISED TOPO WITHIN SITE AREA
SURVEYED BY WM HARRINGTON &
ASSOCIATES, INC FEB. 1985

ENVIRO-GRO 3100 SUN STREET BALTIMORE, MARYLAND 21226	
SURFACE MINING RESTORATION PLAN ALLENDER ROAD LAND RECLAMATION PROJECT	
EXCAVATION PLAN	
BALTIMORE COUNTY	MARYLAND
SCALE 1"=100'	DATE APRIL, 1985
APPROVED W.O. 7526-2	SHEET 1 OF 3
WILLIAM HARRINGTON & ASSOCIATES, INC ENGINEERS - PLANNERS	
GLEN BURNIE, MARYLAND	FRUITLAND, MARYLAND

DRAWN
TRACED
CHECKED
APPROVED
APPROVED



LEGEND

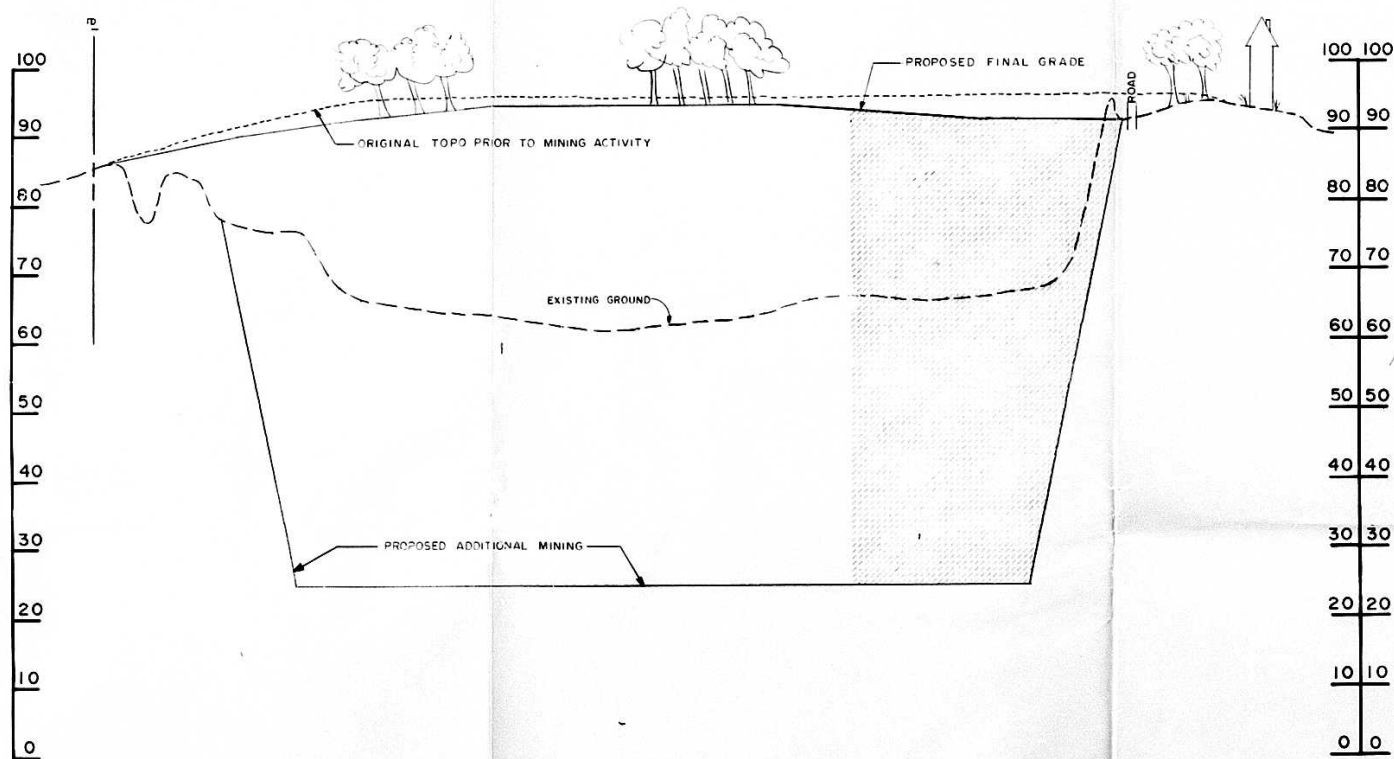
- AREA OF SELECT FILL - TO INCLUDE ONLY NON-DEGRADABLE RUBBLE
- EXISTING GROUND
- PROPOSED CONTOURS

TOPO BY

AIR SURVEY CORP.
RESTON, VA 22090
REVISED TOPO WITHIN SITE AREA
SURVEYED BY WM HARRINGTON &
ASSOCIATES, INC. FEB. 1985

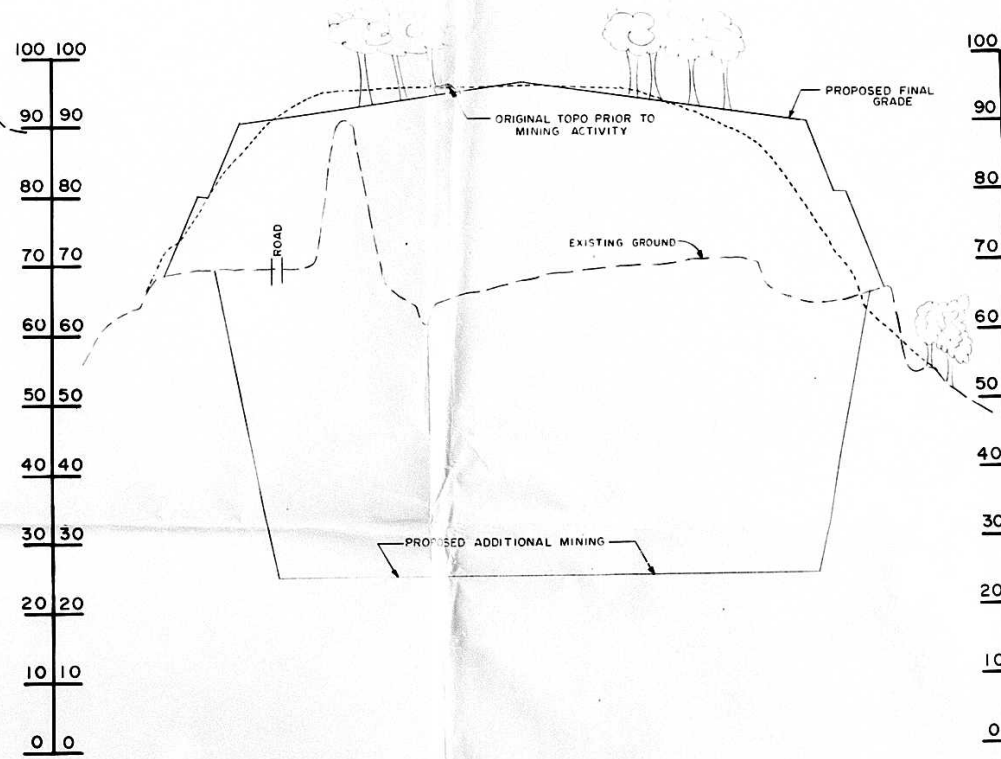
PLAN

ENVIRO-GRO 3100 SUN STREET BALTIMORE, MARYLAND 21226	
SURFACE MINING RESTORATION PLAN ALLENDER ROAD LAND RECLAMATION PROJECT	
SURFACE MINING GRADING PLAN	
DRAWN	
TRACED	
CHECKED:	BALTIMORE COUNTY
APPROVED:	SCALE 1" = 100'
APPROVED:	W.O. 7526-2
DATE APRIL, 1985	
SHEET 2 OF 3	
WILLIAM HARRINGTON & ASSOCIATES, INC. ENGINEERS - PLANNERS	
GLEN BURNIE, MARYLAND	FRUITLAND, MARYLAND



SECTION A-A

SCALE: HORIZ 1" = 100'
VERT. 1" = 10'



SECTION B-B

LEGEND

- ORIGINAL TOPO PRIOR TO MINING ACTIVITY
- ===== EXISTING GROUND
- PROPOSED CONTOURS
- AREA OF SELECT FILL - TO INCLUDE ONLY NON-DEGRADABLE RUBBLE

NOTE: FINAL PLANTING TO BE DETERMINED BY DEPARTMENT OF NATURAL RESOURCES.

ENVIRO GRO 3100 SUN STREET BALTIMORE, MARYLAND 21228	
SURFACE MINING RESTORATION PLAN	
ALLENDER ROAD LAND RECLAMATION PROJECT	
SECTIONS	
DRAWN	MARYLAND
TRACED	
CHECKED	BALTIMORE COUNTY
APPROVED	SCALE AS SHOWN
	DATE APRIL, 1985
	W.D. 7526-2
	SHEET 3 OF 3
WILLIAM HARRINGTON & ASSOCIATES, INC. ENGINEERS - PLANNERS	
GLEN BURNIE, MARYLAND	FRUITLAND, MARYLAND

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
 BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

Harry A. Smuck

For a Special Exception
 To The Zoning Commissioner of Baltimore County

Harry A. Smuck Legal Owner

Contract Purchaser

hereby petition for a Special Exception, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now or be erected thereon) hereinafter described for Excavations, Controlled

SEE ATTACHED DESCRIPTION

Harry A. Smuck
 6060 Ritchie Highway
 Baltimore 28, Maryland

Contract Purchaser

Legal Owner

MICROFILMED

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District.....11th..... Date of Posting.....Nov. 30, 1960

Posted for:.....Special Exception for Controlled Excavation.....

Petitioner:.....Harry A. Smuck.....

Location of property:.....N. S. Taylors Mount Road - west shore line of Big Gunpowder Falls, also see plat.....

Location of Signs:.....N. S. Taylors Mount Road - 1/2 mile posted along a distance of East 2236 feet from the west shore line of the Big Gunpowder Falls.....

Remarks:.....

Posted by:.....Robert Lee Bullish..... Date of return:.....Dec. 14, 1960.....

MICROFILMED

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District.....11th..... Date of Posting.....6/29/67.....

Posted for:.....

Petitioner:.....Harry A. Smuck.....

Location of property:.....N. S. Taylors Mount Road (TAYLORS MOUNT RD) and West Shore Line of Gunpowder Falls (Gd).....

Location of Signs:.....On the location of signs marked on the map in black.....

Remarks:.....

Posted by:.....Robert Lee Bullish..... Date of return:.....7/4/67.....

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION
 FOR CONTROLLED EXCAVATION -
 N. S. Taylors Mount Road & West Shore
 Line of Gunpowder Falls, 11th
 District - Harry A. Smuck,
 Petitioner

BEFORE
 ZONING COMMISSIONER
 OF
 BALTIMORE COUNTY
 No. 5166-X

Upon hearing on the above petition for a special exception to use the property described therein for controlled excavation, under Section 603, of the Baltimore County Regulations, and it appearing that by reason of location, the safety, health and the general welfare of the locality involved not being detrimentally affected the special exception should be granted. The granting of which does not violate Section 502.1 of the Regulations.

It is this 13th day of April, 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 compliance with the following provisions and restrictions:

1. That the special exception is to exist for five (5) years and it shall conform to the contours to be submitted by the petitioner and approved by the Office of Planning and Zoning.
2. At the end of each calendar year the petitioner shall submit a cross-section of the property worked on during that year to indicate the excavations which have occurred. This shall be submitted to the Bureau of Land Development for approval. After the Bureau of Land Development has approved this cross-section report, said report shall be made a part of this file.
3. The site plan for the development of said property shall be subject to the approval of Bureau of Land Development, Traffic Engineering Division and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION
 FOR CONTROLLED EXCAVATION -
 N. S. Taylors Mount Road & West Shore
 Line of Gunpowder Falls, 11th
 District - Harry A. Smuck,
 Petitioner

BEFORE
 ZONING COMMISSIONER
 OF
 BALTIMORE COUNTY
 No. 5166-X

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Zoning Commissioner of Baltimore County

MICROFILMED

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
 BEFORE THE
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

Harry A. Smuck

For a Special Exception
 To The Zoning Commissioner of Baltimore County

Harry A. Smuck Legal Owner

Contract Purchaser

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A Special Exception to use the land (and improvements now or be erected thereon) hereinafter described for Excavations, Controlled

SEE ATTACHED DESCRIPTION

Harry A. Smuck
 6060 Ritchie Highway
 Baltimore 28, Maryland

Contract Purchaser

Legal Owner

NOV 1960
 12/21/60
 11 A.M.
 ZONING DEPARTMENT

MICROFILMED

NOV 1960

MICROFILMED

#5166-X
 MAP
 #11-C
 "X"
 12/19/60
 NE-5-C

RE: PETITION FOR SPECIAL EXCEPTION - ZONING COMMISSIONER
BEFORE
N. S. Taylors Mount Road & W. Shore
Line of Gunpowder Falls, 11th
District - Harry A. Smuck, Petitioner : OF

: BALTIMORE COUNTY
: No. 5166-X

NOTICE OF APPEAL

Please enter an appeal in the above-captioned cause to the County
Board of Appeals from the Order of the Zoning Commissioner of Baltimore
County dated April 13, 1962.

E. Scott Moore, attorney for
Protestants,
403 Jefferson Building
Towson 4, Maryland
825-8510

November 22, 1967

Fred E. Waldrop, Esq.
Masonic Building
Towson, Maryland 21204

Re: Zoning File No. 5166-X
Harry A. Smuck, Petitioner

Dear Mr. Waldrop:

Enclosed herewith is a copy of the Opinion and Order
passed by the County Board of Appeals today in the above entitled case.

Very truly yours,

Edith T. Eisenhart, Secretary

cc: James D. Nolan, Esq.
John T. Cecil, Esq.
Mr. John G. Rose
Mr. George E. Gavrells
Board of Education

OLIVER BEACH IMPROVEMENT ASSN. INC.

ROUTE 14 BOX 188-A
BALTIMORE, MARYLAND 21220

August 7, 1967

TO WHOM IT MAY CONCERN:

The regular monthly meeting of the Oliver Beach Improvement
Association, Inc., was held July 10, 1967. Due notice was sent to
all residents and members of the Oliver Beach Community.

It was agreed that we would go on record protesting the grant-
ing of the petition for special exception for controlled excavation
by Harry A. Smuck, Petitioner. A resolution was adopted and passed
unanimously and duly recorded.

Romer De Angelis, president, and Katherine Van Rossum, elected
member of the Board of Directors were duly authorized to organize a
committee to present our protest before the Zoning Commission board.

Herbert J. Speth
Notary
My commission expires
7-1-69

Romer De Angelis
President, Oliver Beach Improvement Assn.
Melvin L. Derry
Recording Secretary, Melvin Derry

Mrs. Van Rossum

JAMES D. NOLAN
LAW OFFICES
TOWSON 4, MARYLAND
104 WEST PENNSYLVANIA AVENUE

TELEPHONE
VALLEY 2-7800

July 5, 1967

County Board of Appeals
Room 301
County Office Building
Towson, Maryland 21204

Re: No. 5166-X Petition of Harry A. Smuck for
Special Exception for Controlled Excavation
N/S Taylors Mount Road and W. Shore Line of
Big Gunpowder Falls, 11th District
Present Hearing Date Scheduled Thursday,
August 3, 1967, at 10:00 A.M.

Gentlemen:

Without prejudice to my client's rights regarding our
continuing objection to the reopening of the hearing before
the Board, I would like to point out that to save the Board
further trouble and in the interest of the very full dis-
closure and notice which the residents of the area have asked
for, I would suggest that the citizens opposed to this matter
be notified through their spokesman or main portestants. I
noted in the notice dated June 3, 1967, that notice is not
thereby given to the protestants, the very item which they
were so vocal about to their county councilman, Mr. Bartenfelder.
I raise this point only in the interest of forestalling further
objections by the residents of the area in order that all con-
cerned in that area, whether they have formally notified the
Board or not of their objection, may have notice of the hearing
scheduled for August 3. As I said before, this letter and this
suggestion is made without prejudice to my client's rights to
object to the reopening of the hearing, which we most assuredly
do.

Thanking the Board for its consideration of this sug-
gestion, I am

Respectfully,

James D. Nolan

JDN/pl
cc: Mr. Harry Smuck, Mr. H. Bartenfelder, Mr. W. Parr, John Cecil, Esq.,
Mr. John Rose, Mr. G. Gavrells, Bruce Alderman, Esq., Mr. Perkins

LAW OFFICES
E. SCOTT MOORE
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
AREA CODE 302
825-8510

April 24, 1967

William S. Baldwin, Chairman
County Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Harry A. Smuck - File No. 5166-X

Dear Sir:

Please be advised that it is my intention to strike my
appearance from the above-captioned case as soon as I am able
to notify the people that I am representing.

Respectfully,
E. Scott Moore

ESM:ey

JAMES D. NOLAN
LAW OFFICES
TOWSON 4, MARYLAND
104 WEST PENNSYLVANIA AVENUE

TELEPHONE
VALLEY 2-7800

April 20, 1967

County Board of Appeals
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention Mrs. Edith Eisenhart
Secretary

Re: Harry A. Smuck - File #5166-X
Petition for Special Exception
for Controlled Excavation

Dear Mrs. Eisenhart:

Please enter my appearance in the above-entitled
matter, in behalf of the Petitioner, Harry A. Smuck. I would
appreciate your setting this in for hearing as promptly as the
convenience of the Board will permit.

Thank you very much for your attention to this
request.

Sincerely,

James D. Nolan
James D. Nolan

JDN:n

January 20, 1967

E. Scott Moore, Esq.
Jefferson Building
Towson, Maryland 21204

Dear Mr. Moore:

The above case has been on our docket for quite sometime and
we are anxious to dispose of it in the near future.

Please advise us of the present status of this matter.

Very truly yours,

Muriel E. Buddemeier

CERTIFICATE OF PUBLICATION

TOWSON, MD December 1st 19 60

THIS IS TO CERTIFY, That the annexed advertisement
was published in The COUNTY Paper, Inc., a weekly news-
paper printed and published in Towson, Baltimore County,
Md., once in each of 1 successive weeks before the
21st day of December 19 60, the first
publication appearing on the 1st day of
December 19 60

The COUNTY Paper, Inc.

Manager

For Helen S. Sheldon

RE: HARRY SMUCK - #5166-X

6/15/67 - 11:25 am

Mr. Arnold Krell, speaking for citizens of community,
Lorley Beach and Allender Roads, White Marsh, Md.
(Telephone - 335 - 6336) called re property not having
been posted before hearing on 5/31/67. Told him it
had been posted originally when case was appealed, but
not recently. Also, that it is not required by law to post
same.

Called 3/5
Arnold Krell
335-6336
Lorley Beach Rd
Allender Rd
Spokenman for residents on 5/31/67 re 5/31/67

County Board of Appeals
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON 4, MARYLAND

July 8, 1963

Nolan P. Chipman, Esq.
The Jefferson Building
Towson 4, Maryland

Dear Mr. Chipman:

I do not know whether or not you are familiar with a petition for special exception for controlled excavation on the north side of Taylor Mount Road and West Shore Line of Gunpowder Falls in the 11th District of Baltimore County; the petitioner being Harry A. Smuck.

Mr. Moore handled this case prior to his appointment as County Solicitor, and I am at a loss at this time to know who has taken it over. I spoke to Mr. Moore shortly after he assumed his new position and he asked that we hold this case open until other arrangements could be made.

If you are handling this matter will you please advise the Board of your desires as to having it set down for hearing, or, if you are not handling it will you please turn this letter over to the person in your office who is handling it. If neither be the case, please advise the Board and we shall discuss the matter directly with Mr. Moore.

Very truly yours,

Nathan H. Kaufman
Nathan H. Kaufman, Chairman

NHK:ete

NHK - I am not handling this matter, but I showed this letter to ESM and he said to ask you & please not do anything about it for the time being. JPC

November 28, 1962

I talked to attorney Scott Moore this morning and told him that I would assign him a date for this hearing as per his request of August 21. However, due to Mr. Moore's impending appointment as County Solicitor he said that he would not be able to try this case in the near future, and asked that we hold off on assigning it until some future date agreeable to him.

G. Mitchell Austin

LAW OFFICES
E. SCOTT MOORE
JEFFERSON BUILDING
TOWSON 4, MARYLAND

August 21, 1962

County Board of Appeals
County Office Building
Towson 4, Maryland

Re: Petition for Special Exception for
Controlled Excavation
N.S. Taylors Mount Road & West
Shore Line of Gunpowder Falls
11th District
Harry A. Smuck - Petitioner

Gentlemen:

I have received your notice of the postponement concerning the above-captioned case which was set for Thursday, September 6, 1962.

This matter has been before the Zoning authorities for Baltimore County for over two years and it was my understanding that the case would be set in July of 1962, and then it was scheduled for September 6, 1962.

It would be greatly appreciated if you would set this matter down for hearing at the earliest possible date and insist that there be no further delays.

Respectfully,

E. Scott Moore
E. Scott Moore

ESM:ey

cc: John T. Cecil, Esq.
3210 Hammonds Ferry Road
Baltimore 27, Maryland

August 17, 1962

John T. Cecil, Esq.
3210 Hammonds Ferry Road
Baltimore 27, Maryland

Re: Petition for Special Exception for
Controlled Excavation
N.S. Taylors Mount Road & West
Shore Line of Gunpowder Falls
11th District
Harry A. Smuck - Petitioner

Dear Mr. Cecil:

As requested in your letter of August 16, 1962, the appeal hearing scheduled for the above subject for Thursday, September 6, 1962 at 10:00 a.m., has been postponed by the Board.

You will be duly notified of the rescheduling of the hearing at a later date.

Yours very truly,

Secretary

cc: E. Scott Moore, Esq.
Hon. John S. Gonthier
Board Members
Mr. Perkins
Planning & Zoning
Solicitor

JOHN T. CECIL
ATTORNEY AT LAW
3210 HAMMONDS FERRY ROAD
BALTIMORE 27, MARYLAND
242-1418

August 16, 1962

Mr. Nathan Kaufman, Chairman
Board of Zoning Appeals
County Office Building
Towson 4, Maryland

Re: Petition for Special Exception for
Controlled Excavation
N.S. Taylors Mount Road & West
Shore Line of Gunpowder Falls
11th District
Harry A. Smuck - Petitioner

Dear Mr. Kaufman:

The hearing on the appeal filed in the above matter has been scheduled by the Board of Appeals on Thursday, September 6, 1962 at 10:00 A. M. in Room 301.

Due to the fact that my client will be out of town during the Labor Day week, I wish to request a postponement of the hearing date in the above matter.

Thank you very much for your consideration in this matter.

Very truly yours,

John T. Cecil
JOHN T. CECIL

JTC/as

Rec'd May 9, 1962

RE: PETITION FOR SPECIAL EXCEPTION
FOR CONTROLLED EXCAVATION -
N.S. Taylors Mount Road & W. Shore
Line of Gunpowder Falls, 11th
District - Harry A. Smuck, Petitioner
BEFORE
: ZONING COMMISSIONER
: BALTIMORE COUNTY
No. 5166-X

NOTICE OF APPEAL

Please enter an appeal in the above-captioned cause to the County Board of Appeals from the Order of the Zoning Commissioner of Baltimore County dated April 13, 1962.

E. Scott Moore
E. Scott Moore, attorney for
Protestants,
408 Jefferson Building
Towson 4, Maryland
825-8510

5. Request for Special Exception For Harry Smuck Property:

Mr. Rose presented a petition for a Special Exception for a controlled excavation on the Harry Smuck property. He said he had been informed that the State Department of Forests and Parks favored having the property excavated because without it the price for purchasing the land as part of the Gunpowder Park would be excessive. The Zoning Commissioner is empowered to establish specifications to control excavating operations.

On a motion by Mr. Peper, seconded by Mr. Gaudreau the Board voted to approve the petition subject to imposition of adequate safeguards for the following (in addition to other requirements deemed desirable by the Zoning Commissioner):

1. Sediment from quarrying operations should not interfere with recreational and other uses of nearby water bodies.
2. Upon cessation of quarrying operations the property must be put into condition acceptable to the State Department of Forests and Parks.

November 22, 1960

Mr. John A. Rose,
Deputy Zoning Commissioner
Dear Mr. Rose:

This is to confirm adoption by the Baltimore County Planning Board on Thursday, November 17, of a motion to approve the granting of a Special Exception for a controlled excavation on the Harry Smuck property near Big Gunpowder Falls.

This approval is given with the understanding that it is in conformance with the interests of the State Department of Forests and Parks. Granting of the Special Exception should be subject to imposition of adequate safeguards for the following (in addition to such other requirements as the Zoning Commissioner may establish):

1. To prevent sediment from quarrying operations from interfering with recreational and other uses of nearby water bodies.
2. To place the property in a condition acceptable to the State Department of Forests and Parks upon cessation of quarrying operations.

Sincerely yours,

Malcolm H. Bill
Malcolm H. Bill, Director

No. 5166-X

11th District

N/S Taylors Mount Road (Allender Road) and
West Shore Line of Gunpowder Falls (Big)
Harry A. Smuck, Petitioner

2 - Signs

RE: PETITION FOR SPECIAL EXCEPTION
for Controlled Excavation
N/S Taylors Mount Road (Allender
Road) and the S/S of Big
Gunpowder Falls,
11th District
Harry A. Smuck,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5166-X

OPINION

The petitioner in this case seeks a special exception in an R-40 zone to conduct controlled excavation of sand and gravel deposits. The petition was granted with restrictions by the Zoning Commission on April 13, 1962, from which decision the protestors are appealing.

The subject property is located in the Loreley section of the Eleventh Election District of Baltimore County. It is at the eastern end of Allender Road, also known as Taylors Mount Road, on the south side of Big Gunpowder Falls, near its confluence with the Gunpowder and Bird Rivers. The property is actually on a peninsula. The tip end is owned entirely by the petitioner, constituting 720 acres, of which 579 acres is the subject of this petition and is identified on a plot entered as petitioner's exhibit #1.

The zoning map in effect for the area is the Eleventh District map adopted by the County Council on August 1st, 1966. The subject tract, as well as adjoining property, had been previously zoned R-6 but on the latest map they are reclassified to R-40. This is a rural area and much of the cleared land is cultivated for growing farm crops.

Counsel for the petitioner called Captain Paul Reincke of the Baltimore County Fire Prevention Bureau; Mr. Timothy Margum, Chief, Division of Engineering, Baltimore County Department of Health; Mr. Hugo Leim, Jr., Traffic Expert; and Mr. Bernard Medsary, realtor-appraiser, to testify as expert witnesses. Without going into any lengthy discourse of their testimony, it was their consensus that Section 502.1 of the Zoning Regulations would not be violated by granting the petition. However, Mr. Leim testified that it would be desirable to widen Allender Road from 18 to 24 feet. He testified that Baltimore County has appropriated funds to make such an improvement for 1300 feet from Pulaski Highway to Loreley Beach Road. This testimony was further verified by introduction of petitioner's exhibit #14, a copy of minutes of the Baltimore County Executive Board meeting approving project directive #2986. He further testified that since the Nottingham case was heard (1962-#5109-X), traffic signals had been installed at the intersection of Pulaski Highway and Allender Road.

Mr. Medsary stated that the proposed excavation could not be seen by the residents of Loreley Beach and would not adversely affect their property values. Their

Harry A. Smuck - #5166-X

properties, to some extent, are already influenced by existing industrial zoning at Pulaski Highway and Allender Road. He further testified to the effect that quarrying operations can only be accomplished where the product is found. A precedent for this observation is found in the Circuit Court case of A. A. Dyer Co. vs. Nathan H. Kaufman, et al, Misc. Docket No. 6, Fall No. 126, File No. 1937, where in a supplemental opinion dated December 5, 1958 the Court, by John E. Raine, Judge, said: "A quarry area, unlike group housing areas, is sui generis. The location of quarries is fixed by nature. They are, in a sense, unique and this aspect of the matter justifies unique treatment by the zoning authorities and by the Courts".

The petitioner, Mr. Harry Smuck, testified that the proposed excavation would be done by drag line and that there would be no run-off of silt to the rivers. He cited an excavation that he has been operating successfully for twenty-seven years on the Patapsco River and Hollins Ferry Road without run-off. He further testified that he would widen Taylors Mount Road as necessary to assure safe traffic conditions.

There was only one protestant at the first day of the hearing. The sole protestant, Frederick G. Brown, appeared in his own behalf and testified that he does not oppose the granting of the special exception if the road will be widened. He cannot see the subject property from his home, but was concerned that a school bus and a truck could not safely pass each other on the narrow road.

Other protestors contacted the Board's office after the first day of hearing, stating that they were unaware that this five year old case was being tried since there had been no new "posting" of the property. The Board, over the objection of the petitioner, decided that the protestors were entitled to their "day in court" and that the case should be continued, even though the usual sequence of presenting testimony would be altered.

At the continuation, the protestors were represented by counsel. Some fourteen additional protestors testified, including a Mrs. Katherine Van Rossum representing the Oliver Beach Improvement Association; Mr. Len B. Wilson, a soil conservation expert; Harry Reipe, Jr., a real estate expert; and Mr. Lee Rosenberg, Executive Vice President of the nearby Joppatowne and Rumsey Island developments. The protestors' testimony, in toto, was that they objected to granting the petition because of potential traffic hazards, siltation of the rivers, and lowering of the potable water table that may result.

Mr. Wilson testified that the site now is in good condition to hold or prevent siltation, but that a certain amount of erosion can never be stopped as it is a natural phenomenon. If the site were developed into R-40 residential lots as presently zoned he said there would be some erosion that may be greater or lesser than if controlled excavation

Harry A. Smuck - #5166-X

were permitted. He stated that planting permanent grass mixtures and development of a good sod on the slopes would be sound erosion control practice.

Mr. Reipe testified that, in his opinion, development of Joppatowne would be jeopardized, and that Loreley Beach residences would suffer mild damages if the petition were granted. Under cross-examination he replied that he was familiar with the fact that a sand and gravel operation, located in Joppatowne, was conducted during the construction of Joppatowne and is still operating under lease. He further expressed concern that periodic flooding conditions in the Gunpowder River basin may overflow mining operation on the subject property and thereby increase siltation.

Mr. Rosenberg testified as to the multi-million dollar investment that his company has in the Joppatowne and Rumsey Island developments, and objected to the granting of the petition on the basis that his developments would be adversely affected. However, he acknowledged that the sand and gravel company in Joppatowne is owned by them; that it supplied most of the sand and gravel for the development of Joppatowne and Rumsey Island; and that it is leased out for continued operation for another one and one-half to two years.

To further his case, the petitioner produced two other expert witnesses; Mr. Henry Gropp, a hydrological engineer, and Mr. Carl Supp, a civil engineer and certified professional geologist. Both experts had impressive qualifications and experience in their respective fields. Some of the more salient features of their lengthy testimony were that the mining excavation here would not have any adverse effect on the underground water table, its supply or purity. It should not contaminate the rivers as a "closed" system will be employed, pumping and recirculating water for washing the sand and gravel. These two witnesses greatly impressed the Board with their thorough, detailed, and convincing testimony. The Board relies heavily on their expertise in the technical aspects of the case and along with the testimony of other witnesses, it is the opinion of the Board that the petitioner has satisfied the requirements of Section 502.1 of the Zoning Regulations, and we are convinced that granting the petition will not adversely affect the protestors. The special exception requested, therefore, is granted subject to the following restrictions:

1. The site plan for the excavation of the subject property shall be subject to the prior approval of the Bureau of Land Development, the Bureau of Traffic Engineering, and the Office of Planning and Zoning.
2. A buffer strip of at least 50 feet wide, consisting of natural brush and weeds, shall be provided around the perimeter of the site.

Harry A. Smuck - #5166-X

3. All necessary steps and precautions as may be ordered by the Health Department, shall be taken to prevent and/or eliminate any siltation run-off to the surrounding rivers from any cause whatsoever originating on the site.
4. No transporting of sand or gravel shall commence until Allender Road, from Pulaski Highway to Loreley Beach Road, is improved to a paved width of 24 feet, and that the widening be extended or additional pull-offs be constructed from that point to the subject property, as required by the Baltimore County Bureau of Traffic Engineering.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 22nd day of November, 1967 by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby GRANTED, subject to the aforementioned restrictions.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Acting Chairman

Walter A. Reiter, Jr.

John A. Miller

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 9, 1960
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on or before the 21st day of December, 1960, the last publication appearing on the 9th day of December 1960.

THE JEFFERSONIAN,
Frank H. Heston,
Manager.

Cost of Advertisement, \$.....

TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 11644

DATE 5/9/62

TO: L. Scott Hurrey, Esq.,
The Jeffersonian
Towson 4, Maryland

BILLED TO: Office of Planning & Zoning
119 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 01-622

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

TOTAL AMOUNT

COST

Cost of appeal to Board of Appeals

No. 5166-X

\$70.00

\$70.00

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

CERTIFICATE OF PUBLICATION

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THE JEFFERSONIAN,
Frank H. Heston,
Manager.

Cost of Advertisement, \$.....

TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 4147

DATE 12/27/60

TO: Mr. Harry A. Smuck
6050 Ritchie Highway
Baltimore 25, Md.

BILLED TO: Zoning

DEPOSIT TO ACCOUNT NO. 01-622

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

TOTAL AMOUNT

COST

Advertising and posting for property

\$89.00

\$89.00

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 4083

DATE 11/28/60

TO: Mr. Harry A. Smuck
6050 Ritchie Highway
Baltimore 25, Md.

BILLED TO: Zoning

DEPOSIT TO ACCOUNT NO. 01-622

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

TOTAL AMOUNT

COST

Petition for Special Exception - Smuck property

\$50.00

\$50.00

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#5166

District: 11-
Date of Posting: 11-30-60
Posted for: Special Exception for Controlled Excavation
Petitioner: Harry A. Smuck
Location of property: N/S Taylors Mount Rd. W. of Shaw's Lane
Location of signs: 23 ft. x 36 ft. signs at intersection of Taylors Mount Rd. and Shaw's Lane
Remarks: By Order of JOHN G. ROBE, Deputy Zoning Commissioner
Posted by: George R. Neumann
Date of return: 12-1-60

5/3/67

#5166-X-

Exhibits

Petition

- ✓ #1 Tax Plat (73) - Mt. Tn. Map - Baltimore County
- ✓ #2 Letter from Kattenbach to Nolan - 5/29/67
- ✓ #3 Aerial Photo - 4/23/63 (1000000)
- ✓ #4 Plat of Jane Lerner - note & legend of SW -
- ✓ #5 Letter - Mabelum Hill - 11/22/60
- ✓ #6 Minutes of Planning Board - page 5a
- ✓ #7 photo - U.S. Geological Survey - White Marsh, Md. & Edgewood, Md.

Protestants

- ✓ A Letter from Brown to Board
- ✓ B. List of those present 9/20/67 - protestants - not on any other list

Petition

- ✓ #8 - Left in outcrop of Jim Nolan - Geological Timetables of Baltimore County -
- ✓ #9 - 4 photostatic copies of maps received by Baltimore County - sheet NE-7-L scale - 1" = 500' " NE-7-L
- ✓ #10 US Coast & Geodetic Chart #1226 - Ches. Bay, S. Pt. to Sw. Pt.
- ✓ #11 Brochure published by US Geological Survey - Baltimore 1966
- ✓ #12 George Brown - E.C. Cottrell - 1945 - Soil Erosion in Ches. Bay.
- ✓ #13 Site distance - AA - BB - about 1872
- ✓ #14 " " - CC - about 2872
- ✓ #14 " " - CC - about 2872
- ✓ #14 " " - CC - about 2872

OVER

8/3/67

#5166-X-

Exhibits

"Smuck" - continued

Protestants

- ✓ B. Battle of water - from Bird River - (in case)
- ✓ C 4 pages of protestants - signature obtained by Morgan
- ✓ D " " " " " Mrs. Lerner
- ✓ E Letter of note - Harwood Park Community League, Inc.
- ✓ F " " " " " from Oliver Beach
- ✓ G " " " " " Bird River Grove Improvement Assn.
- ✓ H 3 pages of protestants - Mrs. Frances Caravella
- ✓ I 3 pages of " " - Earl W. Morgan & Mary Blackie
- ✓ J 1 page " " - by Ellen F. Jackson
- ✓ K 2 pages " " - by Thomas Morgan
- ✓ L List of 20 signatures protestants in most liberate

Protest

If you did not attend my 3
Please sign.

Harry A. Smith
Kellen V. Wilson

Patrick J. Rugh
Kathleen Rose Housman
Wm. E. Tabbings
Mrs. Wm. C. Tabbings
Larry S. Ben
Robert L. Lerner
Mrs. Robert L. Lerner
George J. Davis II
Catharina M. Nash

anyone who did not sign this a.m.
Please sign

Protestants
#B

May 30, 1967

Board of Zoning Appeals of Baltimore County
Towson, Maryland

Gentlemen:

If zoning is granted to Harry Smuck on property known as Taylors Mount for special exception for controlled excavation, I definitely feel that there should be some definite understanding that Allender Road be made a safe width. This is the only entrance or access to Taylors Mount at present. The road is only 10 to 12 feet wide in several places, plus several sharp blind turns in the road. I feel that the present road conditions are very hazardous. If this condition is corrected I have no objection in the granting of this zoning petition.

Yours truly,

Fred H. Brown

P.S. There is also a school bus that goes back this same road and picks up approximately 15 school children each day.

Geo. E. A.

Harwood Park Community League, Inc.
P. O. Box 181 Chase, Maryland 21027

July 31, 1967

We the people of Harwood Park Community have authorized Mr. James Gray to protest in our behalf the granting of the petition of special exception for control excavation of the north side of Taylors Mount Road and west shore line of Gunpowder Falls in the 11th district.

PRESIDENT: *James R. Gray*
VICE-PRESIDENT: *Geo. A. Schaller*
TREASURER: *L. Allen Kell Sr.*
SECRETARY: *Mrs. Regina M. Ruhl*

OLIVER BEACH IMPROVEMENT ASSN. INC.
ROUTE 14 BOX 188-A
BALTIMORE, MARYLAND 21220

August 1, 1967

Planning and Zoning
County Office Bldg.
Towson, Maryland 21204

Dear Sir: ATT: Mr. John G. Mose, Zoning Commissioner

Re: the Oliver Beach Improvement Association, Inc. protest the granting of the petition for special exception for controlled excavation E. S. Taylors Mount road and W. shore line of Gunpowder Falls, 11th District, by Harry A. Smuck, petitioner.

At our regular monthly meeting in July a motion was made and passed unanimously and duly recorded in our minutes, that we protest vehemently the granting of the above petition.

We know how an operation of this nature can effect our waters. With the removal of trees, shrubs, etc. plus washing of sand and gravel, silt will find its way into our river, increase vegetation and instead of clean water we will have a river of mud. A prime example is the upper section of Bird River.

Our community has spent thousands of dollars in the passed six (6) years to eliminate the milfoil in the Gunpowder river. The water is clearing and sand is returning to the river bed. We are doing everything that we possibly can to clear our water and keep it clean.

Our Federal, State, and county governments are all working and asking everyone to keep our waters clean, so are we.

Very truly yours,
Ruth H. Howard
Ruth H. Howard
Corresponding Secretary

THE BIRD RIVER GROVE IMPROVEMENT ASSOCIATION
White Marsh, Maryland

August 2, 1967

Mrs. Harry Lehr
Loreley Beach Rd.
White Marsh, Md.

Dear Mrs. Lehr,

We residents of the Bird River Grove Improvement Assoc., Inc. are appalled at the thought of another opportunist in this area.

After coming to terms with the Harry Campbell Corp., we thought our troubles were over - only to find "we've just begun to fight". Needless to say, if Harry Smuck is allowed to wash sand and gravel at the lower end of the river the result would be in the gradual filling in of the lower end of Bird River. Compounded to this is the fact that it is still filling in from the mouth of the river. This will close up our river completely.

We, homeowners feel it grossly unfair as most of us bought our homes as Waterfront Properties and paid accordingly. We purchased our land in good faith that it would indeed remain Waterfront. We will not have our investments jeopardized.

Once again let us go on record to say we of the Bird River Grove Improvement Assoc. are strongly opposed to the washing of sand and gravel by Harry A. Smuck.

Sincerely,
James A. Smith
James A. Smith
Acting President

JS:mh

Baltimore County
Department of Public Works
County Office Building
TOWSON 4, MARYLAND

J. FRED OFFUTT, P.E.
DEPUTY DIRECTOR
THORNTON M. HOLMES, P.E.
ASSISTANT DIRECTOR

May 29, 1967

ALBERT B. KALTENBACH, P.E.
DIRECTOR OF PUBLIC WORKS

James D. Nolan, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

Dear Mr. Nolan:

This letter is to advise you that a directive is being prepared which will encumber funds for the improvement to Allender Road from Loreley Beach Road to Pulaski Highway. This work is being performed because the increased traffic requires twenty-four feet of macadam paving.

Very truly yours,

Albert B. Kaltenbach
ALBERT B. KALTENBACH
Director

ARK:fb

Relg #2

+ 9 Ketez Loley Rd.
 Pray Linda Loley Rd.
 Pray May Dyer Rt. 14 Box 32 Olive Beach
 Mrs Ray & Smith Rt 14 Box 35 Olive Beach Salt 30 72
 Mrs Fred. Roemer Rt. 14 Box 51. Olive Beach Salt, Md.
 Mrs Little Thornton 951-A Loley Beach Rd. W. 122
 Mrs Margaret Pfeiffer Loley Beach Rd. White Marsh
 Mrs Margaret Pfeiffer Loley Beach Rd. White Marsh
 Mrs Septa J. Schuler Loley Beach Rd. White Marsh
 Mrs Barbara Pfeiffer Loley Beach Rd. White Marsh
 Mrs Walter Thomas Loley Beach Rd. White Marsh
 Mrs Alice Murphy 809 980 Loley Beach Rd. White Marsh
 Mrs Thomas C. Bailey Loley Beach Rd. White Marsh
 Mrs. Rose Schuler Rt 17 Loley Beach Rd. White Marsh Rd.
 Mrs John C. Morgan 1028 Beach Ave. White Marsh, Md.
 Mrs Smith, W. Loley Beach Rd. White Marsh
 Mrs. Mattie O. Myers Loley Rd. White Marsh Md.
 Mrs George Williams Loley Rd. White Marsh Md
 Mrs Campbell William Loley Rd. White Marsh Md
 Harry & Doris Callender Loley Beach Rd.
 Mrs A. Amelia Koltschak Box 433 Rt 16 Haverwood Park
 Margaret Kline Box 429 Rt 16 Salt. 20, 72d
 Cecil H. Chapin Rt. 16 Box 199H Salt. Md. 2224
 Harry C Edwards Rt 16 Box 405 Salt 21220
 Virginia L. Moore Rt. 14 Box 205-B Salt. Md. 21220
 Carl H. Moore Rt. 14 Box 205-B Salt. 21220
 Mammie Brownman Brownman Rd. White Marsh. Md. 2116
 Mary Kleckin Rt 40-0 Allendale Rd. White Marsh, Md.
 Edith & Elly 922 Allendale Rd. White Marsh Md
 Helen B. Brownman Brownman Rd. W. 122
 Mrs Lucy Brownman 110 Sage Rd. Yary Hall Md 21224
 Mrs Mary Rt 14 Box 202 1238 Ballewin Md. 21220

Joseph A Steiner White Marsh
 14141 Melburn St White Marsh, Md.
 Mrs Ralph Dorsett Steiner Rd. White Marsh, Md.
 Mr James L. Steiner, Jr. Rt. # 150 Rt # 165 Ocean Beach
 Md
 Mrs. J. P. Gray Rt. 16 Box 430 Balto 20
 Thomas H. Morgan Back Rd. White Marsh 21162
 Virginia Robinson Rt # 14 Box 205 Balt 21220

cc: James D. Nolan, Esq.
John T. Cecil, Esq.
✓ Mr. John G. Rose
Mr. George E. Gavrelis
Board of Education

1. The site plan for the excavation of the subject property shall be subject to the prior approval of the Bureau of Land Development, the Bureau of Traffic Engineering, and the Office of Planning and Zoning
2. A buffer strip of at least 50 feet wide, consisting of natural brush and woods, shall be provided around the perimeter of the site

Walter A. Reiter, Jr.

John A. Miller

<u>Name</u>	<u>Address</u>	<u>Post Office</u>
Jacques Caravella	Bx 115 Rt 14	21220
Wm Jackson	Bx 235 Rt 14	21220
Vincent Caravella	Bx 115 Rt 14	21220
Mrs Max E. Blain	Cuy 116 Rt 14	21220
Mr Bernard F. Blain	Box 116 Rt 14	21220
Robert Smith	238 1st St Rt 14	21220
James J. Kasper	Bx 117 Rt 14	21220
Norman Shaw	Bx 113A Rt 14	21220
Paul Sandness	Bx 108 Rt 14	21220
Miss D. S. Long	Bx 109 Rt 14	21220
William G. Simic	Box 113A, Rb. 14.	21220
Eva Z. Suppl	Bx 779 Rt 14	21220
Joseph Hladky	Bx 253 Rt 14	21220
Helen Smith	Bx 78 Rt 14	21220
Janet Spade	Bx 80 Rt 14	21220
June Humphrey	Bx 68C Rt 14	21220
Kenneth Carl Pabian	Box 95 Rt 14	21220
Harry M. Loh	Bx 258 Rt 14	21220
Carol Kibota	Bx 258 Rt 14	21220
Charles Crawford	Rt 14 Box 320	21220
Edw. Gary	Cuy 114 Rt 14	21220
Thelma P. Anderson	Rt 14 Box 290	21220

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation N.E. Taylors Mount Road and N. shore Line of Gunpowder Falls, 11th District - Harry A. Smuck, Petitioner.

PAGE 11

Post Office

George E. Hauf Rt 112 Box 112 Balto. Md - 21220
Mrs Florence Hauf Box 112 Balto and
Margaret V Hauf Rt 14 Box 112 Balto. Md 21220
Henry P. Hauf Rt 14 Box 112 Oliver Beach
George Schucherman Rt 14 Box 32 Balto 21220
Rene Schucherman Box 32 Rt 14 Balto Md 21220
Howard V. Eit Cheas md. 21027
Lillian K. Eit Box 30 A Greenbank Rd 21220
Frank J. Koppke Rt 16 Box 101 21220
Raymond Koppke Rt 15 Rt 14 21220
John A. Koppke Box 204 Greenbank Rd 21220
J. M. Koppke Box 257 Choptank Road 21220
James M. Koppke 425 Howard Pk Rd 21220
Lester F. Brown Rt 14 Box 244 21220
Ray F. Brown Rt 14 Box 244 21220
Raymond F. Brown Rt 14 - Box 244 " "
Kenneth Campbell Box 64 Rt 14 21220
Clara K. Campbell Box 64 Rt 14 21220
M. E. Campbell Box 224 Rt 14 21220
John F. Campbell Box 14 Rt 14 21220
Frank D. Orsey Box 22 Rt 14 21220
Walter D. Orsey Box 22 Rt 14 21220
Box 22 Rt 14 Box 244 Baltimore 21220
Box 22 Rt 14 Box 244 Baltimore 21220

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation N.E. Taylors Mount Road and W. Shore Line of Gunpowder Falls, 11th District - Harry A. Smuck, Petitioner.

Name _____ Address _____ Phone # _____
 Albert F. Tuckey Box 51 Beth 2120
 Albert F. Tuckey Box 253 Beth 2120
 Wm. J. Tuckey Box 145 4 2120
 C. J. Tuckey Box 244 21 2120
 J. J. Tuckey Box 132 Br. 19 Beth 20 2120
 J. J. Tuckey Box 477's Br. 16 Beth 20 2120
 Wm. P. Tuckey Box 14 Br. 16 Beth 2120 (Waterbury)
 J. J. Tuckey Box 256 Beth 2120
 J. J. Tuckey Box 256 Beth 2120

Petition

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation N.E. Taylor's Mount Road and W. Shore Line of Gunpowder Falls, 11th District - Harry A. Couch, Petitioner.

Name	Address	Post Office
Thomas A. Morgan	1028 Beach Ave.	White Marsh, Md. 21162
Henry A. Morgan	1028 Beach Ave.	White Marsh, Md. 21162
Bernice Morgan	1028 Beach Ave.	White Marsh, Md. 21162
Leona J. Kraft	1041 Stevens Rd.	White Marsh, Md. 21162
Elizabeth Stevens	1036 Stevens Rd.	White Marsh, Md. 21162
Vernice Goodwin	1036 A Stevens Rd.	White Marsh, Md. 21162
James Goodwin	1036 Stevens Rd.	White Marsh, Md. 21162
Walter Pitt	1036 A Stevens Rd.	White Marsh, Md. 21162
James Pitt	1036 A Stevens Rd.	White Marsh, Md. 21162
Robert P. Whitfield	1515 Stevens Rd.	White Marsh, Md. 21162
William J. Whitfield	1515 Stevens Rd.	White Marsh, Md. 21162
William M. Searcy	Box 1035 Stevens Rd.	White Marsh, Md. 21162
James C. Sigman	1039 Stevens Rd.	White Marsh, Md. 21162
Mr. Edwin E. Bush	1040 Stevens Rd.	White Marsh, Md. 21162
Mr. Walter R. Bush	1040 Stevens Rd.	White Marsh, Md. 21162
Mr. Dorothy Tuttle	1040 Stevens Rd.	White Marsh, Md. 21162
Miss Dorothy Wheeler	1040 A Stevens Rd.	White Marsh, Md. 21162
Mr. John Wheeler	1040 A Stevens Rd.	White Marsh, Md. 21162
R. J. Davis	Stevens Road	White Marsh, Md. 21162
Robert Stevens Jr.	" "	" "
Joseph J. Burdett	Stevens Rd.	White Marsh, Md. 21162
Paul H. Turner	Stevens Rd.	White Marsh, Md. 21162
Paula C. Whitfield	" "	" "
	and Stevens Rd.	White Marsh, Md. 21162

Petition

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation F.O. Taylors Mount Road and W. there
value of Gunpowder Falls, 11th District - Harry A. Smuck, petitioner.

25 Mrs. J. J. G. Kraft 1041 Stevens Rd. 21162
26 Mrs. A. G. L. G. 1042 Stevens Rd. 21162
27 Mr. J. J. G. 1042 Stevens Rd. 21162
28 Mr. J. J. G. 1042 Stevens Rd. 21162
29 Mrs. M. M. Sullivan 1031 Stevens Rd.
30 Ed. A. Sullivan 1031 Stevens Rd.
31 Mrs. L. J. Sullivan 1031 Stevens Rd.
32 Mrs. L. J. Sullivan 1031 Stevens Rd.
33 Mrs. L. J. Sullivan 1031 Stevens Rd.
34 Mrs. L. J. Sullivan 1031 Stevens Rd.
35 Mrs. L. J. Sullivan 1031 Stevens Rd.
36 Mrs. L. J. Sullivan 1031 Stevens Rd.
37 Mrs. L. J. Sullivan 1031 Stevens Rd.
38 Mrs. L. J. Sullivan 1031 Stevens Rd.
39 Mrs. L. J. Sullivan 1031 Stevens Rd.
40 Mrs. L. J. Sullivan 1031 Stevens Rd.
41 Mrs. L. J. Sullivan 1031 Stevens Rd.
42 Mrs. L. J. Sullivan 1031 Stevens Rd.
43 Mrs. L. J. Sullivan 1031 Stevens Rd.
44 Mrs. L. J. Sullivan 1031 Stevens Rd.
45 Mrs. L. J. Sullivan 1031 Stevens Rd.
46 Mrs. L. J. Sullivan 1031 Stevens Rd.
47 Mrs. L. J. Sullivan 1031 Stevens Rd.
48 Mrs. L. J. Sullivan 1031 Stevens Rd.
49 Mrs. L. J. Sullivan 1031 Stevens Rd.

Position

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation N.E. Taylors Mount Road and W. Shore Line of Gunpowder Falls, 11th District - Harry A. Snuck, Petitioner.

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Petition

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation N.E. Taylors Mount Road and W. shore Line of Gunpowder Falls, 11th District - Harry L. Smith, Petitioner.

Long Lilies Beach Ave White Marsh, Md.
 Long Lilies Beach Ave White Marsh, Md.
 Long Lilies Beach Ave White Marsh, Md.
 Long Lilies Beach Ave White Marsh, Md.

Position

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation N.E. Taylors Mount Road and N. Shore Line of Gunpowder Falls, 11th District - Harry A. Smuck, Petitioner.

Name Address Post Office

Louisa Behr Linsley Beach Rd. White Marsh Md.
Harry F. Lee Linsley Beach Rd. White Marsh 21116
Estelude Jean Linsley Beach Rd. White Marsh
Stanley J. Jankowski Linsley Beach Rd. White Marsh Md.
Billy J. Rutledge Linsley Beach Rd. White Marsh Md.
Clara Rullberg Linsley Beach Rd. White Marsh Md.
Cecil W. Leonard Linsley Beach Rd. White Marsh Md.
Catherine Miteman Linsley Beach Rd. White Marsh Md.
William E. Williams Linsley Beach Rd. White Marsh Md.
Dorothy McDonald Linsley Beach Rd. White Marsh Md.
Sylvia Dilly Linsley Beach Rd. White Marsh Md.
Shirley Dilly Linsley Beach Rd. White Marsh Md.
Gladys G. Linsley Linsley Beach Rd.
Marie Schuchman Linsley Beach Rd. White Marsh Md.
Albert S. Schuchman Linsley Beach Rd. White Marsh Md.
Leonard S. Feldman Linsley Beach Rd. White Marsh Md.
Vivian A. Laddner Linsley Beach Rd. White Marsh Md.
Betty C. Kopp Linsley Beach Rd. White Marsh Md.
Richard W. Kopp Linsley Beach Rd. White Marsh Md.
Margaret J. Kopp Linsley Beach Rd. White Marsh Md.
James G. Kopp
Ethel G. Kopp Linsley Beach Rd. White Marsh Md.
John B. Leatherman Box 981 Linsley Md.
William W. Weinert 701A Linsley Beach Rd.

Wm. Lehr

Aug 3 - 10.0 AM - Rm 301
Petition

We the undersigned hereby protest the granting of the petition for 'special exception' for controlled excavation N.E. Taylors Mount, Road and W. Shore Line of Gunpowder Falls, 11th District - Harry A. Crouch, Petitioner.

[illegible]

MINUTES OF THE TWENTY-THIRD MEETING
BALTIMORE COUNTY EXECUTIVE BOARD
HELD JUNE 7, 1967

The meeting was called to order at 9:35 a.m. in the Executive Conference Room by Mr. William E. Fornoff, County Administrative Officer, acting as Chairman in the absence of the County Executive, pursuant to the rules of procedure. The following Board members were present:

Mr. William E. Fornoff, County Administrative Officer

In the absence of Mr. Norman W. Wood, Director of Finance, he was represented by his Deputy, Mr. Walter R. Richardson.

In the absence of Mr. Stanley Guild, Jr., Director of the Budget, he was represented by his Deputy, Mr. Walter Bayne, Jr.

Others present:

Mr. Albert B. Kaltenbach, Director, Department of Public Works
Mr. Jack Nance of the Bureau of Land Acquisition
Mr. James A. Redmond of the Bureau of Land Acquisition
Mr. Hubert I. Snyder, Director, Department of Recreation and Parks
Mr. Warren Morken, Administrative Director, Department of Recreation and Parks
Mr. Charles Robinson, County Librarian
Mr. George E. Gavrellis, Director, Office of Planning and Zoning

APPROVAL OF MINUTES

There being no additions or corrections to the minutes of the meeting of May 29, 1967, they were approved as submitted.

BOARD OF LIBRARY TRUSTEES

Approval of Preliminary Plans - Reisterstown Library Addition

The Chairman reviewed the plans with the Board and inquired if the building can be built for the current proposed cost. He recognized Mr. Robinson, who stated that this is an addition to an old building and that he has been assured that it can be done according to these plans for the cost indicated. Mr. Robinson also pointed out that the addition was being built on land to be leased from the Board of Education for a period of 99 years at a rental of \$1.00 per year and that the lease would be signed once the preliminary plans have been approved. He further stated that the lease would definitely be signed before the job was bid. The Board thereupon approved the preliminary plans.

DEPARTMENT OF RECREATION AND PARKS

Project Directive, dated May 19, 1967, J.O. No. 12.4.2, Land Acquisition - Double Rock Park. Amount \$15,000.

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The Chairman recalled to the Board that this item had been on a previous agenda and that there was some question with regard to litigation in the Office of Law in connection with this directive. The Chairman then recognized Mr. Snyder, who stated that this land was for an addition to the existing Double Rock Park and that \$12,000 had been offered to the property owner but that he had declined that offer, and that the \$15,000 figure was for land acquisition in connection with the proposed condemnation of this land. He further stated that he had reviewed this situation with the Office of Law and that they will now begin proceedings for condemnation. After a brief general discussion, the Board approved the directive.

Project Directive, dated May 26, 1967, J.O. No. 12.82.13, Engineering - Colgate Locality Park and Playground. Revised funds \$175,750 - Increase of \$2,500.

The Chairman inquired who would be doing the engineering on this project and was advised by Mr. Morken that no one as yet has been selected. The Chairman then recognized Mr. Kaltenbach, who stated to the Board that he felt his department could do the engineering on this project and the directive was then amended to state that the survey would be done by the Bureau of Engineering. The directive, as amended, was then approved by the Board.

Project Directive, dated May 31, 1967, J.O. No. 12.36.1, Construction and/or Site Development - Modernization of Various Neighborhood School-Recreation Centers, Colgate - Chapel Hills. Amount \$20,000.

Project Directive, dated May 30, 1967, J.O. No. 12.48.1, Construction and/or Site Development - Charlesmont (Flatapco). Amount \$10,000.

Project Directive, dated May 30, 1967, J.O. No. 12.31.1, Construction and/or Site Development - Edgemere Neighborhood School-Recreation Center. Amount \$10,000.

The Chairman recognized Mr. Snyder, who pointed out to the Board that all three of the directives were related in that they all concerned the Department's share of construction or improvement being done by the Board of Education. After briefly reviewing each directive, all three directives were approved by the Board.

DEPARTMENT OF PUBLIC WORKS

Land Acquisition

Condemnation request, dated June 1, 1967, J.O. No. 5-2-336, Providence Road, property of Bruce R. Jennings.

The Chairman asked if this was the only piece of property we would need in connection with the Providence Road and he then recognized Mr. Nance, who reviewed a plat of the area with the Board noting that the Jennings property is the only piece that sticks out into the middle of the road in this area and that is the reason for this taking. After a brief general discussion and a review of the plat, the Board approved the request.

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Agreements

Public Works Agreement #146704, Western Assoc., Inc. - Park East Apartments.

The Chairman recalled to the Board that this agreement had been specially considered by the Board and approved on May 31, 1967, and that it was before the Board on this agenda for formal approval. The Board thereupon approved the agreement.

MISCELLANEOUS BUSINESS

Request for Elimination of Sidewalks - Carroll Manor Subdivision.

The Chairman recognized Mr. Kaltenbach, who recalled that the Board, in considering this matter previously, had deferred it and requested to see the Public Works Agreement, a plat of the area on a 1 in. = 200 ft. scale and that the Board also wanted to hear from someone in Planning. The Board then reviewed the Public Works Agreement and noted that the developer had signed the agreement indicating sidewalks would be included. The Board then reviewed the plat of the area at great length noting that there was a school and possible future playground in this area. There followed a general discussion with regard to the current sidewalk policy and the Board then heard from Mr. Gavrellis, who pointed out the Planning Office's position and noted that the sidewalk on one side of one street in the development would run along a storm drain reservation. The Board, however, reviewed the record plat of the development and noted that the area of this storm drain reservation was indicated as a reserved lot on the plat. After further general discussion, it was the unanimous opinion of the Board that we should require sidewalks in this development.

Allotments

Request for supplementary allotment, dated May 17, 1967, J.O. No. 1-1-2179, Virginia Avenue - Baltimore Highlands. Amount \$1,254.

The Chairman reviewed the request and pointed out to the Board that it involved an overrun due to rehabilitation of Virginia Avenue and an extra charge by the contractor for locating a lamp hole shown incorrectly on contract drawings. The developer in this instance was to be billed for this overrun and an invoice in the amount of the overrun was attached to the request. The Board thereupon approved the request.

Request for allotment, dated March 23, 1967, J.O. No. 4-1-2311, Storm/Drains - Coachford, Section 3. Amount \$8,167.92.

The Chairman and the Board reviewed the request and noted that it was in accord with the general two-thirds policy on storm drains. The Board then approved the request.

Request for allotment, dated March 23, 1967, J.O. No. 4-2-332, Storm Drains - LaSalle Road, North of Putty Hill. Amount \$4,465.06.

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The Chairman recognized Mr. Kaltenbach, who recalled to the Board that this matter had been on a previous agenda and that the Board had wanted some indication of what work the Bendix Corporation should do relative to this improvement. Mr. Kaltenbach now reviewed with the Board a memo from Mr. Diver of the Bureau of Engineering, as to the work to be done by Bendix and stated that he felt Bendix will complete their improvements. The Board, being satisfied with this explanation, thereupon approved the request.

Request for allotment, dated April 20, 1967, J.O. No. 1-2-223, Sewers, 63rd Street, easterly from East Biddle Street. Amount \$1,315.59.

The Chairman again recognized Mr. Kaltenbach, who stated to the Board that this was a health job and that the allowances resulted from property that was connected from another street and therefore already assessed. After a brief review of the request, it was approved by the Board.

Request for allotment, dated May 16, 1967, J.O. No. 5-1-2270, Highways, Mount Vernon Drive - Hamlet West Apartments. Amount \$1,236.68.

The Board reviewed the request and a plat attached thereto and the Chairman noted that the County was paying for excess width we were requiring on the north side of Mount Vernon Drive. The Board then approved the request.

Request for allotment, dated May 2, 1967, J.O. No. 5-250-3, Highways - Towson Park, alley A - rear of Fairmont Avenue and Bosley Avenue. Amount \$21,885.71.

The Chairman noted that this was an alley reconstruction job and the Board then reviewed a plat attached to the request and recognized Mr. Layne, who stated that he was familiar with this area and he then indicated the general vicinity in which this alley was located. The Board thereupon approved the request.

Request for allotment, dated May 31, 1967, J.O. No. 5-1-1655, Highways - Chartley, Plat 3. Amount \$4,011.39.

The Chairman recognized Mr. Kaltenbach, who stated that this was another instance of an overrun resulting from excessive asphalt bleeding during the summer months of 1966. He once again stated that steps have been taken to eliminate this problem in the future and after briefly reviewing the cause and correction of this condition, the Board then approved the request.

Request for supplementary allotment, dated May 31, 1967, J.O. No. 4-1-1674, Summit Avenue and 10 ft. utility easement - Homeacres. Amount \$1,703.28.

Request for supplementary allotment, dated May 31, 1967, J.O. No. 5-1-1674, Summit Avenue - Homeacres. Amount \$1,391.26.

The Chairman noted that the two requests were in connection with the same development and the Board thereupon considered them concurrently. He recognized Mr. Kaltenbach, who noted that both overruns involved the Homeacres development and that the

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first, for storm drains did not exceed the two-thirds paving credit and that on the second, for highways, the developer was being billed for his share of the overrun and that an invoice was attached to the request. After a short discussion, the Board approved both requests.

Project Directives

Project Directive No. 2968, dated April 17, 1967, J.O. No. 1-20-17, Millers Run Sub-Interceptor. Amount \$11,600.

Project Directive No. 2748 (Rev.), dated April 17, 1967, J.O. No. 1-20-18, Cedar Branch Interceptor. Revised funds \$19,000 - Increase of \$7,710.

The Chairman reviewed both directives noting they were for engineering and land acquisition and that there was an addendum to an engineering agreement attached to the directives. He further pointed out that the engineer's agreement referred to three directives but only two were before the Board. The agreement originally covered \$42,000, \$4,500 and \$9,500 and the Chairman inquired as to whether this could possibly be covered by separate agreements. Mr. Kaltenbach reviewed the directives and advised the Board that the original \$42,000 had been agreed upon as a total developer cost and that the developer had put up the total cost. He further stated that it is now necessary to increase the \$42,000 by \$1,500 and there was now the question as to whether or not this agreement would have to go to the Council. After a further general discussion, it was the feeling of the Board that they would rather have more information on these directives before passing upon them. Both directives were accordingly deferred to Public Works.

Project Directive No. 2984, dated May 24, 1967, J.O. No. 1-2-345, Brookside Lane and Bellona Avenue Sanitary Sewer Main Extension. Amount \$4,400.

The Chairman reviewed the directive and recognized Mr. Kaltenbach, who stated that this was a Health Department job initiated by petition and that it would service ten improved properties and that the total County share would be \$10,312. After reviewing a plat indicating the area served, the Board then approved the directive.

Project Directive No. 2918 (2nd Rev.), dated May 22, 1967, J.O. No. 10-16-5, New Baltimore County Courthouse. Revised funds \$180,000 - Increase of \$5,000.

The Chairman noted that this directive was to encumber funds for a survey, subsoil exploration, and an aerial survey needed for the architect. The Board inquired as to the necessity of an aerial survey for the architect and the directive was thereupon deferred by the Board so that this information could be provided.

Project Directive No. 2978, dated May 10, 1967, J.O. No. 5-2-390, Cowl Court - Victory Villa. Amount \$2,070.

The Chairman reviewed the directive and a plat attached thereto with the Board and noted that this was a petition job for sidewalks, curb and gutter. After reviewing the directive and the plat, the Board approved the directive.

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Project Directive No. 2980, dated May 15, 1967, J.O. No. 5-2-391, Old Frederick Road from Academy Road to St. Agnes Lane. Amount \$2,070.

The Chairman again reviewed the directive noting that the allotment was for engineering and that due to construction of commercial enterprises along Route 49, vehicular and pedestrian traffic has increased in this area. After reviewing an attached plat, the Board then approved the directive.

Project Directive No. 2986, dated May 29, 1967, J.O. No. 5-2-395, Allender Road from Pulaski Highway southerly 1300 ft. to Loreley Beach Road. Amount \$2,163.50.

The Chairman called the Board's attention to the plat attached to the directive and pointed out the area in which this improvement would be located. He felt that this would encourage traffic to exit onto Pulaski Highway at the light. After briefly reviewing the plat, the Board approved the directive.

Project Directive No. 2981, dated May 23, 1967, J.O. No. 5-116-1, Milford Mill Road. Amount \$49,680.

The Chairman reviewed the directive noting that the amount requested was for land acquisition and that engineering was finished. The Chairman recognized Mr. Kaltenbach, who stated that this allocation was to provide funds for acquisition of rights of way and that although land acquisition places the total value of taking at \$70,000, only \$50,000 is available in this item at this time. By encumbering this amount, the Bureau of Land Acquisition will now be able to proceed with acquisition of the more difficult parcels. The Board being satisfied with this explanation thereupon approved the directive.

Project Directive No. 2985, dated May 24, 1967, J.O. No. 5-2-392, Cedarcrest Avenue - Edgemere. Amount 2,070.

The Chairman reviewed the directive with the Board pointing out that this was initiated by petition of residents in the area for road improvements for which they will be assessed, and that the total cost of the project will be approximately \$21,000. After reviewing a plat of the area, the Board thereupon approved the directive.

Project Directive No. 2460 (2nd Rev.), dated April 20, 1967, J.O. No. 5-2-265, Engineering - Slade Avenue from Reisterstown Road to Seven Mile Lane. Revised funds \$22,145 - Increase of \$3,095.

The Chairman reviewed the directive and from material attached thereto noted that this increase was necessary as a result of a realignment within design standards to avoid objections on the part of property owners in the area. Mr. Kaltenbach was recognized and indicated that the engineer was to be Baker-Wibberly & Associates and following a brief discussion with regards to the firm's qualifications, the directive was approved.

Project Directive No. 2702 (Rev.), dated May 31, 1967, J.O. No. 5-1-200, Miscellaneous Road Rights of Way. Revised funds \$16,000 - Increase of \$6,000.

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DEPARTMENT OF ASSESSMENTS

Budget Appropriation Transfer No. 67-22, dated June 6, 1967, Inter Program less than 10%. Amount \$4,500.

The Chairman reviewed the transfer noting that it was a year-end adjustment providing funds required in excess of original budget estimates for salaries of assessor's aides and reimbursement for use of their automobiles. The Board reviewed the transfer and thereupon approved same.

DEPARTMENT OF HEALTH

Agreement - dated June 7, 1967, United Cerebral Palsy of Greater Baltimore, Inc.

The Chairman noted that this was an agreement similar to that previously approved by the Board for the School of the Chimes and that this transaction actually amounted to a washout in that the County would be reimbursed for funds expended. The Board thereupon briefly reviewed the agreement, and it was then approved.

There being no further business before the Board, the meeting was adjourned at 11:20 a.m.

Respectfully submitted,

Gordon L. Peltz
Gordon L. Peltz, Secretary
Baltimore County Executive Board

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The Chairman recognized Mr. Kaltenbach, who advised the Board that the requested funds were for miscellaneous road rights of way acquisition and that the amount of money for each individual acquisition is too small to justify setting up individual directives. He further stated that the funds would enable Land Acquisition to continue through July 1, 1967. The Board then approved the directive.

Project Directive No. 2987, dated June 1, 1967, J.O. No. 5-179-56, Windsor Mill Road at Baltimore Beltway. Amount \$4,000.

The Chairman recognized Mr. Redmond, who explained to the Board that this directive involved funds for land acquisition of a 10 ft. widening strip and a 5 ft. widening strip at Windsor Mill Road and Second Avenue. He further stated that this tract of land was currently held by the State and was surplus property and that the State was getting rid of it and that he felt we should get a widening strip from the State before they sell the entire tract. He further explained that the State had approached us as to acquisition of the old tract, but that the price was prohibitive so we decided to take only the widening strips for future use. The Board, being satisfied with this explanation, approved the directive.

Project Directive No. 2639 (2nd Rev.), dated June 5, 1967, J.O. No. 1-52-43, Construction - Liberty Road Sewer Adjustments. Revised funds \$7,450 - Increase of \$10,700.

The Chairman recognized Mr. Kaltenbach, who explained to the Board that the additional funds were required for sewer house connection relocations in order to avoid conflict with improvements to Liberty Road by the State Roads Commission. He reviewed the County responsibility and further stated that since this project is not complete, we may encounter relocations now unforeseen and additional funds may then be required. After a brief discussion, the Board approved the directive.

Project Directive No. 2988, dated June 2, 1967, J.O. No. 3-12-36, Engineering - Pikeville Pumping Station. Amount \$62,700.

The Chairman reviewed the directive with the Board and recognized Mr. Kaltenbach, who explained that this project consisted of a new structure at the Pikeville Pumping Station that initially will supplement the existing pumping station and eventually will provide sufficient capacity for the Pikeville and Reisterstown areas. He further stated that a preliminary cost estimate indicates that approximately \$700,000 to \$800,000 will be required for the station. After a general discussion of pumping stations in this area, the Board thereupon approved the directive.

Project Directive No. 2621 (Rev.), dated June 2, 1967, J.O. No. 4-1-2074, Land Acquisition - Seneca Creek Elementary School - Storm Drain Outfall. Revised funds \$28,000 - Increase of \$23,880.

The Chairman recognized Mr. Kaltenbach, who pointed out that the revision was to include funds for land acquisition in that an award of \$19,000 has been made in the condemnation suit involved. After reviewing the directive and the total funds involved in the project, the Board thereupon approved the directive.

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In 1991 the Federal government completed a striking project on the Riverbank of the Mississippi River. The project was the improvement of the Riverbank of the Mississippi River from Lyons Creek Warf, but this channel subsequently filled up. The total cost of improving the Riverbank from Lyons Creek Warf to the original head of thickwater is estimated by the Corps of Engineers to be nearly \$4,000,000, and maintenance costs would amount to more than \$100,000 annually. The advantages that would be received from this improvement were reported to be not large enough to justify the cost.

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"large vessel" engaged in foreign trade once docked at its landing. In the beginning of its decline (1796) it was described¹ as a town of about 80 houses and a large stone Episcopalian church. The houses were of wood and very poor; the windows in the church were broken; and a road ran

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dry, and healthy country, three hundred miles by water from the sea, and, as you will by the plan, on one of the finest rivers in the world. Its margin is washed by more than miles of tidal water, from the bed of which are the innumerable coverts, inlets, and marshes, with which it abounds, an inexhaustible fund of rich mud can be drawn as a manure, either to be used separately or in a compost, according to the judgment of the farmer.

To

load of stable manure. Often it was used as a major ingredient of comp. One formula of 1849 included 60 parts of mud, 4 parts of ash, 20 p manure, and 16 parts malt to be applied at the rate of 1 quart to the hill. The Peosme River has been gradually building up its bed opposite Mt. Vernon. A comparison of the United States Coast and Geodetic Sur-

1961

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and

Part of the sediment deposited in navigation channels at Washington is derived from the watershed of the Anacostia River, or Eastern Branch, tributary of the Potomac. This stream was once navigable for larger vessels as far as Bladensburg, Md., 8 miles above its mouth. Bladensburg was destroyed in 1793, and the channel of the river at that place was never re-

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Improper land use was not a failing of the colonists alone; it has continued down to the present day. It may be expected that the annual cost of harbor and channel maintenance will increase unless sediment-control measures are applied on the land. Soil conservationists are constantly developing more efficient and economical methods of controlling soil loss.¹⁰ A material reduction of sediment inflow to our streams has been found to result from a comprehensive control program. It is easier and less costly to hold a cubic yard of soil on the land than it is to raise it from the bottom of a harbor, or a reservoir, and transport it to a dumping ground where it can do no further damage.

Although the science of soil conservation has made rapid strides in the past decade, too little is still known of the economics of soil erosion in relation to reservoir and harbor silting. Further research studies are needed to determine the nature, location, and extent of erosion-control measures necessary in particular watersheds to achieve a maximum reduction of reservoir and harbor sedimentation with a minimum expenditure.

Preliminary studies in the Patuxent watershed indicate that a conservation program would result in a substantial reduction of dredging costs in Baltimore harbor. The sediment inflow is conservatively estimated to be about 600,000 cubic yards annually. About 90 per cent of this is derived from about one-third of the drainage area, mostly from the cultivated land. The installation cost of the necessary erosion-control measures in the sediment source areas plus maintenance for 25 years is estimated to be not more than \$750,000. A well planned and carefully executed program could reduce the sediment inflow to the harbor by nearly 75 per cent, which, at prevailing contract dredging costs, would amount to a saving of \$60,750 annually for the federal government alone.

²⁶ See some recent illustrations in H. H. Bennett: *Food Comes from Soil*, *Geogr. Rev.*, Vol. 14, 1944, pp. 37-76.

Baltimore Town was founded at the head of the cove formed by Jones Falls, which joins the Patapsco 8 miles below the original head of navigation. At first this cove was called "Coles Harbor," but later it became known as "the basin." Jones Falls drains an area of 30 square miles of Piedmont soils and cascades down the fall line directly into the basin, bringing with it large volumes of sediment during each flood. Sedimentation in "the basin" apparently was active by the time the town was laid out.⁴⁸

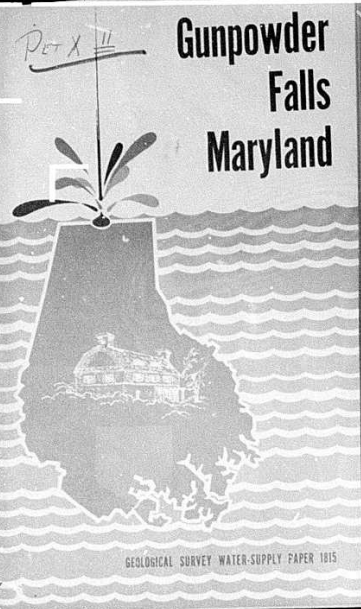
Baltimore was officially designated a port of entry by the General Assembly of Maryland in 1706. By 1799 it had become the third commercial city of the United States, with exports valued at \$12,000,000 annually. With the development of larger vessels and increasing commercial importance of the harbor, it became imperative that the navigation channels be improved and kept open. In 1815 the city authorities passed a resolution to sanction deepening of the bed of Jones Falls. Up to 1831, the City of Baltimore had spent nearly \$500,000 for harbor dredging. But it was not enough. In 1832 the city appealed to Congress for a contribution "proportionate to the amount of national interest involved." The federal government began dredging in Baltimore harbor in 1816.

During the past two years the federal government alone has removed more than 111,000,000 cubic yards of material from Baltimore harbor, at a cost of nearly \$17,000,000. Of this amount, \$12,000,000 has been spent for new channels, made necessary in considerable part by siltng of the old channels. \$5,000,000 has gone for strictly maintenance dredging or removal of sediment from existing channels. In addition, a substantial amount has been spent by private contractors as well as by the City of Baltimore for channel improvement and maintenance. The amount of required maintenance dredging in the harbor seems to be on the rise. The Patuxent River sediment, which formerly was deposited to a large extent in the heart of the Patuxent estuary between Elk Ridge Landing and the present harbor, has now almost filled this natural storage basin and will be dropped hereafter directly into the harbor channels.

the enormous expense and labor involved in improving a

The enormous expense and labor involved in improving and maintaining harbors and navigation channels is well illustrated in the sedimentation history of Baltimore harbor. It was inability to meet such requirements that precluded the rise of most early port towns in the Chesapeake Bay area.

^aDetails are given in L. C. Gotschalk: Sedimentation in a Great Harbor, *Soil Conservation*, Vol. 40, 1966, pp. 1-10.



done to it. The basin now provides (1) pleasant living space within easy commuting distance from Baltimore for a rapidly expanding population, (2) an extensive water supply, and (3) countryside and reservoirs for limited recreation (fig. 1). These are the three major uses of the basin which bear upon the water resources, now and in the foreseeable future.

To date the basin has served admirably; it has met most of the demands placed upon it. Present actions, trends and forecasts, and universal human desires clearly indicate that its land and water will be used to an ever greater extent. Wise planning and development, based on a sound understanding of the basin's potential, will permit further equitable exploitation. If demands exceed the area's ability to meet them, the consequences will include "water problems."

We have analyzed the Gunpowder Falls basin as it is today, with emphasis on its water resource. We have considered the trends and plans and probabilities in store for it, and have attempted to predict the local condition of the water resource in years to come. The crux of our report is: How does the Gunpowder Falls water serve now, and how well will it serve 50 years hence?

WHAT THE BASIN PROVIDES TODAY

Living Space

Room for homes—living space—is one of the three major uses of the Gunpowder Falls basin; it is probably the most rapidly increasing use because more and more of Baltimore's residents look for suburban or country homes. Where he lives is of primary interest to everyone. Accessibility to means of livelihood and a pleasing environment are basic considerations in the selection of a permanent address. The attractive basin, on the margin of a thriving metropolitan area, inevitably will contain more and more people.

Location

The Gunpowder Falls basin is almost entirely within Baltimore County, Md., and the stream drains slightly more than half of the county. The 250-square-mile watershed is about 30 miles long; its maximum width is about 16 miles (fig. 2). It starts in Pennsylvania, a few miles north of the village of Lindeboro, Carroll County, Md. The rolling to rugged country of the headwaters approaches 900 feet in elevation. The stream enters the northwestern corner of Chesapeake Bay near the old port of Joppa, where the fresh flowing water is "lost to salt."

According to Howard (1976, p. 818), Hoff (1976, p. 818) exposed the cause of the collapse and city facilitated the government by furnishing it with maps. When it adopted the survey, he manufactured the paper for nearly all the collapse at money; a important historical fact, not generally known.

Throughout the 19th century the basin saw the construction of more papermills and other industries dependent on good water. Iron smelters—furnaces—had their day. Forests gave way to fields. The basin remained attractive, but many changes had taken place by 1881 (Scharf, 1881, p. 151).

The Great Gunpowder has all its large affluents within the limits of the county. Several of these, such as the Little Gunpowder, Rock Creek, and Beaver Dam, are powerful streams which drain most of the northern half of the territory. The river itself is one of marked beauty and variety, and especially so in its upper divisions. Like all the rivers and creeks of the uplands, it plunges at one place over huge rocks in a heavy cascade, at the next it flows along rapids among the boulders, and then placidly glides along for nearly a mile in a wider, deeper channel, through a bed of alluvial soil. Its course is very sinuous, and particularly so, on a grander scale, south of the great rock below Whittell; while further down it becomes a majestic stream, full of energy, and supplying power for very large mills, factories, and furnaces at many points along its course. Yet it is no longer fills the wide channel which it once occupied, nor can it be estimated to contain much more than one-fourth the volume of water that belonged to it about one hundred years ago. The drying up of springs which originally supplied its tributaries, and the decomposition of the rocks into soils along the banks, have changed the rate of distribution of the water and placed it in new relations. Billows, once covered with trees, shrubs, and herbage, retained the rain-water near the surface or allowed it to flow in a gradual supply to the springs beneath, while a notable proportion entered the creeks in the rocks to trickle through and converge in the streams at lower levels. But now the hillside, bared by the sun, allows the water to run off by a single impulse, to be lost in swelling floods.

Careless use resulted in much erosion of the land in the 18th and 19th centuries. The port of Joppa, once able to accommodate ships of 8-foot draft, became choked with sediments. The head of the Gunpowder River now is a tidal marsh (Gottschalk, 1945, p. 223-225).

A hydrographic chart of the Gunpowder estuary issued by the United States Coast and Geodetic Survey in 1846, a hundred years after the town (Joppa) had reached its peak of development, shows the above-water surface to be a mile and a half long. By 1867, when a second hydrographic chart was issued, the above-water deposits had filled the entire estuary opposite the wharf and extended along a front three-fourths of a mile below the town. It was computed from data on these two charts that 1,000,000 cubic yards of sediment had deposited in the upper part of the Gunpowder estuary in the 25 years period between 1846 and 1867.

Today the above-water deposits extend nearly to the Pennsylvania Railroad bridge, a mile and a half below the townsite. The scene at Joppa Town is one of desolation. Old foundations are still visible through the tangled growth of weeds and underbrush. At a distance of 20 or 30 feet out from the original shore line is a heap of stones, the remains of the old wharf. A hundred feet beyond is tree-covered land where ships once rode at anchor.

The countryside today is much less erodable than it was 100 years ago. A third of the land has been permitted to revert to forest, and many filled fields have been converted to pasture lands. Agriculture—and erosion resulting from it—has been on the wane, at least since the turn of the century.

Seitz (1946, p. 53-54) brings the history of the basin up to date and provides a thoughtful appraisal of the increasing value of the water resources:

The new dam whose waters now cover the greater part of the old Hoffman land was named Prentiss Branch, a small tributary of the Great Gunpowder Falls. Prentiss Branch derived its name from a riding horse of the same name that belonged to a farmer through whose property the creek ran. When the horse met an untimely death by drowning in the little stream, the farmer commemorated Prentiss by giving the creek the name of the horse. It was the water that brought the Hoffman mills into existence. It was the water that caused his land to submerge. In William Hoffman's time the water had driven the wheels and had served the men who owned the land. Five generations later, the water had become more valuable than the land, and the land with all its soils and buildings, its trees and groves, its charming memories and old traditions had to yield before the necessities of a new, hard, forward-looking time.

Population

Most of the half million people in Baltimore County live close to or within the metropolitan area, but less than 20 percent live in the Gunpowder Falls basin, which occupies half of the county's total area. Three-fourths of the residents of the basin live near the northern boundary of the city of Baltimore, in an area of expanding communities on the west and south sides of Loch Raven Reservoir and extending down the southern rim of the basin to tidewater. The rest of the Gunpowder Falls basin is still rural. The basin's approximate 1960 population is listed in the caption of figure 3, by election districts.

Economics

Agriculture is waning in the Gunpowder Falls basin as population and land values increase (Hamilton, 1963, p. 8).

Suburbanization and industrial expansion, during the past 50 years, reduced by almost one-third the land in farms in Baltimore County. The number of

the crystalline rocks of the Piedmont, and Cockeysville Marble formations yield the most water in the Piedmont.

Ground Water in the Piedmont

The surface or near-surface occurrences of the rock formations in the Gunpowder Falls basin are shown in figure 9. These contorted rocks form the rolling to rugged country—the Piedmont—and comprise all formations but the flat shoreland along Chesapeake Bay which is part of the Coastal Plain.

In the Piedmont, most of the available ground water is contained in the various "mafic" soils, seldom more than 100 feet thick. It overlie the bedrock, though some water is also found in the fractures in the bedrock. Some bedrock formations are more jointed and fractured than others, but fractures are not common at great depths. Cockeysville Marble is an exception; the undecomposed rock contains scattered solution channels capable of yielding moderate quantities of water to drilled wells; yields average 30 gpm (gallons per minute), and the maximum known yield in the basin from this formation is 80 gpm.

Ground Water in the Coastal Plain

The Coastal Plain part of the Gunpowder Falls basin comprises less than 10 square miles between the Fall Line and Chesapeake Bay. We were able to estimate the ground-water supply expectancy of this area from well tests conducted at nearby Joppatowne. This residential development is within a mile of the southeastern boundary of the basin and within the Little Gunpowder Falls drainage; local geology, topography, and -dith of the Coastal Plain are almost identical in the two areas. The following evaluation of the ground-water resources at Joppatowne is highly indicative of the ground-water potential in the Coastal Plain part of the basin.

The Coastal Plain part of the Gunpowder Falls basin and the adjoining Joppatowne area are mapped in figure 21. The Joppatowne subdivision was started during the summer of 1962, and, at completion will contain about 3,000 individual homes—perhaps 10,000 residents, plus churches, schools, and shopping and recreational facilities.

The geologic formations underlying the area consist of sand, silt, and clay beds 50-250 feet thick. These Coastal Plain sedimentary strata thin to the northwest and are not present northwest of U.S. Highway 10, which follows the Fall Line; they thicken as they extend to the southeast. Underneath these sand and gravel beds are the crystalline rocks characteristic of the Piedmont, because these



FIGURE 21.—The Coastal Plain section of the Gunpowder Falls basin and the Joppatowne well field. (Line A-A' is line of wells and test borings shown in fig. 22.)

rocks store and transmit very little water, they are not considered in the estimate of the potential water yield.

A cross section along line A-A' of figure 21 shows the general nature of the deposits illustrated in the Joppatowne wells (fig. 22). Clean sand or gravel alternate irregularly with clay or sandy clay; the former are aquifers, strata producing water, and the latter are aquicludes, strata that yield little or no water. Individual deposits thicken or thin or pinch out entirely over a few tens or hundreds of feet. The pumping-test results indicate that most or all of the deep sand beds are connected with surface sand beds. The water table in the vicinity varies from about a foot to as much as 20 feet below land surface, depending on topography.

Though the strata both above and below the sand aquifers yield less water than the sand, they do transmit water to the sand when its water pressure is reduced by pumping. Hence, water in the sand aquifer may be replenished from one or both of two sources: (1) dewatering of the overlying clay and sandy clay, which in turn will be recharged by rainfall, and (2) recharge from streams or from the estuary when the water table is lowered sufficiently by pumping to cause water to flow from surface sources into the aquifer and toward the pumped wells. The ability of the aquifer to sustain large withdrawals over long periods of time will depend on these two sources.

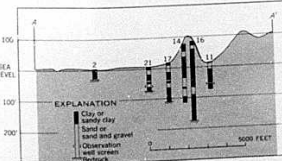


FIGURE 22.—Generalized type of selected wells and test borings at Joppatowne, along line A-A' of figure 21. All wells are in the 1/2 section of the standard location grid for Harford County, Md.

The following conclusions based on tests of the local ground-water supply for Joppatowne may be applied to the adjoining strip of Coastal Plain within the Gunpowder Falls basin:

1. The water-yielding characteristics of the aquifer at Joppatowne are comparable to those of aquifers in the Baltimore area.
2. The sand aquifer is replenished with water from adjoining strata as pumping proceeds. However, the data are insufficient to distinguish between water that comes from storage in the aquifer and water that may be derived from nearby streams and from the estuary.
3. The short-term pumping tests indicated that replenishment by local rainfall or stream infiltration is sufficient to sustain a continuous pumping of 1.0 mgd or more from the sand aquifer. Some water pumped from the aquifer may be replenished with water from the estuary, and in late summer and early fall this estuarine water may become brackish. In the Baltimore area, similar formations were contaminated by brackish water as much as a mile inland from the nearest estuarine water (Bennett and Meyer, 1952, pl. 16). Salt-water infiltration could be detected by monitoring one or more observation wells situated near the estuary for increase in chloride content. Early warning of infiltration of brackish water into the aquifer should provide time for corrective procedures, because ground-water velocity usually is quite slow and decreases with distance from the center of pumping.

Waste Disposal

The inevitable companion of a water-supply system is a system or systems for the disposal of sanitary wastes and storm-water runoff—whether for an isolated residence or for a metropolitan area. The basic problem is to keep the water supply clean and isolated from the wastes, particularly from untreated wastes.

Scattered rural housewives have been able, and will continue, to get by with water wells and septic tanks. But these do not suffice when communities and suburbs expand beyond the 500-acre unit figure which is defined in Maryland as the limit of a small subdivision (Geyer, 1959, p. 40).

It has been customary to require large lot sizes where septic tank systems are used. This may reduce the number of septic tanks that will increase the per capita cost of sewers when they are built. It may also result in population densities that are much higher than desirable for a given area.

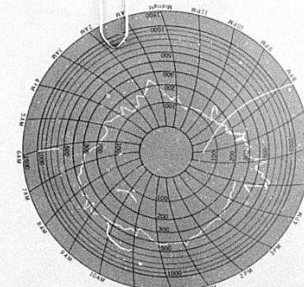


FIGURE 23.—Reverber chart of storm runoff record from area A, Apr. 29-30, 1965. The continuous record line shows conductivity values; dissolved solids concentrations are approximately 60 percent of the conductivity values.

a 40 to 50 percent greater runoff and (2) that the amounts of dissolved solids are 30 to 50 percent greater because of urbanization.

Effects of Sedimentation

The Gunpowder Falls basin has long been a notorious producer of sediment. The area was heavily farmed during the 18th and 19th centuries. When forests were not burned to make way for fields, they were cut heavily to feed papermills and satisfy lumber needs. The harbor of old Joppa was used only about 100 years before it became choked with silt (see p. 6). The first municipal water-supply reservoir in the basin, built in 1881, lost 85 percent of its capacity to sediment by 1900. Only by the dredging of 1.8 million tons

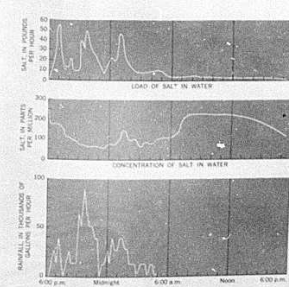


FIGURE 24.—Relationship of dissolved substances to rainfall in area A during the storm, April 29-30, 1965.

of sediment was it made to last until the present larger Loch Raven Dam was constructed in 1914.

Land use is the dominant factor in sediment production within the basin, geology and climate playing lesser roles. Land use at the present time is about 60 percent farm and pasture, 30 percent forest, and 10 percent urban or suburban (see p. 9). The basin has changed a great deal since the coming of the white man more than 300 years ago. Before the advent of Europeans, forest almost certainly covered at least 80 percent of the area, the remainder being forest fire glades and small fields tilled by Indians, but by 1900 an overwhelming 90 percent of the land was in farms (fig. 30).

The usual sequence of erosion and sedimentation has been summarized by Guy and Ferguson (1962, p. 37):

Sediment derived from natural and agricultural erosion has always given varying degrees of concern to those who plan drainage or water resource water. A third source of sediment threatens to reduce further the useful life

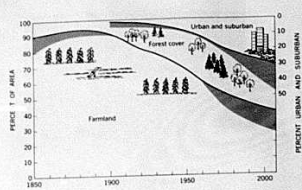


FIGURE 30.—Land use in the basin, 1850-2010. Gray area shows the most probable range of values for periods for which records are incomplete and for the future.

of many reservoirs downstream from urban centers. This newly recognized source is the result of the increasing quantity of soil material exposed or released by modern earth moving equipment during the construction phases of urban development. The inevitable widening of stream channels after urbanization is an additional source of sediment.

Sediment yield from forested land is quite small, averaging about 20 tons per square mile per year from a basin such as the Gunpowder River estuary.

Agricultural use of land accelerates erosion because the land must be ploughed and broken up before planting. While the earth is loosened and exposed, rainfall and runoff carry away some of the top soil. Then, as the sediment-carrying waters enter lakes and estuaries downstream, the topsoil is redeposited. Row crops, such as corn, permit more erosion than cover crops, such as clover, because a large percentage of the soil surface in a field of corn remains bare through out the growing season. Obviously, it is difficult to estimate annual erosion from an "average" square mile of farmland in the Piedmont. Gottschalk (1945, p. 224) determined that about 6.5 million tons of sediment was deposited in the upper part of the Gunpowder River estuary between 1846 and 1897, assuming that no sediment was lost to the lower part of the estuary or to the Chesapeake Bay. This total resulted from about 500 tons per square mile per year, as

shown in the lower left block of figure 31. During the last 20 years of this period, the original Loch Raven Reservoir was intercepting about 20 percent of the sediment from the basin. If allowances are made for this intercept, and it is estimated that the 200 years per square mile per year deposited in the estuary constitute 10 to 20 percent of the total yield per year for the 1846-97 period, the annual yield appears to have been about 100 to 1,000 tons per square mile per year.

From 1881 to 1900, the original Loch Raven Reservoir trapped about 25 million tons of sediment. The reservoir caught 55 to 35 percent of the sediment inflow; consequently, the basin's yield probably was within the range of 1,000 to 1,800 tons per square mile per year. (See fig. 31.) At that time the basin was 50 percent farmed (fig. 30), and farming practices generally were not in keeping with soil conservation.

The 1945 survey of Loch Raven Reservoir (Gottschalk, 1945, p. 16-17) showed that the sediment yield per square mile was 800 tons per year for the preceding 25-year period. This yield totaled 7.9 million tons and reduced the capacity of the impoundment about 8 percent. A survey of Prettyboy Reservoir the same year revealed that it had accumulated about three-fourths of a million tons of sediment during its 11-year span, or about 500 tons per square mile

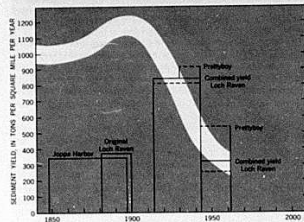


FIGURE 31.—Sediment yield reflecting change in land use, 1850-1965. (For a fuller explanation, see p. 34.)

in the larger basin would provide the benefits already mentioned (p. 80-81). A dam on Little Gunpowder Falls would provide a lake where swimming and other water sports would have a tangible effect on the Metropolitan Baltimore water supply system.

An alternative course of action would be to encourage and aid builders in the construction of additional impoundments, in conjunction with the expansion of the suburbs and the growth of metropolitan areas.

Possibilities on the Estuary

The State park as planned will include the head of Gunpowder River—the head of the estuary—from the east bank of the mouth of Gunpowder Falls west to a point about half way up the Blind River arm. This east-west skyline distance is just under 2 miles; the shoreline mileage is several times greater. Present plans call for a marina and a swimming beach on this park land.

Keeping the water clean should not be too difficult. No pollution of consequence is expected from the military installation, which includes the entire eastern shore of the estuary and two of the western shore promontories. The two Gunpowder Falls streams will flow through a State park, and it can be expected that their water will be kept at acceptable State park standards; sanitary conditions in the State park holdings on the estuary itself will be controlled. Possible sources of pollutants which may merit watching are (1) the primary sewage treatment plant at growing Joppa town, (2) the effluent discharge point from the large sewage treatment plant, which is recommended for construction by the end of the century, to handle the waste from the two proposed Gunpowder Falls interceptors (fig. 25), and (3) the growth of industrial and residential developments along the western side of the Gunpowder River estuary, especially including the southwestern arm of Blind River.

CONCLUSIONS

The Gunpowder Falls drainage basin, north of Baltimore, is about 350 square miles, has a maximum width of 16 miles and contains about 350 square miles. The headwaters are just inside Prince Georges, and the watercourse drains about half of Baltimore County as it meanders southeast to the Chesapeake Bay. The basin provides water and space for living, working, and playing. As the population increases in the coming decades, the demand for these water and land resources will increase as the needs intensify.

More than 85,000 people now (1964) live in the basin—three-fourths of them occupy an arc of villages and expanding suburbs to the south and west of Loch Raven Reservoir, which forms the north-

eastern fringe of Metropolitan Baltimore. The basin is now predominantly rural; 60 percent farmland, 20 percent forest covered, and 10 percent urbanized. Comparatively few local industries are mostly between Towson and Cockeysville.

The basin receives an average of about 46 inches of precipitation per year; about 28 inches are lost through evapotranspiration; the remaining 18 inches are available as surface and ground water and to man's use. Thus, the water available amounts to 300 mgd, and to 254 mgd for the watershed above Loch Raven Dam. The yield varies seasonally, being greater in winter when evapotranspiration is less. It also varies regionally, although to a much lesser extent, with the geology; the areas where marble is prevalent retain and release ground water at a more constant rate to maintain flow in associated streams than do the areas where igneous and metamorphosed rocks predominate.

The upper 80 percent of the basin has been developed almost fully as a water supply for Metropolitan Baltimore. No more water will be obtained from this area, and the present and future concerns of management are protection and regulation. The safe yield has been computed at 148 mgd—an admittedly conservative figure. The present system could supply 500 mgd with a probable deficiency in fluctuations in the water levels of the two reservoirs, particularly in upstream Prettyboy Reservoir, which is used to regulate Loch Raven Reservoir. The lower valley, between Loch Raven and the estuary, is outside the present water-supply development.

Ground water is available in moderate amounts from wells throughout the basin; about 1 mgd are pumped to supply small communities and scattered households. In the part of the basin in the Piedmont, wells drilled into the weathered marble provide the largest and most consistent yields, averaging about 20 gpm per small well. In the narrow part of the basin in the Coastal Plains, the sandy aquifer apparently can provide about 250 gpm per large well, but sustained heavy pumping might result in intrusion of brackish water into the aquifer from the underlying estuary.

Water secured from marble formations is moderately to very hard. Soft water may be expected from the igneous and metamorphosed bedrocks and their overlying materials. Some man-caused pollutants are discernible in most surface water and in some local supplies of ground water; detergents are widespread although usually in low concentrations. Storm-water runoff from developed areas contains many pollutants which vary in amount diurnally and seasonally; the

most noticeable are traceable to week-day activities associated with gas stations, stores, and households in general, and to the practice of salting slippery roads in winter.

Waste is disposed of through sanitary sewers in many sections of the basin adjacent to Baltimore; storm-water runoff is conducted through a separate system. Joppa town has a primary treatment plant. In the rest of the area, settlements and isolated homes are dependent upon septic tanks.

Erosion and sedimentation within the basin was a problem in the 18th and 19th centuries; the silting of the port of Joppa is attributable to intensive farming upstream. At present (1964) the sediment erosion rate is low, except during the months or years when tracts of land are stripped for development; the two reservoirs have a life expectancy of almost 1,000 years.

Recreational facilities in the basin are now centered on Loch Raven and Prettyboy Reservoirs. The Baltimore City Bureau of Water Supply permits fishing from shores and from electric motorboats in areas well above the dams and maintains attractive picnic grounds and horseback and hiking trails.

Trends affecting the basin and plans concerning it indicate that more and more land will be used for housing developments, particularly in the sections below Prettyboy Dam. More water will be diverted to metropolitan mains. More roads and highways will traverse the drainage basin. An increasing number of motorists will seek recreation in the valley. The basin's population is expected to triple by the year 2010, at which time a quarter of a million people will live there. The intent of the Baltimore Regional Planning Council is to cluster most families in several planned communities—small cities or metropolises. Water from Gunpowder Falls will be drawn at a rate of 250 mgd, if officials of the Bureau of Water Supply decide to risk a deficiency in 1 year out of 10. The bureau now plans to use as much of the local pure and cheaper supply as possible before tapping water from the Susquehanna River through the pipeline now being constructed.

The entire basin has been zoned for industrial, commercial, residential, agricultural, and recreational services or for open-space development, and extensions of the present road network have been planned for the coming 20 years. About 20,000 acres of valley-bottom land (some of it in the Little Gunpowder Falls drainage basin) and estuary shoreline are being acquired for a State park.

Increasing demands on the local resources are inevitable. Equitable adjustments among the competing interests will require an

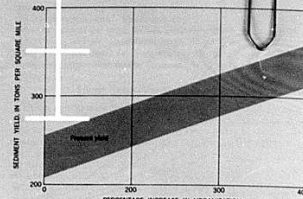


FIGURE 40.—Projected annual sediment yield for the basin below Prettyboy Dam for 1960-2010 as urbanization increases.

return to the former healthy condition—if it has not lost most of its capacity during the period of urban development.

The anticipated triple increase in population by the year 2010, and resultant urbanization, will increase the basin's sediment yield about 30 percent. If population growth were not a factor, the present yield of about 325 tons of sediment per square mile per year from the area below Prettyboy Dam would remain constant, or more probably diminish. As new construction keeps pace with the population growth, the sediment yield will average between 275 and 325 tons per square mile per year. Sediment yield for the doubling and quadrupling of the population is estimated in figure 40. This figure is drawn on the basic assumption that during the period of urbanization a decrease of about one-third in sediment yield from rural sections will be more than compensated by an increase from the urbanized areas to give a new sediment rate about a third greater than the present rate. Sedimentation will not be a basinwide problem, but it will create local problems, particularly where small reservoirs and ponds are adjacent to the several planned metropolises.

An Alternate Metropolitan Site

Sedimentation and storm-water runoff may or may not become important factors in the water supply in the coming 50 years, but urbanization does change the hydrologic environment. The adverse

consequences are sufficiently serious to warrant discussion of the hydrologic effects of alternative possibilities, even some which may not presently be under definite consideration. The effects of additional large communities—metropolises—in the Gunpowder Falls basin upstream from Loch Raven dam should be compared with those of alternative areas.

A hydrologic evaluation of Long Green Valley, east of Loch Raven Reservoir and draining below the dam, indicates that it is one alternate site for a metropolis which holds to a minimum the conflict between urbanization and water supply. An appraisal of this site for urban development focuses attention on the hydrologic factors that city planners should consider—assuming that urban growth can be guided.

Long Green Valley, in its upper reaches, is an oval basin resulting from the weathering of a pocket of Cockeysville Marble; it is rimmed by hills and ridges composed of the more resistant Wissahickon Schist. Hydes Post Office is a convenient central point of reference (see fig. 2). A similar but narrower valley to the south, centered on the community of Glenarm, parallels the Hydes basin and also overlies deposits of marble. Long Green Creek drains both valleys as it flows southeast, through an increasingly steep ravine, to join the main Gunpowder Falls about 5 miles below the Loch Raven Dam. The combined Hydes and Glenarm areas, and the slopes rimming g and flows southeast, through an increasingly steep ravine, to join the main Gunpowder Falls about 5 miles below the Loch Raven Dam. The combined Hydes and Glenarm areas, and the slopes rimming g and flows southeast, through an increasingly steep ravine, to join the main Gunpowder Falls about 5 miles below the Loch Raven Dam. The combined Hydes and Glenarm areas, and the slopes rimming g and flows southeast, through an increasingly steep ravine, to join the main Gunpowder Falls about 5 miles below the Loch Raven Dam.

Faras now occupy most of the bottom lands. A metal-container machinery factory and a metal-parts finishing company are located at Glenarm. Extensive estates and several residential developments (along the western and northern rims of the Hydes basin) dot the deferred highlands. The bed of an abandoned railroad traverses the two basins in a north-south direction; it crosses the Gunpowder Falls approximately 1.5 miles below Loch Raven Dam.

Neither sedimentation during construction nor storm-water runoff would affect the metropolitan water supply because the entire area drains below Loch Raven Reservoir. They could pose problems in the lower reach of the planned Gunpowder Falls State Park.

The Long Green population would be dependent upon water from wells during the initial growth period, until 1955 or 1960, when the expectancy of 25,000 residents would have a water requirement of 2.5 mgd.

The low base flow of a stream represents the safe long-term ground-water yield of an area if this water can be pumped from wells instead of being allowed to flow away overland. The low flow

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DIG GUNPOWDER FALLS

Area 109 1/2 Acres

MARSH

A.D.C. Location of
Old Fence as Shown
on Old Deeds

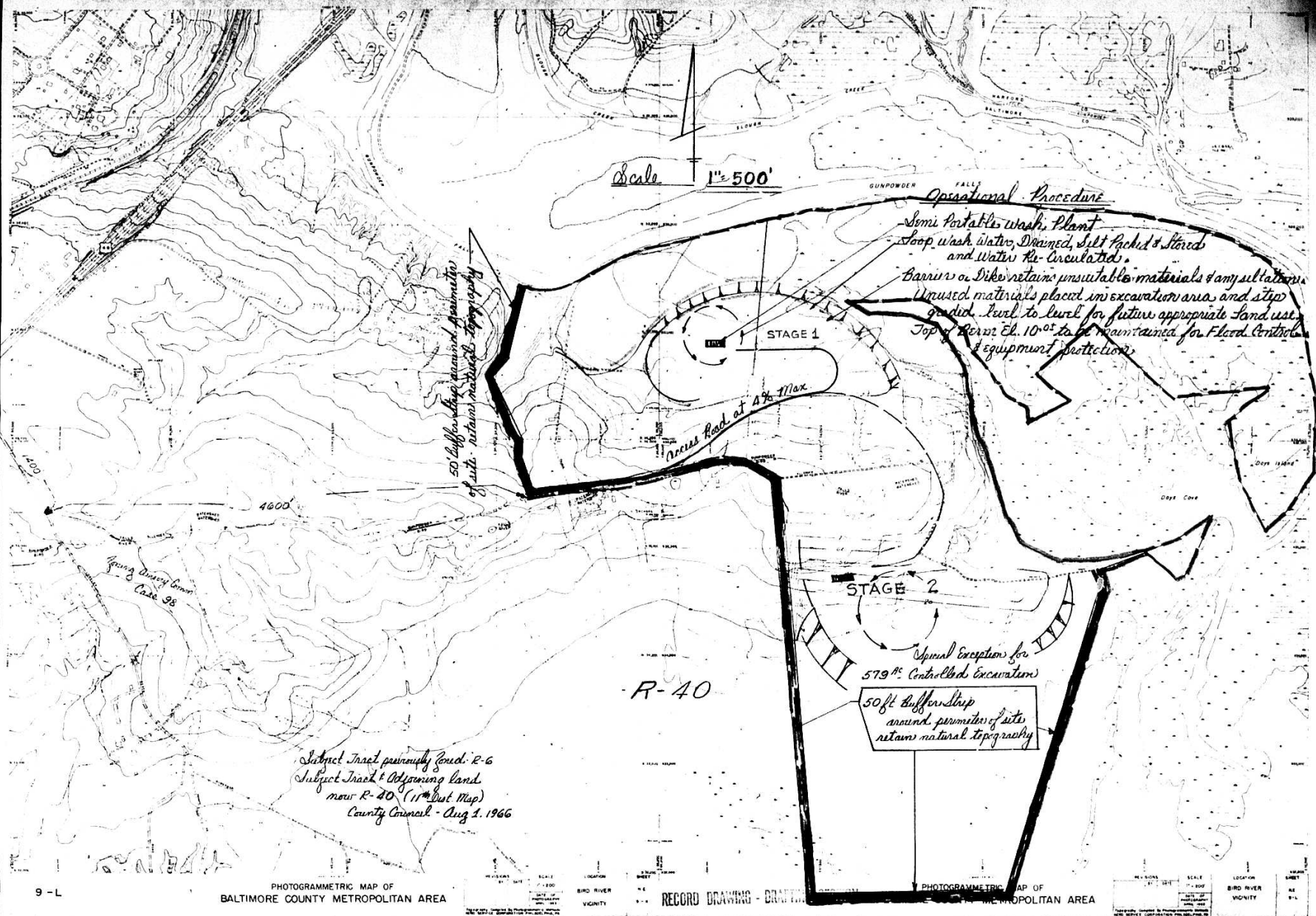
Plot Prepared for
Mr. Harry A. Smuck
3210 Hammonds Ferry Rd.
Baltimore 27, Maryland

Note: This plot is compiled from information shown on
the plat of James E. Spamer & Associates, Inc. (see back)
of the plat of James E. Spamer & Associates, Inc. of Baltimore
County, Maryland and containing 109 1/2 acres, is prepared
by Frederick P. Delaney dated June 17, 1948, and also
a plat prepared by J. E. Spamer & Co. dated June 14, 1948
containing 109 1/2 acres, also recorded
in 53 Howard County Md. Vol. 7, page 88

NOT a field survey

JAMES E. SPAMER & ASSOCIATES
REGISTERED ENGINEER NO. 2181
YORK RD. & CHESTNUT AVE
TOWSON 4, MD.

P2144 - 6/15/1900 April 9, 1960



No Public Water or Sewers Available.

Alluvial Road improvements. See Project Directive #2986

Special Exceptions granted: Subject to following restrictions:

1. site Plans for excavation subject to approval by
 - a. Office of Planning & Zoning ☐
 - b. Bureau of Traffic Engineering ☐ Sect. 403 Zoning Code
 - c. Bureau of Land Development ☐
2. A Buffer strip - 50' wide, around perimeter of site
< maintain natural brush, woods & conditions >
3. Prevent and/or eliminate siltation run off to the River.... originating
on the site.
4. Alluvial Rd. From Pulaski Highway to Loxley Beach Road to be
improved < paved 24' >



Zoning Plat: See File No. 5166-X Approved Nov. 22, 1967

Harry A. Smuck Property

Special Exceptions for Controlled Excavations < No Explosives >

11th District

Feb. 27, 1968

Amended March 22, 1968

JAMES C. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
8017 YORK ROAD
TOWSON, MD. 21204

Baltimore County, Md

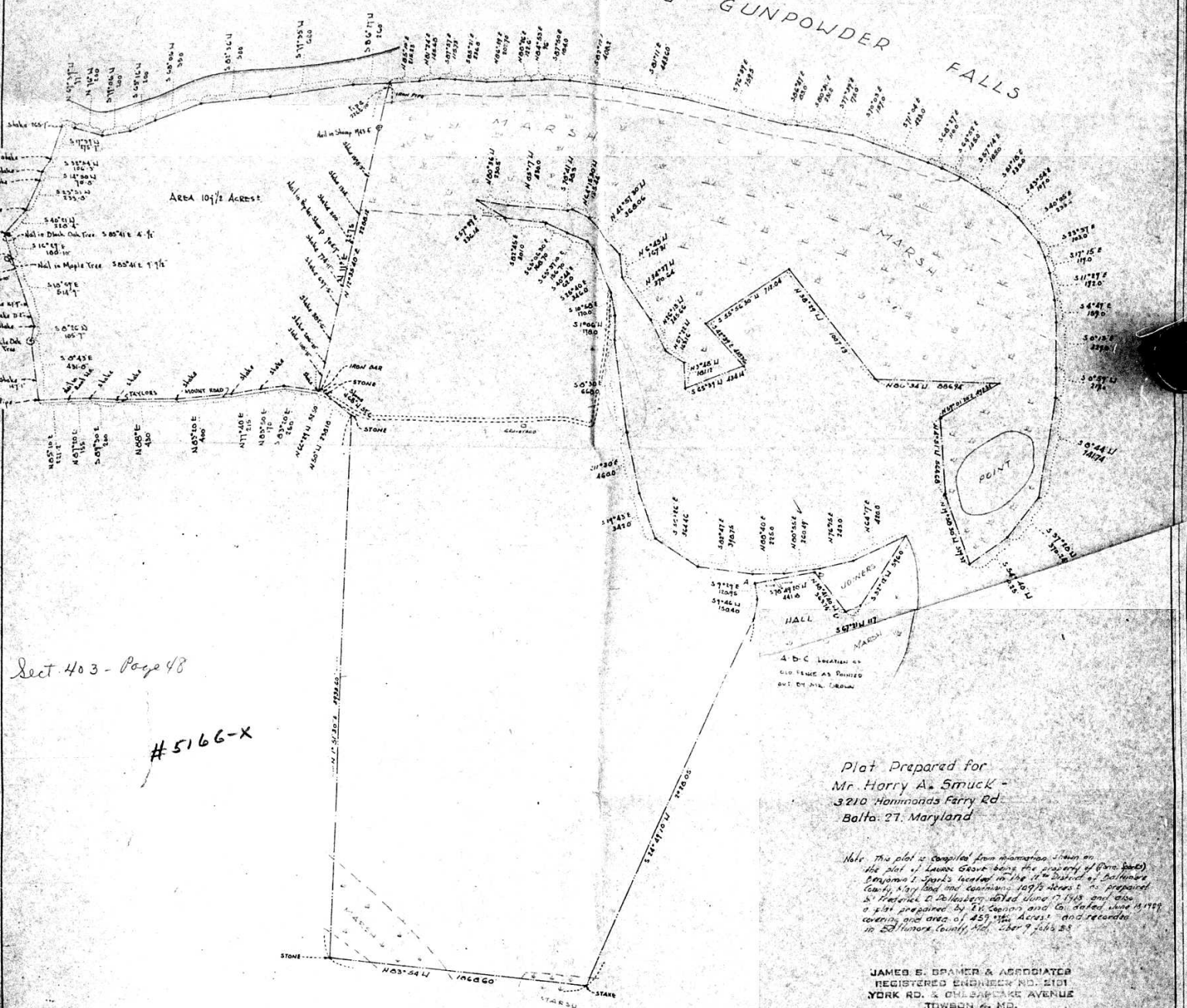
Scale 1" = 500'

Sheet 1 of 2 See Outline Plat
attached
1-1129

Planning
Comp. - approved
11/17/60 Jsk

DIG GUNPOWDER FALLS

Area 10 1/2 Acres



Sheet 403 - Page 48

#5166-X

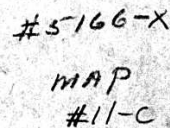
Plot Prepared for
Mr. Harry A. Smuck -
3210 Hannocks Ferry Rd
Baltimore 27, Maryland

Note: This plot is compiled from information shown on the plat of Lewis G. Galt being the property of (one owner) of the property of the State of Maryland, Baltimore County, Maryland, and containing 109 1/2 acres, as prepared by Frederick D. Hollister, dated June 7, 1918, and also a plat prepared by H. G. Galt and Co. dated June 11, 1918, covering an area of 45 1/2 acres, and recorded in Baltimore County, Md., Liber 9, 188, 23.

JAMES E. SPANER & ASSOCIATES
REGISTERED ENGINEERS NO. 5101
YORK RD. & CHESAPEAKE AVENUE
TOWSON, MD.

Scale: 1" = 50' Date: 11/9/60

DIG GUNPOWDER FALLS



Note: This plot is compiled from information I have on
the plot of Louise George being the property of (Cora Field)
Bryant's Sparks located in the 11th District of Baltimore
County Maryland and containing 109 1/2 acres as prepared
by Frederick C. Hollister dated June 17, 1914 and also
a plot prepared by E. Condon and Co. dated June 1, 1929
covering and area of 457 1/2 acres. Lewis also recorded
in Baltimore County Vol. 148 p. 60-63

Scale 1:200 April 9, 1960

BIG
GUNPOWDER
FALLS

AREA 109 1/2 ACRES:

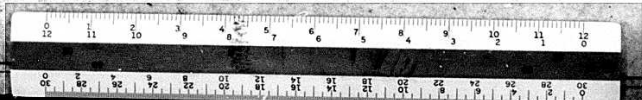
#5166-X

#5-166-X
MAP
#11-C

Plat Prepared for
Mr. Harry A. Smuck -
3210 Hommonds Ferry Rd.
Balto. 27, Maryland

Note: This plot is compiled from information given on the plot of Lewis Grove being the property of Fern Jacobs (Branigan's) Sparks located in the N. W. 1/4 of Section 1, Township 40N, Range 10E and containing 167 1/2 Acres. as prepared by Frederick D. Hollweg dated June 17, 1914, and also a plot prepared by E. C. Cannon and Co. dated June 15, 1917 covering and area of 457 1/2 Acres. and recorded in Edmonson County, Ark. Liber 9, page 38.

JAMES S. SPAMER & ASSOCIATES
REGISTERED ENGINEER NO. 2181
YORK RD. & CHESAPEAKE AVENUE
TOWSON 4, MD.





Maped by the Army Map Service
Published for civil use by the Geological Survey
Control by USCGS, CE, and USGS
Topography from aerial photographs by multiple methods
Aerial photographs taken 1947. Field check 1949
Polyconic projection, 1927 North American datum
10,000 foot grid based on Maryland coordinate system
Unchecked elevations are shown in brown

SCALE 1:24,000

CONTOUR INTERVAL 20 FEET
DATUM IS MEAN SEA LEVEL

THIS MAP COMPLEYS WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, WASHINGTON 25, D. C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

ROAD CLASSIFICATION
HARD SURFACE ALL WEATHER ROADS
Heavy duty ———— Improved dirt
Medium duty ———— Unimproved dirt
Loose surface, graded, or narrow hard surface
U. S. Route
State Route

Maped by the Army Map Service
Hydrography from USCGS surveys
Published for civil use by the Geological Survey
Control by USCGS, CE, and USGS
Topography from aerial photographs by multiple methods
Aerial photographs taken 1947. Field check 1949
Polyconic projection, 1927 North American datum
10,000 foot grid based on Maryland coordinate system
Unchecked elevations are shown in brown

WHITE MARSH, MD.
NWA GUNPOWDER 15 QUADRANGLE
N3922.5-W7615.75
EDITION OF 1951

Maped by the Army Map Service
Hydrography from USCGS surveys
Published for civil use by the Geological Survey
Control by USCGS, CE, and USGS
Topography from aerial photographs by multiple methods
Aerial photographs taken 1947. Field check 1949
Polyconic projection, 1927 North American datum
10,000 foot grid based on Maryland coordinate system
Unchecked elevations are shown in brown

SCALE 1:24,000

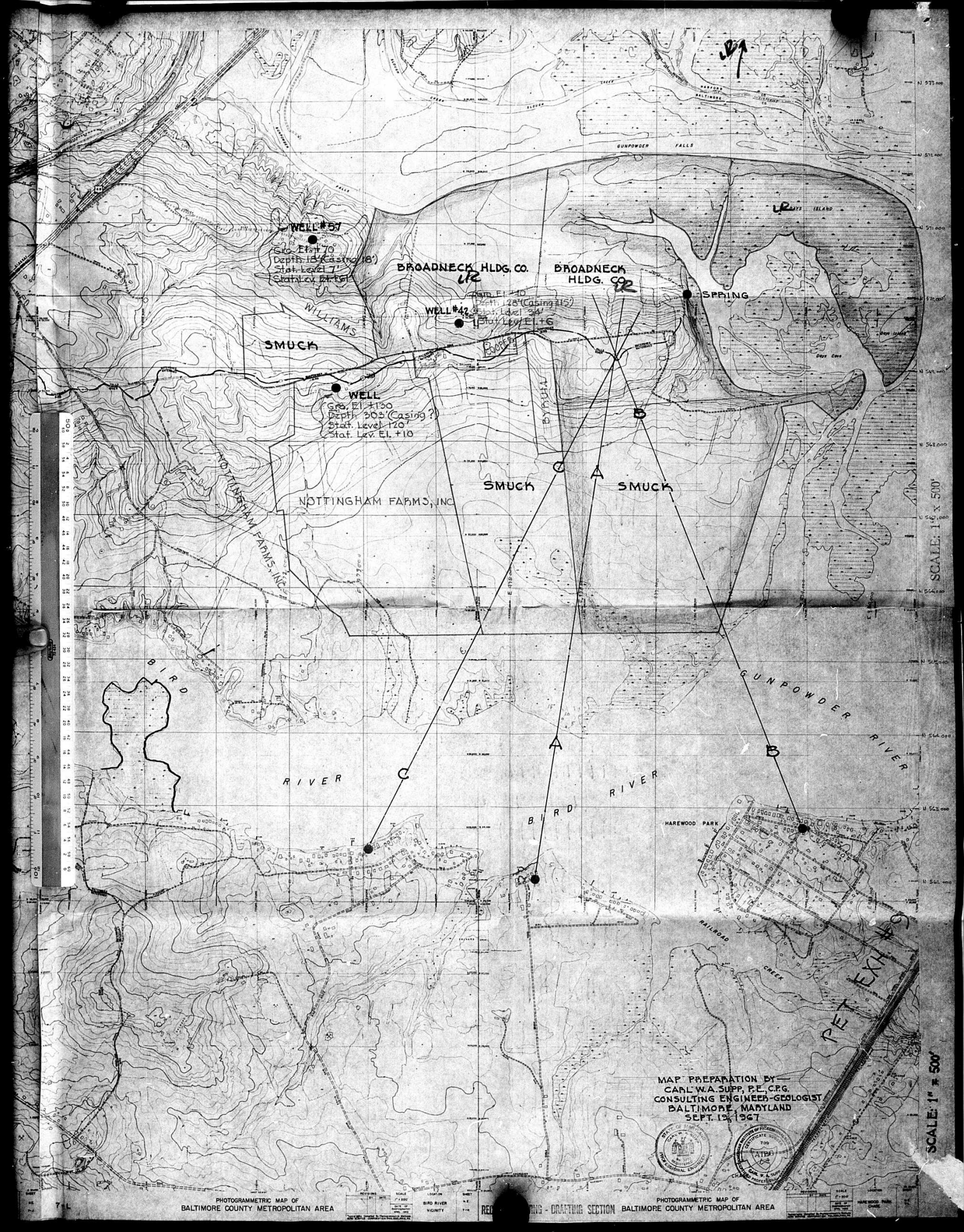
CONTOUR INTERVAL 20 FEET
DATUM IS MEAN SEA LEVEL

SHORELINE SHOWS APPROXIMATE LINE OF MEAN HIGH WATER
THE AVERAGE RANGE OF TIDE IS APPROXIMATELY 10 FEET

FOR SALE BY U. S. GEOLOGICAL SURVEY, WASHINGTON 25, D. C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

EDGEWOOD, MD.
NWA GUNPOWDER 15 QUADRANGLE
N3922.5-W7615.75
EDITION OF 1951



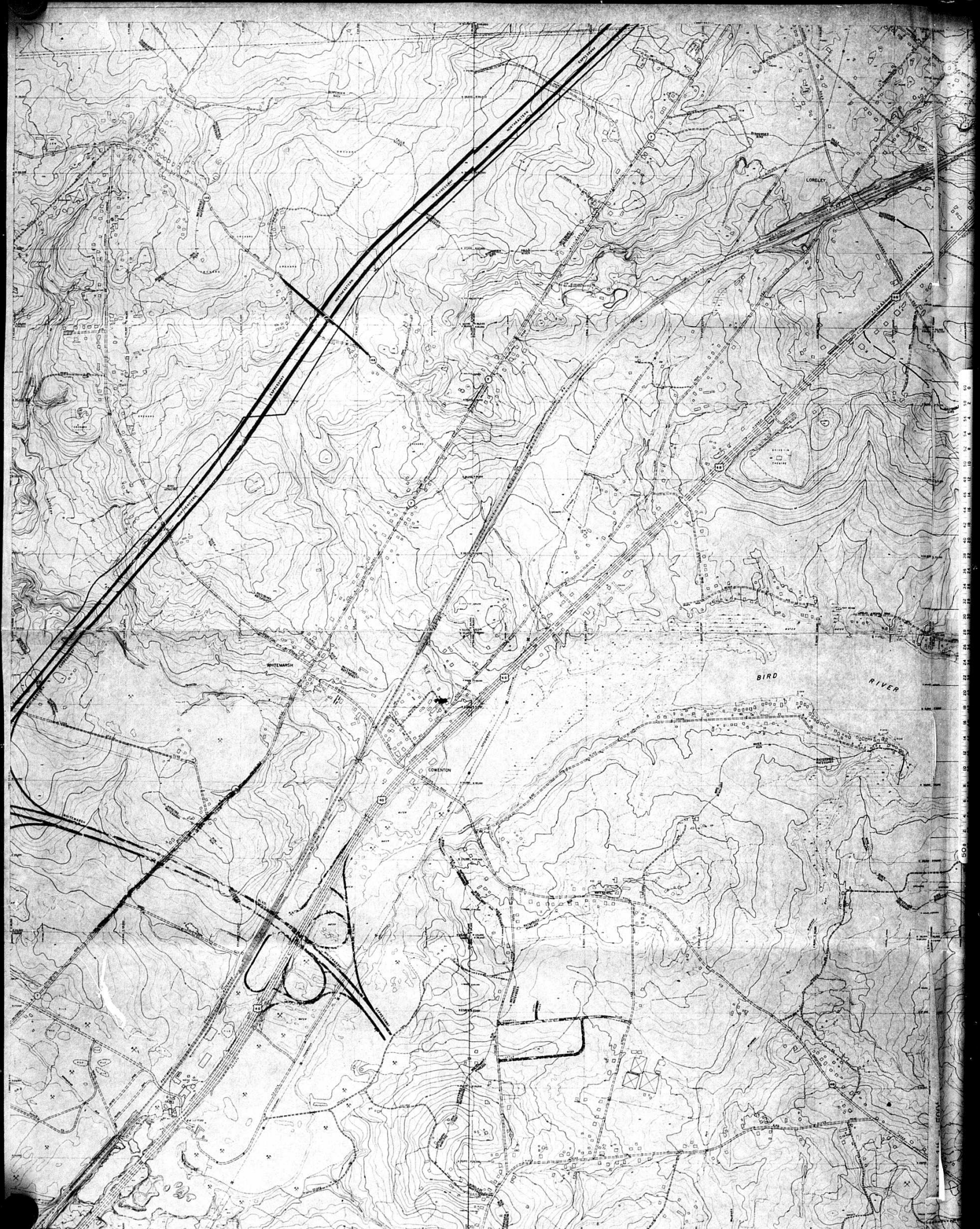


SCALE: 1" = 500'

SCALE: 1" = 500'

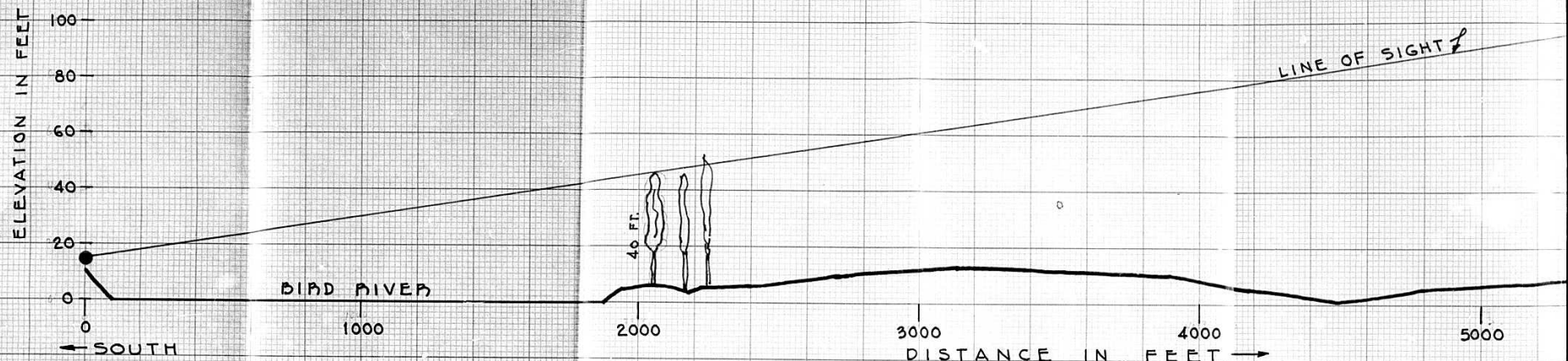
MAP PREPARATION BY
CARL W.A. SUPP, P.E., C.F.G.
CONSULTING ENGINEER-GEOLOGIST
BALTIMORE, MARYLAND
SEPT. 12, 1967





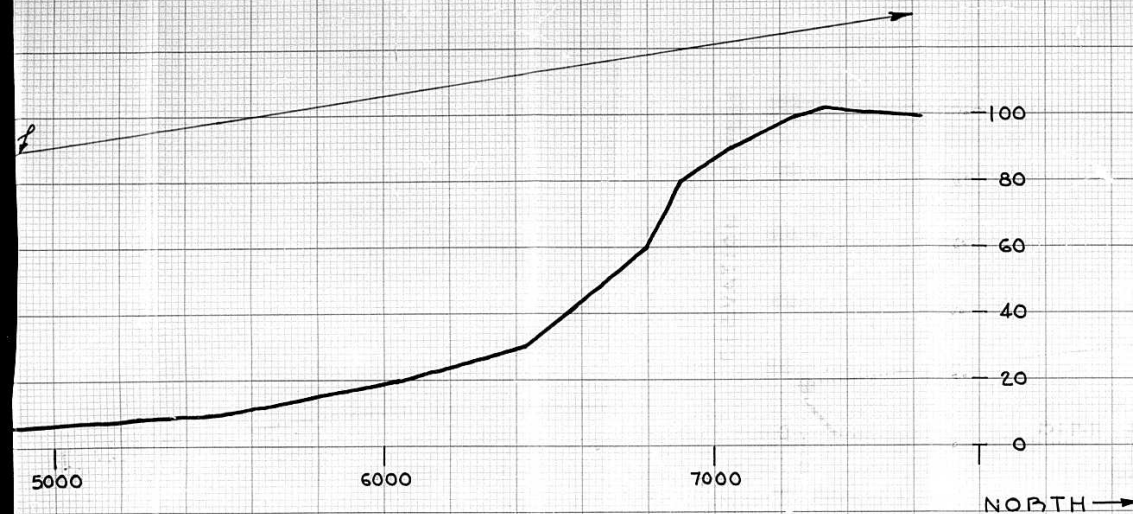
CHESAPEAKE AND DELAWARE CANAL CHANNEL DEPTHS
 Tabulated from surveys by the Corps of Engineers, surveys to May, 1967,
 and reports to June 1967.

Name of Channel	Controlling channel depths in feet of Low Mean Low Water entering from Chesapeake Bay			Date of Survey	Length of Channel (feet)	Depth of Channel (feet)
	Left side of channel	Width of channel	Right side of channel			
Point Island to Norton Point	26.2	28.0	27.7	5/67	400	17.2
Norton Point to Point Island	27.3	29.5	27.4	5/67	400	18.0
Point Island to Point Island	26.5	28.5	27.5	5/67	400	17.5
Point Island to Point Island	26.7	28.7	27.7	5/67	400	17.7
Point Island to Point Island	26.9	28.9	27.9	5/67	400	17.9
Point Island to Point Island	27.1	29.1	28.1	5/67	400	18.1
Point Island to Point Island	27.3	29.3	28.3	5/67	400	18.3
Point Island to Point Island	27.5	29.5	28.5	5/67	400	18.5
Point Island to Point Island	27.7	29.7	28.7	5/67	400	18.7
Point Island to Point Island	27.9	29.9	28.9	5/67	400	18.9
Point Island to Point Island	28.1	30.1	29.1	5/67	400	19.1
Point Island to Point Island	28.3	30.3	29.3	5/67	400	19.3
Point Island to Point Island	28.5	30.5	29.5	5/67	400	19.5
Point Island to Point Island	28.7	30.7	29.7	5/67	400	19.7
Point Island to Point Island	28.9	30.9	29.9	5/67	400	19.9
Point Island to Point Island	29.1	31.1	30.1	5/67	400	20.1
Point Island to Point Island	29.3	31.3	30.3	5/67	400	20.3
Point Island to Point Island	29.5	31.5	30.5	5/67	400	20.5
Point Island to Point Island	29.7	31.7	30.7	5/67	400	20.7
Point Island to Point Island	29.9	31.9	30.9	5/67	400	20.9
Point Island to Point Island	30.1	32.1	31.1	5/67	400	21.1
Point Island to Point Island	30.3	32.3	31.3	5/67	400	21.3
Point Island to Point Island	30.5	32.5	31.5	5/67	400	21.5
Point Island to Point Island	30.7	32.7	31.7	5/67	400	21.7
Point Island to Point Island	30.9	32.9	31.9	5/67	400	21.9
Point Island to Point Island	31.1	33.1	32.1	5/67	400	22.1
Point Island to Point Island	31.3	33.3	32.3	5/67	400	22.3
Point Island to Point Island	31.5	33.5	32.5	5/67	400	22.5
Point Island to Point Island	31.7	33.7	32.7	5/67	400	22.7
Point Island to Point Island	31.9	33.9	32.9	5/67	400	22.9
Point Island to Point Island	32.1	34.1	33.1	5/67	400	23.1
Point Island to Point Island	32.3	34.3	33.3	5/67	400	23.3
Point Island to Point Island	32.5	34.5	33.5	5/67	400	23.5
Point Island to Point Island	32.7	34.7	33.7	5/67	400	23.7
Point Island to Point Island	32.9	34.9	33.9	5/67	400	23.9
Point Island to Point Island	33.1	35.1	34.1	5/67	400	24.1
Point Island to Point Island	33.3	35.3	34.3	5/67	400	24.3
Point Island to Point Island	33.5	35.5	34.5	5/67	400	24.5
Point Island to Point Island	33.7	35.7	34.7	5/67	400	24.7
Point Island to Point Island	33.9	35.9	34.9	5/67	400	24.9
Point Island to Point Island	34.1	36.1	35.1	5/67	400	25.1
Point Island to Point Island	34.3	36.3	35.3	5/67	400	25.3
Point Island to Point Island	34.5	36.5	35.5	5/67	400	25.5
Point Island to Point Island	34.7	36.7	35.7	5/67	400	25.7
Point Island to Point Island	34.9	36.9	35.9	5/67	400	25.9
Point Island to Point Island	35.1	37.1	36.1	5/67	400	26.1
Point Island to Point Island	35.3	37.3	36.3	5/67	400	26.3
Point Island to Point Island	35.5	37.5	36.5	5/67	400	26.5
Point Island to Point Island	35.7	37.7	36.7	5/67	400	26.7
Point Island to Point Island	35.9	37.9	36.9	5/67	400	26.9
Point Island to Point Island	36.1	38.1	37.1	5/67	400	27.1
Point Island to Point Island	36.3	38.3	37.3	5/67	400	27.3
Point Island to Point Island	36.5	38.5	37.5	5/67	400	27.5
Point Island to Point Island	36.7	38.7	37.7	5/67	400	27.7
Point Island to Point Island	36.9	38.9	37.9	5/67	400	27.9
Point Island to Point Island	37.1	39.1	38.1	5/67	400	28.1
Point Island to Point Island	37.3	39.3	38.3	5/67	400	28.3
Point Island to Point Island	37.5	39.5	38.5	5/67	400	28.5
Point Island to Point Island	37.7	39.7	38.7	5/67	400	28.7
Point Island to Point Island	37.9	39.9	38.9	5/67	400	28.9
Point Island to Point Island	38.1	40.1	39.1	5/67	400	29.1
Point Island to Point Island	38.3	40.3	39.3	5/67	400	29.3
Point Island to Point Island	38.5	40.5	39.5	5/67	400	29.5
Point Island to Point Island	38.7	40.7	39.7	5/67	400	29.7
Point Island to Point Island	38.9	40.9	39.9	5/67	400	29.9
Point Island to Point Island	39.1	41.1	40.1	5/67	400	30.1
Point Island to Point Island	39.3	41.3	40.3	5/67	400	30.3
Point Island to Point Island	39.5	41.5	40.5	5/67	400	30.5
Point Island to Point Island	39.7	41.7	40.7	5/67	400	30.7
Point Island to Point Island	39.9	41.9	40.9	5/67	400	30.9
Point Island to Point Island	40.1	42.1	41.1	5/67	400	31.1
Point Island to Point Island	40.3	42.3	41.3	5/67	400	31.3
Point Island to Point Island	40.5	42.5	41.5	5/67	400	31.5
Point Island to Point Island	40.7	42.7	41.7	5/67	400	31.7
Point Island to Point Island	40.9	42.9	41.9	5/67	400	31.9
Point Island to Point Island	41.1	43.1	42.1	5/67	400	32.1
Point Island to Point Island	41.3	43.3	42.3	5/67	400	32.3
Point Island to Point Island	41.5	43.5	42.5	5/67	400	32.5
Point Island to Point Island	41.7	43.7	42.7	5/67	400	32.7
Point Island to Point Island	41.9	43.9	42.9	5/67	400	32.9
Point Island to Point Island	42.1	44.1	43.1	5/67	400	33.1
Point Island to Point Island	42.3	44.3	43.3	5/67	400	33.3
Point Island to Point Island	42.5	44.5	43.5	5/67	400	33.5
Point Island to Point Island	42.7	44.7	43.7	5/67	400	33.7
Point Island to Point Island	42.9	44.9	43.9	5/67	400	33.9
Point Island to Point Island	43.1	45.1	44.1	5/67	400	34.1
Point Island to Point Island	43.3	45.3	44.3	5/67	400	34.3
Point Island to Point Island	43.5	45.5	44.5	5/67	400	34.5
Point Island to Point Island	43.7	45.7	44.7	5/67	400	34.7
Point Island to Point Island	43.9	45.9	44.9	5/67	400	34.9
Point Island to Point Island	44.1	46.1	45.1	5/67	400	35.1
Point Island to Point Island	44.3	46.3	45.3	5/67	400	35.3
Point Island to Point Island	44.5	46.5	45.5	5/67	400	35.5
Point Island to Point Island	44.7	46.7	45.7	5/67	400	35.7
Point Island to Point Island	44.9	46.9	45.9	5/67	400	35.9
Point Island to Point Island	45.1	47.1	46.1	5/67	400	36.1
Point Island to Point Island	45.3	47.3	46.3	5/67	400	36.3
Point Island to Point Island	45.5	47.5	46.5	5/67	400	36.5
Point Island to Point Island	45.7	47.7	46.7	5/67	400	36.7
Point Island to Point Island	45.9	47.9	46.9	5/67	400	36.9
Point Island to Point Island	46.1	48.1	47.1	5/67	400	37.1
Point Island to Point Island	46.3	48.3	47.3	5/67	400	37.3
Point Island to Point Island	46.5	48.5	47.5	5/67	400	37.5
Point Island to Point Island	46.7	48.7	47.7	5/67	400	37.7
Point Island to Point Island	46.9	48.9	47.9	5/67	400	37.9
Point Island to Point Island	47.1	49.1	48.1	5/67	400	38.1
Point Island to Point Island	47.3	49.3	48.3	5/67	400	38.3
Point Island to Point Island	47.5	49.5	48.5	5/67	400	38.5
Point Island to Point Island	47.7	49.7	48.7	5/67	400	38.7
Point Island to Point Island	47.9	49.9	48.9	5/67	400	38.9
Point Island to Point Island	48.1	50.1	49.1	5/67	400	39.1
Point Island to Point Island	48.3	50.3	49.3	5/67	400	39.3
Point Island to Point Island	48.5	50.5	49.5	5/67	400	39.5
Point Island to Point Island	48.7	50.7	49.7	5/67	400	39.7
Point Island to Point Island	48.9	50.9	49.9	5/67	400	39.9
Point Island to Point Island	49.1	51.1	50.1	5/67	400	40.1
Point Island to Point Island	49.3	51.3	50.3	5/67	400	40.3
Point Island to Point Island	49.5	51.5	50.5	5/67	400	40.5
Point Island to Point Island	49.7	51.7	50.7	5/67	400	40.7
Point Island to Point Island	49.9	51.9	50.9	5/67	400	40.9
Point Island to Point Island	50.1	52.1	51.1	5/67	400	41.1
Point Island to Point Island	50.3	52.3	51.3	5/67	400	41.3
Point Island to Point Island	50.5	52.5	51.5	5/67	400	41.5
Point Island to Point Island	50.7	52.7	51.7	5/67	400	41.7
Point Island to Point Island	50.9	52.9	51.9	5/67	400	41.9
Point Island to Point Island	51.1	53.1	52.1	5/67	400	42.1
Point Island to Point Island	51.3	53.3	52.3	5/67	400	42.3
Point Island to Point Island	51.5	53.5	52.5	5/67	400	42.5
Point Island to Point Island	51.7	53.7	52.7	5/67	400	42.7
Point Island to Point Island	51.9	53.9	52.9	5/67	400	42.9
Point Island to Point Island	52.1	54.1	53.1	5/67	400	43.1
Point Island to Point Island	52.3	54.3	53.3	5/67	400	43.3
Point Island to Point Island	52.5	54.5	53.5	5/67	400	43.5
Point Island to Point Island	52.7	54.7	53.7	5/67	400	43.7
Point Island to Point Island	52.9	54.9	53.9	5/67	400	43.9
Point Island to Point Island	53.1	55.1	54.1	5/67	400	44.1
Point Island to Point Island	53.3	55.3	54.3	5/67	400	44.3
Point Island to Point Island	53.5	55.5	54.5	5/67	400	44.5
Point Island to Point Island	53.7	55.7	54.7	5/67	400	44.7
Point Island to Point Island	53.9	55.9	54.9	5/67	400	44.9
Point Island to Point Island	54.1	56.1	55.1	5/67	400	45.1
Point Island to Point Island	54.3	56.3	55.3	5/67	400	45.3
Point Island to Point Island	54.5	56.5	55.5	5/67	400	45.5
Point Island to Point Island	54.7	56.7	55.7	5/67	400	45.7
Point Island to Point Island	54.9	56.9	55.9	5/67	400	45.9
Point Island to Point Island	55.1	57.1	56.1	5/67	400	46.1
Point Island to Point Island	55.3	57.3	56.3	5/67	400	46.3
Point Island to Point Island	55.5	57.5	56.5	5/67	400	46.5
Point Island to Point Island	55.7	57.7	56.7	5/67	400	46.7
Point Island to Point Island	55.9	57.9	56.9	5/67	400	46.9
Point Island to Point Island	56.1	58.1	57.1	5/67	400	47.1
Point Island to Point Island	56.3	58.3	57.3	5/67	400	47.3
Point Island to Point Island	56.5	58.5	57.5	5/67	400	47.5
Point Island to Point Island	56.7	58.7	57.7	5/67	400	47.7
Point Island to Point Island	56.9	58.9	57.9	5/67	400	47.9
Point Island to Point Island	57.1	59.1	58.1	5/67	400	48.1
Point Island to Point Island	57.3	59.3	58.3	5/67	400	48.3
Point Island to Point Island	57.5	59.5	58.5	5/67	400	48.5</



SECTION C-C

NOTE - SEE EXH



STUDIES OF LINES OF SIGHT ACROSS BIRD RIVER

CARL W. A. SUPP, P.E., C.P.G.
Consulting Engineer - Geologist
32 MAY 10th STREET
BETHESDA, MARYLAND, U.S.A.
SEPT. 10, 1967

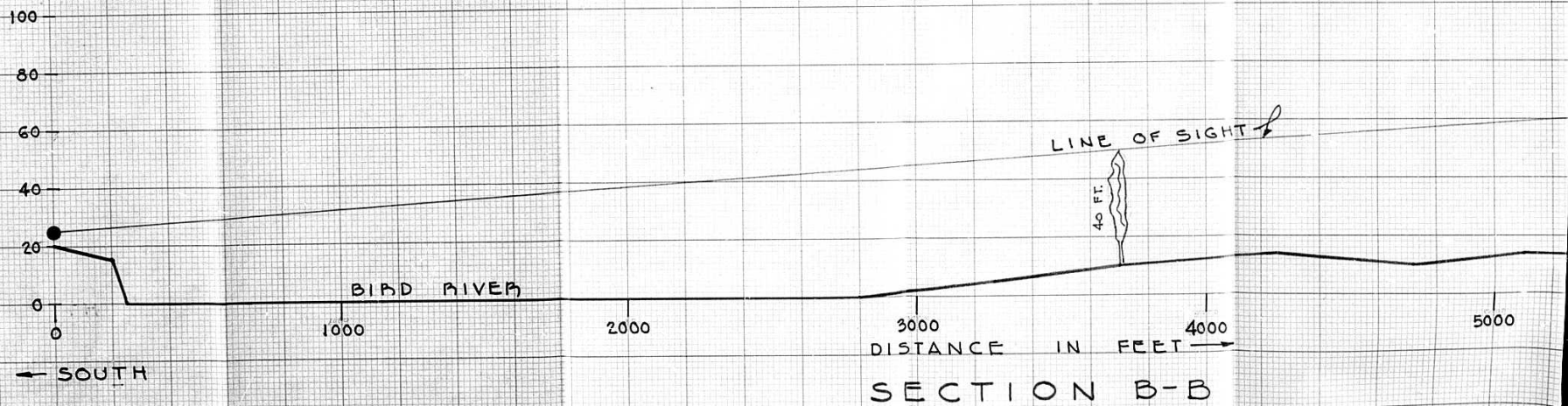
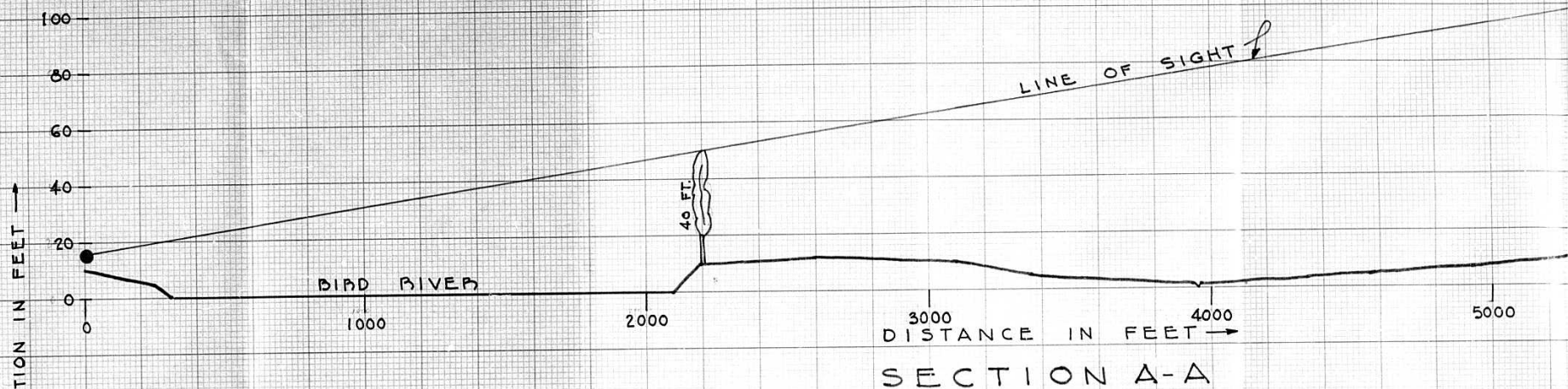


SEE EXHIBIT

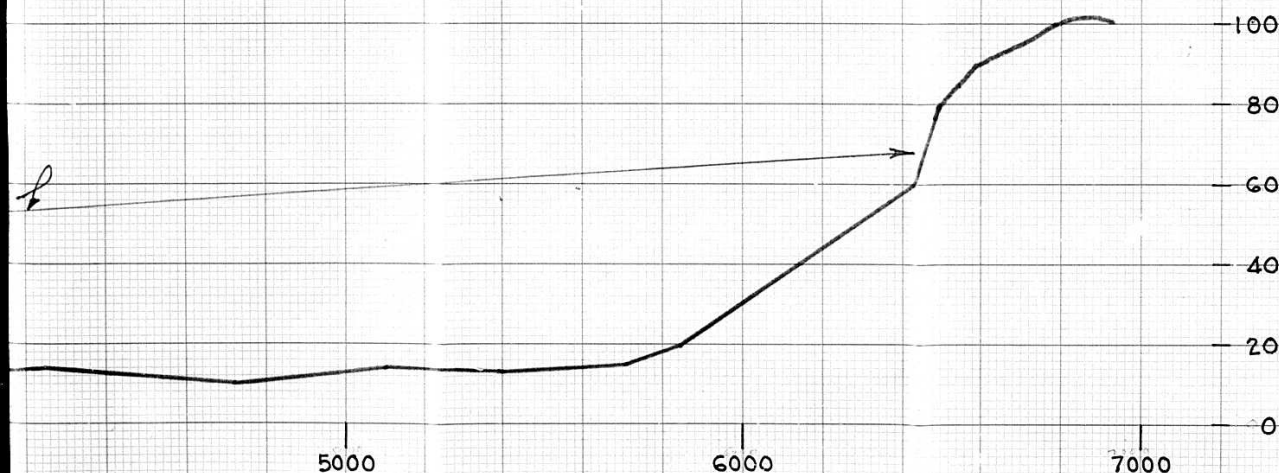
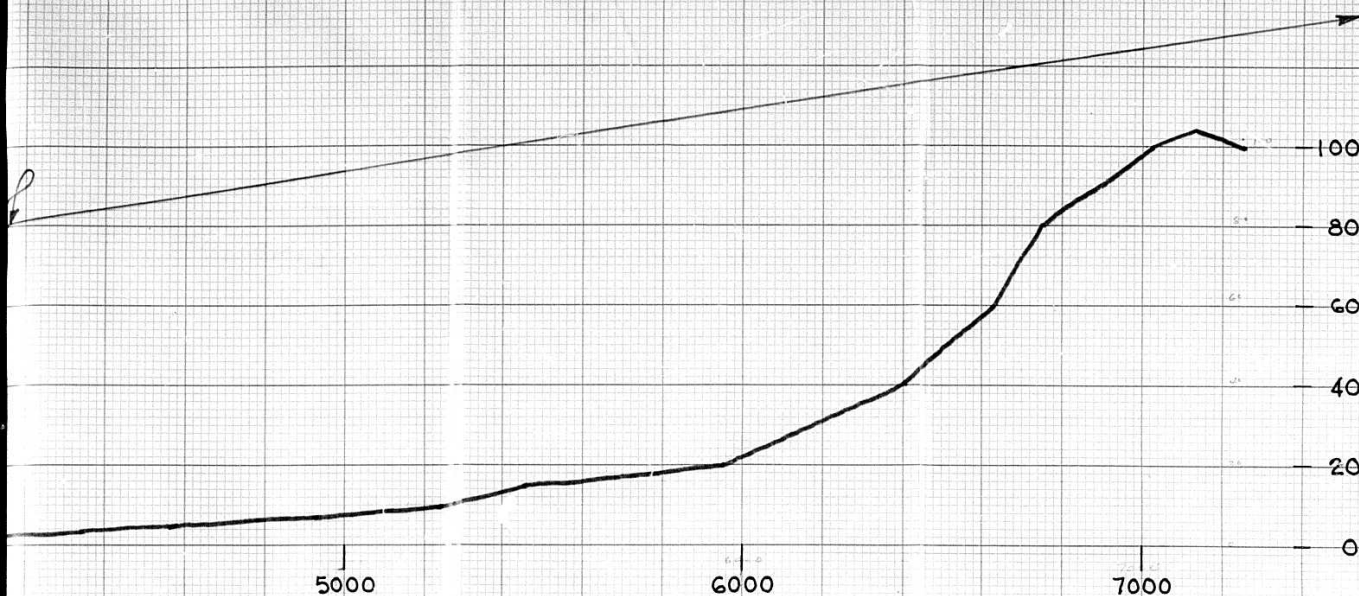
FOR LOCATION OF SECTION

SHEET 2 OF 2

PET. EXH
BB



NOTE - SEE EXH



STUDIES OF LINES OF SIGHT ACROSS BIRD RIVER

CARL W. A. SUPP, P.E., C.P.G.
Consulting Engineer - Geologist
92 EAST 25th STREET
BALTIMORE, MARYLAND 21201
SEPT. 13, 1967



NORTH →

NOTE - SEE EXHIBIT FOR LOCATIONS OF SECTIONS

SHEET 1 OF 2

500 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60

"PERFECT" CROSS SECTION
10 X 10 - ONE INCH
EUGENE DIETZGEN CO.

PET EXH.