

PETITION FOR SPECIAL EXCEPTION 85-271-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Church

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property, which is the subject of this Petition.

Contract Purchaser:

ZION'S HILL MINISTRIES

(Type or Print Name)

Signature

7907 Rolling View Ave.

Address

Baltimore, Md. 21236

City and State

Attorney for Petitioner:

Harvey S. Wasserman

(Type or Print Name)

Signature

131 E. Redwood St.

Address

Baltimore, Md. 21202

City and State

276-2501

Attorney's Telephone No.

685-2022

Legal Owner(s):

LARRY HOOVER

(Type or Print Name)

Signature

GERALDINE HOOVER

(Type or Print Name)

Signature

1011 Harris Mill Rd.

Address

357-4195

Phone No.

Maryland Line, Md. 21105

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

STELMAN H. SMITH

Name

7907 Rolling View Ave.

Address

661-5890

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day

of February, 1985, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 1st day of April, 1985, at 10:15 o'clock

Call John

Zoning Commissioner of Baltimore County.

(over)

Case No. 85-271-X
Item No. 193
Date: September 5, 1985

SE/ of Harris Mill Rd., 900'
SE of Freeland Road
7th Election District
Larry Hoover, et ux, Petitioners

- ☒ 1. Copy of Petition
- ☒ 2. Copy of Description of Property
- ☒ 3. Copy of Certificate of Posting (1 Sign)
- ☒ 4. Copy of Certificates of Publication
- ☒ 5. Copy of Zoning Advisory Committee Comments
- ☒ 6. Copy of Comments from the Director of Planning
- ☒ 7. Planning Board Comments and Accompanying Map
- ☒ 8. Copy of Order to Enter Appearance
- ☒ 9. Copy of Order - Zoning/Deputy Zoning Commissioner
- ☒ 10. Copy of Plat of Property (See Petitioner's Exhibit 1)
- ☒ 11. 200' Scale Location Plan
- ☒ 12. 1000' Scale Location Plan
- ☒ 13. Memorandum in Support of Petition
- ☒ 14. Letter(s) from Protestant(s)
- ☒ 15. Letter(s) from Petitioner(s)
- ☒ 16. Protestants' Exhibits 1 to 5 (See Attached Explanation)
- ☒ 17. Petitioners' Exhibits 1 to 7 (See Attached Explanation)
- ☒ 18. Letter of Appeal (2 Letters of Appeal Enclosed)

Mr. & Mrs. Larry Hoover
1011 Harris Mill Road
Maryland Line, Md. 21105

Sidney Schlachman, Esquire
131 E. Redwood Street, 4th Floor
Baltimore, Maryland 21202

R. Bruce Alderman, Esquire
White, Mindel, Clarke & Hill, 6th Floor
29 West Susquehanna Avenue
Towson, Maryland 21204

Ms. Ann Kay Kramer
23-25 Walker Avenue
Pikesville, Maryland 21208

Phyllis C. Friedman, Esquire
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE/S Harris Mill Rd., 900'
SE of Freeland Rd., 7th Dist. : OF BALTIMORE COUNTY
LARRY HOOVER, et ux, Petitioners: Case No. 85-271-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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

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

I HEREBY CERTIFY that on this 12th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Herbert Weiner, Esquire, and Harvey S. Wasserman, Esquire, 131 E. Redwood St., Baltimore, MD 21202, Attorneys for Petitioners; and Stelman H. Smith, 7907 Rolling View Ave., Baltimore, MD 21236, who requested notification.

Peter Max Zimmerman
Deputy People's Counsel

85-271-X

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 23rd day of February, 1985.

Arnold Jablon
Zoning Commissioner

Petitioner Larry Hoover, et ux
Attorney Herbert Weiner, Esquire

Received by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 25, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Road Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Herbert Weiner, Esquire
131 East Redwood Street
Baltimore, Maryland 21202

RE: Item No. 193 - Case No. 85-271-X
Petitioners - Larry Hoover, et ux
Special Exception Petition

Dear Mr. Weiner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your clients proposal to construct a church on the subject property in phases and utilize the existing dwelling as a temporary church for 8-10 years, this hearing is required.

As indicated in my conversation with your clients, since a portion of this 50-acre tract consists of two parcels of ground that were separated from the adjacent property to the west, no further subdivision of said adjacent property can occur under the existing R.C. 2 regulations. In addition, it was indicated by Mr. Stelman Smith that a new metes and bounds description of the subject property would be written. The need for this should be fully discussed at the hearing.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

NEC:mr
Enclosures
cc: Mr. Leo W. Rader
33 Belfast Road
Timonium, Maryland 21093



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

January 25, 1985

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

RE: Item #193 (1984-1985)
Property Owners: Larry Hoover, et ux
S/ES Harris Mill Rd., 900' S/E of
Freeland Rd.
Acreage: 50+
District: 7th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Harris Mill Road shall ultimately be improved on a 60-foot right-of-way.

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

James A. Markle, P.E., Chief
Bureau of Public Services

JAM:EAM:ROP:iss



BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GENDER
DIRECTOR

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

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ The parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 3/7/85.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Area is re-evaluated annually by the County Council.
- ☒ Additional comments: A record plat must be shown on the plan and recorded in the public records. The plan must show the entire tract. The plan must show the entire tract.

Eugene A. Boker
Chief, Current Planning and Development

cc: James Hoswell



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204

STEPHEN F. COLLINS
DIRECTOR

February 15, 1985

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

Item No. 193 -ZAC- Meeting of January 16, 1985
Property Owner: Larry Hoover, et ux
Location: SE/S Harris Mill Road, 900' S/E of Freeland Road
Existing Zoning: R.C.2
Proposed Zoning: Special exception for a church

Dear Mr. Jablon:

We have revised the site plan and recommend the changes shown on the attached sheet.

Michael S. Manigan
Traffic Engineering Assoc. II

MSF/cem

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

BALTIMORE COUNTY DEPARTMENT OF HEALTH
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Zoning Item # 193, Zoning Advisory Committee Meeting of Jan 14, 85
Property Owner: Larry Hoover, et ux
Location: SE/S Harris Mill Rd District 7
Water Supply: well Sewage Disposal: septic system
COMMENTS ARE AS FOLLOWS:
() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
() Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
() A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
() A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.
SS 20 1082 (1)

Zoning Item # 193 Zoning Advisory Committee Meeting of Jan 19, 85
Page 2
() Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
() Soil percolation tests (have been must be) conducted.
() The results are valid until
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
() shall be valid until
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit applications.
() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
() Others: Detailed information regarding well and septic system usage will be noted by this office prior to consideration of an application for a Building Permit. Petitioner should contact this office at 494-2762 regarding this matter.
Jan V. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES
SS 20 1283 (2) R

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500
January 23, 1985
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204
Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee
RE: Property Owner: Larry Hoover, et ux
Location: SE/S Harris Mill Rd. 900' S/E of Freeland Rd.
Item No.: 193 Zoning Agenda: Meeting of 1/16/85
Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.
() 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
() 2. A second means of vehicle access is required for the site.
() 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
() 6. Site plans are approved, as drawn.
() 7. The Fire Prevention Bureau has no comments, at this time.
REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division
Roadways shall be a minimum width of 24 feet and support 50,000 pound fire apparatus.

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610
January 23, 1985
TOD ZALEWSKI JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Dear Mr. Jablon:
Comments on Item # 193 Zoning Advisory Committee Meeting are as follows:
Property Owner: Larry Hoover, et ux
Location: SE/S Harris Mill Road, 900' S/E of Freeland Road
Existing Zoning: R.C. 2
Proposed Zoning: Special Exception for a church
Assess: 50 ±
District: 7th.
The items checked below are applicable:
(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Age; and other applicable Codes.
(B) A building/ & other permit shall be required before beginning construction.
(C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
(D) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
(E) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction; no openings permitted within 3'0" of lot line. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 4107 and Table 4102, also Section 503.2.
(F) Requested variance appears to conflict with the Baltimore County Building Code, Section 503.2.
(G) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the code requirements for the proposed change. Drawings may require a professional seal. From R-1 Dwelling to A-1 Assembly use.
(H) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401, as well as the items below.
(I) Comments - The existing dwelling (parsonage) may not be able to meet the structural requirements or existing requirements of the Building Code for an assembly (church or school use) A-1. I will not comment on the proposed new structure since the projected construction date is 8 to 10 years away.
NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.
Very truly yours,
Charles E. Burnham, Chief
Plans Review

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
To: Arnold Jablon
Zoning Commissioner
Date: March 20, 1985
From: Norman E. Gerber, Director
Office of Planning and Zoning
Subject: Zoning Petition No. 85-271-X
Assuming compliance with the requirements of Section 1A01.2C of the Baltimore County Zoning Regulations and with the comments of the Zoning Plans Advisory Committee, this office is not opposed to the granting of the subject petition. Please note, however, that the subject property consists of prime and productive agricultural soils and is currently being farmed.
Norman E. Gerber, Director
Office of Planning and Zoning
NEG:JGH:sm

April 26, 1985
The Honorable Ellen R. Sauerbrey
4122 Sweet Air Road
Baldwin, Maryland 21013
RE: Case No. 85-271-X
Larry Hoover, et ux,
Petitioners
Dear Delegate Sauerbrey:
Thank you for your letter of April 23, 1985.
Please be advised that the parties had 30 days to submit an environmental impact study, and upon receipt, I will render my decision.
Sincerely,
Arnold Jablon
Zoning Commissioner
AJ/ar1

HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401-1991
April 23, 1985
DISTRICT OFFICE:
4122 SWEET AIR ROAD
BALDWIN, MARYLAND 21013
962-2200
COMMITTEE
ECONOMIC MATTERS
JOINT BUDGET AND ALLOT
COMMITTEE
Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Courts Building, M.S. 3406
TOWSON, MD 21204
Dear Mr. Jablon:
I have been contacted by several residents of Maryland Line regarding a zoning exception on Harris Mill Road. As I understand the issue, a small church currently located in the Parkville area has an option to purchase a 50-acre parcel of land on which it proposes to build a large church and to include a recreational facility.
While I am sure that no one finds a church objectionable, there is concern that a large building project will exacerbate a current flooding problem that exists in the area, and that paving of large areas will result in more water runoff into Deep Creek and on to properties which are already experiencing heavy flooding. I understand that the community has been given a very short time in which to prepare an environmental impact study before you render your decision.
Of great interest to me as a representative of this area is the preservation of the agricultural character. Farmland is disappearing all too rapidly. It is totally inconsistent with the RC 2 zoning for a 50-acre parcel of prime farmland to be removed from agricultural use. Further, such a zoning exception could affect future zoning decisions regarding surrounding properties.
Knowing the rural nature of this area, and the sparse population, this whole proposal seems rather curious in that there does not seem to be the likelihood of an adequate congregation to support the church, nor have I heard an adequate explanation of what the congregation intends to do with the 25 acres proposed for "recreational use."
I hope that you will consider the community's concern very carefully. APR 26 1985
Sincerely,
Ellen R. Sauerbrey
Ellen R. Sauerbrey
ZONING DEPARTMENT
By [Signature]

85-2713
Case file

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
111 West Chesapeake Avenue
County Office Building
Towson, MD 21204

Dear Mr. Jablon,

I am writing to you to express my concern over the proposed zoning exception requested for the building of a church on Harris Mill Road in northern Baltimore County. This request for zoning exception poses a serious threat to the environment in northern Baltimore County. The area in question is sited on the northern border of some of northern Baltimore County's ever diminishing prime farm land. Such an exception would deal a serious blow to the environment in the area and would affect the future viability of farming in Northern Baltimore County.

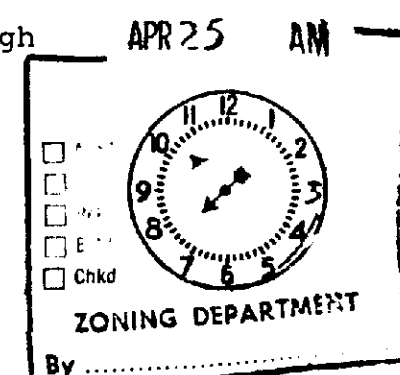
Before granting an exception to the zoning, I sincerely hope the County undertakes its own environmental impact study, in lieu of merely relying upon the study Rev. Smith is funding. The site to be built upon drains into Deer Creek, which flows south through many farms in the area, eventually draining into the Gunpowder. This creek represents a valuable asset to the environment in this area. The erosion and resulting pollution which would be created by the building of the church would seriously endanger and possibly destroy the Creek.

There exist many other suitable locations in both Northern Baltimore and Southern York counties where Rev. Smith could build his church. These locations have already been zoned for uses such as Rev. Smith's. The choice of another location would not have the serious environmental impact the proposed site carries. This being the case, I see no need to grant an exception where the potential for environmental danger is so great.

I hope that you and the members of the Commission will reject this request for zoning exception. Thank you.

Sincerely,

Joseph R. Lynch
Joseph R. Lynch



20811 West Liberty Road
Shane Valley, MD 21161
April 19, 1985

Case No. 85-271-X
LARRY HOOVER, et ux

85-269
4/20/85
Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: file #85-271X

Dear Sir:

The Gunpowder Garden Club (an active group of members of North Baltimore County) is very interested in conservation of soil, wildlife habitat and the cleanliness and purity of our streams. In view of our dedication to conservation, we noted (among many) the offer of the use of property on Harris Mill Road for a recreational area and a church. Such a church would harm the soil, ground vegetation, trees, and streams and wildlife and streams and in turn affect the health and survival of our wild and human life in the area.

Conservation of the soil will be violated by the proposed future use since building the soil, natural ground growth, and trees will permit erosion, causing silt to flow into the two streams of the area, contaminating both the underground water and streams as well as counter any flood control plans of this zone A flood area.

Planning to accommodate 300 persons (with future plans for more than that) will surely cause contamination of both soil and streams. Hundreds of cars running in and out of the planned recreational area and church will add oil to the soil and underground water supply and finally to the streams.

With flooding having become a problem enough to place the area in zone A flood area, future flooding will be a problem due to the loss of the land, much of the lower soil will run off to the Little Back Creek and the Gunpowder River. Flooding here causes the inconvenience due to closing of four roads of the area was experienced just a couple months ago.

Both Federal and State authorities list the Maryland River as an endangered species of fish and it is found in Deer Creek. Deer Creek also has naturally bred trout (unstocked by humans) which undoubtedly would be harmed by additional silt and contamination from water run off.

For the above mentioned reasons, we hope you will advise your authority by not permitting the proposed use of our valued soil and water.

Yours truly,
Stelman Smith
Stelman Smith

Hand delivered
4-30-85
85-2717
Rev. Stelman H. Smith
7907 Rolling View Avenue
Baltimore, Maryland 21236
(301) 661-5890

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

Ref. Case # 85-271-X; Larry Hoover, et ux - Petitioners

Dear Mr. Jablon,

It is my understanding that if the above captioned petition is approved, we will not be able to begin work on a chapel for at least five years.

However we do request clarification on being allowed to begin work on the picnic area and remodeling work on the house and shed as necessary to use them as a church. It is our understanding that we would be able to do so.

Thank you,

Stelman Smith
Stelman Smith

Dr. Richard McQuaid
1501 Harris Mill Road
Parkton, Maryland 21120

RE: Case No. 85-271-X
Larry Hoover, et ux,
Petitioners

Dear Dr. McQuaid:

I am in receipt of your letter dated August 23, 1985. I have reviewed Commissioner Jablon's decision dated August 6, 1985, and although unable to respond to all of your concerns, some can be addressed through the County Review Group (CRG) process which the Commissioner required as a condition precedent to the granting of the special exception. He also required the approved plans to be reviewed by James A. Markle, Chief of the Bureau of Public Services, to ensure appropriate storm water management.

I am sure the process, which includes the right to appeal Mr. Jablon's decision to the County Board of Appeals if you so desire, can address the potential problems you describe.

Sincerely,

DONALD P. HUTCHINSON
County Executive

DPH/AJ/srl

85-273
4/20/85
Mr. Arnold Jablon
113 County Office Building
Towson, Md. 21204

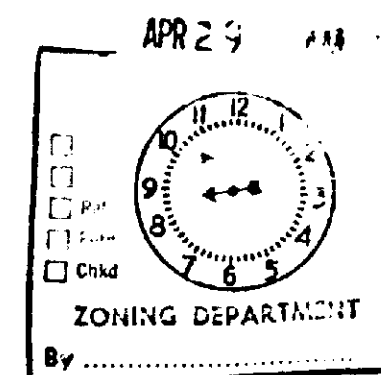
Dear Mr. Jablon,

Baltimore County has been a national leader in the preservation of prime agricultural land. Since its inception in 1977, the area along Route 439 between I 83 and Harford Co. has developed one of the largest permanent preservation areas in the state of Maryland. The permanent nature of the agricultural districts requires protection from outside interferences in order to encourage the permanent commitment to a modern agriculture operation. This protection is essential. The granting of an exception for a large people oriented activity next to a modern dairy farm is unconscionable. Due to a lack of notice on these plans the agriculture community needs to be heard on their vigorous objection to granting of this exception. If we are going to protect agriculture land---let's protect it. A permitted exception in an RC 2 zone should never be a hindrance to an existing agricultural operation. The problems of noise & activity to name just two have a devastating

19524 Graystone Road
White Hall, Md. 21161

April 21, 1983

357-5869



effect on a large dairy operation located adjacent to the property.

The County Executive and the County Council have repeatedly agreed with our goal ----protecting prime agriculture land before its too late.

Thank you for your understanding.

Sincerely,
Wayne C. McGinnis

The Reverend Stelman H. Smith
7907 Rolling View Avenue
Baltimore, Maryland 21236

and

Dr. Richard W. McQuaid
1501 Harris Mill Road
Parkton, Maryland 21120

Gentlemen:

This is to advise that it will be necessary for each of you to serve the other with a copy of your respective report. A hearing will be held on this issue and you will be notified of the date.

Sincerely,

ARNOLD JABLON
Zoning Commissioner

AJ/srl

85-2617
4/24/85
Rev. Stelman H. Smith
7907 Rolling View Avenue
Baltimore, Maryland 21236
(301) 661-5890

21 June 85

The Honorable Arnold Jablon
Zoning Commissioner
Baltimore County Office of Planning & Zoning
111 W Chesapeake Ave.
Towson, Md. 21204

RE: Zoning Case No. 85 271 X, Petition for special exception.

Dear Mr. Jablon,

Regarding the above captioned petition, it is my understanding that Mr. James Markel's summary of the two reports that he reviewed will be sent to your office next week.

In view of this, I would appreciate your setting the new hearing date as soon as possible after you receive Mr. Markel's review, in order to bring this matter to a conclusion.

My attorney, Mr. Schlachman will not be available July 13 - 20th and should this matter go beyond July, I will not be available August 6 - 10th. I hope this information will be helpful in your scheduling a new hearing.

Thank you for your consideration in this matter.

Sincerely,

Stelman Smith
Stelman H. Smith
for Zion's Hill Ministries

Jesus is Lord

Jesus is Lord

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner
Date: July 2, 1985

FROM: James A. Markle, P.E.
Petition for Special Exception

I have reviewed the drainage study prepared by Leo Rader for the proposed church on Harris Mill Road and the environmental impact study prepared by Dr. Robert Kondner and wish to offer the following comments.

The drainage study prepared by Leo Rader uses the Rational Method to compute the changes in peak storm runoff discharges that would occur at several locations downstream of the proposed improvements. The Rational Method is a commonly used methodology for computing storm runoff discharges.

Mr. Rader computed peak discharges for drainage areas of 3.5, 405 and 1,000 acres and showed increases of 21%, 1% and 0.6%, respectively, for a 100-year storm. As a general rule, the percent change in peak discharge for a specific development scheme will decrease as the drainage area examined increases in size.

Dr. Kondner used the Soil Conservation Service Technical Release 55 (S.C.S.-TR-55) method to compute the peak storm runoff discharges for existing conditions and conditions with the proposed church. This methodology is equally acceptable.

Dr. Kondner calculated peak storm runoff increases of 62% for a 6.6 acre drainage area during a 2-year frequency storm and 37% for a 10-year storm.

Either method of computing peak runoff discharges is acceptable; however, it should be remembered that one can show a large impact or a small impact from a proposed development depending on the point of analysis and the relationship of the size of the development to the drainage area size.

Any development in Baltimore County, including a proposed church, would be subject to the County Storm Water Management Regulations which may require the construction of storm water management facilities to prevent downstream flooding, stream bank erosion and water quality degradation from the proposed development.

If you need any additional information, please contact me at your convenience.

James A. Markle, P.E., Chief
Bureau of Public Services

JAM:pmg

LAW OFFICES
WHITE, MINDEL, CLARKE & HILL
6TH FLOOR, 29 W. SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(301) 828-1050

July 24, 1985

Honorable Arnold Jablon
Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

RE: Case No. 85-271-X
Larry Hoover, et ux, Petitioners

Dear Mr. Jablon:

Enclosed herewith for your review in connection with the above-referenced case is a Traffic Impact Study prepared by Darrell Wiles, P.E. which is self-explanatory.

Also enclosed is a letter from Wayne C. McGinnis who is a farmer living in the area of the subject property and also serves as chairman of the Baltimore County Agriculture Advisory Board. As you will note, his letter deals primarily with the impact of the petitioned use on existing farms in the area.

This study and letter are extremely pertinent and germane to the issues involved and we ask that they be carefully considered by you in reaching your determination. The parties would also be happy to appear before you in order to testify or answer questions if this is desirable.

I will also have copies of these documents available on Monday, July 29th for distribution to other interested parties.

Thank you for your consideration.

Sincerely,

R. Bruce Alderman

RBA/slj
Enclosure

September 4, 1985

The Reverend Stelman H. Smith
Director
Zion's Hill Ministries, Inc.
7907 Rolling View Avenue
Baltimore, Maryland 21236

Dear Reverend Smith:

I am in receipt of your letter dated August 28, 1985.

Please be advised that County Review Group (CRG) approval must be requested immediately. I suggest you contact the Current Planning and Development Division, Office of Planning and Zoning, 494-3335, to determine the procedure.

As for your question regarding the shed, it may be improved in accordance with the Building Code requirements, but the exterior may not be changed.

RE: Case No. 85-271-X
Larry Hoover, et ux,
Petitioners

Sincerely,

ARNOLD JABLON
Zoning Commissioner

AJ/srl

cc: R. Bruce Alderman, Esquire
Sidney Schlachman, Esquire

Rev. Stelman H. Smith
7907 ROLLING VIEW AVENUE
BALTIMORE, MARYLAND 21236
(301) 661-5890

August 28, 1985

RE: Case No. 85-271-X

Dear Mr. Jablon,

I am in receipt of a copy of your decision in the above case and am writing to obtain clarification on the following points:

1. Page 5, Paragraph No 1, states that a revised site plan is to be submitted to the County Review Group and the Department of Traffic Engineering for approval prior to submitting it to the Zoning Commissioner for approval. Is this revised site plan to be submitted immediately or prior to construction in five or more years?

2. Page 5, Paragraph No 1, also states that, "All other proposed development, as described above, shall not be permitted." It was our impression from your remarks at the zoning hearing that we would have permission to improve the existing shed to serve as a temporary meeting hall pending construction of a permanent chapel. Since the shed is not included in the permitted improvements, we would appreciate clarification regarding the shed. Do we have permission to improve the existing shed for the purpose described above?

We appreciate your taking the time to address these issues so that we may know how to proceed.

We also wish to take this opportunity to express our appreciation to you for the manner in which this matter has been handled. Though we were not granted everything for which we had petitioned, we do appreciate the fair and impartial way in which you conducted our case.

Sincerely,

Stelman Smith
Rev. Stelman H. Smith, Director
Zion's Hill Ministries, Inc.

SHS:sls

Jesus is Lord

IN RE: PETITION SPECIAL EXCEPTION
SE/S of Harris Mill Road,
900' SE of Freeland Road -
7th Election District
Larry Hoover, et ux,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-271-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a church, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified, as did their Contract Purchaser, the Zion's Hill Ministries, hereinafter referred to as "church", which was represented by Counsel. Testifying for the church was Rev. Stelman H. Smith, its Director. Frederick Lehman, Dr. Richard W. McQuaid, and other individuals appeared and testified as Protestants. See Protestants' Exhibit 1.

Testimony indicated that the subject property is zoned R.C.2 and contains 50 acres. The church proposes to utilize the existing house and shed for its church and chapel for the first eight to ten years. Presently, it has 45 members, and Rev. Smith testified that the church's financial resources do not permit construction of any new buildings until after the land is paid for. In fact, four building phases have been established, each depending on the future growth of the church and the surrounding community. The first phase, to begin in eight to ten years, would be the construction of a chapel with 300 seats and would include a Sunday school and office space. The second phase would be a separate building for its Sunday school and would contain 333 seats. The third phase would be another building used for an expanded Sunday school and office space. The final phase would be a sanctuary with 1,000 seats. The proposed expansion would be extended over the next 25 to 30 years and would only occur if

there was the anticipated growth. The buildings would be constructed approximately 200 feet off Harris Mill Road. A recreation area consisting of a pavilion, picnic area, nature trails, and ballfields would be located at the rear of the property.

Although not opposed to a church being located within their midst, the Protestants are adamant that it should not be located on this site. Their foremost concern is that the proposed use and future construction will cause severe runoff problems which would adversely impact Deer Creek, possibly the only unpolluted stream in Maryland. Witnesses testified that construction in Pennsylvania created flooding problems that caused area bridges to be washed away. They believe there will be even more of a problem if the proposed construction occurs. They also argued that the proposed use does not conform to the agricultural use in the area and that any use of the land other than as farmland should not be permitted.

At the conclusion of all the testimony, this Commissioner suggested that a limited environmental impact study be done to determine if the requested special exception, limited to a chapel with 300 seats which could not be constructed for five years and attendant parking, the existing house and attendant parking, and a recreation area, where indicated on Petitioners' Exhibit 1, would adversely impact Deer Creek or flood the adjacent properties. Both sides submitted reports prepared by experts, Dr. Robert L. Kondner on behalf of the Protestants and Leo W. Rader on behalf of the Petitioners. James A. Markle, Chief of the Bureau of Public Services, Department of Public Works, reviewed and commented on both reports, Petitioners' Exhibits 6 and 7.

A hearing date was scheduled to consider these reports. At this hearing, the Protestants were represented by Counsel and submitted a traffic study, Protestants' Exhibit 4, which is self-explanatory. Further testimony was also presented by Dr. Kondner and Mr. Rader.

The only point both parties agreed on was that Dr. Kondner used a "close-in" analysis while Mr. Rader used a broad analysis. Mr. Markle concluded that either method of computing peak run-off discharges is acceptable. Other than this point, as one can readily imagine, Dr. Kondner and Mr. Rader agreed to disagree. Mr. Rader believes the impact is so minor that it is insignificant while Dr. Kondner believes the impact is so great that flooding and pollution will occur. Each also disagreed about any potential solution, if one is necessary, afforded by appropriate storm water management requirements.

The Petitioners seek relief from Section 1A01.2.C.6, pursuant to Section 502.1, Baltimore County Zoning Regulations (BCZR).

While Counsel for the Protestants argued that the intent of the R.C.2 zoning classification was to limit a prospective church to the proverbial "church in the pines", i.e., a small, rural congregation, it would be difficult to justify such a rationale in light of the state of purposes found in the BCZR for the R.C.2 Zone, Section 1A01.1.B, BCZR. The R.C.2 classification was established to foster conditions favorable to a continued agricultural use by preventing incompatible forms and degrees of urban uses. Indeed, Section 1A01.2.C, BCZR, requires this Commissioner to find that the use would not be detrimental to the primary agricultural use in the vicinity. One of the uses permitted by special exception, and therefore considered as satisfying the rationale behind the R.C.2 designation, is a church. A church was determined to be compatible with the continued agricultural use in this zone. No limitation to size was placed on the church as limited by the restrictions hereinafter described, would not be detrimental to the primary agricultural use in the vicinity.

It is clear that the BCZR permits the use requested by the Petitioners in a R.C.2 zone by special exception. It is equally clear that the proposed use

would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioners.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Although Dr. Kondner and Mr. Rader disagreed on the potential environmental impact, there was insufficient evidence presented to overcome the burden of proof required of the Protestants in Schultz, supra. Mr. Markle indicated that if storm water management techniques, as required by the Development Regulations of Baltimore County, are insufficient to control any problem, the proposed church would not be permitted. In other words, there is no better example where the BCZR and the Development Regulations must be read together than in this instance.

ORDER RECEIVED FOR FILING

DATE August 6, 1985

BY [Signature]

ORDER RECEIVED FOR FILING

DATE August 6, 1985

BY [Signature]

ORDER RECEIVED FOR FILING

DATE August 6, 1985

BY [Signature]

ORDER RECEIVED FOR FILING

DATE August 6, 1985

BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of August, 1985, that the Petition for Special Exception for a church be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief herein granted:

1. A revised site plan, showing only the proposed chapel, limited to 200 seats, and accessory parking, limited to 35 spaces; the existing house and accessory parking; and the recreation area, as shown on Petitioners' Exhibit 1, shall be submitted to the County Review Group (CRG) and the Department of Traffic Engineering for approval prior to submitting it to the Zoning Commissioner for approval. All other proposed development, as described above, shall not be permitted.
2. The Bureau of Public Services, Department of Public Works, shall certify through the CRG that the proposed use can satisfy the Development Regulations and, specifically, the storm water management requirements contained therein.
3. The chapel and its parking area may not be constructed for five years from the date of this Order.
4. The recreation area shall be limited to one ballfield, one pavilion no larger than necessary to permit ten picnic tables of average size, a small playground with children's apparatus, and hiking trails. There shall be no parking in this area.
5. The parking area for the existing house and proposed chapel, when constructed, shall be of a durable and dustless surface and shall conform to the standards of Section IX.A.2.a, Comprehensive Manual of Development Policies (CMDP).
6. Any remaining land not used for church related uses shall remain agricultural.

[Signature]
Zoning Commissioner
Baltimore County

cc: Sidney Schlachman, Esquire
R. Bruce Alderman, Esquire
Ms. Ann Kay Kramer
Ms. Patricia Mahoney
People's Counsel

ORDER RECEIVED FOR FILING

DATE August 6, 1985
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

- 6 -

PETITION FOR SPECIAL EXCEPTION
7th Election District

LOCATION: Southeast side Harris Mill Road, 900 ft. Southeast of Freeland Road

DATE AND TIME: Monday, April 1, 1985 at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a church

Being the property of Larry Hoover, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

LEO W. RADER
REGISTERED SURVEYOR

Page No. 1 of 2

HYDROGRAPHY
TOPOGRAPHY
GEODESY

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093

DESCRIPTION FOR SPECIAL EXCEPTION

January 3, 1985

BEGINNING for the same in the center of the Harris Mill Road southeasterly 900 feet more or less measured along said road from its intersection with the Freeland Road, thence running in or along said road North 60 degrees 05 minutes 54 seconds East 517.00 feet; thence leaving the Harris Mill Road and running for the thirty-seven following courses and distances respectively, viz: South 29 degrees 26 minutes 00 seconds East 141.03 feet, South 64 degrees 23 minutes 54 seconds West 886.95 feet, South 24 degrees 37 minutes 00 seconds East 785.40 feet, South 20 degrees 13 minutes 51 seconds East 428.79 feet, South 29 degrees 52 minutes 09 seconds East 700.90 feet, South 51 degrees 29 minutes 46 seconds East 211.78 feet, North 77 degrees 24 minutes 29 seconds East 388.98 feet, South 38 degrees 37 minutes 50 seconds East 443.63 feet, South 56 degrees 43 minutes 31 seconds East 452.19 feet, South 7 degrees 23 minutes 14 seconds West 206.10 feet, South 8 degrees 54 minutes 31 seconds East 72.62 feet, South 42 degrees 07 minutes 44 seconds West 207.90 feet, North 68 degrees 13 minutes 24 seconds West 678.36 feet, North 85 degrees 59 minutes 51 seconds West 439.07 feet, South 8 degrees 08 minutes 19 seconds East 197.96 feet, North 66 degrees 54 minutes 09 seconds West 731.75 feet, North 3 degrees 39 minutes 00 seconds West 261.94 feet, North 71 degrees 19 minutes 33 seconds East 102.07 feet, North 59 degrees 38 minutes 41 seconds East 343.01 feet, North 25 degrees 43 minutes 17 seconds West 78.22 feet, North 29 degrees 12 minutes 19 seconds West 267.71 feet, North 72 degrees 38 minutes 29 seconds West 340.96 feet, North 27 degrees 10 minutes 20 seconds West 155.95 feet, North 6 degrees 24 minutes 28 seconds West 128.88 feet, North 14 degrees 16 minutes 01 second West 45.00 feet, North 21 degrees 28 minutes 29 seconds West 52.50 feet, North 24 degrees 53 minutes 31 seconds West 86.69 feet, North 23 degrees 28 minutes 27 seconds West 62.65 feet, North 20 degrees 26 minutes 42 seconds West 71.08 feet, North 16 degrees 27 minutes 16 seconds West 55.00 feet, North 15 degrees 17 minutes 26 seconds West 692.75 feet, North 16 degrees 58 minutes 44 seconds West

ORDER RECEIVED FOR FILING

DATE August 6, 1985
BY *[Signature]*
ADMINISTRATIVE ASSISTANT

- 5 -

LEO W. RADER
REGISTERED SURVEYOR

Page No. 2 of 2

HYDROGRAPHY
TOPOGRAPHY
GEODESY

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093

CL 2-2920 ON
252-2920

DESCRIPTION FOR SPECIAL EXCEPTION/Pg. 2/Jan. 3, 1985 (cont'd.)

57.21 feet, North 13 degrees 06 minutes 00 seconds West 26.54 feet, North 3 degrees 14 minutes 00 seconds West 20.18 feet, North 13 degrees 13 minutes 00 seconds East 19.36 feet, North 60 degrees 05 minutes 54 seconds East 708.92 feet, and North 29 degrees 54 minutes 06 seconds West 20.00 feet to the place of beginning.

CONTAINING 50.0 acres more or less.

Will There Be Florida Oranges,
Fresh Milk from St. Johnsbury—
and Michigan Red Tart Cherries?

Florida—producer of more than half the world's grapefruit and one-fourth of the world's oranges—will lose virtually all of its unique and prime farm lands by the turn of the century if present land loss trends continue.

State-by state projections of prime farm land losses likely to occur in the near future are now available from the National Agricultural Lands Study.

NALS' statistics are based on an analysis of the USDA Soil Conservation Service National Resource Inventories which reported rates of prime farm land conversion to urban, industrial, commercial, transportation and water from 1967 to 1977.

New Hampshire and Rhode Island also are destined to lose all of their prime farm land in less than 20 years if conversion continues at the 1967 to 1977 rate. West Virginia will lose 73%, Connecticut 70%, Massachusetts 51%, Maryland and New Mexico 44%, Vermont 43%, Utah 35%, Virginia 24%, Montana and Washington 23%, Pennsylvania 21%, Hawaii and South Carolina 20%, Arizona and Colorado 19%, North Carolina 17%, New York 16%, California 15%, Georgia 14%, Delaware 13%, Michigan 11% and Kentucky 10%. Each of the remaining states will lose less than ten percent.

Florida State Commissioner of Agriculture Doyle Conner states: "Most people don't realize it, but agriculture is essential to Florida's economic well being. In 1978, cash receipts from our citrus fruits alone exceeded one billion dollars. In that same year, returns on a whole array of Florida fruits and vegetables—tomatoes, celery, sweet corn, lettuce, green peppers, snap beans, cabbage, watermelons and potatoes—came to more than \$499,000,000. Cash receipts on strawberries were \$16,316,000, and the lowly cucumber rang in more than \$12 million. But let's not talk about money only . . .

"Let's talk about food. Our position is perilous. Every time a highway or retirement homes are built on Florida farm land, we increase the likelihood of our dependence on other nations for food. Already the U.S. is importing vegetables from Mexico and South America.

"Today we are experiencing discomfort and deprivation because of our dependence on foreign oil. Is the next deprivation food?"

In St. Johnsbury, Vermont, two dairy farmers—the brothers John and Joseph Gingue (pronounced Jang)—are fighting to prevent construction of an 11-mile Federal highway interchange that would destroy their two adjacent farms. There are 525 Holstein cows grazing on their land, and the brothers provide nearby New England towns with 30,000 quarts of milk a day. But if Interstate I 93, already approved by Vermont's Department of Transportation, is built, it will slash through their fields, making farming so difficult they will be forced to abandon their lives' work and sell most of their remaining land. The brothers are proposing that the State enlarge an already existing road, a move that would leave their land intact.

"There's more to be lost here than milk," says Joseph Gingue. "Every one of my nine children were born on this farm, and my brother's eight sons and daughters were born on his farm. Our sons have college degrees in agriculture, and want to continue dairy farming. Their grandparents—my mother and father—live in their own home just across the road. We belong here. We want to stay. We love this land."

On Northern Michigan's Old Mission Peninsula overlooking Grand Traverse Bay, a rare and delicately balanced micro-climate permits the growth of astonishingly productive red tart cherry trees. Seventy-seven percent of the Nation's tart cherries are produced in this region. High elevation, well-drained sandy loam soils, adequate rainfall, the right slope, and a breeze without a freeze combine to create precisely the right conditions for optimum growth of cherry trees. The land is "unique" in that its particular combination of soils and micro-climate cannot be duplicated elsewhere.

But one by one the irreplaceable cherry orchards are disappearing. Luxury homebuilders are buying the land at vastly inflated prices because of the spectacular view of Lake Michigan and Grand Traverse Bay. In the last six years, bulldozers and chain saws have destroyed half a million of Michigan's cherry trees.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 15, 1985

Herbert Weiner, Esquire
131 E. Redwood Street
Baltimore, Maryland 21202

Mr. Stelman H. Smith
Zion's Hill Ministries
7907 Rolling View Avenue
Baltimore, Maryland 21236

RE: Petition for Special Exception
SE/S Harris Mill Road,
900' SE of Freeland Road
7th Election District
Larry Hoover, et ux, Petitioners
Case No. 85-271-X

Gentlemen:

Please be advised that the new hearing date for the above referenced case will be Monday, July 29, 1985 at 2:30 p.m.

Sincerely,
[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ:bj

cc: Mr. Larry Hoover
1011 Harris Mill Road
Maryland Line, MD 21105

EXPLANATION OF EXHIBITS

Case No. 85-271-X

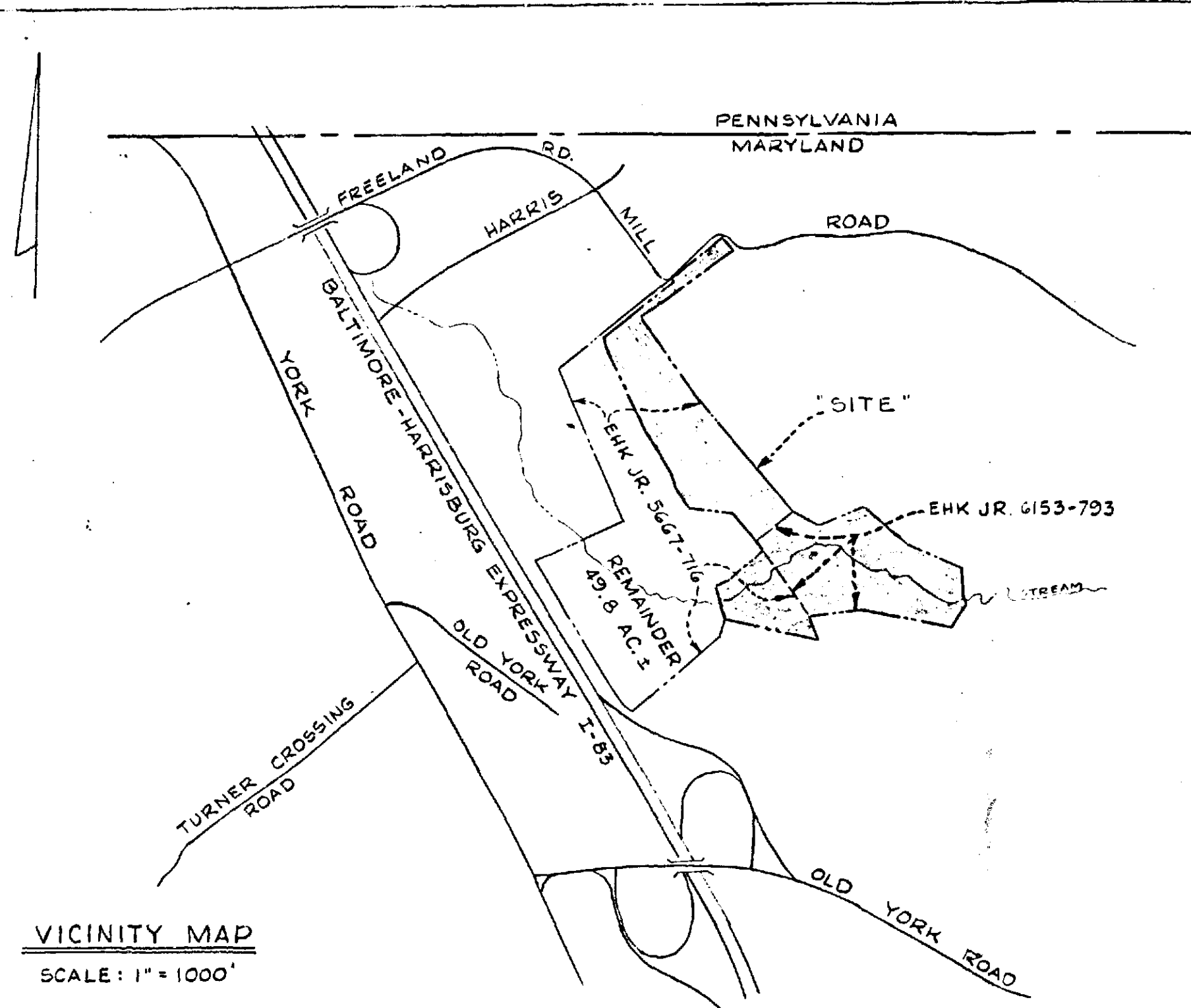
Protestants' Exhibits:

1. Petition of Protest
2. Protest Letter of March 31, 1985 from Mr. & Mrs. Robert Miller to Arnold Jablon
- 2a. Aerial view of property
3. Environmental Impact Study by Dr. Robert L. Kodner, P.E., April 29, 1985
4. Traffic Impact Study by Darrell Wiles, P.E., June, 1985
5. Petition of Protest

Petitioners' Exhibits:

1. Plat of property prepared by Leo W. Rader, amended February 12, 1985
2. Photogrammetric Map
3. Environmental & Hydrogeological Report by Leo Rader, April 26, 1985
4. Drainage Study Report by Leo Rader, April 26, 1985
5. Correspondence of May 16, 1985 from Arnold W. Norden, Maryland Natural Heritage Program to Reverend Stelman Smith
6. Correspondence of July 9, 1985 from James Markle, P.E., Chief of Bureau of Public Services to Arnold Jablon
7. Correspondence of July 25, 1985 from James Markle, P.E., Chief of Bureau of Public Services to Arnold Jablon

- 1) THE ELEVATIONS AND CONTOURS HEREON ARE FROM ENLARGED BALTO. CO. PHOTOGRAMMETRY.
- 2) PARKING AREAS AND ROADS SHALL BE PAVED WITH A PROPERLY DRAINED MACADAM SURFACE, UNLESS AN ACCEPTABLE ALTERNATE IS APPROVED.
- 3) ALL SCREENING SHALL BE IN ACCORDANCE WITH THE BALTO. CO. LANDSCAPE MANUAL.



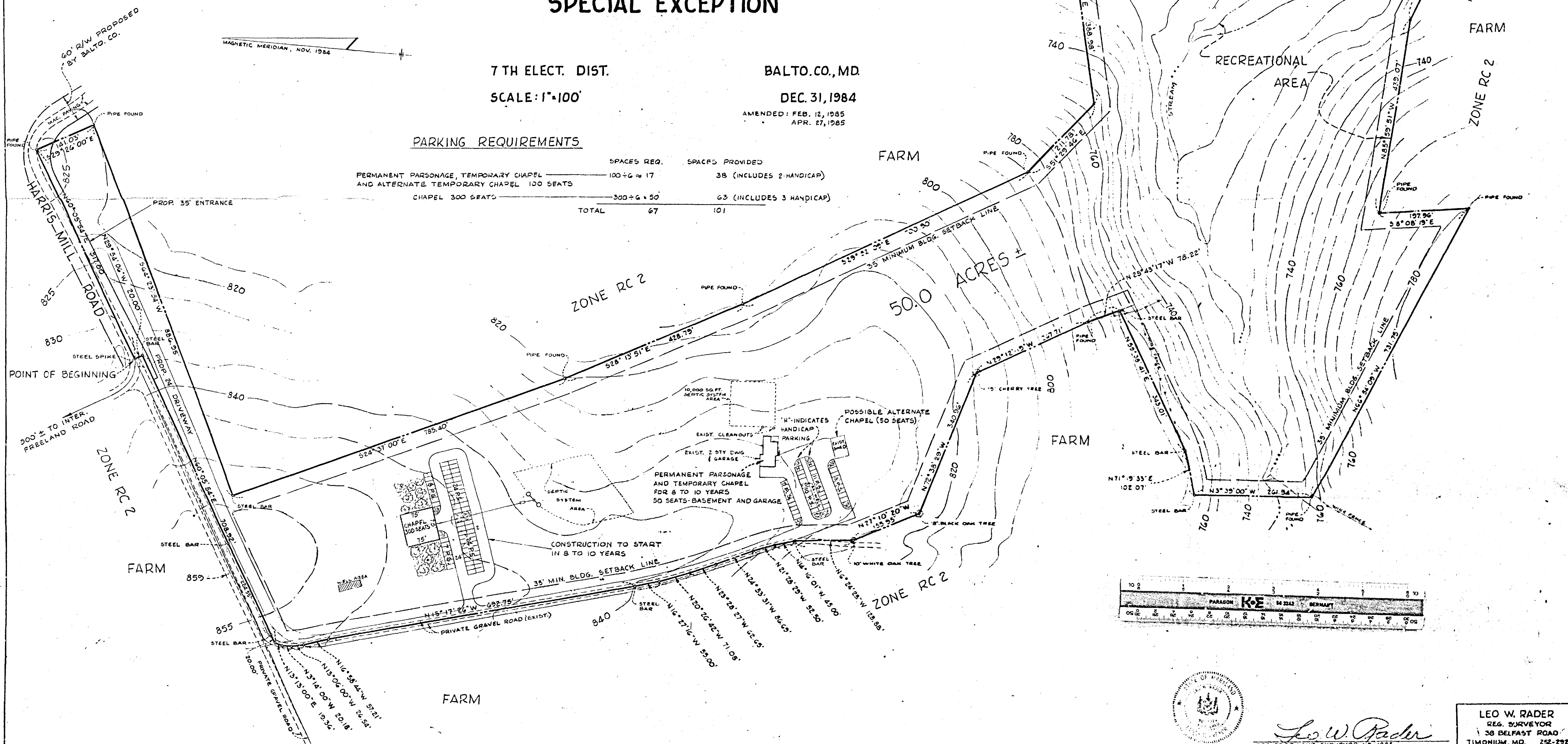
ZION'S HILL MINISTRIES
PLAT TO ACCOMPANY A PETITION FOR
SPECIAL EXCEPTION

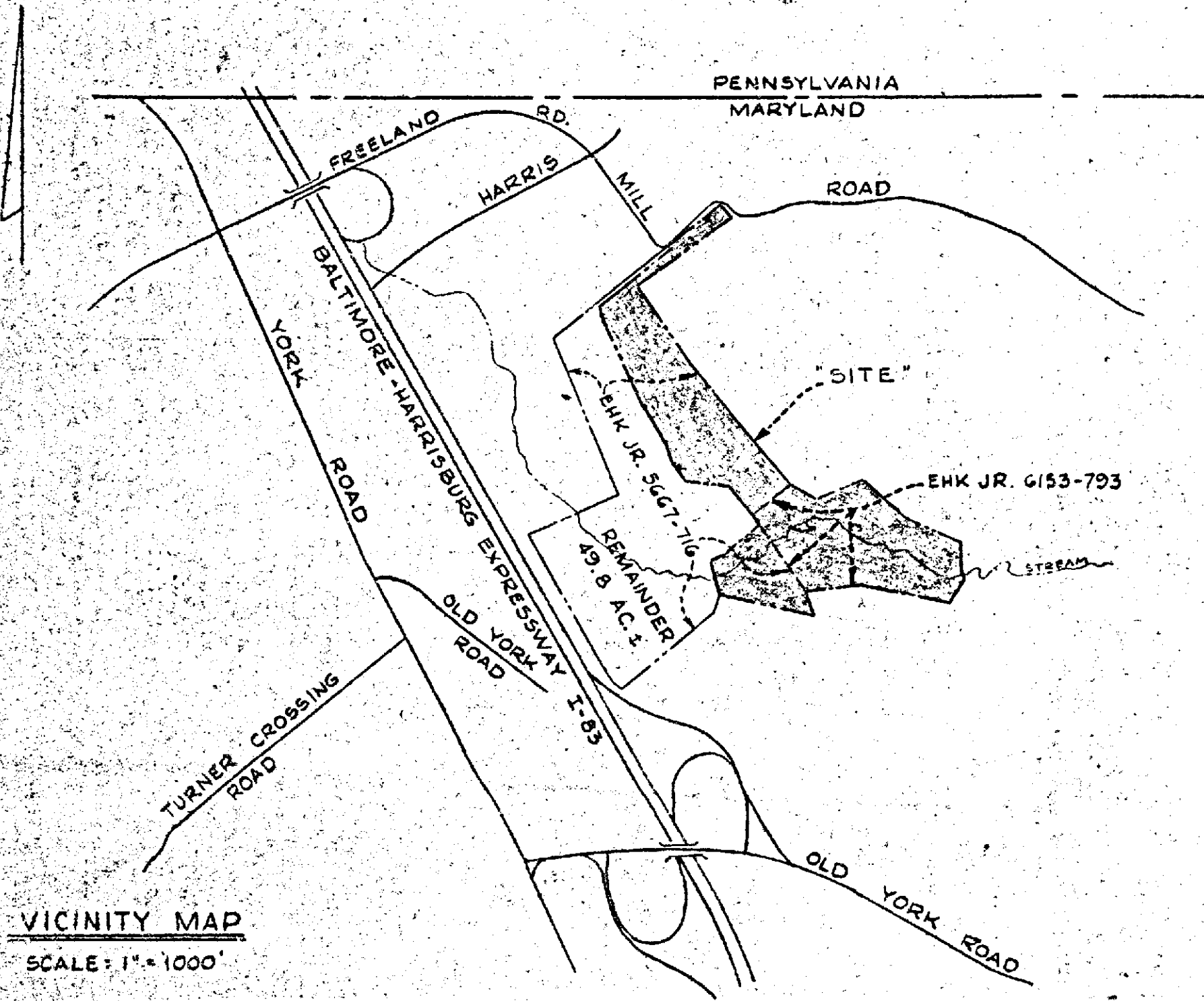
7TH ELECT. DIST.
SCALE: 1"=100'

BALTO.CO., MD.
DEC. 31, 1984
ENDED: FEB. 12, 1985
• APR. 27, 1985

PARKING REQUIREMENTS

	SPACES REQ.	SPACES PROVIDED
PERMANENT PARSONAGE, TEMPORARY CHAPEL _____	100 + 6 = 17	38 (INCLUDES 2 HANDICAP)
AND ALTERNATE TEMPORARY CHAPEL 100 SEATS		
CHAPEL 300 SEATS _____	300 + 6 = 50	63 (INCLUDES 3 HANDICAP)
TOTAL	67	101





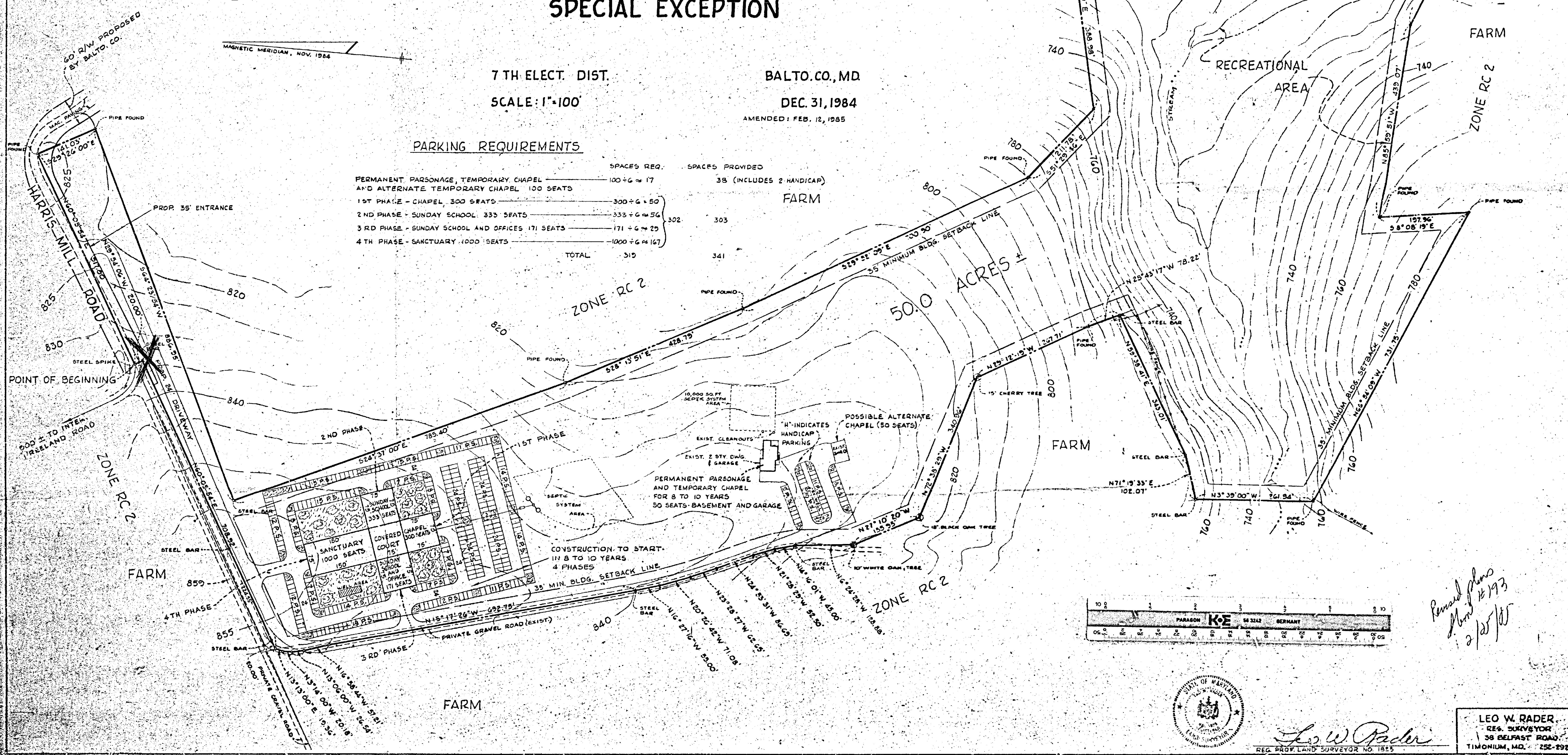
- NOTES
- 1) THE ELEVATIONS AND CONTOURS HEREON ARE FROM ENLARGED BALTO. CO. PHOTOGRAMMETRY.
 - 2) PARKING AREAS AND ROADS SHALL BE PAVED WITH A PROPERLY DRAINED MACADAM SURFACE.
 - 3) ALL SCREENING SHALL BE IN ACCORDANCE WITH THE BALTO. CO. LANDSCAPE MANUAL.

ZION'S HILL MINISTRIES
PLAT TO ACCOMPANY A PETITION FOR
SPECIAL EXCEPTION

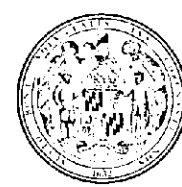
7 TH ELECT. DIST. BALTO. CO., MD
SCALE: 1" = 100' DEC. 31, 1984
AMENDED: FEB. 12, 1985

PARKING REQUIREMENTS

	SPACES REQ.	SPACES PROVIDED
PERMANENT PARSONAGE, TEMPORARY CHAPEL AND ALTERNATE TEMPORARY CHAPEL 100 SEATS	100 ÷ 6 = 17	38 (INCLUDES 2 HANDICAP)
1ST PHASE - CHAPEL 300 SEATS	300 ÷ 6 = 50	
2ND PHASE - SUNDAY SCHOOL 333 SEATS	333 ÷ 6 = 56	303
3RD PHASE - SUNDAY SCHOOL AND OFFICES 171 SEATS	171 ÷ 6 = 29	
4TH PHASE - SANCTUARY 1000 SEATS	1000 ÷ 6 = 167	
TOTAL	519	341



LEO W. RADER
REG. SURVEYOR
38 BELFAST ROAD
TIMONIUM, MD. 21088



TORREY C. BROWN, M.D.
SECRETARY
JOHN R. GRIFFIN
DEPUTY SECRETARY

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
CAPITAL PROGRAMS ADMINISTRATION
TAWES STATE OFFICE BUILDING
ANNAPOIS, MARYLAND 21401

May 16, 1985

Reverend Stelman Smith
7907 Rolling View Avenue
Baltimore, Maryland 21236

Subject: Proposed Church Construction on Harris Mill Road,
within Deer Creek Drainage

Dear Reverend Smith:

As you noted in your letter of May 10, 1985, the Maryland Darter (a state and federally listed Endangered Species) occurs in Deer Creek downstream of your proposed construction site. Although some miles separate your land from the known Darter habitat, distance itself is not necessarily a consideration since sediment and other pollutants can travel great distances. However, after review of your site plan, I see no possibility that your church, parking areas, septic system and other associated appurtenances will have any adverse effect on Deer Creek or the Maryland Darter. This is due to the very wide strip of undisturbed vegetation that will be left between your facilities and the stream which feeds Little Deer Creek. I do not feel that picnics or children playing near the stream will pose any significant threat, nor would a stocked fish pond be particularly beneficial. If I can be of any additional assistance, please do not hesitate to contact me.

Sincerely,

Arnold W. Norden
Arnold W. Norden
Maryland Natural Heritage Program

AWN:mle

PETTY & CO.'S
EXHIBIT 5

TELEPHONE: 269-3656
TTY FOR DEAF: BALTIMORE 269-2609, WASHINGTON METRO 565-0450

ENVIRONMENTAL & HYDROGEOLOGICAL
REPORT
PROPOSED CHURCH - HARRIS MILL RD.
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

REPORT TO
SPELTMAN SMITH

REPORT BY
LEO W. RADER
38 BELFAST ROAD
TIMONIUM, MARYLAND
APRIL 26, 1985

LEO W. RADER
REGISTERED SURVEYOR

HYDROGRAPHY
TOPOGRAPHY
GEODESY

Page No. 1 of 2

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093 April 26, 1985
CL 2-2920 OR
252-2920

ENVIRONMENTAL & HYDROGEOLOGICAL REPORT
PROPOSED CHURCH - HARRIS MILL ROAD
7TH ELECTION DISTRICT BALTO. CO., MD.

ENVIRONMENTAL CONDITIONS

The environmental conditions in the area of the proposed church site are typical of low density residential land in the Maryland Line area. The closest community is Maryland Line located about 0.7 of a mile to the northwest. No major industries exist within the immediate area and, as a result, water and air quality are good. Wildlife in the area would be typical of usual animals found in low density residential areas with woodlands.

PROJECT DESCRIPTION

Development of the site will include a 24 foot wide paved road (for the use in common) leading from the Freeland Road to the permanent parsonage and temporary chapel. The length of this road is approximately 2200 feet. There will be short service roads leading from this road to the required parking areas for the proposed church, temporary chapel, and parsonage. The remainder of the area will remain in a natural state for recreational purposes.

HYDROGEOLOGICAL

It is concluded that the construction of the proposed church and related parking areas will have no adverse affect on the hydrogeological conditions of the area. There is an existing water well to serve the parsonage and the installation of a water well to serve the church should have no effect on either existing wells or the ground water table. The dominant on site soil type is Group B Elioak gravelly silt loam (EKB2), 3% to 5% slopes, moderately eroded, suitable for dry wells or filter fields with slight limitations.

LEO W. RADER
REGISTERED SURVEYOR

HYDROGRAPHY
TOPOGRAPHY
GEODESY

Page No. 2 of 2

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093
CL 2-2920 OR
252-2920

ENVIRONMENTAL & HYDROGEOLOGICAL REPORT, PROPOSED CHURCH, HARRIS MILL RD.,
7TH ELECTION DISTRICT, BALTO. CO., MD./Pg. 2/Apr. 26, 1985 (cont'd.)

ENVIRONMENTAL EFFECTS

No environmental effects are expected from construction of this church and related paving. Any erosion that does occur as a result of construction can easily be handled by simple erosion control structures. Most of the existing trees will remain. There should be no adverse affect on wildlife.

AIR QUALITY

Two principal sources of air pollution will result from construction, fugitive dust and exhaust emissions from automobiles and construction equipment. Approximately two weeks would be required to construct the road, during which time there would be a slight amount of dust and exhaust emissions from the diesel equipment. Upon completion of the construction, there would probably be a maximum of 10 daily trips in conjunction with church affairs during the week, and possibly 100 daily trips on Sunday, hardly noticeable considering the close proximity of the Harrisburg Expressway.

CONCLUSION

The proposed construction is not expected to cause any adverse effects on either the environmental or hydrogeological conditions.

DRAINAGE STUDY
PROPOSED CHURCH - HARRIS MILL RD.
7TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

REPORT TO
SPELTMAN SMITH

REPORT BY
LEO W. RADER
38 BELFAST ROAD
TIMONIUM, MARYLAND

APRIL 26, 1985

LEO W. RADER
REGISTERED SURVEYOR

Page No. 1 of 3

HYDROGRAPHY
TOPOGRAPHY
GEODESY

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093 April 26, 1985
CL 2-2920 OR
252-2920

EFFECT ON LITTLE DEER CREEK
SITE OUTFALL - 100 YR. STORM

TO POINT One
AREA A (Red)

BEFORE CONSTRUCTION

A = 405 Ac. C = 0.25
Average stream velocity = 8.5'/sec.
Time overland 12 min.
Swale 1650 ÷ 0.8 ÷ 60 34 min.
Stream 6140 ÷ 8.5'/sec. ÷ 60 12 min.
Total time = 58 min.
Q = Ac i = (405)(0.25)(3.80) = 385 c.f.s.

AFTER CONSTRUCTION

2.54 acres of impervious surface will have been added.
(405)(Composite "c") = (402.46)(.25)+(2.1')(1.90) = 102.505
Composite "c" = $\frac{102.505}{405}$ = 0.253
Q = Ac i = (405)(.253)(3.80) = 389 c.f.s.

Therefore, 389 - 385 = 4 c.f.s. or $\frac{4}{385}$ = 1% will be added to the discharge at point One in a 100 year storm, which is a very small increase.

It is obvious from the preceeding computations that the additional c.f.s. at point Two due to the construction of the proposed impervious areas (2.1 acres) will be the same or less due to increased stream time, yielding a decreased rainfall intensity.

LEO W. RADER
REGISTERED SURVEYOR

Page No. 2 of 3

HYDROGRAPHY
TOPOGRAPHY
GEODESY

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093
CL 2-2920 OR
252-2920

EFFECT ON LITTLE DEER CREEK SITE OUTFALL-100 YR STORM/Pg. 2/Apr. 26, 1985
If the following assumptions are made concerning the total drainage area (requires a larger map) to Point Two

100 yr. A = 1000 c = .25 T = 80 min. i = 2.9
Q = Ac i = (1000)(.25)(2.9) = 725 c.f.s.,
then $\frac{4}{725}$ = 0.6 % increase in the total drainage at Point Two.

EFFECT OF CHAPEL
AREA B (Green)

BEFORE CONSTRUCTION

Drainage area = 3.5 Ac., T = 21 min., c = 0.12, i = 4.4
Q = Ac i = (3.5)(0.12)(4.4) = 1.8 c.f.s.

AFTER CONSTRUCTION - MACADAM

3.5 Ac., composite C = 0.31, T = 14 min., i = 5.20
Q = Ac i = (3.5)(0.31)(5.20) = 5.6 c.f.s.

AFTER CONSTRUCTION - STONE

3.5 Ac., composite c = 0.21, T = 17 min., i = 4.86
Q = Ac i = (3.5)(0.21)(4.86) = 3.6

Therefore, if macadam construction is used additional runoff to adjoining farm

= 5.6 - 1.8 = 3.8 c.f.s.

If stone construction is used,
= 3.6 - 1.8 = 1.8 c.f.s.

LEO W. RADER
REGISTERED SURVEYOR

Page No. 3 of 3

HYDROGRAPHY
TOPOGRAPHY
GEODESY

SUBDIVISION
ENGINEERING
TITLE SURVEYS
LAND PLANNING

38 Belfast Road - Timonium, Maryland 21093
CL 2-2920 OR
252-2920

EFFECT ON LITTLE DEER CREEK SITE OUTFALL-100 YR STORM/Pg. 3/Apr. 26, 1985

EFFECT OF PARSONAGE

AREA C (Purple)

BEFORE CONSTRUCTION

1.0 Ac., C = 0.19, T = 19, i = 4.62
Q = Ac i = (1.0)(0.19)(4.62) = 0.9 c.f.s.

AFTER CONSTRUCTION - MACADAM

1.0 Ac., composite C = 0.32, T = 15, i = 5.12
Q = Ac i = (1.0)(0.32)(5.12) = 1.6 c.f.s.

AFTER CONSTRUCTION - STONE

1.0 Ac., composite C = 0.25, T = 18, i = 4.73
Q = Ac i = (1.0)(0.25)(4.73) = 1.2 c.f.s.

Therefore, if macadam construction is used, additional runoff to adjoining farm

= 1.6 - 0.9 = 0.7 c.f.s.

If stone construction is used

= 1.2 - 0.9 = 0.3 c.f.s.

AUG 28 1985

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: July 9, 1985

FROM: James A. Markle, P.E.

SUBJECT: Zoning Case No. 85-271-X
Petition for Special Exception

I have reviewed the drainage study prepared by Leo Rader for the proposed church on Harris Mill Road and the environmental impact study prepared by Dr. Robert Kondner and wish to offer the following comments.

The drainage study prepared by Leo Rader uses the Rational Method to compute the changes in peak storm runoff discharges that would occur at several locations downstream of the proposed improvements. The Rational Method is a commonly used methodology for computing storm runoff discharges.

Mr. Rader computed peak discharges for drainage areas of 3.5, 405 and 1,000 acres and showed increases of 21%, 1% and 0.6%, respectively, for a 100-year storm. As a general rule, the percent change in peak discharge for a specific development scheme will decrease as the drainage area examined increases in size.

Dr. Kondner used the Soil Conservation Service Technical Release 55 (S.C.S., TR-55) method to compute the peak storm runoff discharges for existing conditions and conditions with the proposed church. This methodology is equally acceptable.

Dr. Kondner calculated peak storm runoff increases of 62% for a 6.6 acre drainage area during a 2-year frequency storm and 37% for a 10-year storm.

Either method of computing peak runoff discharges is acceptable; however, it should be remembered that one can show a large impact or a small impact from a proposed development depending on the point of analysis and the relationship of the size of the development to the drainage area size.

Any development in Baltimore County, including a proposed church, would be subject to the County Storm Water Management Regulations which may require the construction of storm water management facilities to prevent downstream flooding, stream bank erosion and water quality degradation from the proposed development.

If you need any additional information, please contact me at your convenience.

James A. Markle, P.E., Chief
Bureau of Public Services

JAM:pmg

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: July 25, 1985

FROM: James A. Markle, P.E.

SUBJECT: Zoning Case No. 85-271-X
Petition for Special Exception

As a point of clarification of my July 9, 1985 memo concerning the above referenced Zoning Case, I wish to make the following additional comments.

Mr. Rader's report more clearly addressed the effect of the proposed development on storm water runoff by examining the effect at several different locations in the watershed whereas Dr. Kondner's report only addressed in detail the increase in storm water discharges at one location.

Many of the issues raised by Dr. Kondner concerning flooding, erosion and water quality degradation could be addressed by proper application of storm water management practices when the site is developed. These practices would be required by the County Storm Water Management Regulations.

James A. Markle, P.E., Chief
Bureau of Public Services

JAM:pmg

CPS-008

SCHLACHMAN, POTLER, BELSKY & WEINER, P.A.

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131 EAST REDWOOD STREET
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TELEX 360602

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43 NORTH BOND STREET
BALTIMORE, MARYLAND 21204
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BALTIMORE, MARYLAND 21204
1301 636-8832

WRITERS DIRECT DIAL NUMBER
REPLY TO
(301) 685-2022 East Redwood Street Office

May 22, 1986

County Board of Appeals of
Baltimore County
Room 200, Court House
Towson, Maryland 21204

RE: Our File No.: 22727
Case No.: 85-271-X
Larry Hoover, et ux
For a Special Exception for a Church
SE/S Harris Mill Rd., 900' SE of Freeland Road

Attn: Mr. William T. Hackett, Chairman

Dear Mr. Hackett:

Please be advised that I represent the Petitioners in reference to the above entitled matter. The Petitioners do hereby withdraw their Petition for Special Exception for a Church.

This matter is a continued hearing and is scheduled for May 29, 1986 at 11:00 a.m. Therefore, it will not be necessary for anyone to appear at this hearing.

Very truly yours,

SIDNEY SCHLACHMAN
SS:mp

cc: R. Bruce Alderman, Esquire
Reverend Stephen J. Smith
c/o Zion Hills Ministries
Phyllis C. Friedman, Esquire
Peter Max Zimmerman, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
MAY 23 1986

SCHLACHMAN, POTLER, BELSKY & WEINER, P.A.

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WRITERS DIRECT DIAL NUMBER
REPLY TO
(301) 685-2022 East Redwood Street Office

January 13, 1986

Clerk
County Board of Appeals of
Baltimore County
Room 200, Court House
Towson, Maryland 21204

RE: Our File No.: 22727
Case No.: 85-271-X
Larry Hoover, et ux
SE/S Harris Mill Road, 900' SE of
Freeland Road
7th District, SE-Church
8/6/85 - Z.C.'s Order - Granted w/restrictions
Wednesday, February 5, 1986 at 10:00 a.m.

Dear Sir:

I would appreciate if you would issue a Subpoena for the following person to appear to testify in the above entitled matter on behalf of the Petitioner:

"MR. STEPHEN COLLINS"
Director of Traffic Engineering
Suite 405, Baltimore County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Very truly yours,

SIDNEY SCHLACHMAN,
Attorney for Petitioner
SS:mp
cc: Mr. Stellman Smith

Mr. Sheriff:

Please issue this summons.

Edith T. Eisenhart,
Adm. Secy.
County Board of Appeals of Baltimore County

SCHLACHMAN, POTLER, BELSKY & WEINER, P.A.

LAW OFFICES
131 EAST REDWOOD STREET
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WRITERS DIRECT DIAL NUMBER
REPLY TO
(301) 685-2022 East Redwood Street Office

January 13, 1986

Clerk
County Board of Appeals of
Baltimore County
Room 200, Court House
Towson, Maryland 21204

RE: Our File No.: 22727
Case No.: 85-271-X
Larry Hoover, et ux
SE/S Harris Mill Road, 900' SE of
Freeland Road
7th District, SE-Church
8/6/85 - Z.C.'s Order - Granted w/restrictions
Wednesday, February 5, 1986 at 10:00 a.m.

Dear Sir:

I would appreciate if you would issue a Subpoena for the following person to appear to testify in the above entitled matter on behalf of the Petitioner:

"MR. JAMES A. MARKLE"
Chief, Public Services
Room 319-321, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Very truly yours,

SIDNEY SCHLACHMAN,
Attorney for Petitioner
SS:mp
cc: Mr. Stellman Smith

Mr. Sheriff:

Please issue this summons.

Edith T. Eisenhart,
Adm. Secy.
County Board of Appeals of Baltimore County

SCHLACHMAN, POTLER, BELSKY & WEINER, P.A.

LAW OFFICES
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WRITERS DIRECT DIAL NUMBER
REPLY TO
(301) 685-2022 East Redwood Street Office

January 13, 1986

Clerk
County Board of Appeals of
Baltimore County
Room 200, Court House
Towson, Maryland 21204

RE: Our File No.: 22727
Case No.: 85-271-X
Larry Hoover, et ux
SE/S Harris Mill Road, 900' SE of
Freeland Road
7th District, SE-Church
8/6/85 - Z.C.'s Order - Granted w/restrictions
Wednesday, February 5, 1986 at 10:00 a.m.

Dear Sir:

I would appreciate if you would issue a Subpoena for the following person to appear to testify in the above entitled matter on behalf of the Petitioner:

"MR. BROOKS H. STAFFORD"
Division Chief
Environmental Support Services
Room 416, Baltimore County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Very truly yours,

SIDNEY SCHLACHMAN,
Attorney for Petitioner
SS:mp
cc: Mr. Stellman Smith

Mr. Sheriff:

Please issue the above summons.

Edith T. Eisenhart,
Adm. Secy.
County Board of Appeals of Baltimore County

SCHLACHMAN, POTLER, BELSKY & WEINER, P.A.

LAW OFFICES
131 EAST REDWOOD STREET
BALTIMORE, MARYLAND 21202
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BALTIMORE, MARYLAND 21204
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WRITERS DIRECT DIAL NUMBER
REPLY TO
(301) 685-2022 East Redwood Street Office

April 4, 1986

Clerk
County Board of Appeals
of Baltimore County
Room 200, Court House
Towson, Maryland 21204

RE: Our File No.: 22727
Case No.: 85-271-X
Larry Hoover, et ux
SE/S Harris Mill Road, 900' SE of Freeland Road
7th District
D/Hearing: Thursday, May 8, 1986 at 10:00 a.m.

Dear Sir:

I would appreciate if you would issue a Subpoena for the following persons to appear to testify in the above entitled matter on behalf of the Petitioner:

1. Mr. Brooks H. Stafford
Division Chief
Environmental Support Services
Room 416, Baltimore County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Very truly yours,

SIDNEY SCHLACHMAN

SS:mp

cc: Mr. Stellman Smith

Mr. Sheriff:

Please issue the above summons.

Edith T. Eisenhart,
Adm. Secy.
County Board of Appeals of Baltimore County

AUG 28 1986

TRAFFIC IMPACT STUDY

PROPOSED HOUSE OF WORSHIP
AND RELATED ACTIVITIES

HARRIS MILL ROAD
BALTIMORE COUNTY

JUNE 1985

BY
DARRELL WILES P.E.

PROTESTANT'S
EXHIBIT 1

SITE

Roughly 50 acres situated on the south side of Harris Mill Road approximately 0.7 mile east of I-83 in northern Baltimore County.

DEVELOPMENT

A 75 ft. by 75 ft. (5625 sq. ft.) structure for worship services and related activities. The remaining 50 acres are reserved for recreational use.

IMPACT AREA

The existing road network and population distribution suggest that the vast majority of the traffic generated will come from I-83, Md. 45 (York Road), and Md. 409 (Freeland Road).

TRAFFIC GENERATION

The most frequently used source of trip generation rates - The Institute of Transportation Engineers - does not include data for houses of worship. Another respected source, the Maricopa Association of Governments, recommends 40.9 trips per 1000 feet of gross floor area. A second method assumes 300 persons in attendance and a typical ridership of 2.5 persons per vehicle. Both methods indicate 110 vehicles generated in the peak hour. An estimated 90% or 100 vehicles will arrive via the primary routes from the north, south, and west. Only 10-12 vehicles (10%) are expected from the east.

SAFETY

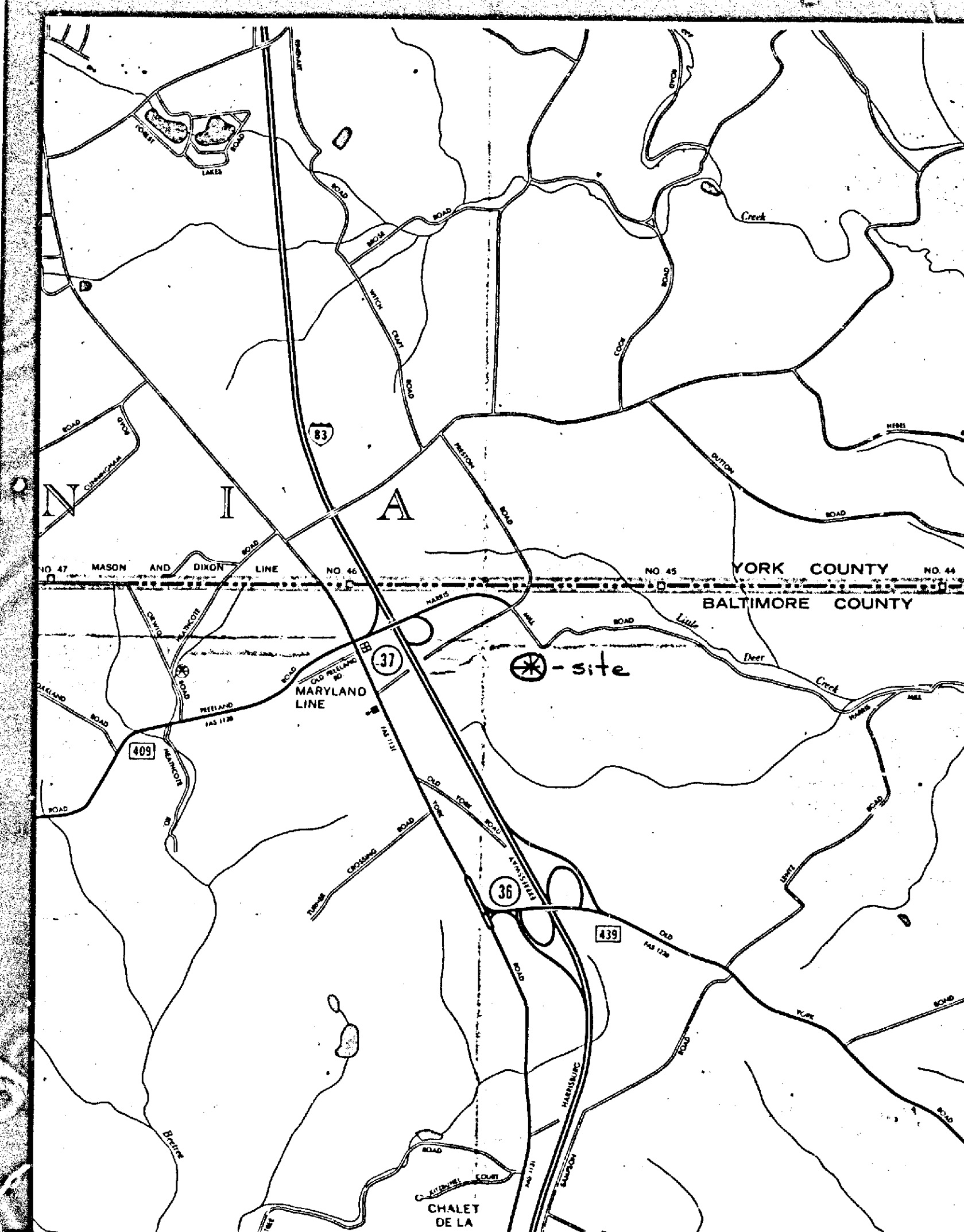
Although some adverse accident frequency has been experienced at the intersection of Md. 45 (York Rd.) and Md. 409 (Freeland Rd.) in the past, only one accident has been reported between York Rd. and the site over the past two years. Two accidents were reported during the same period on Harris Mill Rd. east of the site.

TRAFFIC IMPACTS

The volumes of traffic generated in the initial stage of the facility's development are not likely to create capacity problems or significant reductions in the levels of traffic service provided by the affected roadways. However, because the existing volumes on Harris Mill Rd. are extremely low, the additional generated traffic will likely be perceived as a significant impact.

An expansion of the facility to accommodate 1000 persons would generate 400 vehicles per hour and create capacity problems on several of the approach road intersections and ramps. Additional traffic of even moderate proportions is undesirable on Harris Mill Rd. east of the site due to the limited width and poor geometric design features.

Additionally, the recreational designation for the 50 acres raises several traffic concerns. The trip generation rates for recreational use vary tremendously, but clearly, a 50 acre site is capable, under intense recreational use, of generating traffic volumes sufficiently large to severely and negatively impact the road system serving this site.



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UNDERGROUND STRUCTURES
CONCRETE & STRUCTURAL DESIGN
SEWER DRAINAGE
CONSTRUCTION INSPECTION

ENVIRONMENTAL IMPACT STUDY

PROPERTY ZONING EXCEPTION FROM RC-2
ZONING FILE NO 85-271X

For

Dr. Richard W. McQuaid
1501 Harris Mill Road
Parkton, Maryland 21120

April 29, 1985

by

Dr. Robert L. Kondner, P.E.

SUMMARY

Construction of the proposed building, parking and roadways as well as development of the vague, ill-defined "recreational area" on the property standing for exception from RC-2, Zoning File No 85-271X, will have adverse environmental impacts on surface water quality, ground-water quality, local stream flooding potential, an Endangered Species of freshwater fish known as the Maryland Darter, and traffic on Harris Mill Road.

Hydrologic analyses as per SCS (T.R. 55) show a 53 per cent increase in total storm water runoff volume and a 62 per cent increase in peak discharge of storm water for the 2 year frequency storm caused by first phase construction on the area north of the wooded section of the site. Such increased storm water runoff will provide the transport mechanism for increased erosion of the moderately erodable, silt loam soils of the site as sediment pollution as well as transport petroleum and salt pollutants from parking areas-roadways to the tributary stream thru the site and into the Deer Creek Stream Complex.

A history of recent flooding of the area stream system is presented both by the Stream Flood Map of the area and in photographs showing flood waters and flood damage for the present critical nature of the flood hazard potential, without the addition of the increased

storm water runoff from the site. The current flood hazard potential is a danger to property and public safety. Increased storm water runoff will adversely impact on the present situation relative to flooding.

The site is traversed by a tributary stream of Deer Creek which collects the runoff from the site and carries it into Deer Creek, which is the only known habitat for the Maryland Darter, a small freshwater fish on the Endangered Species List of the State and Federal Governments. The appendix contains a letter from the State Department of Natural Resources expressing their concern about any proposed development within the Deer Creek Drainage Area that has the potential to threaten the Maryland Darter by reducing water quality or increasing the load of sediment or other pollutants carried by the stream. Such an adverse impact is presented by the increased storm water runoff of the site transporting additional sediment and petroleum-salt pollutants.

The influx of 300 people and the potential for many more people with use of the vague "recreational area", will have a definite adverse impact on traffic at Harris Mill Road which has two 90 degree turns at the north entrance area of the site. Such numbers of people will increase demand on the required sewage disposal septic facilities which will adversely impact on ground water quality.

Lindsay Wilson 21125 Lutz Rd Parkton, MD 21120
James Pearson 1338 Harris Mill Rd Parkton, MD 21120
John and Dymally 1338 Harris Mill Rd Parkton, MD 21120
Jorette Johnson 1338 Harris Mill Rd Parkton, MD 21120
Cathy Shumaker 1509 Harris Mill Rd Parkton, MD 21120
Olivia McQuaid 1501 Harris Mill Rd Parkton, MD 21120
Carmie Pender 1338 Harris Mill Rd Parkton, MD 21120
HANK G. BUTNER 1228 HARRIS MILL RD. PARKTON, MD 21120
INGRID BUTNER 1228 HARRIS MILL RD. PARKTON, MD 21120
RICHARD PHILIP 2001 HARRIS MILL RD. PARKTON, MD 21120
Ruth Melan 21411 Dunk Freeland Rd. Parkton, MD 21120
Richard H. Schroeder 105 Harris Mill Rd. Parkton, MD 21120
Mary Beth Gemmill 21518 Dunk Freeland Rd. Parkton, MD 21120
George McQuaid 21320 Dunk Freeland Rd. Parkton, MD 21120
Alexis Marie George 1801 Harris Mill Rd. Parkton, MD 21120
Patricia L. Burton 13100 Delfwood Ct. Parkton, MD 21120
Basil M. Burton 119 Quaker Ridge, Parkton, MD 21120
Frank P. Burton 909 Old Harris Mill Rd. Parkton, MD 21120
Frederick S. Lehman 181 Harris Mill Rd. Parkton, MD 21120
Dr. Richard W. McQuaid 1501 Harris Mill Rd. Parkton, MD 21120

PROTESTANT'S
EXHIBIT 1

Should recreational uses at the south half of the property require the location of sewage disposal septic systems at those areas, there will be a severe impact in the steep 13 per cent to 20 per cent silt loam soils just to the north of the site stream and severe high water table-flood problems in the bottom area denoted on the Zoning Plat as "recreational area".

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ENVIRONMENTAL IMPACT STUDY PROPERTY STANDING FOR EXCEPTION FROM RC-2 ZONING FILE NO 85-271X

PURPOSE

The purpose of the investigation reported herein is to determine the environmental impact of construction of the proposed building, parking and roadways at the property under consideration on the storm water runoff, peak discharge quantity, water quality, flooding potential, critical wildlife species, and traffic conditions.

SCOPE

The scope of the investigation to accomplish the above purpose included a site inspection, review of various aerial photos, review of the zoning case site drawing (plat) dated 12-31-1984 as amended 2-12-1985, evaluation of site soils, review of local drainage patterns and storm water flooding history and a detailed analysis of the hydraulic and hydrologic factors with runoff volume and peak rates of discharge under present site conditions and after the proposed first phase construction at the site.

SITE PHYSIOGRAPHY

The site of the proposed standing exception from RC-2 zoning is located in the northern part of Baltimore County just south of the Pennsylvania State Boundary and just east of Interstate I-83 (Baltimore-Harrisburg Expressway) and east of the town of Maryland Line. The general area is characterized by rolling hills dissected by stream valleys. Figure 1 shows the general location of the site superimposed onto the appropriate part of the Stream Flood Map for the area with a tributary of Deer Creek running thru the southern part of the property under discussion. All storm water runoff (except for the small panhandle adjacent to Harris Mill Rd. at the northeast corner) goes into this stream and since this stream runs all year long (even when there is no surface water runoff) groundwater from the site eventually seeps into the stream helping to maintain its year round flow.

The central part of the site is wooded while the southern part is in grass and drops off toward the stream with slopes ranging from 13 per cent to 20 per cent decreasing to 3 per cent in the bottom grass land adjacent to the stream. The part of the site north of the woods is in grass and is the high ground, dropping generally to the southeast at a slope of 5 per cent.

The zoning case plat shows construction only at the part of the site north of the wooded area, with the

notation "recreational area" from the stream to the south boundary line. Since the term "recreational area" could mean anything from a paved theme park to the present natural grass land area (as well as anything in between), it is impossible to evaluate the environmental impact of something so "ill-defined". However, some forms of "recreational area" such as base ball diamonds (with large earth moving demands) or rock concert areas (with large demands on sanitary facilities and sound quality) could have enormous environmental impacts on the site stream and Little Deer Creek as well as Deer Creek. Strict control must be exercised on any future development of a "recreational area" nature not only between the stream and the south boundary of the site but also the sloping grass and wooded areas north of the stream itself.

Because of the vague nature of the proposed future of the southern part of the site (approximately 85 per cent of the property), the environmental impact will be centered on the proposed first phase construction on the existing grass area north of the wooded area.

SITE SOILS

The area of the site north of the wooded area, the wooded area, and the area just south of the woods is Elioak silt loam which is moderately permeable with fair to poor stability and compaction characteristics relative to embankment construction, not suited for excavated ponds and shallow water development, and is moderately erodable.

The uphill slopes north of the stream are Glenelg channery loam which is moderately erodable sloping southward at 13 per cent to 20 per cent presenting moderate to severe sewage disposal limitations and only fairly stable relative to embankment construction.

The bottom land adjacent to the stream thru the southern part of the site is Codorus silt loam having 3 per cent slopes with a severe flooding potential, fair to poor stability and compaction characteristics relative to embankment construction, and moderately erodable.

Thus, all site soils are silty loam which is moderately erodable and any additional runoff will increase to some degree sediment in the Deer Creek tributary running thru the site as well as Deer Creek itself.

RECENT FLOOD HISTORY

Figure 1 clearly shows the areas (black shaded areas) where flooding has been experienced in the past, including the adjacent downstream area of the stream running thru the property under consideration as well as the Little Deer Creek and Deer Creek (also called Harris Mill Creek) portions of the stream system complex downstream from the site.

The area at the intersection of Bond Rd., West Liberty Rd. and Harris Mill Rd. known as Winemiller's Mill, 3.5 miles east of the site, is often flooded as shown in the photos of Figure 2 on Feb. 12, 1985 due to 1.8 inches of rainfall. The upper photo of Figure 2 is a view of the flood waters completely covering the bridge over Deer Creek (denoted as Harris Mill Creek on Figure 1) while the lower photo of Figure 2 is a view of the brick church east of the bridge on higher ground. Figure 3 shows several views of the same bridge during normal water levels in clear weather. Note the bent bridge sign in the upper photo of Figure 2.

Figure 4 shows in the upper photo debris indicating the height of flood waters at the intersection of the site stream and Little Deer Creek with Deer Creek while the bottom photo shows debris on top of a heavily damaged private driveway bridge over Little Deer Creek approximately 1.2 miles downstream from the north end of the site. Locations of the above photos are given in Figure 1.

The above photos clearly illustrate the present critical flooding nature of the Little Deer Creek - Deer Creek (Harris Mill Creek) stream system presented in Figure 1. Obviously, this stream system cannot tolerate additional storm water runoff. The hydraulic-hydrologic analyses that are presented in the following section show the proposed first phase construction on the north part of the property will increase the total volume of runoff by 53 per cent and increase the peak discharge by 62 per cent for a two year frequency rainfall of 3.1 inches. Note that the rainfall for the flooding of the photos of Figure 2 was 1.8 inches. If increased runoff of 53 per cent is allowed on the present site, what is to stop such a magnitude for other sites. This flooding potential cannot be allowed to further endanger property and possibly human life in the immediate local area. If such runoff increases are allowed on the various upstream tributaries, these additional individual runoff waters will add up further downstream and the cumulative effects will become tremendously destructive beyond imagination.

The vague, ill-defined "recreational area" at the south majority of the property and adjacent steep, 13 per cent to 20 per cent slopes to the north, will have a much greater runoff impact than the area north of the woods if inappropriate "recreational" uses are permitted. This area requires restricted "recreational" use.

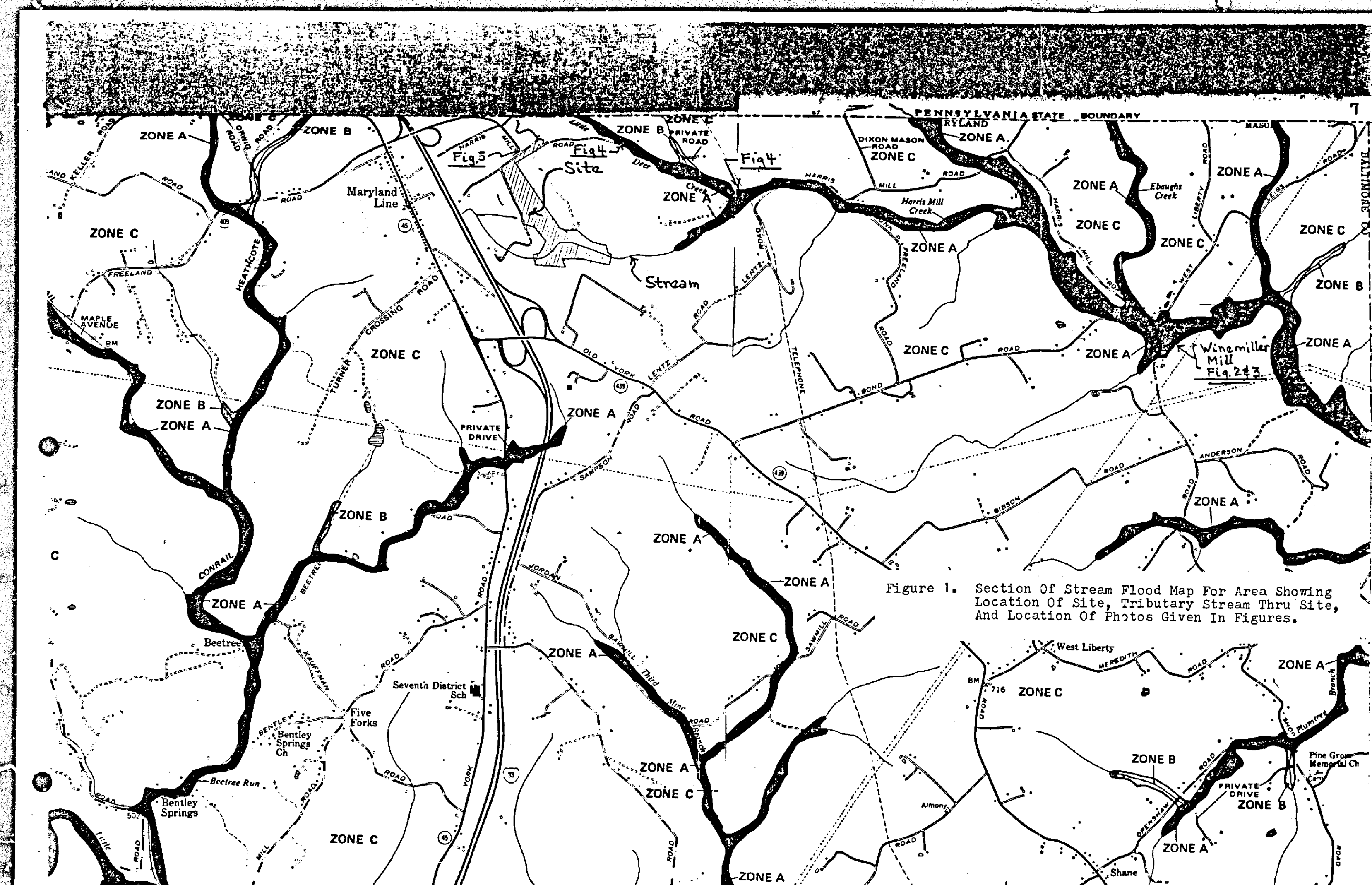


Figure 1. Section Of Stream Flood Map For Area Showing Location Of Site, Tributary Stream Thru Site, And Location Of Photos Given In Figures.



Flood waters from Deer Creek at Winemiller's Mill, Md., near the Pennsylvania border in southern York County, swirling around a bridge sign pushed over by the swift current of the on-rushing water. The tiny settlement was flooded most of the day on Lincoln's Birthday, Feb. 12.



Deer Creek stopped at the top step of the Lighted Pathway Church in Winemiller's Mill, Md., near Stewartstown, Pa., on Feb. 12. Interior of the church has been flooded at least twice, according to the Rev. Albert Sites, pastor.

Figure 2. Photos From Penn. Newspaper Of Flood Waters At Winemiller's Mill In Baltimore County At The Intersection Of Bond-West Liberty-Harris Mill Roads On Feb. 12, 1985 Due To 1.8 Inches Of Rain



Figure 3. Photos Of The Bridge Shown Under Water In Figure 2 During Clear Weather

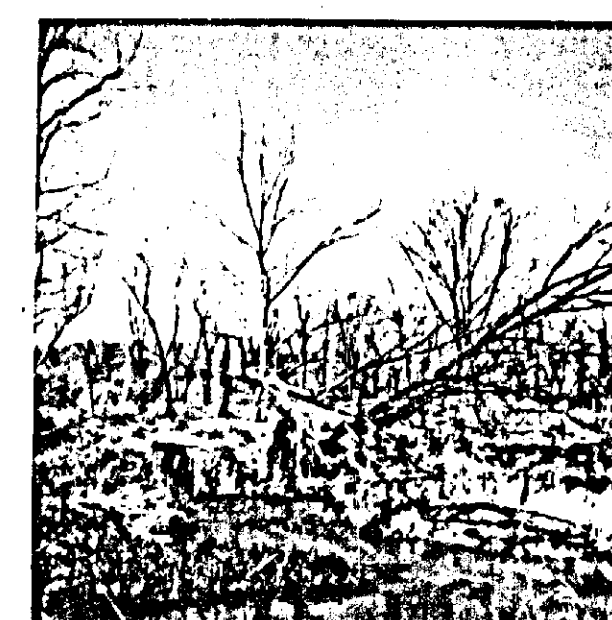


Figure 4. Photos Showing Flood Debris Indicating Height Of Flood Waters - Above: Intersection Of Site Stream-Little Deer Creek-Deer Creek (Harris Mill Creek) Below: Damaged Bridge At Little Deer Creek

HYDRAULIC-HYDROLOGIC ANALYSES

Construction of the chapel building, reduced parking lot, and limited roadways of the proposed first phase is only a fraction of the total development presented on the Zoning Plat for the north portion of the site. Even this limited development can have a significant runoff effect on the north region.

The soil for this north part of the site is the Elioak silt loam with a slope of 5 per cent that is moderately erodable. The present surface contains grass, mostly clover. Thus, the hydrologic soil group for the site is Group B resulting in a runoff curve number (CN) value of 61 as presented in the Soil Conservation Service Technical Report 55 Urban Hydrology For Small Watersheds.

After the first phase construction approximately 15 per cent of the north area will be roof-parking-driveaway areas with a runoff curve number (CN) value of 98. Combining this 15 per cent with the remainder of 85 per cent of the existing grass area results in an after first phase construction CN value of 66.43 for the north area.

Details of the analyses are presented in the appendix of this report.

Times of concentration are the times it takes for the runoff water to traverse the north area site in

both the existing grass condition and after the first phase construction. Note that this time decreases from 0.16 hours under existing conditions to 0.13 hours after first phase construction - a decrease of 19 per cent showing that the runoff water travels across the site faster after construction than before construction.

Total runoff volumes and peak discharge rates were calculated for both the two year frequency rainfall and the ten year frequency rainfall as given in the appendix. Comparison of the "before construction" and "after construction" results show a 53 per cent increase in total runoff volume after the first phase construction for the two year frequency rainfall of 3.1 inches while the increase is 28 per cent for the ten year frequency rainfall.

Peak discharge values increased from 3.59 cubic ft per sec before construction to 5.83 cfs (a 62 per cent increase) after construction for the two year frequency rainfall while the ten year frequency increased from 12.31 cfs to 16.81 cfs (an increase of 37 per cent). The ten year storm totals are greater but the per cent increase is not as great as the two year storm.

POLLUTION POTENTIAL

Pollution potential from the site includes the following basic items; sewage, petroleum leakage from autos, winter salt use for ice and snow on parking lot-roadways-sidewalks-steps, and soil erosion.

Sewage disposal will require several septic systems as shown on the Zoning Plat - both of which are located at least partially in wooded areas (possible clearing of trees would increase runoff and erosion). Should recreational uses at the south part of the property require the location of sewage disposal septic systems at those areas, there will be a severe impact because of steep slopes in the silt loam soils on the north side of the Deer Creek tributary thru the property, and high water table with severe flooding potential in the bottom area denoted on the Zoning Plat as "recreational area". Although sewage disposal for 300 people will have an adverse impact on ground water quality, the potentially greater number of people that may be generated by "recreational" uses could have a much greater and much more severe impact on ground water as well as surface water quality.

Pollution from petroleum leakage from cars as well as salt for ice control both depend on the number of people using both the church facilities as well as the "recreational area" since this will influence the number

of vehicles on site; hence, the parking area required. The increase in runoff volume and increase in peak discharge given in the hydrologic analyses will provide the mechanism to move petroleum and salt pollution off site to the tributary stream and Deer Creek. These pollutants also can be carried by ground water eventually to the stream system because these pollutants will not be broken down and filtered in the site soils during transmission with the ground water.

The increased runoff and increased peak discharge velocities will also increase soil erosion and, hence, sediment pollution in the stream system.

WILDLIFE

The site is traversed by a tributary stream of Deer Creek. This tributary collects all runoff from the site and carries it into Deer Creek which is the only known habitat for the Maryland Darter, a small freshwater fish listed as an Endangered Species by both the State and Federal Governments. The appendix contains a letter from the Capital Programs Administration of the State of Maryland Department of Natural Resources expressing their concern about any proposed development within the Deer Creek Drainage area that has the potential to threaten the Maryland Darter by reducing water quality or increasing the load of sediment or other pollutants carried by the stream. Since increased storm water runoff will increase the amount of soil eroded from the site and the parking lot will provide some amounts of petroleum products and salts to be carried in the storm water runoff all of which goes into the tributary stream and, hence, Deer Creek, clearly there will be an adverse impact on water quality thru increased sediment load and petroleum-salt pollutants.

TRAFFIC-ROADS

The influx of 300 people for the church and the potential for many more people for use of the vague "recreational area" will have a definite impact on traffic at Harris Mill Road which makes a 90 degree turn at the location of the entrance to the property. The width of Harris Mill Road at this location varies from 15 ft-9 in to 17 ft-9 in on the two legs of the 90 degree turn.

Figure 5 presents several views of this 90 degree turn of Harris Mill Road at the entrance to the property under discussion, with two vehicles in Harris Mill Road and one vehicle in the entrance road to the property. Clearly 300 people or more (recreational uses) entering or leaving the property in the vicinity of this 90 degree turn will have a safety impact. Note on the map of Figure 1 that there is also another 90 degree turn in Harris Mill Road just to the east of the one shown in the photos of Figure 5.

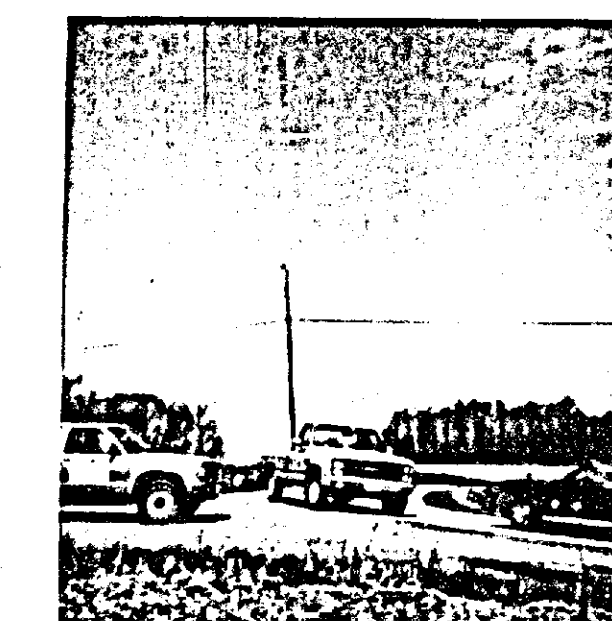


Figure 5. Photos Showing Views Looking North (Bottom Photo) And South (Top Photo) Showing Vehicles At 90 Degree Turn Of Harris Mill Road And Property Entrance.

CONCLUSIONS

Construction of the proposed building, parking and roadways as well as development of the vague, ill-defined "recreational area" on the property standing for exception from RC-2, Zoning File No 85-271X, will have adverse environmental impacts on surface water quality, ground-water quality, local stream flooding potential, an Endangered Species of freshwater fish known as the Maryland Darter, and traffic on Harris Mill Road.

Hydrologic analyses as per SCS (T.R. 55) show a 53 per cent increase in total storm water runoff volume and a 62 per cent increase in peak discharge of storm water for the 2 year frequency storm caused by first phase construction on the area north of the wooded section of the site. Such increased storm water runoff will provide the transport mechanism for increased erosion of the moderately erodible, silt loam soils of the site as sediment pollution as well as transport petroleum and salt pollutants from parking areas-roadways to the tributary stream thru the site and into the Deer Creek Stream Complex.

A history of recent flooding of the area stream system is presented both by the Stream Flood Map of the area and in photographs showing flood waters and flood damage for the present critical nature of the flood hazard potential, without the addition of the increased

storm water runoff from the site. The current flood hazard potential is a danger to property and public safety. Increased storm water runoff will adversely impact on the present situation relative to flooding.

The site is traversed by a tributary stream of Deer Creek which collects the runoff from the site and carries it into Deer Creek, which is the only known habitat for the Maryland Darter, a small freshwater fish on the Endangered Species List of the State and Federal Governments. The appendix contains a letter from the State Department of Natural Resources expressing their concern about any proposed development within the Deer Creek Drainage Area that has the potential to threaten the Maryland Darter by reducing water quality or increasing the load of sediment or other pollutants carried by the stream. Such an adverse impact is presented by the increased storm water runoff of the site transporting additional sediment and petroleum-salt pollutants.

The influx of 300 people and the potential for many more people with use of the vague "recreational area", will have a definite adverse impact on traffic at Harris Mill Road which has two 90 degree turns at the north entrance area of the site. Such numbers of people will increase demand on the required sewage disposal septic facilities which will adversely impact on ground water quality.

Should recreational uses at the south half of the property require the location of sewage disposal septic systems at those areas, there will be a severe impact in the steep 13 per cent to 20 per cent silt loam soils just to the north of the site stream and severe high water table-flood problems in the bottom area denoted on the Zoning Plat as "recreational area".

APPENDIX



TORREY C. BROWN, M.D.
SECRETARY
JOHN W. GRIFFIN
DEPUTY SECRETARY

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
CAPITAL PROGRAMS ADMINISTRATION
TAMM STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

FRED L. ESKEN
ASSISTANT SECRETARY
FOR CAPITAL PROGRAMS

April 24, 1985

Dr. Robert L. Kondner
Kondner Engineering and
Technical Services
Downes Road
Parkton, MD 21120

Subject: Impact Study, Property Zoning Exception
(85-271X) in Deer Creek Drainage

Dear Dr. Kondner:

The lower portion of Deer Creek is the only known habitat for the Maryland darter, a small freshwater fish listed as an Endangered Species by both the State and Federal governments. The Maryland Natural Heritage Program is concerned about any proposed development within the Deer Creek Drainage that has the potential to threaten the darter by reducing water quality or increasing the load of sediment or other pollutants carried by the stream. I hope that these same issues would also be of concern to the Baltimore County Zoning Commissioner, and should be thoroughly explored in any environmental impact evaluation of proposed development on this site. Not knowing what the developers plans are however, I can not make any valid evaluation. Should detailed development plans become available I would be glad to review them if requested to by the Zoning Commissioner.

Sincerely,

Arnold W. Norden
Arnold W. Norden
Maryland Natural Heritage Program

AWN:mcs

TELEPHONE: (301) 269-3656
TTY FOR DEAF: BALTIMORE 269-2409 WASHINGTON METRO 565-6420

First Phase Construction

- North Area (North of Wooded Area) Only Area To Show Specific Construction Plan

Soil Type E_hB₂ Eluvial silt loam
3 to 8 percent slopes
moderately eroded

Hydrologic Soil Group B

Runoff Curve Number

Present Site - Entirely Grass Covered

CN value = 61 (Soil Conservation Service TR-55)
area = $\frac{43560}{43560} = 6.61$ Ac

First Phase Construction

Roof Area
 $\frac{75 \times 75}{43560} = 0.13$ acre

Parking Area
 $\frac{170 \times 170}{43560} = 0.66$ acre

Roadway Area
 $\frac{25(135 + 130 + 50)}{43560} = 0.18$ acre
 $\Sigma = 0.97$ acre

Grassed Area After 1st Phase Construction
 $6.61 - 0.97 = 5.64$ acres

$\frac{5.64}{6.61} \times 61 = 0.85 \times 61 = 52.05$

$\frac{0.97}{6.61} \times 98 = 0.15 \times 98 = 14.38$
 $\Sigma = 1.00 ; \Sigma = 66.43 = \text{CN Value}$

- Therefore: Existing Condition: CN = 61.00 Before Contr.
after 1st Phase Construction CN = 66.43 after Contr.

Time of Concentration (T_c)

North Area

existing: Slope 5% V = 1.5 ft/sec
length = 750 ft

$$\therefore T_c = \frac{850}{1.5} = 567 \text{ sec} = 0.16 \text{ hrs}$$

after First Phase Construction

Slope 1%: length = 570 ft; V = 2 ft/sec
 $T_c = \frac{570}{2} = 285 \text{ sec}$

Slope 5%: length = 280 ft; V = 1.5 ft/sec

$$T_c = \frac{280}{1.5} = 187 \text{ sec}$$

$$\therefore T_c = \frac{285 + 187}{60 \times 60} = 0.13 \text{ hrs}$$

Before 1st Phase Construction

T_c = 0.16 hrs → Peak Discharge = 870 csm/in runoff

2 yr Freq. Rainfall P = 3.1"

$$S = \frac{1000}{61} - 10 = 16.39 - 10 = 6.39$$

$$Q = \frac{[3.1 - 0.2(6.39)]^2}{3.1 - 0.8(6.39)} = \frac{3.32}{8.21} = 0.40 \text{ Runoff}$$

$$q = 870 \frac{6.61}{640} (0.4) = 3.59 \text{ cubic ft/sec Peak Discharge}$$

10 yr Freq. Rainfall P = 5.0"

$$Q = \frac{[5.0 - 0.2(6.39)]^2}{5.0 - 0.8(6.39)} = \frac{13.95}{10.11} = 1.37 \text{ Runoff}$$

$$q = 870 \frac{6.61}{640} (1.37) = 12.31 \text{ cfs Peak Discharge}$$

after 1st Phase Construction

T_c = 0.13 hrs → Peak Discharge = 925 csm/in Runoff

2 yr Freq. Rainfall P = 3.1"

$$S = \frac{1000}{66.43} - 10 = 15.05 - 10 = 5.05$$

$$Q = \frac{[3.1 - 0.2(5.05)]^2}{3.1 - 0.8(5.05)} = \frac{4.37}{7.14} = 0.61 \text{ Runoff}$$

$$q = 925 \frac{6.61}{640} (0.61) = 5.83 \text{ cfs Peak Discharge}$$

10 yr Freq. Rainfall P = 5.0"

$$Q = \frac{[5.0 - 0.2(5.05)]^2}{5.0 - 0.8(5.05)} = \frac{15.92}{9.04} = 1.76 \text{ Runoff}$$

$$q = 925 \frac{6.61}{640} (1.76) = 16.81 \text{ cfs Peak Discharge}$$

Percent Change Due To Phase I Construction

Total Volume of Runoff
2 yr Freq. Rainfall
 $\frac{Q_A - Q_B}{Q_B} = \frac{0.61 - 0.40}{0.40} = 53\% \text{ Increase}$

10 yr Freq. Rainfall
 $\frac{1.76 - 1.37}{1.37} = \frac{0.39}{1.37} = 28\% \text{ Increase}$

Time of Concentration
 $\frac{T_{cA} - T_{cB}}{T_{cB}} = \frac{0.13 - 0.16}{0.16} = \frac{-0.03}{0.16} = -19\% \text{ Decrease}$

∴ Construction decreases the time for the runoff to take place; therefore more runoff per unit time.

Peak Discharge

2 yr Freq. Rainfall
 $\frac{q_A - q_B}{q_B} = \frac{5.83 - 3.59}{3.59} = \frac{2.24}{3.59} = 62\% \text{ Increase}$

10 yr Freq. Rainfall
 $\frac{16.81 - 12.31}{12.31} = \frac{4.50}{12.31} = 37\% \text{ Increase}$

Re: Zoning Exception File # 85-271X

Attached herein:

A letter from Carl Whitcraft, School bus Contractor of Whitcraft Services, Inc.
dated April 30, 1985

W

Truck
Phone 337-8076

We have school buses that travel the roads which cross Deer Creek.

When ever there is flooding on Deer Creek, school buses have to be rerouted and other arrangements have to be made to pick up or deliver children in these areas.

It seems that the more building development and improved parking next up stream causes more frequent flooding in these areas.

Carl Whitcraft

NAME

ADDRESS

PHONE No.

LEON KERNER Leontine Kerner Foshan Democrat Grace Foshel North Bellat Lucy Thaler Blair Thaler Bobby Carl Nelson Arlene Way Nelson Alice Gilbert Ruth Ann Hoback Betty Brown Doris Brown Doris Foshel Joseph Foshel Bob Miller Sond Miller	1153 Kerner's Mill Rd. 920 Harker's Mill Rd. P.O. Box 31, Apt. 202, Mt. Airy, N.C. 1846 Moorestown, N.J. 1501 Penn. Ave. Rd. 2411 Buck Island Rd. 2118 Sandy Rd. Parkton 707 Old Airport Rd. Sparks 808 S. West Street, P.O. Box 101 21419 York Rd. Mt. Airy 1338 Homing Hill Rd. Parkton 1538 Harris Mill Rd. Parkton 1518 Harris Mill Rd. Parkton	343-1393 — — 337-5228 343-1089 329-6709 357-8775 771-4560 343-0896 347-0680 347-6379 337-6329 357-8044
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ZONING HEARING JULY 29, 1985

9/3/85
your honor,
We are protesting the zoning of the house property for a public school site. Because we do not understand, why a school needs to come to build a 300 seat building. This is 50 acres the county owned this developing area on the property. The school district the school might building housing the school more people on the property. We want all the pollution of the school going through the property and building through our property.

PROTESTANT'S
EXHIBIT 1

We demand that school board create a bus stop on the county road (Harris Mill Rd) so we could take the county owned land many we hope house will be in good condition.
Robert Miller
from 1. mile