IN HE: PETITION FOR SPECIAL HEARING . NE/S Stansbury Rd., 99.23' SE of Graves Ct.: SW/S Stansbury Rd., 278.27' NW of Chesterwood Hd.; SW/cor. Stanstury Rd. and * Chesterwood Rd.; SE/cor. Stansbury Rd. and Chesterwood Rd.; SE/cor, of B & O RR and Chesterwood Rd. 12th Election District 7th Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. No. 88-211-SPH

Edgenere Terminals, Inc., et al

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the use of shipping containers for weatherproof storage in a freight yard; as more particularly described on Petitioner's Exhibits 1 through 6. The Petition filed sets forth that "The number of shipping containers so used shall remain accessory, subordinate and incidental to other freight storage in the yard, and said containers may be relocated within the yard but shall not be used to transport stored material to offsite locations."

The Petitioners, by Gordon L. Walker, President of Edgemere Terminals, Inc., appeared and testified on behalf of the Petition and all other property owners, and was represented by kobert W. Cannon, Esquire. Also appearing on be-Mair of the Petition was William R. Anderson, with the Riemer Group, Numerous residents of the area appeared as Protestants and appointed Patricia A. Wolf, Mary R. Lennett and George J. Woytowitz as their representatives.

The subject Petition was filed in response to a zoning violation case which developed as a result of a complaint received to the neighboring community in late 1986 as to the Petitioner's use of "storage bins" on a portion of the subject property. The complainants considered the bins as improper storage of trailers on the property. The Petitioners filed the subject Petition to have a determination made as to whether the use of the bins was proper or not.

Testimony indicated that Edgemere Terminals operates a freight yard on property owned by it and leased from surrounding property owners, the remaining Petitioners in this case. Said property is zoned M.L.-I.M., borders Stansbury Road northeast of the Peninsula Expressway, and adjoins residential areas.

Testimony and evidence presented indicated that the Petitioner proposes using shipping containers as "storage bins" for weatherproof storage with the ability to relocate same from time to time, and to locate up to 20 storage bins within the location of a leased portion of the subject property which will abut the proposed railroad spur (See Petitioner's Exhibit 4). Mr. Walker testified that the containers have been used as storage bins since 1964. Most of the materials being stored are removed from the property anywhere from 30 days to 3 months from the day of receipt. He further indicated that 99% of the material leaves by railroad. Mr. Walker testified that the storage bins may have been transported across Stansbury Road from time to time in the past. The Petitioner argued that the use of the bins is incidental and accessory to the other freight storage in the yard. The Petitioner indicated that the storage time would not be used to transport stored material to offsite locations.

Most of the material stored on the property is out in the open; i.e. lumber and structural steel equipment (see Photographs marked Petitioner's Exhibits 8A through 8J). Mr. Walker testified the storage bins are used to store freight delivered that looks like small rocks which are made of a silicone material (see Petitioner'. Exhibit 8K). The bins are an attempt to keep the small items under control, efficiently stored, and weatherproof. Mr. Walker testified that the material is placed in the bins by a forklift as depicted in Petitioner's Exhibit 8F. He testified that the bins are not placed on top of each other, but may be moved by a forklift across the subject properties. He further testified that at this time he has eleven (11) such bins on the property.

The Protestants argued that the storage bins should not be permitted on the property. Most of the Protestants' remarks concerned their disatisfaction with the operation of the business next to their residences. Their testimony addressed numerous complaints, including, but not limited to, the noise at night, the roads not being equipped to handle the traffic, the business vehicles impeding residential traffic, and the operation of vehicles in a dangerous fachion on Stansbury Road, trucks parked on the street, lighting of the facility adversely affecting them, the silicone material being hazardous to their health, and the storage bins being located too close to the road. Many of the Protestants' concerns may be valid complaints, but not matters which can be properly addressed in this forum.

The issue to be determined here is whether or not the shipping containers may be used for the weatherproof storage of freight delivered to the yard.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, it appears that the use of the shipping containers is accessory, subordinate and incidental to other freight storage in the yard. The use of the storage bins in the freight yard shall be permitted provided their use continues to be accessory and incidental to the current business and in compliance with the restrictions imposed hereinafter.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted with restrictions as more fully des-_ is cribed below.

THEREFORE, LJ IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this $\sqrt{3}$ day of March, 1988 that the use of shipping containers for weatherproof storage in a freight yard, in accordance with Petitioner's Exhibit I through 6, be approved, and as such, the Petition for Special Hearing is hereby GRANTED, subject, however, to the following restrictions:

1) At no time shall Petitioners have more than twenty (20) shipping containers on any of the properties owned or leased The shipping containers shall be placed so that they set back or the property at least 30 feet from any property

Said containers shall not be transported across any

line. Placement of the shipping containers on the property

must comply with all other applicable County regulations.

4) The Petitioners shall contact the Office of Current Planning and submit a landscaping plan in compliance with the Baltimore County Landscaping Manual, if decmed applicable, within thirty (30) days of the date of this Order.

> Cham H North and Deputy Zoning Commissioner of Baltimore County

AMN:bjs

PETITION FOR SPECIAL HEARING 88-21/51# TO THE EORING 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 havete and made a part hereof, hereby petition for a Special Hearing under Section 300.7 of the Baltimore County Zoning Regulations, to determine who that or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve \$105....

use of shipping containers for weather proof storage in a freight yard. The number of shipping containers so used shall remain accessory, subordinate and Indidental to other fraight storage in the yard. Said containers may be relocated within the yard but shall not be used to transport stored material to off-site locations.

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

Ler we, agree to gap empeners of the above Special Hearing advertising posting, the state of the Position and further agree to and are in he bound by the stating regulations and restrictions of Reltimore County adopted pursuant to the Soning Low for Reltimore County. Edgemere tions of Reltimore County adopted pursuant to the Soning Low for Reltimore County. Edgemere tions of Reltimore tions. Edgemere tions of Reltimore tions of Reltimore tions of Reltimo

Contract Parabase: Leasee Magazore Terminals, Inc. Character Terminals, Inc. Character Terminals, Inc. Parabase Termin	
Meinberg and Green Pepresent 100 South Charles Strack. Military Baltimore, Maryland 21201	(Type or Point Huma) Remarks 5167, 4120
Administration Communication C	Suite 31k # 23,3/C h09 Washington Avenue (301) 234-1-227
Carles Town	
Total Devices D. (2012)	- Bebert V. Conces, Deptite Life Seek Conces Street Mark Conces

DESCRIPTION TO ACCOMPANY ZONING PETITION SCHAFFER INDUSTRIES, INC., 4/k/a, INDUSTRIAL BEVELOPMENT CORPORATION

Designing for the same at the interesetion of the couth side of the Patapaco Nack Branch of the Baltimore and Ohio Reilroad Company with the easternment Right of May of Chastermend Read, said point also being located South 64 degrees 37 minutes 19 secures East 35.00 feet from the point of beginning of Parcel No.2 of those lands conveyed by Mary Eleise Stansbury, unserried, Charles E. Stansbury and Brace Still Stansbury, his mife, to Endustrial Development Corporation, by doed dated North 15, 1981 and reserved among the Land Records of Baltimore County, Maryland in Liber 1988 Folio 243, thence binding on the couth side of the show contis D & O Reilrood and running for the following courses and distances as referred to the shows contioned dead.

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3) South 33 degrees 35 executes test 525.00 feet to the

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eache the Land Records of Baltimore County, Maryland in Liber 1942, Folio 243, at a distance of 240.89 feet coutheasterly from the beginning of said line and running thence with and binding on said line along the southwest elde of the Patagose Mack Branch of the Baltimore and Onio Retirend

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PETITION FOR SPECIAL HEARING
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 Hearing under Section 500 7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and or Deputy Zoning Commissioner should approve

use of analyting containers for yearner true futurage in a freign unstall the number of shipping containers so used shall remain accessory, sater made and Totaledtal to other freight storage in the yard. Said container has to see the start that the yard but shall not be used to transport stored material to other test contains.

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

I. or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon first of this Petition, and further agree to and are to be bound by the roning regulations and restrictions of Baltimore County Adopted pursuant to the Zoning Law for Baltimore County Adopted pursuant to the Zoning L

	The state of the s	
Contract Purchases: Lessee	Legal Owners): 4A	
Edgemere Terminals, inc. (Type or Print Name)	(Type po Print Mane)	
Signature Robert W. Cannon, Authorized Weinberg and Green Representative	Signature Kelsk E. Ronald, Authorized & F. Representative	
100 South Shoules Street	(Type or Print Name)	
City and State	Signature : 15 4127	
Attorney for Petitioner:	Suite 314 5 13 3HJ	
Robert W. Cannon, Esquire	Address Phone No.	
Sunstare Weinberg and Green	Towson, Maryland 21204 City and State	
100 South Charles Street	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted	
Baltimore, Maryland 21201 City and State	Name Weinberg and Green 100 South Charles Street	
Attorney's Telephone No : (301)_332-8816	Beltipore, Maryland 21201 332-4816	

J. Robert Springer

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among the Land Records of Baltimore County, Maryland in Liber 1942, Folio 243, at a distance of 240,89 feet southeasterly from the beginning of said line and running thence with and binding on said line along the southwest side of the Fatapsco Necl Branch of the Baltimore and

Onic Railroad

South 64 degrees 38 minutes East 1810.12 feet; thence 50 South 25 degrees 22 minutes West 40.00 feet; thence 10 North 64 degrees 30 minutes West 1799.40 feet; thence

2) North 64 degrees 30 minutes West 1799,40 feet; thence 4) North 10 degrees 22 minutes East 41.41 feet to the place f beginning.

Containing 1.66 acres of land, more or less.

DESCRIPTION TO ACCOMPANY ZONING PETITION SCHAEFER INDUSTRIES, INC., F/L/A, INDUSTRIAL DEVELOPMENT CORPORATION

Reginning for the same at the intersection of the south side of the fatapsco Neck Branch of the Baltimore and Ohio Railroad Company with the easternmost Right of Way of Chesterwood Road, said point also being located South 64 degrees 37 minutes 19 seconds. East 35.00 feet from the point of beginning of Parcel No.2 of those lands conveyed by Mary Eloise Stansbury, unmarried, Charles E. Stansbury and Grace Gill Stansbury, his wife, to Industrial Development Corporation, by deed dated March 15, 1951 and recorded among the Land Records of Baltimore County, Maryland in Liber 1942, Folio 243, thence binding on the south side of the above mentioned B & O Railroad and running for the following courses and distances as referred to the above mentioned deed.

1) South 64 degrees 38 minutes East 2203.96 feet; thence
2) Southeasterly by a line curving to the right with a
radius of 1120.28 feet, an arc length of 610.37 feet and a chord
of South 49 degrees 01 minutes 30 seconds East 602.85 feet; thence
3) South 33 degrees 25 minutes Tast 230.00 feet to the
waters of Bear Creek; thence leaving said B & D Railroad right of
way and binding on the waters of Bear Creek the following courses

5) South 57 degrees 07 minutes West 113.00 feet; thence
6) South 82 degrees 26 minutes West 232.00 feet; thence
7) South 40 degrees 46 minutes West 176.00 feet; thence
8) South 06 degrees 32 minutes West 175.00 feet; thence
9, South 44 degrees 20 minutes West 105.00 feet; thence
10) South 20 degrees 39 minutes West approximately 224 feet
to intersect the northernmost Right of Way of the Peninsula Expressway; thence binding on the northernmost Right of May of Peninsula
Expressway to it's intersection with the easternmost Right of May of Chesterwood Road; thence binding on the easternmost Right of May of Chesterwood Road; thence binding on the easternmost Right of May of Chesterwood Road to the place of beginning.
Containing 60 acres of land more or less.

North 75 degrees 23 minutes West 94.50 feets thence

SAVING AND EXCEPTING all that land acquired by Baltimore county for the Right of May of Stansbury Ross as shown on Baltimore County drawings FRM 80-023-1 and FRM 80-023-2.

SUBJECT to leaving open a strip of land 40 feet wide for a road for use in common with others, which strip of land is described as follows:

Beginning at a point in the first line of Parcel No. 2 of the above mentioned deed to Industrial Development Corporation, recorded

INC.

Bit land to be the party of the party

100 South Charles Street

Baltimore, Maryland 21201

RE: PETITION POR SPECIAL DEARTING

ME/S Stemebury Md., 99.23' AE of Greyos Ct.;

SW/cor. Stensbury Rd. and Chesterwood Rd.;

SE/cor. Standbury Md. and Chesterwood Md.

SE/cor. of B & O M and Jacobersons Rd.

SW/B Stampbury Ma., 278.2" MM of Chapterwoo, No.

12th Election District - 7th Councilments District

DESCRIPTION EDGEMERE TERMINALS, INC. LIBER 5476 FOLIO 553

Beginning for the same at a point on the northeast side of Stansbury Road, said point being located South 59 degrees, 33 minutes East 99.23 feet from the intersection of said northeast side of Stansbury Road with the southeast side of Graves Court, thence binding on the northeast side of Stansbury Road and running for the following courses and distances as referred to a deed dated September 6, 1974 and recorded among the Land Records of Baltimore County, Maryland in Liber 5476, Folio 553, from Trident Corporation to Edgemere Terminals, Inc.

(1) South 59 degrees, 33 minutes East 617.77 feet; thence leaving the northeast side of Stansbury Road (2) North 30 degrees, 27 minutes East 439.00 feet to a point on the southwest side of Flood Road, 50 feet wide; thence binding on the southwest side of Flood Road (3) North 59 degrees, 33 minutes West 617.77 feet; thence leaving the southwest side of Flood Road

(4) South 30 degrees, 27 minutes West 439.00 feet to the place of beginning.
Containing 5.226 acres of land more or less.

SUBJECT to a ten foot widening strip for Stansbury Road.

DESCRIPTION LYNCH COVE ASSOCIATES LIBER 6290 FOLIO 770 PARCEL 2

Beginning for the same at the intersection of the southwest side of Stansbury Road with the west side of Chesterwood Road, said point being at the end of the fourth line of the second parcel of land which by deed dated May 28, 1981 and recorded among the Land Records of Baltimore County, Maryland in Liber 6290, Folio 770 was conveyed by Walter Realty Investors, Inc. to Lynch Cove Associates thence binding on the west side of Chesterwood Road running for the following courses and distances as referred to the above mentioned deed

(1) South 11 degrees, 41 minutes, 33 seconds East 46.78 feet; thence
(2) South 36 degrees, 12 minutes, 13 seconds West 179.68 feet to intersect the northeast side of the right-of-way of the Patapsco Nack Branch of the Baltimore

and Ohio Railroad; thence binding on said right-of-way
(3) North 64 degrees, 38 minutes, 00 seconds West
353.16 feet; thence leaving said railroad
(4) North 77 degrees, 48 minutes, 00 seconds East

82.27 feet; thence
(5) North 30 degrees, 20 minutes, 00 seconds East
188.45 feet to the southwest side of Stansbury Road; thence
binding on said southwest side of Stansbury Road
(6) South 59 degrees, 40 minutes, 00 seconds East

278.27 feet to the place of beginning.

Containing 1.587 acres of land more or less.

DESCRIPTION
MOUNT CLAIRE PROPERTIES
LIBER 6501 FOLIO 448
PARCEL 4

Beginning for the same at a point on the southwest side of Stansbury Road, said point being located northwest 278.27 feet as measured along the southwest side of Stansbury Road from its intersection with the west side of Chesterwood Road, thence leaving Stansbury Road and running for the following courses and distances as referred to a deed dated March 22, 1983 and recorded among the Land Records of Baltimore County, Maryland in Liber 6501, Folio 448 from The Baltimore and Ohio Railroad Company to Mount Claire Properties, Inc.

(1) South 30 degrees, 24 minutes, 41 seconds West 189.07 feet; thence
(2) South 77 degrees, 52 minutes, 41 seconds West 82.11 feet to intersect the northeast side of the Baltimore and Ohio Railroad Company right-of-way, thence binding on said right-of-way

(3) North 64 degrees, 42 minutes WEst 105.34 feet, thence leaving said right-of-way

(4) North 25 degrees, 31 minutes, 55 seconds West 143.51 feet; thence

(5) For, a line curving to the left having a radius of 1.245.92 feet and an arc length of 423.09 feet to a point on the southwest side of Stansbury Road; thence binding on the southwest side of Stansbury Road

(6) South 59 degrees, 35 minutes, 19 seconds East 667.11 feet to the place of beginning

Containing 2.133 acres of land more or less.

DESCRIPTION
LYNCH COVE ASSOCIATES
LIBER 6290 FOLIO 770
PARCEL 3

Beginning for the same at the intersection of the southwest side of Stansbury Road with the East side of Chesterwood Road, said point being at the beginning of the first line of the third parcel of land which by deed dated May 26, 1981 and recorded among the Land Records of Baltimore County, Maryland in Liber \$290, Folio 770 was conveyed by Walter Realty Investors, Inc. to Lynch Cove Associates; thence binding on the scuthwest side of Stansbury Road and running for the following courses and distances as referred to in the above mentioned deed.

(1) South 59 degrees, 40 minutes, 00 seconds East 107.90 feet to the west side of a road 40 feet wide as described in a deed from Mary Eloise Stansbury to Industrial Development Corporation duted March 15, 1951 and recorded among the Land Records of Baltimore County Maryland in Liber 1942, Folio 243; thence binding on the west side of said road

(2) South 10 degrees, 22 minutes, 00 seconds West 200.05 feet to intersect the northeast side of the right-of-way of the Patapsco Neck Branch of the Baltimore and Ohio Railroad; thence binding on said right-of-way (3) North 64 degrees, 38 minutes, 00 seconds West 181.10 feet to intersect the northeast side of Chesterwood Road; thence binding on the northeast side of Chesterwood Road

(4) North 31 degrees, 31 minutes, 00 seconds East 203.76 feet to the place of beginning.

Containing 0.654 acres of land more or less.

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CERTIFICATE OF PUBLICATION

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4 N. Center Place P. O. Best 8936 Dundelle, Md. 21222

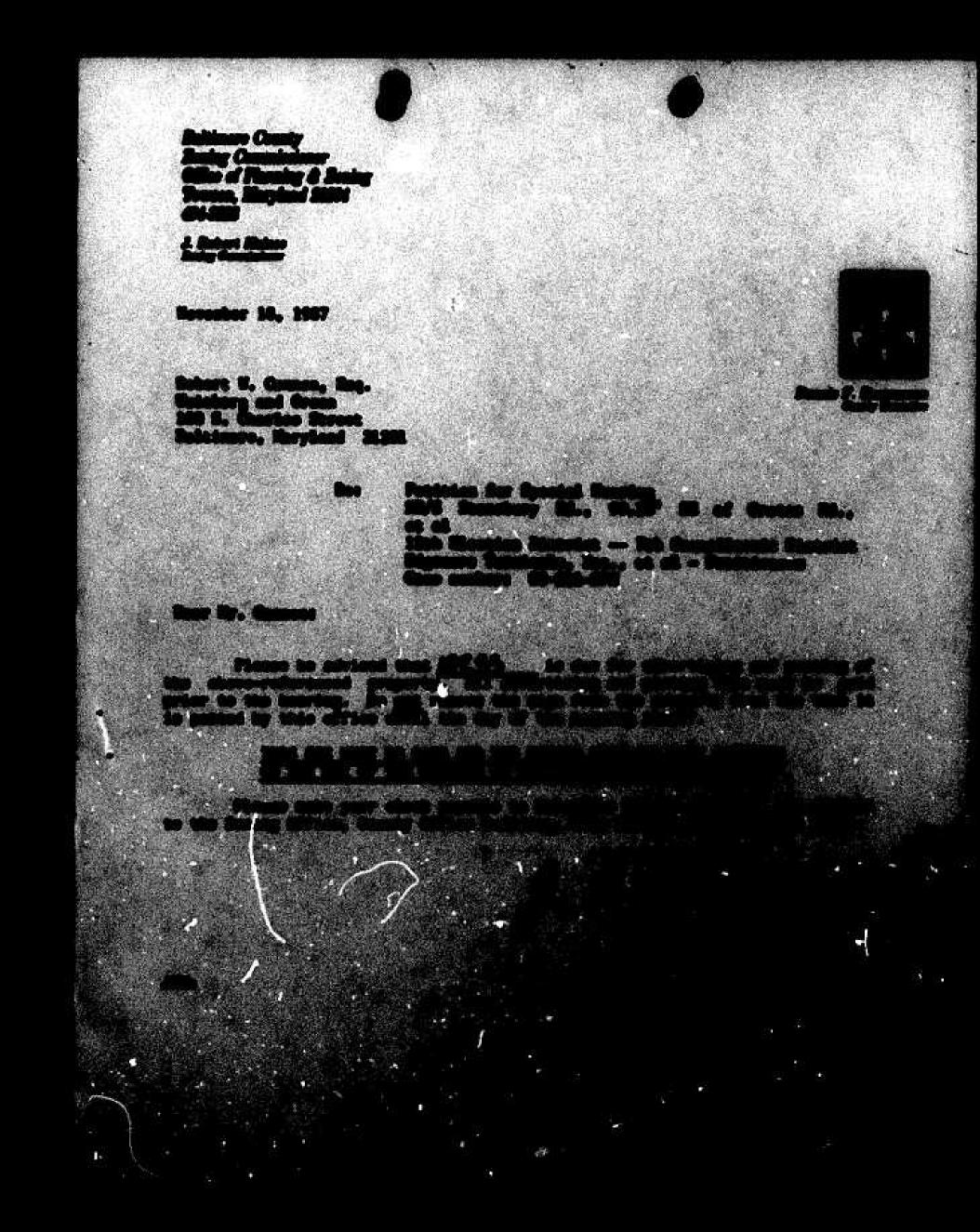
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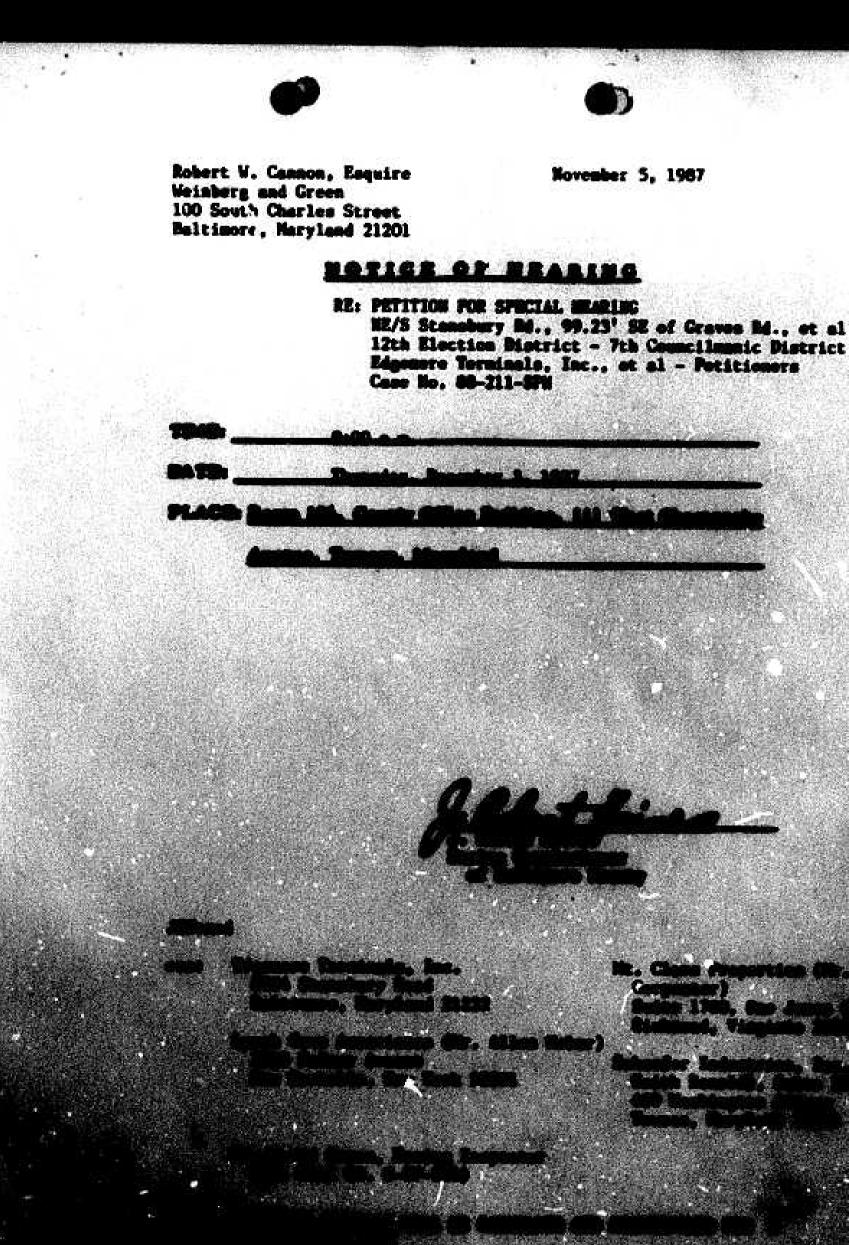
THIS IS TO CERTIFY, that the annexed advertisement of gobert Haines in the matter of Soning Hzgs. Case 88-211-5PH - P.O. 894810 - Req. 6808722 - 75 lines 830.00.

was inserted in The Dundath Eagle a weekly newspaper published in Beltimore County, Maryland, once a week for one managing weeks before the 13th day of Hovember 19 87; that is to say, the same was inserted in the issue of Nov. 12, 1987

mbel Publication, Inc. — Publication

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(2)

SESCRIPTION ELIGENERS TERMINALS. INC. LIBER 5276 FOLIO 555

Beginning for the same at a point on the northeast side of Stansbury Road, said point being incated South to degrees. It minutes bast 99.23 feet from the intersection of said northeast side of Stansbury Poad with the southeast side of Graves Court, thence binding on the northeast side of Stansbury Frad and running for the following rourses and distances as referred to a deed dated September 6, 1974 and recorded among the Land Records of Baltimore County. Maryland in Liber 5474, folio 553, from Trident Corporation to Edgemere Terminals, Inc.

/1/ South 59 degrees, 33 πinutes East 617.77 fee', thence leaving the northeast side of Stansbury Road (2) North to degrees, 27 minutes East 439.00 feet to a point on the southwest side of Flood Road, 5% feet wide, thence Linding on the southwest side of Flood Road it. Worth to degrees. It minutes West 517.77 feet, thence leavin; the southwest side of Flood Road

(4) South 30 degrees, 27 rightes west 439.00 feet the the place of beginning. Containing fills acres of land more or less.

subject to a ten foot widening strip for Stansbury Road.

LYNIH TOVE ASSOCIATES LIBER 6290 FOLIO 770 PARCE: 2

DESCRIPTION

Beginning for the same at the intersection of the Southwest side of Stansbury Road with the west side of Chesterwood Foad, said point being at the end of the fourth line of the second parcel of land which by deed dated May 26. 1961 and recorded among the Land Records of Baltimore County. Maryland in liber 6291. Frilio 77, was conveyed by walter Realty Investors, Inc. to Lynch Cove Associates thence binding on the west side of Chesterwood Foad running for the following to uses and distances as referred to the above mentioned deed

11 South II degrees, Almondones, 30 seconds East 46,78 feet, theree

12 South 3t degrees, 12 minutes: it seconds west 179.68 feet to intersent the mortheast side of the right-of-way of the Patapsoo Neow Branch of the Baltimore and Once Pacinoad, thense tinding on said right-of-way 11 North 64 degrees, 36 minutes, 1, seconds west 35%.if feet: *tence leaving said railroad

14 North Ti degrees, 46 minutes, seconds East EI.2" feet. "terme North T degrees, 24 minutes, 5 seconds Past

IFE.A' feet to the Southwest side of Stansbury Spad, transe tinding to said southeest side of Stansfury Fract () South to degrees, 4 minutes, 0 seronds East 17e.17 feet to the place of beginning.

Containing 1.187 acres of land more or less.

CESCRIPTION MOUNT CLAIRE PROPERTIES 118EF 6501 FOLIC 448 PARCEL 4

Beginning it: the same at a point on the southwest side to Stansbury Pract said point being located northwest 276.27 feet as teasured along the southwest side of Stanstury Foad from its intersection with the west side of Chesterwhitz Edad, thence leaving Stanstury Road and running for the foliowing courses and distances as referred to a deep dates Marst 11. 1983 and recorded among the Land Records of Baltimore Tounty, Maryland in Liber 6501. Folio 446 from The Baltimire and Onic Pailroad Company to Mount Claire Froperties, Inc.

': South ? degrees, I4 findtes, 41 seconds West . South -- degrees, fi minutes, 4: seconds west fully feet to intersect the northeast side of the Baltimore and it is Faulroad Company right of way, thence binding on 55.1 11311-11-NAV

I North to degrees, 42 minutes WEst 105.34 feet, tremme leaving said right-of-way THE North 15 degrees, 31 minutes, 55 seconds West 141.1. fee trease

for a line curving to the left biving a stadius of live'. 42 feet and an arc length of 423.09 feet to a fold: of the stationer side of Stansbury Road, thence finding on the statement side of Stansbury Road f South to degrees, 35 minutes, 14 seconds East ff il fee to the place of beginning

Circle.rin: I... acres of land more or less.

DESCRIPTION LYNCH COVE ASSOCIATES LIBER 6290 FOLIO 776 PARCEL 3

Beginning for the same at the intersection of the southwest side of Stansbury Road with the East side of Chesterwood Foad, said point being at the beginning of the first line of the third parcel of land which by deed dated May 25. 1-51 and recorded among the Land Records of baltimore County, Maryland in Liber 6290, Folio 770 was conveyed by walter healty investors, Inc. to Lynch Cove Associates, thence tinding on the scuthwest side of Stansbury Road and running for the following courses and distances as referred to in the above mentioned deed.

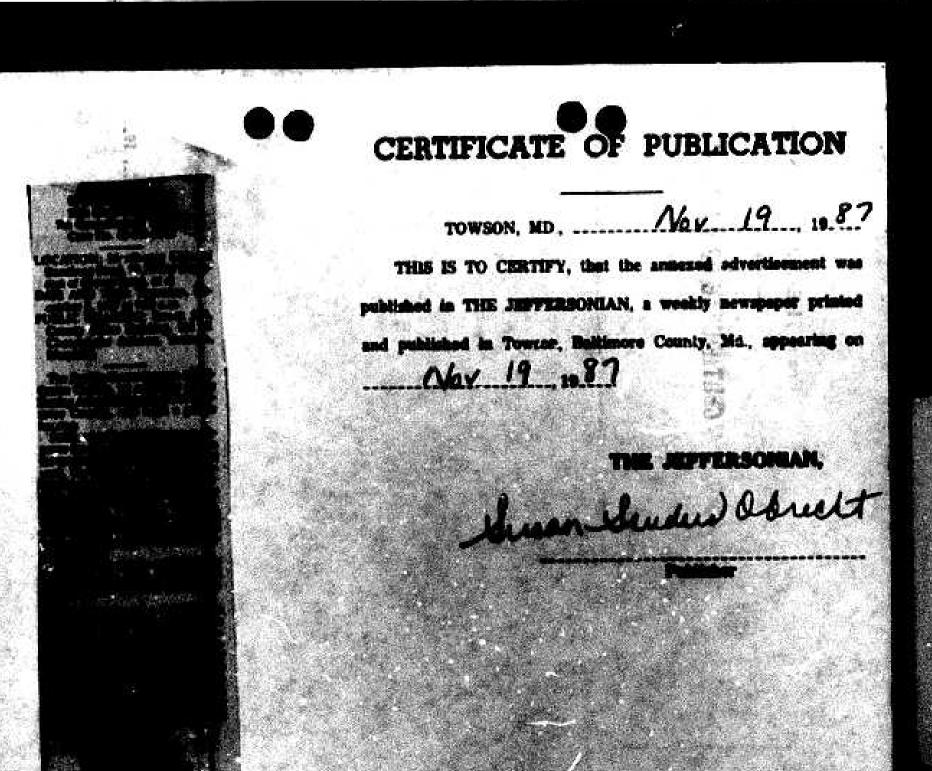
111 South 59 degrees, 40 minutes, 00 seconds East 10":90 feet to the west side of a road 40 feet wide as described in a deed from Mary Eloise Stansbury to Industrial Development Corporation dited March 15, 1951 and recorded among the Land Records of Baltimore County Maryland in Liber 1942. Folio 247, thence tinding on the west side of said 121 South 10 degrees, 22 minutes, 00 seconds West

200.00 feet to intersect the northeast side of the right-of-way of the Patapsco Neck Branch of the Baltimore and Once Failroad, thence tinding on said right-of-way [81.16 feet to intersect the northeast side of Chesterwood Poad, thence binding on the northeast side of Chesterwood

(4 North 31 degrees, 31 minutes, 00 seconds East 201. I feet to the place of beginning.

Containing fit's acres of land more or less.

- Fre (a) Hor 1 my I gamere Lex muds, Ins relation Location of property NEB SIAN Dary Rd. 18. 20' SE/ Grate Rd 1 P words they Stand Ill West Hi for red day now fret by of late Turna... Posted by 2 M & Steeless - Date of return 113/87 Sumber of Signes _______



CERTIFICATE OF PUBLICATION OFFICE OF

Dundalk Eagle 4 N. Center Place P O Box 8936

PETITION FOR STYLING MARKET
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Gaze So. 98-211-970
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Dundalk, Md 21222

November 12,

98-211-SPH - P.J. #94810 - Req. #M08722 - 75 lines was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week successive weeks before the 13th day of 19_{87} : that is to say, November the same was inserted in the issues of Nov. 12, 1987

THIS IS TO CERTIFY, that the annexed advertisement of Robert Haines in the matter of Zoning Hrgs. Case

Kimbel Publication, Inc.

129.33 0 00070000+1203311 boshf

Bultimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Hainer

November 18, 1987

Robert W. Cannon, Esq. Weinberg and Green 100 S. Charles Street Baltimore, Maryland 21201

> Petition for Special Hearing NE/S Stansbury Rd., 99.23' SE of Graves Rd., 12th Election District -- 7th Councilmenic District Edgemere Terminals, Inc., et al - Petitione:s Case number: 88-211-SPR

Please be advised that 129.35 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

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

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

> J. ROBERT MAIRES Zoning Commissioner of Baltimore County

Pennis F. Rasmussen County Exempter

Robert W. Cannon, Esquire Weinberg and Green 100 South Charles Street Baltimore, Maryland 21201

November 5, 1987

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING NE/S Stansbury Rd., 99.23' SE of Graves Rd., et al. 12th Election District - 7th Councilmanic District Edgemere Terminals, Inc., et al - Petitioners Case No. 88-211-SPH

Thursday, December 3, 1987 PLACE: Room 106, County Office Building, 111 West Cheespeak Avenue, Towson, Maryland



JRH: med

Edgemere Terminals, Inc. 8004 Stansbury Road Baltimore, Maryland 21222

> Lynch Cove Associates (Mr. Allen Weber) 2525 Palmes Avenue New Rochelle, Ne York 10801

Mt. Clare Properties (Mr. Ken Suite 1700, One James Center Richmond, Virginia 23219 Schaefer Industries, Inc. (Mr.

Keith Ronald), Suite 314. 409 Washington Avenue Towson, Maryland 21204

Mr. David Green, Zoning Inspector (RE: CASE NO. C-87-558)

IN CASE OF SHOW, MEARING WILL BE CANCELLED AND RESCHEDULED FOR A LATER BATE AND TIME. JEN

April 22, 1988

Robert W. Cannon, Esquire Meinbers and Green 100 South Charles Street Baltimore, Maryland 21201

RE: Petition for Zoning Variance ME/3 Standbury Boad, SE of Graves Court 12th Election District - 7th Councilmanic District Case No. 88-212-A

Dear Hr. Cannon:

The following is in response to your letter dated April 18, 1988 on the above-captioned matter.

I am not in agreement with your conclusion regarding Restrictions Nos.
1 and 2 having been met. The issuance of the building permit prior to construction does not evidence compliance with storm water management requirements. The Petitioner is expected to provide this Office with documentation from the Bureau of Engineering and the Division of Sediment Control that a storm water minagement plan in compliance with County regulations at the time the building was constructed in 1961, is, or will be, in effect. If said documentation cannot be provided within thirty (30) days of the date of this letter, please let me know before the thirty days have expired if additional time is necessary and the ressons for requesting an extension.

Pursuant to our telephone conversation of April 20, 1986 regarding compliance with Restriction No. 3 of the above-captioned matter and Restriction No. 4 @ Case No. 88-211-SPH, a twenty-day extension is hereby granted for supplying information regarding the applicability of the Beltimore County Landscaping Manual. You are correct in stating the Hanual is not applicable regarding Case No. 88-212-A mince it was not in effect at the time the building was constructed in 1981. However, the Hernel may be deemed applicable in Case No. 88-211-SFH as a result of the relief granted therein.

If you have any further questions on the subject, please do not hesitate to call me. Thank you for your consideration in this matter.

Yery truly yours,

AMM M. MASTANCHICZ Deputy Zoning Commissioner of Baltimore County

cc(a): Ms. Patricia A. Wolf 8406 Cove Road, Baltimore, Md. 21222

6500 Cove Bood, Baltimore, Md. 21222

Hr. George Hoytowitz, 8007 Segremore Road, Beltimore, Md. 21237

INTER-OFFICE CORRESPONDENCE

June 25, 1987

PROM. David Green

SUBJECT___C-87-558 "Vic. Strasbury and Thesterwood Site Plan (Trucking Facility)

Please be advised that the above referenced case is an active zoning violation case. Pleare notify this office of the outcome of the public hearing.

Ha. Mary R. Lemmett

Case Files (2)

ZONING ENFORCEMENT SECTION

CASE NUMBER C- 89-155

. . . . CORRECTION NOTICE FOR ALLEGED ZONING VIOLATION

PLEASE BE ADVISED THAT AM JUSPECTION OF THE ABOVE REFERENCED LOCATION REVEALED:

Falure To Comer with Restrictions "1

And besting the Ocher # 88-211 5Ph

Storage DE Mere Then de Trailers

AND Stocker OF Trailer within 30 Feet

LOCATION: S.E. Stansbery Rd & Graves Kd

THERE IS AN APPARENT VIOLATION AND THE POLLOWING CORRECTION IS REQUIRED;

THERE WAS NO VIOLATION OBSERVED AND THE CASE WILL BE CLOSED.

PETITION FOR SPECIAL HEARING

12th Election District - 7th Councilmanic District

Case No. 88-211-SPH

Northeast Side of Stansbury Road, 99.23 feet Southeast of Graves LOCATION: Road, et al

DATE AND TIME: Thursday, December 3, 1987, at 9:00 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 Hearing to approve the use of shipping containers for weather proof storage in a freight yard. The number of shipping containers so used shall remain accessory, subordinate and incidental to other freight storage in the yard. Said containers may be relocated within the yard but shall not be used to transport stored material to off-site locations

Being the property of Edgemere Terminals, Inc., et al, as shown on plat plan (iled 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 o' the hearing set above or made at the hearing.

> J. R MERT HAINES ZOWING COMMISSIONER OF BALTIMORE COUNTY

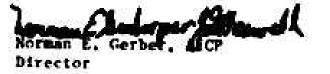
INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO Zoning Commissioner

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

SUBJECT Zoning Petition No. 88-211-SPI

Please note that a CRC meeting may be required and that landscaping must comply with the requirements set forth in the Baltimore County Landacape Manual. Further, a detailed review of the site plan cannot be made in the absence of parking data, etc. These matters should be discussed with the Division of Current Planning and Development.



November 24, 1987

NEG: JCH: dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel



TELEPHONE: 494-3351

ELECTION DISTRICT: 12

of 88-211-5PH.

ME/S of Stansbury Rd., 99.23' SE of Graves Rd., et al. OF BALTIMORE COUNTY 12th Election District

EDGEMERE TERMINALS, INC., et al. Case No. 88-211-SPH Petitioners

ENTRY OF APPEARANCE

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

> Phyllip Cole Priodnes People's Counsel for Baltimore County

Deputy People's Counsel Room 223, Court House

I SERENT CERTIFY that on this 13th day of November, 1987, a copy of the feregoing Batry of Appearance was mailed to Robert W. Campon, Enquire, Detaberg and Green, 16th Floor, 100 S. Cherles Street, Beltimore, No. 21201.

April 22, 1988

Robert W. Cannon, Esquire Weinberg and Green 100 South Charles Street Baltimore, Maryland 21201

RE: Petition for Zoning Variance NE/S Stansbury Hoad, SE of Graves Court 12th Election District - 7th Councilmanic District Case No. 88-212-A

Dear Hr. Cannon:

The following is in response to your letter dated April 18, 1988 on the above-captioned matter.

I am not in agreement with your conclusion regarding Restrictions Nos. I and 2 having been met. The issuance of the building permit prior to construction does not evidence compliance with storm water management requirements. The fetitioner is expected to provide this Office with documentation from the Bureau of Engineering and the Division of Sediment Control that a storm water management plan in compliance with County regulations at the time the building was constructed in 1981, is, or will be, in effect. If said documentation cannot be provided within thirty (30) days of the date of this letter, please let me know before the thirty days have expired if additional time is necessary and the reasons for requesting an extension.

Pursuant to our telephone conversation of April 20, 1988 regarding compliance with Restriction No. 3 of the above-captioned matter and Restriction No. 4 of Case No. 88-211-SPH, a twenty-day extension is hereby granted for supplying information regarding the applicability of the Baltimore County Landscaping Handal. You are correct in Stating the Handal is not applicable regarding Case No. 88-212-A since it was not in effect at the time the building was constructed in 1981. However, the Handal may be deemed applicable in Case No. 88-211-SPH as a result of the relief granted therein.

If you have any further questions on the subject, please do not hesitate to call us. Thank you for your consideration in this matter.

Very truly yours,

ANN M. NASTARCWICZ Deputy Zoning Coumissioner of Baltimore County

AM:Djs cc: See attached Robert W. Cannon, Esquire April 22, 1988

cc(s): Ms. Patricia A. Wolf 8406 Cove Road, Baltimore, Md. 21222

> Ha. Hary R. Lennett 8500 Cove Road, Baltimore, Hg. 21222

Hr. George Woytowitz 8007 Sagramore Road, Baltimore, Md. 21237

Case Files (2)

Page 2

XXIION: $\mathbf{Y}_{t+1,t+1} = \mathbf{Y}_{t+1} = \mathbf{Y}_{t+1,t+1} = \mathbf{Y}_{t+1,t+1}$

DATE AND TIME: Telephone to the telephone (, 1947, at 1920) with

DESCRIPTION AND APPLICAL HEAVING

PUBLIC HEAR NG: Room 10b, County Office Building, 111 w. Thesapeaks Avenue.
Towson, Maryland

The Zoning lommissioner of Baltimore County, to authority of the Zoning Act at 1. Regulations of Baltimore County, will hold a public heating:

Return to the opening the approve the use of elappone containment to describe the province that the province that the province of the province

Being the property of ______increases, inc., et al, as shown on platplan 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 ty the late of the hearing set above or made at the hearing.

 R.BERT HAINES ZONING COMMISSIONER OF BALTIMORE COUNTY BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Halmes
TO Zening Commissioner

Norman E. Cerber, AICE PROM. Director of Planning and Zenine

SUBJECT. Zemine Petition No. 88-211-8Pp.

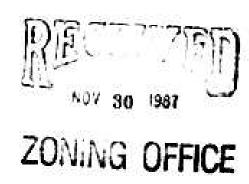
Please note that a CSC meeting may be required and that landscaping must comply with the requirements set terth in the Baltimere County Landscape Manual. Further, a detailed review of the site plan cannot be made in the absence of parking data, etc. These matters should be discussed with the Division of Current Planuing and Development.

Norman E. Gerber, ACP

November 24, 1987

SECTION (dmg

103 Ms. Smirles M. Hess, Leval Assistant, People's Counsel Filter



CPS-00:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO James E. Dyer	Date	1987
PROM David Green		
SUBJECT. C-87-558 Vic. Strasbury and Thesterw Site Flan (Trucking Facilit	ood Y)	

Please be advised that the above referenced case is an active zoning violation case.
Please netify this office of the outcome of the public hearing.

ZONING ENFORCEMENT SECTION



TELEPHONE: 494-3351

CASE NUMBER C. 89-155 ELECTION DISTRICT: 12

LOCATION: S.E. Stanzburg Rd & Graves Rd.

. . . CORRECTION NOTICE FOR ALLEGED ZONING VIOLATION

PLEASE BE ADVISED THAT AN IN PECTION OF THE ABOVE REFERENCED LOCATION REVEALED:

THERE WAS NO VIOLATION OBSERVED AND THE CASE WILL BE CLOSED.

THERE IS AN APPARENT VIOLATION AND THE FOLLOWING CORRECTION IS REQUIRED:

Falure I - Comply With Restrictions

(ie) Storage OF Mere Than 20 Trailers

OF Property Line

Ang Questions Plans. Call 832-8094

PAILURE TO COMPLY BY 8-01-89, WILL RESULT IN THE ISSUANCE OF A CITATION WHEREIN YOU ARE SUBJECT TO A CIVIL PENALTY OF \$200.00 FOR EACH VIOLATION, AND EACH DAY SHALL BE CONSIDERED A SEPARATE VIOLATION (CIVIL PENALTY BILL #132-85).

CT COMPLIANCE HAS SEEN ATTAINED AND THE CASE WILL BE CLOSED

Memo to File

Inspected Edgemene Terminals
on 1/1/91 parament to Case # C89-155.
The site aggreened to be in

compliance with restrictions 1+2
of 88-211-5PH.

E: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER NE/S of Stansbury Rd., 99.23° SE of Graves Rd., et al. ; OF BALTIMORE COUNTY 12th Election District

EDGEMERE TERMINALS, INC., et al. Case No. 88-2:1-SPH Petitioners

r r r r r r

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
421-2188

I HERESY CERTIFY that on this 13th day of November, 1987, a copy of the foregoing Entry of Appearance was mailed to Robert W. Cannon, Esquire, Weinberg and Green, 14th Floor, 100 S. Charles Street, Baltimore, MD 21201.

Leter May Zumina

WEINBERG AND GREEN

ATTORNETS AT LAW CO SOUTH CHARLES STREET BASTIMONE MARYLAND 2:201

BALTIMONE LIGHT FOR ME. MASHINGTON AREA 47" 144

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THE FOOT FOR The Ray Maria

April 18, 1988

TO A SHIP THE

(301) 332-8816

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BY HAND DELIVERY

Hon. Ann M. Nastarowicz Deputy Zoning Commissioner of Baltimore County County Office Building, Room 109 111 West Chesapeake Avenue Towson, Maryland 21204

> Re: Case No. 88-212-A Petitioner - Edgemere Terminals, Inc. Petition for Zoning Variance

Dear Commissioner Nastarowicz:

In accordance with your March 23, 1988 Order (the "Order") granting the captioned Petition for Zoning Variance, this letter will outline the Petitioner's actions complying with conditions 1 and 2 (Order, page 4) concerning compliance with Storm Water Management ("SWM") requirements in effect at the time of construction of the subject building,

At our request, the Petitioner's engineer, The Riemer Group, Inc., has reviewed its files concerning the existence of any SWM plan submitted by Petitioner in connection with construction of the subject building in 1981. Mr. Archur E. Muegge, P.E. of The Riemer Group, Inc. has confirmed that their files do not contain a SWM plan nor is there any evidence that a SWM plan was required. Because no SWM plan exists, the engineer's certificate referred to in condition 1 to the Order is not applicable.

Condition 2 of the Order requires, in the alternative, that if no SWM plan exists, the Petilioner take whatever steps necessary to insure that an appropriate SWM plan is in effect for the building. Both Mr. Muegge and Mr. Gordon Walker, President of Edgemese ferminals, Inc., have confirmed that a building permit was obtained j io: to construction of the building in question. The issuance of the building permit prior to construction is evidence of compliance with all applicable regulations, including SWM requirements.

WEINBERG AND GREEN

The Hon. Ann M. Nastarowicz June 2, 1988 Page 2

slats, I agreed to relay this information to Mr. Gordon Walker, Sr., President of Edgemere Terminals, Inc. If Mr. Walker chooses to pursue this option, he will contact Mr. Avery Harden at 494 1335 (please note that I am sending a copy of this letter to Mr. Harden and Mr. Walker).

As a technical matter, satisfaction of this Landscape Manual condition has been accomplished within the time period set forth in your March 23, 1988 Orders (as extended by your April 22, 1988 letter and May 12 conversation with Bob Cannon). Two originals of this letter have been delivered for simultaneous filing under Case Nos. 88-211-SPH and 88-212-A.

We believe that all conditions requiring affirmative action or approvals by the Petitioner under the two captioned zoning Orders have now been satisfied by the Petitioner.

As always, please call me (332-8787) or Bob Cann⊕n (332-8816) if you have any questions concerning the information contained in this letter.

Very truly yours,

Steven C. Hilsee

265/csg

cc: Mr. Gordon Walker, Sr. Mr. Avery Harden kobert W. Cannon, Esquire WEINBERG AND GREEN

Ann M. Nastarowicz, Esquire April 18, 1988 Page 2

Finally, condition 3 of the Order requires that the Petitioner contact the Office of Current Planning to determine whether a landscape plan complying with the Baltimore County Landscaping Manual must be submitted. This condition requires that the Petitioner contact the Office of Current Planning no later than Friday, April 22, 1988. Because the identical condition is contained in the companion Order resulting from the Petition for Special Hearing (Case No. 88-211-SPH), we will submit a combined letter confirming compliance no later than this Friday.

As always, please do not hesitate to call me or Steve Hilsee (332-8787) if you have any questions or comments concerning this matter.

> Respectfully, Counsel to Petitioner

265/csg

cc: Mr. Gordon Walker Mr. Arthur E. Muegge Steven C. Hilsee, Esquire

PETLIFICATER(S) SIGN-IN SHEET

5406 Cove 10 8400 me 2 stru fore l'a 1901 WILLS C 8434 Row Ro 2310 Come Ad 900 SAGA 8318 Cove RD 1907 2 M. R 1907 Wille Rd 1901 2 three he 1905 W.IL GF 1905 WHISEY FI 30 One pl. 8312 Core fee 8314 Conc Ross

WEINBERG AND GREEN

ATTORNETS AT LAW A THE WAR LANGE HELD

BALT MORE MARYLAND 2120 BA PART TO THE 30. 004.36.650 MASSING ALAMAS - S

> 7 6 746 May 14, 1988

(301) 332-8816 11912.13

Hon. Ann M. Nastarowicz Deputy Zoning Commissioner of Baltimore County County Office Building, Room 109 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Case No. 88-211-SPM and Case No. 88-212-A Petitioner - Edgemere Terminals, Inc. Petition for Special Hearing and Petition for Zoning Variance

Dear Commissioner Nastarowicz:

This will confirm our telephone conversation on May 12, 1988. You asked me to drop you a letter and confirm the 21-day extension which you kindly granted to us in order to supply information regarding the applicability of the Baltimore County Landscape Manual in connection with the two referenced matters. Copies of this letter are being forwarded to the parties to whom you provided copies of your earlier correspondence.

Thank you for providing us the time necessary to provide meaningful responses.

PETITIONER(S) SIGN-IN SHEET

Very truly yours, Counsel to Petitioner

cc: Ms. Patricia A. Wolf Ms. Mary R. Lennett

Mr. George Woytowitz

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WEINBERG AND GREEN

ATTORNETS AT LAN JO SOUTH CHARLES STREET BALTIMORE MARYLAND 21201 2773

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T. P. NUMBER

11912.13

June 2, 1988

BY HAND DELIVERY

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MERICAL SERVICE SERVICE

(301) 332-8787

The Hon. Ann M. Nastarowicz Deputy Zoning Commissioner of Baltimore County County Office Building, Room 109 111 West Chesapeake Avenue Towson, Maryland 21204

> Re: Case Nos. 88-211-SPH and 88-212-A Petitioner - Edgemere Terminals, Inc. Petitions for Special Hearing and Variance

Dear Commissioner Nastarowicz:

In accordance with your March 23, 1988 Orders granting the captioned Petitions for Special Hearing and Variance, this letter will confirm the Petitioner's satisfaction of condition 3 of the Order granting the Variance and condition 4 of the Order granting the Petition for Special Hearing concerning compliance with the Baltimore County Landscape Manual.

This will confirm my June 1, 1988 telephone conversation with Mr. Avery Harden with the Office of Current Planning concerning applicability of the Haltimore County Landscape Manual (the "BCLM"). Mr. Harden informed me that the BCLM and its landscaping requirements are not applicable to the subject property in connection with the captioned zoning petitions. Further, Mr. Harden confirmed that he had recently informed you of his analysis and that you had acknowledged the inapplicability of the BCLM in this situation.

Mr. Harden continued by indicating that the Petitioner, Edgemere Terminals, Inc., may choose to make cer'ain landscape modifications on a purely voluntary basis. Specifically, Mr. Harden suggested that the installation of slats in the chainlink fence adjoining Stansbury Road would be an appropriate visual buffer. Although the Petitioner is not required to install these



