

IN THE MATTER OF
GLYNDON MEADOWS /ZADM IV-461
AND MARGARET C. PUMPHREY &
ROBERT L. STOLL -LEGAL OWNERS
/ THE SOUTHERN LAND CO. -C.P.
NORTHEAST CORNER BUTLER ROAD
AND OLD HANOVER ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
RE: APPROVAL OF DEVELOPMENT
PLAN /PETITIONS FOR SPECIAL
HEARING AND VARIANCES

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BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. CBA-95-103
AND
CASE NO. 95-156-SPHA

* * * * *

O P I N I O N

This matter comes on appeal to this Board from the decision of the Zoning Commissioner /Hearing Officer for Baltimore County dated December 14, 1994, wherein the Development Plan known as Glyndon Meadows was approved, and a Petition for Special Hearing approving the creation of eight R.C. 5 parcels totalling 2.88 acres under Section 1A04.E of the Baltimore County Zoning Regulations (BCZR) was granted, and variances from Section 1A04.3.B.3 of the BCZR were granted as to individual lots within the subdivision. The Developer and contract purchaser of the property, The Southern Land Co., appeared through its President, Ronald O. Schaftel, represented by Robert A. Hoffman, Esquire. The Protestants in the proceedings before this Board were Mark and Sandy Laken, adjacent property owners, who were represented by J. Carroll Holzer, Esquire.

Testimony established that the subject site is approximately 67 acres and is split-zoned R.C. 5 and D.R. 3.5. The site is located in the Reisterstown /Glyndon section of Baltimore County. Specifically, it is located north of Butler Road, adjoining Neal Avenue on its southern boundary, and is east of Hanover Pike. Its eastern boundary is the Western Maryland Railroad right-of-way.

The Developer proposes 39 new single-family lots with access to the development from Butler Road. The lots are slightly larger than one acre. The Development Plan was offered by the Developer and marked Petitioner's Exhibit 1.

The Board received testimony from Mr. Schaftel, and from Mr. Timothy Madden, a registered landscape architect and certified planner who prepared the Development Plan. Each of these witnesses indicated that the subject site had certain unique and special features, making the site different from other properties in Baltimore County. It was pointed out that the site adjoins a railroad right-of-way which juts approximately 700 feet into the property, that there is a man-made wetlands area requiring the creation of forrest buffers on the property, and that there are several indentations to the property around its perimeter boundaries. Also, the property abuts overhead power lines on the west side and contains numerous hedgerows, creating internal pods or areas which have been cleared and have been farmed in the past. In the opinion of both the owner and the land planner, it would be devastating to destroy the trees, and the inherent characteristics of the property dictate that the Development Plan be laid out as presented in Petitioner's Exhibit 1. The testimony further indicated that, because of the unique characteristics of the property, approximately 25 variances were required for 25 lots for setbacks less than 50 feet for residential dwellings. (See Petitioner's Exhibit 1 for location of requested variances.) The Plan also contains yellow markings on each lot which indicate the proposed location of the dwellings. Testimony established that the

building envelopes were approximately 30 feet by 60 feet without the requested variances, and that with the granting of the variances, the building envelopes would increase to 30 feet by 80 feet.

After hearing all of the evidence and testimony presented on the issue of the requested variances, the Board concluded, in open deliberations on February 8, 1995, that the requested variances should be denied. It is the opinion of this Board that the variances are not needed and that the evidence fails to establish the existence of any practical difficulty. The Board has no difficulty in concluding that the property does contain unique characteristics. However, it is this Board's opinion that the variance request is driven more for the purpose of profit and that the need for the variances has been self-inflicted by the Developer. It is the Developer who has drawn the Plan and configured the lots in such a manner as to require the requested variances. We cannot conclude from the testimony that the Plan as presented is the only possible one, and it certainly seems reasonable to conclude that a plan could have been drawn providing for lots without the requested variances. The Developer appears to be seeking, through the use of variances, to have larger building envelopes for larger homes. For these reasons, the Board declines to grant the requested variances on the grounds that the hardship or practical difficulty experienced by the Developer was self-inflicted, and that nothing precludes the development of the property under the existing plan with the requested variances being denied.

The next issue before the Board is whether the Petition for Special Hearing should be granted. The Developer is seeking a special hearing for approval of eight lots, lots 36 through 41 and lots 1 and 2 on the plan. The relief is requested pursuant to Section 1A04.E of the BCZR. Lots 36 through 41 are located along Butler Road. They are split-zoned, and the Developer requests that approximately .08 acre of R.C. 5 zoning located directly beyond the D.R. 3.5 lots be added to the lots. Mr. Madden testified that, in his opinion, the zoning line through the lots is as a result of an error in the drawing of the zoning maps. The Board agrees with his expert opinion and concludes that these lots, as well as lots 1 and 2 which are also split-zoned, should be granted special hearing approval to be designated as R.C. 5 parcels under Section 1A04.E of the BCZR.

With regard to the Development Plan, the Board has considered the arguments advanced by both Counsel, and has reviewed the record and transcript of the proceedings before the Zoning Commissioner /Hearing Officer, Lawrence E. Schmidt. Counsel for the Protestants argues to this Board that the Development Plan should not be approved, and raises two principal arguments: First, that there is possible hazardous waste located in the railroad right-of-way creating possible leaching; and second, that Mr. Schmidt failed to consider the potential for stormwater management runoff onto adjacent properties. The Board has considered these two issues. With regard to possible hazardous waste, the issue was raised below, and the Protestants, Mr. and Mrs. Laken, had the opportunity to appear and testify before Commissioner Schmidt below. We find

that there is no evidence in the record to support any findings of the existence of any hazardous waste on the property adjacent to the development and that, if the Protestants desired to further develop this issue and present evidence and testimony, they were given the opportunity to do so. With regard to stormwater management runoff, a review of Mr. Schmidt's Opinion clearly indicates to this Board that expert testimony given by Mr. Kline was reviewed and considered by him, and that he made a factual finding that "the development of this site will not by necessity cause adverse environmental effects on the surrounding streams or neighboring properties." Mr. Schmidt further stated his belief that the Developer had done that amount of engineering which is necessary under the County development regulations.

The Board has reviewed the actions of the Hearing Officer on each of the issues raised below pursuant to Section 26-209(d) of the County Code, and is satisfied that the issues were adequately covered. For this Board to substitute its judgement for that of the Hearing Officer would be to commit error of law. The Hearing Officer had the opportunity to observe the demeanor of the witnesses and to consider their credibility. The decision to approve the Plan is supported by competent, material and substantial evidence, and the record does not reflect in any manner that the Hearing Officer acted in any arbitrary or capricious manner, or exceeded his statutory authority, or committed any error of law. This Board, for the reasons set out in this Opinion, is approving the Development Plan to the exclusion of the requested individual variances as to each individual lot as set out on

Petitioner's Exhibit 1.

O R D E R

IT IS THEREFORE THIS 17th day of February, 1995
by the County Board of Appeals of Baltimore County

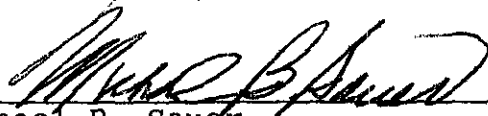
ORDERED that the variance relief from Section 1A04.3.B.3 of the BCZR to approve setbacks less than 50 feet for dwellings for several individual lots within the proposed subdivision known as "Glyndon Meadows" and marked Petitioner's Exhibit 1 in the proceedings before this Board be and is hereby DENIED; and it is further

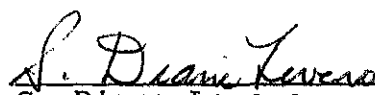
ORDERED that the Petition for Special Hearing requesting approval for the creation of eight R.C. 5 parcels under Section 1A04.E of the BCZR and identified as lots 36 through 41, and lots 1 and 2 on the Development Plan be and is hereby GRANTED; and it is further

ORDERED that the Development Plan marked as Petitioner's Exhibit 1 in these proceedings be and is hereby APPROVED, without approval of the requested variances on the individual lots as set out in Petitioner's Exhibit 1.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Michael B. Sauer


S. Diane Levero

IN THE MATTER OF *
GLYNDON MEADOWS /ZADM IV-461 *
AND MARGARET C. PUMPHREY & *
ROBERT L. STOLL -LEGAL OWNERS *
/ THE SOUTHERN LAND CO. -C.P. *
NORTHEAST CORNER BUTLER ROAD *
AND OLD HANOVER ROAD *
4TH ELECTION DISTRICT *
3RD COUNCILMANIC DISTRICT *
RE: APPROVAL OF DEVELOPMENT *
PLAN /PETITIONS FOR SPECIAL *
HEARING AND VARIANCES *

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. CBA-95-103
AND
CASE NO. 95-156-SPHA

* * * * *

DISSENTING OPINION

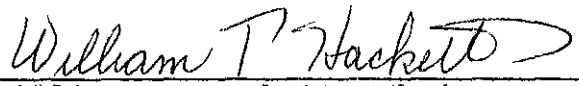
This Board member is in concurrence with the majority of the Opinion and Order issued by the Baltimore County Board of Appeals on February 17, 1995, but will respectfully dissent from the denial of the variance relief from Section 1A04.3B.3 as requested for individual lots within the subdivision and as designated on the Development Plan presented as Petitioner's Exhibit 1.

There was lengthy testimony and evidence presented the Board in support of the variances requested. It is the opinion of this Board member that the foremost aspect of the Development Plan was to protect the very unique integrity of the entire parcel. While all of the requested variances are internal variances, and affect only those lots so designated as possibly requiring these variances, the granting of these variances creates no adverse effect that is apparent on the Development Plan, and may result in a significant upgrading of the homes that will be erected on this site. Further, the granting of these variances would enhance significantly the chances that the much-discussed hedgerows could

Case No. CBA-95-103 Glyndon Meadows /ZADM IV-461 2
Case No. 95-156-SPHA Pumphrey/Stoll -Owners; Southern Land Co. CP
Dissenting Opinion

remain intact.

Therefore, this member will dissent from the majority opinion that denies the relief requested in these variances, and would instead grant the relief requested on the premise that no detrimental effect can be accrued from the granting, and that the betterment of the entire development could well result.



William T. Hackett, Chairman

DATE: February 17, 1995



County Board of Appeals of Baltimore County

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

February 17, 1995

J. Carroll Holzer, P.A.
HOLZER and LEE
305 Washington Avenue, Suite 502
Towson, MD 21204

Re: Case No. CBA-95-103 /ZADM IV-461
and Case No. 95-156-SPHA
Glyndon Meadows /Margaret C. Pumphrey
and Robert L. Stoll -Legal Owners

Dear Mr. Holzer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject matter. Also enclosed is a copy of Mr. Hackett's Dissenting Opinion.

Very truly yours,

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Mark and Sandy Laken
Robert A. Hoffman, Esquire /Petitioners
Ronald O. Schaftel /David E.
Altfield /The Southern Land Co.
Robert L. Stoll
Robert Bradley; Timothy Madden;
and James Keefer
Wes Guckert /The Traffic Group, Inc.
Vernene Lenz
Allison Childs
Susan Weber
N. H. Economides
Noel A. Cervino
Rebecca Riegel
People's Counsel for Baltimore County
Michael J. Moran, Asst. County Attorney
Pat Keller
Lawrence E. Schmidt
Donald T. Rascoe /ZADM
W. Carl Richards /ZADM

Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



IN RE: Development Plan Hearing	*	COUNTY BOARD OF
		APPEALS FOR
NEC Butler Rd. & Old	*	BALTIMORE COUNTY
Hanover Rd.		
Glyndon Meadows		
3rd Councilmanic District	*	
Contract Purchaser:		
The Southern Land Co.	*	Case No.CBA-95-103
Hearing No. IV-461		

* * * * *

PETITION ON APPEAL

Protestants/Appellants, Mark and Sandy Laken; Dr. Timothy and Dina Gardner; Victor and Florence Hencken; Henry and Martha Duke and George P. Mahoney, Jr., by and through their attorney, J. Carroll Holzer and Holzer and Lee, respectfully request the County Board of Appeals for Baltimore County (Board) enter an Order reversing and remanding the final action of the Hearing Officer in the above Development Hearing issued on December 14, 1994 and state the following:

A. Jurisdiction of the Board to hear appeals from the determination of the Hearing Officer is proper. Appellants filed their appeal from the Order of the Hearing Officer on January 13, 1995. Appellants are adjoining property owners to the subject development plan and, as such, are aggrieved by the final action of the Hearing Officer.

B. This Board must reverse and remand this case to the Hearing Officer with instructions that the Hearing Officer deny or modify the development plan as submitted by contract purchaser, The Southern Land Company, for the following reasons:

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1. The record reflects that there was testimony before the Hearing Examiner that raised concerns about the presence of hazardous waste materials on the site, but the Hearing Examiner failed to address these concerns in the Opinion and Order of December 14, 1994. Hazardous waste issues raised at the hearing create health, safety and welfare issues requiring that the instant approval be remanded to the Hearing Examiner.

2. Hearing Examiner failed to address the compatibility concerns of the Protestants regarding the impact of the proposed project, Glyndon Meadows, upon scenic routes in the Glyndon area.

3. The Hearing Examiner erred when he concluded that the failing intersection at Butler Road and Hanover Pike do not meet the threshold criteria established by the County Council.

4. The Hearing Examiner erred when he concluded that overcrowding school populations in the subject area do not meet the threshold criteria established by the County Council.

5. Hearing Examiner erred when he failed to require minimal environmental standards and safeguards be placed upon the final development plan to address protestants' concerns of stormwater run-off upon the tributaries draining the subject site.

6. Hearing Examiner erred when he failed to address protestants' safety concerns regarding a single access and exit from the proposed development that will have significant impact upon roads that lead to the subject site.

Respectfully Submitted,

J. Carroll Holzer / P.A.

J. Carroll Holzer, P.A.
Holzer and Lee
305 Washington Ave.
Suite 502
Towson, Maryland 21204
825-6961

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this the 23rd day of January, 1995, a copy of the foregoing Petition on Appeal was mailed first class postage pre-paid to: Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Ave., P.O. Box 5517, Towson, Maryland 21204.

J. Carroll Holzer / P.A.

J. Carroll Holzer

IN RE: PETITIONS FOR SPECIAL
HEARING AND VARIANCE

Glyndon Meadows
NEC Butler Rd. & Old
Hanover Rd.
3rd Councilmanic District
Contract Purchaser:
The Southern Land Co.
Case No. 95-156 SPHA

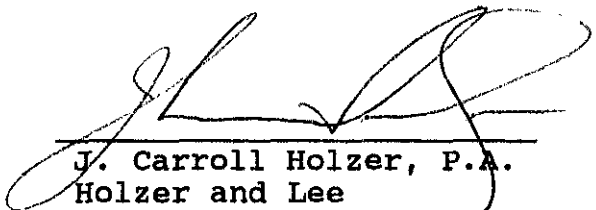
COUNTY BOARD OF
APPEALS FOR
BALTIMORE COUNTY

Case No. _____

* * * * *

NOTICE OF APPEAL

Protestants/Appellants, Mark and Sandy Laken; Dr. Timothy and Dina Gardner; Victor and Florence Hencken, by and through their attorney, J. Carroll Holzer and Holzer and Lee, hereby give notice of their appeal from the final opinion and decision of the Zoning Commissioner in the above referenced Petitions for Special Hearing and Variance. This appeal is from the decision of the Zoning Commissioner dated December 14, 1994.


J. Carroll Holzer, P.A.
Holzer and Lee
305 Washington Ave.
Suite 502
Towson, Maryland 21204
825-6961

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ZADM *for*

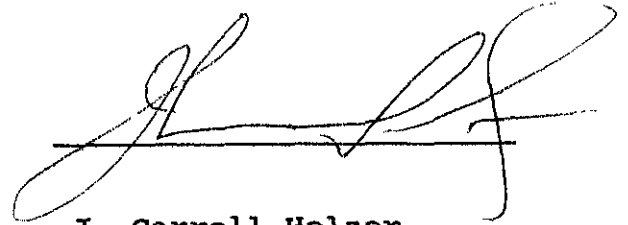
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LAW OFFICE
HOLZER AND LEE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MARYLAND
21204

(410) 825-6961
FAX. (410) 825-4923

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this the 13th day of January, 1995, a copy of the foregoing Notice of Appeal was mailed first class postage to: Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Ave., P.O. Box 5517, Towson, Maryland 21204.

A handwritten signature in dark ink, appearing to read 'J. Carroll Holzer', is written over a horizontal line.

J. Carroll Holzer

IN RE: DEV. PLAN HEARING & PETITIONS * BEFORE THE HEARING OFFICER/
FOR SPECIAL HEARING & VARIANCE
NEC Butler Rd. & Old Hanover Rd. * ZONING COMMISSIONER
Glyndon Meadows
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Legal Owner; Margaret C. * Case Nos.IV-461 & 95-156SPHA
Pumphrey and Robert L. Stoll
Contract Purchaser: *
The Southern Land Company
* * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined case for the review of the development plan for the project known as Glyndon Meadows and as a Petition for Special Hearing and Petition for Variance for that property. The development plan approval is requested pursuant to Section 26-206 of the Baltimore County Code for the single family dwelling residential development known as Glyndon Meadows in the Glyndon section of Baltimore County.

As to the Petition for Special Hearing, approval is sought for the creation of 8 R.C.5 parcels totalling 2.88 acres (+/-). These parcels are either below the minimum R.C.5 lot size of 1 acre or are included in the D.R. zoned portion of the property. The special hearing relief is requested pursuant to Section 1A04.E of the Baltimore County Zoning Regulations (BCZR).

Variance relief is requested pursuant to Section 1A04.3.B.3 of the BCZR to approve setbacks less than 50 ft. for principal buildings (dwellings) for a number of individual lots within the proposed subdivision. The variance request primarily applies to side yard setbacks and all the relief which is requested relates to distances between lot lines and principal buildings as opposed to principal buildings and street lines. Twenty-seven lots in an R.C.5 portion of the property require variance relief. All of the requested relief is more particularly shown on Petition-

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er's Exhibit No. 1, the five page development plan.

As to the history of the project, a Concept Plan Conference was held on May 23, 1994 and the concept plan was submitted at that time. Thereafter a Community Input Meeting was held on June 13, 1994 at the Glyndon Elementary School. A second Community Input Meeting was conducted on June 28, 1994. The Development Plan was submitted and a conference was held thereon on November 16, 1994. The Hearing Officer's hearing was scheduled and held on December 8, 1994.

Appearing on behalf of the Petitioner/Developer were David E. Altfeld and Ronald O. Schaftel on behalf of Southern Land Company. Also appearing on behalf of the Petitioner/Developer were Timothy F. Madden, James M. Keefer and Robert F. Bradley from Morris and Ritchie Associates, Inc. That land use consulting firm prepared the site plan. Also present and testifying was Wes Guckert on behalf of The Traffic Group, Inc. The Petitioner was represented by Robert A. Hoffman, Esquire. Numerous residents from the surrounding locale also appeared and testified. None opposed, per se, residential development on the property, however, they offered numerous comments regarding issues generated by the plan. Some of these comments were contrary to one another as they related to traffic considerations and the proposed vehicular point of access. Among those who appeared were Mark and Sandy Laken, who own property immediately next door to the subject site at 4900 Butler Road. Also appearing was Vernene Lenz, the President of the Glyndon Community Association, and Allison Childs, Chairman of the Traffic Committee for that organization. Testimony was also taken from Foster Nichols, Jr., who is the Chairman of the Task Force created by the Glyndon Community Association to evaluate this project. Susan Weber from the Northwest Reisterstown Community Association also appeared as did Rebecca Riegel, a nearby resident. These residents also

produced the expert testimony of Richard D. Kline about the proposed storm water system and the location of wells and septic systems on the subject property. Lastly, testimony was received from Noel A. Cervino and Nick Economides from the Hanover Road Association. Numerous other individuals were present and participated at the hearing. Their attendance is reflected on the sign-in sheet.

Also present were representatives of the various Baltimore County agencies who evaluated the project. These included Don Rascoe, the Project Manager, and Kate Milton from the Office of Zoning Administration and Development Management (ZADM), Bob Small and Darrell Wiles from the State Highway Administration, Les Schreiber from the Department of Public Works (DPW), Ervin McDaniel from the Office of Planning and Zoning (OPZ), and R. Bruce Seeley and Valerie Klein from the Department of Environmental Protection and Resource Management (DEPRM).

As to the testimony and evidence offered, Mr. Madden testified and comprehensively described the project. The subject site is 67.81 acres in area and is split zoned R.C.5 and D.R.3.5. The predominant zoning of the property is R.C.5 (63.4 acres) and the D.R.3.5 (4.18 acres) is located on the southeast corner of the site adjacent to Butler Road. The site has been owned by the Hammond family for many years and is largely vacant but for two existing dwellings. The Developer proposes retaining the two existing dwellings and creating 39 new single family lots. Vehicular access to the site will be from Butler Road. A road to be known as Glyndon Meadow Road will be constructed leading to the interior of the site and to another residential road designated as Hedgepocket Way. The dwellings on the interior of the site will be custom homes and will be located on lots which are slightly larger than one acre. Six houses are

to be built on the D.R. portion of the property which lies adjacent to Butler Road.

As required by the development regulations, I am first mandated to identify any open issues relating to unresolved issues or development plan comments. In this respect, testimony was received from several County agencies which reflected that the Developer had resolved all development plan issues, but for several small housekeeping matters. In fact, the Developer is to be applauded for its efforts in developing this site. It is clear that there has been open and regular communication between the developer and the community. Moreover, a resolution of the development plan comments prior to the hearing shows that the developer has made great efforts to resolve any areas of contention with the County.

Kate Milton from ZADM suggested that several small housekeeping items needed to be made to the plan. Specifically, reference to zoning case No. 95-156-SPHA must be added on the plan and a numbering error corrected, wherein two lots are shown as lot 25. Bruce Seeley from DEPRM asked that the plan be amended slightly so that all perk test areas were labeled. Les Schreiber from DPW requested that several small alterations to the plan be made as more fully outlined in Bob Bowling's comment of November 29, 1994. These areas include labeling the dimension of the proposed highway right of way along Old Hanover Pike, the showing of the 10 ft. drainage and utility easement around the perimeter of the property, notice of the proposed access to lots No. 36 thru 41 and, an accommodation of Baltimore City's request that the existing 8" water stub on Glyndon Meadows Road be abandoned. Erv McDaniel from OPZ observed that his agency had recommended approval of the project and had no open issues. He requested that the recommendations made by the Planning Board, as reflected in the minutes of their meetings of July 21 and September 22, 1994 be incorporat-

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ed. These minutes are contained within Pat Keller's (Secretary to the County Planning Board) memorandum to Don Rascoe, the Project Manager, dated September 28, 1994.

In response to all of these concerns, the Developer indicated that the plan would be amended to accommodate these issues. Thus, all County concerns, as noted above, shall be incorporated in the plan. These are by and large housekeeping items which do not materially alter the plan in any respect. It is to be noted that the architectural design of the six lots abutting Butler Road and lots 3, 4, and 5 in the R.C.5 portion of the property shall be subject to the approval by the Director of the Office of Planning and Zoning in consultation with the Landmarks Preservation Committee. It is recognized that these sites visually impact the historic village of Glyndon and that the architectural style and development of these properties should be approved by OPZ to ensure compatibility.

As to the community representatives, Vernene Lenz testified on behalf of the Glyndon Community Association. Many of her comments were in the abstract and did not relate to this project so much as the increased urbanization of the Glyndon area and pressures placed on this community by the high volume of commuter traffic through and around the village from Carroll County and southern Pennsylvania towards Baltimore and the Towson suburbs. Ms. Lenz expressed a number of concerns regarding this urbanization and her community association's goal to preserve the rural character and village nature of Glyndon. I am appreciative of these concerns, however, as I noted at the hearing, a property owner cannot be denied the right to responsibly develop his property in accordance with County regulations for reasons of protecting the at large public good. Surely such a moratorium on development would be akin to an illegal taking of property. The development regulations are designed to assure that development is respon-

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Mr. G. G. G. G.

sible and complies with state and county standards. If development complies with these standards, as well as the zoning regulations, it should be approved. In this respect, I am persuaded that the proposed development is appropriate. Although cognizant of Mrs. Lenz's abstract concerns, I am particularly impressed with the plan offered in this case and the obvious care which the developer has taken to accommodate the community and satisfy the regulations. Moreover, it is to be noted that the site is to be developed at less density than is allowed. That is, the developer is building significantly fewer houses than what is allowed. This decision is obviously an accommodation to ensure a quality development. Also, in this respect, it is to be noted that the subject site is not subject to the moratorium imposed by the basic services legislation. That is, although nearby schools are overcrowded and the nearby intersection at Butler Road and Hanover Pike is stressed, the numbers of students and level of traffic does not meet the threshold established by the County Council which would prohibit the issuance of a building permit under the school or traffic moratorium legislation.

Also testifying on behalf of the Protestants was Richard D. Kline. Mr. Kline was accepted as an expert in aquatic systems and has extensive experience as a State employee in the design and evaluation of storm water management systems. He offered his study into evidence which which was accepted as Protestants' Exhibit No. 3. His testimony described and clarified his report. It is to be specifically noted in Mr. Kline's report that he opines that the impact of the project upon aquatic sources can be reduced "to a reasonable level" if certain storm water management methods are employed. That is, his testimony was not that the project will, by necessity, adversely impact the surrounding stream system but that adverse impact could result if appropriate safeguards are not taken. He specifi-

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Mr. G. H. G. H.

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cally fears increase in the loadings of toxic metals to the stream and in the runoff of heated water which will increase temperature in the nearby stream systems and threaten aquatic life. Mr. Kline proposed a number of measures including infiltration, bio-retention, spray-irrigation, and/or a sand-peat filter as means to control storm water runoff.

Mr. Kline also noted that two of the wells for the subject development were located within a 100 ft. of the septic systems, a violation of State law. (See Comar 26.04.02.04.J(10)). Those wells on lot 14 which is 80 ft. from the septic system reserve area on lot 13 and the well on lot 30 which is within 90 ft. of the septic reserve system on that same lot. These wells need be slightly relocated to comply with State law.

Allison Childs from the Glyndon Community Association also testified regarding traffic. She reiterated many of Ms. Lenz's concerns relating to high volume of traffic on the nearby roadways. She noted that the traffic has increased in this area greatly over the past several years. She opposes access to the subject site from Butler Road. Her comments were echoed by Susan Weber on behalf of the Northwest Reisterstown Community Association. She also expressed fears relating to the overcrowding of schools.

A significant volume of testimony was taken from Foster Nichols, Jr. who is the Chairman of the Task Force for this project on behalf of the Glyndon Community Association. He offered written testimony which was accepted and has been reviewed by this Hearing Officer as Protestants' Exhibit No. 4. Although applauding the Developer for its efforts in addressing community concerns, he has a number of issues which remain open. These relate to public safety, traffic, school capacity, environmental considerations and compatibility with the surrounding community. Among his suggestions, which were not resolved on the plan, is to install gates on the picket fence which is shown along the Butler Road frontage of the

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property for each house site. Also, he was concerned over potential signage. Lastly, he requested that the fee (\$1393.02) which need be paid as required for a waiver of the open space requirement, be earmarked for improvements in the Glyndon-Reisterstown area.

Also testifying was Mark Laken, who resides next door. He reiterated many of the concerns expressed by other witnesses relating to density, traffic and environmental issues. He also expressed some of the abstract concerns stated by Ms. Lenz. His testimony is fully recounted in the record of this hearing. Testimony was also received from Rebecca Riegel, a nearby resident. She offered significant testimony about the traffic issues and the intersection of Butler Road and Hanover Pike. She proposes a second means of access to the site from Hanover Pike so that all traffic will not enter and exit the property from Butler Road.

This position was contradicted by the testimony offered by Messrs. Cervino and Economides, who reside off of Hanover Pike. They testified as to the heavy traffic volumes on Hanover Pike and the unsafe traffic conditions on the roadway. In response to the issues raised by these many concerned citizens, rebuttal testimony was offered by the Developer which resolved many of these concerns.

As to the environmental issues addressed by Mr. Laken and Mr. Kline, testimony was received from both Mr. Madden and Mr. Bradley. It is to be particularly noted that Section 26-203 of the Baltimore County Code provides a listing of those items which must be shown on the development plan. Specifically, under Section 26-203(1), storm water management areas must be shown, as well as preliminary hydrology computations and proposed existing storm drainage systems as well as verification of suitable points of outfall. All of this material, as required, is on the plan. In fact, as Mr. Bradley pointed out, the developers had gone above and beyond the

minimum requirements. It is clear, even from the report of Mr. Kline, that the development of this site will not by necessity cause adverse environmental effects on the surrounding streams or neighboring properties. However, it is equally clear that the Developer has not, at this time, engineered the plan in such fine detail as to definitively resolve these issues. I am persuaded, based on the testimony and evidence offered, that the Developer will be able to satisfy all of the state and local requirements relating to storm water management issues and environmental considerations. Moreover, I am satisfied that the Developer has done that amount of engineering which is necessary under the County development regulations. Mr. Kline's report admits that environmental effects can be brought to reasonable levels if certain storm water management protection systems are employed. I will not play the role of engineer but will defer to the continuing review and approval of the plan by DEPRM and other involved agencies. Thus, the environmental issues raised in this case are not sufficient to justify a withholding of the approval of this plan.

As to signage, the Developer tentatively agrees that permanent signage is not appropriate and is inconsistent with the surrounding locale. The testimony of residents in the area was that none of the subdivisions in the area have signage and that an installation of a sign for this project would be inconsistent with the rural village appearance of this community. I concur, but am appreciative of the fact that the Developer needs to market these lots. Thus, I shall permit the Developer to post that amount of signage as permitted under the BCZR until 75% of the lots have been sold. This seems to be an appropriate solution and will allow the Developer to complete a substantial portion of the community while enjoying the marketing benefits of signage.

As to the installation of gates on the picket fence, I believe it best to defer this issue to OPZ. As noted above, the Director of that office will approve the architecture and design criteria for those houses in a D.R. portion of the tract next to Butler Road and the three R.C. lots immediately adjacent thereto. The issue of the fencing and similar considerations seems properly reserved to the Director of OPZ for consideration during his review of the construction of the elevation drawings for houses to be built on those sites.

Lastly, as to the fee in open space, this issue seems more properly resolved by the Department of Recreation and Parks. As was indicated at the hearing, the community should contact the local recreation council and express their desires through that channel. No representative of Recreation and Parks was available at the hearing to address this issue.

The final issue for consideration was one on which a significant volume of testimony was received, not only from the community representatives, but from expert witnesses. This relates to traffic issues and the proposed point of access. There is absolutely no doubt that Butler Road is significantly more traveled now than in past years. Growth and urbanization in the Glyndon area has obviously played a role in this, however, it is also clear that urbanization on a large scale has had dramatic impact. Carroll County is no longer the agricultural community which it once was and southern Pennsylvania has been heavily developed. Indeed, many of the factors responsible for the pressures on the Glyndon community are beyond the control of Baltimore County and are in neighboring jurisdictions. As noted above, the development review process in Baltimore County is not designed to address these global issues. The standards which I must follow relate to whether this site at this location satisfies the

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12/1/68
Mr. Horak

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criteria of the development regulations and is permissible. In this case, I must conclude that the development plan is appropriate.

As to traffic, Mr. Small from SHA and Mr. Guckert, the Developer's traffic expert, both acknowledged the increasing volumes on Butler Road. However, they both opine that the Developer's sole point of access on Butler Road was preferable to a second access or alternate access on Hanover Pike. The reasons for their conclusions are fully set forth on the record but need be highlighted herein. First, as Mr. Guckert noted, the speeds on Butler Road are lower than those on Hanover Pike and thus, from an engineering standpoint, access is preferable on the lower speed highway. As significant, the sight distances on Butler Road are acceptable. Although the sight distance on Hanover Pike is also satisfactory, this is not the case where a substandard sight distance is present at the proposed means of access. As important to these two safety issues is the fact that most of the vehicles which leave this site will travel to the east. Thus, it is clear that if access were provided to Hanover Pike, the intersection of that roadway and Butler Road will be more stressed than if access is provided to Butler Road. That is, if the vehicles were to exit the site onto Hanover Pike, they would most always enter this stressed intersection, whereas if they exit on Butler Road, the effect will not be as great. As importantly, the anticipated traffic counts for this project are minimal when compared with the overall volumes of traffic in this area. Based on the expert testimony and for the reasons set forth above, I am persuaded that the development plan point of access is appropriate and should not be altered.

Lastly, testimony was offered from Mr. Madden relating to the zoning case and the variance and special hearing relief which is requested. As noted above, variances are requested for 27 of the lots to permit setbacks

less than required. The required setback distance for the R.C.5 lots is 50 ft. Mr. Madden testified that 27 lots are affected. Twenty-five (25) of those lots will have 40 ft. side yard setbacks, 10 ft. less than required. However, for lot 7, a side yard setback of no less than 30 ft. would be maintained as would a rear yard setback of 30 ft. Mr. Madden noted that relief was necessary to provide flexibility to ensure architectural compatibility of the neighborhood. The granting of the relief will allow for a building envelope which provides enough area to site the houses to ensure compatibility within the community. Moreover, the Petitioner requests the variances so as to protect existing features of the site including the hedgerows and forest conservation areas. Lastly, the property buffers from the well and septic areas must be maintained.

As to the special hearing relief, same relates to those row of houses along Butler Road. The necessity of the special hearing, in this regard, is self apparent and is occasioned by the split zoning of the property. It is apparent that the special hearing relief should be granted so as to allow the development plan to proceed as proposed. There is no indication that the relief requested under the variance and special hearing requests would cause any detrimental affect to the surrounding locale.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14TH day of December, 1994, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is

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12/14/94
M. G. H. H.

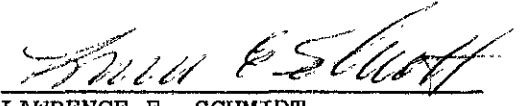
hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for the creation of 8 R.C.5 parcels totalling 2.88 acres (+/-), under Section 1A04.E of the BCZR, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances from Section 1A04.3.B.3 of the BCZR to approve setbacks less than 50 ft. for dwellings for a number of individual lots within the proposed subdivision, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Zoning Administration and Development Management (ZADM), within 10 days from the date of this Order, a development plan which reflects and incorporates the terms, conditions, and restrictions, if any, of this opinion and Order and/or the development plan comments.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

12/14/96

12/14/96

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 14, 1994

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 W. Allegheny Avenue
Towson, Maryland 21204

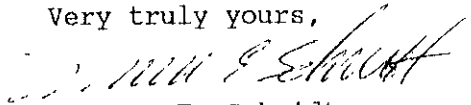
RE: Case No. IV-461 & 95-156-SPHA
Development Plan Order and Petitions for Special Hearing
and Variance
Project: Glyndon Meadows
Southern Land Company, Developer/Applicant

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order, together with Petitions for Special Hearing and Variance have been approved.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Messrs. Ronald O. Schaftel and David E. Altfeld
Mr. Robert L. Stoll
Mr. and Mrs. Mark Laken
Mrs. Vernene Lenz
Mrs. Allison Childs
Mrs. Susan Weber
Mrs. Rebecca Riegel
Mr. N. H. Economides
Mr. Noel A. Cervino
cc: Mr. Don Rascoe, Project Manager
Various County Agencies

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RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
NEC Butler Road and Old Hanover Road	*	ZONING COMMISSIONER
4th Election Dist., 3rd Councilmanic	*	
	*	OF BALTIMORE COUNTY
Margaret Pumphrey and Robert Stoll/	*	CASE NO. 95-156-SPHA
The Southern Land Company	*	
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of November, 1994, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, P. O. Box 5517, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

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Petition for Variance

95-156-5PA-A

to the Zoning Commissioner of Baltimore County

for the property located at

The north east corner of Butler Road and
Old Hanover Road

which is presently zoned R.C. 5.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Variance from Section(s)

D.R. 3.5 & BR

(See attached sheets)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

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

I, or we, agree to pay expenses of above Variance 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.

Contract Purchaser/Lessee:

The Southern Land Company

c/o Mr. Ron Schaftel

(Type or Print Name)

Signature

DAVID E. ALTFELD
Texas Center, Suite 2B

9832 York Road

Address

Cockeysville,

MD

21030

City

State

Zipcode

Attorney for Petitioner:

Mr. Robert Hoffman

(Type or Print Name)

Signature

210 Allegheny Avenue

823-4111

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

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.

Legal Owner(s):

X Margaret Coe Pumphrey

Margaret Coe Pumphrey

9009 Crestleigh Road

Ellicott City, Maryland 21043

410-465-2944

X Robert Leslie Stoll

Robert Leslie Stoll

252 Hammarlee Road

Glen Burnie, Maryland 21060

410-766-2517

Name, Address and phone number of representative to be contacted.

Mr. Ron Schaftel

Name

(same as contract purchaser) 666-1900

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.T. DATE 7-28-94

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ITEM # 28

**VARIANCE ITEM #1 AND SPECIAL HEARING REQUEST ITEM #2 INCLUDE
DEPARTURE FROM THE BALTIMORE COUNTY ZONING REGULATIONS
(B.C.Z.R.):**

95-156-SHA

1. A VARIANCE FROM SECTION 1A04.3-B.3, OF THE BALTIMORE COUNTY ZONING REGULATIONS, (B.C.Z.R.) IS REQUESTED FROM THE 50' PRINCIPAL BUILDING SETBACK FROM ANY LOT LINE OTHER THAN A STREET LINE. TWENTY SEVEN R.C. LOTS HAVE 40' PRINCIPAL BUILDING SETBACKS PROPOSED FROM LOT LINES OTHER THAN STREETLINES.

THE JUSTIFICATION FOR THIS PETITION IS THE CREATION OF MORE FLEXIBLE BUILDING ENVELOPES WITHIN THE LIMITATIONS OF THE INDIVIDUAL LOTS. THE LOTS ARE CONSTRAINED BY SEPTIC RESERVE AREAS, EXISTING VEGETATION TO REMAIN, FOREST BUFFER & CONSERVATION EASEMENTS & WELL LOCATIONS. THE PROPOSED BUILDING SETBACKS OCCUR PRIMARILY ALONG THE SIDE YARD PROPERTY LINES, BETWEEN THE PROPOSED HOMESITES. BY PERMITTING THE ADJUSTED SETBACKS THERE WILL BE MORE FLEXIBILITY FOR THE SITING AND DESIGN OF THE FUTURE RESIDENCES. THIS WILL RESULT IN LITTLE TO NO VISUAL IMPACT FOR THE ADJACENT COMMUNITY.

2. A SPECIAL HEARING IS REQUESTED TO BE HELD CONCURRENTLY WITH THE DEVELOPMENT HEARING, FOR THE CREATION OF 8 RC-5 PARCELS, TOTALING 2.8 ACRES $\pm$. THESE PARCELS ARE EITHER BELOW THE MINIMUM RC-5 LOT SIZE OF 1.0 ACRE OR ARE INCLUDED IN "DR" LOTS AND THE RC-5 ACREAGE WILL NOT BE USED TO SUPPORT ANY DWELLINGS. IN EITHER CASE, THESE RC-5 PARCELS WILL NOT BE USED FOR DENSITY PURPOSES OR INCLUDED IN THE PROJECT'S DENSITY CALCULATIONS. (SEE VARIANCE PLAN FOR LOCATION AND ACREAGES*). THIS SPECIAL HEARING IS REQUESTED IN ACCORDANCE WITH SECTION 1A04.E OF THE B.C.Z.R.

MICROFILMED

ITEM#20

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

July 13, 1994

BEGINNING at a point at the intersection of the center of Old Hanover Pike (Maryland Route 30) with the north side of Butler Road, 60 feet wide, thence the following courses and distances:

North 04° 53' 37" East 702.84 feet, North 05° 07' 50" East 452.06 feet, North 53° 13' 27" East 1067.41 feet, South 86° 25' 41" East 118.46 feet, South 04° 11' 52" East 111.82 feet, North 46° 16' 24" East 469.21 feet, South 75° 15' 25" East 446.57 feet, South 12° 20' 09" East 417.29 feet, South 10° 42' 10" West 241.35 feet, South 39° 42' 10" West 270.00 feet, South 77° 42' 10" West 350.00 feet, South 12° 17' 50" East 100.00 feet, North 77° 42' 10" East 350.00 feet, South 54° 19' 50" East 400.00 feet, South 12° 17' 50" East 783.99 feet, South 71° 10' 51" West 547.71 feet, North 19° 11' 02" West 180.00 feet, South 70° 48' 58" West 140.10 feet, North 79° 05' 33" West 75.12 feet, North 11° 15' 02" East 143.83 feet, North 10° 54' 27" East 50.00 feet, North 79° 05' 33" West 300.18 feet, North 10° 54' 27" East 175.46 feet, North 79° 05' 33" West 115.60 feet, North 79° 16' 27" West 85.15 feet, North 79° 05' 50" West 134.17 feet, North 79° 07' 18" West 354.35 feet, North 79° 05' 33" West 51.00 feet, South 10° 54' 27" West 375.00 feet, North 79° 05' 33" West 220.00 feet, South 10° 54' 27" West 21.57 feet, North 58° 35' 10" West 24.64 feet, South 58° 34' 25" West 94.32 feet, North 57° 06' 59" West 45.00 feet, North 24° 35' 57" West 48.45 feet, South 05° 14' 43" West 144.74 feet, and North 79° 10' 30" West 40.07 feet to the place of beginning.

BEING all of the land conveyed to Margaret Coe Pumphrey and Robert Leslie Stoll by a deed recorded in Liber 9656, Folio 466, and being all of Parcel 766 on Tax Map 48 in the Fourth Election District, Baltimore County, Maryland.

CONTAINING 67.622 acres, more or less.

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☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836 7560
FAX (410) 879-1820

☐ 110 WEST ROAD, SUITE 105
TOWSON, MARYLAND 21204
(410) 821 1690
FAX (410) 821-1748

☐ 9090 JUNCTION ROAD, SUITE 20701
ANNAPOLIS, MARYLAND 20701
(410) 792-9446 (301) 470 4470
FAX (410) 792-7395



ITEM#28



Petition for Variance + SPECIAL HEARING

to the Zoning Commissioner of Baltimore County

for the property located at The north east corner of Butler Road and Old Hanover Road

which is presently zoned R.C. 5.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

D.R. 3.5 & BR

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 Variance from Section(s)

(See attached sheets)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

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

I, or we, agree to pay expenses of above Variance 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.

Contract Purchaser/Lessee:

The Southern Land Company

c/o Mr. Ron Schaftel

(Type or Print Name)

Signature

DAVID E. ALTFELD
Texas Center, Suite 2B

9832 York Road

Address

Cockeysville,

MD

21030

City

State

Zipcode

Attorney for Petitioner:

Mr. Robert Hoffman

(Type or Print Name)

Signature

210 Allegheny Avenue

823-4111

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

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.

Legal Owner(s):

Margaret Coe Pumphrey
Margaret Coe Pumphrey
9009 Crestleigh Road
Ellicott City, Maryland 21043
410-465-2944

Robert Leslie Stoll
Robert Leslie Stoll
252 Hammarlee Road
Glen Burnie, Maryland 21060
410-766-2517

Name, Address and phone number of representative to be contacted.

Mr. Ron Schaftel

Name

(same as contract purchaser) 662-1900

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: R.T.T. DATE 7-28-94

ITEM # 28

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95-156-SHA

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ITEM#28

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

95-156-SPHA



ZONING DESCRIPTION

July 13, 1994

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CONTAINING 67.622 acres, more or less.

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☐ 9090 JUNCTION ROAD
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9446 (301) 470-4470
FAX (410) 792-7395



ITEM#28

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-156-SPH

District: Atth. Date of Posting: 11/1/94
Posted for: Special Hearing & Variance
Petitioner: The Southern Land Co.
Location of property: NE/cor. Dutton & Old Hanover Rds
Location of Signs: Facing road & way on property, ~~not~~ being zoned
Remarks: 1 - pole used
Posted by: [Signature] Date of return: 71/10/94
Signature
Number of Signs: 2



MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-156-SPHA
(Item 28)

NEC Butler Road and Old Hanover Road
4th Election District
3rd Councilmanic
Legal Owner(s):

Margaret Coe Pumphrey
and Robert Lealle Stoll

Contract Purchaser(s):
The Southern Land Com-
pany

Hearing: Thursday,

December 8, 1994 at
9:00 a.m. in Rm. 118, Old
Courthouse

and if needed

Friday, December 9, 1994
at 9:00 a.m. in Room 106,
County Office Building.

Special Hearing for the
creation of 8 R.C.-5 parcels,
totaling 2.8 +/- acres. Variance
to permit a 40 foot principal
building setback from lot lines
other than street lines in lieu of
the required 50 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.
11/147- Nov 10.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Nov. 11, 1994

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on Nov. 10, 1994.

THE JEFFERSONIAN,

A. Henrichson

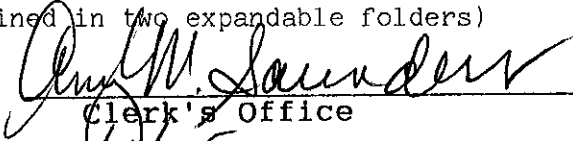
LEGAL AD. - TOWSON

~~Publisher~~

MICROFILMED

EXHIBITION OF: MARK LAKEN & THE SOUTHERN
LAND CO., INC., ET AL
CIVIL ACTION # 95-CV-02310/105/2 and
95-CV-02347/105/329
IN THE MATTER OF GLYNDON MEADOWS

RECEIVED FROM THE COUNTY BOARD OF
APPEALS EXHIBITS, BOARD'S RECORD
EXTRACT & TRANSCRIPT FILED IN THE
ABOVE-ENTITLED CASE, AND ZONING
COMMISSIONER'S FILE AND EXHIBITS
(contained in two expandable folders)


Clerk's Office

Date: 5/4/95

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 155805

DATE 1/13/95 ACCOUNT E-061-6120

AMOUNT \$ 385.00

RECEIVED FROM: J. CARROLL HOLZER

FOR: Glyndon J. Holzer RT 1067 PAH

PAH

03A03#0161MICRC

4385.00

03A03#0161-16-95

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 155802

DATE 1/13/95 ACCOUNT R-001-6150

AMOUNT \$250.00

RECEIVED FROM: J. CARROLL HOLZER

FOR: Glyndon Meadows - Dev. Plan Hearing
CASE NO. IV-461 APPEAL

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-156-SPHA

Account: R-001-6150

Number 28

R.T.

Date 7-26-94

GLYNDON MEADOWS
NE COR. OF BUTLER & OLD HANOVER RD

020 - VARIANCE - \$ 250⁰⁰

040 - SPH - \$ 250⁰⁰

080 - SIGNS (2) TWO - \$ 70⁰⁰

TOTAL - \$ 570⁰⁰

01601#0053MICHR

\$570.00

BA 0003#48PM07-27-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

MICROFILMED

COUNTY

95 JAN 20 PM 12:28

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-156-SPHA

District: H44

Date of Posting: 1/17/95

Posted for: Appeal

Petitioner: The Southern Land Co - Margaret Humphrey & Robert Stoll

Location of property: NE/cor Butler & Old Hanover Rd

Location of Signs: Facing roadway on property being appealed

Remarks:

Posted by: M. J. Kelly
Signature

Date of return: 1/20/95

Number of Signs: 1

MICROFILMED

**CIRCUIT COURT FOR BALTIMORE COUNTY
NOTICE OF CIVIL TRACK ASSIGNMENT AND
SCHEDULING ORDER**

JOHN H. ZINK, III, ESQ.
PATRICIA A. MALONE, ESQ.

J. CAROLL HOLZER, ESQ.

OFFICE OF LAW

BALTO. CO. BRD. OF APPEALS

Assignment Date: 6/26/95

Case Name: SOUTHERN LAND CO. VS. BALTO CO. BRD.

Case No.: NJ 105/329 95 CV 2374

Case Name: LAKIN VS. GLYNDON MEADOWS

CASE NO. NJ 105/265 95 CV 2310

The above case has been assigned to an **EXPEDITED TRACK**. If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the Americans with Disabilities Act, please contact the Court Administrator's Office at (410) 887-2687 or use the Court's TDD line, (410) 887-3018, or the voice/TDD M.D. Relay Service, 800-735-2258. Should you have any questions concerning your track assignment, please contact SANDRA SANTITAS at (410) 887-~~2660~~. You must notify this Coordinator within 15 days of the receipt of this Order as to any conflicts with the following dates:

SCHEDULING ORDER

1. Motions to Dismiss under Md. Rule 2-322(b) are due by 15 days
2. Plaintiff's Expert Reports or Md. Rule 2-402(e)(1)
Disclosures are due by XXX
3. Defendant's Expert Reports or Md. Rule 2-402(3)(1)
Disclosures are due by XXX
4. Discovery must be completed by 50 days
5. All Motions (excluding Motions in Limine) are due by 60 days
6. The Settlement Conference (District Court Jury Trial
Prayers Only) is 75 days
7. The TRIAL DATE is Appeal: 1 1/2 Hour . . Wed. Sept. 6, 1995, @ 9:30 a.m. AGREED DATE
(Note: This is a firm trial date. No subsequent notice will be forwarded to
counsel/parties concerning this date.)

BARBARA KERR HOLT
Signature

Postponement Policy: No postponements of dates under this order will be approved except for undue hardship or emergency situations. All requests for postponements must be submitted in writing with a copy to all counsel/parties involved. All requests for postponements of cases filed after October 1, 1994 must be approved by the Administrative Judge.

Settlement Conference (Room 507): All counsel and their clients **MUST** attend the settlement conference **in person**. All insurance representatives **MUST** attend this conference **in person** as well. Failure to attend may result in sanctions by the Court. Settlement hearing dates may be continued by Settlement Judges as long as trial dates are not affected. (Call [410] 887-2920 for more information.)

Court Costs: All Court costs **MUST** be paid on the date of the settlement conference or trial.

cc: Counsel/Parties, File, Assignment, dcmcl, Rev. 12/21/94

OCT - GLYNDON MERRIS
JUN 31 10:05:00 @ 56/9/6

RECEIVED
COUNTY BOARD OF JEFFERSON
95 JUN 30 PM 12:52

TO: PUTUXENT PUBLISHING COMPANY
November 10, 1994 Issue - Jeffersonian

Please forward billing to:

Robert Hoffman, Esq.
210 Allegheny Avenue
Towson, Maryland 21204
823-4111

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-156-SPHA (Item 28)
NEC Butler Road and Old Hanover Road
4th Election District - 3rd Councilmanic
Legal Owner(s): Margaret Coe Pumphrey and Robert Leslie Stoll
Contract Purchaser(s): The Southern Land Company

HEARING: THURSDAY, DECEMBER 8, 1994 at 9:00 a.m. in Room 118 , Old Courthouse
and if needed
FRIDAY, DECEMBER 9, 1994 at 9:00 a.m. in Room 106, County Office Building.

Special Hearing for the creation of 8 R.C.-5 parcels, totaling 2.8+/- acres.
Variance to permit a 40 foot principal building setback from lot lines other than street lines in lieu of the required 50 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOVEMBER 4, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

DEVELOPMENT PLAN HEARING

PROJECT NAME: Glyndon Meadows

PROJECT NUMBER: IV-461

APPLICANT/DEVELOPER: The Southern Land Company

LOCATION: NEC Butler Road and Old Hanover Road

ACRES: 67.4

PROPOSAL: 41 Single Family Dwellings

AND

CASE NUMBER: 95-156-SPHA (Item 28)

NEC Butler Road and Old Hanover Road

4th Election District - 3rd Councilmanic

Legal Owner(s): Margaret Coe Pumphrey and Robert Leslie Stoll

Contract Purchaser(s): The Southern Land Company

Special Hearing for the creation of 8 R.C.-5 parcels, totaling 2.8+/- acres.

Variance to permit a 40 foot principal building setback from lot lines other than street lines in lieu of the required 50 feet.

HEARING: THURSDAY, DECEMBER 8, 1994 at 9:00 a.m. in Room 118, Old Courthouse

and if needed

FRIDAY, DECEMBER 9, 1994 at 9:00 a.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: The Southern Land Company
Margaret Coe Pumphrey
Robert Leslie Stoll
Robert Hoffman, Esq.

MICROFILMED

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



County Board of Appeals of Baltimore County

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

Hearing Room -
Room 48, Old Courthouse

January 17, 1995

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 RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. CBA-95-103

GLYNDON MEADOWS /THE SOUTHERN LAND
CO. -Contract Purchaser /ZADM IV-461
RE: Approval of Development Plan

AND

CASE NO. 95-156-SPHA

MARGARET C. PUMPHREY & ROBERT L. STOLL -
Legal Owners; THE SOUTHERN LAND CO. -
Contract Purchaser
SPH -To create 8 R.C. 5 lots; and VAR -side
yard setbacks & distance between lot lines and
principal buildings.

NEC Butler Road and Old Hanover Road
4th E; 3rd C

12/14/94 -Decision of Hearing Officer in which
Development Plan was APPROVED; and Petitions
for Special Hearing and Variances GRANTED.

ASSIGNED FOR:

WEDNESDAY, FEBRUARY 8, 1995 at 10:00 a.m.

cc: J. Carroll Holzer, Esquire
Mark and Sandy Laken, et al

Counsel for Appellants /Protestants
Appellants /Protestants

Robert A. Hoffman, Esquire
Ronald O. Schaftel /David E.
Altfield /The Southern Land Co.
Robert L. Stoll
Robert Bradley; Timothy Madden;
and James Keefer
Wes Guckert

Counsel for Developer /Petitioners
Developer /Petitioner
Legal Owner /Petitioner
Morris & Ritchie Associates, Inc.
The Traffic Group, Inc.

Vernene Lenz
Allison Childs
Susan Weber
N. H. Economides
Noel A. Cervino
Rebecca Riegel

Pat Keller
Lawrence E. Schmidt
Donald T. Rascoe /ZADM
W. Carl Richards /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

People's Counsel for Baltimore County
Michael J. Moran, Asst. County Attorney

MICROFILMED

Kathleen C. Weidenhammer
Administrative Assistant



C. **CIRCUIT COURT FOR BALTIMORE COUNTY**
CIVIL CATEGORY JUDICIAL REVIEW 105/329/95CV02374

CIVIL ASSIGNMENT

PETITION OF THE SOUTHERN LAND COMPANY, INC, ET AL

FOR JUDICIAL REVIEW OF THE DECISION OF THE BOARD
OF APPEALS OF BALTIMORE COUNTY

IN THE CASE OF: IN THE MATTER OF A PETITION
FOR SPECIAL EXCEPTION AND VARIANCE FOR GLYNDON
MEADOWS LOCATED AT NORTHEAST CORNER OF BUTLER
ROAD AND OLD HANOVER ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

Case No/: 95-156-SPHA

CONSOLIDATED WITH CASE 95CV2310

ATTORNEYS

John H. Zink, III
Patricia A. Malone
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
P.O. Box 5517
21204 494-6200

J. Carroll Helzer, P.A.
305 Washington Avenue, Suite 502
21204

10-19-95
" " " " 10-26/95
D/K & M *Memoranda to ↑ @ @*

jc (1) March 17, 1995 Petition of the Southern Land Company, Inc, et al, for
Judicial Review, fd.

mar(2)* Mar 20, 1995 MARK LAKEN's response to petition for
judicial review, fd. (rec'd 3/20/95)

jh*(3) March 30, 1995, Second Certificate Of Notice, fd. (rec'd
3/24/95)

as (4) March 30, 1995 Joint Motion and Order of Court CONSOLIDATING
case numbers 95CV2310 and 95CV2374, etc., fd. (DML)

ALL FUTURE PLEADINGS REFER TO COMPUTER

95 OCT 27 2 14 PM '95

CV GEN 952374
COSTS
CV CLK 80.00
B LBRY 10.00
CKCHECK TL 90.00
#28847 CC02 R01 717:1
03/17/95

10/24/95
Paid 60.00
50.00
CK 110.00
42513 CC02-R01

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: March 26, 2002

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton 
Board of Appeals

SUBJECT: **Glyndon Meadows**
Case No.: CBA-95-103 and 95-156-SPHA
Circuit Court Case No.: 03-C-95-00231-

Judge Kahl of the Circuit Court issued an Order on October 25, 1995, AFFIRMING the Court of Appeals. The case was then appealed to the Court of Special Appeals. The Court of Special Appeals issued a Mandate on 10/29/96 affirming the judgment. No further appeals have been taken in this matter. The Board of Appeals is closing and returning the file that is attached herewith.

Attachment: SUBJECT FILE ATTACHED

GLYNDON MEADOWS

#CBA-95-103
95-156-SPHA
(PDM IV-461)

*

FINAL APPROVAL OF DEVELOPMENT PLAN
PETITION FOR SPECIAL EXCEPTION AND VARIANCE

CBA-95-103

May 23, 1994 Concept Plan Conference
June 13 Community Input Meeting
June 28 Second Community Input Meeting
November 16 Development Plan Conference

95-156-SPHA

July 28, 1994 Petition for Variance and Special Hearing filed by Robert A. Hoffman, Esquire, on behalf of The Southern Land Company; Variance requested from the 50' principal building setback from any lot line; SPH for creation of 8 RC-5 parcels totaling 2.8 acres +/-.

CBA-95-103 and 94-156-SPHA

December 8 Zoning Commissioner/Hearing Officer's Hearing.

December 14 Order of the Z.C. Petition for Special Hearing GRANTED; Petition for Variance GRANTED; Development Plan APPROVED.

January 13, 1995 Notice of Appeal received from J. Carroll Holzer, Esquire, on behalf of Protestants/Appellants, Mark and Sandy Laken; Dr. Timothy and Dina Gardner; Victor and Florence Hencken.

January 23 Petition to accompany Order of Appeal filed by Holzer /Protestants.

February 8 Hearing before the Board of Appeals.

February 17 Opinion and Order of the Board in which the Petition for Variance was DENIED; Petition for Special Hearing was GRANTED; Development Plan was APPROVED. (Dissenting Opinion of William T. Hackett).

March 16, 1995 Petition for Judicial Review filed in the CCT by J. Carroll Holzer, Esquire, on behalf of Mark Laken (Civil Action No. 95-CV-02310).

March 17 Petition for Judicial Review filed in the CCT by John H. Zink, III, Esquire and Patricia A. Malone, Esquire on behalf of The Southern Land Company, Inc., et al (Civil Action No. 95-CV-02347).

March 22 Copy of both Petitions for Judicial Review received by the Board of Appeals from the Circuit Court for Baltimore County.

March 24 Certificate of Notice sent to interested parties (Civil Action No. 95-CV-02310).

March 24 Second Certificate of Notice sent to interested parties (Civil Action No. 95-CV-02347).

March 28 Joint Motion to Consolidate the Petition for Judicial Review filed in Case No. 95-CV-02347, with Case No. 95-CV-02310, filed by John H. Zink, III, Esquire, Patricia A. Malone, Esquire and Carroll Holzer, Esquire.

March 28 Order issued by the CCT, granting the Joint Motion to Consolidate the Petitions for Judicial Review (Dana Mark Levitz, J.).

May 4 Transcript of testimony and Record of Proceedings filed.

September 22 Order issued by the CCT wherein decision of the CBA was AFFIRMED; denied variances.

Date???? ✓ Appeal taken to CSA per Sterling Lease.

PDM
POCKET CLERK

TO 11/14/95
68

95-156-SPHA / Glyndon Meadows
Ct AFFIRMS CBA
(Christian M. Kahl, J./9-22-95)

5374-95
1V-461

PETITION OF MARK LAKEN
AND
PETITION OF THE SOUTHERN LAND
COMPANY, INC., ET AL
FOR JUDICIAL REVIEW OF THE
DECISION OF THE COUNTY BOARD
OF APPEALS OF BALTIMORE COUNTY
IN THE CASE OF: IN THE MATTER
OF GLYNDON MEADOWS LOCATED AT
THE NORTHEAST CORNER OF BUTLER
ROAD AND OLD HANOVER ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

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IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
CASE NO. 95CV2374/105/329

95 OCT 21 01:12

MEMORANDUM OPINION AND ORDER

This is an appeal by both the Protestant, Mark Laken ("Laken") and the Petitioner, Southern Land Company, Inc. ("Southern Land") from the February 17, 1995, decision of the County Board of Appeals of Baltimore County ("CBA") regarding the development plan for a project known as Glyndon Meadows located at Butler Road and Old Hanover Road in Baltimore County. The CBA review was an appeal from the December 14, 1994, Zoning Commissioner/Hearing Officer's decisions. An appeal from the CBA was then made to this Court on the following three issues: (1) the approval of the development plan requested by Southern Land pursuant to § 26-206 of the Baltimore County Code for a single family residential development on 67.81 acres located in the Glyndon area of Baltimore County; (2) the granting of a Special Hearing approval for eight lots to be designated as R.C. parcels under Section 1A04.E of the Baltimore County Zoning Regulations; and (3) the denial of variances requested by Southern Land with respect to a reduced setback distance for 25 of the 41 lots within the

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FILED OCT 2 1995

cc: Haulzer / ZINC & Maloney

proposed development.

Laken appeals issues number one, the approval of the development plan, and number two, the Special Hearing issue. Southern Land appeals issue number three, the denial of the variance. At argument, Laken abandoned his appeal with regard to issue number two, the granting of the Special Hearing; therefore, this Court did not review that issue. Argument by counsel for both Appellants was heard by this Court on September 6, 1995.

The detailed factual history of this case is well documented in the pleadings and in the opinions of both the Hearing Officer and the CBA. Generally, the proposed development site, Glyndon Meadows, is 67.81 acres in area and is zoned partly R.C. 5 and partly D.R. 3.5. There are two existing dwellings on the property, and the developer, Southern Land, proposes retaining these two dwellings and creating 39 new single family units. The Hearing Officer approved Southern Land's development plan, and pursuant to the appeal of Laken, the CBA reviewed and affirmed that decision, triggering Laken's appeal to the Court.

Additionally, Southern Land requested 25 variances for 25 lots for setbacks less than 50 feet for residential dwellings. The building envelopes, according to the development plan, were approximately 30 feet by 60 feet, and with the requested variances, the building envelopes would increase to 30 feet by 80 feet. The CBA held a de novo hearing on this issue, and denied the requested variances. Southern Land appealed that action.

I. Scope of review

The Circuit Court's review of a decision by an administrative agency is limited to whether that decision is "in accordance with the law." Md. Code Ann., Art. 25A § 5(U) (1957, 1994 Repl. Vol.). The Circuit Court may, through appeal, correct any abuse of discretion by an

administrative agency, such as the CBA, or modify its actions when they are unsupported by facts, or are arbitrary, illegal, capricious or unreasonable. Heaps v. Cobb, 185 Md. 372 (1945); Art Wood Enterprises v. Wiseburg Community Assoc., 88 Md. App. 723, 727 (1991). However, the scope of judicial review of decisions by administrative agencies is narrow, recognizing that Board members have expertise in a particular area and, ultimately, should be free to exercise their discretion as such. Finney v. Halle, 241 Md. 224 (1966). Thus, a reviewing court will not substitute its judgment for that of an administrative board where the issue is freely debatable and the record contains substantial evidence supporting the administrative decision. Montgomery County v. Woodward and Lothrop, Inc., 280 Md. 686 (1977). Accordingly, the Circuit Court's role is limited to determine whether there is substantial evidence in the record as a whole to support the agency's findings and conclusions, and to determine whether the administrative agency's decision is premised upon an erroneous conclusion of law. United Parcel Service, Inc. v. People's Counsel for Baltimore County, 336 Md. 569, 577 (1994).

II. Development Plan

The CBA, upon review of the record, affirmed the Hearing Officer's approval of the Glyndon Meadows development plan. On appeal, Laken advances several arguments in opposition to the CBA's decision: (1) that the CBA erred in not granting him a hearing de novo; (2) that the CBA did not properly review the record; (3) that the CBA applied the improper standard of review; and (4) that the Hearing Officer and the CBA erred as a matter of law in not requiring the development plan to comply with COMAR regulations.

The Court is not persuaded by any of the arguments asserted by Laken, and finds that there is substantial evidence in the record as a whole to support the CBA's approval of the

development plan.

First, Laken was not entitled to a hearing de novo before the CBA regarding the development plan. Md. Code Ann., Art. 25A § 5(U), does not, either explicitly or implicitly, provide that the CBA conduct a hearing de novo regarding the review of the approval of the development plan. Therefore, the CBA was correct in reviewing the issue on the record, and the CBA used the proper standard of review; i.e. the same standard of review as the Circuit Court uses when sitting as an appellate court. Mortimer v. Howard Research & Dev. Corp., 88 Md. App. 419, 443 (1991).

Second, there is substantial evidence in the record to support that the CBA properly reviewed the record of the Hearing Officer. Laken alleges that the transcript itself is incomplete and that the CBA did not have sufficient time to review the record. However, keeping in mind the expertise of the CBA members, as noted in Finney, supra, the Court recognizes that the CBA Opinion clearly states that:

With regard to the Development Plan, the Board has considered the arguments advanced by both Counsel, and has *reviewed the record and transcript of the proceedings* before the Zoning Commissioner/Hearing Officer, Lawrence E. Schmidt.

CBA 2/17/95 decision, 4 (emphasis added). The Court believes the CBA must be taken to have meant what it plainly said, and finds that the CBA reviewed the record before it and, based on the record, found substantial evidence to support Mr. Schmidt's decision.

Finally, the court is also unpersuaded by Laken's argument that the development plan was not in full compliance with the Development Regulations contained in the Baltimore County Code. The regulations require storm water management areas to be shown on the development plan, as well as preliminary hydrology computations and proposed existing storm drainage

systems as well as verification of suitable points of outfall. B.C.C. § 26-203(d)(10). There is substantial evidence in the record to support the Hearing Officer's decision, and the CBA's affirmance, that Southern Land fully complied with § 26-203(d)(10).

The record reflects that Robert F. Bradley, an engineering expert for Southern Land, testified before the Hearing Officer that preliminary hydrology computations regarding Glyndon Meadows were performed, as well as all other requirements of § 26-203(d)(10). See Hearing Officer transcript, 123-26. Based upon the expert testimony of Mr. Bradley, the Hearing Officer had ample, sufficient evidence to support the finding that Southern Land properly complied with the required regulations. Likewise, the CBA properly affirmed the Hearing Officer's decision on the issue since the issue was freely debatable and supported by substantial evidence on the record.

III. Variance

On appeal to the CBA, the CBA conducted a hearing de novo regarding Southern Land's request for variances. After hearing testimony on the issue, the CBA denied the request for variances. Upon review of the record, this Court affirms the CBA's decision to deny Southern Land's request for variances.

In Baltimore County, a two step process must be met in order to have a variance granted. A variance will be granted

only in cases where special circumstance or conditions exist that are peculiar to the land or structure which is subject of the variance request *and where strict compliance...would result in practical difficulty or unreasonable hardship.*

Baltimore County Zoning Ordinance § 307.1 (emphasis added).

The Court of Special Appeals instructed that the property for which a variance is sought must have

an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.

North v. St. Mary's County, 99 Md. App. 502 (1994).

In the instant case, the CBA Opinion acknowledges that the Glyndon Meadows property does contain some unique characteristics. However, notwithstanding these unique characteristics, the CBA found that any practical difficulty or undue hardship to Southern Land was self-inflicted.

The CBA Opinion states:

The Board has no difficulty in concluding that the property does contain unique characteristics. However, it is this Board's opinion that the variance request is driven more for the purpose of profit and that *the need for the variances has been self-inflicted by the Developer*. It is the developer who has drawn the Plan and configured the lots in such a manner as to require the requested variances. We cannot conclude from the testimony that the Plan as presented is the only possible one, and it certainly seems reasonable to conclude that a plan could have been drawn providing for lots without the request variances....For these reasons, the Board declines to grant the requested variances *on the grounds that the hardship or practical difficulty experienced by the Developer was self-inflicted*, and that nothing precludes the development of the property under the existing plan with requested variances being denied.

CBA Opinion at 3 (emphasis added).

Recently, the Court of Special Appeals instructed that "it was incumbent [on the applicant] to [show]... that the hardship was not the result of the applicants' own actions."

Cromwell v. Ward, 102 Md. App. 691, 721 (1995)(quoting, Marino v. Mayor and City council of Baltimore, 215 Md.206 (1957)). The record clearly supports that Southern Land has not met this burden. Additionally, the record supports that the issue was freely debatable and supported by substantial evidence in order for the CBA to deny the requested variances.

The record reflects that Southern Land made a blanket request for 25 variances to increase

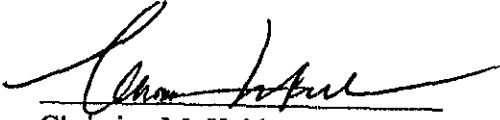
the building envelopes of 30 feet by 60 feet to 30 by 80 feet. The record, especially in light of the purchasers being unknown at this time, is devoid of information to support if those variances will actually even be needed. Additionally, Southern Land's own expert, Tim Madden, testified that all of the lots where the variances were requested are buildable without the variances. CBA transcript, 73-84. Furthermore, it was Southern Land that submitted the development plan for approval, without the requested variances. This testimony supports the CBA's finding that any hardship or practical difficulty experienced by Southern Land was self-inflicted. Accordingly, this Court affirms the denial of the variances.

15/
Christian M. Kahl

September 22, 1995
Date

cc: J. Carroll Holzer, Esq.
John Zink, III, Esq.

the building envelopes of 30 feet by 60 feet to 30 by 80 feet. The record, especially in light of the purchasers being unknown at this time, is devoid of information to support if those variances will actually even be needed. Additionally, Southern Land's own expert, Tim Madden, testified that all of the lots where the variances were requested are buildable without the variances. CBA transcript, 73-84. Furthermore, it was Southern Land that submitted the development plan for approval, without the requested variances. This testimony supports the CBA's finding that any hardship or practical difficulty experienced by Southern Land was self-inflicted. Accordingly, this Court affirms the denial of the variances.


Christian M. Kahl

September 22, 1995
Date

cc: J. Carroll Holzer, Esq.
John Zink, III, Esq.

True Copy Test
SUZANNE MENSCH, Clerk

Per 
Assistant Clerk

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF MARK LAKEN
AT 305 WASHINGTON AVENUE, SUITE 502
TOWSON, MARYLAND 21204

AND

PETITION OF THE SOUTHERN LAND COMPANY
COMPANY, INC., ET AL
9832 YORK ROAD, SUITE 2B
COCKEYSVILLE, MD 21030

FOR JUDICIAL REVIEW OF THE DECISION OF
THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
ROOM 49, OLD COURTHOUSE, 400 WASHINGTON
AVENUE, TOWSON, MARYLAND 21204

IN THE CASE OF: IN THE MATTER OF
GLYNDON MEADOWS
LOCATED AT THE NORTHEAST CORNER
OF BUTLER ROAD AND OLD HANOVER ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

FINAL APPROVAL OF DEVELOPMENT PLAN
ZADM IV-461 /CASE NO. CBA-94-103 AND
PETITION FOR SPECIAL EXCEPTION AND
VARIANCE CASE NO. 95-156-SPHA

* * * * *

PROCEEDINGS BEFORE THE OFFICE OF ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT
AND THE BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Michael B. Sauer and S. Diane Levero,
constituting the majority of the County Board of Appeals of
Baltimore County, and in answer to the Petitions for Judicial
Review directed against them in this case, herewith return the
record of proceedings had in the above-entitled matter, consisting
of the following certified copies or original papers on file in the

RECEIVED OFFICE OF Zoning Administration and Development Management and the
95 MAY 12 1995 Board of Appeals of Baltimore County:

CIVIL ACTION

No. 95-CV-2310/105/265

CONSOLIDATED WITH

CIVIL ACTION

No. 95-CV-2374/105/329

Glyndon Meadows /CBA-95-103 and 95-156-SPHA
File No. 95-CV-2310/105/265 and 95-CV-2374/105/329

ENTRIES FROM THE DOCKET OF THE BOARD OF APPEALS AND
OFFICE OF ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
OF BALTIMORE COUNTY

CBA-95-103

May 23, 1994	Concept Plan Conference
June 13	Community Input Meeting
June 28	Second Community Input Meeting
November 16	Development Plan Conference

95-156-SPHA

July 28, 1994	Petition for Variance and Special Hearing filed by Robert A. Hoffman, Esquire, on behalf of The Southern Land Company; Variance requested from the 50' principal building setback from any lot line; SPH for creation of 8 RC-5 parcels totaling 2.8 acres +/-.
---------------	---

CBA-95-103 and 94-156-SPHA

December 8	Zoning Commissioner/Hearing Officer's Hearing.
December 14	Order of the Zoning Commissioner/Hearing Officer. Petition for Special Hearing GRANTED; Petition for Variance GRANTED; Development Plan APPROVED.
January 13, 1995	Notice of Appeal received from J. Carroll Holzer, Esquire, on behalf of Protestants/Appellants, Mark and Sandy Laken; Dr. Timothy and Dina Gardner; Victor and Florence Hencken.
January 23	Petition to accompany Order of Appeal filed by J. Carroll Holzer, Esquire, on behalf of Protestants/Appellants.
February 8	Hearing before the Board of Appeals.
February 17	Opinion and Order of the Board in which the Petition for Variance was DENIED; Petition for Special Hearing was GRANTED; Development Plan was APPROVED. (Dissenting Opinion of William T. Hackett).

Glyndon Meadows /CBA-95-103 and 95-156-SPHA
File No. 95-CV-2310/105/265 and 95-CV-2374/105/329

March 16, 1995 Petition for Judicial Review filed in the Circuit Court for Baltimore County by J. Carroll Holzer, Esquire, on behalf of Mark Laken (Civil Action No. 95-CV-02310).

March 17 Petition for Judicial Review filed in the Circuit Court for Baltimore County by John H. Zink, III, Esquire and Patricia A. Malone, Esquire on behalf of The Southern Land Company, Inc., et al (Civil Action No. 95-CV-02347).

March 22 Copy of both Petitions for Judicial Review received by the Board of Appeals from the Circuit Court for Baltimore County.

March 24 Certificate of Notice sent to interested parties (Civil Action No. 95-CV-02310).

March 24 Second Certificate of Notice sent to interested parties (Civil Action No. 95-CV-02347).

March 28 Joint Motion to Consolidate the Petition for Judicial Review filed in Case No. 95-CV-02347, with Case No. 95-CV-02310, filed by John H. Zink, III, Esquire, Patricia A. Malone, Esquire and J. Carroll Holzer, Esquire.

March 28 Order issued by the Circuit Court for Baltimore County, granting the Joint Motion to Consolidate the Petitions for Judicial Review (Dana Mark Levitz, J.).

May 4 Transcript of testimony filed.

Petitioner's Exhibit No. 1-Plat to accompany Petition for Special Exception and Variance
2-Aerial Photo of site.
3-Copy of transcript of tapes of hearing

Protestant's Exhibit No. 1-Letter to Ron Schaftel from Rebecca Reigel 2/3/95
2-Aerial Photo marked in red ink by Ron Schaftel showing where road would go through existing "hedgerows" (trees)
3-Tapes of hearings (3 tapes)

Glyndon Meadows /CBA-95-103 and 95-156-SPHA
File No. 95-CV-2310/105/265 and 95-CV-2374/105/329

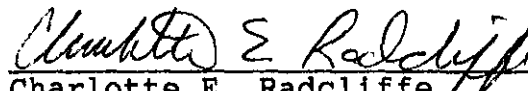
4-Letter to Laken from Diane Levy
2/2/95

5-Letter to Laken from Gottlieb
2/2/95

May 4, 1995 Record of Proceedings filed in the Circuit Court
for Baltimore County.

Record of Proceedings pursuant to which said Order was entered
and upon which said Board acted are hereby forwarded to the Court
together with exhibits entered into evidence both before the Board
and the Hearing Officer.

Respectfully submitted,



Charlotte E. Radcliffe
Legal Secretary
County Board of Appeals of Baltimore
County, Room 49, Basement - Old Courthouse
400 Washington Avenue
Towson, MD 21204 (410) 887-3180

cc: J. Carroll Holzer, Esquire
John H. Zink, III, Esquire
Patricia A. Malone, Esquire
People's Counsel for Baltimore County

PETITION OF MARK LAKEN
FOR JUDICIAL REVIEW

IN THE MATTER OF
GLYNDON MEADOWS/THE
SOUTHERN LAND COMPANY
FOR APPROVAL OF DEVELOPMENT
PLAN

Zoning Case: CBA-95-103

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY
* Case No.: 95-CV-2310 105/265
*

* * * * *

PETITION OF THE SOUTHERN
LAND COMPANY, INC., et al
FOR JUDICIAL REVIEW

IN THE MATTER OF A PETITION
FOR SPECIAL EXCEPTION AND
VARIANCE FOR GLYNDON
MEADOWS

Case No.: 95-156-SPHA

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY
* Case No.: 95-CV-2374 105/329
*

* * * * *

ORDER

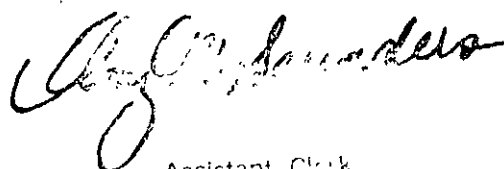
Upon consideration of the Joint Motion for Consolidation, it is this 28th day of

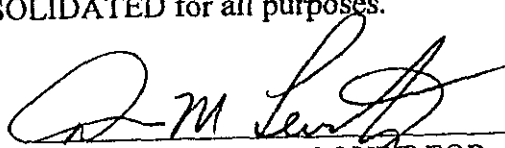
March, 1995, by the Circuit Court for Baltimore County,

ORDERED, that the Petition of Mark Laken for Judicial Review (Case No. 95-CV-2310) and the Petition of The Southern Land Company, Inc., et al. for Judicial Review (Case No. 95-CV-2374) are hereby CONSOLIDATED for all purposes.

True Copy Test

SUZANNE MENSCH, Clerk

Pc) 
Assistant Clerk


JUDGE, CIRCUIT COURT FOR
BALTIMORE COUNTY

FILED MAR 30 1995

PETITION OF MARK LAKEN
FOR JUDICIAL REVIEW

IN THE MATTER OF
GLYNDON MEADOWS/THE
SOUTHERN LAND COMPANY
FOR APPROVAL OF DEVELOPMENT
PLAN

Zoning Case: CBA-95-103

* IN THE
*
* CIRCUIT COURT
*
* FOR
* BALTIMORE COUNTY
*
* Case No.: 95-CV-2310 105/265
*

* * * * *

PETITION OF THE SOUTHERN
LAND COMPANY, INC., et al
FOR JUDICIAL REVIEW

IN THE MATTER OF A PETITION
FOR SPECIAL EXCEPTION AND
VARIANCE FOR GLYNDON
MEADOWS

Case No.: 95-156-SPHA

* IN THE
*
* CIRCUIT COURT
*
* FOR
* BALTIMORE COUNTY
*
* Case No.: 95-CV-2374 105/329
*
*

* * * * *

JOINT MOTION FOR CONSOLIDATION

The Southern Land Company, Inc., developer and contract purchaser, and
Margaret C. Pumphrey and Robert L. Stoll, legal owners, by John H. Zink, III and
Patricia A. Malone with Venable, Baetjer and Howard, LLP, their attorneys, and Mark
Laken, by J. Carroll Holzer with Holzer & Lee, P.A., his attorney, in accordance with
Maryland Rule 2-503, file this Joint Motion for Consolidation of the above-captioned
cases (Civil Action Numbers 95-CV-2310 and 95-CV-2374), and state:

1. Both of these administrative appeals arise out of a decision by the County Board of Appeals of Baltimore County with respect to a proposed subdivision known as Glyndon Meadows. With respect to the proposed subdivision, Petitioners, The Southern Land Company, Inc., developer and contract purchaser, and Margaret C. Pumphrey and Robert L. Stoll, legal owners, had requested approval of a Development Plan, a Petition for Special Hearing, and a Petition for Zoning Variance.

2. After a full hearing on the merits, the County Board of Appeals issued its decision on February 17, 1995, approving the Development Plan and the Petition for Special Hearing, but denying the Petition for Zoning Variance.

3. From this decision, on March 16, 1995, Protestant, Mark Laken, filed a Petition for Judicial Review, requesting review of the Board of Appeals' decision to approve the Development Plan for Glyndon Meadows (Zoning Case: CBA-95-103).

4. On March 17, 1995, Petitioners likewise filed a Petition for Judicial Review, requesting review of the Board of Appeals' decision, denying the Petition for Zoning Variance (Case No.: 95-156-SPHA).

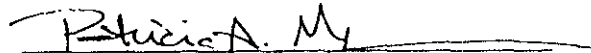
5. Because both of these administrative appeals arise out of the same set of facts and the decisions to be reviewed are based upon the same evidence, which was presented at a hearing before the Board of Appeals, these cases should be consolidated for all purposes. Such consolidation will conserve judicial resources.

WHEREFORE, all parties involved, The Southern Land Company, Inc., Margaret C. Pumphrey, Robert L. Stoll, and Mark Laken, respectfully request that these administrative appeals be consolidated for all purposes.

Respectfully submitted,



JOHN H. ZINK, III



PATRICIA A. MALONE

Venable, Baetjer and Howard, LLP

210 Allegheny Avenue

P. O. Box 5517

Towson, Maryland 21204

(410) 494-6200

Attorneys for The Southern Land Co., Inc.

Margaret C. Pumphrey and Robert L. Stoll

 BY: J. CARROLL HOLZER WITH AUTHORITY

J. CARROLL HOLZER

Holzer & Lee, P.A.

305 Washington Avenue

Suite 502

Towson, Maryland 21204

Attorney for Mark Laken

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF MARK LAKEN
AT 305 WASHINGTON AVENUE, SUITE 502
TOWSON, MARYLAND 21204

FOR JUDICIAL REVIEW OF THE DECISION OF
THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
ROOM 49, OLD COURTHOUSE, 400 WASHINGTON
AVENUE, TOWSON, MARYLAND 21204

CIVIL
ACTION
No. 95-CV-02310
/105/265

IN THE CASE OF: IN THE MATTER OF
GLYNDON MEADOWS
APPROVAL OF DEVELOPMENT PLAN
FOR PROPERTY LOCATED AT NORTHEAST
CORNER OF BUTLER ROAD AND OLD
HANDOVER ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
ZADM IV-461
CASE NO. CBA-94-103

* * * * *

CERTIFICATE OF NOTICE

Madam Clerk:

Pursuant to the provisions of Rule 7-202(e) of the Maryland Rules of Procedure, Michael B. Sauer and S. Diane Levero, constituting a majority of the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the Petition for Judicial Review to the representative of every party to the proceeding before it; namely, J. Carroll Holzer, Esquire and HOLZER AND LEE, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Counsel for Petitioner; Mark Laken at 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Petitioner; John H. Zink, II, Esquire and Patricia A. Malone, Esquire with VENABLE, BAETJER AND HOWARD, LLP, 210 Allegheny Avenue, P.O. Box 5517, Towson, Maryland 21204, Counsel for developer/contract purchaser and legal owners; The Southern Land Company, Inc, developer and contract purchaser, 9832

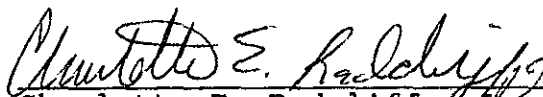
RECEIVED AND FILED
95 MAR 24 PM 12:54
CLERK OF THE CIRCUIT COURT
BALTIMORE COUNTY

York Road, Cockeysville, Maryland 21030, and Margaret C. Pumphrey, 9009 Crestleigh Road, Ellicott City, Maryland 21043, and Robert L. Stoll, 252 Hammarlee Road, Glen Burnie, Maryland 21060, legal owners; Peter Max Zimmerman, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, Room 47, 400 Washington Avenue, Towson, Maryland 21204; a copy of which Notice is attached hereto and prayed that it may be made a part hereof.



Charlotte E. Radcliffe, Legal Secretary
County Board of Appeals, Room 49 -Basement
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to J. Carroll Holzer, Esquire and HOLZER AND LEE, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Counsel for Petitioner; Mark Laken at 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Petitioner; John H. Zink, II, Esquire and Patricia A. Malone, Esquire with VENABLE, BAETJER AND HOWARD, LLP, 210 Allegheny Avenue, P.O. Box 5517, Towson, Maryland 21204, Counsel for developer/contract purchaser and legal owners; The Southern Land Company, Inc, developer and contract purchaser, 9832 York Road, Cockeysville, Maryland 21030, and Margaret C. Pumphrey, 9009 Crestleigh Road, Ellicott City, Maryland 21043, and Robert L. Stoll, 252 Hammarlee Road, Glen Burnie, Maryland 21060, legal owners; Peter Max Zimmerman, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, Room 47, 400 Washington Avenue, Towson, Maryland 21204, this 24th day of March, 1995.



Charlotte E. Radcliffe, Legal Secretary
County Board of Appeals, Room 49 -Basement
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180



County Board of Appeals of Baltimore County

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

March 24, 1995

J. Carroll Holzer, P.A.
HOLZER and LEE
305 Washington Avenue, Suite 502
Towson, MD 21204

RE: Civil Action No. 95-CV-02310
GLYNDON MEADOWS

Dear Mr. Holzer:

In accordance with Rule 7-206(c) of the Maryland Rules of Procedure, the County Board of Appeals is required to submit the record of proceedings of the petition for judicial review which you have taken to the Circuit Court for Baltimore County in the above-entitled matter within sixty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court within sixty days, in accordance with Rule 7-206(c).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Charlotte E. Radcliffe".

Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: Mr. Mark Laken





County Board of Appeals of Baltimore County

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

March 24, 1995

John H. Zink, II, Esquire
Patricia A. Malone, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Civil Action No. 95-CV-02310
GLYNDON MEADOWS

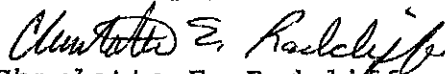
Dear Mr. Counsel:

Notice is hereby given, in accordance with the Maryland Rules of Procedure, that a Petition for Judicial Review was filed on March 16, 1995 in the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter. Any party wishing to oppose the petition must file a response within 30 days after the date of this letter, pursuant to Rule 7-202(d)(2)(B).

Please note that any documents filed in this matter, including, but not limited to, any other Petition for Judicial Review, must be filed under Civil Action No. 105/265/95-CV-02310.

Enclosed is a copy of the Certificate of Notice, which has been filed in the Circuit Court.

Very truly yours,


Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: Robert A. Hoffman, Esquire
The Southern Land Company, Inc., et al
Robert Bradley; Timothy Madden; and James Keefer
Wes Guckert /The Traffic Group, Inc.
Vernene Lenz
Susan Weber
Noel A. Cervino
Pat Keller
W. Carl Richards /ZADM
Arnold Jablon /ZADM
People's Counsel of Baltimore County
Michael J. Moran, Asst. Co. Attorney

Allison Childs
N.H. Economides
Rebecca Reigel
Lawrence E. Schmidt
Docket Clerk /ZADM
Donald Rascoe /ZADM



24/05
IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF THE SOUTHERN LAND
COMPANY, INC., ET AL
9832 YORK ROAD, SUITE 2B
COCKEYSVILLE, MD 21030

FOR JUDICIAL REVIEW OF THE DECISION OF
THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Room 49, Old Courthouse, 400 Washing-
ton Avenue, Towson, MD 21204

*
*
*
*
* CIVIL
ACTION
* No. 95-CV-02347
* /105/329
*

IN THE CASE OF: IN THE MATTER OF
A PETITION FOR SPECIAL EXCEPTION AND
VARIANCE FOR GLYNDON MEADOWS LOCATED
AT NORTHEAST CORNER OF BUTLER ROAD
AND OLD HANOVER ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
CASE NO. 95-156-SPHA

* * * * *

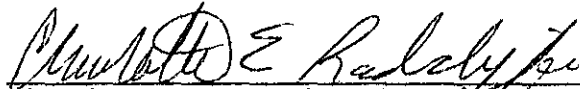
SECOND CERTIFICATE OF NOTICE

Madam Clerk:

Pursuant to the provisions of Rule 7-202(e) of the Maryland
Rules of Procedure, Michael B. Sauer and S. Diane Levero,
constituting a majority of the County Board of Appeals of Baltimore
County, have given notice by mail of the filing of the Petition for
Judicial Review to the representative of every party to the
proceeding before it; namely, John H. Zink, II, Esquire and
Patricia A. Malone, Esquire with VENABLE, BAETJER AND HOWARD, LLP,
210 Allegheny Avenue, P.O. Box 5517, Towson, Maryland 21204,
Counsel for Petitioners; The Southern Land Company, Inc (developer
and contract purchaser) 9832 York Road, Cockeysville, Maryland
21030, and Margaret C. Pumphrey, 9009 Crestleigh Road, Ellicott
CREW, Maryland 21043, and Robert L. Stoll, 252 Hammarlee Road,
GLEN ARDEN, Maryland 21060 (legal owners), Petitioners; J.

RECEIVED AND FILED
15 MAR 21 PM 12:54
CLERK OF THE CIRCUIT COURT
BALTIMORE COUNTY

Carroll Holzer, Esquire and HOLZER AND LEE, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Counsel for Mr. Laken; Mark Laken at 305 Washington Avenue, Suite 502, Towson, Maryland 21204; Peter Max Zimmerman, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, Room 47, 400 Washington Avenue, Towson, Maryland 21204; a copy of which Notice is attached hereto and prayed that it may be made a part hereof.



Charlotte E. Radcliffe, Legal Secretary
County Board of Appeals, Room 49 -Basement
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180

I HEREBY CERTIFY that a copy of the foregoing Second Certificate of Notice has been mailed to John H. Zink, II, Esquire and Patricia A. Malone, Esquire with VENABLE, BAETJER AND HOWARD, LLP, 210 Allegheny Avenue, P.O. Box 5517, Towson, Maryland 21204, Counsel for Petitioners; The Southern Land Company, Inc (developer and contract purchaser) 9832 York Road, Cockeysville, Maryland 21030, and Margaret C. Pumphrey, 9009 Crestleigh Road, Ellicott City, Maryland 21043, and Robert L. Stoll, 252 Hammarlee Road, Glen Burnie, Maryland 21060 (legal owners), Petitioners; J. Carroll Holzer, Esquire and HOLZER AND LEE, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Counsel for Mr. Laken; Mark Laken at 305 Washington Avenue, Suite 502, Towson, Maryland 21204; Peter Max Zimmerman, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, Room 47, 400 Washington Avenue, Towson, Maryland 21204, this 24th day of March, 1995.



Charlotte E. Radcliffe, Legal Secretary
County Board of Appeals, Room 49 -Basement
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180



County Board of Appeals of Baltimore County

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

March 24, 1995

John H. Zink, II, Esquire
Patricia A. Malone, Esquire
VENABLE, BAETJER & HOWARD, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Civil Action No. 95-CV-02347
GLYNDON MEADOWS

Dear Counsel:

In accordance with Rule 7-206(c) of the Maryland Rules of Procedure, the County Board of Appeals is required to submit the record of proceedings of the petition for judicial review which you have taken to the Circuit Court for Baltimore County in the above-entitled matter within sixty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court within sixty days, in accordance with Rule 7-206(c).

Please note, a Petition for Judicial Review was also filed from the Board's decision in this matter on March 16, 1995, by J. Carroll Holzer, Esquire, under Civil Action No. 105/265/95-CV-02310.

Enclosed is a copy of the Second Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

A handwritten signature in cursive script, reading "Charlotte E. Radcliffe".

Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: Robert A. Hoffman, Esquire
The Southern Land Company, Inc., et al





County Board of Appeals of Baltimore County

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

March 24, 1995

J. Carroll Holzer, P.A.
HOLZER and LEE
305 Washington Avenue, Suite 502
Towson, MD 21204

RE: Civil Action No. 95-CV-02347
GLYNDON MEADOWS

Dear Mr. Holzer:

Notice is hereby given, in accordance with the Maryland Rules of Procedure, that a second Petition for Judicial Review was filed on March 17, 1995 in the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter. Any party wishing to oppose the petition must file a response within 30 days after the date of this letter, pursuant to Rule 7-202(d)(2)(B).

Please note, a Petition for Judicial Review was also filed by you on March 16, 1995 in this matter under Civil Action No. 105/265/95-CV02310.

Enclosed is a copy of the Second Certificate of Notice, which has been filed in the Circuit Court.

Very truly yours,

Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: Robert Bradley; Timothy Madden; and James Keefer
Wes Guckert /The Traffic Group, Inc.
Vernene Lenz
Susan Weber
Noel A. Cervino
Pat Keller
W. Carl Richards /ZADM
Arnold Jablon /ZADM
People's Counsel of Baltimore County
Michael J. Moran, Asst. Co. Attorney

Allison Childs
N.H. Economides
Rebecca Reigel
Lawrence E. Schmidt
Docket Clerk /ZADM
Donald Rascoe /ZADM



2/11/95
PETITION OF THE SOUTHERN
LAND COMPANY, INC., et al.
9832 YORK ROAD, SUITE 2B
COCKEYSVILLE, MD 21030

FOR JUDICIAL REVIEW OF THE
DECISION OF THE BOARD OF
APPEALS OF BALTIMORE COUNTY
400 WASHINGTON AVENUE
TOWSON, MD 21204

IN THE CASE OF: IN THE MATTER
OF A PETITION FOR SPECIAL
EXCEPTION AND VARIANCE FOR
GLYNDON MEADOWS LOCATED
AT NORTHEAST CORNER OF
BUTLER ROAD AND OLD
HANOVER ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

Case No.: 95-156-SPHA

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY
* Case No.:
105/329/95 CV 02345

95 MAR 22 09:40

* * * * *

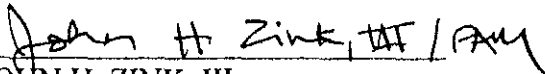
PETITION FOR JUDICIAL REVIEW

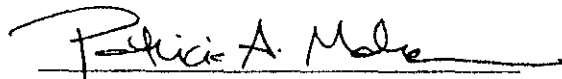
Appellants, The Southern Land Company, Inc., developer and contract purchaser,
and Margaret C. Pumphrey and Robert L. Stoll, legal owners, by John H. Zink, III and
Patricia A. Malone with Venable, Baetjer and Howard, LLP, their attorneys, in
accordance with Maryland Rules 7-202 and 7-203, file this Petition for Judicial Review
and request judicial review of the County Board of Appeals' decision, issued February 17,
1995, denying the variance requested by Appellants from Section 1A04.3.B.3 to approve
setbacks less than 50 feet for dwellings on certain lots within Glyndon Meadows.

FILED MAR 17 1995

Appellants were parties to the proceedings before the County Board of Appeals.

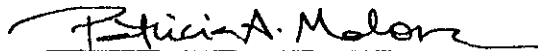
Respectfully submitted,


JOHN H. ZINK, III


PATRICIA A. MALONE
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21204
(410) 494-6200
Attorneys for Appellants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of March, 1995, a copy of the foregoing PETITION FOR JUDICIAL REVIEW was mailed to J. Carroll Holzer, P.A., 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Attorney for Protestants.


PATRICIA A. MALONE

TO1DOCS1/PAM01/0002758 01

IN THE CIRCUIT COURT FOR
BALTIMORE COUNTY

Petition of: Mark Laken
at 305 Washington Ave., Suite 502,
Towson, Maryland 21204

For Judicial Review of the Decision
of the County Board of Appeals of
Baltimore County, Old Courthouse,
Room 49, 400 Washington Ave.,
Towson, Maryland, 21204

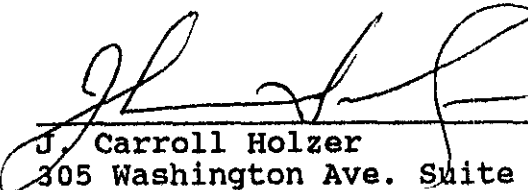
In the Matter of Glyndon Meadows/
ZADM IV-461, The Southern Land Co.
Contract Purchaser
Northeast Corner Butler Road and
Old Hanover Road
3rd Councilmanic District

Re: Approval of Development Plan
Case No. CBA-95-103

* * * * *

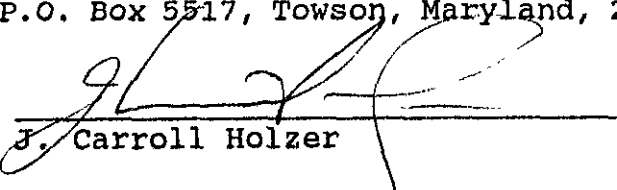
PETITION FOR JUDICIAL REVIEW

Appellant Mark Laken, by and through his attorney, J. Carroll Holzer and Holzer and Lee, hereby Petitions this Honorable Court for Judicial Review pursuant to Rule 7-202, from the decision of the County Board of Appeals regarding the approval of the development plan rendered on February 17, 1995. Petitioner Mark Laken was a party before the County Board of Appeals and the Hearing Officer.


J. Carroll Holzer
305 Washington Ave. Suite 502
Towson, Maryland, 21204
825-6961
Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this the 16th day of March, 1995, a copy of the foregoing Petition for Judicial Review was mailed postage pre-paid to Robert Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Ave., P.O. Box 5517, Towson, Maryland, 21204.


J. Carroll Holzer

RECEIVED AND FILED
MAR 19 1995
CLERK OF COURT

04:31:14 CC-00000000

LAW OFFICE
HOLZER AND LEE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MARYLAND
21204

(410) 825-6961
FAX (410) 825-4923





Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 13, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 W. Allegheny Avenue
Towson, MD 21204

RE: Development Plan Hearing and Petitions for
Special Hearing and Variance
Glyndon Meadows
(NEC Butler Road and Old Hanover Road)
4th Election District
3rd Councilmanic District
Margaret C. Pumphrey & Robert L. Stoll-Legal Owner
The Southern Land Company-Contract Purchaser
Case No. IV-461 and 95-156-SPHA

Dear Mr. Hoffman:

Please be advised that an appeal of the above-referenced case was filed in this office on January 13, 1994 by J. Carroll Holzer, Esquire, on behalf of Protestants Mark and Sandy Laken; Dr. Timothy and Dina Gardner; Victor and Florence Hencken. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director

AJ:jaw

c: Messrs. Ronald O. Schaftel and David E. Altfeld
Mr. Robert L. Stoll
Mrs. Verene Lenz
Mrs. Allison Childs
Mrs. Susan Weber
Mrs. Rebecca Riegel
Mr. N. H. Economides
Mr. Noel A. Cervino
Mr. Donald T. Rascoe
People's Counsel

MICROFILMED

APPEAL

Petition for Special Hearing and Variance
NEC Butler Road and Old Hanover Road
Glyndon Meadows
4th Election District - 3rd Councilmanic District
Margaret C. Pumphrey-Legal Owner
Robert L. Stoll-Contract Purchaser
Case No. 95-157-SPHA

Petition(s) for Special Hearing (not in file) and Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Petitioner(s), Citizen(s), and Baltimore County Representatives Sign-In
Sheets

Petitioner's Exhibits: 1 - Five page Development Plan (listed in
order as exhibit #1, but not marked as
such)
2 - No exhibit marked exhibit #2
3 - Letter from the Traffic Group dated
August 12, 1994 with a Traffic Impact
Analysis

Protestant's Exhibits: 1 - Traffic Impact Analysis by State Highway
Administration
2 - Richard D. Klein's Summary of
Qualifications
3 - Letter to Ms. Sandy Laken dated 12/07/94
from Community & Environmental Defense
Services
4 - Letter to Larry Schmidt dated 12/08/94
from Glyndon meadows Task Force
5 - Letter to Mr. & Mrs. George P. Mahoney
dated 12/06/94 from the Valleys Planning
Council, Inc.
6 - Letter to Laurence E. Schmidt dated
12/08/94 from NW Reisterstown Community
Association
7 - Responses to Northwest Reisterstown
Community Association
8 - Ltr to L. Schmidt dated Dec. 6, 1994

Zoning Commissioner's Order dated December 14, 1994 (Granted)

Notice of Appeal received on January 13, 1995 from J. Carroll
Holzer, Esquire on behalf of Protestants.

c: Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 W.
Allegheny Avenue, Towson, MD 21204
J. Carroll Holzer, Esquire, Holzer and Lee, 305 Washington
Avenue, Suite 502, Towson, MD 21204
Messrs. Ronald O. Schafel and David E. Altfeld, 9832 York Road,
Suite 2B, Baltimore, MD 21030
Mr. Robert L. Stoll, 252 Hammarlee Road, Glen Burnie, MD 21060
Mrs. Vernene Lenz, 4722 Butler Road, Glyndon, MD 21071
Mrs. Allison Childs, 4 Waugh Avenue, Glyndon, MD 21071
Mrs. Susan Weber, 111 E. Chatsworth Avenue, Reisterstown, 21136
Mr. N. H. Economides, 5314 Weywood Drive, Reisterstown, MD 21136
Mr. Noel A. Cervino, 5410 Weywood Drive, Reisterstown, MD 21136
Mrs. Rebecca Riegel, 107 Geroed Avenue, Reisterstown, MD 21136

MICROFILMED

APPEAL

Petition for Special Hearing and Variance
NEC Butler Road and Old Hanover Road
Glyndon Meadows
4th Election District - 3rd Councilmanic District
Margaret C. Pumphrey-Legal Owner
THE SOUTHERN LAND CO. → Robert L. Stoll Contract Purchaser
Case No. 95-156-SPHA

95-156-SPHA

Petition(s) for Special Hearing (not in file) and Variance

- ✓ Description of Property
- ✓ Certificate of Posting
- ✓ Certificate of Publication
- ✓ Entry of Appearance of People's Counsel
- ✓ Petitioner(s), Citizen(s), and Baltimore County Representatives Sign-In Sheets

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✓ 4 - Letter to Larry Schmidt dated 12/08/94 from Glyndon meadows Task Force
✓ 5 - Letter to Mr. & Mrs. George P. Mahoney dated 12/06/94 from the Valleys Planning Council, Inc.
✓ 6 - Letter to Laurence E. Schmidt dated 12/08/94 from NW Reisterstown Community Association
✓ 7 - Responses to Northwest Reisterstown Community Association
8 - LETTER TO L. SCHMIDT FROM TRAFFIC GROUP. RE: CONCERNS APPROVED DEV. PLAN

✓E

Zoning Commissioner's Order dated December 14, 1994 (Granted SPH & VAR)

✓ Notice of Appeal received on January 13, 1995 from J. Carroll Holzer, Esquire on behalf of Protestants.

ATTORNEYS AT LAW

c: Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 W. Allegheny Avenue, Towson, MD 21204
* J. Carroll Holzer, Esquire, Holzer and Lee, 305 Washington Avenue, Suite 502, Towson, MD 21204
Messrs. Ronald O. Schaffel and David E. Altfeld, 9832 York Road, Suite 2B, Baltimore, MD 21030
Mr. Robert L. Stoll, 252 Hammarlee Road, Glen Burnie, MD 21060
Mrs. Vernene Lenz, 4722 Butler Road, Glyndon, MD 21071
Mrs. Allison Childs, 4 Waugh Avenue, Glyndon, MD 21071
Mrs. Susan Weber, 111 E. Chatsworth Avenue, Reisterstown, 21136
Mr. N. H. Economides, 5314 Weywood Drive, Reisterstown, MD 21136
Mr. Noel A. Cervino, 5410 Weywood Drive, Reisterstown, MD 21136
Mrs. Rebecca Riegel, 107 Geroed Avenue, Reisterstown, MD 21136

Mark and Sandy Laken, et al
4900 Butler Road
Glyndon, MD 21071

Wes Guckert
The Traffic Group, Inc.
Suite 600, 40 W. Chesapeake Ave
Towson, MD 21204

APPELLANTS / PROTESTANTS

Robert Bradley; Timothy Madden;
and James Keefer
Morris & Ritchie Associates, Inc.
Suite 105, 110 West Road
Towson, MD 21204

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1/17/95 -Notice of Assignment sent to following for hearing
scheduled for Wednesday, February 8, 1995 at 10:00 a.m.:

J. Carroll Holzer, Esquire
Mark and Sandy Laken, et al
Robert A. Hoffman, Esquire
Ronald O. Schaftel /David E.
Altfield /The Southern Land Co.
Robert L. Stoll
Robert Bradley; Timothy Madden;
and James Keefer / Morris & Ritchie Associates, Inc.
Wes Guckert /The Traffic Group, Inc.
Vernene Lenz
Allison Childs
Susan Weber
N. H. Economides
Noel A. Cervino
Rebecca Riegel
Pat Keller
Lawrence E. Schmidt
Donald T. Rascoe /ZADM
W. Carl Richards /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM
People's Counsel for Baltimore County
Michael J. Moran, Asst. County Attorney

1/25/95 -Letter dtd 1/24/95 from J. Carroll Holzer -requesting postponement of 2/08/95
hearing; reasons include unavailability of 2 witnesses and short time between
appeal date and hearing date.

1/25/95 -Letter from WTH to Mr. Holzer -- advising that Board must comply with Code
regulations regarding timeframe for hearing; hearing will begin as scheduled
on 2/08/95; to be continued, if necessary, to second date (entire case,
including deliberation, to be concluded within 30 days of original hearing
date of 2/08/95).

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COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Glyndon Meadows /The Southern Land Co. -C.P.;
CBA-95-103 /ZADM IV-461 and
Margaret C. Pumphrey & Robert L. Stoll -Legal
Owners Case No. 95-156-SPHA

DATE : February 8, 1995 /At conclusion of hearing

BOARD /PANEL : William T. Hackett (WTH)
Michael B. Sauer (MBS)
S. Diane Levero (SDL)

SECRETARY : Kathleen C. Weidenhammer
Administrative Assistant

Those present included J. Carroll Holzer, Esquire, on behalf of Mark and Sandy Laken, Appellants /Protestants; and Robert A. Hoffman, Esquire, on behalf of The Southern Land Co., Petitioner /Developer.

PURPOSE --to deliberate issues and matter presented to the Board; testimony and evidence taken at hearing this date. Written Opinion and Order to be issued by the Board.

Opening comments by Chairman Hackett: As all present are aware, the decision has to be reached in open deliberation. Board has three issues to deliberate and reach decision on; one being the lots with R.C. 5, the general variances throughout the entire project, and the approved Development Plan. The approved Development Plan does not require public deliberation, but Board will do that since it must deliberate the other issues.

At this point, Board members conferred among themselves; discussion/comments not audible.

WTH: Listened carefully to testimony and evidence received; Development Plan as presented appeals to him; uniqueness in that they are making all effort possible to maintain trees and hedgerows is highly commendable; sees no reason why not to grant special hearing to create addition of .08 acre to those lots on corner; agrees with suggestion made that this would have been better as map error; this is a map error; would grant special hearing. Inclination on the myriad variances that Mr. Madden went over (and really Mr. Holzer's closing argument was on point) is that variances are being requested on parcels of land where it's not known if variances will ever be needed; initial reaction would be that they don't need variances and deny that; but at same time, also believes everything should be done to preserve pristine atmosphere of upper County, and this is time to do that; cannot wait until

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bulldozers level trees and change lot; it's too late then. If anything is to be done with the variance question in order to permit structures on lots to be of countrified type that belong on R.C. 5 land, must be done now; with those thoughts, would grant variances in hopes would enhance designation of R.C. 5.

MBS: Listened to evidence and testimony, and as WTH indicated, under open sessions law, required to openly deliberate on the special hearing and variances; other matter of Development Plan, approach different on that from other cases; but will put all three together and have open deliberation on the matter; all three issues are being openly deliberated. Familiar with recent opinion /Cromwell /Court of Special Appeals; particular issue of granting variances on proposed development /troubling because in this situation there is a developer who seeks a piece of property and then begins to look at it for purpose of developing it residentially; primary goal and purpose is to make profit; as indicated on exhibit 2, pristine piece of property; has been farmed for many many years; asks how many lots and how many houses. From testimony today, if everything were granted, area would be developed with large houses on small lots; concerns him; may be what community wants; however, this is what could be; reviewed photograph, exhibit 2; why not fewer homes; answer is profit. Does not believe that variances are needed as WTH indicated; does not believe there is any showing of practical difficulty; convinced that request for variances is profit driven; Developer comes to property as purchaser of undeveloped land; any hardship is self-inflicted; variances should not be granted in light of Cromwell decision which clearly advances this particular issue. Opinion is that variances should be denied. Am in favor of granting special hearing; testimony is uncontradicted that this is error in drawing line; will not adversely affect surrounding community and certainly intent and purpose is clear. As to Development Plan, in favor of its approval, but on the condition that it be approved without the requested internal variances. Both counsel know the applicable law on the Development Plan; reviewed by this Board; does not feel in any way the Hearing Officer has committed error of law, acted arbitrarily or otherwise done anything contrary to zoning laws. Variances should be denied; special hearing granted; plan approved.

SDL: Would grant special hearing to approve transfer of R.C. zoned land to D.R. lots; in conformance with Zoning Commissioner's policy manual; as to variances, believes Petitioner presented very convincing case of very attractive Development Plan;

found it very attractive; idea of hedgerows creating pods is very attractive development, and lots and homes to live in. However, found Mr. Laken's argument persuasive that in construction of larger homes on smaller lots, losing concept of comprehensive zoning. Lots can be built without variances; persuasive argument; most persuasive argument was very simple argument that this is self-imposed hardship. Cannot get beyond that. Would deny variances; individual lot buyers can request variances when building if they want to.

Closing statement Chairman Hackett: Board will issue written Opinion and Order. Said Order will be issued within 15 days from today's date.

(NOTE: Appellate period to run from date of Board's written Opinion and Order and not from this date.)

Respectfully submitted,


Kathleen C. Weidenhammer
Administrative Assistant

Item #28
Glydon Meadows

On Hold

must file development Pla

Note:
on Planning Board 9/22/94 Agenda

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CASE NUMBER: 95-93-A (Item 93)
6800 - 20 Schaadt's Road
"Woods At Bay Country"
N/S Schaadt's Road, 2650' W of c/l Harewood Road
15th Election District - 5th Councilmanic
Petitioner(s): Jason Development Corporation

Variance to allow 45 feet maximum height for structures in lieu of the 35 feet maximum height.

HEARING: WEDNESDAY, OCTOBER 12, 1994 at 11:00 a.m. in Room 106 County Office Building.

CASE NUMBER: 95-95-SPH (Item 96)
7100 York Road
N/S Chumleigh Road, 55' W of c/l York Road
9th Election District - 4th Councilmanic
Petitioner(s): Mark P. Jenkins and Ardrienne Jenkins

Special Hearing to approve a non-conforming use status for a dental office in a residence.

HEARING: WEDNESDAY, OCTOBER 12, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

CASE NUMBER: 95-94-A (Item 94)
3729 Bay Drive
SE/S Bay Drive, 185' SW of c/l Wye Road
15th Election District - 5th Councilmanic
Petitioner(s): William P. Jordan, Jr. and Marie Jordan

Variance to permit side yard setbacks of 10 feet in lieu of the permitted 50 feet.

HEARING: THURSDAY, OCTOBER 13, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

TO: GWEN

RE: Item 28

Glydon Meadows

Hold

Need word from Don as to
Development filing status.

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Gwen



Concept Plan Conference Schedule

Date: May 23, 1997

Meeting Location: COUNTY OFFICE BUILDING, ROOM 301
200 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Time: 9:00 a.m. Project: GLANDON MEADOWS ZADM# TV-461

Project Manager: DONALD RASCOE Phone: 887-3353

Project Location: OLD HANOVER PIKE AND BUTLER ROAD

Elec/Council District: 4C3 Engineer: MORRIS AND RITCHIE ASSOCIATES, INC. ZADM# _____

Time: _____ Project: _____ Phone: _____

Project Manager: _____

Project Location: _____

Elec/Council District: _____ Engineer: _____

Time: _____ Project: _____ ZADM# _____

Project Manager: _____ Phone: _____

Project Location: _____

Elec/Council District: _____ Engineer: _____

FOR MORE INFORMATION PLEASE CALL THE OFFICE OF ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT AT 887-3335

Item Number: 28
Planner: RT
Date Filed: 7-28-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

 Need an attorney

 ✓ The following information is missing:

 Descriptions, including accurate beginning point
 Actual address of property
 Zoning
 Acreage
 Plats (need 12, only submitted)
 200 scale zoning map with property outlined
 Election district
 Councilmanic district
 BCZR section information and/or wording
 ✓ Hardship/practical difficulty information
 Owner's signature (need minimum 1 original signature) and/or
 printed name and/or address and/or telephone number
 Contract purchaser's signature (need minimum 1 original
 signature) and/or printed name and/or address
 ✓ ~~Signature (need minimum 1 original signature) and/or~~
 printed name and/or title of person signing for legal
 owner/contract purchaser
 Power of attorney or authorization for person signing for
 legal owner and/or contract purchaser
 Attorney's signature (need minimum 1 original signature)
 and/or printed name and/or address and/or telephone number
 Notary Public's section is incomplete and/or incorrect
 and/or commission has expired

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 5, 1995

Mr. Ronald O. Schaftel
The Southern Land Company, Inc.
The Texas Center, Suite 2B
9832 York Road
Cockeysville, MD 21030

Subject: APPROVED DEVELOPMENT PLAN - ORDER dated 12/14/94
Glyndon Meadows, E/s Old Hanover Pike, North of Butler Rd
ZADM Project No. IV-461

Dear Mr. Schaftel:

Enclosed you will find a copy of the approved, signed Development Plan for your files on the above referenced project. Two copies of this plan have been released to Tim Madden of Morris & Ritchie Associates, Inc., to be used as a PWA mark-up plan showing all required Public Works improvements.

This development proposal may be further processed in accordance with the following:

- An introductory meeting may be scheduled through this office to establish time frames for the submission, review and approval of all Phase II plans.
- A certified or cashier's check in the amount of \$10,430.00, made payable to Baltimore County, MD, must be forwarded to this office to cover processing of the Public Works Agreement and processing of construction and right-of-way drawings up to the contract phase.
- A Public Works Agreement (PWA) must be prepared by your consultant in accordance with the Baltimore County PWA Procedures Manual. This manual and related forms may be obtained by contacting this office. Refer to this manual for PWA submittal requirements. Incomplete submittals will not be accepted.
- Upon execution of the Public Works Agreement, the Final Plat may be processed for recording.
- Construction drawings for the applicable Public Works requirements must be approved by the Department of Public Works prior to the release of any building permits.

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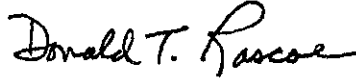


Mr. Ronald O. Schaftel
The Southern Land Company, Inc.
1/5/95
p. 2

- Because this project is on a state road, the State Highway Administration (SHA) will require plan review prior to approval of any permit. For further information contact Bob Small of SHA at (410) 333-1350.

Should you have any questions, please do not hesitate to contact our office.

Respectfully,



Donald T. Rascoe
Project Manager

DTR:ggl

Attachment - Plan

c: Morris & Ritchie Assoc., Inc. (2)

110 West Rd., Suite 105

Towson, MD 21204

R & P (1)

DEPRM (2)

DES (1)

OPZ (1)

File (2)

Susan Wimbley - FYI

Carol Brown - DM/ZADM

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County Board of Appeals of Baltimore County

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

January 25, 1995

J. Carroll Holzer, P.A.
HOLZER and LEE
305 Washington Avenue, Suite 502
Towson, MD 21204

Re: Glyndon Meadows
Case No. CBA-95-103 /
95-156-SPHA

Dear Mr. Holzer:

The Board is in receipt of your letter dated January 24, 1995, wherein you request a postponement of the subject matter scheduled for hearing on February 8, 1995.

Pursuant to Section 26-209(f) of the Baltimore County Code, the Board of Appeals hearing shall take place no less than 45 days and no more than 60 days after the Hearing Officer's decision. Therefore, the hearing in this matter must be scheduled by the Board between the dates of January 28 and February 12, 1995. If, at the close of the hearing on February 8, your witnesses are not available, the Board has the option to continue the hearing to a second day, to be concluded within 30 days after the first hearing date, if same is warranted.

Therefore, your request for postponement is denied, and this matter will be heard as scheduled on Wednesday, February 8, 1995 at 10:00 a.m.

Very truly yours,

A handwritten signature in cursive script, reading "William T. Hackett".

William T. Hackett, Chairman
County Board of Appeals

cc: Robert A. Hoffman, Esquire

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RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
NEC Butler Road and Old Hanover Road	*	ZONING COMMISSIONER
4th Election Dist., 3rd Councilmanic	*	
	*	OF BALTIMORE COUNTY
Margaret Pumphrey and Robert Stoll/ The Southern Land Company	*	CASE NO. 95-156-SPHA
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of November, 1994, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, P. O. Box 5517, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

*
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* * * * *

IN THE MATTER OF
A PETITION FOR ZONING
SPECIAL HEARING AND VARIANCE
HANOVER ROAD
GLYNDON MEADOWS
3RD COUNCILMANIC DISTRICT
CONTRACT PURCHASER:
THE SOUTHERN LAND CO.

* BEFORE
* COUNTY BOARD OF
* OF
* BALTIMORE COUNTY
* CASE NO. 95-156-SPHA

* * * * *

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on February 8, 1995 at 10:00 a.m. in Room 48, Basement, Old Courthouse, located at 400 Washington Avenue, Towson, Maryland 21204, and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

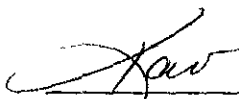
Witness: Martha Duke

Address: 5015 Kemp Road
Reisterstown, Maryland 21136

General Purpose: for the witness to testify as to the zoning issues in this case as may be required.

Requested By: Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
(410)494-6200

The witness named above is hereby ordered to so appear before the County Board of Appeals. This subpoena shall be served by Private Process or by the Sheriff.



County Board of Appeals of Baltimore County

TOIDOC51/BAW01/0001084.01

95 FEB -1 PM 1:17

RECEIVED
FEB 10 1995

IN THE MATTER OF
A PETITION FOR ZONING
SPECIAL HEARING AND VARIANCE
HANOVER ROAD
GLYNDON MEADOWS
3RD COUNCILMANIC DISTRICT
CONTRACT PURCHASER:
THE SOUTHERN LAND CO.

*
*
*
*
*
*

BEFORE
COUNTY BOARD OF
OF
BALTIMORE COUNTY
CASE NO. 95-156-SPHA

* * * * *

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Witness: Henry B. Duke, Jr.

**Address: 5015 Kemp Road
Reisterstown, Maryland 21136**

General Purpose: for the witness to testify as to the zoning issues in this case as may be required.

Requested By: Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
(410)494-6200

The witness named above is hereby ordered to so appear before the County Board of Appeals. This subpoena shall be served by Private Process or by the Sheriff.



County Board of Appeals of Baltimore County

TO1DOCS1/BAW01/0001084.01

95 FEB - 1 PM 1:17

1000115 11:11 AM

IN THE MATTER OF	*	BEFORE
A PETITION FOR ZONING		
SPECIAL HEARING AND VARIANCE	*	COUNTY BOARD OF
HANOVER ROAD		
GLYNDON MEADOWS	*	OF
3RD COUNCILMANIC DISTRICT		
CONTRACT PURCHASER:	*	BALTIMORE COUNTY
THE SOUTHERN LAND CO.	*	CASE NO. 95-156-SPHA

* * * * *

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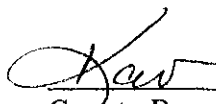
Witness: Victor E. Hencken, II

**Address: Hencken & Gaines, Inc.
10616 Beaver Dam Road
Cockeysville, Maryland 21030**

General Purpose: for the witness to testify as to the zoning issues in this case as may be required.

Requested By: Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
(410)494-6200

The witness named above is hereby ordered to so appear before the County Board of Appeals. This subpoena shall be served by Private Process or by the Sheriff.



County Board of Appeals of Baltimore County

TOIDOC51/BAW01/0001084.01

95 FEB -1 PM 1:17

COPIED 1-17-95

IN THE MATTER OF
A PETITION FOR ZONING
SPECIAL HEARING AND VARIANCE
HANOVER ROAD
GLYNDON MEADOWS
3RD COUNCILMANIC DISTRICT
CONTRACT PURCHASER:
THE SOUTHERN LAND CO.

* BEFORE
* COUNTY BOARD OF
* OF
* BALTIMORE COUNTY
* CASE NO. 95-156-SPHA
!

* * * * *

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Witness: Florence G. Hencken

Address: 4928 Kemp Road
Reisterstown, Maryland 21136-4702

General Purpose: for the witness to testify as to the zoning issues in this case as may be required.

Requested By: Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
(410)494-6200

The witness named above is hereby ordered to so appear before the County Board of Appeals. This subpoena shall be served by Private Process or by the Sheriff.



County Board of Appeals of Baltimore County

TOIDOC51/BAW01/0001084.01

95 FEB -1 PM 1:17

0001084.01

IN THE MATTER OF
A PETITION FOR ZONING
SPECIAL HEARING AND VARIANCE
HANOVER ROAD
GLYNDON MEADOWS
3RD COUNCILMANIC DISTRICT
CONTRACT PURCHASER:
THE SOUTHERN LAND CO.

*
*
*
*
*

BEFORE
COUNTY BOARD OF
OF
BALTIMORE COUNTY
CASE NO. 95-156-SPHA

* * * * *

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on February 8, 1995 at 10:00 a.m. in Room 48, Basement, Old Courthouse, located at 400 Washington Avenue, Towson, Maryland 21204, and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board.

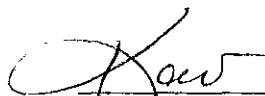
Witness: **Nina H. Gardner**

Address: **13500 Longnecker Road**
 Glyndon, Maryland 21071-4807

General Purpose: for the witness to testify as to the zoning issues in this case as may be required.

Requested By: Robert A. Hoffman, Esquire
 Venable, Baetjer & Howard
 210 Allegheny Avenue
 Towson, Maryland 21204
 (410)494-6200

The witness named above is hereby ordered to so appear before the County Board of Appeals. This subpoena shall be served by Private Process or by the Sheriff.



County Board of Appeals of Baltimore County

TOIDOC51/BAW01/0001084.01

95 FEB - 1 11:17

95 FEB - 1 11:17

IN THE MATTER OF
A PETITION FOR ZONING
SPECIAL HEARING AND VARIANCE
HANOVER ROAD
GLYNDON MEADOWS
3RD COUNCILMANIC DISTRICT
CONTRACT PURCHASER:
THE SOUTHERN LAND CO.

*
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*
*
*

BEFORE
COUNTY BOARD OF
OF
BALTIMORE COUNTY
CASE NO. 95-156-SPHA

* * * * *

SUBPOENA

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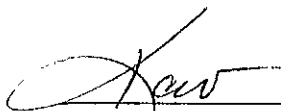
Witness: Dr. Timothy J. Gardner

**Address: 13500 Longnecker Road
Glyndon, Maryland 21071-4807**

General Purpose: for the witness to testify as to the zoning issues in this case as may be required.

Requested By: Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204
(410)494-6200

The witness named above is hereby ordered to so appear before the County Board of Appeals. This subpoena shall be served by Private Process or by the Sheriff.



County Board of Appeals of Baltimore County

TO1DOCS1/BAW01/0001084 01

95 FEB -1 PM 1:17

95 FEB -1 PM 1:17



LAW OFFICES
J. CARROLL HOLZER, PA
THOMAS J. LEE
J. HOWARD HOLZER
1937-1989

TOWSON OFFICE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MD 21204
(410) 825-6961
FAX: (410) 825-4923

CARROLL COUNTY OFFICE
1315 LIBERTY ROAD
ELDERSBURG, MD 21784
(410) 795-8556
FAX: (410) 795-5535

April 13, 1995

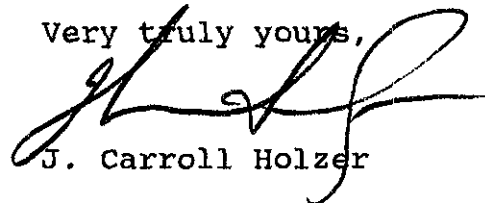
Ms. Kathy Weidenhammer
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re.: CBA 95-103
Glyndon Meadows

Dear Kathy:

I'm not sure that my clients, the Lakens, should be responsible for the whole cost of the certified documents in this case in that we only appealed the portion dealing with the granting of the Development Plan, which was a very small portion. The appeal concerning the denial of the variance came from Rob Hoffman, and perhaps this bill should be divided between the parties in some fashion. Please let me know.

Very truly yours,



J. Carroll Holzer

cc: Rob Hoffman



County Board of Appeals of Baltimore County

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

April 5, 1995

BILLED TO:

J. Carroll Holzer, P.A.
HOLZER and LEE
305 Washington Avenue, Suite 502
Towson, MD 21204

* Cost of certified documents in Case No. CBA-95-103.....\$192.00
(Petition for Judicial Review filed in Circuit Court)

CBA-95-103
Glyndon Meadows
NEC Butler Road and
Old Hanover Road

MAKE CHECK PAYABLE TO: Baltimore County, Maryland

REMIT TO:

County Board of Appeals
Room 49 - Basement
Old Courthouse
400 Washington Avenue
Towson, MD 21204

* PLEASE NOTE THAT THESE COSTS ARE SEPARATE AND DISTINCT FROM ANY
AMOUNT PAID BY YOU FOR THE TRANSCRIPT.





County Board of Appeals of Baltimore County

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

April 14, 1995

J. Carroll Holzer, P.A.
HOLZER and LEE
305 Washington Avenue, Suite 502
Towson, MD 21204

Re: Case No. CBA-95-103
Glyndon Meadows

Dear Carroll:

I'm writing in response to your letter of April 13th regarding certified document costs in the subject matter.

The invoice submitted to you in the amount of \$192.00 reflects the cost incurred for certified documents of the Development Plan file only; the zoning file for the variance portion is a separate file altogether and in no way included in this billing.

Should you have any additional questions, please call me at 887-3180.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kathi", is written over a horizontal line.

Kathleen C. Weidenhammer
Administrative Assistant

cc: Robert A. Hoffman, Esquire





LAW OFFICES
J. CARROLL HOLZER, PA
THOMAS J. LEE
J. HOWARD HOLZER
1907-1989

TOWSON OFFICE
305 WASHINGTON AVENUE
SUITE 502
TOWSON, MD 21204
(410) 825-6961
FAX: (410) 825-4923

CARROLL COUNTY OFFICE
1315 LIBERTY ROAD
ELDERSBURG, MD 21784
(410) 795-8556
FAX: (410) 795-5535

January 24, 1995

Chairman William Hackett
County Board of Appeals
Basement, Old Courthouse
Towson, Maryland

Re: Glyndon Meadows
CBA-95-103
95-156-SPHA

Dear Chairman Hackett:

This letter is a request asking for a postponement for at least a week from the scheduled hearing on the above matter scheduled for February 8, 1995. The reason for my request is that at least two of my witnesses will be unavailable on the hearing date, and inasmuch as I was not counsel before the Zoning Commissioner, I have not yet received a copy of the tape from ZADM of the hearing to review for the CBA hearing.

I filed my appeal on January 13, 1995 and the hearing is set for February 8, 26 days after my appeal. A prompt response is appreciated.

Very truly yours,

J. Carroll Holzer

JCH:clg
cc: Robert Hoffman, Esq.

95 JAN 25 11 7:53



County Board of Appeals of Baltimore County

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

January 25, 1995

J. Carroll Holzer, P.A.
HOLZER and LEE
305 Washington Avenue, Suite 502
Towson, MD 21204

Re: Glyndon Meadows
Case No. CBA-95-103 /
95-156-SPHA

Dear Mr. Holzer:

The Board is in receipt of your letter dated January 24, 1995, wherein you request a postponement of the subject matter scheduled for hearing on February 8, 1995.

Pursuant to Section 26-209(f) of the Baltimore County Code, the Board of Appeals hearing shall take place no less than 45 days and no more than 60 days after the Hearing Officer's decision. Therefore, the hearing in this matter must be scheduled by the Board between the dates of January 28 and February 12, 1995. If, at the close of the hearing on February 8, your witnesses are not available, the Board has the option to continue the hearing to a second day, to be concluded within 30 days after the first hearing date, if same is warranted.

Therefore, your request for postponement is denied, and this matter will be heard as scheduled on Wednesday, February 8, 1995 at 10:00 a.m.

Very truly yours,

A handwritten signature in cursive script that reads "William T. Hackett".

William T. Hackett, Chairman
County Board of Appeals

cc: Robert A. Hoffman, Esquire



PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Nick H. Economides /

5314 WEYWOOD Dr. Reisterstown, Md 21136

NOEL A CERVINO /

5410 WEYWOOD DR Reisterstown 21136

Kristen Forsyth

Valleys Planning

Robert J Stoll /

252 Harmon Lee Rd. Glen Burnie Md 21060

Robert Lee Stoll

7 Butler Rd. Reisterstown Md 21136

VIRGINIA B. ENSOR

143 MAIN ST. REISTERSTOWN MD 21136

VICKI L. ALMOND

26 Beaches Lane Reisterstown 21136

Therese Rodgers /

4723 Butler St. Glyndon 21071

Sandy Jaken /

4900 Butler Road Glyndon Md 21071

Dani R. Hammond

206 Central Ave. 21071 21071

Susan L. Weber /

111 E Chatsworth Ave Reisterstown 21136

Bob Schickler

390 Butler Rd. Reisterstown, MD 21136

Alvin Schickler

390 Butler Rd. Reisterstown, MD 21136

Walter H. Taylor

Box 43, Glyndon, Md 21071

MARTHA I HEALY

Box 43, GLYNDEN, MD. 21071

Nan Kaestner

Box 3608 Glyndon, 21071 117 Central Ave.

Marti Clements

200 Central Ave. Glyndon

Box 41 21071

Allison Childs /

4 Waugh Avenue Glyndon 21071

Christy Garman

120 Central Ave Glyndon 21071

Rebecca Ruel /

107 Heroes Ave. NW Kent Com Assoc

Worthington Hill Dr GLYNDEN

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman

210 Allegheny Ave 21204

RONALD O. SCHAFFEL

9832 YORK RD S-2B 21030

ROBERT F. BRADLEY

Su. 105, 110 WEST RD 21204

TIMOTHY F. MADDOEN

" " " "

JAMES M. KEEFER

" " " "

WES GUCKERT

Su. 8-600 40 W. CROOKSTOWN AVE 21204



Printed with Soybean Ink
on Recycled Paper

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BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

ADDRESS

ZADM-DC
OPZ
SRA
SNA
SHA
D.P.W.
DEPRM
DEPRM
ZADM

MICROFILMED

VERIFIED
3/23/95
on

Case No. CBA-95-103

2/8/95

895-156 SP4A EXHIBITS

Petitioner's Exhibits

- ✓ 1. Phot to accompany petition for Special Exception & Variance
- ✓ 2. Aerial photo of site
- ✓ 3. Copy of transcript of tapes of Hearing

Protestant's Exhibits

- ✓ 1. Letter to Ron Schaftel from Rebecca Riegel 2/3/95
- ✓ 2. Aerial photo marked in red ink by Ron Schaftel showing where road would go through existing "hedgerows" (trees)

- TO BE BROUGHT IN
- ✓ 3. Tapes of hearings (3 tapes) "M.L." = approx. site of Protestant Mark Laken's home
 - ✓ 4. Letter to Laken from Diane Levy 2/2/95
 - ✓ 5. Letter to Laken from Gottlieb 2/2/95

September 26, 1994
5314 Weywood Dr.
Reisterstown, Md. 21136

10/4/94
TO DR
8

4851-24

IV-461

RECEIVED
OCT 3 1994

Mr. Donald T. Rascoe
Development Manager
ZADM
111 West Chesapeake Avenue, Room 109
Towson, Maryland 21204

Level
EX-102
ZADM

Dear Sir:

As you may or may not know, those of us who live in the Hanover Pike corridor are strongly opposed to the notion or attempt to move the access of Glyndon Meadows from Butler Rd. to Hanover Pike as suggested by the Glyndon and Reisterstown associations.

The following is a response to the statements we have heard in the two Community Input Meetings as well as what residents in the Hanover Pike corridor have heard or discussed with those in the above mentioned organizations.

1. Safety - As you know the Pike has had more than its share of accidents resulting in both severe injuries and death. A new access to the Pike would create another potentially accident prone situation. On the day of the first input meeting there was a head-on-accident near Emory Rd. on the Pike. This did not seem to detract from the Glyndon and Reisterstown Associations determination to change the access of Glyndon Meadows from Butler Rd. to Hanover Pike. Since the last (2nd) input meeting there have been 5 accidents on the Pike some involving lost of control resulting in personal injury and property damage (hitting telephone poles). One was witnessed by Mr. I. William Chase near Arcadia. This accident was preceded by another one the day before which caused power surges all along the Pike which caused damage to Satellite Receivers, T.V.s, VCR's, Ovens, Hot Tubs Etc. This is the second major power surge accident we have experienced in the past fourteen months. As a result of the personal injury head-on-collisions many residents are fearful when using the Pike.

There are those who ask how many accidents have occurred at the proposed access location on the Pike to Glyndon Meadows should it be moved there. The answer to that is: probably none, and that's good. However, the overwhelming majority of accidents have occurred at the access roads along the Pike. No access NO ACCIDENTS. That's the way we all like it. Therefore, our position is if we don't have the access on the Pike chances are we won't have the accidents at that point.

Historical facts prove that Hanover Pike is far more dangerous than Butler Rd. The topography (rolling, winding) of the Pike, the speed limit (50 mph), the type of drivers and vehicles

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2.

(18 wheelers, farm equipment which impedes traffic and makes it unsafe), and people in a hurry to get home are all contributing factors.

2. Access - We use the Pike every day. There is no network of roads or alternate highways along the Pike. When coming from the north in the morning to go to work, the alternate routes are few and far between and not practical to use. For example, Emory Road (Route 91) will take you to Route 140, which is also very crowded. Getting to Towson or Balto. or 695 via 795 adds time and distance to the trip. Therefore, Hanover pike is the only choice for people above Emory Rd. to get to the 795 or in some cases Butler Rd. Those of us below Emory R. will always use Hanover Pike.

This in effect puts us in a stove pipe situation, once we are committed onto Hanover Pike and are tied up in an accident the lines get long very fast. At that point we have no where to go. This has happened time and time again. In the past several years we have had to abandon our automobiles due to accidents causing closings of the access roads to our homes. Whenever an accident occurs within one mile north of the red light at Butler Rd and Hanover Pike the access north on Hanover Pike is closed (detoured). That's how we get left stranded.

Just the opposite occurs at Butler Road. There is a network of roads south of Butler Rd. Beginning with Sacred Heart Lane, Central Ave., Chatsworth Ave., Bond Ave., Reisterstown Rd., Timber Grove Rd. etc. I was a resident in Reisterstown (Country Club Estates) for 18 years and never had a problem finding an alternate route to get to where I wanted to go. Being a resident of the Woodglen Farms Community for 14 years (access off Hanover Pike), I have been in an accident, my son has been in a serious accident (neither were our fault), I have witnessed many accidents and I have been stranded.

3. By Pass of 795 - This proposal has been viewed as the solution to the Hanover Pike problem. What it has actually turned into is an item of discussion and nothing more. It has been talked about for at least 10 years and now I understand that it isn't even in the 10 year plan. The question why not arises. The answer is simple, it's a low priority because more pressing problems need to be addressed. It is also a money or budget hog. If a by-pass were to approved today, it would take years to complete. By then more people would have been injured or killed on Hanover Pike, and it probably wouldn't help those of us below (south of) Emory Road anyway.

4. In the first two weeks of this month, I have been tied up on 795 twice because of a problem on Rt 140. The traffic was

3.

backed up from the light at Butler Rd and Hanover Pike past Rt 140 almost to the first bridge which crosses over 795. In the other direction, traffic was backed up from the same light back to Main St. in Reisterstown. RT 795 feeds a lot of traffic onto Rt 140 and Route 140 feeds a lot of traffic onto 795 from the direction of Westminster. So what would happen with a by-pass feeding 795 from Carroll County and Southern Pa. with more development inevitable along Hanover Pike. We see the situation as a real problem and not one that can be solved easily, and to place an access on Hanover Pike when it doesn't have to be; instead of Butler Rd. on top of everything else I am afraid is irresponsible.

We believe that this by-pass has as much chance of passing within the next 5 to 10 years as does the one time Butler Rd by-pass to 695 and Towson which isn't even talked about any longer.

4. Who's Who - It seems to us that those south of Butler Rd. who oppose the Butler Rd. access probably don't even use it every day because of the multitude of alternate avenues available to them. Those of us on the Pike are in a different situation, because we use the Pike every day.

5. Inevitable added access onto Hanover Pike - The Maryland National Guard has had and is ready to execute plans to build an OCS candidate facility at the Camp Fretterd site just North of the Woodglen Farms Community. Needless to say this will also increase traffic in the stove pipe (Hanover Pike).

Attached you will find letters opposing the access of Glyndon Meadows on Hanover Pike. We have distributed notices to a few of our neighbors on the Pike and have had an overwhelming response (125 notices and over 100 responses) in opposition to moving the access onto Hanover Pike.

Should you have any questions, or if you wish to discuss this further, I can be reached on 833-6154.

Respectfully,



Nick H. Economides
Woodglen Farms Community and
Hanover Pike Neighbors

August 2, 1994

TO WHOM IT MAY CONCERN:

This is to inform you that as a tax payer in the state of Maryland and a frequent user of Hanover Pike (RT 30), I am opposed to any notion or suggestion that would allow the access of Glyndon Meadows to be moved to Hanover Pike.

My opposition and concern arise from the potentially hazardous situation it will create on this high speed Pike as borne by the historical events of serious and fatal accidents of the past.

Respectfully,

Name Craig R. Piette

Address 13117 Old Hanover Rd.
Reisterstown MD 21136

Telephone No. (Optional) 429-4011

As an urban planner by profession, I object strongly to such a transportation travesty. Please go over your accident data and confirm everyone's gut feeling, Hanover Pike is a RT 140 (recent deaths) waiting to happen. Numerous deaths have already occurred, why wait for more

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Southern Land

Schmidt Good morning everyone, I'm Lawrence Schmidt, the Zoning Commissioner for Baltimore County sitting today as Hearing Officer for you of the development plan filed by the Southern Land Company, Inc. for project known as Glyndon Meadows. This is a project located in Glyndon for approximately 67.81 acres, which is split zoned RC 5 and dr3.5 predominately RC-5 and the nature of the use as I understand it is 43 single family dwellings, two of which I believe are already existing. Mr. Hoffman

Hoffman It's 41 ____? ____, it's 39.

Schmidt My comment's wrong, thanks. Approximately 41 there single family dwellings on the subject site as shown on the development plan. As to the history of the development process in this case, matter originally came in as concept plan on May 23, 1994. There was then a community input meeting on June 13, 1994 at Glyndon Elementary School and a second community input meeting on June 28. Development plan was submitted on November 16, and this matter is scheduled for hearing both today and tomorrow. For those of you who may be unfamiliar with the development process, my role in this hearing today is to consider the development plan which has been filed and amended and developed with revisions by the developer. I can approve the development plan which has submitted, or disapprove it or approve it and add conditions and restrictions which I deem appropriate. The format of the hearing that I usually follow will be to first try to get an identification of any open issues or any unresolved comments and in order I'll ask first the developer and his representative to just give me an identification of any issues that may be unresolved after I get a listing of them from the developer, I'll next ask for the same information from the county and state representatives who are here if there are any comments or conditions that they have requested which have not been resolved and then I'll go to the community representatives who may be here and ask them the same questions. After we get sort of a list of issues that have been identified then we'll proceed to take testimony and evidence on those issues so that I can make a decision as to those matters. That all being said, let me say also at the conclusion of the hearing or when the hearing is concluded and this is set in for 2 days, I don't know if it will take that whole time, whether it will take more or take less, I'm

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*The
Traffic
Group*

8/17/94

4137-94
LDR

August 12, 1994

Ref No 3

Maryland State Highway Administration
Mr. Bob Small
707 N. Calvert Street
Baltimore, Maryland 21202

RE: Glyndon Meadows
Baltimore County, Maryland
Our Job No.: 940609

Dear Bob:

This is a follow-up to the Community Input Meeting that took place regarding the subject 43-unit subdivision.

As agreed, the developer has undertaken a Traffic Impact Analysis to determine the impact of the subdivision on the nearby road system and to determine the adequacy of the proposed access onto MD 128 (Butler Road). You will see by reviewing the report that adequate sight distance exists and that satisfactory levels of service exist.

Further, you will see that when taking into account a seasonal adjustment factor, that an improvement is needed at the intersection of MD 128 and MD 30, but *NOT* as a result of the 43-unit Glyndon Meadows subdivision. This project increases the Critical Lane Volume by less than 1%, a factor of 10 critical lane movements.

It was agreed at the Community Input Meeting that the State Highway Administration would review this study with community representatives. Please do everything possible to have a review and response to this study within the next four weeks.

I am sending directly to Darrell Wiles four copies of the study so that (if possible) he can expedite his review.

*The Traffic Group, Inc.
Suite 600
40 W. Chesapeake Avenue
Towson, Maryland 21204
410-583-8405
Fax 410-321-8458*

RECEIVED
AUG 17 1994

ZADM

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Mr. Bob Small
August 12, 1994
Page 2

If you have any questions, please call, and I look forward to your response. Thank you.

Sincerely,



John W. Guckert
President

JWG/lmk

cc: Darrell Wiles (4)
Dave Ramsey (1)
David Altfeld (2)
Bob Bradley (1)
Tim Madden (1)
Rob Hoffman (2)
Don Rascoe (1) - Baltimore County
Greg Jones (1) - Baltimore County

(small)



The Traffic Group

Traffic Impact Analysis

for

Glyndon Meadows Subdivision

Baltimore County, Maryland

Prepared for

Southern Land Company

August 10, 1994

W1000011 MFD

ORIGINAL

1 IN THE MATTER OF * BEFORE THE
2 GLYNDON MEADOWS/ZADM I V-461 * COUNTY BOARD OF APPEALS
3 AND MARGARET C. PUMPHREY & * OF BALTIMORE COUNTY
4 ROBERT L. STOLL- LEGAL OWNERS *
5 /SOUTHERN LAND CO. - C.P. * CASE NO. CBA-95-103
6 NORTHEAST CORNER BUTLER ROAD * and
7 AND OLD HANOVER ROAD * CASE NO. 95-156-SPHA
8 4th ELECTION DISTRICT *
9 3rd COUNCILMANIC DISTRICT * February 8, 1995

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* * * * *

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Reported by:
C.E. Peatt

MICROFILMED

TRAFFIC IMPACT ANALYSIS
FOR
GLYNDON MEADOWS SUBDIVISION
MD 128 (BUTLER ROAD)
NEAR MD 30 (HANOVER PIKE)

by
State Highway Administration
Assistant District Engineer

November 1994

*Protestants
No 1*

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MD 128
Glyndon Meadows
Baltimore County
November 1994

BACKGROUND

At the community input meeting for the proposed Glyndon Meadows Subdivision, a request was made for an independent study of the development's impacts.

The primary purposes of the study were to update the level of service assessment at the MD 30 and MD 128 intersection and consider the relative merits of Glyndon Meadows access on MD 30 and/or MD 128.

HISTORY

An impact study was prepared by the developer of Glyndon Meadows in August 1994. That study concluded that the 43 unit subdivision would generate a total of 51 trips in the p.m. peak hour (39 in the a.m.) and would not have an adverse impact on MD 128.

EXISTING TRAFFIC VOLUMES

The intersection of MD 30 and MD 128 was observed on November 2 during both the morning and evening peak hours. Based upon Critical Lane Method, the existing Level of Service is "B" in the a.m. and "E" in the p.m.

SITE TRAFFIC

The anticipated traffic generated by the Glyndon Meadows development:

	a.m. peak hour			p.m. peak hour		
	in	out	total	in	out	total
43 units	10	29	39	33	18	51

In the worst case (p.m. peak hour):

	% site traffic thru intersection	number of vehicles added to critical lane	%
MD 30 access	90%	30	2%
MD 128 access	70%	20	1.3%

SPEEDS

Speed observations were made by various groups with the following results in the 85th percentile.

	<u>MD 30</u>	<u>MD 128</u>
SHA (off peak)	53 - 56	41 - 42
B. Co. (off peak)	55 - 56	40 - 41
Traffic Group (24 hour)	43 - 43	33 - 33

SIGHT DISTANCE

MD 128 opposite Sacred Heart Lane

600* feet to west 800 feet to east

*500 feet totally unimpeded
400 feet - required at 45 mph

MD 30 at Old Hanover Road

520* feet to south 1000+ feet to north

*traffic entering at MD 128
550 feet - required at 55 mph

ACCIDENTS

No extraordinary accident problems were identified in the study area. No High Accident Intersections or High Accident Sections are involved.

The accident rate along MD 30 from MD 128 to CSX Railroad is less than the statewide average for similar type roadways.

The accident rate along MD 128 between MD 30 and Central Avenue is slightly higher than the statewide average for similar type roadways. The accident rate for rear end accidents is significantly higher than for other similar roadways.

MD 30 and MD 128
a.m. peak

Time	MD 30 NB		MD 30 SB		EB from I-795			MD 128 WB			Total
	Left	Thru	Left	Thru	Left	Thru	Right	Left	Thru	Right	
7:00 to 8:00	5	96	202	284	265	638	3	109	129	56	1787
7:15 to 8:15	9	91	200	279	280	659	2	109	150	66	1845
7:30 to 8:30	8	89	196	257	272	646	2	96	172	57	1795
7:45 to 8:45	6	85	159	217	217	558	1	83	182	57	1565
8:00 to 9:00	0	86	119	202	195	497	4	83	193	59	1438

MD 30 and MD 128
p.m. peak

Time	MD 30 NB		MD 30 SB		EB from I-795			MD 128 WB			Total
	Left	Thru	Left	Thru	Left	Thru	Right	Left	Thru	Right	
4:00 to 5:00	4	258	62	122	640	262	11	117	482	138	2096
4:15 to 5:15	4	295	68	129	637	281	9	128	524	150	2225
4:30 to 5:30	2	322	74	143	616	284	12	169	544	185	2351
4:45 to 5:45	4	329	64	152	689	311	14	166	588	160	2477
5:00 to 6:00	3	305	51	143	679	293	12	193	601	140	2420

Movements separated from signal (MD 30 SB rights and MD 30 NB rights) were not counted.



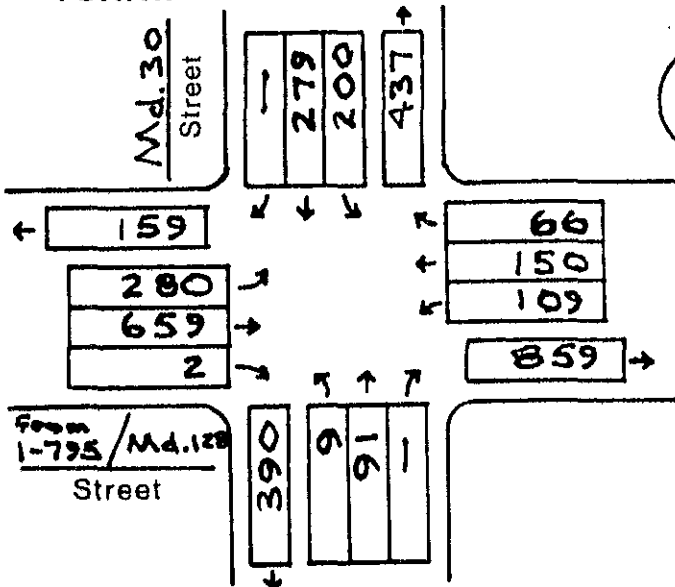
MD SH● TURNING MOVEMENT SUMMARY ● JMMARY AND LEVEL OF SERVICE

Count Date: 11-2-94 Hours: 7:15 to 8:15
Conditions/
Design Year: Foggy, Dry

Location: Md. 30 / Md. 128

TURNING MOVEMENT SUMMARY

LANE CONFIGURATION



Indicate North
by Arrow

Intersection Control: Signal ☒ Stop ☐ ways ☐

RTOR: NB ☐ SB ☐ EB ☐ WB ☐

Phasing ☐

No. of Lanes	Lane Use Factor
1	= 1.00
2	= .55
3	= .40
4	= .30
Dble. L.T.	= .60

Service Level	Critical Lane Vol. Tot.	V/C Range
A = 1000 or Less		< .63
B = 1000 to 1150		.63 - .72
C = 1150 to 1300		.72 - .81
D = 1300 to 1450		.81 - .91
E = 1450 to 1600		.91 - 1.0
F = Greater than 1600		> 1.0

CRITICAL LANE VOLUME WORKSHEET

φ	Movement	Volume (1)	Lane Use Factor (2)	Lane Volume (1) x (2)	Opposing Lefts	Critical Lane Volume	*
	←↑	100	1.0	100	200	300	*
	↓↘	279	1.0	279	9	288	
	→↗	661	1.0	661	109	770	*
	↙←	216	.55	119	280	399	

Remarks

* critical volume

TOTAL

1070

V/C

LEVEL OF SERVICE

B

Computed by: _____ Date: _____

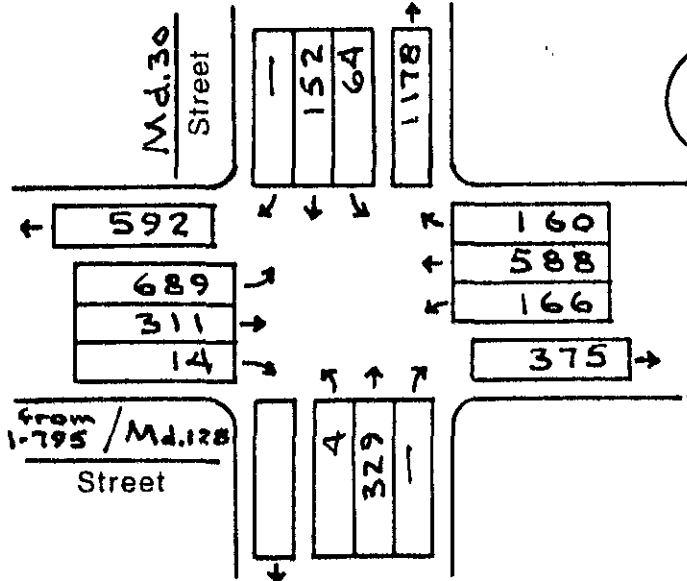


MD SH● TURNING MOVEMENT ● SUMMARY AND LEVEL OF SERVICE

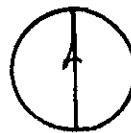
Count Date: 11-2-94 Hours: 4:45 to 5:45
Conditions/
Design Year: Clear, Dry

Location: Md. 30 / Md. 128

TURNING MOVEMENT SUMMARY



LANE CONFIGURATION



Indicate North
by Arrow

Intersection Control: Signal ☒ Stop ☐ ways ☐

RTOR: NB ☐ SB ☐ EB ☐ WB ☐

Phasing ☐

☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

No. of Lanes	Lane Use Factor
1	= 1.00
2	= .55
3	= .40
4	= .30
Dble. L.T.	= .60

Service Level	Critical Lane Vol. Tot.	V/C Range
A = 1000 or Less		< .63
B = 1000 to 1150		.63 - .72
C = 1150 to 1300		.72 - .81
D = 1300 to 1450		.81 - .91
E = 1450 to 1600		.91 - 1.0
F = Greater than 1600		> 1.0

CRITICAL LANE VOLUME WORKSHEET

Ø	Movement	Volume (1)	Lane Use Factor (2)	Lane Volume (1) x (2)	Opposing Lefts	Critical Lane Volume	*
		333	1.0	333	64	397	*
		152	1.0	152	4	156	
		311	1.0	311	166	477	
		748	.55	411	689	1100	*

Remarks

* critical volume

TOTAL

1497

V/C

LEVEL OF SERVICE

E

Computed by: _____ Date: _____

ACCIDENT SUMMARY

LOCATION: MD 30 @ MD 128 / MD 795

LOGMILE: 0.39 @ 0.00 / 0.47

COUNTY: Baltimore

PERIOD STUDIED

January 1, 1993

to

December 31, 1993

SEVERITY		FATAL	INJURY	PROP DAMAGE	TOTAL	DAY OF WEEK																
ACCIDENTS			2	1	3	SUN	MON	TUE	WED	THU	FRI	SAT	UNK	TOTAL								
VEHICLE OCC.			4																			
PEDESTRIANS											2	1		3								
MONTH												CONDITION OF DRIVER				PED						
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	NORMAL				3						
	1		2									HAD BEEN DRINKING										
												OTHER										
TIME	12	1	2	3	4	5	6	7	8	9	10	11	UNK	TOTAL	VEHICLES INVOLVED PER ACCIDENT							
AM										1			1	1	2	3	4	5	6+	TOTAL		
PM		2											2		3					6		
VEHICLE TYPE				SURFACE		DIRECTION OF TRAVEL																
MOTORCYCLE TT TRUCK				WET 1		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				UNK
PASS. CAR 4 COM. BUS				DRY 1		LT	S	RT	LT	S	RT	LT	S	RT	LT	S	RT	LT	S	RT		
LT TRUCK 1 SCH. BUS				SNOW/ICE 1																		
HV TRUCK 1 OTHER				OTHER			1	1						3			1					
PROBABLE CAUSE												COLLISION TYPE				FAT	INJ	PDO	TOTAL			
Excessive speed												OPPOSITE DIRECTION				RELATED						
Other speed																NON-RELATED						
Fail to obey stop sign												REAR END				RELATED						
1 Fail to obey signal - RTOR																NON-RELATED						
Failed to obey other traffic control												SIDESWIPE				RELATED						
1 Improper passing - turn																NON-RELATED						
Wrong side of road - Wrong Way												LEFT TURN				RELATED		1	1			
Fail to drive in lane - Cut in																NON-RELATED						
1 Failed to Grant R/W to other Vehicle												ANGLE				RELATED		1	1	2		
Following too close																NON-RELATED						
Backing or stopped												PEDESTRIAN				RELATED						
School bus law																NON-RELATED						
Reckless driving												PARKED VEHICLE				RELATED						
Use of alcohol																NON-RELATED						
Use of drugs												OTHER				RELATED						
Parking violation																NON-RELATED						
Equipment violation												F	BRIDGE - OVERPASS			01						
Blinded by approaching vehicle												I	BUILDING			02						
Drowsy or asleep												X	CULVERT - DITCH			03						
Physical or mental disability												E	CURB - WALL			04						
Struck by object from moving vehicle												D	GUARDRAIL - BARRIER			05						
Fire													EMBANKMENT			06						
Weather elements													FENCE			07						
Road defects												O	LIGHT POLE			08						
Animal - Wildlife												B	SIGN POLE			09						
Animal - Domestic												J	OTHER POLE			10						
Debris or substance on roadway												K	TREE - SHRUBBERY			11						
Pedestrian at fault												C	CONSTRUCTION BARRIER			12						
pedalcyclist at fault												T	CRASH ATTENUATOR			13						
Other												S	OTHER FIXED OBJECT			14						
WEATHER		ILLUMINATION		YEAR		HIGH ACCIDENT LOCATION																
CLEAR	1	DAY	3	1988		YEARS NO RATE 0.30 STATEWIDE																
CLOUDY		DAWN - DUSK		1989																		
FOGGY		DARKNESS - STREET LIGHTS ON		1990																		
RAINING	1	DARKNESS - STREET LIGHTS OFF		1991																		
SNOWING	1	DARKNESS - NO LIGHTS		1992																		
OTHER		OTHER		1993	3																	
TOTAL	3	TOTAL	3	TOTAL	3																	

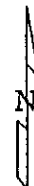


MARYLAND STATE HIGHWAY ADMINISTRATION
Office of Traffic and Safety - Traffic Safety Division
COLLISION DIAGRAM - DATE September 12, 1994

LOCATION MD 30 @ MD 128 / MD 795
COUNTY Baltimore
STUDY PERIOD Jan. 1, 1993 to Dec. 31, 1993

MD 30

MD 795



4/16/93-11-1P-V

4/3/93-31-1P-D

2/26/93-P-9A-S

MD 128

MD 30

Key:

DATE-SEVERITY-TIME-SURFACE
DAY NIGHT
R. Killen

ACCIDENT STUDY WORKSHEET

Location : MD 30 from MD 128 to CSX Railroad Length : 0.62 Mile(s)

County : Baltimore Logmile : 0.39 to 1.01

TYPE CONTROL	8U								
% of TYPE CONTROL	100%								
							TOTAL	STUDY	STATE
YEARS					1993		ACCIDENTS	RATE	AVG.
FATAL ACCIDENTS							0	0.0	1.4
NO. KILLED							0		
INJURY ACCIDENTS					2		2	63.9	120.3
NO. INJURED					2		2		
PROP DAMAGE ACC					1		1	31.9	107.2
TOTAL ACCIDENTS					3		3	95.8	228.9
ACCIDENT RATE					95.8				
AADT					13,800				
VMT (in Millions)					3.1		3.1		
COLLISION TYPE									
ANGLE					1		1	31.9	41.7
REAR-END							0	0.0	66.1
FIXED-OBJECT							0	0.0	31.7
OPP-DIRECTION					1		1	31.9	11.8
SIDESWIPE					1		1	31.9	13.5
LEFT-TURN							0	0.0	23.0
PEDESTRIAN							0	0.0	6.3
PARKED-VEHICLE							0	0.0	7.2
OTHER COLLISION							0	0.0	27.6
NIGHTTIME					1		1	33%	32%
WET SURFACE ACC.					2		2	67%	28%
ALCOHOL RELATED							0	0%	8%
INTERSECTION ACC.					1		1		
TOTAL VEHICLES					6		6		
TRUCK VEHICLES							0		
% TRUCKS					0		0		

HIGH ACCIDENT INTERSECTIONS:

HIGH ACCIDENT SECTIONS:

* - Significantly higher than the statewide average rate for similar State maintained highways or composite sections.

Note: ADTS and VMTS are rounded

ACCIDENT STUDY WORKSHEET

Location : MD 128 from MD 30 to Central Avenue

Length : 0.70 Mile(s)

County : Baltimore

Logmile : 0.00 to 0.70

TYPE CONTROL	8U								
% of TYPE CONTROL	100%								
							TOTAL	STUDY	STATE
YEARS					1993		ACCIDENTS	RATE	AVG.
FATAL ACCIDENTS						0		0.0	1.4
NO. KILLED						0			
INJURY ACCIDENTS					5	5		160.0	120.3
NO. INJURED					11	11			
PROP DAMAGE ACC					4	4		128.0	107.2
TOTAL ACCIDENTS					9	9		287.9	228.9
ACCIDENT RATE					287.9				
AADT					12,200				
VMT (in Millions)					3.1	3.1			
COLLISION TYPE									
ANGLE					2	2		64.0	41.7
REAR-END					5	5		160.0 *	66.1
FIXED-OBJECT						0		0.0	31.7
OPP-DIRECTION						0		0.0	11.8
SIDESWIPE					1	1		32.0	13.5
LEFT-TURN					1	1		32.0	23.0
PEDESTRIAN						0		0.0	6.3
PARKED-VEHICLE						0		0.0	7.2
OTHER COLLISION						0		0.0	27.6
NIGHTTIME					1	1		11%	32%
WET SURFACE ACC.					3	3		33%	28%
ALCOHOL RELATED					1	1		11%	8%
INTERSECTION ACC.					4	4			
TOTAL VEHICLES					18	18			
TRUCK VEHICLES					1	1			
% TRUCKS					6	6			

HIGH ACCIDENT INTERSECTIONS:

HIGH ACCIDENT SECTIONS:

* - Significantly higher than the statewide average rate for similar State maintained highways or composite sections.

Note: ADTS and VMTS are rounded

STATE HIGHWAY
ADMINISTRATION
TRAFFIC DIVISION
RADAR SUMMARY SHEET

ROUTE: MD-30
COUNTY: B. C
LOG MILE: _____
DIRECTION: N/B
POSTED SPEED: 50 MPH
WEATHER: Sunny, Dry
DATE: 11-15-69
TIME: 10:45 AM
CONDITION: Dry
TYPE SURFACE: Asphalt
COMMENTS: _____

85 % SPEED: 53 MPH
MODAL SPEED: 49 MPH
MEAN SPEED: 50 MPH

% TRUCKS: 21%
% BUSES: 0%
% PASSENGER CARS: 79%

RECORDER: AHMAD, S.Y.

SPEED (MPH)	NO. VEHs.	ACCUM. VEHs.	% OF TOTAL	ACCUM %
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
41				
42				
43				
44	2	2	2	2
45	4	6	4	6
46	7	13	7	13
47	9	22	9	22
48	14	36	14	36
49	14	50	14	50
50	12	62	12	62
51	12	74	12	74
52	9	83	9	83
53	3	86	3	86
54	2	88	2	88
55	4	92	4	92
56	2	94	2	94
57	4	98	4	98
58	1	99	1	99
59	1	100	1	100
60	1	101	1	101

STATE HIGHWAY
ADMINISTRATION
TRAFFIC DIVISION
RADAR SUMMARY SHEET

ROUTE: 30
COUNTY: Baltimore
LOG MILE: _____
DIRECTION: SB
POSTED SPEED: 50
WEATHER: Sunny
DATE: 11-15-91
TIME: 10:45am
CONDITION: Dry
TYPE SURFACE: Asphalt
COMMENTS: Not 128 ft.
But trav. around

85 % SPEED: 56
MODAL SPEED: 53
MEAN SPEED: 53

% TRUCKS: 9
% BUSES: 0
% PASSENGER CARS: 91

RECORDER: C.L.

SPEED (MPH)	NO. VEHS.	ACCUM. VEHS.	% OF TOTAL	ACCUM %
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
41				
42				
43	2	2	2	2
44	2	4	2	4
45	2	6	2	6
46	3	9	3	9
47	3	12	3	12
48	7	19	7	19
49	7	26	7	25
50	9	34	9	33
51	10	44	10	43
52	10	54	10	52
53	11	65	11	63
54	8	73	8	71
55	9	81	9	79
56	6	87	6	84
57	5	92	5	89
58	4	96	4	93
59	5	101	5	98
60	2	103	2	100

RADAR SUMMARY SHEET

250' E of Rail/Road Ave.

SPEED (MPH)	NO. VEHS.	ACCUM. VEHS.	% OF TOTAL	ACCUM %
20				
21				
22				
23				
24				
25				
26				
27				
28				
29	1	1	1	1
30	4	5	4	5
31	4	9	4	9
32	3	12	3	12
33	3	15	3	15
34	6	21	6	21
35	10	31	10	31
36	8	39	8	39
37	13	52	13	51
38	10	62	10	61
39	10	72	10	71
40	6	78	6	77
41	3	81	3	80
42	6	87	6	86
43	5	92	5	91
44	4	96	4	95
45	2	98	2	97
46				
47				
48	1	99	1	98
49				
50	2	101	2	100
51				
52				
53				
54				
55				
56				
57				
58				
59				
60				

RADAR SUMMARY SHEET

COMMENTS: address # 4905

RECORDED: C.L.

SPEED (MPH)	NO. VEHS.	ACCUM. VEHS.	% OF TOTAL	ACCUM %
20				
21				
22				
23				
24	1	1	1	1
25	1	2	1	2
26	1	3	1	2
27	2	5	2	4
28	2	7	2	6
29	2	9	2	7
30	5	14	4	11
31	7	21	6	17
32	3	24	2	20
33	7	31	1	25
34	8	39	7	32
35	6	45	5	37
36	5	50	11	41
37	10	60	3	49
38	9	69	7	56
39	16	85	13	69
40	12	97	10	79
41	9	105	7	85
42	3	108	2	88
43	4	112	3	91
44	6	118	5	96
45	4	122	3	99
46	1	123	1	100
47				
48				
49				
50				
51				
52				
53				
54				
55				
56				
57				
58				
59				
60				

APPENDIX

- Northwest Area Elementary Schools
Map indicating boundaries, capacities, September 30 enrollment, and number of students over/under capacity
- Middle Schools Map
Includes boundaries, capacities, and enrollments
- High Schools Map
Includes boundaries, capacities, and enrollments
- Secondary School Functional Capacity Worksheet
Sample: Franklin Middle School
- Capital Projects Requested for the Northwest Area
State Capital Budget Request, FY95
County Capital Budget Request, FY95
Planning Board Recommendations, FY95
County Executive Recommendations, FY95
- Site Bank Properties : Northwest Area
- Map : Randall Ridge Elementary School Site
- Map : Red Run Elementary, Middle, High Sites
- Map : Woodholme Elementary School Site

NORTHWEST AREA ELEMENTARY SCHOOLS

1993-94

FRANKLIN

536

C = 480

+56

GLYNDON 535

C = 462 +73

REISTERSTOWN

800

C = 538

-64

TIMBER GROVE

789

C = 688

+81

CEDARMERE

522

C = 498

+26

DEER PARK

390

C = 430 -40

HERNWOOD

331

C = 544

-213

RANDALLSTOWN

297

C = 456

-159

OWINGS MILLS

683

C = 598

+85

HRNWD.

CH. LA. II

WINAND

546

C = 594

-48

CHURCH LANE

444

C = 536

-92

MILBROOK

523

C = 416

+107

WELLWOOD

SUMMIT PARK

390

C = 274

+116

SCOTT'S BRANCH

484

C = 528

-42

BEDFORD

450

C = 368

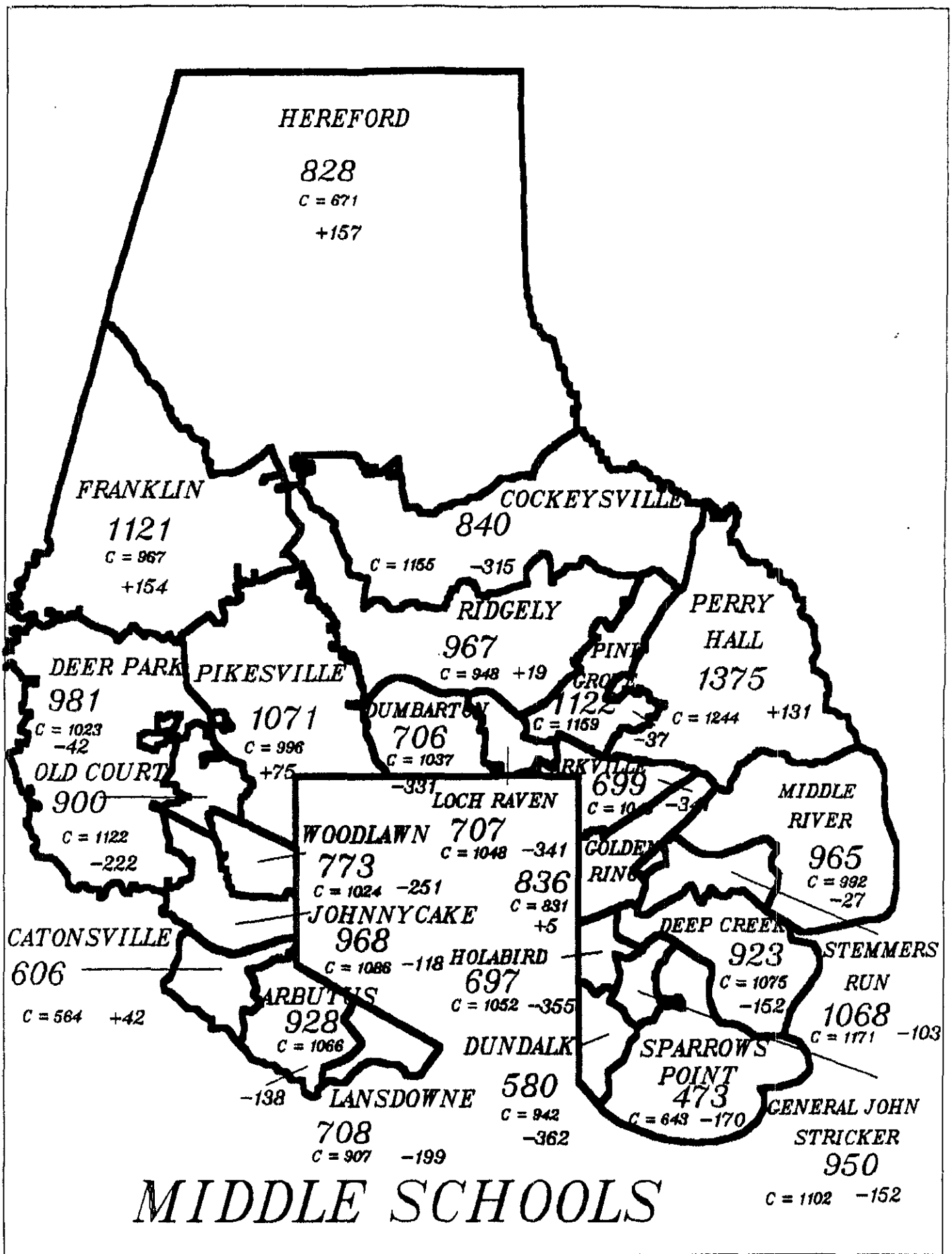
+92

WELLWOOD

483

C = 504 -41

MILBROOK



MIDDLE SCHOOLS

*

MAGNET SCHOOLS

CARVER 403

C = 766

WESTERN 433

C = 737

*Magnet Only

EVT 1185

C = 1260
-75

HEREFORD

852

C = 1033
-181

FRANKLIN

1159

C = 935
+224

DULANEY

1567

C = 1204
+363

LOCH
RAVEN

954

C = 1005
-51

PERRY
HALL

1805

C = 1407
+398

OWINGS MILLS

975

C = 1033
867 -166

C = 989
-14

TOWSON

970

C = 1176
-205

PIKESVILLE

RANDALLSTOWN

1249

C = 1333
-84

MILFORD
MILL

923

C = 1155
-232

PARKVILLE

1176

C = 1417
-241

OVERLEA

1111

C = 1087
+24

1294

KENWOOD
C = 1484
-190

WOODLAWN

1499

C = 1428
+71

CATONSVILLE

1100

C = 1097
+3

1056

LANSDOWNE

C = 1403
-347

DUNDALK

1211

C = 1520
-309

PATAPSCO

1047

C = 1277
-230

SPARROWS
POINT
592

C = 708
-116

CHESAPEAKE

902
C = 944
-42

HIGH SCHOOLS

SECONDARY SCHOOL FUNCTIONAL CAPACITY WORKSHEET

Franklin Middle School

Regular Classrooms - Normal sized classrooms w/o permanent, specialized equipment.

Special Education Classrooms - Rooms of any size, used regularly for special education instruction.

Uniquely Sized or Equipped Rooms - Not easily adapted for general instruction.

Zero Capacity Rooms - Not counted toward capacity since use is flexible and based on daily assignment.

	<u>Teaching Stations</u>	<u>Unit Capacity</u>	<u>Total Capacity</u>
<u>Regular Classrooms</u>	<u>22</u>	<u>26</u>	<u>572</u>
<u>Special Education Classrooms</u>	<u>3</u>	<u>12</u>	<u>36</u>
<u>Uniquely Sized or Equipped Rooms</u>			
Gymnasium	<u>1</u>	<u>52</u>	<u>52</u>
Activity Room	<u>2</u>	<u>26</u>	<u>52</u>
Choral Music	<u>1</u>	<u>26</u>	<u>26</u>
Instrumental Music	<u>1</u>	<u>26</u>	<u>26</u>
Art	<u>4</u>	<u>26</u>	<u>104</u>
Home Ec.	<u>3</u>	<u>24</u>	<u>72</u>
Tech. Ed.	<u>3</u>	<u>24</u>	<u>72</u>
Business Ed.	<u>0</u>	<u>26</u>	<u>0</u>
Computer Classroom	<u>0</u>	<u>26</u>	<u>0</u>
Science Lab.	<u>7</u>	<u>26</u>	<u>182</u>
Coop. Ed.	<u>0</u>	<u>20</u>	<u>0</u>
Interactive TV	<u>0</u>	<u>26</u>	<u>0</u>
Other _____	<u>0</u>	<u>26</u>	<u>0</u>
		Total	<u>586</u>

Zero Capacity Rooms

Auditorium	<u>1</u>	<u>0</u>	<u>0</u>
Library Classroom	<u>1</u>	<u>0</u>	<u>0</u>
Foreign Language Lab.	<u>1</u>	<u>0</u>	<u>0</u>
Computer Lab.	<u>1</u>	<u>0</u>	<u>0</u>

Percent of Utilization

<u>Regular</u>		<u>Special</u>		<u>Unique</u>
<u>572</u>	x 90% =	<u>36</u>	x 100% =	<u>586</u> x 71% =
<u>515</u>		<u>36</u>		<u>416</u>

Functional Pupil Capacity (Regular+Special+Unique)*

967

*Does not include relocatables or makeshift teaching stations established temporarily.

Capital Projects Requested for the Northwest Area

I. State School Capital Budget Request for Fiscal 1995 & Five Year Capital Program

<u>School</u>	<u>Project</u>	<u>Fiscal Year</u>
Randallstown High	Roof Replacement	FY95
Fort Garrison El.	Addition	FY95
Owings Mills El.	Addition	FY95
Glyndon El.	Addition and Cafeteria	FY95
Sudbrook Magnet	Boiler Replacement	FY97
Painters Mill El.	New - Planning	FY97
	Construction	FY98
Summit Park El.	Addition	FY97
Franklin El.	Addition	FY97
Painters Mill Mid.	New - Planning	FY98
	Construction	FY00
Woodholme El.	New - Planning	FY98
	Construction	FY99
Randallstown El.	Replacement (New) Plan	FY00

II. Baltimore County Portion of School Capital Budget Request for Fiscal 1995 and Five Year Capital Program

<u>School</u>	<u>Project</u>	<u>Fiscal Year</u>
Summit Park El.	Addition	FY95
Franklin El.	Addition	FY95
Fort Garrison El.	Addition	FY95
Owings Mills El.	Addition	FY95
(No NW Sites)	School Site Acquisitions	FY95-00
Glyndon El.	Addition/Cafeteria	FY95
Randallstown El.	Replacement (New) Plan	FY00
Woodholme El.	New - Planning	FY98
	Construction	FY01
Painters Mill El.	New - Planning	FY96
	Construction	FY98
Painters Mill Mid.	New - Planning	FY98
	Construction	FY00

III. Recommendations of the Baltimore County Planning Board (3/17)

<u>School</u>	<u>Project</u>	<u>Fiscal Year</u>
Summit Park El.	Addition	FY95
Fort Garrison El.	Addition	FY95
Glyndon El.	Cafeteria	FY95
Woodholme El.	New - Planning	FY98
	Construction	FY00
Painters Mill Mid.	New - Planning	FY00
	Construction	FY00+

IV. Recommendations of the County Executive (4/14)

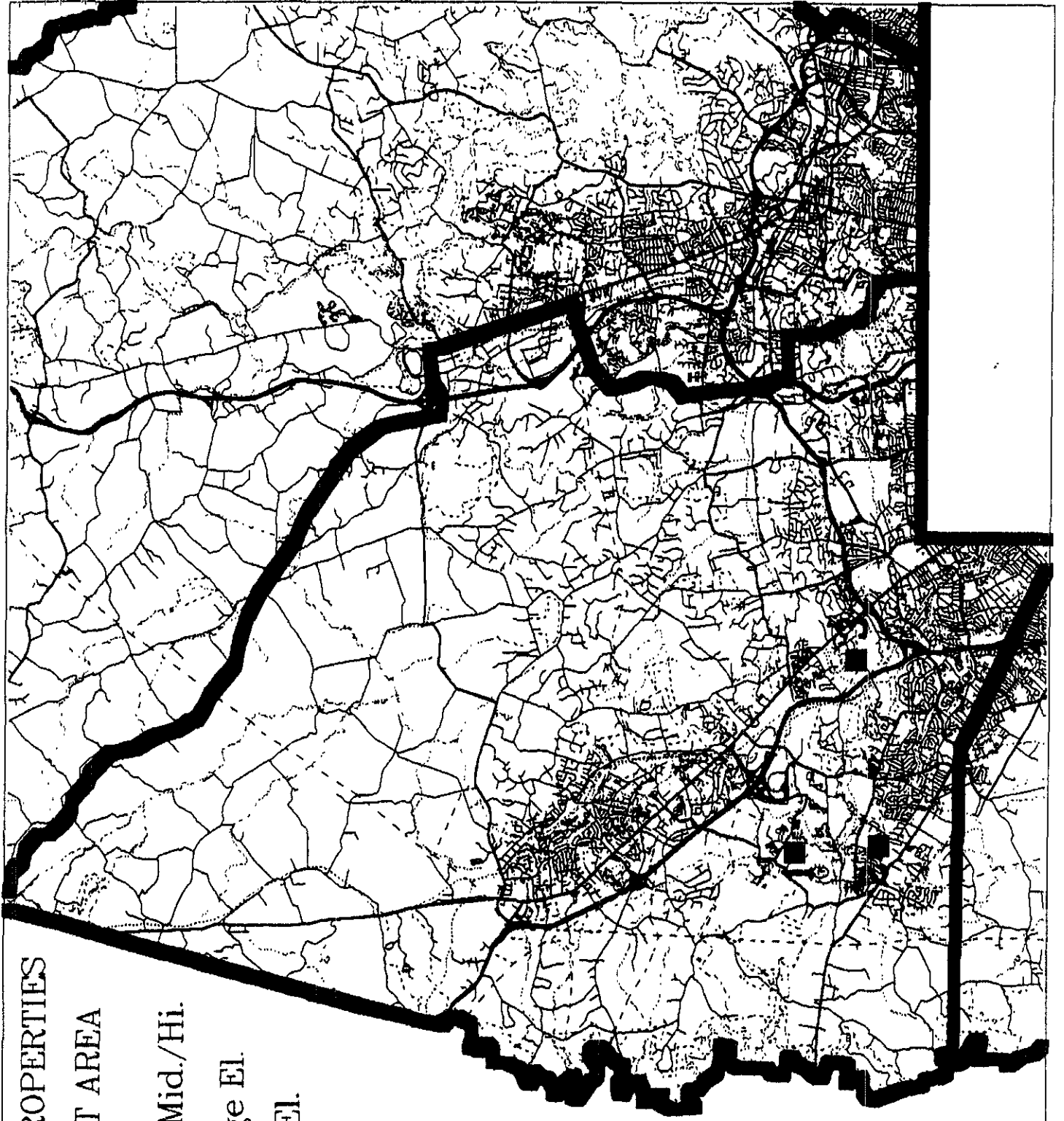
<u>School</u>	<u>Project</u>	<u>Fiscal Year</u>
Summit Park El.	Addition	FY95
Franklin El.	Addition	FY98
Fort Garrison El.	Addition	FY95
Owings Mills El.	Addition	FY96
Glyndon El.	Cafeteria	FY95
Woodholme El.	New - Planning	FY98
	Construction	FY00

All capital budget requests and recommendations also include monies for major maintenance, minor alterations, renovations, and code updates, roof rehabilitation projects, site improvements, and asbestos abatement and removal. Many of the projects are unspecified, but will take place according to maintenance schedules based on need and funding.

SITE BANK PROPERTIES

NORTHWEST AREA

1. Red Run El./Mid./Hi.
2. Randall Ridge El.
3. Woodholme El.



RANDALL RIDGE ELEMENTARY SCHOOL SITE

VINANDS RD

Randallstown
High

ROAD

TULSA DR



ALLENWOOD RD

OFFUTT RD

SLAMONSET RD

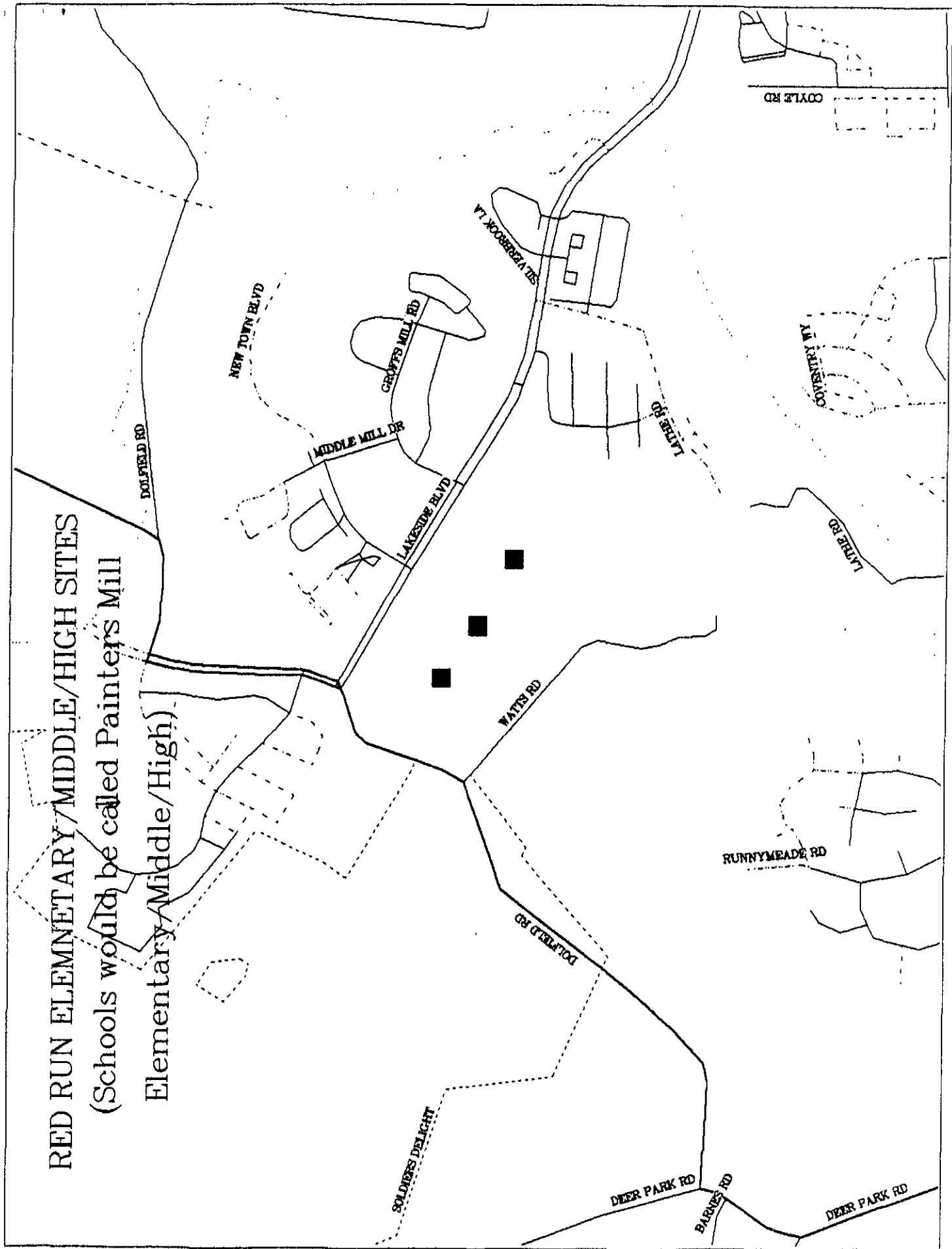
LIBERTY RD

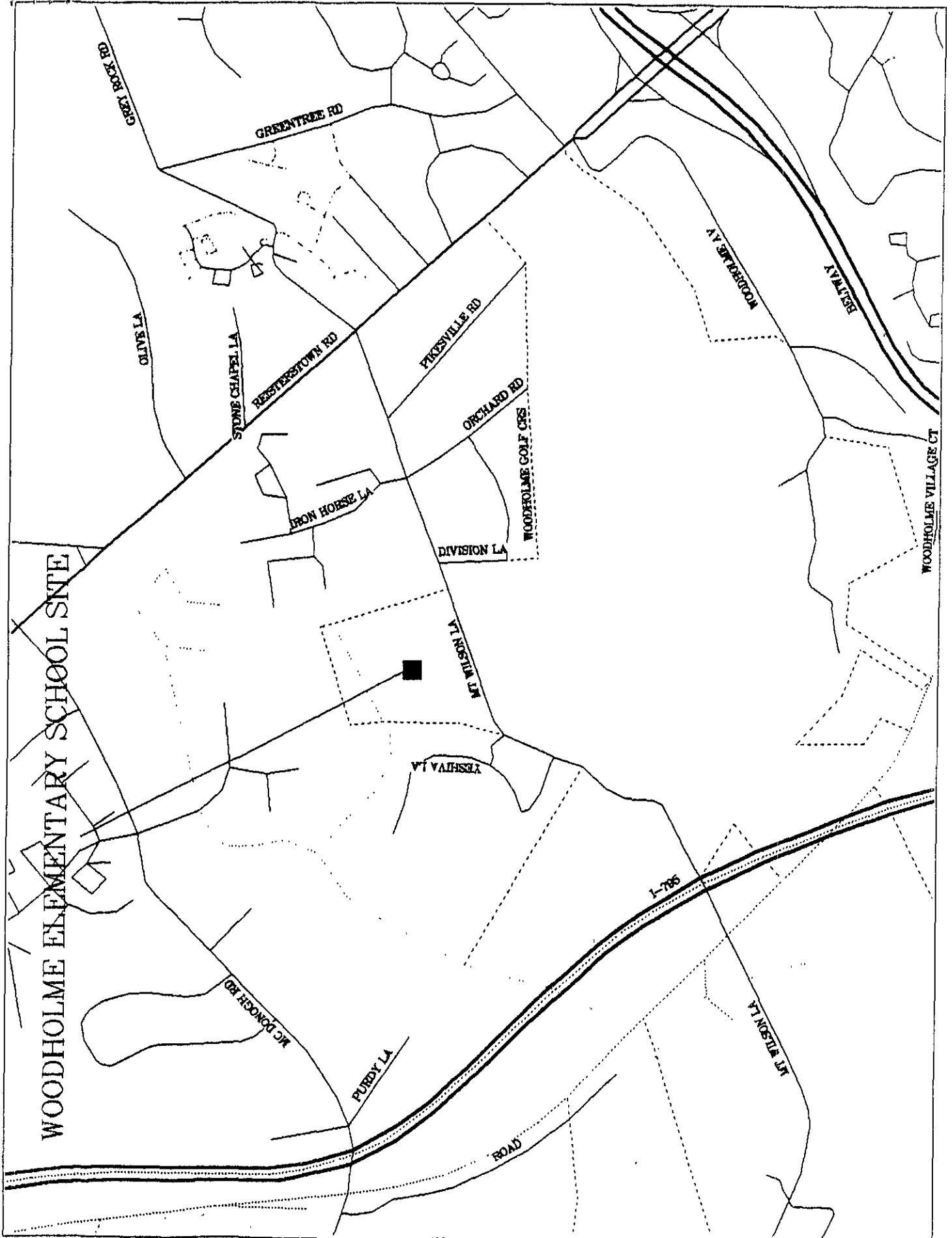
Randallstown
Elementary

PINEWOOD DR

BRIGHT AVE

RED RUN ELEMNETARY/MIDDLE/HIGH SITES
(Schools would be called Painters Mill
Elementary/Middle/High)





WOODHOLME ELEMENTARY SCHOOL SITE

GREYSTONE RD

GREENTREE RD

OLIVE LA

STONE CHAPEL LA

RESTON RD

PIKESVILLE RD

ORCHARD RD

IRON HORSE LA

DIVISION LA

WOODHOLME GOLF CTS

WOODHOLME LA

WOODHOLME LA

MC DONOUGH RD

PURDY LA

ROAD

I-785

WOODHOLME LA

WOODHOLME VILLAGE CT

WOODHOLME LA

WOODHOLME LA

COMMUNITY & ENVIRONMENTAL DEFENSE SERVICES

Richard D. Klein, President
Post Office Box 206
Maryland Line, Maryland 21105-0206

TEL (410) 329-8194
FAX (410) 357-4119

Richard D. Klein **Summary of Qualifications** **Environmental Impact Assessment - Aquatic Systems**

I have 25 years of experience in assessing the impact of human activities upon aquatic systems. Much of this experience was gained through the Maryland Department of Natural Resources (DNR). I worked in DNR's fishery management and water quality assessment units for eight years. While with these units I became proficient in a wide variety of methods for studying the quality of aquatic systems and pin-pointing sources of impact. I learned these methods from the chemists, biologists, and water resources engineers I worked with. I also interpreted data and participated in report preparation. During my last 10 years with DNR I developed a wide variety of environmental impact assessment and mitigation methods. Over the past five years I have conducted environmental impact assessments on more than 300 projects.

TESTIMONY AS AN EXPERT ON ENVIRONMENTAL IMPACT

I have testified as an expert on aquatic system impacts before: the Zoning Commissioner of Baltimore County, Maryland (Greystone, Cameron Mill, Glyn Garth, Homeygo Reclamation Center, and Magers Landing); the Board of Appeals of Baltimore County, Maryland (Cases: Greystone, Georges Transfer, Cromwell Valley); the Planning Board and the Zoning Hearing Examiner of Prince Georges County, Maryland (Cross Road Trail rubble landfill); the Planning Board of Prince William County, Virginia (Waverley); the Board of Appeals and the Commissioners of Worcester County, Maryland (Lighthouse Sound and Captains Pointe); the Zoning Hearing Examiner and the Planning Board of Montgomery County, Maryland (Marriott/Milestone Project and the VanGrack/McNeil Project); the Maryland Wetlands Administration (Riddle Farm Project); the Planning Board of Prince William County, Virginia (Waverly); the Board of Appeals of Anne Arundel County, Maryland (Back Bay Beach; Woods Landing II; Chesapeake Terrace rubble landfill); the Board of Appeals of St. Mary's County, Maryland (Cedar Cove marina); the Board of Appeals Cecil County, Maryland (Old Line Village); the Maryland Critical Areas Commission (Queenstown Harbour); the Board of Supervisors - Tinicum Township, Pennsylvania (Quarry Valley Country Club), and the Maryland Office of Administrative Hearings (Villa Julie College).

STORMWATER MANAGEMENT

While I was with the Water Quality Services Division of DNR I studied the quality of stormwater runoff from developed lands. This experience included sample collection, laboratory analysis, and interpretation of the results. In 1978, I conducted a study of the relationships between water quality/quantity and watershed urbanization. The results of my study were published in the Water Resources Bulletin (15(4):936-952) under the title of *Urbanization and Stream Quality Impairment*. This paper serves as the primary basis for percent impervious area limits found in many local and state land use laws.

I managed 18 major DNR investigations of the effects of developed lands upon the quality of aquatic systems. I compiled a review of scientific literature for DNR entitled *Effects of Urbanization Upon Aquatic Resources*. I was also the author of a DNR handbook entitled *The Restoration of Urban Streams*.

MICROFILMED

I served as a representative of the Department of Natural Resources on the Subcommittee of the Maryland legislature that drafted the state stormwater management act. I have served on local stormwater management advisory committees.

I designed and supervised the installation of eight stormwater infiltration structures. These were the first control structures installed in an existing developed area in Maryland. I developed and managed the Gwynns Falls Restoration Project. This was the first project in the nation designed to reverse the effects of suburban and urban development upon an aquatic system.

I prepared a watershed management plan for Middle River, which is located in Baltimore County, Maryland. Much of the plan was devoted to stormwater and sediment impacts.

I have evaluated the aquatic impacts of stormwater from the following projects:

Project	Location
Bayview Golf Course	Honolulu, Hawaii
Bell Cove marina	Kilmarnock, Virginia
Cedar Cove marina	Tall Timbers, Maryland
Cross Road Trail Rubble Landfill	Brandywine, Maryland
Eck Property	Cromwell Valley, Maryland
French Property	Lutherville, Maryland
Georges Transfer	Parkton, Maryland
Glyn Garth	Glyndon, Maryland
Greenvew	Lutherville, Maryland
Greystone Golf Course	Whitehall, Maryland
Honeygo Reclamation Center	White Marsh, Maryland
Lighthouse Sound	Bishopville, Maryland
Losten Marina	Galena, Maryland
Magers Landing	Monkton, Maryland
Malulani Golf Course	Honolulu, Hawaii
Marriott/Milestone Project	Germantown, Maryland
Oaks At Five Farms	Lutherville, Maryland
Oyster Harbour	West Ocean City, Maryland
Potomac Creek Estates marina	Fredericksburg, Virginia
Quarry Valley Country Club	Uhlerstown, Pennsylvania
Queenstown Harbour Golf Links	Queenstown, Maryland
Riddle Farm	West Ocean City, Maryland
River Harbour	Salisbury, Maryland
Van Grack-McNeil Property	Spencerville, Maryland
Waikane Golf Course	Honolulu, Hawaii
Waverly	Haymarket, Virginia
West River Estates marina	Shadyside, Maryland

EROSION & SEDIMENT CONTROL

Over the past 22 years I have evaluated the quality of erosion and sediment control on more than 1,000 construction sites. I acquired the expertise to evaluate control quality by attending a number of training programs developed by the Maryland Department of the Environment. Further experience was gained by serving on the Board of Supervisors of the Baltimore County Soil Conservation District.

I developed a program for DNR to train citizens in the identification of erosion and sediment control deficiencies on construction sites. I conducted a number of the training sessions and managed six county-wide surveys of control quality. Several of these surveys led to a doubling in the number of sites complying with erosion and sediment control requirements.

In 1990 I conducted a survey of 90 construction sites in the Chesapeake Bay watershed. The results of the survey were presented in a book entitled *Turning The Tide* (Island Press). I prepared a review of the literature for DNR on the effects of sediment pollution upon aquatic systems. I also wrote a DNR publication on the use of the Universal Soil Loss Equation.

In 1991, I was hired by the State of Hawaii, Office of State Planning to evaluate the sediment and stormwater effects of three golf courses proposed for construction on the island of Oahu.

VOLUNTARY POSITIONS

Baltimore Environmental Center; President and member of the Board of Directors
Maryland House of Delegates; Environmental Matters Committee; member of the
Sediment and Stormwater Management Subcommittee.

Baltimore County Soil Conservation District; member of the Board of Supervisors.

Maryland Environmental Trust - Baltimore County; member of the Board of Directors.

Whitemarsh Run Watershed Coalition; founder and President.

Areawide Water Quality Planning Tech. Adv. Comm.; Baltimore Reg. Plan. Council.

Interstate Commission on the Potomac River Basin; Instream Flow Committee; member.

National Trout Unlimited; Acid Rain Task Force; member.

Baltimore County Stormwater Management Committee.

HONORS & AWARDS

Environmental Excellence Award - Maryland Department of the Environment.

Governor's Salute To Excellence.

Outstanding Conservationist; Maryland State Game & Fish Protective Association.

Conservation Award; Izaak Walton League of America.

Certificate of Commendation; Tawes Award for a Clean Environment.

The Joe Brooks Conservation Award; Maryland Chapter - Trout Unlimited.

Outstanding Water Conservationist; Maryland Wildlife Federation.

Gurney Godfrey Award; Maryland Fly Anglers.

Certificate of Appreciation; Maryland Classified Employees Association.

Outstanding Individual; American Planning Association - Maryland Chapter.

PUBLICATIONS

Everyone Wins: A Citizen's Guide to Development. American Planning Association. 160-pages. 1990.

Urbanization and Stream Quality Impairment. Water Resources Bulletin, Vol. 15, No. 4, 1979, 16 pages.

Protecting the Aquatic Environment from the Effects of Golf Courses. 72-pages. 1990.

Effects of Urbanization Upon Aquatic Resources: A Literature Review. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1985, 71 pages.

Protecting River Corridors. River Voices 3(1); March, 1992

A Community Leader's Guide To Evaluating Stormwater Runoff From Proposed Development Projects. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1988, 23 pages.

Sediment Pollution: A Literature Review. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1984, 43 pages.

Evaluating Proposed Development Projects. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1985, 78 pages.

Habitat Requirements of Important Living Resources Inhabiting Maryland Waters. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1984, 28 pages.

A Citizen's Guide To Helping Construction Companies Minimize Mud Pollution. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1987, 40 pages.

An Integrated Watershed Management Policy. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1980, 140 pages.

Preservation & Enhancement of Stream Quality. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1978, 27 pages.

Stream Quality Assessment: Collection Methods & Data Interpretation. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1983, 32 pages.

The Effects of Boating Facilities Upon Tidal Creeks. 24 pages. 1992.

Clean Creek & River Strategy. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1986, 20 pages.

A Comparison of Stream Quality Assessment Methodologies. Maryland Tidewater Administration, Tawes Building, Annapolis 21401, 1987, 9 pages.

Water Quality Studies: The following studies were performed by volunteers of Save Our Streams on behalf of the Maryland Department of Natural Resources.

Citywide Stream Quality Survey

Quality of Gwynns Falls

Stream Quality Assessment of Big Gunpowder Falls

A Stream Quality Survey of the Anacostia River System

Deer Creek Survey

Survey of the Quality of Streams in Charles County

Beaver Creek Survey

Assessment of Stream Quality Effects of Savage River Dam

Western Run Study

Jones Falls Stream Quality Assessment

Survey of Stream Quality in the Conococheague Creek Watershed

Howard County Stream Quality Assessment

Severn River Study

Upper Patuxent River Stream Study

Mid-Gunpowder Falls Stream Quality Study

COMMUNITY & ENVIRONMENTAL DEFENSE SERVICES

Richard D. Klein, President
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Maryland Line, Maryland 21105-0206

TEL (410) 329-8194
FAX (410) 357-4119

December 7, 1994

Ms. Sandy Laken
4900 Butler Road
Glyndon, Maryland 21071

*Protestants
1/03*

Dear Ms. Laken:

Accompanying this letter you will find a table and three graphs comparing the environmental effects of Glyndon Meadows. I am deeply concerned that the project, as proposed, will have a devastating impact upon the three streams draining the site, particularly the Slade Run and Glen Falls system.

Slade Run and Glen Falls are natural trout streams. This ecosystem is one of the most sensitive found in Baltimore County. Trout are extremely vulnerable to the thermal impacts of runoff from impervious surfaces. The project will also cause a three-fold increase in the loadings of toxic metals to the streams. This will translate into a three-fold increase in the mileage of streams exposed to lethal concentrations of copper, lead, and zinc.

The site drains to both Liberty and Loch Raven Reservoirs. The Maryland Department of the Environment has determined that both reservoirs receive excessive nutrient inputs. The project will cause a tripling in the loadings of phosphorus from the site.

The tremendous increase in nutrient loads also conflicts with the goal established by the State of Maryland and federal government for restoring the Chesapeake Bay. This goal calls for reducing nutrient loads by 40% come the year 2000.

I believe that the impact of the project upon aquatic resources can be reduced to a reasonable level if optimum stormwater management measures are used in lieu of or combined with the proposed stormwater ponds. These measures would include infiltration, bioretention (as defined by the Prince George's County Department of Environmental Resources), spray-irrigation, or a sand-peat filter. These measures must be designed to manage the first inch of runoff from the site.

MICROFILMED

According to the plans for the project a number of the wells and Septic Reserve Areas fail to meet County and State requirements. The Septic Reserve Area must be a minimum of 100 feet from a well (COMAR 26.04.02.04J(10)). The wells located on Lots 13, 31, and 35 are within 80 to 95 feet of a Septic Reserve Area. The project should be reconfigured so that all wells are at least 100 feet from a Septic Reserve Area.

Sincerely,

Richard D. Klein

COMPARISON OF THE ENVIRONMENTAL EFFECTS OF GLYNDON MEADOWS

Land Use/Stormwater Management Scenario	Acres	Thermal Pollution ¹ (Gallons Per Year)	NUTRIENTS ² (Pounds Per Year)		METALS ³ (Pounds Per Year)			
			Nitrogen	Phosphorus	Copper	Lead	Zinc	Total Metals
EXISTING LAND USE								
Forest	12.00	0	29.40	0.60	0.12	0.24	1.32	1.68
Meadow	49.20	0	120.54	2.46	0.49	0.98	5.41	6.89
Residential	5.50	404,557	54.18	5.06	0.26	0.99	0.94	0.24
Subtotal	66.70	404,557	204.12	8.12	0.87	2.21	7.67	8.81
PROPOSED LAND USE⁴								
Forest	13.00	0	31.85	0.65	0.13	0.26	1.43	1.82
1.5-Acre Lots	51.80	4,218,428	469.31	31.60	2.54	9.84	21.76	34.14
0.33-Acre Lots	1.90	399,303	17.06	1.29	0.18	0.68	0.68	1.55
Subtotal	66.70	4,617,731	518.22	33.54	2.85	10.79	23.87	37.50
With Proposed Stormwater ⁵ Management Ponds		4,617,731	377.43	24.06	2.34	4.88	19.52	26.74
With Optimum Stormwater ⁶ Management		0	275.04	17.10	0.67	2.37	5.92	8.96

1. Thermal pollution estimate consists of runoff from impervious surfaces. Much of the thermal pollution will discharge to Slade Run and Glen Falls, both of which are protected for natural trout populations. This fishery is extremely sensitive to thermal pollution.

2. Nitrogen, and phosphorus loadings are based upon Table 4.35, in *Chesapeake Bay Program Watershed Model Application To Calculate Bay Nutrient Loadings* (Review Draft). U.S. Environmental Protection Agency, 410 Severn Avenue, Annapolis, MD 21403, and Equation 1.1, in *Controlling Urban Runoff: A Practical Manual for Planning & Designing Urban BMPs*. The site drains to both Liberty and Loch Raven Reservoirs. The Maryland Department of the Environment has determined that both reservoirs suffer from excessive nutrient inputs. The tremendous increase in nitrogen and phosphorus loads also conflicts with the 40% Nutrient Reduction Goal established by the State of Maryland and the Chesapeake Bay Program.

3. Metal loadings from forest and meadow are based upon *Environmental data summary for the Rhode River ecosystem (1970-1978)*, Chesapeake Bay Center for Environmental Studies, Post Office Box 28, Edgewater, MD 21037. Metal loadings for proposed land use is based upon Equation 1.1, in *Controlling Urban Runoff: A Practical Manual for Planning & Designing Urban BMPs*, Metropolitan Washington Council of Governments, 777 N. Capitol St., N.E., Washington, D.C. 20002. The metals copper, lead, and zinc are extremely toxic to aquatic life. Any increase in loadings will result in an equivalent increase in impact upon downstream aquatic communities.

4. Proposed land use is based upon the Development Plan for Glyndon Meadows prepared by Morris & Ritchie Associates, Inc., and dated 7/20/94.

5. The applicant has proposed two stormwater management ponds designed to provide water quality control for the first half inch of runoff. Pollutant removal efficiencies for these ponds is based upon *Controlling Urban Runoff: A Practical Manual for Planning & Designing Urban BMPs* and *A Current Assessment of Urban Best Management Practices*, also published by the Metropolitan Washington Council of Government.

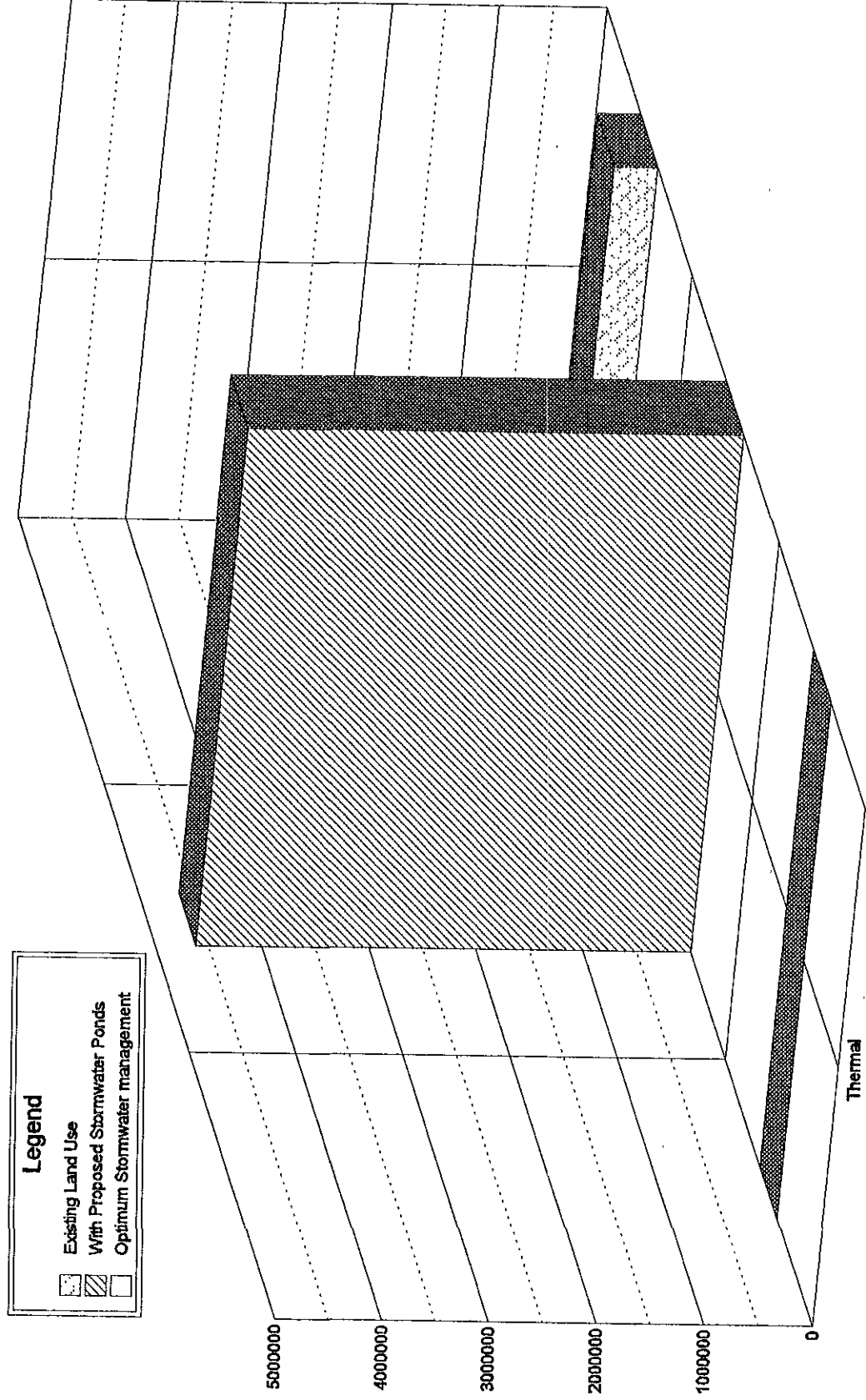
6. Optimum stormwater measures include bioretention, infiltration, spray-irrigation, or sand-peat filters. These facilities allow stormwater to soak into soil or pass through materials with a high pollutant removal efficiency. They also neutralize the thermal effects of runoff.

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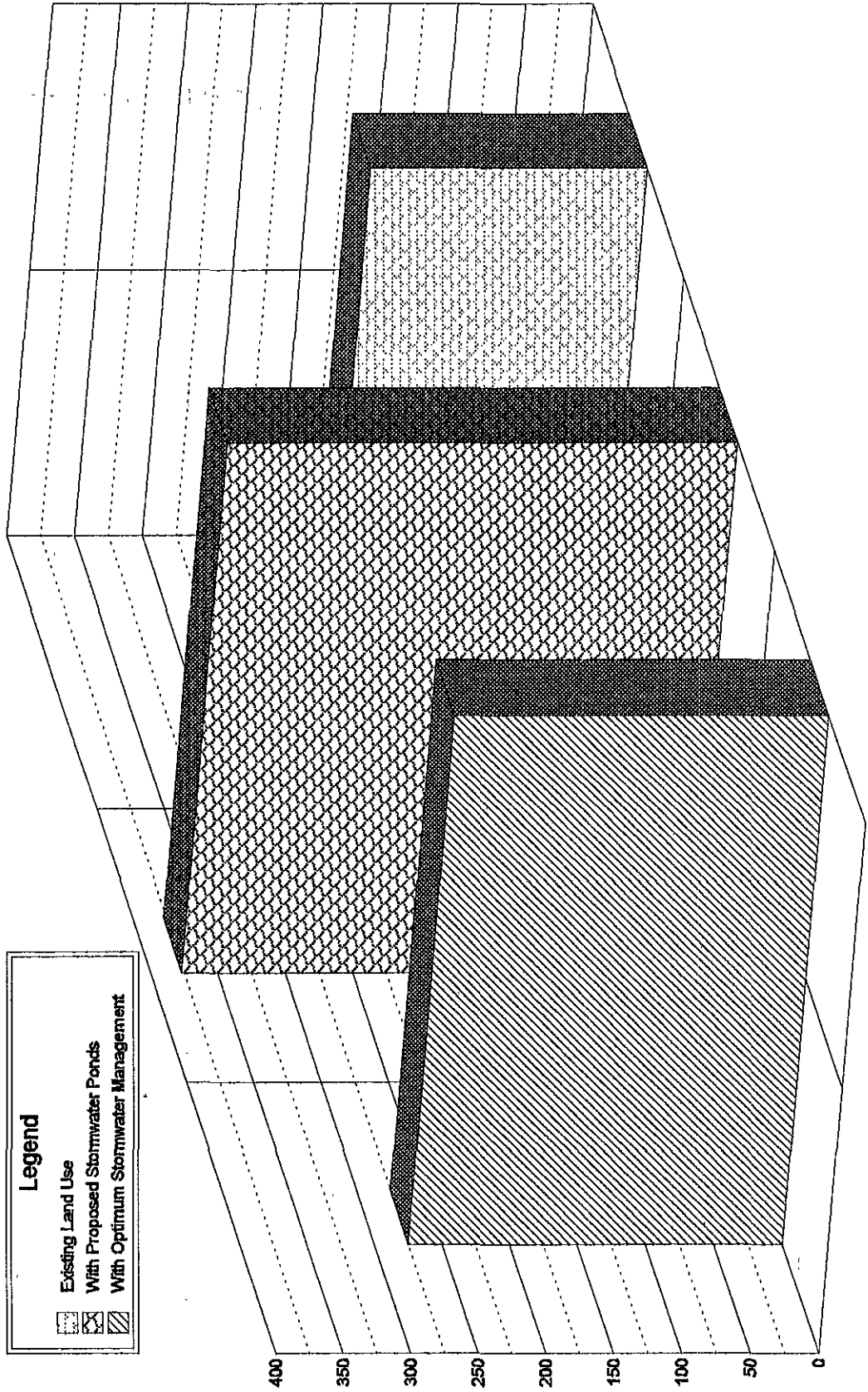
Glyndon Meadows

Thermal Pollution in Gallons Per Year



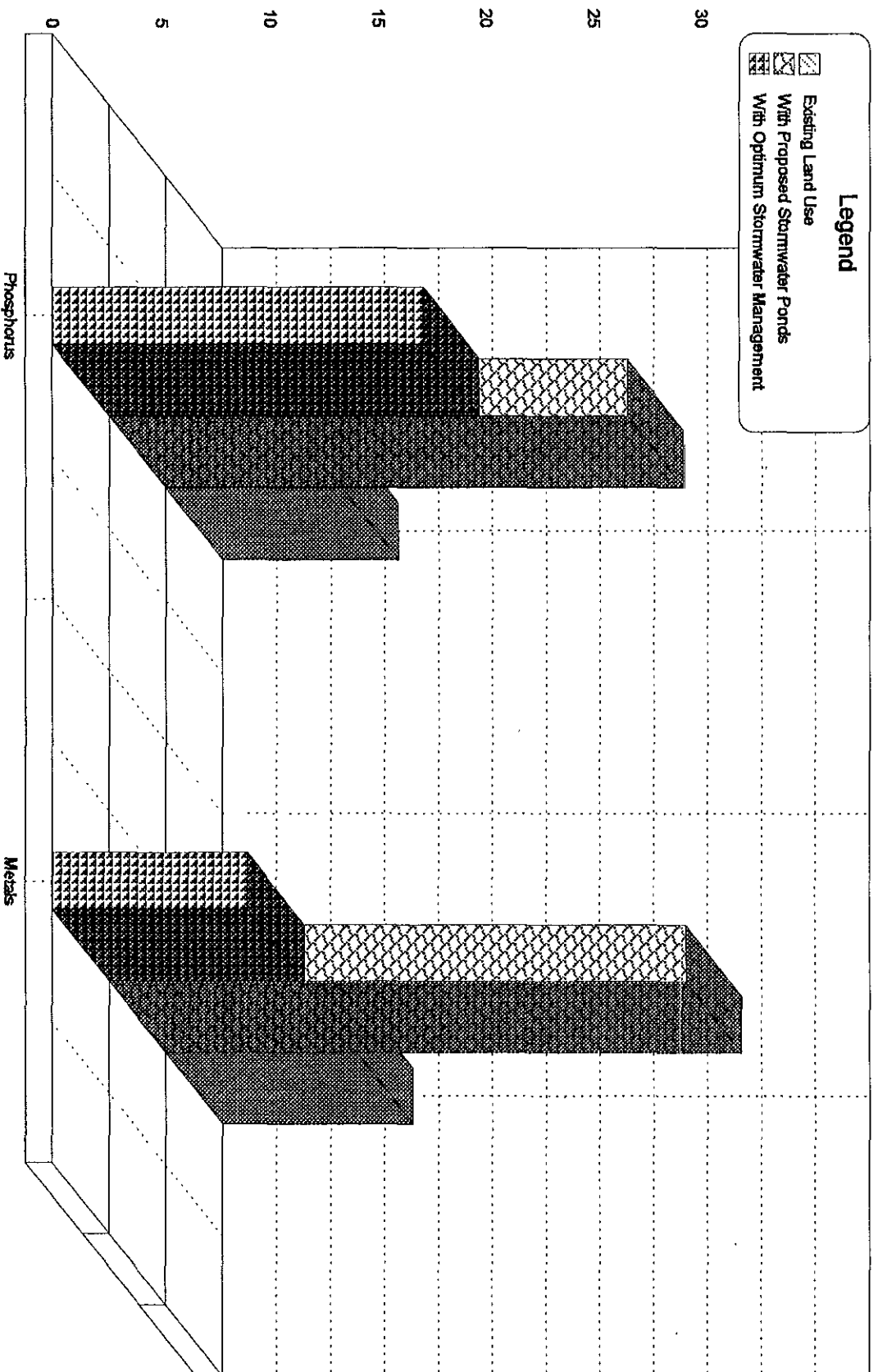
Glyndon Meadows

Nitrogen Loadings in Pounds Per Year



Glyndon Meadows

Phosphorus & Metal Loads in Pounds/Year



Prot. Ex. 4

526-5520
(Dictation)



526-4120

MEDITAPE

TRANSCRIPTION AND SECRETARIAL SERVICES
SPECIALIZING IN MEDICAL TRANSCRIPTION

Diane R. Levy, CMT 1015 Green Hill Farm Road
Medical Language Specialist Reisterstown, MD 21136

February 2, 1995

Mrs. Sandy Laken
4900 Butler Road
Glyndon, Maryland 21071

Dear Mrs. Laken:

As the proprietor of Meditape, a transcription service in Reisterstown, Maryland, established in 1978, I have chosen not to accept these recordings, as they are very unclear with a great deal of background noise. It is only possible to work this with three staff people, as the tapes are recorded on 120 minute cassettes. These tapes should never be used for dictation, as the risk of breakage is increased. These tapes are of poor quality.

Sincerely,

A handwritten signature in cursive script that reads "Diane R. Levy, CMT".

Diane R. Levy, CMT

MICROFILMED

February 2, 1995

Ms. Sandy Laken
4900 Butler Road
Glyndon, MD 21071

Dear Ms. Laken,

Chaffee's Adventures regrets to inform you that we cannot process your recent request for tape transcription due to the following:

- The (3) tapes are nearly impossible to transcribe because of inaudible recording.
- Due to the quality of the recording it would be extremely difficult to transcribe the recorded information accurately.

In the future, it would be beneficial to tape group meetings in an atmosphere conducive to the equipment and environment. Example: Have all speakers use a microphone. Back up recordings using the services of a stenographer or someone who is experienced in taking minutes. It is helpful to perform an acoustics test before the meeting is held. This would enable you to produce better quality recordings.

We wish you the best and hope all works out well. Thank you for contacting Chaffee's Adventures. We hope we can be of service in the future.

Sincere regards,

Sharon K. Gottlieb

Sharon K. Gottlieb,
Managing Secretary

*Bulk Mailings
Data Entry
Graphic Art*

Chaffee's

Solutions through the desktop

Adventures

*Sharon Kay Gottlieb
(410) 526-7891*

*Reports
Spreadsheets
Wordprocessing*

*P.O. Box 311
Glyndon, MD 21071
(410) 526-7892 FAX*

MICROFILMED

December 8, 1994

Mr. Larry Schmidt, Hearing Officer
Baltimore County Zoning Department
Baltimore County Office Building
Towson, MD 21204

Protestants
No 4

Subject: Development Plan Hearing for Proposed Glyndon Meadows Development

Dear Mr. Schmidt:

Thank you very much for the opportunity to speak and present this letter on behalf of Glyndon, one of the communities bordering the proposed Glyndon Meadows development site. The Glyndon Community Association Task Force on Glyndon Meadows, of which I am Chairman, has been working since the Spring of 1994 to represent the community in the concept and development plan review process. We have reviewed the concept plan and development plan, reviewed agency comments on the plans, met several times with the developer and representatives of county and state agencies and neighboring communities, and attended two community input meetings, as well as meetings of the Landmarks Commission and the Planning Board. Working independently as a task force, we identified the issues of greatest concern to the Glyndon community, questioned those elements of the proposed plan that did not satisfactorily address those issues, suggested improvements to the plan, and worked constructively with the developer and other interested parties to identify those elements of the plan that could be revised and agreed to by all parties, while acknowledging several points of basic disagreement that remain.

Our community has identified five major issues of great importance to us, which must be addressed satisfactorily in the planning and review process for this project:

- public safety
- traffic congestion
- school capacity and overcrowding
- the environment
- compatibility with the surrounding community

MICROFILMED

Excessive traffic volumes and potentially hazardous safety conditions along Butler Road, at and near the proposed entrance to the property, are of great concern to the community. The Hanover Pike Corridor Study adopted by the Baltimore County Council in April of 1993 indicated that traffic on Butler Road presents a potentially immediate concern -- with traffic increases currently at 4.3 percent annually resulting in the road's capacity being exceeded by the year 2005. The State's recent study of Butler Road, requested by the community to resolve questions raised by the Glyndon Meadows traffic study's conclusions, has shown in a sampling of eastbound traffic on Butler Road in the village of Glyndon that only **five percent of the traffic operates at or below the speed limit**. Also, accident statistics from 1993 indicate that **the rate of rear-end collisions is two-and-one-half times higher on Butler Road than the statewide average** for comparable road segments. Both statistics demonstrate the inappropriateness of Glyndon's main street as a regional highway (the only 30 mph village center along the heavily-traveled, high-speed route between Westminster and Hunt Valley). The introduction of additional vehicles onto Butler Road, and particularly additional turning movements, can only exacerbate these problems.

The other issues are no less important. The community strongly feels that new development can be supported only to the extent that the County and State provide adequate school capacity to handle the increasing number of students and if all aspects of the natural environment are preserved according to all applicable regulations. Compatibility, though a "softer" and more subjective issue, also is perceived to be critical to maintaining the quality of life of residents of the Glyndon community, which we believe to be unique within Baltimore County.

These five key issues identified by the community transcend the analysis and review of Glyndon Meadows alone and apply universally to all of the many proposed and potential development projects of which we are aware, in and around Glyndon. In general, the problems that concern the community will be made worse, albeit marginally, by the proposed development. Were the County and State to develop, fund and implement programs and infrastructure projects to alleviate these problems, many of these community concerns would be lessened or even eliminated. However, the lack of such plans and a political and regulatory climate that appears to encourage development causes the community great concern as it tries to develop a vision of the future for the community while facing a plethora of proposed development projects within and next to Glyndon.

The community recognizes that these "big picture" issues raise problems that cannot be solved by modifying the development plan for Glyndon Meadows, or even by prohibiting the development of the site altogether. The community acknowledges that the review of the impact of individual development projects, according to the review process established by the County, has a very narrow view and addresses only the marginal impact of the project itself over and above *existing* conditions, without respect to either long range planning needs or the *cumulative* impacts of known concurrent development projects or plans. The opinion of the Glyndon Community Association is that this

process is seriously flawed and urgently requires fixing so that the true, long-term impacts of growth can be defined and acknowledged, and the public costs required to support growth can be budgeted and recovered from those that generate the impacts.

Curtailing development in this area of the County until these problems are rectified would be an appropriate response by the County to this situation and would be wholeheartedly endorsed by the community.

Nevertheless, the Glyndon Community Association has adopted a pragmatic approach to the specific proposal for Glyndon Meadows that recognizes the existing zoning, the right of the property owner and developer to construct residences on the site as-of-right, and the likelihood that development will be permitted. The community, therefore, determined early on in the planning process that its objectives with the respect to the Glyndon Meadows development were to achieve the best, most compatible residential development -- one that enhances the community and builds upon the unique rural village character of Northwest Reisterstown and Glyndon. The remainder of the requests and recommendations contained in this letter are presented in that spirit and towards that end.

There are facets of the proposed development plan, including revisions made by the developer subsequent to the Concept Plan, that generally have been well received by the community and are **supported by the Glyndon Community Association**:

- Number of proposed housing units **below** that which is permitted as-of-right under existing zoning ✓
- Retention of the existing forest cover, including the hedgerows, to increase the total size of forested acreage, and placement of the existing and new tree cover under forest conservation easements, that meet or, preferably, exceed the mandates of state and county regulations ✓
- The placement of architectural controls on a minimum of nine planned houses fronting on Butler Road, by means of restrictive covenants to run with the land, to ensure compatibility of the house design and construction with the surrounding historic districts of Glyndon and Northwest Reisterstown.¹ ✓
- Elimination of site access through the existing Goshen community, via either the 1st, 3rd or Neel Avenue rights-of-way (non-county-owned) ✓
- Site design and streetscape elements, as contained in the letter of September 9, 1994 from Southern Land Company, Inc. to Planning Board of Baltimore County and adopted by the Planning Board in its decision concerning the project: ✓

¹The inclusion of appropriate architectural and design controls on **all** of the houses in the proposed development, though not proposed in the development plan, is recommended by the Community Association, to ensure high-quality construction and designs compatible with the surrounding community.

1. Street trees and landscaping, at levels that meet or exceed those shown on development plan
2. "Period" street lighting, that is compatible with Victorian-style architecture and consistent with lighting treatments that are under consideration for the Glyndon historic district as part of the community plan that is in preparation
3. Street signs and other signage, compatible with Victorian-style architecture and consistent with existing signage in the Glyndon historic district
4. Elimination of cul-de-sacs
5. Requirement that all homes in the development be a minimum of two stories
6. Requirements that no homes in the development have flat roofs
7. Consistent front yard setback
8. Garages that face the front to have tapered driveways, with the maximum number of garages facing to the side or rear
9. Windows along any side walls visible from the road
10. Whitewashed picket fence along Butler Road frontage

*all
there
incorp.
already*

The Glyndon Community Association also submits for your consideration the following suggested changes and enhancements to the development plan, which, if implemented, would improve the quality of the project and its compatibility with the surrounding communities:

- gates in the picket fence along the Butler Road frontage should be provided at each house site, plus a walkway to the front door of each house. ①
- It would be preferable from the community's standpoint not to have a free-standing sign announcing the entrance to this development. Other area developers have agreed to an arrangement whereby an entrance sign is erected during the construction and marketing period, then permanently removed once all the homes are sold. The Glyndon Community Association would support such an arrangement with Glyndon Meadows and would alleviate some concerns about the size and design of the entrance sign. ②
- Concerning the waiver of open space requirement (fee of \$1,393.02 in lieu of open space), the Glyndon community suggests earmarking these funds for improvements at existing or planned parks in Glyndon and/or Reisterstown that would be used by residents of the proposed development, since there are no existing park facilities within walking distance of the site. ③

Two specific elements of the proposed development plan are **not** supported by the Glyndon Community Association. These include the proposed entrance to the development on Butler Road and the lack of assurance that the 32 houses in the rear portion of the development will be developed in an architectural style and with materials that are compatible with the surrounding community

The community has serious concerns about traffic volumes and safety if the entrance to the development were to be built along Butler Road, even with the entrance located opposite Sacred Heart Lane. The recent State study of Butler Road confirms our conclusion that Butler Road is less safe than other similar highways in the state system, with prevailing speeds significantly exceeding the speed limit and higher than average accident rates. The Glyndon Community Association favors relocation of the vehicular entrance to Old Hanover Pike, with a redesigned connection to Hanover Pike to address safety concerns on that road, plus the retention of a pedestrian/bicycle pathway from Butler Road into the development site. However, if the proposed entrance on Butler Road were to be approved, we feel strongly that the design of this entrance -- including the street geometry, signage, lighting, and landscaping -- must be accomplished in a way that is compatible with the existing community, from the urban design standpoint.

We are vehemently opposed to the widening of Butler Road at the site entrance or at any point, which would adversely affect the existing village character of the street and create a potential hazard for pedestrians and cyclists. While the provision of acceleration and deceleration lanes may be an appropriate solution for entrances into rural subdivisions from narrow, relatively high-speed country roads, it is our opinion that they are inappropriate in a village setting. Several driveways to existing houses would be impacted. In addition to making it more difficult and perhaps less safe for bicyclists to ride along Butler Road and for pedestrians to cross the street at that location, changing the curb line would violate one of the very important urban design features of the existing community -- the uniform street width with linear rows of street trees.

We do not wish the character of Butler Road to be transformed from that of a village street into that of a highway. Therefore, we strongly recommend that the uniform street width of Butler Road be maintained and, in fact, reinforced with sidewalks, street trees and fencing along the site frontage.

The architecture of the houses on the site should be compatible with the houses within the adjoining historic districts. We endorse the suggestion made by the County in reviewing the concept plan to create covenants that would run with the land and that would govern elements such as:

- style
- materials
- building size, scale and orientation
- number of stories

Our desire is not to simply add "gingerbread" features to building facades, nor is it to replicate exactly the style of any particular house or houses in the community. Housing styles, in fact, vary considerably in the area. Our goal, rather, is to have these houses, over time, blend in with the older nearby homes to the extent that a passerby 12-to-20 years from now would not recognize these homes as part of a distinct, newer development. The houses should be neither too modest nor too ostentatious -- building upon the best elements of architecture present in the surrounding neighborhood. The scale of the houses also should be consistent with those nearby.

Compatibility of the house styles and construction materials with the those within the neighboring Glyndon historic district is considered by the Glyndon Community Association to be important for all of the houses in the development. While the community was not able to achieve total consensus on this issue with the developer, the community supports the decision by the developer, reinforced by the Planning Board, to attach covenants to the nine parcels visible from Butler Road to ensure their architectural compatibility.

With respect to side lot variances, the Glyndon Community Association would support the reduction of side lot setbacks from 50 feet to 40 feet for parcels 11, 12, 13, 18, 19 and 27, where the houses could be brought closer to the street and aligned with neighboring houses. It is the opinion of the Community Association that the most compatible arrangement of houses on the site would orient buildings parallel to the street frontage and in same general orientation as each other, located closer to the street than to rear property lines (i.e., relatively small front yards and large back yards).

In general terms, it appears that the streetscape design elements, architectural covenants, and other specific elements of the development plan are responsive to the majority of the community's concerns. However, the language included on the development plan documents and the elements shown on the plans are sufficiently vague to permit a relatively wide interpretation of their intended composition and extent during the implementation phase of the project. While the community has every reason to expect that the developer will implement the project according to the agreements reached and provisions made during the planning process, and that the county and state review agencies will ensure that all applicable agreements and obligations are met, the Glyndon Community Association requests that: **(1) any approval of this development plan or any modification thereof include explicit conditions that outline precisely and in detail the nature and extent of site improvements or elements to be included in the project and the content of architectural covenants or other agreements that will be generated as a result of the project; and (2) the Glyndon Community Association be included in the design review of streetscape elements that have not yet been designed, such as the signage, lighting, landscaping and fencing treatments, to ensure that the community's compatibility concerns are addressed.**

In conclusion, I would like to acknowledge the cooperation of the developer and review agency representatives to date in the process, which is in its early stages. We are working in a spirit of cooperation and expect to be able to continue to do so. We have found several points of common ground and also have identified some areas where our philosophies and opinions differ. We feel that this is an exciting opportunity to make something good happen for our community and we look forward to welcoming new neighbors into our community.

The Community Association requests that the County diligently monitor the design and construction process to ensure that the fully-developed site, as well as the houses ultimately constructed on that site, adhere to the standards agreed-upon in this planning phase. The Glyndon Community Association stands ready to assist the County in the review process and to review and comment on specific elements of the design as they are proposed.

We feel that this is an exciting opportunity to make something good happen for our community and we look forward to welcoming new neighbors into our community. We appreciate very much the opportunity to provide our input to this process and appreciate the time spent by representatives of our State and local government to work with us on this project. We hope you share our appreciation for the uniqueness of Glyndon and northwest Reisterstown and the quality of life that is represented by these rural villages in the midst of suburbia. We hope you share our enthusiasm for this project and its potential for enhancing and reinforcing our community.

We appreciate very much the opportunity to provide our input to this process and appreciate the time spent by you and other government representatives working with us.

Many members of the community welcome the addition of new homes and new families into our neighborhood, recognizing that this development, if designed and built appropriately, will be an asset to the community. We hope you share our appreciation for the uniqueness of Glyndon and northwest Reisterstown and the quality of life that is represented by these rural villages in the midst of suburbia. We hope you share our enthusiasm for this project and its potential for enhancing and reinforcing our community and urge that you consider thoughtfully the comments and suggestions raised by the Glyndon community.

Very truly yours,



Foster Nichols, Jr., Chairman,

Glyndon Meadows Task Force, Glyndon Community Association

**THE VALLEYS
PLANNING COUNCIL, INC.**

212 Washington Avenue
P.O. Box 5402
Towson, Maryland 21285-5402
410-337-6877
410-296-5409 (FAX)

Pretestards
5

December 6, 1994

Mr. & Mrs. George P. Mahoney, Jr.
13634 Longnecker Road
Glyndon, MD 21071

sent also to:

Marvin Elin

Mr. & Mrs. Walter Brewster

Mr. & Mrs. Timothy J. Gardner

Dear Mr. & Mrs. Mahoney:

The Baltimore County Hearing Officer will hold a hearing on Thursday, December 8 and Friday, December 9, regarding the Glyndon Meadows development, located north of Butler Road immediately west of the Townsend-Laken House property. The Valleys Planning Council has attended all of the county's development meetings regarding this property. Recently, Sandy and Mark Laken contacted The VPC with their concerns about the development's adverse impact on the stream which runs from Glyndon Meadows through your property.

I have since spoken with Valerie Klein and Bruce Seeley from DEPRM, and Klein stated that DEPRM required engineers Morris & Ritchie Associates to complete a steep slopes and erodible soils survey to determine the exact location of the forest buffers on the property since the site contains highly erodible soils and poor vegetative cover. The extensive forest buffer is violated only for the access road crossing, the stormwater management ponds and one septic reserve area. The County cannot deny access to the property, which is why DEPRM granted a variance for the road. Stormwater management ponds have to be placed as close to the lowest elevation on the site as possible, which naturally occurs near streams and wetlands. If DEPRM had required the engineer to move the pond out of the forest buffer and to a higher elevation, part of the drainage would bypass the pond, and this location represents a compromise.

The septic reserve area in the forest buffer does not include the active trench of the septic, and the reserve will not be used unless absolutely necessary.

Seeley echoed Klein's sentiment that the development will not adversely impact the stream.

Morris & Ritchie Associates has provided The VPC with a copy of this report, as well as a wetlands and stream delineation report.

The State requires a buffer of 25' from wetlands, which these plans do not infringe upon. Therefore, the developer does not need any permits from the State or the Army Corps of Engineers.

I have also spoken with Richard Klein from Community and Environmental Defense services, who had not personally visited the site, but voiced concerns similar to the Laken's concerns. He suggested the property's water quality management could probably be greatly

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improved by adding bioretention facilities throughout the site and shifting impervious areas to more suitable soils.

Valerie Brennan, from the Gunpowder Conservancy, is also aware of the development and its connection to Slade Run, which is part of the Gunpowder watershed. She has contacted members of Save Our Streams in the Glyndon area, and the group is still investigating possible effects of the development on the stream.

Morris & Ritchie chose to complete a Phase II Environmental Report to evaluate potential hazardous waste on the site, because lenders often require such a study. Regulatory agencies did not require this study for Glyndon Meadows. Although the report is proprietary, Tim Madden (Morris & Ritchie) assured us that the site does not contain any hazardous waste.

Essentially, the development abides by all Baltimore County and State of Maryland regulations regarding the stream. The Southern Land Company will remain responsible for adhering to the plans until individual home owners purchase lots. If you as a downstream neighbor remain concerned that these regulations and reports do not adequately protect the stream, the next step is for the neighbors to hire an independent environmental consultant to study the plans. The VPC would be happy to consult with you on this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen Forsyth".

Kristen Forsyth
Assistant Director

NW REISTERSTOWN COMMUNITY ASSOCIATION

Telephone 410-528-6410

107 Geroed Avenue
Reisterstown, Maryland 21136

December 8, 1994

Mr. Lawrence E. Schmidt
Baltimore County Zoning Commisioner
400 Washington Avenue
Towson, Maryland 21204

re: ZADM File # IV-461
Glyndon Meadows

Dear Commisioner Schmidt,

Our Association first learned of the Southern Land Company's plan to develop the Coe property with 41 single-family homes in late 1993. Since that time, representatives of the Association have met rather extensively with Mr. Altfeld and Mr. Schaftel to discuss the varied concerns of our members. At most, but not all, of these meetings, representatives from neighboring Communities have been present: On some of the issues of concern to our membership, the various Community Associations have been in accord, and on others we have respectfully disagreed. To date, and taking into consideration what we perceive to be the best interests of all parties concerned, we urge the Hearing Officer to consider the following points in making your determination:

1. It should be no secret to anyone familiar with the recent pace of building and development in the Reisterstown/Glyndon area that our Association, concerned with quality of life issues for our residents, has asserted in the past, and continues to maintain, that rapid infill development has strained our failing infrastructure past the point of function. We believe that because of the inadequacy of our roads and intersections, a building moratorium is in order and should be in place currently. Specifically, we believe that Baltimore County has been biased in their recording of data with respect to current levels of service at pertinent intersections and remiss in their duty to accurately report the failing nature of the intersection of Hanover and Butler Roads (30 and 128).

2. According to information obtained by us from the Baltimore County Board of Education's Division of Student Allocation, a copy of which is enclosed, Franklin Middle School is currently the most over-capacity middle school in the County. While we understand that the policy in Baltimore County is not to place a moratorium due to

Post
6

Prot 7

Responses to Northwest Reisterstown Community Association

1. According to the criteria used by Baltimore County Schools, are Franklin Elementary and Franklin Middle beyond capacity?

Franklin Elementary

Franklin Middle

Capacity = 480

Capacity = 967

Enrollment 9/93 = 538 (+58)

Enrollment 9/93 = 1121 (+154)

Enrollment 3/94 = 548 (+68)

Enrollment 3/94 = 1119 (+152)

Both Franklin Elementary and Franklin Middle are currently operating beyond capacity.

2. Exactly what are the criteria used to determine capacity?

R = Regular Classrooms

S = Special Education Calssrooms

K = Kindergarten Classrooms

U = Uniquely Sized or Equipped (gym, science lab, home economics classroom, technology education classroom, etc.)

Elementary Capacity Formula:

$(R \times 24) + (S \times 10) + (K \times 23) =$ Capacity for schools with full-day kindergarten programs.

$(R \times 24) + (S \times 10) + (K \times 46) =$ Capacity for schools with half-day kindergarten programs.

Instrumental music, vocal music, art, remedial reading, and multi-purpose rooms count as zero capacity in the formula, since these areas are intended for use on a rotational basis by all of the students in the school as they meet with their special area teachers. We do not include relocatable classrooms in the formula for determining school capacity.

Secondary Capacity Formula:

$(R \times 26 \times 90\%) + (S \times 12 \times 100\%) + (U \times \text{capacity} \times 71\%)$

Uniquely sized or equipped classrooms are not easily adapted for general instruction or for the accommodation of floating teachers. Auditoriums without designed classroom spaces, foreign language labs, and computer labs count as zero capacity in this formula since they are used on a rotational basis to accommodate all of the students as determined by the instructional program. Utilization factors of 90%, 100% and 71% respectively are applied to regular classroom, special education classroom, and unique classroom capacities in order to reflect their use for instructional purposes. Relocatable classrooms are not included in the capacity formula. (See attached example for Franklin Middle School)

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3. Assuming capacity has been met or exceeded, what plans does the County have to permanently alleviate overcrowding?

According to the "Plan to Eliminate Overcrowded Elementary Schools", developed in June of 1993, plans to relieve overcrowding in Baltimore County Public Schools include the following strategies:

- Using capital budget funds to provide construction funds for new schools, reopenings, additions, and magnet school programs,
- Using the Boundary Change Process to redistrict students from crowded schools to those with spare capacity or to newly constructed or reopened schools,
- Creation of magnet schools providing opportunities for students to attend special programs away from their home schools,
- Continued use and purchase of relocatable classrooms to provide additional classroom space,
- Speeding the construction of additions to existing schools through the use of modular construction techniques,
- Modification of the capacity formula used by the Baltimore County Public Schools to reflect funded pupil-teacher ratios rather than ratios established by the Board of Education for instructional purposes, thereby increasing schools' official capacities, (This was rejected by the Board of Education of Baltimore County on April 29, 1993)
- Including relocatable classrooms in Baltimore County School capacity formulas, thus increasing official school capacities. (This was rejected by the Board of Education in July, 1993)

4. Why doesn't overcrowding of a middle school generate a building moratorium? Can this be changed through the political process or by other means?

Development controls related to overcrowding in Baltimore County Elementary Schools were developed in 1988 and amended in 1992 by the County Council. All development controls established related to elementary school capacity. The same process could be used to establish controls related to middle or high school capacities. Secondary school districts, however, are much larger than elementary school districts, therefore a moratorium based on secondary school overcrowding would impact development over a much broader area. This might make it harder to gain political support for such a bill.

5. What are the effects, in the opinion of the Baltimore County Department of Education, of overcrowding on the quality of education in our schools?

(Mr. Riley)

6. Baltimore County schools scored poorly in recent assessments of student achievement. Do you feel that this is, in any part, due to overcrowding?

(Mr. Riley)

7. Why has so little \$\$ been allocated for physical plant maintenance for area schools? As an example, the roof at Franklin Elementary leaks badly when it rains. Does the county have any plans for repairs?

Maintenance funds including money for roofing repairs are included in all capital budget requests and recommendations. The amount of funding allocated and the order of the school on the roofing priority list will determine when roofing repair or replacement will take place.

8. In the event that the Reisterstown Village project approved for the parcel of land between Route 140 and Cockeysmill Road does go forward, what effect do you expect those 312 townhouses to have on area schools? What plans have been made to deal with these children?

This development went through the County Review Group process in May, 1992 and received approval in September of 1993. If the development is constructed, the schools serving its children will be Franklin Elementary, Franklin Middle, and Franklin High. Pupil yield factors for townhouses in this area project a yield of 84 elementary school students, 41 middle school students, and 44 high school students, when all units are constructed and occupied. A proposed addition to Franklin Elementary could serve to alleviate this problem. The Chatsworth School could also accommodate some of these children in its multi-age program.

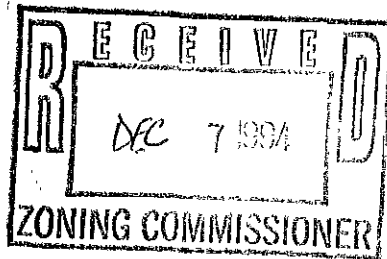
9. If overcrowding leads to the necessity of building a new school, either elementary or middle, where would you put it?

The only Baltimore County Public School site bank properties in the northwest area are:

- The Red Run site in Owings Mills, which was originally purchased to accommodate an elementary school, a middle school, and a high school, (Schools anticiapted for construction on this site could include Painters Mill Elementary, Middle, or High.)

- The Randall Ridge Elementary site adjacent to Randallstown High School, which was purchased as the site of a replacement school for Randallstown Elementary (1908), and
 - The Woodholme Elementary site off of Mount Wilson Lane.
10. If we as parents and taxpayers, believe our children's education has been and continues to be compromised by overcrowded schools and declining standards of education, what, realistically, can we do to effect a change?

(Mr. Riley)



Mr. Lawrence E. Schmidt
Zoning Commissioner, Baltimore County
400 Washington Ave., Room 112
Towson, MD 21204

December 6, 1994

RE: Glyndon Meadows Subdivision; Slade Run, Glenns Falls, and Gwynns Falls watersheds

Dear Mr. Schmidt:

I am writing to you on behalf of the Maryland Chapter of Trout Unlimited to express several concerns we have about the above referenced proposed residential development's potential effect on the tributary systems draining the property, all of which are classified by the Maryland Department of the Environment as USE III, which are streams capable of supporting naturally reproducing trout populations. The project site is located in three separate watersheds, and is drained by first order tributaries, which are the smallest and sometimes the most sensitive type of stream to development. While it is unlikely the stream reaches on the subject site hold trout, the development's impacts, especially long term, may have detrimental effects to reaches downstream which do have trout populations. And while this project in itself may not threaten the continued existence of coldwater resources in Slade Run, Gwynns Falls, and Glenn Falls, the cumulative impacts of this development, combined with existing development, and future development, and their collective increase in impervious area in the watershed, will have detrimental long term effects unless development projects are designed in a way which maximizes protection of environmental resources.

The Maryland Chapter is not opposed to low density residential development in watersheds which support trout populations, but we want to make sure the development plan will not cause short or long term detrimental effects to the stream systems. In general, the effect of urbanization such as this development on the hydrologic conditions is to increase the area of low or zero infiltration capacity and to increase the efficiency or speed of water transmission in channels or storm drains.¹ The proposed development's stormwater management scheme does not mitigate the potential deleterious effects to the stream channels on the site. Specifically, the following observations have been made from an initial review of the development plan:

1. The use of a curb and gutter system on the road systems which then empty into SWM ponds #1 and #2 will concentrate stormwater runoff from the impervious road surfaces. These asphalt road surfaces have been shown to reach temperatures of over 130° F during hot summer days. If a one or two inch thunderstorm occurs in the late afternoon during a hot summer day, the resulting runoff from the road surfaces is heated by the road surface and is then piped to the stormwater management ponds. The pond allows the release of this thermally heated water, and a "thermal shock" will occur in the stream which can kill trout. Trout are highly sensitive to water temperatures above 72° F and are especially ill-adapted to survive quick thermal shocks, such as the scenario just described. If the pond holds the initial one-half inch of runoff, any discharge

¹ Leopold, L.B. (1968) *Hydrology for Urban Land Planning - A Guidebook on the Hydrologic Effects of Urban Land Use*; U.S. Geological Survey Circular 554.

above what the pond is designed to hold for water quality requirements will be thermally heated. This exact scenario was played out in the Jones Falls watershed in the summer of 1993 in which a large fish kill was documented after a hot afternoon thunderstorm. The chapter members, after careful study, determined that the kill was most likely related to the stormwater runoff from several developments in the headwater areas of the drainage basin. In addition, this stormwater discharge will violate the Water Quality Standards of the State of Maryland, which prohibits discharges of water exceeding 68° F to Use III waters. Unless infiltration can be utilized, there are no design modifications which we know of which will cool this water to provide a release which does not violate water quality standards. Furthermore, infiltration has been shown to be ineffective over the long term.

2. This concern is also related to the curb and gutter design of the roadways. Studies have shown that curb and gutter designs in residential developments have substantially altered the cross sectional area of channels draining basins which have been urbanized. The width or depth or both, as measured as bankfull dimensions, have increased as a result of the increase of flood magnitude and frequency and the coinciding increase in sediment load resulting from increases in channel erosion.² Documentation of this can be found in work done by Hammer (1972)³ who measured actual channel size downstream of areas having different degrees and types of urbanization. He also analyzed the correlation of the relative importance of various factors influencing channel enlargement. Results of the study showed that houses fronted by unsewered (open section) streets caused substantially less channel adjustment than did houses fronted on sewer (curb and gutter) streets.
3. Although County stormwater management regulations require two and ten year management to pre-development conditions, the frequency of bankfull flows within the first order tributaries draining the site will not be controlled by the proposed stormwater management strategy, and that increase in the frequency of erosive bankfull discharges will cause excessive channel erosion over the long term, further degrading water quality. The concentration of runoff from contiguous impervious surfaces exacerbates this problem.
4. The storm drain on Glen Meadows Road will discharge concentrated unmanaged and untreated stormwater runoff from impervious surfaces directly to the stream channel.
5. The pre-development runoff computations appear to be overestimated because of the conservative nature of the TR-20 model. A review of the stormwater management report and a field measurement of the bankfull channel dimensions may confirm this. We suggest the County require a geomorphic study of the streams in question to determine the channel geometry and bankfull capacity of the channels, and that these measurements be used to determine pre-development conditions.

² Leopold, L.B., and Dunne, Thomas (1978), *Water in Environmental Planning*, pp. 694-709. W.H. Freeman and Company, San Francisco, CA.

³ Hammer T., (1972) *Stream Channel Enlargement Due To Urbanization*; Water Resources Research, Volume 8, no.6, pp. 1530-1540.

Mr. Lawrence Schmidt
Glyndon Meadows Subdivision
December 6, 1994
Page 3

6. This comment is in reference to the County comments provided by Mr. Robert W. Bowling P.E., Chief of the Developers Engineering Section, dated November 14, 1994. On page four, the County states that "the stream is to be cleared of all fallen trees, stumps, and debris." This practice is clearly harmful to the stability of the stream channel. Many studies have shown that woody debris is an integral part of the stream ecosystem, and provides habitat for many aquatic organisms including trout, and serves as a primary food source for the aquatic food chain. Removing this material is not only clearly harmful to the stream ecosystem, but will most likely remove an important components related to streambank stability.

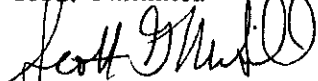
We would like to offer suggestions to improve the proposed development plan, enhancing its sensitivity to environmental resources. To address comments 1, 2, 3, and 4, we suggest waiving the requirement for curb and gutter roadways. By doing so, the time of concentration of runoff is increased, and the detrimental effects of concentrating runoff from impervious surfaces are substantially reduced. Ironically, the developer would save money by making this modification, and we understand the developer would like to pursue using open section roadways in lieu of curb and gutter. Roadside swales in place of curb and gutter will provide important water quality benefits and will provide an opportunity for limited infiltration. Also, if stormwater management is still required, 12 hour extended detention for the one year storm should be used rather than, or in addition to, the required 2 year management. Management of the one year storm has been shown to mitigate, to some extent, channel enlargement and subsequent channel erosion. Because 10 year control is also required, this modification will not increase the volume needed for the pond.

To address comment #5, require the developer to conduct a geomorphic study to determine pre-development conditions by actual field measurements, not modelling. And finally, to address comment #6, do not require the removal of woody debris from the stream channel. This practice is also in violation of your own stream buffer legislation, which prohibits disturbance within the 100 foot forest buffer.

Thank you in advance for your consideration of these matters. Trout Unlimited would like to meet with the County and the developer to further discuss these concerns and recommendations. If you have any questions regarding this matter, please do not hesitate to contact me at (410) 893-9491.

Sincerely,

Trout Unlimited



Scott G. McGill
Chairman, Resource Committee
1011 Wingate Court
Bel Air, MD 21014

cc: The Honorable Dutch Rupersburger; County Executive
Mr. James Deiter; Director, Baltimore County DEPRM
Mr. David Warnock; President, MD Chapter of Trout Unlimited

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
1992 COMPREHENSIVE ZONING MAP**

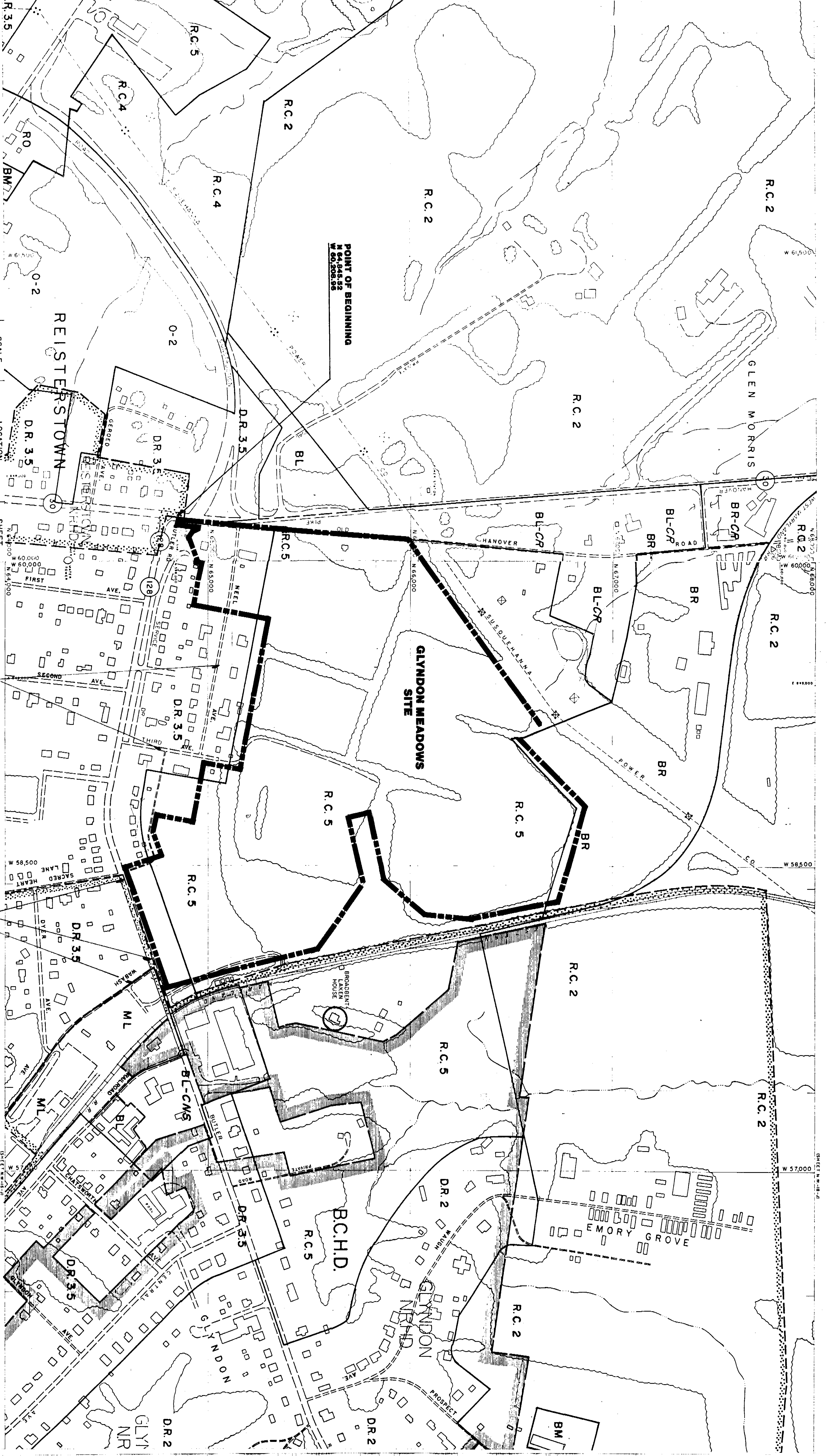
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Howard
Chairman, County Council

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
REISTERSTOWN
GLEN MORRIS
SHEET
N W
17-K

X - SE W - SW
EX. 8" WATER IN NEEL AVE. & THIRD AVE.
EX. 12" WATER & 27" STORMDRAIN IN BUTLER ROAD
EX. 8" SAN. SEWER IN WABASH ROAD

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

ITEM # 28
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Howard
Chairman, County Council

GLYNDON MEADOWS VARIANCE EXHIBIT
COMPOSITE OF ZONING MAPS, NW 17J & 17K
MMA 447295
7/20/94
MICROFILMED

APPROVED: _____
DIR. DEPT. OF ENVIRONMENTAL PROTECTION AND
RESOURCE MANAGEMENT
DATE _____
APPROVED FOR THE DEPARTMENT OF PUBLIC WORKS AND
THE OFFICE OF PLANNING AND ZONING
DATE _____
DIRECTOR OF PUBLIC WORKS
DATE _____

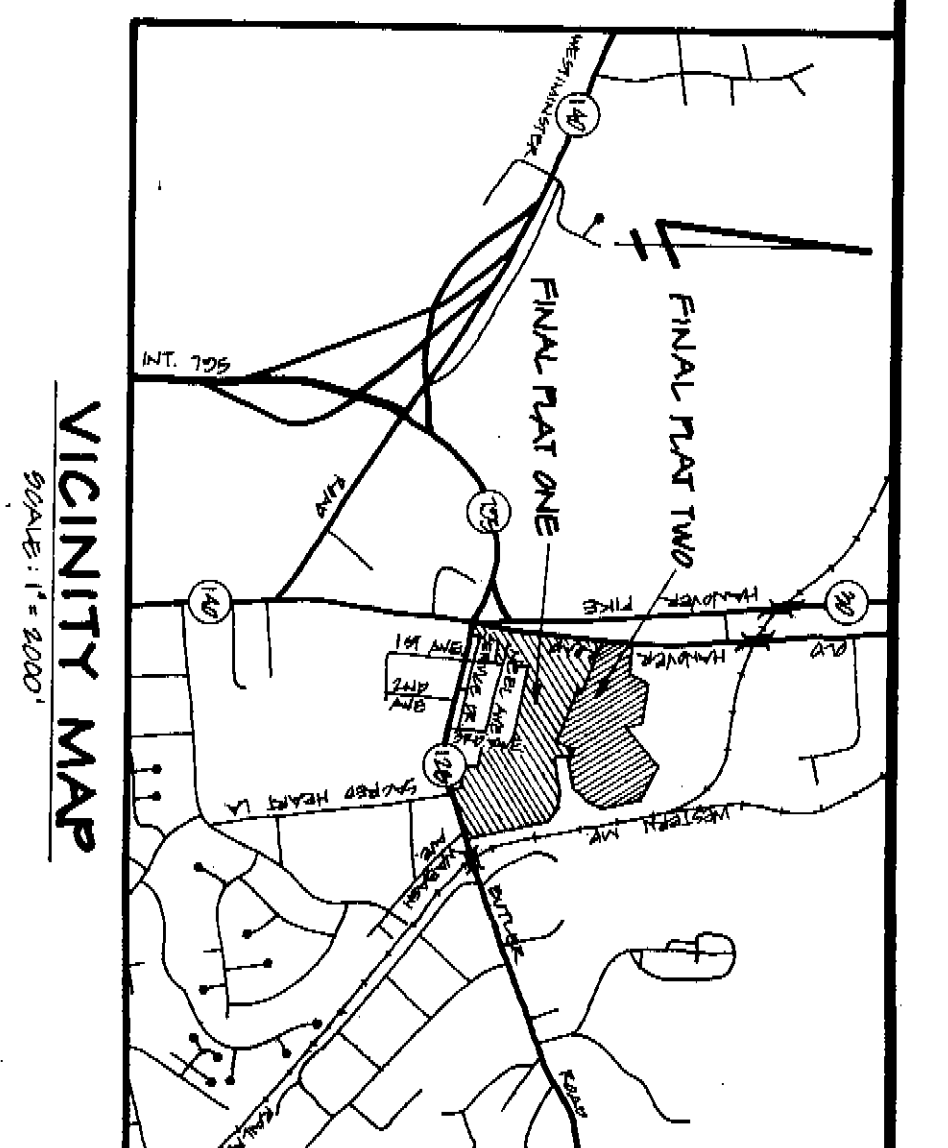
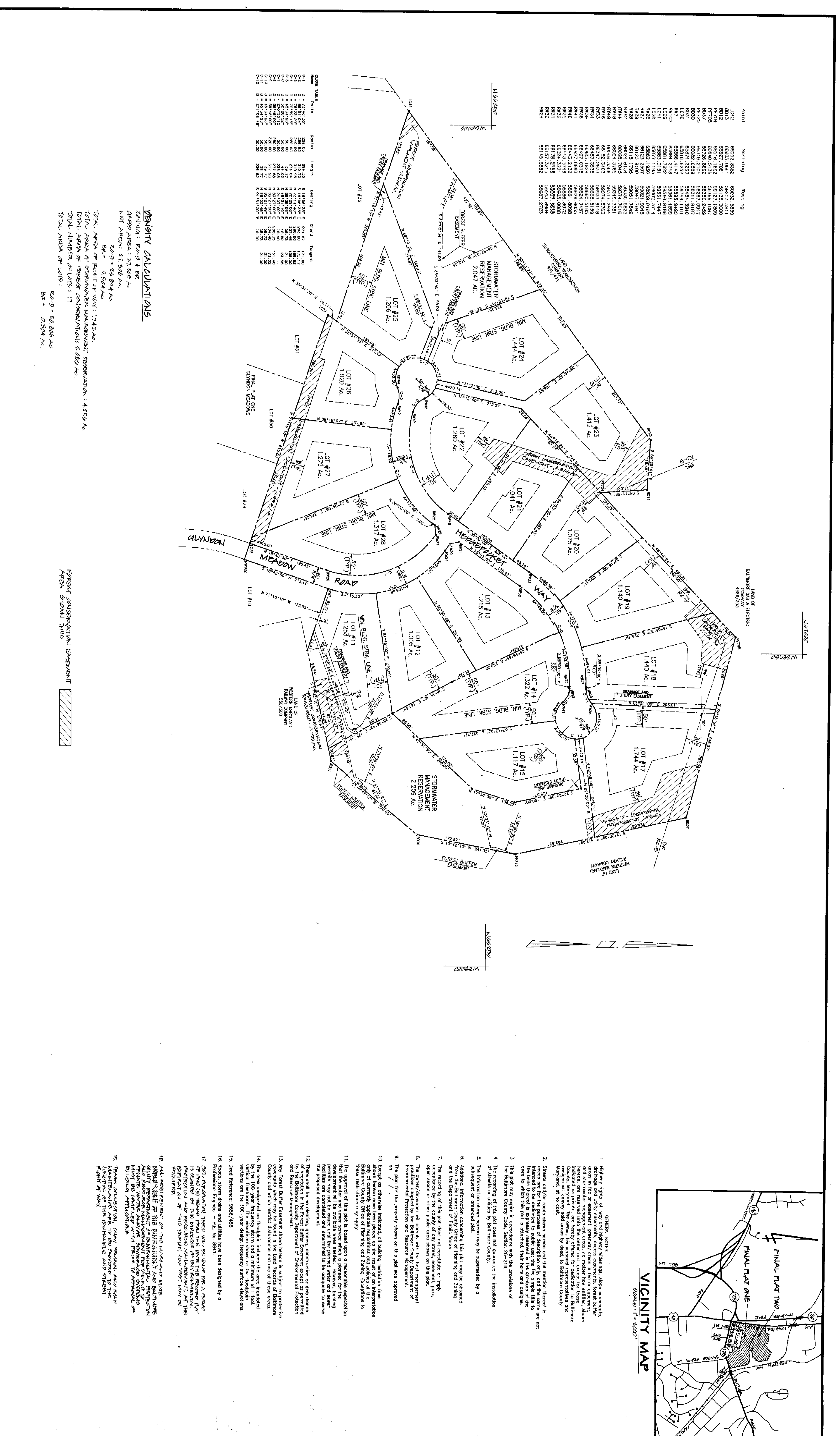
NOTE:
COORDINATES AND BEARINGS SHOWN
ON THIS PLAN ARE BASED ON THE
SYSTEM OF COORDINATE REFERENCE
IN THE BALTIMORE COUNTY METROPOL-
ITAN DISTRICT AND ARE BASED ON THE
FOLLOWING TRAVERSE STATIONS:
#155899 N 095304.27 W 60161.00
#156000 N 040804.89 W 60030.21

OWNER'S CERTIFICATE
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON
THIS PLAN, HEREBY CERTIFY THAT THE BEST OF HIS
KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION 3-108
OF THE REAL PROPERTY ARTICLE OF THE
ANNOTATED CODE OF MARYLAND HAVE BEEN COMPLIED
WITH INSOFAR AS THE SAME CONCERN THE MAKING OF THIS
PLAN AND THE SETTING OF MARKERS.
OWNER: WAKKANER, JOE HANFNEY
DATE: 07/06

SURVEYOR'S CERTIFICATE
THE UNDERSIGNED, A REGISTERED PROPERTY
LAND SURVEYOR OF THE STATE OF MARYLAND, DOES
HEREBY CERTIFY THAT THIS IS THE SURVEYOR WHO
PREPARED THIS PLAN AND THE SETTING OF THE
MARKERS ON THIS PLAN HAS BEEN COMPLIED WITH
THEREOF. HAS BEEN COMPLIED IN COMPLIANCE
WITH SUBSECTION (C) OF SECTION 3-108 OF THE
REAL PROPERTY ARTICLE OF THE ANNOTATED CODE
OF MARYLAND, PARTICULARLY INSOFAR AS THE
SETTING OF MARKERS IS CONCERNED.
SURVEYOR: F. KELLY FUGITT
DATE: 07/06

SURVEYOR'S SEAL
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
112 WEST TOWN SQUARE, SUITE 100
TOWSON, MARYLAND 21204
(301) 821-1800
FAX: (301) 821-1748

FINAL PLAN TWO
ALYNDON MEADOWS
SECTION DISTRICT #4



- GENERAL NOTES:
1. Highway right-of-way and highway widening, slope easements, areas in fee or easement, driveway areas in fee or easement, and stormwater management areas, no matter how entitled, shown on this plan are for the purpose of dedication only, and the same are not intended to be dedicated to public use, the fee simple title to the same being reserved to the owner of the same.
 2. This plan may apply to sections 26-215, 26-216, 26-217, 26-218, 26-219, 26-220, 26-221, 26-222, 26-223, 26-224, 26-225, 26-226, 26-227, 26-228, 26-229, 26-230, 26-231, 26-232, 26-233, 26-234, 26-235, 26-236, 26-237, 26-238, 26-239, 26-240, 26-241, 26-242, 26-243, 26-244, 26-245, 26-246, 26-247, 26-248, 26-249, 26-250, 26-251, 26-252, 26-253, 26-254, 26-255, 26-256, 26-257, 26-258, 26-259, 26-260, 26-261, 26-262, 26-263, 26-264, 26-265, 26-266, 26-267, 26-268, 26-269, 26-270, 26-271, 26-272, 26-273, 26-274, 26-275, 26-276, 26-277, 26-278, 26-279, 26-280, 26-281, 26-282, 26-283, 26-284, 26-285, 26-286, 26-287, 26-288, 26-289, 26-290, 26-291, 26-292, 26-293, 26-294, 26-295, 26-296, 26-297, 26-298, 26-299, 26-300, 26-301, 26-302, 26-303, 26-304, 26-305, 26-306, 26-307, 26-308, 26-309, 26-310, 26-311, 26-312, 26-313, 26-314, 26-315, 26-316, 26-317, 26-318, 26-319, 26-320, 26-321, 26-322, 26-323, 26-324, 26-325, 26-326, 26-327, 26-328, 26-329, 26-330, 26-331, 26-332, 26-333, 26-334, 26-335, 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BUTLER ROAD STREETSCAPE DETAIL

SCALE 1" = 20'

UNIMPAVED WALK OR SIDEWALK

10' SIDE YARD SETBACK

10' SIDE YARD SETBACK

10' SIDE YARD SETBACK

10' SIDE YARD SETBACK

10' SIDE YARD SETBACK

10' SIDE YARD SETBACK

SECTION A-A'

SCALE 1" = 3'

EX. EXISTING FENCE

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NOTE:
THE HOUSES IN THIS DETAIL ARE SHOWN TO REPRESENT THE APPROXIMATE CHARACTER OF THE ARCHITECTURE. THESE ARE SHOWN SCHEMATICALLY ONLY. FINAL LAYOUT AND DESIGN WILL BE DETERMINED IN THE FUTURE. FINAL LANDSCAPING AND DRIVEWAY LOCATIONS MAY ALSO BE ADJUSTED TO REFLECT FINAL HOUSING DESIGN.

FOREST CONSERVATION NOTE:
SEE SHEET 3 OF 5 FOR A BUTLER ROAD FOREST CONSERVATION PLAN. THE PROPOSED LOT, ACCESS, EASEMENTS, AND DRIVEWAYS ARE TO BE ADJUSTED TO REFLECT CONSERVATION REQUIREMENTS.

Standard Easement Note:
There shall be no clearing, grading, construction or disturbance of vegetation within the Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
Protective Easement Note:
Any Forest Buffer Easement shown herein is subject to protective easements which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas.

SPLIT RAIL FENCE

STANDARD LANDSCAPE PLAN

STANDARD LANDSCAPE PLAN

STANDARD LANDSCAPE PLAN

STANDARD LANDSCAPE PLAN

STANDARD LANDSCAPE PLAN

STANDARD LANDSCAPE PLAN

VICINITY MAP

SCALE 1" = 2000'

SCALE 1" = 2000'

PLANT KEY:

MAINT. GARDEN TREES

MAINT. GARDEN TREES

MAINT. GARDEN TREES

LEGEND

EXISTING VEGETATION TO REMAIN

EXISTING VEGETATION TO REMAIN

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SCHEMATIC LANDSCAPE PLAN

41 SINGLE FAMILY LOTS

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SCHEMATIC LANDSCAPE PLAN

41 SINGLE FAMILY LOTS

41 SINGLE FAMILY LOTS

SCHEMATIC LANDSCAPE PLAN

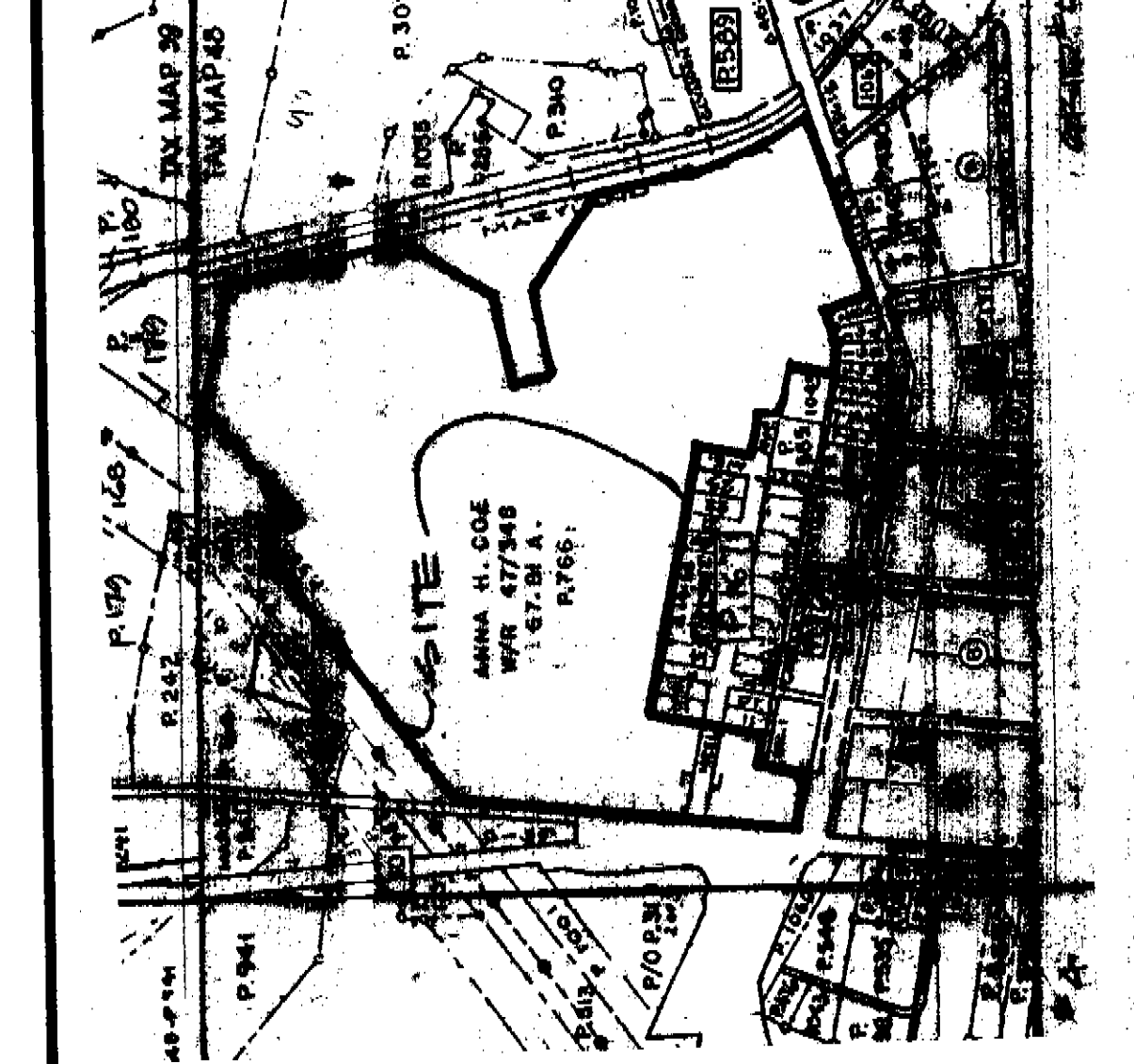
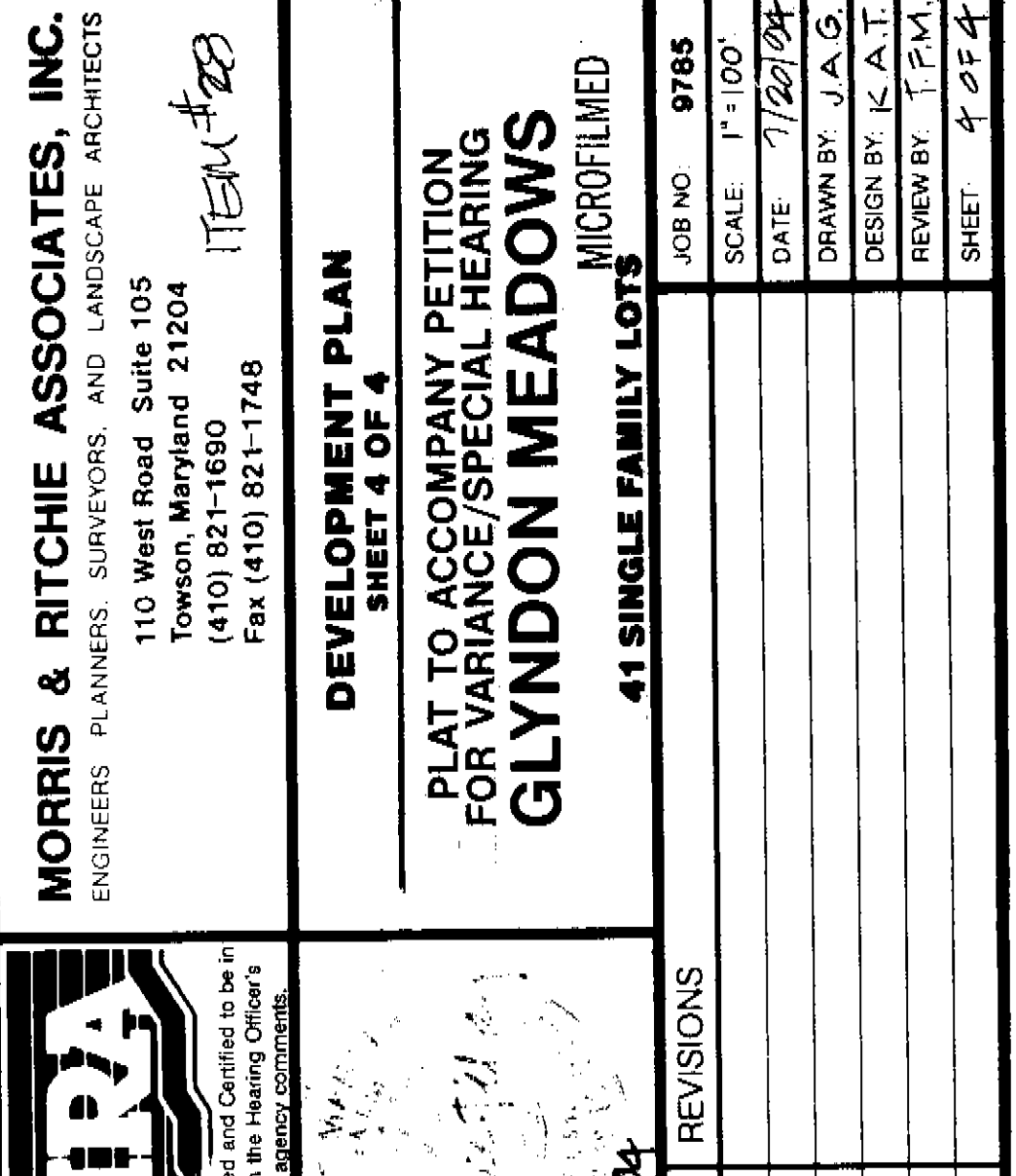
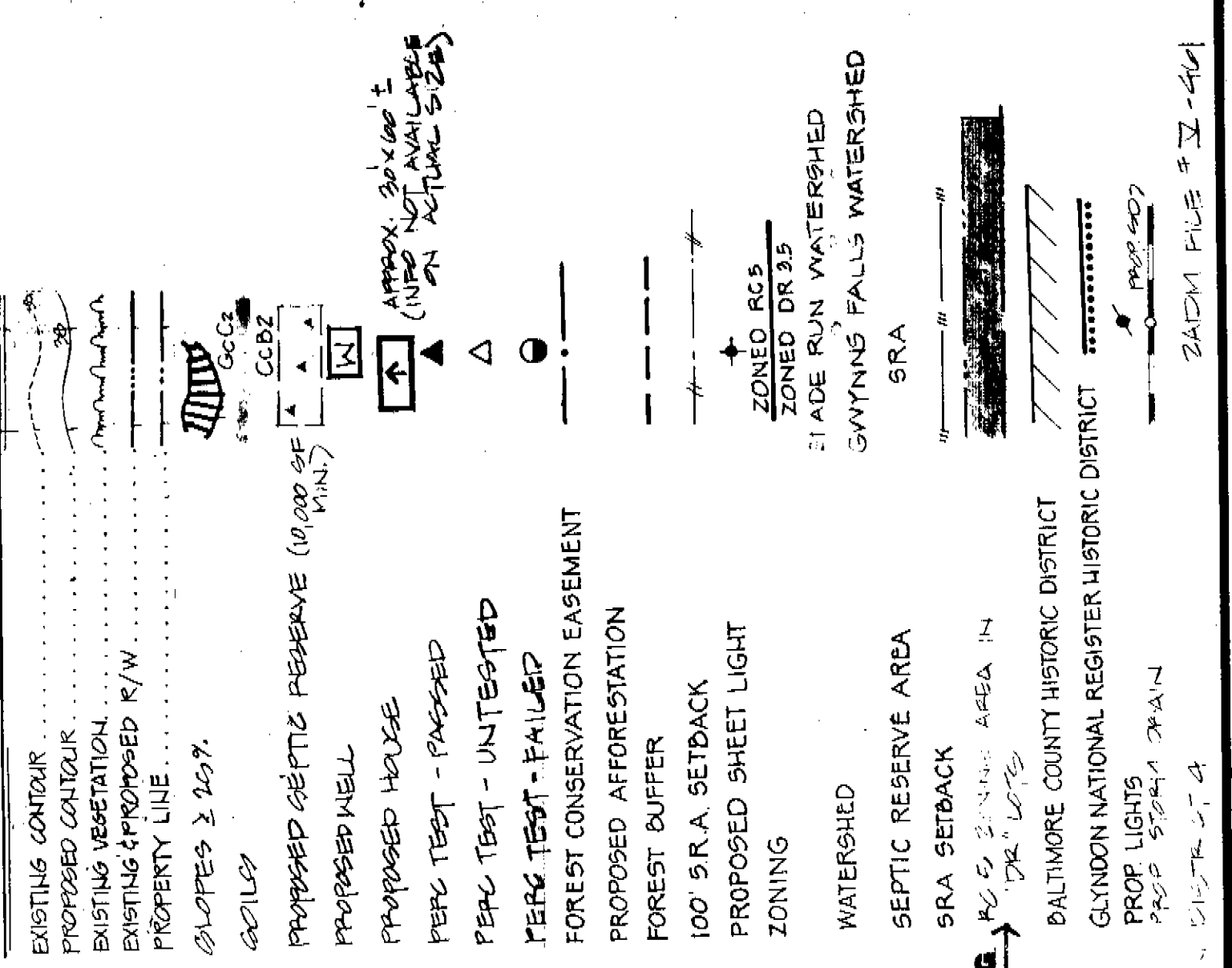
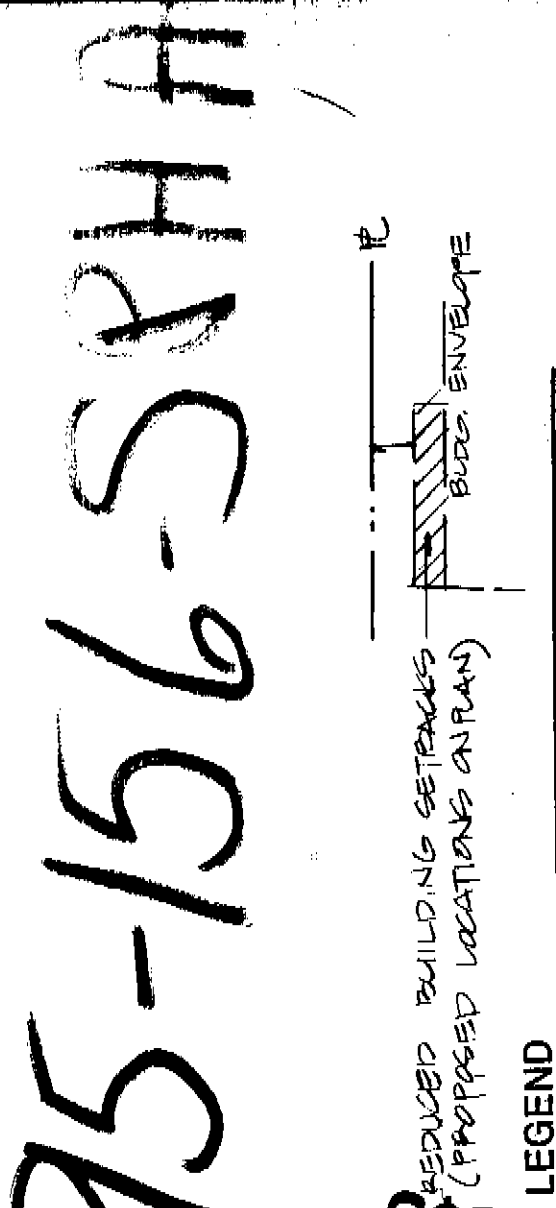
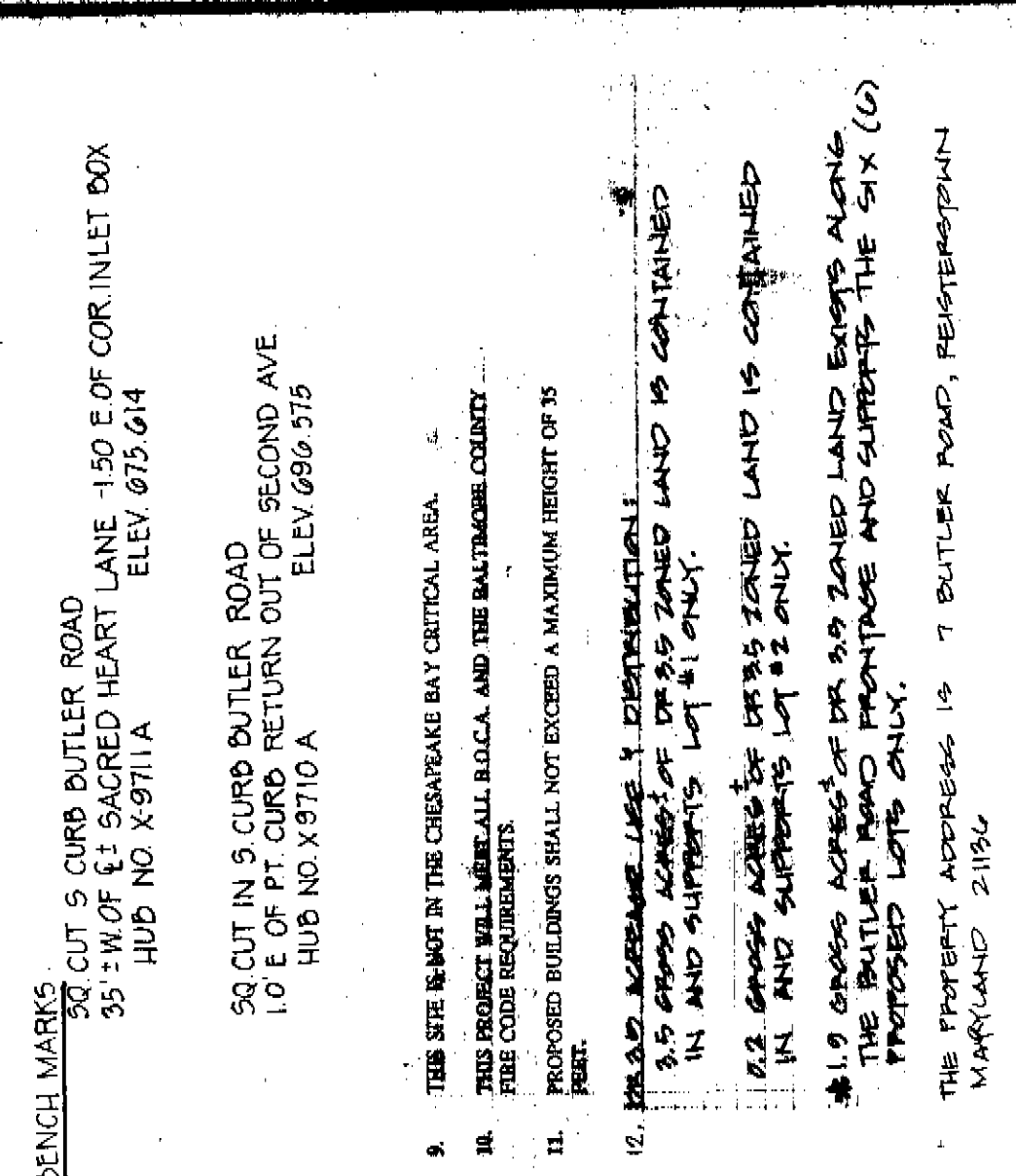
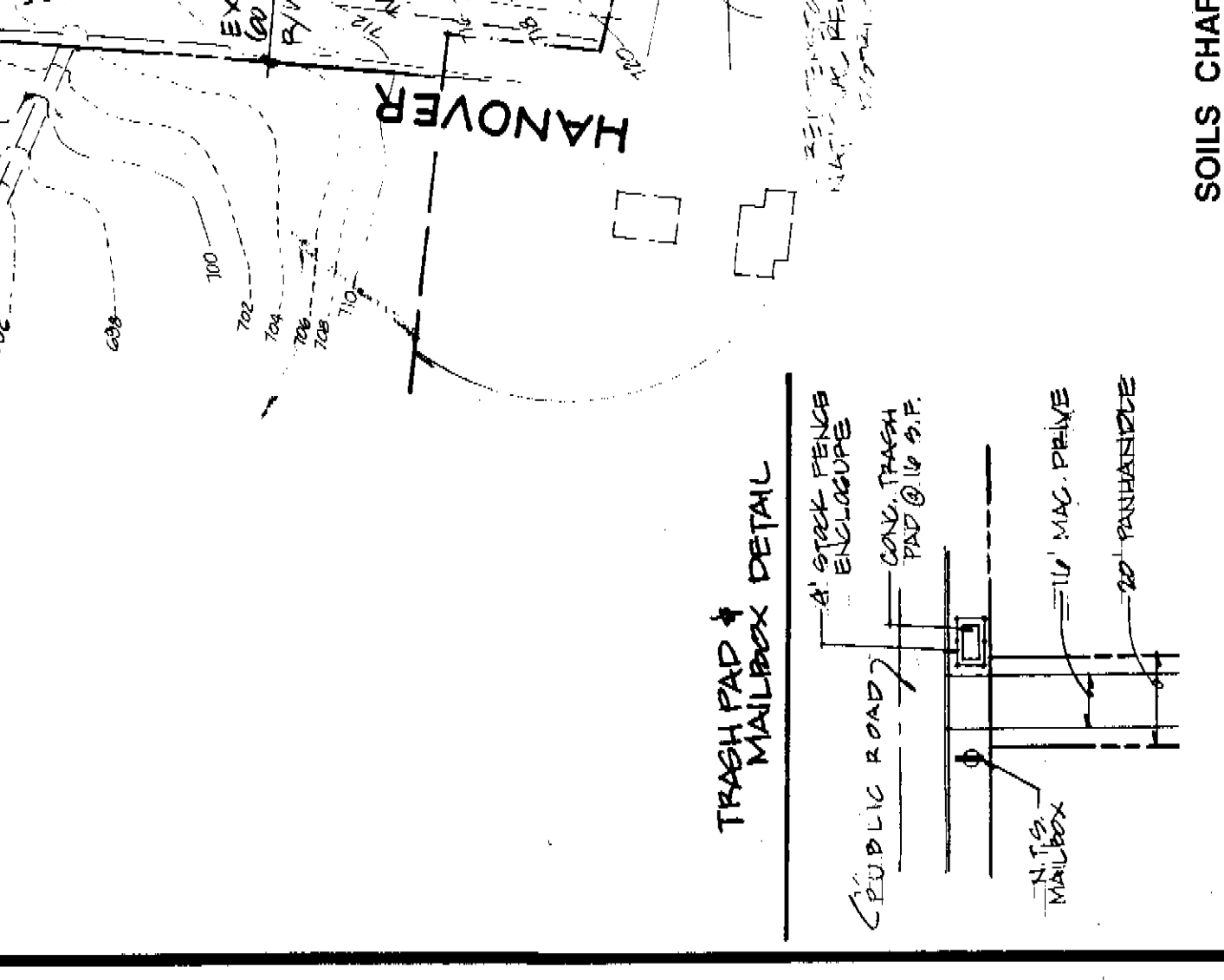
41 SINGLE FAMILY LOTS

41 SINGLE FAMILY LOTS

SCHEMATIC LANDSCAPE PLAN

41 SINGLE FAMILY LOTS

41 SINGLE FAMILY LOTS

[illegible][illegible]

95-156-SPHA

FOREST PROTECTION PROCEDURE FOR FOREST RESTORATION AND

- No equipment, machinery, vehicles or excessive pedestrian traffic to be above pedestrian area, during this or any of the other phases.
- Contact D.E.R.M. prior to conducting any on site decisions regarding changes to the Final Pedestrian Plan.
- Maintain protection devices during construction and leave all safety flag or illuminated vicinity.

REGISTRATION PROCEDURE FOR SUBSIDIZED HOMES

maintain all protection measures, including fencing & signs

which afforestation areas as needed.

BEST CONSERVATION EASEMENT NOT

THE UNIVERSITY OF CHICAGO PRESS

The following uses are permitted by FIDM, Inc.

104
70
70
40

TRASH PAD
MAILBOX DETAIL

At STAFF PENCILS
ENCLOSURE

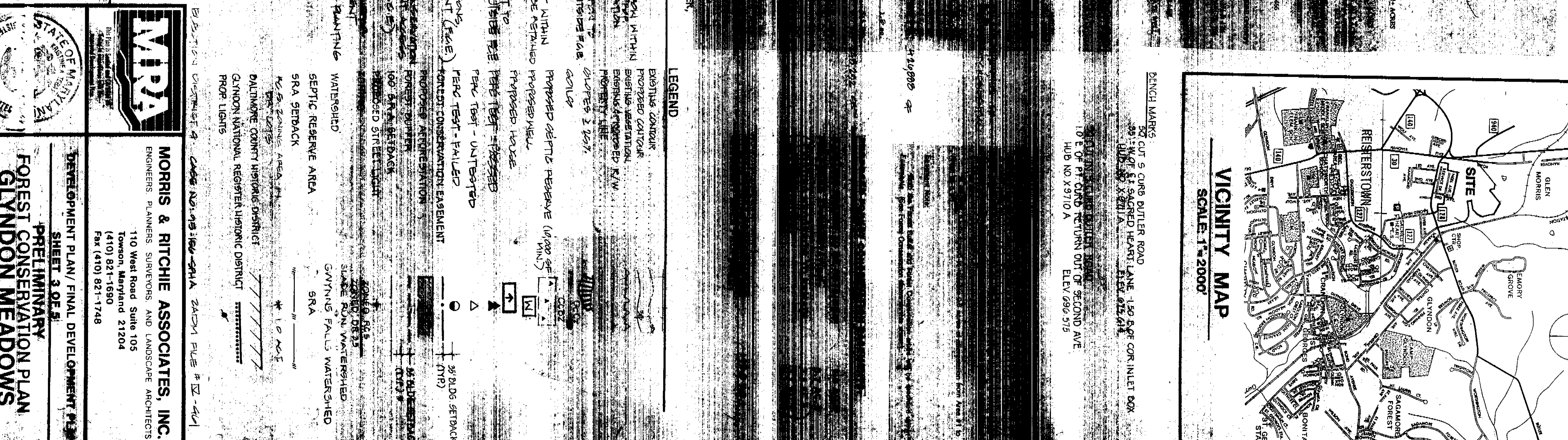
	Saggio System Livellazioni
	Ferramenta Livellazioni

2

GO GO
GO GO

THIRD AVENUE

EX 2-10
(OWD #56)



There shall be no clearing, grading, construction or disturbance resulting in the Forest Buffer Easement except as permitted by the Redwood County Department of Environmental Protection and Resource Management.

Protective Covenants, 2012:

LINE 1
STREET
1000
1000
1000
1000

[illegible][illegible]

BENCH MARK:
52 CUT 5 CURB BUTLER ROAD

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete each task.

4. The fourth step is to implement the plan. This involves assigning tasks to team members, setting deadlines, and monitoring progress to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves comparing the actual outcomes with the objectives and goals to determine the effectiveness of the project and identify areas for improvement.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

LEGEND

PERC TEST - UNTESTED
△
PERC TEST - FAILED
●
CONCRETE CONSERVATION EASEMENT
+ 35' BLDG SETBACK
+ (AMP)

SEPTIC RESERVE AREA
GRA S2DACK
* 10 AC
Gwynns Falls Watershed

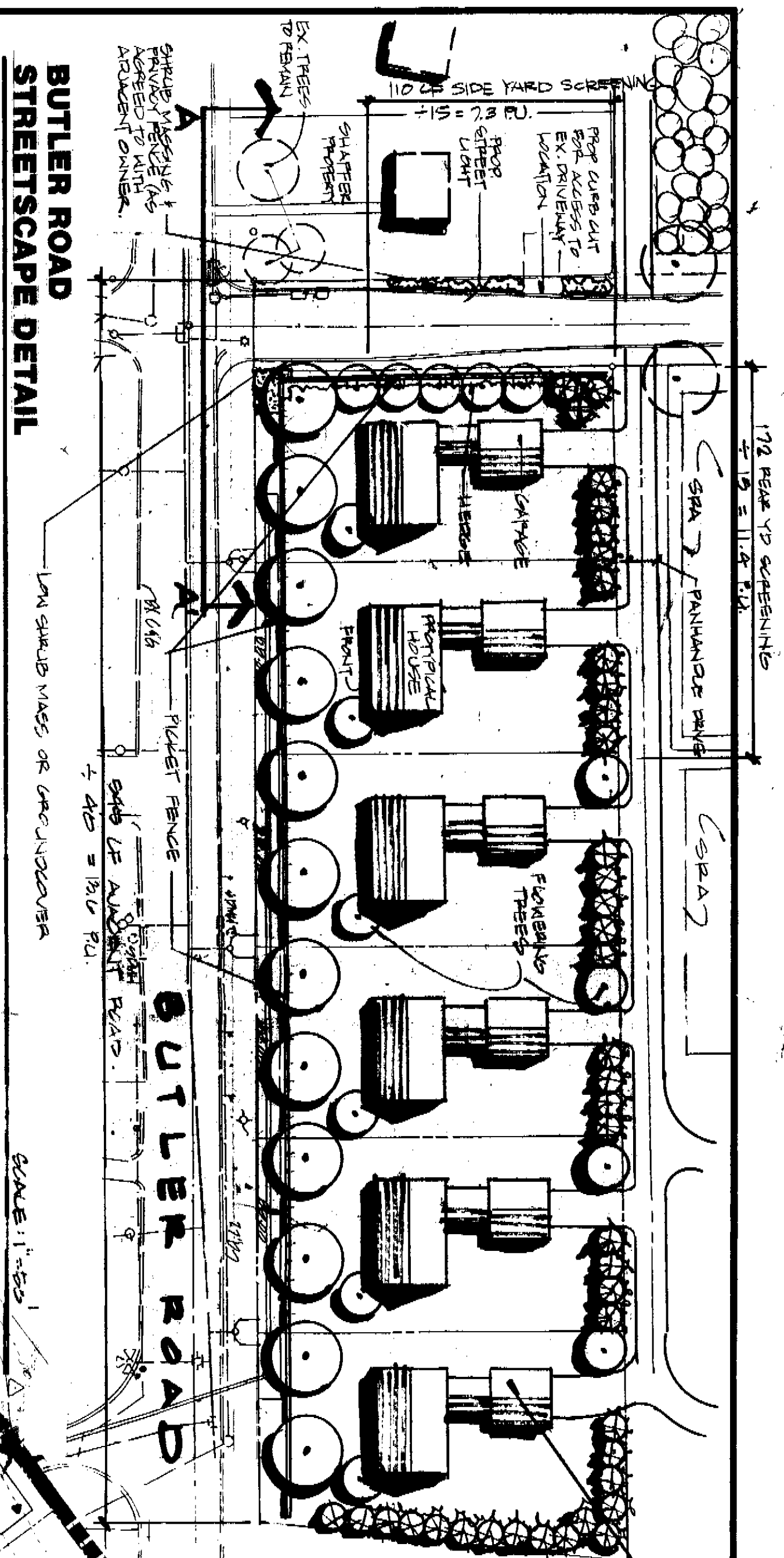


MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

110 West Road Suite 105
Towson, Maryland 21204

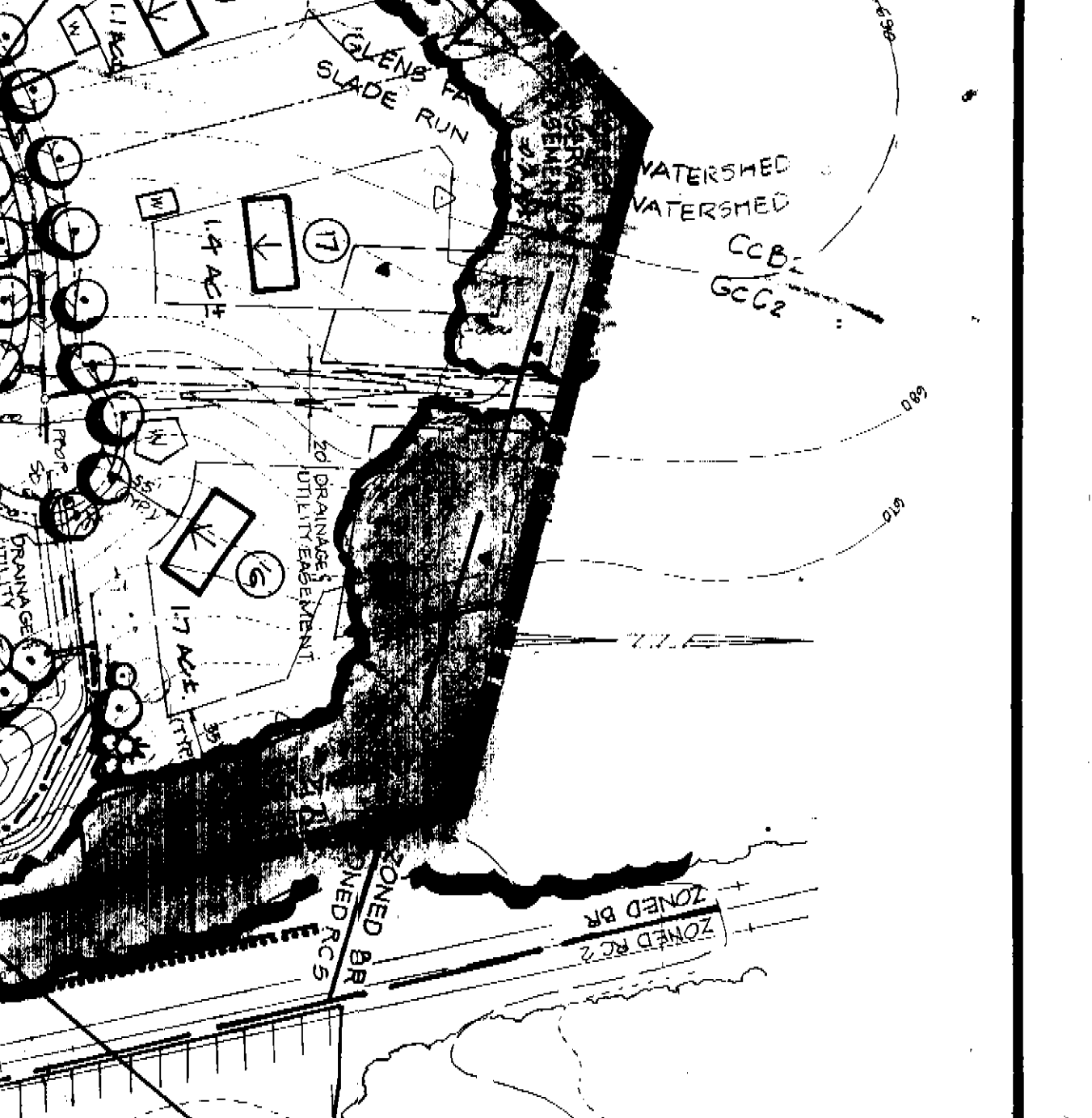
GLYNDON MEADOWS
41 SINGLE FAMILY LOTS

[illegible]



NOTE:

THE HOUSES IN THIS DETAIL ARE SHOWN TO REPRESENT THE APPROXIMATE CHARACTER OF THE ARCHITECTURE. THESE ARE SHOWN SCHEMATICALLY ONLY. FINAL LAYOUT AND DESIGN WILL BE DETERMINED IN THE FUTURE. FINAL LANDSCAPING AND DRIVEWAY LOCATIONS MAY ALSO BE ADJUSTED TO REFLECT FINAL HOUSING DESIGN.

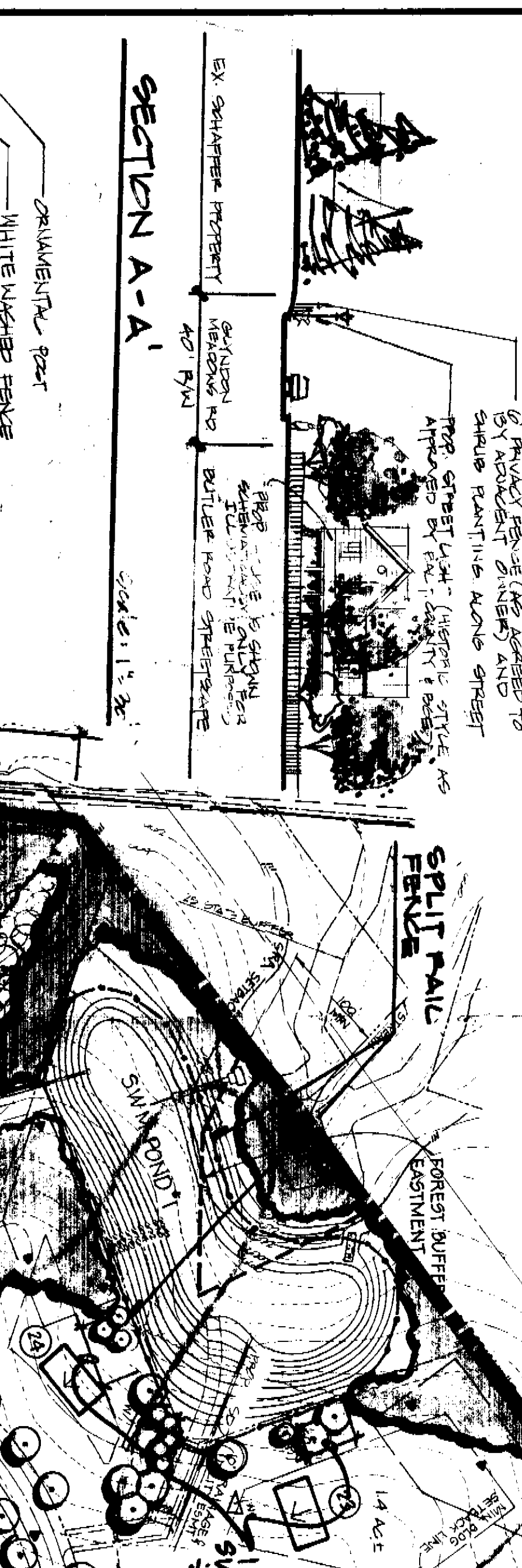
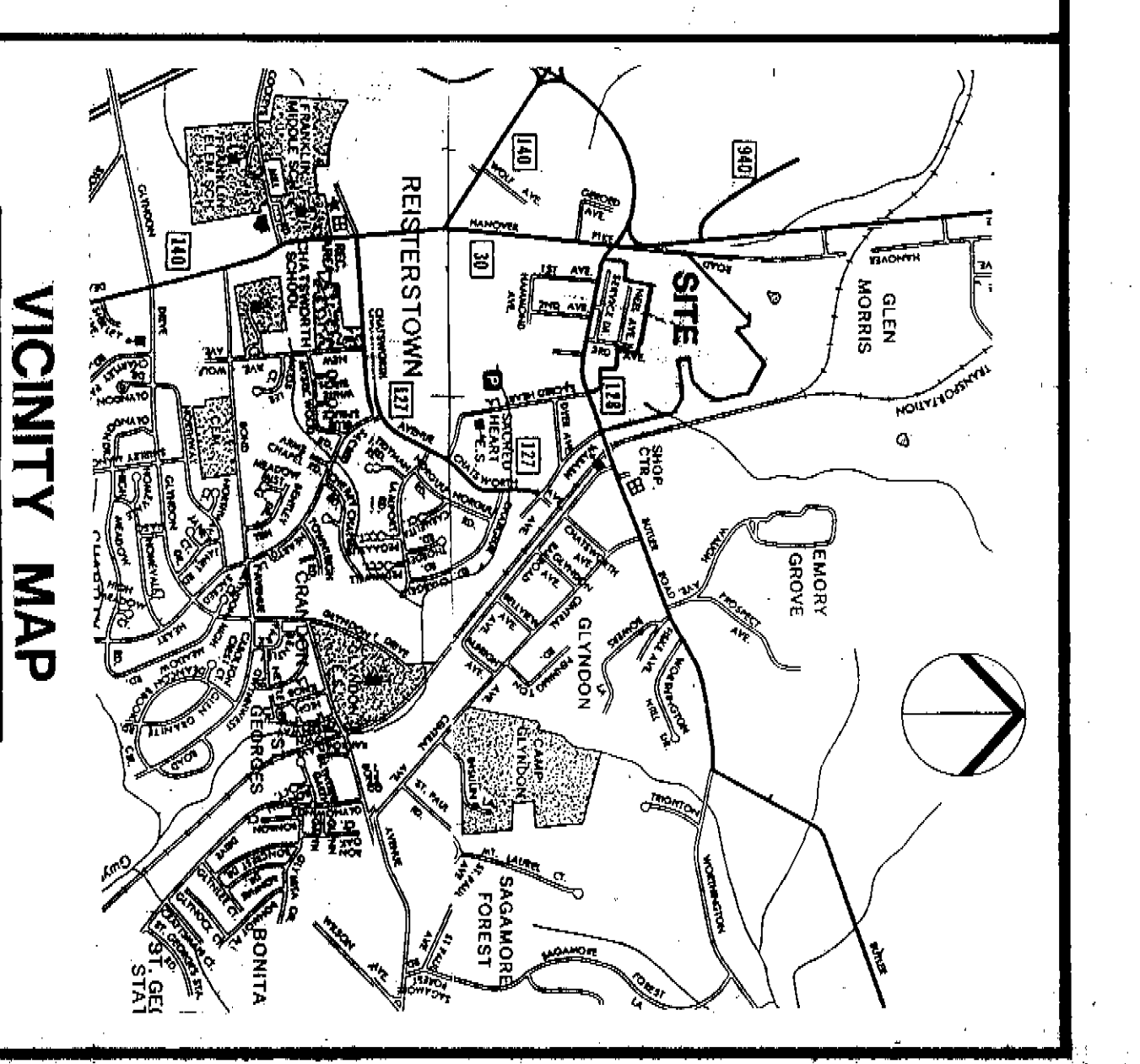


FOREST CONSERVATION NOTE:

SEE SHEET 3 OF 4, ENTITLED "PRELIMINARY FOREST CONSERVATION PLAN", FOR PROTECTION NOTES, ACCESS EASEMENTS & DETAILS FOR FOREST CONSERVATION.

Standard Maintenance Note:

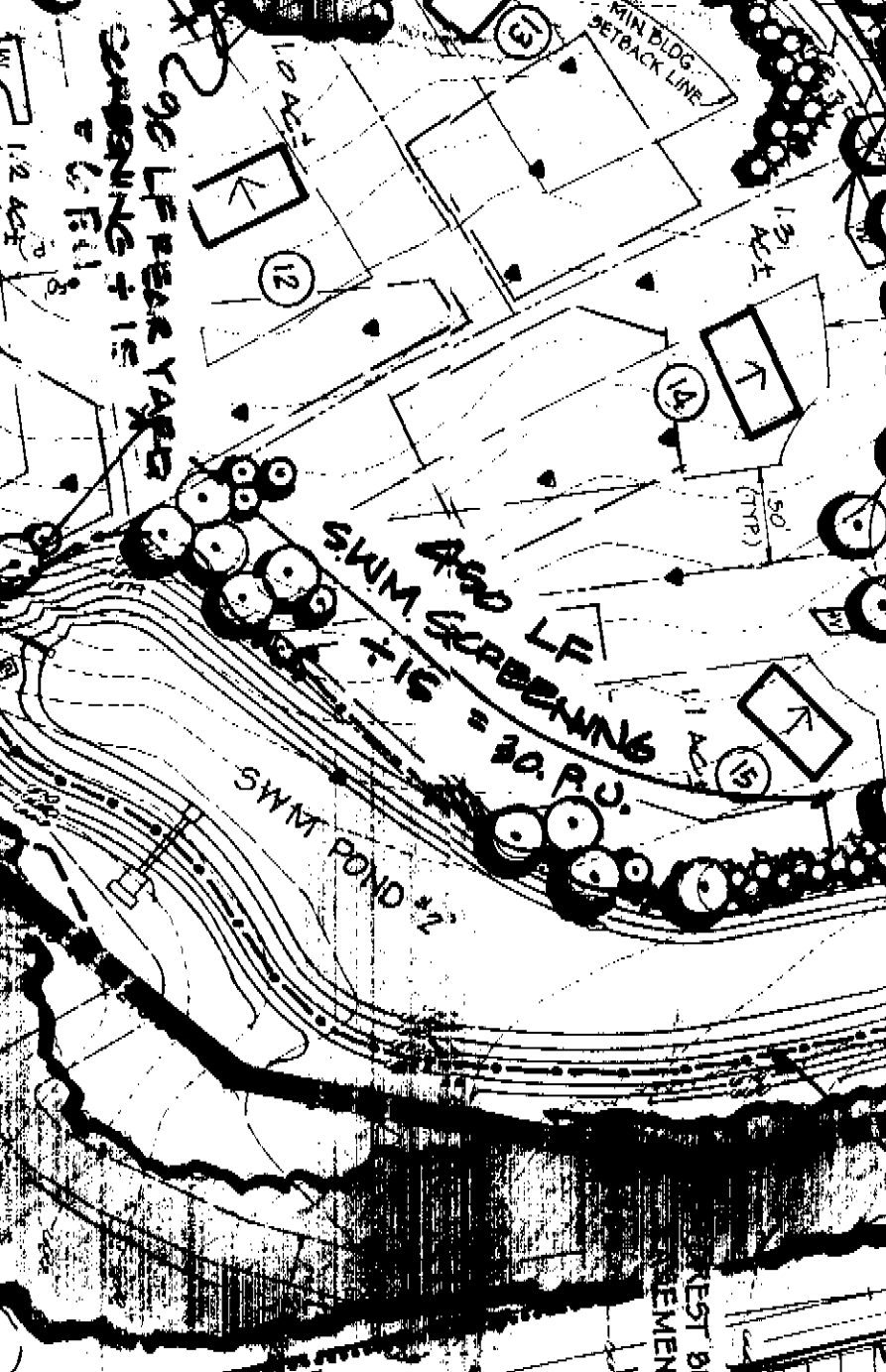
There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement except as permitted by the Management, Planning Department of Environmental Protection and Resource Protective Commission. Note: Any Forest Buffer Easement shown herein is subject to protective easements which may be found in the Land Records of Baltimore County and which restrict its disturbance and use of these areas.



PLANT KEY:

LANDSCAPE PLANTING

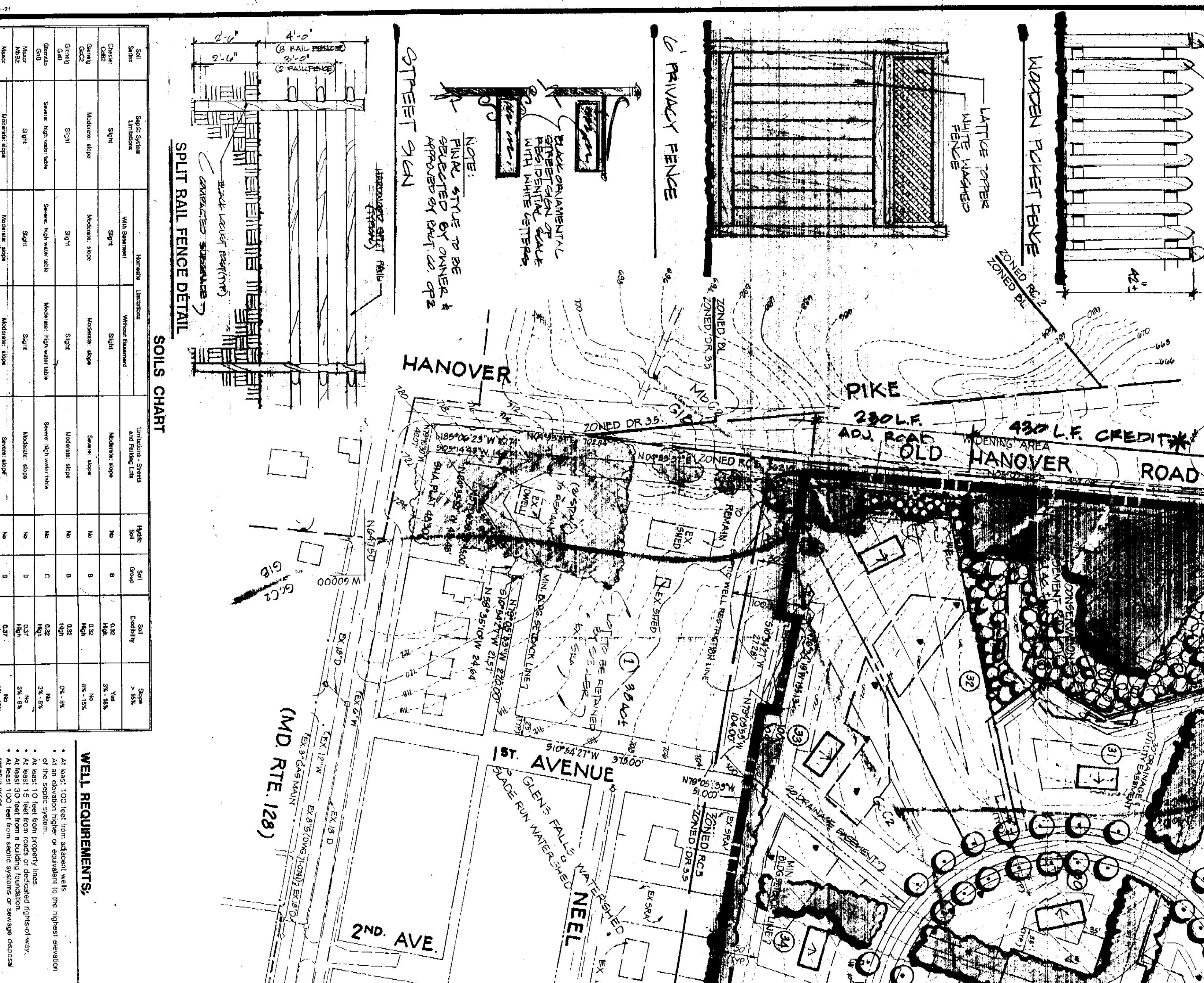
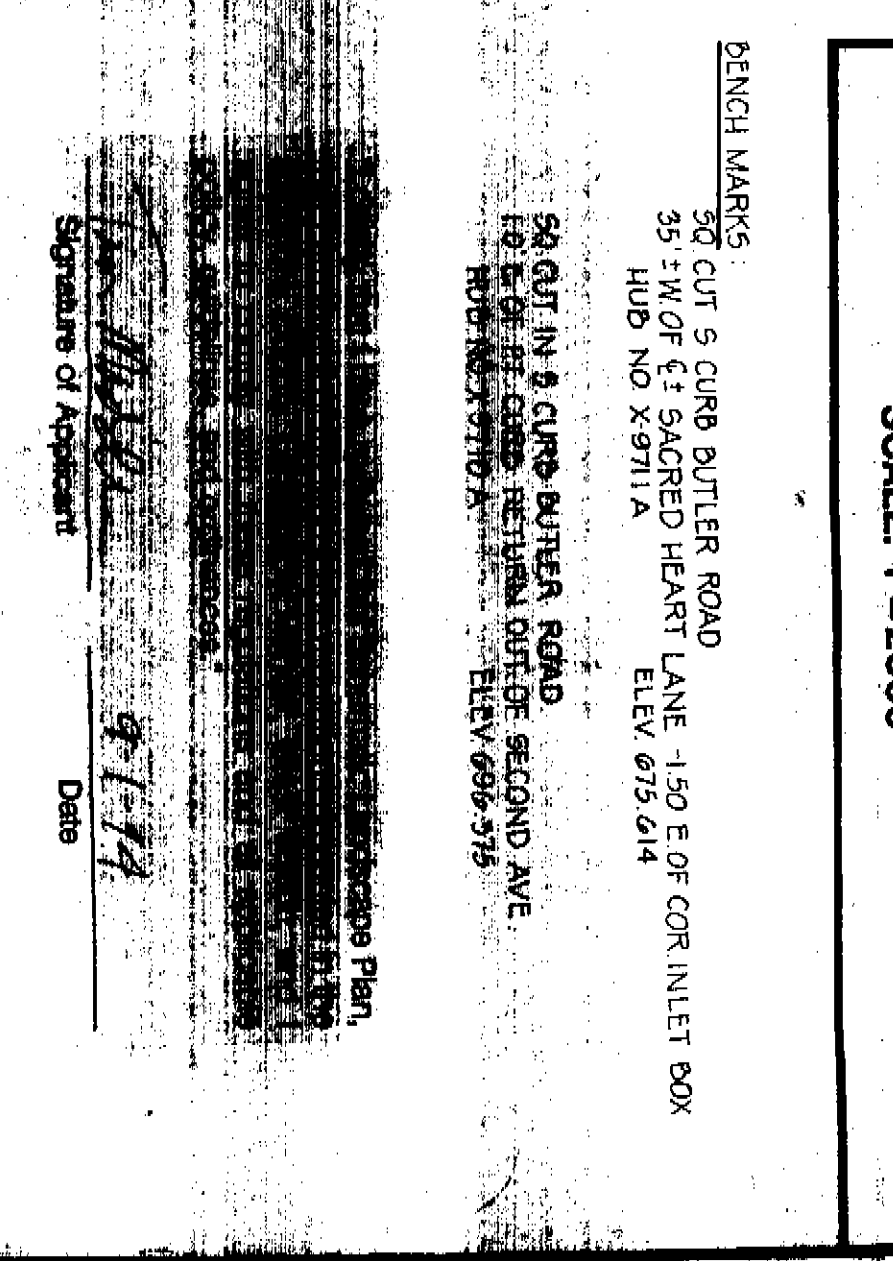
PLANTING NOTES



LEGEND:

LANDSCAPE PLANTING

PLANTING NOTES



NOTES:

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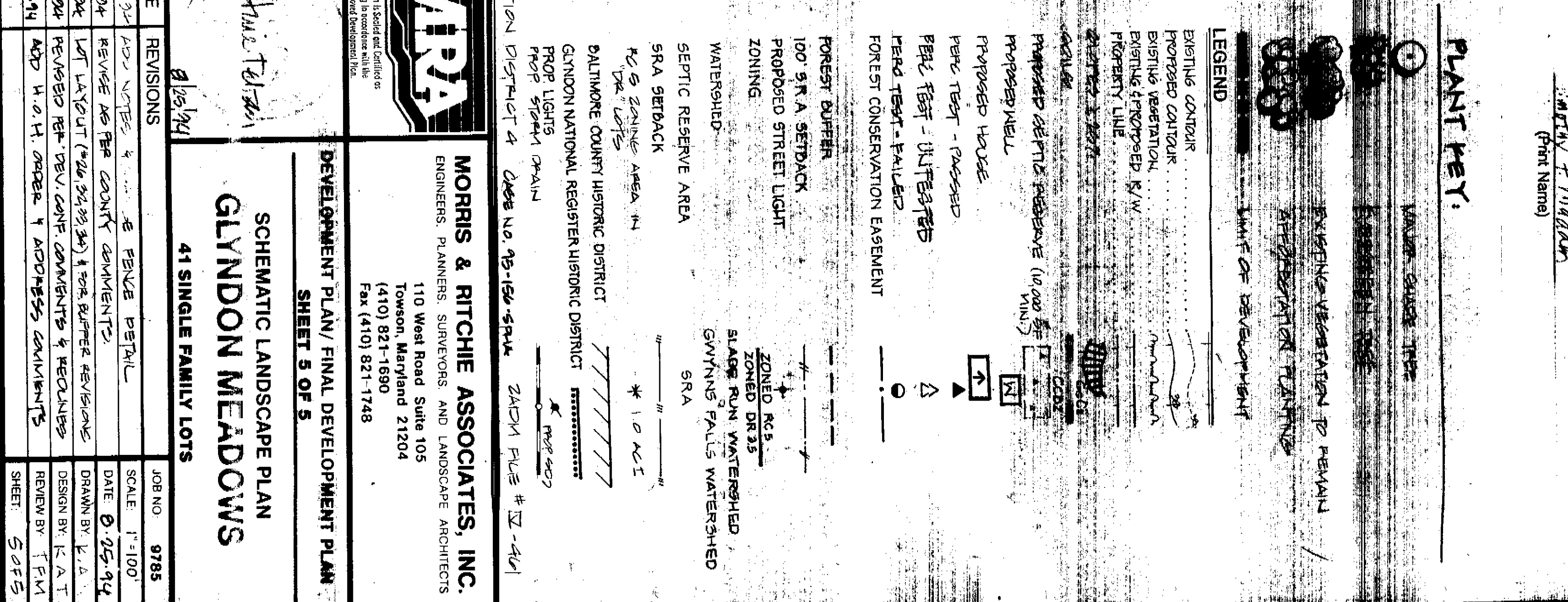


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Soil	Depth	Texture	Color	Moisture	Structure	Rooting	Drainage	Notes
Topsoil	0-6"	Loam	Dark Brown	Moist	Granular	Good	Good	Rich in organic matter
Subsoil	6-12"	Sandy Loam	Light Brown	Dry	Blocky	Fair	Fair	Less organic matter
Bedrock	12-18"	Sandstone	Light Tan	Dry	Blocky	Poor	Poor	Hard, no roots

Well	Depth	Flow	Yield	Notes
Well 1	10'	1.5 gpm	1.5 gpm	For irrigation
Well 2	15'	2.0 gpm	2.0 gpm	For irrigation

Area	Size	Notes
Septic Reserve Area 1	10' x 10'	For septic tank
Septic Reserve Area 2	10' x 10'	For septic tank

DATE	REVISIONS	BY	DATE	REVISIONS	BY
01/10/01	Initial Design	JM	01/10/01	Initial Design	JM
01/10/01	Final Design	JM	01/10/01	Final Design	JM

MDA

110 West Road Suite 105
Towson, Maryland 21204
(410) 821-1600
Fax (410) 821-1748

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

41 SINGLE FAMILY LOTS

SCHEMATIC LANDSCAPE PLAN

GLYNDON MEADOWS

SHEET 3 OF 5

NO.	DATE	REVISIONS
1	10/1/84	1.00
2	10/1/84	1.01
3	10/1/84	1.02
4	10/1/84	1.03
5	10/1/84	1.04
6	10/1/84	1.05
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356		

101	CONCRETE (C20) 100mm	m ³	1.00	100.00	100.00	2023/01/01
102	CONCRETE (C20) 150mm	m ³	1.00	150.00	150.00	2023/01/01
103	CONCRETE (C20) 200mm	m ³	1.00	200.00	200.00	2023/01/01
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105	CONCRETE (C20) 300mm	m ³	1.00	300.00	300.00	2023/01/01
106	CONCRETE (C20) 350mm	m ³	1.00	350.00	350.00	2023/01/01
107	CONCRETE (C20) 400mm	m ³	1.00	400.00	400.00	2023/01/01
108	CONCRETE (C20) 450mm	m ³	1.00	450.00	450.00	2023/01/01
109	CONCRETE (C20) 500mm	m ³	1.00	500.00	500.00	2023/01/01
110	CONCRETE (C20) 550mm	m ³	1.00	550.00	550.00	2023/01/01
111	CONCRETE (C20) 600mm	m ³	1.00	600.00	600.00	2023/01/01
112	CONCRETE (C20) 650mm	m ³	1.00	650.00	650.00	2023/01/01
113	CONCRETE (C20) 700mm	m ³	1.00	700.00	700.00	2023/01/01
114	CONCRETE (C20) 750mm	m ³	1.00	750.00	750.00	2023/01/01
115	CONCRETE (C20) 800mm	m ³	1.00	800.00	800.00	2023/01/01
116	CONCRETE (C20) 850mm	m ³	1.00	850.00	850.00	2023/01/01
117	CONCRETE (C20) 900mm	m ³	1.00	900.00	900.00	2023/01/01
118	CONCRETE (C20) 950mm	m ³	1.00	950.00	950.00	2023/01/01
119	CONCRETE (C20) 1000mm	m ³	1.00	1000.00	1000.00	2023/01/01
120	CONCRETE (C20) 1050mm	m ³	1.00	1050.00	1050.00	2023/01/01
121	CONCRETE (C20) 1100mm	m ³	1.00	1100.00	1100.00	2023/01/01
122	CONCRETE (C20) 1150mm	m ³	1.00	1150.00	1150.00	2023/01/01
123	CONCRETE (C20) 1200mm	m ³	1.00	1200.00	1200.00	2023/01/01
124	CONCRETE (C20) 1250mm	m ³	1.00	1250.00	1250.00	2023/01/01
125	CONCRETE (C20) 1300mm	m ³	1.00	1300.00	1300.00	2023/01/01
126	CONCRETE (C20) 1350mm	m ³	1.00	1350.00	1350.00	2023/01/01
127	CONCRETE (C20) 1400mm	m ³	1.00	1400.00	1400.00	2023/01/01
128	CONCRETE (C20) 1450mm	m ³	1.00	1450.00	1450.00	2023/01/01
129	CONCRETE (C20) 1500mm	m ³	1.00	1500.00	1500.00	2023/01/01
130	CONCRETE (C20) 1550mm	m ³	1.00	1550.00	1550.00	2023/01/01
131	CONCRETE (C20) 1600mm	m ³	1.00	1600.00	1600.00	2023/01/01
132	CONCRETE (C20) 1650mm	m ³	1.00	1650.00	1650.00	2023/01/01
133	CONCRETE (C20) 1700mm	m ³	1.00	1700.00	1700.00	2023/01/01
134	CONCRETE (C20) 1750mm	m ³	1.00	1750.00	1750.00	2023/01/01
135	CONCRETE (C20) 1800mm	m ³	1.00	1800.00	1800.00	2023/01/01
136	CONCRETE (C20) 1850mm	m ³	1.00	1850.00	1850.00	2023/01/01
137	CONCRETE (C20) 1900mm	m ³	1.00	1900.00	1900.00	2023/01/01
138	CONCRETE (C20) 1950mm	m ³	1.00	1950.00	1950.00	2023/01/01
139	CONCRETE (C20) 2000mm	m ³	1.00	2000.00	2000.00	2023/01/01
140	CONCRETE (C20) 2050mm	m ³	1.00	2050.00	2050.00	2023/01/01
141	CONCRETE (C20) 2100mm	m ³	1.00	2100.00	2100.00	2023/01/01
142	CONCRETE (C20) 2150mm	m ³	1.00	2150.00	2150.00	2023/01/01
143	CONCRETE (C20) 2200mm	m ³	1.00	2200.00	2200.00	2023/01/01
144	CONCRETE (C20) 2250mm	m ³	1.00	2250.00	2250.00	2023/01/01
145	CONCRETE (C20) 2300mm	m ³	1.00	2300.00	2300.00	2023/01/01
146	CONCRETE (C20) 2350mm	m ³	1.00	2350.00	2350.00	2023/01/01
147	CONCRETE (C20) 2400mm	m ³	1.00	2400.00	2400.00	2023/01/01
148	CONCRETE (C20) 2450mm	m ³	1.00	2450.00	2450.00	2023/01/01
149	CONCRETE (C20) 2500mm	m ³	1.00	2500.00	2500.00	2023/01/01
150	CONCRETE (C20) 2550mm	m ³	1.00	2550.00	2550.00	2023/01/01
151	CONCRETE (C20) 2600mm	m ³	1.00	2600.00	2600.00	2023/01/01
152	CONCRETE (C20) 2650mm	m ³	1.00	2650.00	2650.00	2023/01/01
153	CONCRETE (C20) 2700mm	m ³	1.00	2700.00	2700.00	2023/01/01
154	CONCRETE (C20) 2750mm	m ³	1.00	2750.00	2750.00	2023/01/01
155	CONCRETE (C20) 2800mm	m ³	1.00	2800.00	2800.00	2023/01/01
156	CONCRETE (C20) 2850mm	m ³	1.00	2850.00	2850.00	2023/01/01
157	CONCRETE (C20) 2900mm	m ³	1.00	2900.00	2900.00	2023/01/01
158	CONCRETE (C20) 2950mm	m ³	1.00	2950.00	2950.00	2023/01/01
159	CONCRETE (C20) 3000mm	m ³	1.00	3000.00	3000.00	2023/01/01
160	CONCRETE (C20) 3050mm	m ³	1.00	3050.00	3050.00	2023/01/01
161	CONCRETE (C20) 3100mm	m ³	1.00	3100.00	3100.00	2023/01/01
162	CONCRETE (C20) 3150mm	m ³	1.00	3150.00	3150.00	2023/01/01
163	CONCRETE (C20) 3200mm	m ³	1.00	3200.00	3200.00	2023/01/01
164	CONCRETE (C20) 3250mm	m ³	1.00	3250.00	3250.00	2023/01/01
165	CONCRETE (C20) 3300mm	m ³	1.00	3300.00	3300.00	2023/01/01
166	CONCRETE (C20) 3350mm	m ³	1.00	3350.00	3350.00	2023/01/01
167	CONCRETE (C20) 3400mm	m ³	1.00	3400.00	3400.00	2023/01/01
168	CONCRETE (C20) 3450mm	m ³	1.00	3450.00	3450.00	2023/01/01
169	CONCRETE (C20) 3500mm	m ³	1.00	3500.00	3500.00	2023/01/01
170	CONCRETE (C20) 3550mm	m ³	1.00	3550.00	3550.00	2023/01/01
171	CONCRETE (C20) 3600mm	m ³	1.00	3600.00	3600.00	2023/01/01
172	CONCRETE (C20) 3650mm	m ³	1.00	3650.00	3650.00	2023/01/01
173	CONCRETE (C20) 3700mm	m ³	1.00	3700.00	3700.00	2023/01/01
174	CONCRETE (C20) 3750mm	m ³	1.00	3750.00	3750.00	2023/01/01
175	CONCRETE (C20) 3800mm	m ³	1.00	3800.00	3800.00	2023/01/01
176	CONCRETE (C20) 3850mm	m ³	1.00	3850.00	3850.00	2023/01/01
177	CONCRETE (C20) 3900mm	m ³	1.00	3900.00	3900.00	2023/01/01
178	CONCRETE (C20) 3950mm	m ³	1.00	3950.00	3950.00	2023/01/01
179	CONCRETE (C20) 4000mm	m ³	1.00	4000.00	4000.00	2023/01/01
180	CONCRETE (C20) 4050mm	m ³	1.00	4050.00	4050.00	2023/01/01
181	CONCRETE (C20) 4100mm	m ³	1.00	4100.00	4100.00	2023/01/01
182	CONCRETE (C20) 4150mm	m ³	1.00	4150.00	4150.00	2023/01/01
183	CONCRETE (C20) 4200mm	m ³	1.00	4200.00	4200.00	2023/01/01
184	CONCRETE (C20) 4250mm	m ³	1.00	4250.00	4250.00	2023/01/01
185	CONCRETE (C20) 4300mm	m ³	1.00	4300.00	4300.00	2023/01/01
186	CONCRETE (C20) 4350mm	m ³	1.00	4350.00	4350.00	2023/01/01
187	CONCRETE (C20) 4400mm	m ³	1.00	4400.00	4400.00	2023/01/01
188	CONCRETE (C20) 4450mm	m ³	1.00	4450.00	4450.00	2023/01/01
189	CONCRETE (C20) 4500mm	m ³	1.00	4500.00	4500.00	2023/01/01
190	CONCRETE (C20) 4550mm	m ³	1.00	4550.00	4550.00	2023/01/01
191	CONCRETE (C20) 4600mm	m ³	1.00	4600.00	4600.00	2023/01/01
192	CONCRETE (C20) 4650mm	m ³	1.00	4650.00	4650.00	2023/01/01
193	CONCRETE (C20) 4700mm	m ³	1.00	4700.00	4700.00	2023/01/01
194	CONCRETE (C20) 4750mm	m ³	1.00	4750.00	4750.00	2023/01/01
195	CONCRETE (C20) 4800mm	m ³	1.00	4800.00	4800.00	2023/01/01
196	CONCRETE (C20) 4850mm	m ³	1.00	4850.00	4850.00	2023/01/01
197	CONCRETE (C20) 4900mm	m ³	1.00	4900.00	4900.00	2023/01/01
198	CONCRETE (C20) 4950mm	m ³	1.00	4950.00	4950.00	2023/01/01
199	CONCRETE (C20) 5000mm	m ³	1.00	5000.00	5000.00	2023/01/01
200	CONCRETE (C20) 5050mm	m ³	1.00	5050.00	5050.00	2023/01/01
201	CONCRETE (C20) 5100mm	m ³	1.00	5100.00	5100.00	2023/01/01
202	CONCRETE (C20) 5150mm	m ³	1.00	5150.00	5150.00	2023/01/01
203	CONCRETE (C20) 5200mm	m ³	1.00	5200.00	5200.00	2023/01/01
204	CONCRETE (C20) 5250mm	m ³	1.00	5250.00	5250.00	2023/01/01
205	CONCRETE (C20) 5300mm	m ³	1.00	5300.00	5300.00	2023/01/01
206	CONCRETE (C20) 5350mm	m ³	1.00	5350.00	5350.00	2023/01/01
207	CONCRETE (C20) 5400mm	m ³	1.00	5400.00	5400.00	2023/01/01
208	CONCRETE (C20) 5450mm	m ³	1.00	5450.00	5450.00	2023/01/01
209	CONCRETE (C20) 5500mm	m ³	1.00	5500.00	5500.00	2023/01/01
210	CONCRETE (C20) 5550mm	m ³	1.00	5550.00	5550.00	2023/01/01
211	CONCRETE (C20) 5600mm	m ³	1.00	5600.00	5600.00	2023/01/01
212	CONCRETE (C20) 5650mm	m ³	1.00	5650.00	5650.00	2023/01/01
213	CONCRETE (C20) 5700mm	m ³	1.00	5700.00	5700.00	2023/01/01
214	CONCRETE (C20) 5750mm	m ³	1.00	5750.00	5750.00	2023/01/01
215	CONCRETE (C20) 5800mm	m ³	1.00	5800.00	5800.00	2023/01/01
216	CONCRETE (C20) 5850mm	m ³	1.00	5850.00	5850.00	2023/01/01
217	CONCRETE (C20) 5900mm	m ³	1.00	5900.00	5900.00	2023/01/01
218	CONCRETE (C20) 5950mm	m ³	1.00	5950.00	5950.00	2023/01/01
219	CONCRETE (C20) 6000mm	m ³	1.00	6000.00	6000.00	2023/01/01
220	CONCRETE (C20) 6050mm	m ³	1.00	6050.00	6050.00	2023/01/01
221	CONCRETE (C20) 6100mm	m ³	1.00	6100.00	6100.00	2023/01/01
222	CONCRETE (C20) 6150mm	m ³	1.00	6150.00	6150.00	2023/01/01
223	CONCRETE (C20) 6200mm	m ³	1.00	6200.00	6200.00	2023/01/01
224	CONCRETE (C20) 6250mm	m ³	1.00	6250.00	6250.00	2023/01/01
225	CONCRETE (C20) 6300mm	m ³	1.00	6300.00	6300.00	2023/01/01
226	CONCRETE (C20) 6350mm	m ³	1.00	6350.00	6350.00	2023/01/01
227	CONCRETE (C20) 6400mm	m ³	1.00	6400.00	6400.00	2023/01/01
228	CONCRETE (C20) 6450mm	m ³	1.00	6450.00	6450.00	2023/01/01
229	CONCRETE (C20) 6500mm	m ³	1.00	6500.00	6500.00	2023/01/01
230	CONCRETE (C20) 6550mm	m ³	1.00	6550.00	6550.00	2023/01/01
231	CONCRETE (C20) 6600mm	m ³	1.00	6600.00	6600.00	2023/01/01
232	CONCRETE (C20) 6650mm	m ³	1.00	6650.00	6650.00	2023/01/01
233	CONCRETE (C20) 6700mm	m ³	1.00	6700.00	6700.00	2023/01/01
234	CONCRETE (C20) 6750mm	m ³	1.00	6750.00	6750.00	2023/01/01
235	CONCRETE (C20) 6800mm	m ³	1.00	6800.00	6800.00	2023/01/01
236	CONCRETE (C20) 6850mm	m ³	1.00	6850.00	6850.00	2023/01/01
237	CONCRETE (C20) 6900mm	m ³	1.00	6900.00	6900.00	2023/01/01
238	CONCRETE (C20) 6950mm	m ³	1.00	6950.00	6950.00	2023/01/01
239	CONCRETE (					

