

IN THE MATTER OF
THE APPLICATION OF
VALLEYBROOK REALTY, INC.
FOR A SPECIAL EXCEPTION ON
PROPERTY LOCATED ON THE EAST
AND WEST SIDES OF RIDGE ROAD,
APPROX 3200' NORTH OF THE
CENTERLINE OF DOGWOOD ROAD
2ND ELECTION DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 86-170-X

ORDER OF DISMISSAL

This matter comes before this Board on appeal from a decision of the Zoning Commissioner dated September 23, 1986.

WHEREAS, by letter dated April 16, 1992, the Board of Appeals notified the parties of record in the above-entitled matter that the appeal would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, the Board has not received a reply from its letter of April 16, 1992, within 30 days as requested;

THEREFORE, the Board will, on its own Motion, dismiss the within appeal.

IT IS HEREBY ORDERED this 18th day of June, 1992 by the County Board of Appeals of Baltimore County that the above-referenced appeal in Case No. 86-170-X be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

June 18, 1992

Mr. David Berg
Valleybrook Realty, Inc.
1401 W. Hamburg Street
Baltimore, MD 21230

RE: Case No. 86-170-X
Valleybrook Realty, Inc.

Dear Mr. Berg:

Enclosed is a copy of the Order of Dismissal issued this date by the County Board of Appeals in the subject matter.

Very truly yours,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Robert L. Humphreys, Jr., Esquire
Mr. Charles Utermohle
Mr. & Mrs. Donald R. Williams
Ms. Dorothy S. Kratz
Ms. Joanne Peitz
Mr. Ed Kahler
Ms. Bonnie Logue
Mr. Joseph H. Quade, III
Mrs. Emily Wolfson
Mr. Lawrence A. LaMotte
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
W. Carl Richards
Pocket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration

RECEIVED
JUN 19 1992
ZONING OFFICE

IN RE: PETITION SPECIAL EXCEPTION
E/S and W/S of Ridge Road,
approximately 3,200' N of the
centerline of Dogwood Road -
2nd Election District
Valleybrook Realty, Inc.,
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 86-170-X

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a sanitary rubble landfill, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by David Berg, Partner, appeared and testified and was represented by Counsel. Testifying on behalf of the Petitioner were Charles Utermohle, a civil engineer expert in environmental matters, and Richard Smith, a registered civil engineer. Phyllis C. Friedman, People's Counsel, appeared in opposition, as did the Greater Patapsco Community Association, which was also represented by Counsel.

Testimony indicated that the subject property, zoned R.C.3 and located on Ridge Road, consists of 177 acres and that a sanitary rubble landfill (landfill) is proposed to be established in three phases. The purpose of the landfill is to dispose of demolition debris created by B & B Wrecking Company (B & B), which is owned by the Berg family. Only demolition or construction material would be dumped, none of which would be toxic or hazardous. Mr. Utermohle and Mr. Smith testified that this site is appropriate for such a landfill and that all of the conditions precedent as delineated in Section 502.1, Baltimore County Zoning Regulations (BCZR), would be met. Before any landfill could begin operation, appropriate permits from State and County health departments would be required, independent of the special exception

requested herein. Mr. Utermohle testified that, in his opinion, all of the environmental concerns raised by the Office of Planning and adjacent neighbors are not warranted. Those concerns regarding ground and surface water and any potential pollution would be addressed by the Health Department and if the Petitioner could not satisfy them, the operation would not be permitted. Mr. Utermohle does not expect any problems, but if any should develop, the Health Department would monitor the operation and require corrective action.

The property is well located for the purpose expressed by Mr. Berg; that is, it is centrally located in Baltimore County within easy reach of Baltimore City and adjacent counties. The vehicles used to transport the debris to the site would range in size, with the largest weighing 80,000 pounds loaded. The hours of operation would be from 7:00 a.m. to 6:00 p.m., with the gate being locked after that time. The Petitioner estimates that a maximum of 50 vehicles per day would visit the site. Ridge Road is about 20 feet wide, and the site is approximately 3,500 feet from Dogwood Road.

Further testimony from the Petitioner confirmed that there would be no incinerator and that all asbestos, PCB's, and refractory bricks would be removed prior to demolition and not brought to the site. The landfill would be in use for about 22 years, after which it would be closed and the land reclaimed. Mr. Smith testified that Ridge Road is no different from any other secondary road in the County and that the County would require the Petitioner to improve up to 100 feet from the centerline of the entrance to the site on Ridge Road.

The Protestants argued that the traffic created by the trucks would be a hazard to the health and safety of those living on the route, especially to the children who ride school buses which traverse Dogwood and Ridge Roads. Ed Kahler, in opposition, testified that a truck containing debris overturned

- 2 -

(not a B & B truck) and others have crashed into his fence. Edward Arnold testified regarding the intersection of Dogwood and Ridge Roads, which at best is dangerous and at worst hazardous. Others also testified regarding their concerns of potential pollution of surface and ground water and of traffic. Additionally, the Diamond Ridge Golf Course is located on Ridge Road across from the subject site and generates much daily vehicular traffic.

Paul J. Solomon of the Office of Planning testified on behalf of People's Counsel that the special exception should be denied for the reasons expressed in correspondence from the Director of Planning, dated August 6, 1986.

The Petitioner requests relief from Section 1A02.2.B.23, pursuant to Section 502.1, BCZR.

Section 1A02.2.B.23 permits sanitary landfills, subject to the provisions of Section 412, BCZR. Section 412 subjects landfills to the requirements set forth in the Baltimore County Health Department regulations. In correspondence dated May 21, 1986, the Health Department stated that the hydrogeological data and design and operations plans for the site were being reviewed and that if the review proved that its regulations were satisfied, it would not oppose the subject landfill. If the Petitioner could not satisfy them, it would not approve the requisite permit. In correspondence dated August 29, 1986, Ian Forrest, Director of Environmental Services, reiterated his initial comments made in the previous correspondence and pointed out that the review could take as long as 90 more days. He pointed out, correctly, that the Petitioner would incur a sizeable expense to provide the necessary data and further noted that the Health Department would not approve the landfill unless all health and environmental concerns were "addressed in a manner that will prevent health problems in the community".

This Commissioner finds it difficult to resolve the obvious dichotomy which is perceived between the Office of Planning and the Health Department as to the respective responsibility to ensure compliance with standard environmental protections, but despite Mr. Solomon's protests, this Commissioner believes the proper and appropriate agency to ensure such compliance is the Health Department. A detailed study of the Baltimore County Code, specifically Sections 13-1, et al. and Sections 22-1, et al., clearly prescribes responsibility to the Health Department and not to the Office of Planning to determine and regulate factors which impact the environment. Indeed, the responsibility in the area of environmental concerns granted to the Office of Planning would appear to be limited to those areas impacted by the Chesapeake Bay Critical Area legislation. Otherwise, as specified by Section 412, BCZR, the Health Department bears the responsibility to review sanitary landfills. The legitimate concerns raised by Norman E. Gerber, in correspondence dated August 6, 1986, are better reserved for review by the Health Department, which has legislative jurisdiction.

Inasmuch as the proposed project cannot proceed without both the special exception and Health Department approval, it would be inappropriate to wait another three months for final review by the Health Department, especially in view of the great expense necessary to provide the required information. The Petitioner must satisfy the Zoning Commissioner and the Health Department. If one or the other is not satisfied, then the request for the landfill fails.

It is incumbent upon government to reach decisions in a timely fashion and manner, and it is manifestly unfair to the Petitioner to have it bear the expense required by the Health Department without providing a decision as to the special exception. This enables the Petitioner to weigh its interest before proceeding any further and to knowledgeably consider its options.

Upon consideration of the testimony provided by Mr. Paul Solomon and Mr. Utermohle, it is clear that if the Health Department requirements are satisfied, there will be no adverse impact to the environment caused by this landfill. However, this Commissioner is going to deny the special exception, not because of any potential environmental concerns, but because of the concerns raised by the Department of Traffic Engineering and confirmed by the area residents.

Ridge Road is only 20 feet wide and the intersection of Ridge and Dogwood Roads is already dangerous. School buses and other large trucks and vehicles use these roads. These roads were not designed nor constructed for the types of trucks now using them or proposed to use them. As Mr. Flanigan pointed out in his correspondence dated August 29, 1985, such use can be expected to cause damage to the roads and thus cause an increase in accidents. If two trucks of the size described by the Petitioner were to pass each other in many areas of the roads, one or the other of the trucks would need to use at least part of the shoulder. This presents an obvious clear and present danger to the health, safety, and welfare of the community. These particular roads were not designed for this type of traffic.

Despite the contention of Mr. Smith that these roads are no different than any other secondary roads found in Baltimore County, it is clear to this Commissioner that the existing golf course, truck traffic, school bus traffic, and residential traffic differentiate these roads and this site from same or similar sites elsewhere in R.C.3 Zones in Baltimore County. This site is, of course, central to the use of B & B for storing demolition debris, as Mr. Berg testified, and it is large enough to provide the necessary space to do so. These are economic concerns which are legitimate business reasons for locating the landfill here, but they are not reasons for granting a special exception.

It is clear that the BCZR permits the use requested by the Petitioner in an R.C.3 Zone by special exception. It is equally clear that the proposed use would be detrimental to the primary uses in the vicinity.

After reviewing all of the testimony and evidence presented, it appears that the special exception should not be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the proscribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an 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 be detrimental to the health, safety, or general welfare of the locality, will tend to create congestion in roads, streets, or alleys therein, will be inconsistent with the purposes of the property's zoning classification, and in any other way will be inconsistent with the spirit and intent of the BCZR.

The Petitioner was not able to overcome the burden required by law nor that established by Schultz, *supra*.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of September, 1986, that the Special Exception for a sanitary rubble landfill be and is hereby DENIED.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/crl
cc: Leslie M. Pittler, Esquire
Robert L. Humphreys, Jr., Esquire
People's Counsel

PETITION FOR SPECIAL EXCEPTION

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 sanitary landfill pursuant to Section 1A02.2.B.23 under the Baltimore County Zoning Regulations.

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: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
City and State _____
Signature _____
Attorney for Petitioner: _____
Leslie M. Pittler _____
(Type or Print Name) Address 1401 West Hamburg Street 837-5525
Phone No. _____
Signature _____
Suite 501, 28 Allegheny Avenue _____
Address _____
Townson, Maryland 21204 _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
Name _____
Address _____
Phone No. _____
Attorney's Telephone No.: 296-9220 _____
Address _____
Phone No. _____

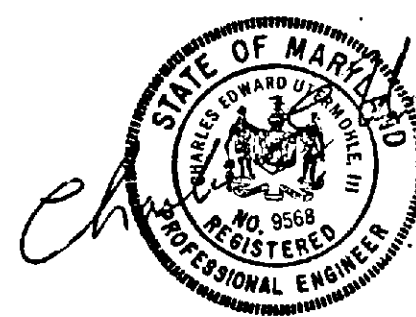
ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of September, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of October, 1986, at 11:00 o'clock.

[Signature]
Zoning Commissioner of Baltimore County.

LEGAL DESCRIPTION OF PROPERTY

Beginning for the same at a pipe now set North 52 degrees 46 minutes west approximately 70 feet from the center of Ridge Road said point being 3200'± north from the center line of Dogwood Road thence the following eleven courses and distances, viz: (1) North 24 degrees 37 minutes 30 seconds East 333.41 feet, (2) North 54 degrees 22 minutes West 600.32 feet, (3) South 72 degrees 32 minutes West 325.39 feet, (4) South 47 degrees 51 minutes 40 seconds West 539.24 feet, (5) North 64 degrees 05 minutes 20 seconds West 1250.84 feet, (6) North 61 degrees 57 minutes West 1460.93 feet, (7) South 43 degrees 18 minutes 30 seconds West 1410.04 feet, (8) South 32 degrees 55 minutes 40 seconds East 3039.76 feet, (9) North 39 degrees 30 minutes East 636.32 feet, (10) South 45 degrees 32 minutes 20 seconds East 131.31 feet, (11) North 52 degrees 46 minutes East 2887.50 feet to the place of beginning.

Containing 177.844 acres of land more or less.



Case No. 86-170-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 17th day of September, 1986

[Signature]
ARNOLD JARLON
Zoning Commissioner

Petitioner: Valleybrook Realty, Inc.
Petitioner's Attorney: Leslie M. Pittler, Esquire
Received by: *[Signature]*
JAMES E. DYER, Chairman
Zoning Plans Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd
Posted for: Special Exception
Petitioner: Valleybrook Realty, Inc.
Location of property: E. & W. of Ridge Rd., approx. 3200' N. of Dogwood Rd.
Location of Signs: W. side of Ridge Rd. on part of subject property approx. 100' south of existing entrance to property
Remarks: _____
Posted by: *[Signature]*
Signature _____
Date of return: October 4, 1986
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 3, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 3, 1986.

THE JEFFERSONIAN,

[Signature]
Publisher
Cost of Advertising 22.00

PETITION FOR SPECIAL EXCEPTION
2nd Election District
LOCATION: East and West side of Ridge Road, approx. 3200'± North of the centerline of Dogwood Road.
DATE AND TIME: Monday, October 22, 1986 at 11:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 on the petition for a Special Exception for a sanitary (rubble) landfill. Being the property of Valleybrook Realty, Inc., 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 JARLON
Zoning Commissioner
of Baltimore County
Oct. 3.

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 24, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 24, 1986.

THE JEFFERSONIAN,

[Signature]
Publisher
Cost of Advertising 24.75

PETITION FOR SPECIAL EXCEPTION
2nd Election District
Case No. 86-170-X
LOCATION: East and West side of Ridge Road, approximately 3200'± North of the centerline of Dogwood Road.
DATE AND TIME: Monday, August 11, 1986 at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 on the petition for a Special Exception for a sanitary (rubble) landfill. Being the property of Valleybrook Realty, Inc., 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 JARLON
Zoning Commissioner
of Baltimore County
7/24 July 24.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd
Date of Posting: April 18-86
Posted for: Special Exception
Petitioner: Valleybrook Realty, Inc.
Location of property: E. & W. of Ridge Rd. approx. 3200' N. of the C/L of Dogwood Rd.
Location of Signs: West side of Ridge Rd. at entrance road to Berg property approx. 350' North of Dogwood Rd.
Remarks: 2 Posters, one attached to original sign, 1-2-86
Posted by: *[Signature]*
Signature _____
Date of return: 4-18-86
Number of Signs: 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd
Date of Posting: July 21, 1986
Posted for: Special Exception
Petitioner: Valleybrook Realty, Inc.
Location of property: E. and W. of Ridge Rd. approx. 3200' N. of the C/L of Dogwood Rd.
Location of Signs: W. side of Ridge Rd. at entrance road to subject property
Remarks: _____
Posted by: *[Signature]*
Signature _____
Date of return: July 25, 1986
Number of Signs: 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd
Date of Posting: 5-27-86
(1:30 PM)
Posted for: Special Exception
Petitioner: Valleybrook Realty, Inc.
Location of property: E. & W. of Ridge Rd. approx. 3200' N. of the C/L of Dogwood Rd.
Location of Signs: West side of Ridge Rd. at entrance road to Berg property approx. 350' North of Dogwood Rd.
Remarks: 1 Postcard, 1 sign attached to original sign
Posted by: *[Signature]*
Signature _____
Date of return: 5-27-86
Number of Signs: 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd
Date of Posting: November 10-86
Posted for: Appeal
Petitioner: Valleybrook Realty, Inc.
Location of property: E. & W. of Ridge Rd. approx. 3200' N. of Dogwood Rd.
Location of Signs: West side of Ridge Rd. at entrance road to subject property approx. 350' North of Dogwood Rd.
Remarks: _____
Posted by: *[Signature]*
Signature _____
Date of return: 11-14-86
Number of Signs: 1

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

April 24 19 86

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION SPECIAL EXCEPTION

was inserted in the following:

☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 26 day of April 19 86, that is to say,
the same was inserted in the issues of

April 24, 1986

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

*No objection
to Petition for
Special Exception
was Reg. #89326
+ cancelling per my phone
conversation w/ S. Parnham
on 4/15/86. mod (5/14/86)*

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

July 29 19 86

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR SPECIAL EXCEPTION

was inserted in the following:

☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 26 day of July 19 86 that is to say,
the same was inserted in the issues of

July 24, 1986

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 06860
DATE 7/31/85 ACCOUNT R-01-615-000
AMOUNT \$ 100.00
RECEIVED FROM Leslie M. Pittler
FOR Advertising and Posting Fee for Case #13
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 25561
DATE 10-7-86 ACCOUNT R-01-615-000
AMOUNT \$ 102.11
RECEIVED FROM Valleybrook Realty
FOR Advertising and Posting \$6-170-X
8 0110****102110 2228
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 25585
DATE 10-7-86 ACCOUNT R-01-615-000
AMOUNT \$ 115.00
RECEIVED FROM Leslie M. Pittler, Esq., 28 Allegheny Ave., Suite 501, Towson, MD, 21204
FOR APPEAL AND SIGN POSTING FEE FOR CASE #86-170-X
8 0050****115000 2228
VALIDATION OR SIGNATURE OF CASHIER

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

ARNOLD JABLON
ZONING COMMISSIONER
August 3, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Leslie M. Pittler, Esquire
Suite 501
28 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
E and W/S of Ridge Rd., approx. 3200' N of the
c/l of Dogwood Rd.
2nd Election District
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X

Dear Mr. Pittler:

This is to advise you that \$102.11 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

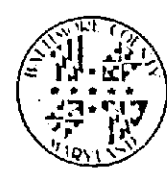
Do not remove sign from property from the time it is placed by
this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit
to Zoning Office, Room 113, County Office Building, Towson, Maryland
21204, before the hearing.

Sincerely,

[Signature]
Arnold Jablon
Zoning Commissioner

AJ:med



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

ARNOLD JABLON
ZONING COMMISSIONER

October 17, 1985

Leslie M. Pittler, Esquire
Suite 501, 28 Allegheny Ave.
Towson, Maryland 21204

Re: Petition for Special Exception
E & W/S Ridge Rd., 3200' N/c/l
of Dogwood Rd. - 2nd Elec. Dist.
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X

Dear Mr. Pittler:

This is to advise you that \$44.16 is due for advertising
and posting of the above property. This fee must be paid before an
Order is issued.

This fee must be paid and the zoning sign and post returned on
the day of the hearing. Do not remove sign until day of the
hearing.

Please make the check payable to Baltimore County, Maryland,
and remit to Zoning Office, Room 113, County Office Building,
Towson, Maryland 21204, before the hearing.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

Leslie M. Pittler, Esquire
Suite 501, 28 Allegheny Avenue
Towson, Maryland 21204

September 20, 1985

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
E & W/S Ridge Rd., 3200' N/c/l
of Dogwood Rd. - 2nd Elec. Dist.
Valleybrook Realty, Inc., Petitioner
Case No. 86-170-X

TIME: 1:30 p.m.

DATE: Tuesday, October 22, 1985

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

[Signature]
Zoning Commissioner
of Baltimore County

cc: Mr. Ed Kahler
8804 Wrights Mill Road
Baltimore, Maryland 21207

Ms. Bonnie Logue
2614 Ridge Road
Baltimore, Maryland 21207

Leslie M. Pittler, Esquire
Suite 501
28 Allegheny Avenue
Towson, Maryland 21204

April 4, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
E and W/S Ridge Road, approx. 3200' N of the
c/l of Dogwood Rd.
2nd Election District
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X

TIME: 11:30 a.m.

DATE: Monday, May 5, 1986

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

[Signature]
Zoning Commissioner
of Baltimore County

AJ:med

cc: Mr. David Berg
Valleybrook Realty, Inc.
1401 West Hamburg Street
Baltimore, Maryland 21230

Mr. Donald R. Williams
Mrs. Carolyn J. Williams
2109 North Rolling Road
Baltimore, Maryland 21207

Ms. Dorothy S. Kratz
2556 Ridge Road and Kratz Lane
Baltimore, Maryland 21207

Ms. Suzanne Barrett, President
The Greater Patapsco Community
Association
P.O. Box 3231
Woodstock, Maryland 21163

Honorable Raymond E. Beck
State Senator
District 5
Annapolis, Maryland 21401-1991

Mr. Ed Kahler
8804 Wrights Mill Road
Baltimore, Maryland 21207

cc: Ms. Bonnie Logue
2614 Ridge Road
Baltimore, Maryland 21207

Mr. Joseph H. Quade, III
10503 Davis Avenue
Woodstock, Maryland 21163

Leslie M. Pittler, Esquire
Suite 501
28 Allegheny Avenue
Towson, Maryland 21204

May 16, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
E and W/S Ridge Rd., approx. 3200' N of the
c/l of Dogwood Rd.
2nd Election District
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X

TIME: 11:30 a.m.

DATE: Monday, June 16, 1986

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

[Signature]
Zoning Commissioner
of Baltimore County

AJ:med

ccs: Mr. David Berg
Valleybrook Realty, Inc.
1401 West Hamburg Street
Baltimore, Maryland 21230

Ms. Suzanne Barrett, President
The Greater Patapsco Community
Association
P.O. Box 31
Woodstock, Maryland 21163

Mr. Donald R. Williams
Mrs. Carolyn J. Williams
2109 North Rolling Road
Baltimore, Maryland 21207

Honorable Raymond E. Beck
State Senator
District 5
Annapolis, Maryland 21401-1991

Ms. Dorothy S. Kratz
2556 Ridge Road and Kratz Lane
Baltimore, Maryland 21207

Mr. Ed Kahler
8804 Wrights Mill Road
Baltimore, Maryland 21207

ccs: Ms. Bonnie Logue
2614 Ridge Road
Baltimore, Maryland 21207

Mr. Joseph H. Quade, III
10503 Davis Avenue
Woodstock, Maryland 21163

Leslie M. Pittler, Esquire
Suite 501
28 Allegheny Avenue
Towson, Maryland 21204

July 10, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION
E and W/S of Ridge Rd., approx. 3200' N
of the c/l of Dogwood Rd.
2nd Election District
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X

TIME: 10:00 a.m.

DATE: Monday, August 11, 1986

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

[Signature]
Zoning Commissioner
of Baltimore County

AJ:med

ccs: Mr. David Berg
Valleybrook Realty, Inc.
1401 West Hamburg Street
Baltimore, Md. 21230

Ms. Suzanne Barrett, President
The Greater Patapsco Community
Association
P.O. Box 31
Granite, Maryland 21163

Mr. Donald R. Williams
Mrs. Carolyn J. Williams
2109 North Rolling Road
Baltimore, Md. 21207

Honorable Raymond E. Beck
State Senator
District 5
Annapolis, Maryland 21401-1991

Ms. Dorothy S. Kratz
2556 Ridge Rd. and Kratz La.
Baltimore, Md. 21207

Mr. Ed Kahler
8804 Wrights Mill Rd.
Baltimore, Maryland 21207

ccs (Con't)

Ms. Bonnie Logue
2614 Ridge Rd.
Baltimore, Md. 21207

Mr. Joseph H. Quade, III
10503 Davis Ave.
Woodstock, Md. 21163

Mr. Charles Utermohle
Kiddie Consultants
1020 Cromwell Bridge Rd.
Towson, Md. 21204

Mrs. Emily Wolfson
8506 Church La.
Randallstown, Md. 21133

Honorable Lawrence A. LaMotte
House of Delegates
c/o First Financial Group
40 West Chesapeake Ave.
Towson, Maryland 21204

Mr. Paul J. Solomon
Head, Environmental Planning
Office of Planning and Zoning
Room 406, County Courts Bldg.
401 Bosley Ave.
Towson, Maryland 21204

Phyllis Cole Friedman, Esquire
People's Counsel for
Baltimore County
Room 223, Court House
Towson, Maryland 21204



County Board of Appeals of Baltimore County
Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

February 6, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN
STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-
MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-
ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-170-X

VALLEYBROOK REALTY, INC.
E AND W/S OF RIDGE ROAD, APPROX. 3200'
N OF THE C/L OF DOGWOOD ROAD
2nd ELECTION DISTRICT
SE -SANITARY (RUBBLE) LANDFILL PURSUANT
TO SEC. 1A02.2.B.23 B.C.Z.R.
9/23/86 -Z.C. DENIED SPECIAL EXCEPTION.

ASSIGNED FOR:

WEDNESDAY, APRIL 22, 1987 at 10:00 a.m.

cc: Leslie M. Pittler, Esquire
Mr. David Berg
Mr. Charles Utermohle
Kiddie Consultants
Mr. & Mrs. Donald R. Williams
Ms. Dorothy S. Kratz
Ms. Joanne Deltz
Hon. Raymond E. Beck
State Senator
Mr. Ed Kahler
Ms. Bonnie Logue
Mr. Joseph H. Quade
Mrs. Emily Wolfson
Hon. Lawrence A. LaMotte
House of Delegates
Mr. Paul J. Solomon
Robert L. Humphreys, Jr., Esq.
Phyllis Cole Friedman, Esquire
Norman Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

Counsel for Appellant/Petitioner

Appellant/Petitioner

Expert for Appellant/Petitioner

Appellee/Protestants

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

February 10, 1987

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN
STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-
MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-
ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. 86-170-X

VALLEYBROOK REALTY, INC.
E AND W/S OF RIDGE ROAD, APPROX. 3200'
N OF THE C/L OF DOGWOOD ROAD
2nd ELECTION DISTRICT
SE -SANITARY (RUBBLE) LANDFILL PURSUANT
TO SEC. 1A02.2.B.23 B.C.Z.R.
9/23/86 -Z.C. DENIED SPECIAL EXCEPTION.

Which was scheduled for hearing on Wednesday, April 22, 1987 at 10:00 a.m. has
been POSTPONED at the request of People's Counsel and has been

REASSIGNED FOR:

THURSDAY, APRIL 30, 1987 at 10:00 a.m.

cc: Leslie M. Pittler, Esquire
Mr. David Berg
Mr. Charles Utermohle
Kiddie Consultants
Mr. & Mrs. Donald R. Williams
Ms. Dorothy S. Kratz
Ms. Joanne Deltz
Hon. Raymond E. Beck
State Senator
Mr. Ed Kahler
Ms. Bonnie Logue
Mr. Joseph H. Quade
Mrs. Emily Wolfson
Hon. Lawrence A. LaMotte
House of Delegates
Mr. Paul J. Solomon
Robert L. Humphreys, Jr., Esq.
Phyllis Cole Friedman, Esquire
Norman Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

Counsel for Appellant/Petitioner

Appellant/Petitioner

Expert for Appellant/Petitioner

Appellee/Protestants

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

Kathi C. Weidenhammer
Administrative Secretary



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

March 23, 1987

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND
IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO
POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF
SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY
COUNCIL BILL #59-79.

CASE NO. 86-170-X

VALLEYBROOK REALTY, INC.
E AND W/S OF RIDGE ROAD, APPROX. 3200'
N OF THE C/L OF DOGWOOD ROAD
2nd ELECTION DISTRICT
1st COUNCILMANIC DISTRICT
SE -SANITARY (RUBBLE) LANDFILL PURSUANT
TO SEC. 1A02.2.B.23 B.C.Z.R.

Which was scheduled for hearing on Thursday, April 30, 1987 at 10:00 a.m.
has been POSTPONED at the request of Counsel for Appellant/Petitioner;
to be reset for hearing at the request of Counsel for Appellant/Petitioner.

cc: Mr. David Berg
Leslie M. Pittler, Esquire
Mr. Charles Utermohle
Kiddie Consultants
Mr. & Mrs. Donald R. Williams
Ms. Dorothy S. Kratz
Ms. Joanne Deltz
Hon. Raymond E. Beck
State Senator
Mr. Ed Kahler
Ms. Bonnie Logue
Mr. Joseph H. Quade
Mrs. Emily Wolfson
Hon. Lawrence A. LaMotte
House of Delegates
Mr. Paul J. Solomon
Robert L. Humphreys, Jr., Esq.
Phyllis Cole Friedman, Esquire
Norman Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

Appellant/Petitioner

Expert for Appellant/Petitioner

Kiddie Consultants

Appellee/Protestant

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

" "

RECEIVED
MAR 25 1987

ZONING OFFICE

Kathi C. Weidenhammer
Administrative Secretary

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 4, 1985

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

000

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Leslie M. Pittler, Esquire
Suite 501, 28 Allegheny Avenue
Towson, Maryland 21204

RE: Item No. 43 - Case No. 86-170-X
Petitioner - Valleybrook Realty, Inc.
Special Exception Petition

Dear Mr. Pittler:

The Zoning Plans Advisory Committee has reviewed the plans sub-
mitted 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.

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 infor-
mative 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.

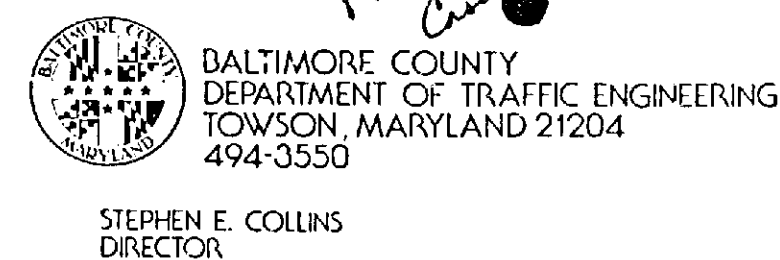
Very truly yours,

James E. Dyer, Esq.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Kiddie Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204



STEPHEN E. COLLINS
DIRECTOR

Mr. Ronald Nelson, Director
Waste Management Administration
Maryland State Department of Health
& Mental Hygiene
201 West Preston Street
Baltimore, Maryland 21201

Dear Mr. Nelson:

It is our understanding that the State Health Department is reviewing the Valley Brook Realty, Inc. request to operate a rubble landfill on Ridge Road in Baltimore County. Our County Health Department is also aware of the request and is in the process of accumulating information since a County Health Department permit is also necessary. A Special Exception hearing for the landfill is scheduled for August 11, 1986 to be heard by the Baltimore County Zoning Commissioner's office.

The Department of Traffic Engineering has reservations concerning the adequacy of Ridge Road--it being very narrow--as well as the intersection of Ridge Road and Dogwood Road from a traffic safety standpoint.

Valley Brook Realty, Inc. representatives estimate that 25 to 50 trucks daily will be using the road, with 25 being the norm and 50 being the exception, for the life of the landfill. School buses as well as other minor traffic also use Ridge Road.

There is no money available in the County's current capital budget since there is no approved landfill permit at this time, and the requirement of road improvement responsibilities between the landfill applicant and the County, if any, is premature until the landfill is formally reviewed by all County agencies involved.

The question arises as to whether the State's review process takes into account the adequacy of the access road or roads leading to the landfill and whether this has any bearing on the State's review and approval process. Your considered response would be appreciated.

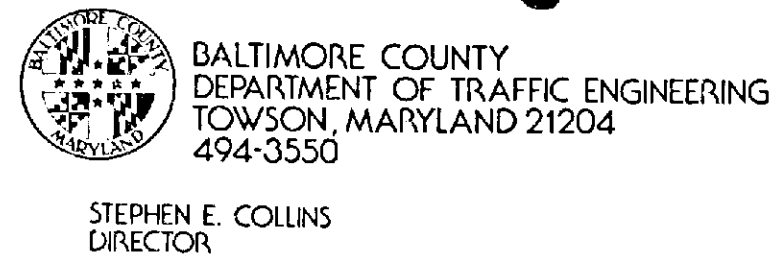
Sincerely,

Stephen E. Collins
Stephen E. Collins, Director
Department of Traffic Engineering

SEC:pmf

cc: Mr. Arnold Jablon
Mr. Gene L. Neff
Mr. Ian J. Forrester
Mr. J. James Dieter

Mr. Brooks Stafford
Mr. B. Melvin Cole
Mr. Michael Moran
Mr. C. Richard Moore



STEPHEN E. COLLINS
DIRECTOR

August 29, 1985

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

Item No. 43 - ZAC - Meeting of August 13, 1985
Property Owner: Valleybrook Realty, Inc.
Location: W/S Ridge Road, 3200' ± north of Dogwood Road
Existing Zoning: R. C. 3
Proposed Zoning: Special Exception for a sanitary landfill
Acres: 177.844 acres ±
District: 2nd Election District

Dear Mr. Jablon:

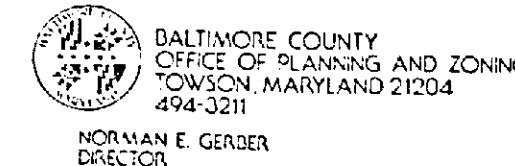
Dogwood Road and Ridge Road were not designed or built for the long term and frequent use of large heavily loaded trucks. Use of these roads in their present condition by large trucks can be expected to cause damage to the roads and an increase in accidents, both in their numbers and frequency.

Should this special exception for a sanitary landfill be granted, the following conditions are recommended.

- 1) The site should be restricted to the following route - enter Dogwood Road at Rolling Road, using Dogwood Road to Ridge Road, and Ridge Road to the site.
- 2) Widen Dogwood Road - Ridge Road from Rolling Road to the site 24 feet wide, with an 8' shoulder, design speed of 35 MPH and maximum grade of 6%.
- 3) All road structures should be certified to a 40 ton load.
- 4) The hours of operation should be restricted to day hours only.

Michael S. Plangan
Michael S. Plangan
Engineer Associate II

NSF/bza



NORMAN E. GERDER
DIRECTOR

SEPTEMBER 25, 1985

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

Re: Zoning Advisory Meeting of August 13, 1985
Item # 43
Property Owner: VALLEYBROOK REALTY, INC.
Location: W/SIDE RIDGE RD. 3,200' ±
N. of DOGWOOD RD.

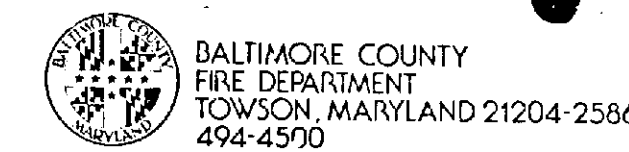
Dear Mr. Jablon:

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 proposed development is not 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 9/11/85.
- ☒ The property is located in a deficient service area as defined by 8111-178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is located in a traffic area controlled by a "D" level intersection as defined by 8111-178-79, and as conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments:

cc: James Hoswell

Eugene A. Baber
Chief, Current Planning and Development



PAUL H. HEINCKE
CHIEF

August 20, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Valleybrook Realty, Inc.

Location: W/S Ridge Road, 3200' ± North of Dogwood Road

Item No.: 43 Zoning Agenda: Meeting of August 13, 1985

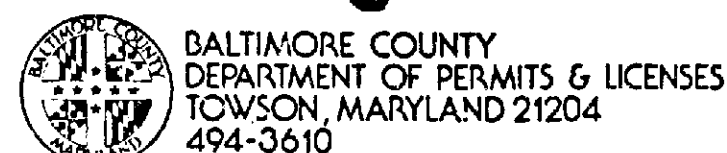
Gentlemen:

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 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Drafting pit for fire apparatus shall be provided from sediment basin. Soil tests shall be made to verify water retention in basin.
- ☐ 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", 1975 edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comments, at this time.

* According to NFPA Standard 1231. Noted and Approved: *Roy W. Kemmer*
Reviewed: *John Kelly* Fire Prevention Bureau
Planning Group
Special Inspection Division

/mb



TED ZALESKI, JR.
DIRECTOR

August 26, 1985

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 13 Zoning Advisory Committee Meeting are as follows:

Property Owner: Valleybrook Realty, Inc.
Location: W/S Ridge Road, 3200' ± North of Dogwood Road
District: 2nd.

APPLICABLE CODES ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction. OF 128 of the property as proposed.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland architect or Engineer is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Improvements shall not be accepted.

5. All the Group except 2-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. But, the Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1006.2 and Table 1007. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Group are from Use _____ to the _____, or to Mixed Use _____ See Section 312 of the Building Code.

9. The prop. and project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basements.

10. Comments:

11. These abbreviated 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, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Johnson
Charles E. Johnson
Building Code Review

L/27/85

RAYMOND E. BECK
STATE SENATOR
DISTRICT 5
CARROLL AND BALTIMORE COUNTIES

SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401-1991

November 6, 1985

Mr. Arnold Jablon,
Zoning Commissioner
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon,

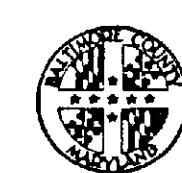
As the representative of District 5 in the Maryland Senate, I am requesting that your office keep me advised of any and all proceedings in the matter of the application of Mr. Buzz Berg for a special exception to create a rubble landfill on Ridge Road in the Woodstock area of Baltimore County.

Your cooperation will be appreciated.

Sincerely,
Raymond E. Beck
Raymond E. Beck

REB:sh

cc: Suzanne Barrett, President
The Greater Pappas Community Association



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 16, 1992

Mr. David Berg
Valleybrook Realty, Inc.
1401 West Hamburg Street
Baltimore, MD 21230

Robert L. Humphreys, Esquire
Suite 600, 100 Light Street
Baltimore, MD 21202

Phyllis C. Friedman, People's Counsel
for Baltimore County
Room 47, Old Courthouse
Towson, MD 21204

RE: Case No. 86-170-X
Valleybrook Realty, Inc.

Dear Counsel:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss as many of these cases as possible.

Pursuant to the above intent, the purpose of this letter is to advise you that an Order of Dismissal for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. On Motion filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

WTH/KCW

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
E & W/S Ridge Rd., 3200' ±
N/Centerline of Dogwood Rd., : OF BALTIMORE COUNTY
2nd District :
VALLEYBROOK REALTY, INC., : Case No. 86-170-X
Petitioner :
: : : : :
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
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 24th day of September, 1985, a copy of the foregoing Entry of Appearance was mailed to Leslie M. Pittler, Esquire, Suite 501, 28 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

86-2121

Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLIS COLE FRIEDMAN
People's Counsel

May 22, 1986

Arnold Jablon, Esquire
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

RE: Valleybrook Realty, Inc., Petitioner
Zoning Case No. 86-170-X (Item 43)

Dear Mr. Jablon:

I have been advised that a continued zoning hearing in the above-captioned matter is scheduled for Monday, June 16, 1986, at 11:30 a.m. Since Paul J. Solomon, our expert witness, will be away from June 7th-19th, I respectfully request that a postponement be granted. Mr. Solomon's presence at the hearing is absolutely necessary.

Thank you for your assistance in this matter.

Sincerely yours,
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

cc: Leslie M. Pittler, Esquire
Mrs. Emily Wolfson
Suzanne Barrett, President
Greater Patapsco Community Assn.
Delegate Larry LaNette

PCF:sh

86-2121

Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLIS COLE FRIEDMAN
People's Counsel

September 9, 1986

Arnold Jablon, Esquire
Zoning Commissioner
Baltimore County Office
of Planning & Zoning
Towson, Maryland 21204

RE: Valleybrook Realty, Inc., Petitioner
Zoning Case No. 86-170-X

Dear Mr. Jablon:

With regard to your letter of September 4th concerning the above-referenced matter, I note with regret that you have decided not to have any additional hearing. I would like the opportunity to confer with counsel for Protestants before deciding whether or not to send a written response. In the meantime, may I request the following:

1. That the tapes of the hearing be preserved so that we can arrange for a transcription; and
2. That you clarify the response date since ten days from the date of your letter ends on a weekend.

Thank you for your cooperation.

Sincerely yours,
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

cc: Leslie M. Pittler, Esquire
Robert L. Humphreys, Jr., Esquire

PCF:sh

Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLIS COLE FRIEDMAN
People's Counsel

February 10, 1987

The Honorable
William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Valleybrook Realty, Inc., Petitioner
Zoning Case No. 86-170-X (Item 43)

Dear Chairman Hackett:

I have received a notice of hearing in the above-captioned case for Wednesday, April 22, 1987, at 10:00 a.m. Unfortunately, I have a conflict in my schedule for that date and time. Since I have been involved in this case before the Zoning Commissioner and am the most familiar with it, I respectfully request that the hearing be postponed to a later date.

Thank you for your assistance in this matter.

Sincerely yours,
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

cc: Leslie M. Pittler, Esquire
Robert L. Humphreys, Jr., Esquire

PCF:sh

RECEIVED
COUNTY BOARD OF APPEALS
1001 FEB 10 P 1:50

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon
Zoning Commissioner
Date: May 21, 1986

FROM: Ian J. Forrest, Director
Bureau of Environmental Services

SUBJECT: Baltimore County Refuse Disposal
Valley Brook Realty-Ridge Road

Please be advised that this Bureau is currently reviewing hydrogeological data and design and operations submittals for the above referenced proposed landfill site. In the light of the impending zoning variance hearing for this site, this office does not object to the placement of the landfill at this location.

This position is however predicated upon successful completion and submittal of hydrogeological data and design and operations plans subject to approval by this office. Should the applicant fail to fulfill these requirements satisfactorily, this office would be unable to sign off on the landfill permit application.

Should you have questions regarding this matter, please contact me at 494-3766.

IJF:gc
cc: Les Pitler, Esq.

87-199

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: July 23, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-170-X
Valleybrook Realty, Inc.

I have been informed by Mr. Hoswell of my staff that he has had numerous phone conversations with the petitioner's attorney concerning the subject petition. He has informed me that despite his efforts, beginning shortly after the original hearing date some months ago, he has been unable to obtain a detailed site plan and the necessary information for my staff to complete an adequate environmental review. In fact, Mr. Hoswell said he was told by the petitioner's attorney that our office could view the information when he presented his case before you at the public hearing on August 11, 1986. I therefore have no alternative other than to request that you continue the hearing after the petitioner's presentation, send the material to us so that we may review and comment, and then reschedule the hearing for its completion.

Your cooperation in this matter is appreciated.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:slm
cc: B. Melvin Cole
Leslie M. Pittler, Esq.
Phyllis Cole Friedman
Paul Solomon
J.G. Hoswell

JUL 25 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer
Date: August 9, 1986

FROM: James Thompson
Item #43
W/S Ridge Road, 3200' N of Dogwood Road

SUBJECT: Valleybrook Realty, Inc.-Petitioner

Please note that the above referenced hearing is the subject of an active violation case, C-84-374. Please notify the following individuals when this matter is scheduled for a hearing:

Ed Kahler
8804 Wrights Mill Road
Baltimore, Maryland 21207

Bonnie Logue
2614 Ridge Road
Baltimore, Maryland 21207

JHT:eah

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: MR. ARNOLD JABLON
Zoning Commissioner
Date: August 6, 1986

FROM: NORMAN E. GERBER, AICP
Director of Planning & Zoning

SUBJECT: Petition for Special Exception -
Valleybrook Realty, 2406 Ridge Road (86-170-X)

The Baltimore County Office of Planning and Zoning, after reviewing this petition in regard to various factors including design and site suitability, has serious concerns regarding the appropriateness of the site for this use. While the major focus of our review centered on land use and environmental factors, it is recognized that highway access and other considerations or issues are relevant.

The applicant is proposing to place material from demolished structures within a stream valley of an unnamed tributary of Ben's Run located on the site. It is recognized that by filling from ridge to ridge the maximum amount of rubble can be accommodated.

There is reason to believe that a certain amount of toxic or polluting substances will exist as part of the rubble. This would include asbestos, lead, copper, pesticides, petroleum-based products, and organic materials. Rubble from industrial and commercial sites could contain a wide range of hazardous and extremely toxic substances.

As proposed, this proposal will result or is likely to result in the following impacts:

1. Destruction of nontidal wetlands by filling.
2. Serious impairment to the unnamed tributary to Ben's Run or complete destruction if it is piped to its confluence with Ben's Run.
3. Introduction of pollutants, some of which could be particularly hazardous to Ben's Run and the Patapsco River and estuary.
4. The potential exists for groundwater contamination. It is difficult to predict if this would pollute local wells or the degree of such pollution.

The Baltimore County Office of Planning and Zoning is not opposed to the location or rubble landfills within Baltimore County. Indeed, this agency recognizes the continued need for such facilities. However, it is our judgement that the proposed site is not suited for a rubble landfill as designed and that, additionally, other locational factors such as highway access suitability are deficient.

NEG:PJS:vh
Norman E. Gerber
Norman E. Gerber, AICP
Director of Planning & Zoning

TO: MR. ARNOLD JABLON
Page 2

August 6, 1986

cy: Mr. B. Melvin Cole
Administrative Officer

Leslie M. Pittler, Esq.
28 Allegheny Ave.
Towson, MD 21204

Ms. Phyllis Cole Friedmann
People's Counsel

Paul J. Solomon, Head
Environmental Planning Sec., OPZ

J. G. Hoswell, Planner
Office of the Director

9/1/86
27-473
Case

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
SEP 2 1986
ZONING OFFICE

TO: Mr. Arnold Jablon
Office of Zoning
Date: August 29, 1986

FROM: Ian J. Forrest

SUBJECT: Valleybrook Realty, Inc.
Re: Special Exception - Rubble Landfill
86-170-X

Reference is made to our telephone conversation of August 22, 1986 and your request for an update on the Bureau of Environmental Health's position on the special exception for rubble landfill which is before you for a decision.

Please be advised that this office is still reviewing the application for conformance with requirements established by this office and the State Department of Health regarding such operations. The review of the project may take as long as ninety (90) more days. There still exists a sizeable expense to be incurred by the applicant to provide additional data for a comprehensive review.

It should be noted by you that this office will not approve such a project unless all public health and environmental concerns are addressed in a manner that will prevent health problems in the community.

If you require further information, please feel free to contact me.

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF:rs

cc: Mr. B. Melvin Cole
Donald J. Roop, M.D.
Mr. Norman Gerber
Mr. Gene Neff
Mr. Leslie Pittler

9/15/86
27-578

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
SEP 15 1986
ZONING OFFICE

TO: Arnold Jablon, Zoning Commissioner
Date: September 15, 1986

FROM: Phyllis Cole Friedman, People's Counsel

SUBJECT: Valleybrook Realty, Inc., Petitioner
Zoning Case No. 86-170-X (Item 43)

I would urge you to reconsider your decision not to wait for the Health Department report. The testimony that was presented to you showed that numerous types of hazardous materials could be contained in the rubble that was proposed to be dumped on this site. To mention but a few: asbestos, lead, arsenic and other types of toxic chemicals could potentially be present. In view of the fact that there is a double environmental issue here, namely, the effect upon the drinking water and the effect upon the stream, I think that it is in the public interest for any information or decision by the Health Department to be a factor in your opinion. I also think that your decision is independent of their conclusion and would hope that you will withhold judgment until you have had an opportunity to make an independent evaluation of their findings.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

PCF:sh

9/17/86
27-753

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
OCT 8 1986
ZONING OFFICE

TO: Arnold Jablon, Zoning Commissioner
Date: October 6, 1986

FROM: Councilwoman Barbara F. Bach

SUBJECT: Letter from Liberty Road Community Council

I would appreciate receiving a copy of your response to the September 12 letter from the Liberty Road Community Council signed by Ms. Ella White Campbell.

BFB:mtf

CPS-008

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 14, 1986

Leslie M. Pittler, Esquire
Suite 501
28 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
E and W/S of Ridge Rd., approx. 3200' N of the
c/l of Dogwood Rd.
2nd Election District
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X

Dear Mr. Pittler:

Enclosed is a copy of a letter addressed to Ronald Nelson, Director, Waste Management Administration, Maryland State Department of Health and Mental Hygiene, from Stephen E. Collins, Director, Department of Traffic Engineering for Baltimore County, dated July 9, 1986 concerning the above-entitled case.

Very truly yours,
[Signature]
Margaret E. du Bois
Hearings and Appeals Clerk
Zoning Office

Enclosure

cc: Kilde Consultants, Inc.
1020 Cromwell Bridge Road
Towson, Maryland 21204
(with copy of enclosure)

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 4, 1986

Leslie M. Pittler, Esquire
Suite 501, 28 Allegheny Avenue
Towson, Maryland 21204

Robert L. Humphreys, Jr., Esquire
Sixth Floor, 100 Light Street
Baltimore, Maryland 21202-1084

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Room 223, Old Court House
Towson, Maryland 21204

RE: Case No. 86-170-X
Valleybrook Realty, Inc., Petitioner

Dear Counsel:

I am in receipt of the attached correspondence from Ian J. Forrest.

I see no need for an additional hearing. I will provide each of you with the opportunity to respond in writing, if you wish, within 10 days from the date of this letter. At that time, I will be prepared to render a decision in this matter.

Sincerely,
[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/srl

Attachment

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 11, 1986

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Room 223, Old Court House
Towson, Maryland 21204

RE: Case No. 86-170-X
Valleybrook Realty, Inc.,
Petitioner

Dear Ms. Friedman:

With reference to your letter of September 9, 1986, please be advised that the response date is September 15th.

Sincerely,
[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/srl

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 16, 1986

Leslie M. Pittler, Esquire
Suite 501, 28 Allegheny Avenue
Towson, Maryland 21204

and

Robert L. Humphreys, Sr., Esquire
Sixth Floor, 100 Light Street
Baltimore, Maryland 21202-1084

RE: Case No. 86-170-X
Valleybrook Realty, Inc., Petitioner

Dear Counsel:

Enclosed for your information is a copy of correspondence received from People's Counsel that does not appear to have been forwarded to you.

Sincerely,
[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/srl

Enclosure

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 19, 1986

Ms. Ella White Campbell
President
Liberty Road Community Council, Inc.
7407 Dorman Drive
Baltimore, Maryland 21208

RE: Case No. 86-170-X
Valleybrook Realty, Inc.,
Petitioner

Dear Ms. Campbell:

I am in receipt of your letter of September 12, 1986.

Please be advised that I indicated at the hearing that another day of testimony would be taken only if I thought it necessary and then only on the issue of the Department of Health's comments. In fact, I have received their comments and feel no further testimony is necessary. For your information, I have requested appropriate comments from all counsel to that report and have received a reply from counsel for the Protestants, a copy of which is enclosed.

Sincerely,
[Signature]
ARNOLD JABLON
Zoning Commissioner

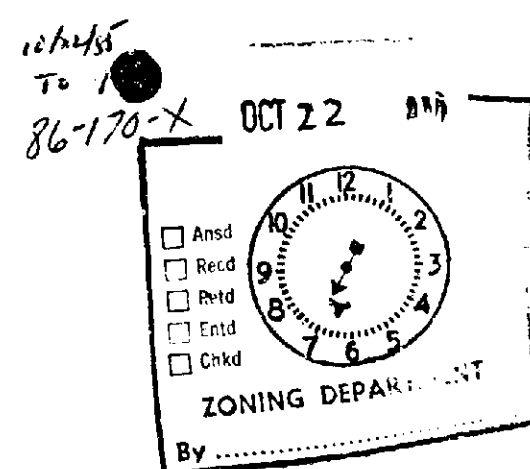
AJ/srl

Enclosure



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR



October 17, 1985

Ms. Bonnie Kahler
2614 Ridge Road
Baltimore, MD 21207

Dear Ms. Kahler:

With reference to your letter of October 5, 1985, I am attaching a copy of Section 13-51 of the Baltimore County Code entitled "Sanitary landfills--Permit and bond required; standards" which indicates the responsibilities of the applicant regarding the disposal of refuse in a sanitary landfill.

Thank you for bringing this matter to my attention.

Sincerely,

Stephen E. Collins
Director of Traffic Engineering

SEC:pmf
Enclosure

cc: Arnold Jablon
C. Richard Moore
Stephen E. Weber
Gregory M. Jones

HEALTH AND SANITATION

§ 13-51

§ 13-51, 1968,

Requirements of
a. Co. Code,

§ 13-41 and
lot or tract
on the de-
termined
guilty of a
§ 1; Balto.

by con-
ficer. (Bill
5)

FILLS

approved by
shall be
used by the
g subject to
annexing and
department
department
amended, 1

y inciner-

- (a) No refuse or garbage shall be stored in a manner that will provide food or harborage for rodents or breeding places for flies or other insects.
- (b) No incinerator shall be operated in such a manner as to leave unburned organic matter in the residue.
- (c) No incinerator shall be constructed or operated in such a manner that the smoke density from the stack shall exceed No. 1 on the Ringelmann Chart.
- (d) No incinerator shall be constructed or operated in such a manner as to violate any state or local air pollution laws or regulations. (Bill No. 166, 1968, § 1; Balto. Co. Code, 1968, as amended, § 13-47)

Sec. 13-51. Sanitary landfills--Permit and bond required; standards.

In addition to the requirements set forth in division 1 of this article, and in particular section 13-36, any person disposing or contemplating disposal of refuse by burying shall comply with the following:

- (a) Upon application for a permit to engage in the operation of a sanitary landfill, a public notice shall be published for three (3) consecutive days in a local daily newspaper serving the area to be affected by the issuance of such permit, and such notice shall be at least thirty (30) days prior to the issuance of the permit.
- (b) If the applicant is not the owner of the property on which the sanitary landfill is to be conducted, the applicant shall attach to his application a lease, contract or agreement, or copy thereof, between the applicant and owner outlining, in detail, the location required and time the contract shall remain in force. Any permit issued shall be issued to the owner, lessee and operator for such period of time not in excess of the time specified in the lease, contract or agreement.
- (c) The application shall be signed by all parties, including but not limited to the owner of the land, the lessee and the operator of the landfill site.
- (d) Applications shall be accompanied by a complete engineering study or studies, including a grading study of the landfill site, indicating the vehicular access, location and nature of public utilities serving the property, topography, soil conditions, location and nature of water, either natural or domestic, and the planned and systematic method of operation. Such study shall be prepared and signed by a registered professional engineer.

345

§ 13-51

BALTIMORE COUNTY CODE

- (e) Upon approval of an application for a landfill site, and before any permit shall be issued thereon, the applicant shall be required to give a performance bond to the county in the amount of ten thousand dollars (\$10,000.00). Such bond shall be conditioned upon the applicant's compliance, in all respects, with each and every provision of these regulations, the requirements upon which the permit was issued and the operating plan as submitted by the applicant and approved by the county. The applicant shall indemnify and save harmless the county, its officers and agents, against or from all costs, expenses, damages, injury or loss to which the county, its officers and agents may be subjected by reason of any want of care or skill, negligence or default on the part of the applicant, or his agents or employees, in the establishment and/or operation of the sanitary landfill.

- (f) Applications for permits to alter or add to any existing sanitary landfill site shall be signed by the owner of the proposed site as well as the lessee (if any) and the operator of the landfill site and such applicant shall supplement his application with such information as required by subparagraph (e) above.

- (g) An all weather access road, of sufficient width and depth to accommodate the size and weight of the vehicles to be used in the operation of the sanitary landfill, the standard for which shall consist of a minimum twenty-four (24) foot wide paving, a depth of not less than twelve (12) inches, on not less than a forty (40) foot right-of-way, shall be provided to the entrance of the sanitary landfill. Where the entrance to the sanitary landfill is from an existing road, not meeting the standard heretofore set forth for an all weather access road, the applicant for a permit shall be required to enter into a public works agreement providing for the necessary improvement to the access road to comply with the standard required. Any improvements, in excess of the existing road, shall be the financial responsibility of the applicant, but the total length of the improvements shall not exceed one thousand (1,000) lineal feet or the entire road frontage of the sanitary landfill site, whichever is greater, or as the county may direct to protect the health, welfare and safety of the public. Any such improvements shall be constructed under county contract and under county supervision.

- (h) Where it is determined by the department of public works or the department of health that establishment of the sanitary landfill or an addition to an existing sanitary landfill will necessitate the construction, relocation, extension or expansion of public storm drains and/or utilities, on or off-site, the applicants will be required

to acquire
overhead
storm dri-
relocated,
found ne-
maintain-
construct-

- (i) All of th are here: any perm landfill.
- (j) Fire prot
- (1) An e
poun
foot
rent
mini
the
hydr
- (2) A sc
mini
avai
men
a.

- (3) A s
rues
§ 1

Sec. 13-52. Sa
The followi
sanitary landfi

346

HEALTH AND SANITATION

§ 13-52

to acquire all necessary easements, and to pay for all engineering, overhead and construction and/or relocation costs. Where public storm drains and utilities are constructed, extended, expanded or relocated, the applicants shall deed to the county all easements found necessary by the department of public works for the proper maintenance of such storm drains and/or utilities and shall be constructed under county contract and under county supervision.

- (i) All of the provisions of paragraphs (a) through (h) shall and are hereby declared to be conditions precedent to the issuance of any permit for the operation or extension of an existing sanitary landfill.

- (j) Fire protection shall be provided by one of the following methods:

- (1) An approved fire hydrant, capable of producing fifty (50) pounds pressure, shall be located within three hundred (300) foot distance as measured along an improved road to the current landfill operation. Such hydrant shall be served by a minimum eight (8) inch water main. The fire department of the county shall approve all such locations and spacings of hydrants.

- (2) A source of water such as a pond and/or stream which has a minimum of one hundred thousand (100,000) gallons of water available at all times and shall be approved by the fire department of the county and in accord with the following:

- a. An approved road to the water supply shall be accessible at all times and capable of supporting fire department pumps. Any additional means to facilitate the drafting of water, i.e., dams, a floating dock, permanent suction pipe and screen, shall be a requisite if deemed necessary by the fire department of the county.

- b. An approved pump capable of discharging a minimum of three hundred (300) gallons per minute shall be maintained at the water supply. This equipment shall be tested each month for a fifteen (15) minute duration. All approvals required herein shall be by the fire department of the county.

- (3) A stockpile of approved cover material should be maintained reasonably close to the face of the fill. (Bill No. 166, 1968, § 1; Balto. Co. Code, 1968, as amended, § 13-48)

Sec. 13-52. Same--Operation.

The following conditions shall be complied with in any operation of a sanitary landfill:

347



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 24, 1986

Mr. Donald R. Williams
Mrs. Carolyn J. Williams
2109 North Rolling Road
Baltimore, Maryland 21207

Ms. Dorothy S. Kratz
2556 Ridge Road and Kratz Lane
Baltimore, Maryland 21207

Ms. Suzanne Barrett, President
The Greater Patapsco Community
Association
P.O. Box 31
Granite, Maryland 21163

Honorable Raymond E. Beck
State Senator
District 5
Annapolis, Maryland 21401-1991

Mr. Ed Kahler
8904 Wrights Mill Road
Baltimore, Maryland 21207

Ms. Bonnie Logue
2614 Ridge Road
Baltimore, Maryland 21207

Mr. Joseph H. Quade, III
10503 Davis Avenue
Woodstock, Maryland 21163

Mrs. Emily Wolfson
8506 Church Lane
Randallstown, Maryland 21133

Honorable Lawrence A. LaMotte
House of Delegates
c/o First Financial Group
40 West Chesapeake Avenue
Towson, Maryland 21204

Mr. Paul J. Solomon
Head, Environmental Planning
Office of Planning and Zoning
Room 406, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Room 223, Court House
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
E and W/S of Ridge Rd., approx. 3200' N of the
c/1 of Dogwood Rd.
2nd Election District
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X

Ladies and Gentlemen:

- 2 -

Please be advised that on October 21, 1986, an appeal was filed by the Petitioner, Valleybrook Realty, Inc., from my decision which was rendered in this case on September 23, 1986.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals (494-3180).

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:med

ccs: Leslie M. Pittler, Esquire
Suite 501
28 Allegheny Avenue
Towson, Maryland 21204

Mr. David Berg
Valleybrook Realty, Inc.
1401 West Hamburg Street
Baltimore, Maryland 21230

Mr. Charles Utermohle
Kidd Consultants
1020 Cromwell Bridge Road
Towson, Maryland 21204

RE: Petition for Special Exception
E and W/S of Ridge Road, approx. 3200' N of
c/1 of Dogwood Road
2nd Election District
1st Councilmanic District
VALLEYBROOK REALTY, INC. - Petitioner
Case No. 86-170-X
Appeal Filed: 10/21/86

SE -Sanitary (rubble) landfill pursuant to
Sec 1A02-2.B.23, B.C.Z.R.

2/06/87 - Following notified of hearing scheduled for Wednesday, April 22 at 10 a.m.:

Leslie M. Pittler, Esq.
David Berg
Charles Utermohle
Mr. & Mrs. Donald R. Williams
Dorothy S. Kratz
Joanne Deitz
Hon. Raymond E. Beck
Ed Kahler
Bonnie Logue
Joseph H. Quade
Emily Wolfson
Hon. Lawrence A. LaMotte
Paul J. Solomon
Robert L. Humphreys, Jr., Esq.
Phyllis Cole Friedman, Esq.
Norman E. Gerber
James G. Howell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. du Bois

2/10/87 - POSTPONEMENT requested by PC; notice of postponement to Thursday, April 30, 1987 at 10:00 a.m. sent to above.

3/23/87 - POSTPONEMENT granted -requested by Leslie M. Pittler, Esq. as a result of appt to County position can no longer represent Petitioner; to be reset at request of new Counsel for Petitioner. Above notified of postponement.

1/07/88 -Telephone call placed to office of Gary Huddles by W. Hackett re status of case. Call not returned prior to day's end.

4/16/92 -Letter to Mr. David Berg and R. L. Humphreys, Esquire and People's Counsel: /forthcoming Order of Dismissal for lack of prosecution; 30 days allowed for response.

PETITION FOR SPECIAL EXCEPTION

2nd Election District

Case No. 86-170-X

LOCATION: East and West Side of Ridge Road, approximately 3200 feet North of the Centerline of Dogwood Road

DATE AND TIME: Monday, May 5, 1986, at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 to use the property for a sanitary (rubble) landfill

Being the property of Valleybrook Realty, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

PETITION FOR SPECIAL EXCEPTION

2nd Election District

Case No. 86-170-X

LOCATION: East and West Side of Ridge Road, approximately 3200 feet North of the Centerline of Dogwood Road

DATE AND TIME: Monday, June 16, 1986, at 11:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 to use the property for a sanitary (rubble) landfill

Being the property of Valleybrook Realty, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

PETITION FOR SPECIAL EXCEPTION

2nd Election District

Case No. 86-170-X

LOCATION: East and West Side of Ridge Road, approximately 3200 feet North of the Centerline of Dogwood Road

DATE AND TIME: Monday, August 11, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 sanitary (rubble) landfill

Being the property of Valleybrook Realty, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

RE: PETITION FOR SPECIAL EXCEPTION
E and W/S of Ridge Rd., approx. 3200' N of the
c/l of Dogwood Rd.
2nd Election District
Valleybrook Realty, Inc. - Petitioner
Case No. 86-170-X
APPEAL FILED: OCTOBER 21, 1986

1. Petition
2. Description of Property
3. Certificates of Posting
4. Certificates of Publication
5. Zoning Advisory Committee Comments
6. Comments from the Director of Planning
7. Entry of Appearance
8. Order of Zoning Commissioner
9. Three Lists of Protestants
10. 33 Letters from Protestants
11. Letter from Honorable Raymond E. Beck, dated 11/6/85
12. Qualifications of Charles E. Utermohle, III, P.E.
13. Petitioner's Exhibit 1 - Plat, dated May, 1985
14. Protestants' Exhibit 1 - List of Protestants
15. Protestants' Exhibit 2 - List of Protestants
16. Protestants' Exhibit 3a - Color photograph of truck and house
17. Protestants' Exhibit 3b - Color photograph of truck
18. Protestants' Exhibit 4a - Color photograph of Dogwood Road
19. Protestants' Exhibit 4b - Color photograph of Dogwood Road
20. Protestants' Exhibit 5 - 16 color photographs
21. Letter of Appeal, received 10/21/86, from Petitioner, Valleybrook Realty, Inc.
22. Appeal Notification Letter from Arnold Jablon to all parties, dated October 24, 1986

Leslie M. Pittler, Esquire
Suite 501
28 Allegheny Avenue
Towson, Maryland 21204
Attorney for Appellant/Petitioner

Mr. David Berg
Valleybrook Realty, Inc.
1401 West Hamburg Street
Baltimore, Maryland 21230
Appellant/Petitioner

Mr. Charles Utermohle
Kidd Consultants
1020 Cromwell Bridge Road
Towson, Maryland 21204
Expert for Appellant/Petitioner

Mr. Donald R. Williams
Mrs. Carolyn J. Williams
2109 North Rolling Road
Baltimore, Maryland 21207
Appellee/Protestants

Ms. Dorothy S. Kratz
2556 Ridge Road and Kratz
Lane
Baltimore, Maryland 21207
Appellee/Protestant

RE: APPEAL OF 86-170-X
FROM BALTIMORE CO. ZONING OFFICE

- 2 -

Ms. Suzanne Barrett, President
The Greater Patapsco Community
Association
P.O. Box 31
Granite, Maryland 21163
Appellee/Protestant

Honorable Raymond E. Beck
State Senator
District 5
Annapolis, Maryland 21401-1991
Appellee/Protestant

Mr. Ed Kahler
8804 Wrights Mill Road
Baltimore, Maryland 21207
Appellee/Protestant

Ms. Bonnie Logue
2614 Ridge Road
Baltimore, Maryland 21207
Appellee/Protestant

Mr. Joseph H. Quade, III
10503 Davis Avenue
Woodstock, Maryland 21163
Appellee/Protestant

Mrs. Emily Wolfson
8506 Church Lane
Randallstown, Maryland 21133
Appellee/Protestant

Honorable Lawrence A. LaMotte
House of Delegates
c/o First Financial Group
40 West Chesapeake Avenue
Towson, Maryland 21204
Appellee/Protestant

Mr. Paul J. Solomon
Head, Environmental Planning
Office of Planning and Zoning
Room 406, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Appellee/Protestant

Phyllis Cole Friedman, Esquire
People's Counsel for
Baltimore County
Room 223, Court House
Towson, Maryland 21204
Appellee/Protestant

VALLEYBROOK REALTY, INC. #86-170-X
E & W/S of Ridge Rd., 3200' N of
c/l of Dogwood Rd. 2nd District

CORRESPONDENCES EXHIBITS

LAW OFFICES
Leslie M. Pittler
SUITE 501
28 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(410) 284-9220

March 27, 1986

The Honorable Arnold Jablon
Baltimore County Zoning Commissioner
County Office Building - Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Hand-delivered

Re: Ridge Road Rubble-fill Special Exception
Zoning Petition Case No. 86-170-X

Dear Commissioner Jablon:

Please be advised that Valleybrook Realty wishes to reschedule its previously postponed hearing on the above-captioned matter.

Due to this matter having been previously set up to be heard last year, and having been advertised in the past, it would be most appreciated if this rescheduling could take place sometime in May.

The rubble permit is being actively reviewed by the Baltimore County Health Department at this time.

Thank you for your consideration of our request for hearing.

Very truly yours,

Leslie M. Pittler
Leslie M. Pittler

LMP/cas

LAW OFFICES
Leslie M. Pittler
SUITE 501
28 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(410) 284-9220

May 28, 1986

Arnold Jablon, Esquire
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Valleybrook Realty, Inc.
Case No. 86-170-X, Item 42

Dear Mr. Jablon:

I am responding to a copy of a letter dated May 22, 1986 from the People's Counsel to you.

I have had conversations with Mrs. Wolfson and you on this matter and I have no objection to a continuance based upon the request of Mrs. Wolfson or Ms. Barrett.

However, I would point out that the People's Counsel has never been in any communication with me concerning their interest in this matter, and I am at a loss to know of Mr. Solomon's interest in this matter when the Baltimore County Health Department has been monitoring this project in excess of one (1) year.

If Mr. Solomon is testifying in his personal capacity, as an individual, for Mrs. Wolfson or Ms. Barrett's organization, I have no objection. Otherwise, I would appreciate being informed as to why Mr. Solomon is necessary.

Very truly yours,

Leslie M. Pittler
Leslie M. Pittler

LMP/cas

cc: David Berg
Charles Utermohle
Emily Wolfson
Susan Barrett
Phyllis Friedman

RECEIVED
OCT 21 1986

ZONING OFFICE

LAW OFFICES
Leslie M. Pittler
SUITE 501
28 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 296-5220

October 21, 1986

Arnold Jablon, Esquire
Zoning Commissioner of Baltimore County
County Office Building, Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Valleybrook Realty
Case No. 86-170-X
Petition for Special Exception

Dear Mr. Commissioner:

Please note an appeal to the Baltimore County Board of Appeals from your decision dated September 23, 1986 denying the Petitioner's request for Special Exception in Case No. 86-170-X.

I am enclosing a check in the amount of \$115.00 to cover the costs incident to the said appeal.

Very truly yours,

Leslie M. Pittler
Leslie M. Pittler

LMP/cas
Enclosure

LAW OFFICES
Leslie M. Pittler
SUITE 501
28 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 296-5220

March 13, 1987

William T. Hackett, Chairman
County Board of Appeals of Baltimore County
Old Courthouse, Room 200
Towson, Maryland 21204

Re: Valleybrook Realty, Inc.
Case No. 86-170-X
Hearing Date: 4/22/87, 10:00 a.m.
4-50-87

Dear Chairman Hackett:

Please be advised that, as a result of my recent appointment to the County Administration, I will no longer be able to be of counsel in the above-captioned matter. Thus, I hereby withdraw my appearance in this case.

I have discussed this matter with my client, and due to the complexities of this matter, my client has asked that I request a general or indefinite continuance of the hearing scheduled for April 22, 1987. Thus, I would take this opportunity to so request. Obviously, the granting of this continuance in no way is adverse to the Protestants, in that the Petition for Special Exception when heard by the Zoning Commissioner was denied, and it is the Petitioner's Appeal which is pending before the Board.

I appreciate your kind consideration to this matter and will advise my client's new counsel to be in touch with the Board, when and if a new hearing is requested.

Very truly yours,

Leslie M. Pittler
Leslie M. Pittler

LMP/cas

cc: Mr. David Berg
Valleybrook Realty, Inc.

SMITH, SOMERVILLE & CASE

ATTORNEYS AT LAW
SIXTH FLOOR, 100 LIGHT STREET
BALTIMORE, MARYLAND 21202-1084
TELEPHONE (301) 727-1164
CABLE ADDRESS "CLARILAW" - TELEX 908068

August 6, 1986

Mr. Arnold Jablon, Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case Number: 86-170-X
Petition For Exception
Valleybrook Realty, Inc. (Petitioner)
Our File: 08889-15924

Dear Commissioner Jablon:

I request that my appearance be entered as counsel for the Greater Patapsco Community Association in the above captioned matter.

Thank you for your kind cooperation.

Sincerely,

Robert L. Humphreys, Jr.
Robert L. Humphreys, Jr.

RLH/cao

cc: Leslie M. Pittler, Esquire
Mr. David Berg
Mr. Donald R. Williams
Ms. Dorothy S. Kratz
Ms. Suzanne Barrett
Honorable Raymond E. Beck
Mr. Ed Kahler
Ms. Phyllis Friedman

RECEIVED
AUG 8 1986

ZONING OFFICE

SMITH, SOMERVILLE & CASE

ATTORNEYS AT LAW
SIXTH FLOOR, 100 LIGHT STREET
BALTIMORE, MARYLAND 21202-1084
TELEPHONE (301) 727-1164
CABLE ADDRESS "CLARILAW" - TELEX 908068

September 10, 1986

Arnold Jablon, Esquire
Zoning Commissioner
Baltimore County Office
of Planning & Zoning
Towson, Maryland 21204

RE: Case No. 86-170-X
Valleybrook Realty, Inc.,
Petitioner

Dear Mr. Jablon:

Thank you for yours of September 4, 1986.

I have not yet had the opportunity to confer with People's Counsel per her letter to you dated September 9, 1986. Due to the time constraints imposed by your letter, however, I am taking this opportunity to file a response at this time.

Referring to the attachment provided with your letter, the interoffice correspondence dated August 29, 1986 from Mr. Forrest in the Bureau of Environmental Services, I note that department has not, and does not expect in the foreseeable future, to complete its evaluation of the Valleybrook proposal. In light of the fact that approval by that department and the State Department of Health is necessary for this exception, it is respectfully requested that you rule in accordance with the directives of the local ordinances and state law. A denial of the Petition for Exception would appear to be a legal imperative under these provisions. It seems reasonable to infer from Mr. Forrest's letter that the delay in the review of the Petition has been occasioned by the refusal of the petitioners to provide "additional data for a comprehensive review". In light of all the foregoing, it seems plain that the petitioners have not met their burden to obtain the exception they request.

Sincerely,

Robert L. Humphreys, Jr.
Robert L. Humphreys, Jr.

RLH:lkg
cc: Leslie Pittler, Esq.
Phyllis Friedman, Esq.

SMITH, SOMERVILLE & CASE

ATTORNEYS AT LAW
SIXTH FLOOR, 100 LIGHT STREET
BALTIMORE, MARYLAND 21202-1084
TELEPHONE (301) 727-1164
CABLE ADDRESS "CLARILAW" - TELEX 908068

November 20, 1986

Board of Appeals
Room 200, Old County Courthouse
Towson, Maryland 21204

Re: Appeal in the Matter of
Petition for Special Exception
by Valleybrook Realty, Inc.
Case No. 86-170-X
Our File: 08889-15924

Gentlemen:

Please enter my appearance as counsel for the Greater Patapsco Community Association in the above-captioned matter and provide me with copies of all notices which pertain to this proceeding. A review of the file in this action reflects that my appearance was entered before the Zoning Commission of Baltimore County and that I participated in the hearing on August 11, 1986, which forms the basis for the appeal by Valleybrook Realty, Inc.

Thank you for your kind attention in this matter.

Sincerely,

Robert L. Humphreys, Jr.
Robert L. Humphreys, Jr.

RLH:sh
Enclosure

cc: Leslie M. Pittler, Esquire
Phyllis Friedman, Esquire, People's Counsel
Honorable Raymond E. Beck
Honorable Arnold Jablon, Zoning Commissioner
Ms. Joanne Deitz, President, Greater Patapsco
Community Assn.

SMITH, SOMERVILLE & CASE

ATTORNEYS AT LAW
SIXTH FLOOR, 100 LIGHT STREET
BALTIMORE, MARYLAND 21202-1084
TELEPHONE (301) 727-1164
CABLE ADDRESS "CLARILAW" - TELEX 908068

January 27, 1987

Phyllis C. Friedman, Esquire
People's Counsel for Baltimore County
Room 223
Courthouse
Towson, Maryland 21204

Re: Valleybrook Realty, Inc.
Baltimore County Zoning
Case No. 86-170-X

Dear Ms. Friedman:

I have received a Correction Notice for Alleged Zoning Violation dated January 8, 1987 which pertains to the Valleybrook site on Ridge Road.

I have heard nothing from the Board of Appeals since I entered my appearance on November 20, 1986. I would very much appreciate it if you would get in touch with me whenever the Board of Appeals schedules a hearing or other activity. I am encouraged by the fact that I was provided with a copy of the correction notice, but I would feel better if you would give me a call whenever you hear anything more on the Berg case.

Thank you very much for your kind assistance and cooperation.

Sincerely,

Robert L. Humphreys, Jr.
Robert L. Humphreys, Jr.

RLH/kpb

Valley.170

cc: Kathleen Skulley - Greater Patapsco
(w/enc)

The Greater Patapsco Community Association
Post Office Box 12
Woodstock, Maryland 21163

October 18, 1985

To: Arnold Jablon
From: The Greater Patapsco Community Association

cc: Donald Hutchinson
Ronald Hinkernell

re: Hearing by Zoning Commissioner for Special Exception for a
Sanitary Rubble Landfill on Ridge Road, Case #86 170-X.

An Attempt Is underway to turn farmland on Ridge Road into a "Sanitary Rubble Landfill." A sign is now posted on the property announcing the hearing. The entire community is totally against this landfill.

If approved, this zoning exception would immediately create two major problems for the community.

1. Hundreds of heavy, wide trucks traveling along the narrow country roads creating hazardous driving conditions as well as tremendous damage to the roadbed which will then be repaired at the taxpayers expense.
2. No tight controls over truck weight, hours of operation and even worse, what is actually being dumped in the landfill.

In reference to problem 1, an incident has already occurred, a private home was demolished earlier this month by a runaway truck that had been taking tree stumps and other various items to another landfill in the area. The roads are far too hilly and narrow for this type of traffic as far as safety is concerned.

In reference to problem 2, Mr. Buzz Berg who would be operating the landfill has already been found in violation at this very same landfill. This demonstrates that Mr. Berg does not follow the regulations of landfill usage. And furthermore Mr. Berg is currently operating this "proposed" landfill without a permit.

Many other problems develop from landfills and who knows what could develop in the future from this landfill if Mr. Berg is allowed this special exception. We must also keep in mind that many residents of this community decided to live here because the land is zoned farmland. Many people bought their property on that premise. Therefore

this special exception should not be approved.

There seems to be no valid reason why a private profit making business should have the right to infringe on our safety, our quiet, and indeed our very environment. The community and taxing citizens will in no way benefit if this exception is approved, which should be the primary concern when a zoning exception is to be made. Please do all you can to fight this frightening proposal.

For further information contact: Ann Dew 265-8847 or
Bonnie Kahler 521-2912

Sincerely,

Suzanne Barrett
Suzanne Barrett
President

The Greater Patapsco Community Association

P. O. BOX 31
GRANITE, MD 21163

RECEIVED
AUG 11 1986

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

ZONING OFFICE

Dear Sir,

Case No. 86-170-X

We are writing to express our opposition to the application of Valleybrook for a zoning exception for the following reasons:

- 1-Concern for safety to children and property and to the condition of the roads due to increased vehicular traffic;
- 2-Loss of enjoyment of property and restriction of outdoor activities due to increases in dust, noise, debris thrown from uncovered loads, etc.
- 3-The fact that residents are compelled to obtain their drinking water from ground wells and the fear of pollution;
- 4-Danger to livestock and pets by increased traffic;
- 5-Fear of increased road hazards due to nature of commercial trucks using roads in a rural/residential area.
- 6-Agricultural operations or social activities limited, curtailed, or otherwise affected by traffic noise, dust, etc.

The association is greatly concerned about the impact of this operation on the community and are calling upon you to protect the citizens of this community from the intrusion of this operation on their lives. The majority of the residents of this community have lived peacefully for many years and this operation has traumatized them greatly.

Your denial of this zoning exception would be greatly appreciated.

Very Truly Yours,

Joanne Deitz

Joanne Deitz
President

JD/bg

The Greater Patapsco Community Association
Post Office Box 31
Granite, Maryland 21163

The Honorable Ronald B. Hickernell
Court House
Towson, Maryland 21204

Dear Mr. Hickernell,

We greatly appreciate the attention you have given our difficulties concerning the Jett landfill and its associated problems. Much to our dismay, however, we have just been informed of still another, perhaps worse, landfill problem. The Ridge Road "dump" owned and operated by Mr. David Berg under the corporate title of Valleybrook Realty, Inc. is being considered by the county for a special exception to reopen. Mr. Berg, originally operating without a permit, was finally forcibly closed upon the discovery of dangerous, noxious and explosive waste materials at his site. The news of Berg's resurgence has caused us to step back and reassess our overall situation. In so doing, we are appalled to find no less than seven dumping sites (counting the Howard County Landfill immediately across the river) in an approximate 8-10 mile radius of the Old Court Road/Granite area. Even though two of these sites are presently inactive, previously buried debris has never been removed. The environmental impact alone must be awesome. HELP! We are literally being surrounded and dumped on. The attached map graphically illustrates our plight.

Is there nothing in the county code to prohibit this kind of concentrated dumping? Is ours a unique situation in Baltimore County? If there is no protection in county code, would you consider emergency legislation on our behalf? No community should have to live under these conditions. We urgently need your continued involvement and immediate advice.

Sincerely,

/s/
President
GPCA

cc: Honorable Donald C. Hutchinson
Mr. Arnold Jablon
Dr. Donald Roop
Mr. Ian Forrest
Mr. Ronald Nelson
Delegate Lawrence A. LaMotte

APPRAISERS, Incorporated

5651 BALTIMORE NATIONAL PIKE
Baltimore, Maryland 21228

PHONE: 744-4500

RECEIVED
AUG 6 1986

ZONING OFFICE

August 4, 1986

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 W. Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

I am deeply concerned at the prospect of the possibility of the reopening of the land fill (Dump) at 2406 Ridge Road.

We already are subjected to unbelievable traffic noise not to mention the hazards from the Potts & Callahan Dump on Windsor Mill Road. The truck traffic on that road and Old Court are a disgrace. To add additional truck traffic to these two lane roads by even considering the reopening of another dump in the area would be irresponsible.

The Berg site as you know is adjacent to the Diamond Ridge Golf Course. That recreational area would be done irreparable damage both from noise, dust and distraction by allowing the adjacent property to operate as a dump. That Golf Course represents a major county financial investment. To inhibit its usefulness and effectively destroy its recreational value would be nothing short of malfeasance on the part of those involved in that decision.

It is the obligation of your office to protect us, the county citizenry from this type of encroachment on our rights. I look forward to your careful deliberation and rejection of the request to reopen this Dump.

Very truly yours,

E. L. Marron
E. L. Marron

skm

Liberty Road Community Council, Inc.

7407 DORMAN DRIVE BALTIMORE, MARYLAND 21208 484-9387

September 12, 1986

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue, Rm. 109
Towson, Maryland 21204

Dear Mr. Jablon:

Many residents in our community associations attended the zoning hearing for a Special Exception to allow, rubble landfill application submitted by the Petitioner, Valleybrook Realty (the Berg & Sons partnership). At the hearing you indicated that your decision as to whether or not to grant the Special Exception would be contingent upon permits/reports from the County and State Health Departments. We were shocked to learn of your decision to render a decision without the aforementioned reports on or around September 14, 1986.

At this juncture we sincerely hope that if a decision is rendered, it will be to deny the petitioner's request since requirements mandated by the Baltimore County Code (Section 13.51-(a) thru (h)) have not been satisfied. The Code clearly states that all provisions of paragraphs (a) through (h) shall and are declared to be conditions precedent to the issuance of any permit for the operation or extension of an existing sanitary landfill. The burden of proof was upon the petitioner to prove that the sanitary (rubble) landfill would not have an adverse impact upon the health, welfare and safety of the community; this proof was not shown at the hearing. Conversely, testimony given by expert witnesses and community persons proved that the landfill would be hazardous to the community's health, welfare and safety. Contaminants dumped at the landfill would affect air and water quality. This is especially dangerous since the Bens Run, a tributary of the Patapsco River, runs through the property. Once groundwater is contaminated, it is unlikely that the adverse impact on health, safety and welfare can be reversed. You hold our lives in your hands. Please do not close your fist and deny us the opportunity to breathe fresh air. You hold the cup that we drink from. Please do not fill it with contaminated water.

Sincerely,

Ella White Campbell
Ella White Campbell
President

RECEIVED
SEP 15 1986

ZONING OFFICE (See Page Two)

A Coalition of Communities Working Together for Progress

A MEMBER AGENCY OF
UNITED WAY OF CENTRAL MARYLAND

Page Two
Letter to Arnold Jablon
Re: Zoning Exception for Valleybrook
September 12, 1986

CC:

Governor Harry Hughes
Congresswoman Barbara Mikulski
County Executive Donald Hutchinson
Mayor William Donald Schaefer
Senator Melvin Steinberg
Senator Raymond E. Beck
Delegate Arthur Alperstein
Delegate Paula Hollinger
Delegate Theodore Levin
Delegate Larry LaMotte
Delegate Richard Dixon
Delegate Richard Matthews
Councilman Gary Hudiles
Councilman Ronald Hickernell
Councilman C.A. Ruppertsberger
Councilwoman Barbara F. Bachur
Councilman Norman Lauenstein
Councilman John O'Rourke
Councilman Eugene W. Gallagher
Greater Patapsco Civic Association

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Berg Dump
2406 Ridge Road

Dear Mr. Jablon:

We are writing you to express our sincere hope your department will deny Mr. Berg's Zoning Appeal that will allow him to use his property as a Dump.

Today, a large truck with a dumpster container attached and filled with concrete debris ran me off the road opposite the entrance to the Baltimore County Park on Dogwood Road approximately five hundred feet east of Ridge Road intersection.

This is not the first time I and other members of my family have had to move off the road to allow large trucks carrying demolition debris pass.

You may recall two years ago the Berg operation destroyed sections of Ridge Road which Baltimore County replaced. Mr. Berg replaced the small culvert bridge on Dogwood just past the location where I encountered the truck today.

With the type of operation Mr. Berg operates and the fact Ridge Road and Dogwood Road are light country roads future damage is inevitable.

We have been told the zoning commission may support Mr. Berg because the County needs landfills and here is an opportunity to place one.

Our response to this "easy-out" is why can't the County study the entire landfill issue and then select locations that do not impact the local communities. For example, vacant quarries and mined areas that currently offer communities hazardous conditions.

The facts are a major dump operation is not compatible to our area and is not an asset to our community or the County. It serves only Mr. Berg's private enterprises, the demolition business.

We expect, as citizens of Baltimore County, that the County government and particularly your department, will protect us by denying Mr. Berg's Zoning Appeal.

Thank you in advance for the consideration shown us.

Very truly yours,

E. J. Arnold, Jr.
Edward J. Arnold, Jr.
2746 Ridge Road
Baltimore, MD 21207

EJA/ty
cc: Councilman Hickernell

CHARLES E. UTERMOHLE, III, P.E.

EDUCATION Bachelor of Science, Civil Engineering - 1966
North Carolina State University

REGISTRATION Professional Engineer - MD, VA, NC, PA, FL

PROFESSIONAL AFFILIATIONS American Society of Civil Engineers
Institute of Traffic Engineers

EXPERIENCE Mr. Utermohle is Vice President at Kidde in charge of the Environmental Planning Division. He has been responsible for the preparation of over forty environmental documents. These studies ranged from Interstate Highways, to Landfills, to numerous noise analysis and control, to a Particulate Study for the Canton Company of Baltimore, to a Support Base for Offshore Drilling in Lewes, Delaware.

In addition, Mr. Utermohle's experience includes the preparation of plans for several ancillary facilities at Baltimore-Washington International Airport; sitework at Golden Ring Mall, Baltimore and the Wilton Inn, Pikesville, Maryland; and facilities planning for an Energy Impact Study for the City of Lewes, Delaware.

In another project, the recent Harford County Resource Recovery Facility, Mr. Utermohle was responsible for environmental studies required to site a municipal solid waste co-generation facility at the Aberdeen Proving Ground in Harford County, Maryland. This entailed studies of traffic, air, noise, water, and socioeconomic impacts to both the Proving Ground and the surrounding community.

Prior to joining Kidde in 1968, Mr. Utermohle was Project Engineer on numerous transportation projects for the Baltimore County Bureau of Engineering and the City of Raleigh, North Carolina.

Pertinent highway planning projects include:

- o Maryland Route 210 - Prince Georges County, MD
- o Maryland Route 3 - Anne Arundel & Prince Georges Counties, Maryland
- o Great Seneca Highway - Montgomery County, MD
- o Bloomsbury Avenue - Baltimore County, MD

97-334
Mr. Arnold Jablon
Zoning Commissioner
Baltimore County
ZONING OFFICE
AUG 12 1986
Hug 10, 1986

Dear Mr. Jablon:
In lieu of attending the hearing on Aug 11th, we would like to go on record as opposing the Petition for Special Exception Case #86-470-X.

We oppose the use of anymore land in this area for dumping. Why must we be subjected to this abuse of our neighborhood?

Our main concern is the truck traffic this will add to Rolling Rd and Dogwood Rd. When the Bergs were operating the dump illegally, the truck traffic was terrible day and night. Neither of these roads are

Valleybrook Realty, Inc.
86-170-X
RECEIVED
AUG 8 1986
1625 Dogwood Rd.
Baltimore, Md. 21207
ZONING OFFICE
Aug. 6, 1986

Dear Mr. Jablon:
I am writing in reference to the hearing for Valleybrook Realty, operated by Mr. Donald Berg. Being a resident of this neighborhood for many years, I will briefly list my reasons why I do not want a landfill at this location as a dump in our area.

- 1) The safety of children getting on and off school buses, going to the park in the neighborhood and riding their bikes.
- 2) Dogwood Road ~~is not~~ is not intended for the heavy use of oversize dump trucks.
- 3) There are many elderly people or our Senior Citizens that live on Dogwood Rd. and I'm sure

Valleybrook Realty, Inc.
86-170-X
RECEIVED
AUG 8 1986
1625 Dogwood Rd.
Baltimore, Md. 21207
ZONING OFFICE
Aug. 6, 1986

I am writing this letter of opposition of the Berg dump of 2406 Ridge Rd. to reopen. In fact I feel it has never closed, because these heavy dump trucks are traveling Ridge Rd. from 2 AM to 4 AM during the week from Old Court Rd down Ridge. One of them was loaded so full it pulled the electric wires from his house who is a neighbor (Mrs. Cawley) also the entire area on wells and the drinking water, truck traffic, destruction of roads, hazardous driving conditions. I hope as commissioners you will see fit to protect the health, welfare and safety of all the local residents.
Sincerely,
Mrs. John P. Sulphur

Valleybrook Realty, Inc.
86-170-X
RECEIVED
AUG 8 1986
1625 Dogwood Rd.
Baltimore, Md. 21207
ZONING OFFICE
Aug. 4, 1986

Dear Sir:

I am writing to oppose the Berg Dump on Ridge Rd. I fear this dumping may contaminate the drinking water. Also I don't think this rural area should have to put up with large trucks traveling Ridge Rd at all hours. I hope you can help.

D. J. Parker
2138 Ridge Rd
Baltimore, Md 21207
RECEIVED
AUG 8 1986
ZONING OFFICE

Q. M. Gloth, Jr.
Attorney at Law
WINDSOR MILL & INWOOD ROADS
BALTIMORE, MARYLAND 21207
RECEIVED
AUG 7 1986
ZONING OFFICE
August 5, 1986

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204
Dear Mr. Jablon:
This letter is simply to advise you of my concern over the request of Mr. Berg to reopen the dump at 2406 Ridge Road.
As one of the residents of the area using well water, I have a natural concern with the possibility of contamination of my drinking water through the use of this dump.
Also, as you must be aware, Old Court Road is a very winding, narrow road with a residential speed limit of 30 miles per hour. Unfortunately, the use of this road by trucks, which never seem to fail to disobey the speed limit, creates an unnecessary safety hazard which is also of concern to me and my family.
Your thoughtful consideration of these concerns at the scheduled zoning hearing will be most appreciated.
Sincerely,
Fred Gloth
F. M. Gloth, Jr.

Woodlawn, Maryland
AUGUST 9th, 1986
RECEIVED
AUG 10 1986
ZONING OFFICE
ATTENTION: Mr. Arnold Jablon,
BALTIMORE COUNTY ZONING COMMISSIONER AND OTHER MEMBERS OF THE ZONING BOARD TO WHOM IT MAY CONCERN: 86-170-X
This letter is being passed in reference to an opposition to the reopening of the Berg dump on 2406 RIDGE ROAD. With your permission, I would like to reference my remarks or release with just several lines of thanks. To begin with

97-334
Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 W. Chesapeake Ave.
Towson, Md. 21204
ZONING OFFICE
AUG 7 1986
August 6, 1986

Dear Sir:
Please be advised, as a resident of Ridge Rd. concerning the Berg Dump at 2406 Ridge Road, I would object to any possibility that any materials that affect the water supply, would concern me enough to leave the area.
The water quality at present is not as good as in the past and any further deterioration would be intolerable.
Thank you for your consideration in this matter.

Very Truly Yours,
Victor W. Morris
2826 Ridge Rd.
Baltimore, Md.
21207

37-313
MRS. CLAUDE F. LIBIS
8708 WINDSOR MILL ROAD
BALTIMORE, MD 21207
RECEIVED
AUG 5 1986
Dear Mr. Jablon:
It is unthinkable to allow Berg to operate a landfill. He has already shown that he has no respect for limitations placed on him. Anyone who knows him or of him knows his reputation as an unscrupulous person. His name "Berg" was given him by his neighbors because he disturbed the peace of the valley with his helicopter. To allow such a person to fill the earth with demolition debris is like playing Russian Roulette only more dangerous. What happens to the ground water when asbestos is rotted in the ground? There are streams on that property too. The Patuxent River, the Chesapeake Bay and the surrounding wells are already endangered by what he has dumped.

Valleybrook Realty, Inc.
86-170-X
RECEIVED
AUG 8 1986
1625 Dogwood Rd.
Baltimore, Md. 21207
ZONING OFFICE
Aug. 5, 1986
Dear Mr. Jablon:
I would like to go on record as being opposed to the special exception for a "various Rubble Landfill" on Ridge Rd.
These generations of my family have lived at 2406 Ridge Rd and their land supplying our safety and quiet.
If we (86-140-X) should have our safety and environment would be endangered when Ridge Rd is used as a narrow road only possible for two private cars - I should not have wide trucks, which would do damage to the roadbed. Their cars would only mean further to an individual who disregards

Valleybrook Realty, Inc.
86-170-X
RECEIVED
AUG 8 1986
1625 Dogwood Rd.
Baltimore, Md. 21207
ZONING OFFICE
Aug. 6, 1986
Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. Jablon,
I am writing to you to express my concern regarding the reopening of Mr. Berg's rubble fill at 2406 Ridge Road in Woodlawn. My particular objection is that it will create hazardous driving conditions and danger to those citizens living along the proposed truck routes.
This is what I observed when driving past Mr. Berg's property twice per day during the time his landfill was in operation:
1. Heavy loads severely damaged Ridge Road.
2. Very deep ruts were created along both sides of Ridge Road. This was due to the inability of dump trucks to pass other large vehicles (i.e. school buses) without one vehicle pulling off the road. Automobiles could not pull off of these deep ruts.
3. There is a very steep decline where Ridge Road descends onto Dogwood Road. Vehicles have braked down fences, landed in yards, and the home of Mr. Donald Monaghan was damaged by a truck.
4. The small bridges (there are 4) along Ridge Road cannot handle these kinds of heavy vehicles.

Q. M. Gloth, Jr.
Attorney at Law
WINDSOR MILL & INWOOD ROADS
BALTIMORE, MARYLAND 21207
RECEIVED
AUG 7 1986
ZONING OFFICE
August 6, 1986

Mr. Arnold Jablon
County Zoning Commissioner
Towson, Maryland 21204
Dear Mr. Jablon:
I am writing to oppose Berg's request for a rubble landfill on Ridge Road
1. It would lead to destruction of two of the County's fine old landmarks: the Fly Mill house (1800) and the ruins of one of the oldest cotton mills in the state.
2. Environmentally it would destroy the beautiful Ben's Run Valley - one of the most completely rural scenic streams left in Baltimore County. This would be an irreparable loss since it is so near thickly populated areas and its loss would be the loss of one of our finest potential park areas.
3. It would be a threat to health and water supply. When Berg was illegally filling in the small stream behind the house on this farm several years ago, I saw the trash that he dumped in this stream bed along with the rubble - overstuffed furniture, clothing, asphalt - any kind of trash that came along.
4. This would severely lower the value of all the surrounding potentially valuable property. Development opportunities of surrounding property owners would be badly hurt.
I trust that due consideration will be given to these topics.
Very truly yours,
Wilson Herrera
Wilson Herrera
10519 Marriottville Road
Randallstown, Md. 21133
(Phone: 922 - 5643)

Valleybrook Realty, Inc.
86-170-X

August 6, 1986

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 W. Chesapeake Ave.
Towson, MD 21204

Dear Mr. Jablon:

I am writing in reference to the upcoming public hearing to be held on 8/11/86 to consider allowing the Berg landfill the reopen at 2406 Ridge Road.

I have been a resident of Ridge Road for the majority of my life. I was appalled during the period of time that Mr. Berg was allowed to operate at just what our county government allowed him to get away with before finally closing him down.

I am presently very upset at the thought that Mr. Berg may legally reopen. This would mean heavy truck traffic on a road which is not equipped to handle it and a severe hazard to our children. Furthermore, there is fear of contamination of our wells.

In conclusion, I ask that you oppose the special exception keeping us, the citizens and residents of this community in mind.

Sincerely,

Ms. Minda F. White

Ms. Minda F. White
2206 Ridge Road
Baltimore, MD 21207
298-6950

RECEIVED
AUG 8 1986

ZONING OFFICE

Valleybrook Realty, Inc.
86-170-X

8/11 Aug 6, 1986

RECEIVED
AUG 8 1986

ZONING OFFICE

Dear Sir,

I am very upset over the possible reopening of the landfill that Berg was operating illegally about a year ago.

Instead of speculating what would happen in the future, if the dump were reopened, I want you to know what the area was like when the dump was operating.

① Very large dual axle and trailer trailer type dump trucks ran up and down the road all day long. These were noisy and on a still day the odor of diesel fuel hung in the area.

② These large trucks were going over bridges rated at 9, 13, and 18 tons limit. Fully loaded, which I am sure is over their safe rating.

③ Two trucks bound for the dump ran off the road and in the one case, the truck went down about a 12 foot bank and overturned.

④ The road is narrow and winding with blind curves. These trucks could almost never stay on their side of the road since it is just too narrow.

⑤ While the trucks were running, the road was almost destroyed in some spots

Mr. Arnold Jablon
Commissioner Baltimore County Zoning Board.
Room 109
111 W. Chesapeake Ave.
Towson, Md. 21204

RECEIVED
AUG 8 1986

ZONING OFFICE

Dear Mr. Jablon,

I would like to voice my opposition to the possible reopening of the Berg property (2406 Ridge Rd.) for the purpose of dumping. Although we have resided in our home (2924 Ridge Rd.) for less than two years, we have experienced the noise and house shaking which resulted from the numerous day/night heavy truck traffic upon our road.

Heavy truck traffic shakes our home and the noise of the engines and exhausts awakes us at approximately 3:00 AM. when a heavy dump truck traverses our road night after night. Many heavy trucks have traveled our road at all hours.

No. numerous over the trips that they are far in excess of the number one may expect of construction or demolition in our vicinity. While oil may be upset with arrival from sleep at 3 am, by truck traffic, the increased truck traffic will only increase the potential for damage to my walls and foundation should it permit be granted.

Maps indicate there are several dumps which

8/11/86
86-170-X

RECEIVED
AUG 11 1986

ZONING OFFICE

Dear Mr. Jablon,

I am writing to you because my family and I are concerned about the situation concerning Mr. Berg's dump on Ridge Rd. We are strongly opposed to having a rubble dump in our neighborhood. We live across the street from his property and I'm sure anyone that lives this close would understand our position. I'm sure along with other neighbors we have reached our limits. Any one who travels Ridge Rd. knows how narrow and unpaved it is. A typical country road, not a highway equip to handle heavy dump trucks and other equipment. You run a little short of patience following one of these trucks straight up a hill loaded to overflowing. Your frightened debris could fall off hitting your car or injuring yourself.

Ridge Rd. is full of hills and curves barely passable for two cars. I have seen cars forced off the road into ditches because of these trucks on their way to Mr. Berg's property.

Mr. Berg's character is a little short of honest. He has violated any restriction that were issued to him about dumping. He continued to dump almost everyday at all hours. This is what we cannot understand, his hours of dumping. If dumping ceased during the day we could always expect trucks and bulldozers 1, 2, 3 clock in the morning. The noise would make you think we were having an earthquake.

8/11/86
86-170-X

RECEIVED
AUG 11 1986

ZONING OFFICE

August 6, 1986

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 W. Chesapeake Ave.
Towson, MD 21204

Dear Mr. Jablon:

We wish to go on record as vehemently opposing the reopening of the Berg dump site at 2406 Ridge Road for the obvious reasons stated below:

Narrow roads to handle heavy trucks - Overloaded bridges - Safety of children - Destruction of property - Property values - and Polluted wells.

We are sure that these items have been presented to you before and our hope is that as a responsible official you will rule to deny this request of Berg.

Sincerely,

James J. and Ruth S. Fowler
2206 Ridge Rd.
Baltimore, MD 21207
944-2098

Re: Proposed Berg "Rubble Fill"
on Ridge Road
2406 Ridge Rd.
Baltimore Md. 21207

Aug 4, 1986

Dear Mr. Jablon:

I know that no one wants a dump in their neighborhood and I do not want to wish one on anyone else. This weekend my husband and I drove up through the back roads to northern Baltimore and there are many little developments springing up. But there are also large areas that are still open and for from people and I think that even though it would be less convenient for Mr. Berg, he should be told that he has to do his business farther away from residential areas. And even then he should be very closely monitored to protect water supplies.

I've lived on Ridge Road for sixteen years and I still marvel that we still have such a lovely rural atmosphere on the fringe of such heavy development. I know that one day it will start jelling up, but not this way, please! We've already had a test preview of what it's like to deal with the Berg overloaded trucks on this steep little road and the way the trucks ruin the road itself. But what is and could happen behind all the phony landscaping that Berg proposes is much more frightening to me. My well is 150 feet deep and my property is within the 1000' radius of the Berg land. Please do not allow this lovely

RECEIVED
AUG 8 1986

ZONING OFFICE

Sincerely,

Winona & Robert Hocutt

8/11/86
August 2, 1986

RECEIVED
AUG 5 1986

ZONING OFFICE

Mr. Arnold Jablon

Baltimore County Zoning Commissioner

Room 109

111 W. Chesapeake Ave.

Towson, Md. 21204

Re: Berg Dump at 2406 Ridge Rd.

Sentlemen:

I am strongly opposed to the above dump being reopened.

I am greatly concerned to what this could do to our wells. I would not feel safe about the drinking water. I would fear pollution in the water.

I am also greatly concerned about the additional trucks which would of course be on the roads.

I certainly feel this would have a great impact on the value of the properties around here.

I do think it is the job of you as our Commissioner to protect us from the above.

I thank you.

Very truly yours,

Mrs. Sheila A. Palmer

8015 Woodson Hill Rd.

Baltimore, Maryland 21207

RECEIVED
AUG 4 1986

ZONING OFFICE

Mr. Arnold Jablon
Baltimore County Zoning Commissioner
Room 109
111 W. Chesapeake Ave.
Towson, MD 21204

Dear Mr. Jablon: re: Berg dump at 2406 Ridge Road

I am very concerned about having a dump within a short distance of my home on a small farm. Such operation before it was closed, was a neighborhood nuisance of large tractor-trailer traffic with smoking diesels using a road too narrow for truck traffic. As you may possibly know, Ridge Road is not only narrow, but also lightly paved and has steeply sloped and long grades. It took only a few weeks before the incoming trucks broke up the pavement.

Further, I do not feel that Mr. Berg can be trusted to keep out toxic materials. Moreover, I have followed these trucks creeping up the steep grade at Dogwood Road and have observed that the trucks were not covered and that the loads leaked a coffee colored liquid. What we don't need in our area is truck crowding on the roads, noise pollution, air pollution and a real threat to our well water.

Sincerely,
John S. Kurnas
Alice S. Kurnas

JOSEPH H QUINCE III
16503 DAVIS AV
WOODSTOCK MD 21163

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County

Re: Case 86-170X
Special Exception
Landfill - Rubble

Dear Mr. Jablon,
This letter is written to express our feelings and objections to the above mentioned request for the zoning change.

change. As you are probably aware, there was, and is still reported to be, illegal dumping of rubble on some property in this area. During this period we have experienced the effects this dumping has on our neighborhood. Because of the lack of permission to dump the activity did not reach the level that it would undoubtedly ~~be~~ be if you allow the exception requested. We are also sure that if this owner gets the exception there will be others in the area who will also apply for the same permit.

we live on Rolling Rd between Security Blvd and Dogwood Rd. The traffic on this road is extremely heavy due to Security mall and the large apartment and townhouse developments. During zoning hearings in the 1970's the County Highway Dept. classified Rolling Rd as overcrowded. There has been no improvements made - in fact there is even more traffic on the road.

During the period of illegal dumping, trucks were rumbling day and night - including weekends. They create noise, dirt and traffic danger. We don't see how they can operate safely on the narrow, winding Dogwood and

RECEIVED
AUG 8 1986

ZONING OFFICE

Mr. Arnold Jablon

In the Spring of 1984 Mr. Berg's illegal dump operation went into high gear. Up to and over 100 trips ^{a day} were made into the once scenic Farm (purchased years ago by the Berg's from Mr. Carroll W. Sauter Sr. (a model farmer) after he came upon hard times) I am aware that Mr. Berg rebuilt the bridge over Dogwood Run at his own expense and in some eyes this expense may serve as a mitigating factor in his re-application for the rubble fill permit.

I am the greengkeeper at Diamond Ridge Golf Course and after 62 yrs. here I have followed his operation as closely as any one since our patrons must navigate Dogwood and Ridge Roads every day. The following represents the statistics on play '83, '84, '84 for spring

	83	84	85
April	3,062	3,136	5,601
May	<u>5,653</u>	<u>4,658</u>	<u>7,167</u>
Round -	8,715	7,794	12,768 of 90
	83	84	85
April	13,629	17,854	32,291
May	<u>26,327</u>	<u>28,045</u>	<u>42,661</u>
Receipts	40,956	45,899	74,952

[illegible]

- Valleybrook Realty, Inc. 86-170-X

87-258
Cable file
8/15/66 to file
Abel & Marilyn Savage
8712 Duwood Road
Baltimore Md 21207
August 3 1966

RECEIVED
AUG 5 1986

ZONING OFFICE

Mr Arnold Lablon
Bro to Grandy Zuring Grims's
Room 109
111 W. Chesapeake Ave
Towson Md 21204
Dear Sir: P

Please do not allow the dump at 2406 Ridge Road to re-open. We are more concerned that the impact of this dump will have strong & severe and long-lasting effects on our neighborhood. We are seriously concerned about the contamination of our private wells, on heavy-truck traffic and the safety on all motorists and pedestrian traffic and the immediate deterioration of the quality of our rural lifestyle.

Our Commissioner for zoning please
protect our health, welfare and safety
by denying permission to re zone
this dump.

Sincerely,
Abel M. Savage
Marilyn M. Savage

To the Baltimore County Zoning Commissioner, Arnold Jablon:

the undersigned property owners who reside in the 2nd Councilmanic Election District, do hereby petition that the Petition for Special Exception for the sanitary landfill brought heavy and dangerous high levels of truck traffic to the area, resulting in the destruction of our major thoroughfare (Windsor Mill Road) and creating a safety hazard for the school buses that use this road. Windsor Mill Road and Windsor Mill Road is a major thoroughfare that is already inundated with truck traffic within a 10-mile area; another landfill in this area would pose numerous environmental, safety and health hazards.

Since other landfills operated by Berg have a record of past violations which have not been corrected, we feel that the owner has shown his inability to operate a landfill in a safe and healthful manner. We, the people, will ultimately operate a landfill and the Petition for Special Exception is granted. We do not feel that the County has sufficient resources to adequately monitor the landfill's operations. Therefore, we fear permit abuses and devastating environmental consequences. We support the Petition for Special Exception and pray that you will consider public safety, peace and tranquility as the number one priority for consideration.

SIGNATURE OF PROTESTANTS:

Mrs + Mrs J. Glenn Cole
Mr + Mrs J. Harry Nept.
Mrs. Gerald Spitzey
Mr. James D. Rinkas
Helen Ann Wehage
Lyle Langdon Allen
Dorothy Osceola
The Loom House
Mrs. Judy Wall
Eric J. Webster
Bette Wiley
Garnett Sundt

ADDRESS OF PROTESTANTS:

3222 Richmond Ave.
3220 Richmond Ave.
3218 Richmond Ave.
3216 Ashwood Ave.
3214 Richmond Ave.
3208 Richmond Ave.
3206 RICHWOOD AVE
3204 Richmond Ave.
3202 Richmond Ave.
3200 Richmond Ave.
3204 Richmond Ave.
3210 Richmond Ave.

12 NAMES (SIGNATURES) TOTAL 137 - 13 PAGES

To the Baltimore County Zoning Commisioner, Arnold Jablon:

We, the undersigned property owners who reside in the 2nd Councilmanic Election District, do hereby petition that the Petition for Special Exception for the sanitary landfill located on the corner of Valleybrook Realty, be denied. The landfill is located on a heavily wooded hillside, and the proposed expansion of the area, resulting in the destruction of our major thoroughfare (Windsor Mill Road) and creating a safety hazard for the school buses using the road. The proposed expansion of the landfill in the 2nd Councilmanic district is already indicated on Windsor Mill Road on a 100-foot wide right-of-way. The proposed expansion of the landfill is located within a 10-mile area; another landfill in this area would create an environmental, safety and health hazards.

Since other landfills operated by Berg have a record of past violations which have not been corrected, we feel that the owner has shown his inability to operate a landfill in accordance with the law. We, the people, will ultimately decide if a Special Exception for Special Exception is granted. We do not feel that the County has sufficient resources to adequately monitor the landfill as it operates. Therefore, we fear permit abuses and devastating effects on the environment. We, the people, oppose the granting of this Special Exception and pray that you will consider public peace and tranquility as the number one priority for consideration.

SIGNATURE OF PROTESTANTS:	ADDRESS OF PROTESTANTS:
<u>Denise & Howard</u>	<u>2817 Roma Rd.</u>
<u>Willie P. Lambert</u>	<u>2819 Roma Rd.</u>
<u>Ernestina A. Lambert</u>	<u>3513 St. James Rd</u>
<u>Thomas B. Lambert</u>	<u>2819 Roma Rd.</u>
<u>Cecelia Lambert</u>	<u>2819 Roma Rd.</u>
<u>Donna Lamb</u>	<u>7421 Roma Rd</u>
<u>Franklin J. Parker</u>	<u>2825 Roma Rd.</u>
<u>Wesley Shand</u>	<u>2827 Roma Rd.</u>
<u>William C. Roberts</u>	<u>2829 Roma Rd</u>
<u>Margaret C. Roberts</u>	<u>2829 Roma Rd</u>
<u>Henry W. E. Smith</u>	<u>2922 Roma Road</u>
<u>Thomas C. Smith</u>	<u>2820 Roma Road</u>
<u>Walter Smith</u>	<u>2818 Roma Rd</u>
<u>Don Smith</u>	<u>2818 Roma Rd</u>
<u>Wm E. Rose</u>	<u>2810 Roma Rd</u>
<u>Wm E. Rose</u>	<u>2810 Roma Rd</u>

PRITCHARD'S
 10000 Baltimore County Zoning Commissioner

4. The undersigned property owners who reside in the 2nd Councilmanic Election District do hereby petition that the Petition for Special Exception for the sanitary landfill on Ridge Road, owned by Valleybrook Realty, be denied. The landfill has brought heavy and dangerous high levels of truck traffic to the area, resulting in the destruction of our major thoroughfare (Windsor Hill Road) and creating a safety hazard for the school buses that travel on Ridge Road and Windsor Hill. The Windsor Hill School District is already inundated with four landfills within a 10-mile area; another landfill in this area would pose numerous environmental, safety and health hazards.

Since other landfills operated by Berg have a record of past violations which have not been corrected, we feel that the owner has shown his inability to operate a landfill in a safe, healthy manner. We, the people, will ultimately suffer if the Petition for Special Exception is granted. We do not feel that the County has sufficient resources to adequately monitor the landfill's operation. Therefore, we fear permit abuses and devastating effects on the environment. We, the County, and the people of the County petition to the granting of this Petition for Special Exception and pray that you will consider public safety, peace and tranquility as the number one priority for consideration.

SIGNATURE OF PROTESTANTS:	ADDRESS OF PROTESTANTS:
Edwin D. Brown	7157 Box Hill Rd
Mumell Palmer	7139 Boxhill rd
Conrad A. Parker	7141 Boxhill rd
Long Coleman	7141 Boxhill Road
James W. Bennett	7149 Boxhill Rd
John George	7151 Boxhill Rd.
Arnold J. Anderson	7153 Boxhill Rd.
Charles Cyster	3141 BARNARD LANE
William B. Butts	7149 Boxhill Rd.
Lawrence L. Thomas	7146 Boxhill Rd.
Erin Smalley	3112 Jeffray Rd. 07
Rita P. Hughes	4 Cambridge Court
Lynda C. Brown	6 Cambridge Court 0
Elaine H. Pothier	3 Cambridge St.
Natalie Rose	7134 Boxhill Road

Case # 86-170X
Item # 43

PROTESTANT'S
EXHIBIT 2

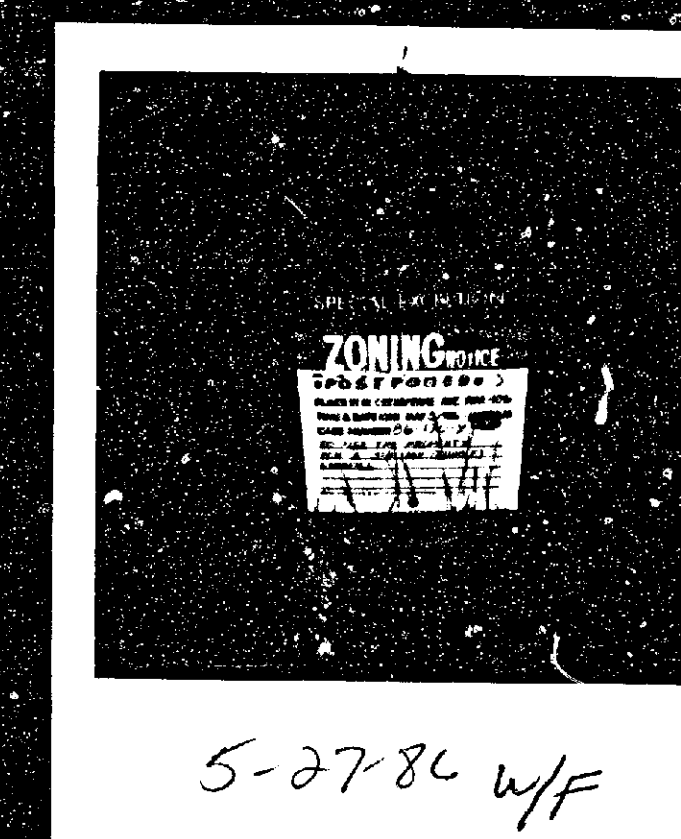
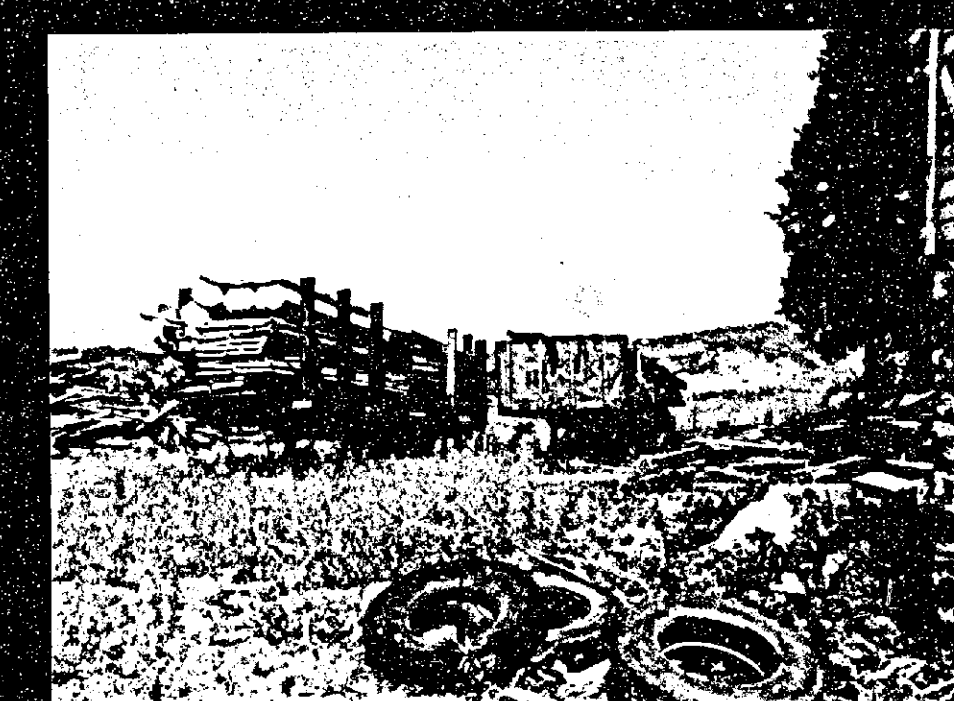
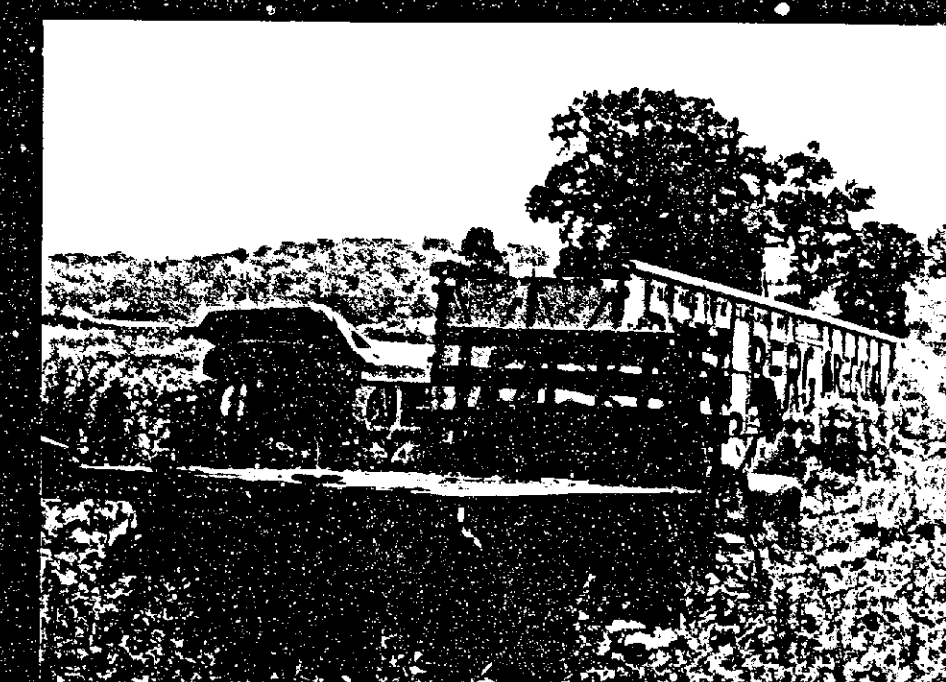
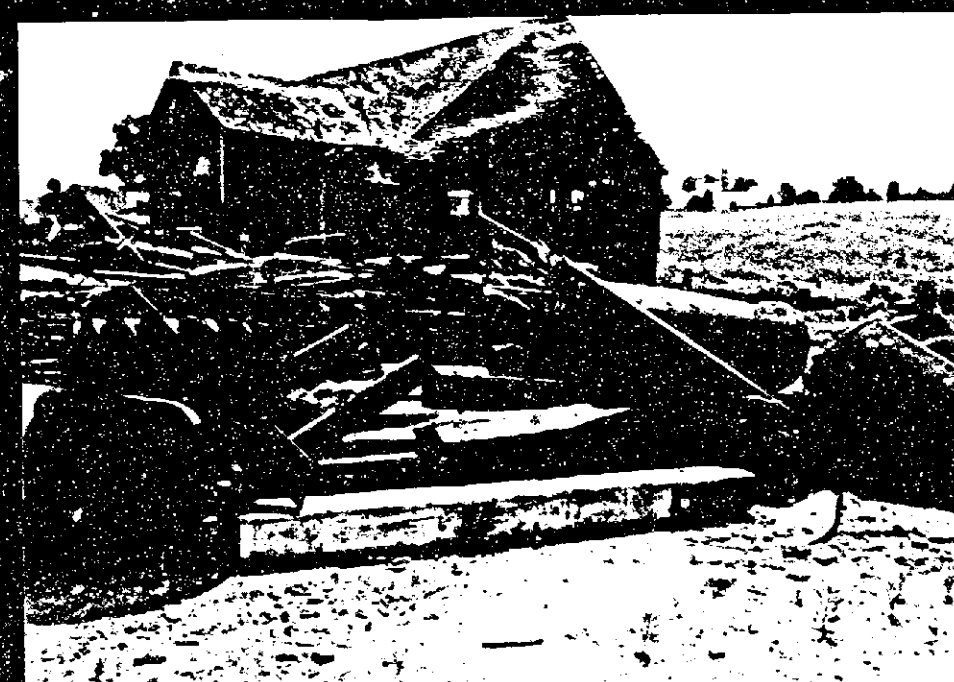
Emily Wolfson 1506 Church Lane Powell Town 21133
 D. H. Davis 401 Washington Ave
 Sally M. Brehm 2812 Greenlawn Rd. 21207
 Anne M. Loh 8708 Windsor Mill Rd. 21207
 Mary D. Beshopp 2804 Greenlawn Rd. 21207
 Albert & Mary Beshopp 8804 Woodmont Rd. 21207
 Eleanor Clark Horak 2738 Ridge Rd. 21207
 Albert Settler 2714 Ridge Rd. MD. 21207
 M. M. M. 3008 Wood Ln 21207
 Margaret Mammone " " "
 Ruthie F. 7500 Windsor Mill Rd. 21207
 Evelyn M. M. 7143 Baphill Rd. 21207
 Naamie R. Shippo 2826 Arlene Ave # 21207
 Ethel L. 3808 Arlene Ave. 21207
 Emma M. 7137 Baphill Rd. 21207
 Brenda C. 3820 Arlene Ave 21207
 Cathy Wolfson 8434 Dogwood Rd. 21207
 Dick K. Adams 2634 Ridge Rd. 21207
 Winona Horath 2615 Ridge Rd. 21207
 Robert A. Horath 2615 Ridge Rd. 21207
 Louis M. Dew 7130 Ridgewood Rd. 21207
 Eugene M. Dew 714 Dogwood Ave 21207
 Jan M. 7125 Ridgewood Rd. 21207
 Emma A. 7111 Ridgewood Rd. 21207
 Delegate Harry LaRette 2112 McPherson Ave Washington Md 21133
 P.O. Box 31
 The Paterson Concrete Co. Inc. Md.
 3000 Corporate Ave. 21



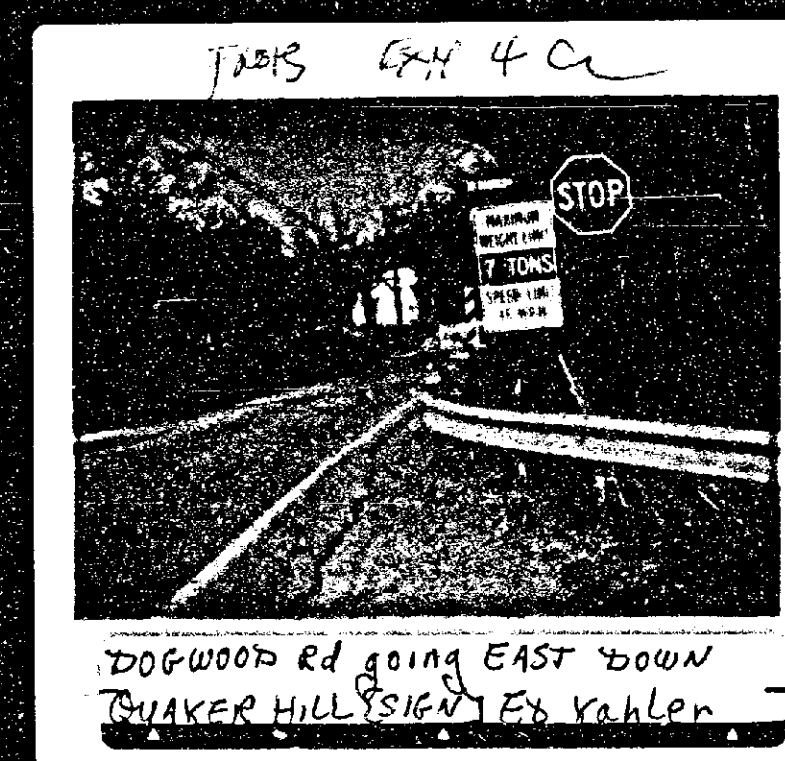
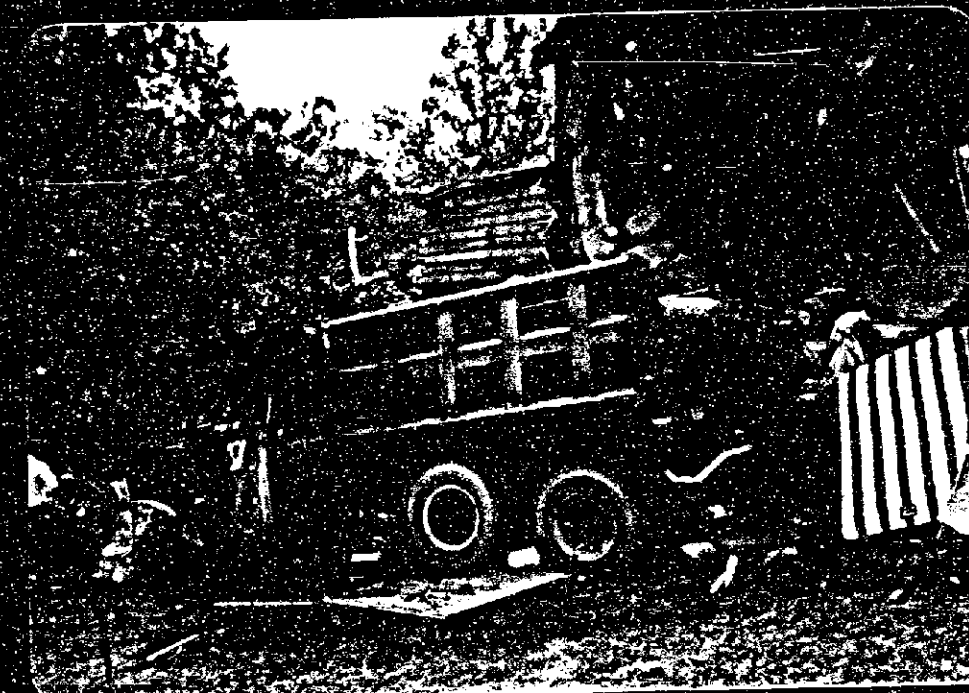
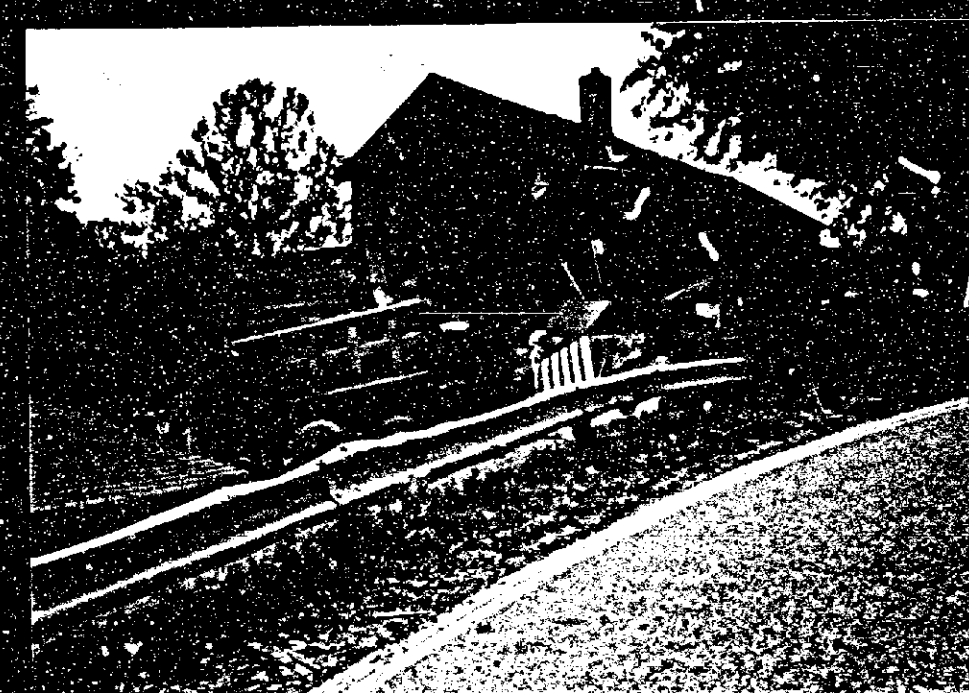
ARNOLD JABLON, ZONING COMMISSIONER
BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

Zoning Office - Balt. Co.
Re 86-136-X

Protestant's Exhibits 3a, 3b, 4a, 4b, 5



5-27-86 w/f



DOGWOOD Rd going EAST down
QUAKER HILL SIGN by Kahlen



DOGWOOD Rd going west up
Quaker Hill - SIGN by Ed Kahlen

NOTE: Existing contours are based on Baltimore County Photogrammetry and updated where necessary by field surveys

Earl L. Baker
166.14 Ac.
P. 213

Kahler Family Ltd. Partnership
73.83 Ac.
P. 424

Faye L. McGuire
29.03 Ac.
P. 203

GERALD W. BERG
177.84 Ac.
P. 380

Thomas O. Shipley
P. 602

Orlando and Beal
18.1 Ac.
P. 654

Richard T. Yates
10.6 Ac.
P. 288

Charles H. Hoke, Jr.
27.6 Ac.
P. 505

Peter Johnson
8.9 Ac.
P. 183

Ester M. Levin
106.61 Ac.
P. 12

Carroll W. Suster
99.38 Ac.
P. 351

ESTIMATED OPERATING LIFE OF THE FACILITY *

Phase I - 1st Thru 6th or 7th Year
Phase II & III to Completion - 6th or 7th to 24th Year
* Based on an Annual Fill Rate of 200,000 Cubic Yards

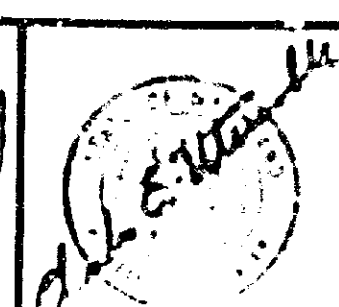
HOURS OF OPERATION

Normal hours of operation for the facility will be 7:00 am. to 5:00 p.m. Monday through Saturday. These hours may at times vary due to requirements of specific demolition contracts.

ZONING RC-3

Baltimore County Election District No. 2

KIDDE CONSULTANTS INC.
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21204



PERMIT APPLICATION FOR

PLAT AND SITE
TO ACCOMPANY
FOR SPECIAL E

VALLEYBROOK REALTY
28 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

CONTOUR INTERVAL: 5' DATE: MAY 1988

MASTER GRADING PLAN

The master grading plan is a sediment control basin - one near Ridge Road. The project will be developed between the eastern property line through the center of the site at elevation 420 so as to not cut out of place. Phase I is generally again fill will be brought up. Phase II will be performed between Phases I and II will be Second, the remaining fill will be to elevation 460. Work will be towards the sediment basin.

CHARACTERIZATION

Rubble is a generally inert by construction activities. All hazardous and disposed of in an approved manner. The general makeup of rubble can generally be characterized materials:

- Aluminum
- Bituminous Concrete
- Brick
- Cardboard
- Concrete
- Copper
- Fiberglass
- Glass
- Mortar

NOTE: Adjacent structures traced from 1987 Baltimore County photogrammetry