#### December 11, 2020

Jeffrey Perlow, Acting Supervisor
Office of Zoning Review
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building
111 W. Chesapeake Avenue, Room 124
Towson, Maryland 21204

Re:

Zoning Case No. 2018-0077-X

2316 Ridge Road

Dear Mr. Perlow:

We are the owners of property located at 2316 Ridge Road in Baltimore County. In September of 2017, Forefront Power, LLC, contract lessee, filed (with our consent) a Petition for Special Exception for a solar facility on our property. That case was postponed at the request of Forefront Power, and it did not proceed to decision by the Administrative Law Judge.

Forefront Power terminated its Ground Lease on the property in 2019. Please consider this letter as an official request to withdraw the pending petition. We have entered into a lease with another solar company, and a new Petition for Special Exception will be filed shortly.

If you have any questions about this request, please feel free to contact any one of us.

Joan Sauter Stephens 4550 Chaucer Way

4550 Chaucer Way Owings Mills, Maryland 21117

Phone: 443-676-0694

Email: Joanmariestephens 1@gmail.com

Carroll W. Sauter 2316 Ridge Road

Baltimore, Maryland 21244

Phone: 443-746-0929

Email: cwsauter@yahoo.com

Dawn Sauter Marzsal

8600 Sweet Autumn Drive Windsor Mill, Maryland 21244

Phone: 410-298-9792

Email: dmarszal@comcast.net

#### **Sherry Nuffer**

From:

John E. Beverungen

Sent:

Monday, December 04, 2017 11:19 AM

To:

Lawrence Schmidt

Cc:

Debra Wiley; Sherry Nuffer; Kristen L Lewis; Jeff Mayhew; Cathy

Subject:

Case No. 2018-0077-X Solar facility--Ridge Rd.

Mr. Schmidt,

I am in receipt of you request for postponement of the hearing in the above case, currently scheduled for 1:30 this afternoon, December 4, 2017. You indicated the property is zoned RC 6, which will require your client to address several environmental issues and restrictions. The request will be granted and the case will be removed from the OAH calendar.

You will need to contact Ms. Lewis in PAI when you are ready to reschedule the case. Please also notify Ms. Wolfson (copied on this e-mail) of the new hearing date when that is selected.

John Beverungen

AΠ



MICHAEL PAUL SMITH DAVID K. GILDEA LAWRENCE E. SCHMIDT MICHAEL G. DEHAVEN JASON T. VETTORI MICHAEL H. BOWMAN CHRISTOPHER W. COREY MARIELA C. D'ALESSIO\* MELISSA L. ENGLISH WILLIAM L. RODOWSKY SARAH A. ZADROZNY

November 29, 2017

RECEIVED

NOV 29 2017

OFFICE OF

ADMINISTRATIVE HEARINGS

of counsel: EUGENE A. ARBAUGH, JR.

DAVID T. LAMPTON MARY G. LOKER

\*Admitted in MD, FL, PA

Sent Via Hand Delivery

John E. Beverungen, Esquire Office of Administrative Hearings Administrative Law Judge 105 W. Chesapeake Avenue, Suite 103 Towson, MD 21204

Re: Petition for Special Exception

2316 Ridge Road

2<sup>nd</sup> Election District, 4<sup>th</sup> Councilmanic District

Case No. 2018-0077-X

Dear Mr. Beverungen,

My office has recently been retained to represent the owner and lessee in connection with the above referenced matter and I am enclosing herewith an Entry of Appearance evidencing the same.

I understand that this matter has been scheduled for a hearing on Monday, December 4 2017 beginning at 1:30 p.m. The subject property is zoned R.C. 6, a zoning classification which generates significant environmentally related restrictions. These include, for example, the establishment of conservancy areas designed to protect environmentally sensitive areas of the property. The property is still being evaluated to identify and protect these areas.

I have been working with several County agencies to address comments noted in the issued Zoning Advisory Committee comments and we continue to work through and come to an agreement relating to some of the issues raised. As such I would appreciate this matter being postponed to a later date at the convenience of your calendar.

Thank you for your courtesy. I look forward to hearing from you.

Very truly yours,

Lawrence E. Schmidt

Enclosure

LES/amf

cc: Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County

Kristen Lewis, PAI

RE:	Petition for Special Exception		*	BEFORE TH
	2316 Ridge Road			
	SW/s Ridge Road,		*	OF ADMINI
	233 ft. NW of Clubhouse Rd.			
	2 <sup>nd</sup> Election District		*	HEARINGS
	4th Councilmanic District			
	Legal Owners: Carroll Sauter	,	*	BALTIMORI
	Joan Stephens, Dawn Marszal			
	Contract Purchaser/Lessee:		*	Case No. 201
	Forefront Power, LLC			
*	* * * * *	4	4	4 4

#### HE OFFICE

- ISTRATIVE
- FOR
- E COUNTY
- 18-0077-X

#### **ENTRY OF APPEARANCE**

Please enter the appearance of Smith, Gildea & Schmidt LLC on behalf of the Legal Owner, Carroll Sauter, Joan Stephens, Dawn Marszal, and Contract Purchaser/Lessee, Forefront Power, LLC, in the above captioned case.

RECEIVED ADMINISTRA

Respectfully submitted,

Lawrence E. Schmidt Smith, Gildea & Schmidt, LLC 600 Washington Ave., Suite 200

Towson, MD 21204 410-821-0070

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of November, 2017 a copy of the foregoing document was mailed via first class mail, postage prepaid to:

Peter Max Zimmerman, Esquire Carole S. Demilio, Esquire Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204

Lawrence E. Schmidt

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 14, 2017 Issue - Jeffersonian

Please forward billing to:

Jonathan Jordan 717 Constitution Drive, Ste. 201 Exton, PA 19341

610-458-4400

#### NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0077-X

2316 Ridge Road

SW/s Ridge Road, 233 ft. NW of Clubhouse Road

2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District

Legal Owners: Carroll Sauter, Joan Stephens, Dawn Marszal

Contract Purchaser/Lessee: Forefront Power, LLC

Special Exception for partial development of a 1,980 kw A/C ground mounted solar facility. In accordance with 4E-102 of County Bill 37-17.

Hearing: Monday, December 4, 2017 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnoid Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

## CERTIFICATE OF POSTING

**ATTENTION: KRISTEN LEWIS** 

DATE: 11/14/2017

Case Number: 2018-0077-X

Petitioner / Developer: <u>JOHNATHAN JORDAN ~</u> BRIAN MALISZEWSKI ~ SAUTER, STEPHENS, MARSZAL

Date of Hearing (Closing): DECEMBER 4, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 2316 RIDGE ROAD

The sign(s) were posted on: NOVEMBER 13, 2017



Signature of Sign Poster)

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)



KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

October 20, 2017

#### NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2018-0077-X

2316 Ridge Road

SW/s Ridge Road, 233 ft. NW of Clubhouse Road 2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District

Legal Owners: Carroll Sauter, Joan Stephens, Dawn Marszal

Contract Purchaser/Lessee: Forefront Power, LLC

Special Exception for partial development of a 1,980 kw A/C ground mounted solar facility. In accordance with 4E-102 of County Bill 37-17.

Hearing: Monday, December 4, 2017 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

AJ:kl

C: Jonathan Jordan, 717 Constitution Drive, Ste. 201, Exton PA 19341 Brian Maliszewski, 100 Montgomery Street, Ste. 1400, San Francisco CA 94101 Sauter, Stephens, Marszal, 2316 Ridge Road, Windsor Mill 21244

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 14, 2017,

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL EXCEPTION \* 2316 Ridge Road; SW/S of Ridge Road 2<sup>nd</sup> Election & 4<sup>th</sup> Councilmanic Districts \* Legal Owner(s): Carroll Sauter, Joan Stephens & Dawn Marszi \* Contract Purchaser(s): Forefront Power, LLC

OF ADMINSTRATIVE

BEFORE THE OFFICE

HEARINGS FOR

**BALTIMORE COUNTY** 

2018-077-X

\* \* \* \* \* \* \* \* \* \* \*

Petitioner(s)

#### **ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zummerman

RECEIVED

SEP 21 2017

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Cook S Demlio

CAROLE S. DEMILIO Deputy People's Counsel Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204 (410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21<sup>st</sup> day of September, 2017, a copy of the foregoing Entry of Appearance was mailed to Jonathan A. Jordan, Esquire, 717 Constitution Drive, Suite 201, Exton PA 19341, Attorney for Petitioner(s).

Peter Max Zummerman.

PETER MAX ZIMMERMAN People's Counsel for Baltimore County



# PETITION FOR ZONING HEARING(S) To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Law of Baltimore County for the property located at: Address 2316 Ridge Rd. Windsor Will My 21249 which is presently zoned RCC

Deed References: But 34158 pg 00104 Property Owner(s) Printed Name(s) Carroll	10 Digit Tax Account # 02 19 000 2 40 Sauter, Joan Stephens, Down Mars 2al
(SELECT THE HEARING(S) BY MARKING $oldsymbol{X}$ AT THE APPROPRIA	ATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The undersigned legal owner(s) of the property situate in B and plan attached hereto and made	
or not the Zoning Commissioner should approve	Regulations of Baltimore County, to determine whether
2. X a Special Exception under the Zoning Regulations of a 1,980 km  In accordance with 4E-103  3 a Variance from Section(s)	All ground mounted Solor facility.  L of County Bill 37-17
(Indicate below your hardship or practical difficulty or	slow facility in accordance with out of the State of Mory lands CSEGS program ons.  and further agree to and are to be bounded by the zoning regulations  Baltimore County.
Contract Purchaser/Lessee: Ferefront Power LLC	Legal Owners (Petitioners):
Review Maliszewski'  Name Type or Print  Signature S. te 1400  would gamery Street San Francisco CA  Mailing Address City State	CARROLL SAUTER JOAN STEPHENS DAWN MARSZAI  Name #1 - Type or Print Name #3  Limit Limiter Joan Stephens Name #3  Signature #1  Signature #2  Signature #2  Signature #3  Mailing Address  City State
14104 , 415.800.1582	21244, 410-298-5012 SAUTER CARROLL @ YAHOO
Zip Code Telephone # Bruch Seurs Con Attorney for Petitioner: Fire Front Power Con	Zip Code Telephone # Email Address
Jonathan A Jordan, Esq	Representative to be contacted:  Jonathan A. Jordan, Esa
Name- Type or Print	Name Type or Print
Signature 717 Constitution Or Suite 201 Exton PA Mailling Address City State	717 Constitution Dr. Soute 201 Exton PA Mailing Address City State
Zip Code Telephone # Email Address RAHC. Com	Zip Code Telephone # REmail Address RAHC. Com
CASE NUMBER 2018 - 0077 -x Filing Date 91111201	Do Not Schedule Dates: Reviewer we perff
1.	Person off No Payra PREV. 10/4/11

#### LEGAL DESCRIPTION OF 2306 RIDGE ROAD BALTIMORE MD 21244 TAX ACCT. NO. 02-0219000240

Being all of that tract or parcel of land lying and being located in the Second Tax District of Baltimore County, Maryland and being more particularly described as follows:

Beginning for the same at a point located in the centerline of Ridge Road, a public right of way; said point being located in the North 45°03′57" East 2314.00 foot boundary line of the property described in a conveyance from Dawn Sauter Marszal, personal representative of the Estate of Janet L. Sauter to Dawn Sauter Marszal by a deed dated November 3, 2011 and recorded among the Land Records of Baltimore County, Maryland in Deed Book 31452, at Page 104; said place of beginning being located 2237.77 feet from the beginning of said boundary line; thence leaving said place of beginning and running with the centerline of said Ridge Road, the following courses and distances, with bearings referred to Maryland Grid North NAD83/2011,

- 1. South 36°19'05" East, 177.59 feet to a point; thence
- 2. South 35°49'49" East, 216.78 feet to a point; thence
- 3. South 33°22'48" East, 105.99 feet to a point; thence
- 4. South 29°00'34" East, 157.61 feet to a point; thence
- 5. South 30°50'57" East, 175.25 feet to a point; thence
- 6. South 30°26'22" East, 281.83 feet to a point; thence leaving said centerline and running with the bounds of Lot 3 as shown on a plat entitled, Lot 3, Carroll W. Sauter Property, and recorded among the Plat Records of Baltimore County, Maryland in Plat Book 77, Page 76, the following courses and distances,
- 7. South 67°46'31" West, 344.36 feet to an iron pipe found; thence
- 8. North 39°28'14" West, 265.15 feet to an iron pipe found; thence
- 9. South 64°18'54" West, 327.96 feet to a point; thence
- 10. South 39°28'14" East, 320.58 feet to an iron pipe found; thence
- 11. North 64°18'54" East, 264.72 feet to a point; thence running with the western and southern boundary line of Lot 1 and Parcel A as shown on a plat entitled, Carroll W. Sauter Property, and recorded among the Plat Records of Baltimore County, Maryland in Plat Book 54, Page 28,
- 12. South 36°59'38" East, 477.48 feet to an iron bar found; thence
- 13. South 36°20'00" East, 190.34 feet to an iron bar found; thence
- 14. North 53°19'59" East, 373.43 feet to a point located in the aforesaid centerline of Ridge Road, thence running with said centerline,
- 15. South 03°45'27" West, 25.30 feet to a point; thence
- 16. South 01°00'04" West, 1146.60 feet to a point; thence leaving said centerline and running with the southern and western boundary line of the aforesaid conveyance to Dawn Sauter Marszal, the following courses and distances,
- 17. South 63°27'13" West, 1011.53 feet to a point; thence
- 18. North 50°10'26" West, 2007.83 feet to an iron pipe found; thence
- 19. North 50°02'14" East, 88.00 feet to an iron pipe found; thence
- 20. North 42°57'46" West, 198.00 feet to a stone found; thence
- 21. North 44°49'31" East, 2237.77 feet to the place of beginning.

Containing 4,170,440 square feet or 95.7401 acres of land, more or less.

7018-0077-X Drop off No Review Being part of the property described in a conveyance from Dawn Sauter Marszal, personal representative of the Estate of Janet L. Sauter to Dawn Sauter Marszal by a deed dated November 3, 2011 and recorded among the Land Records of Baltimore County, Maryland in Deed Book 31452, at Page 104. This description is based on title records and limited field work. A complete boundary survey has not been performed.



#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Case Number: 2018 - 00 77 - x	
Property Address: 23/6 Ridge Road 21244	_
Property Description:	_
	_
Legal Owners (Petitioners): CAROLL SOLICE, JOHN Stevens & DAWN MARSZAL	
Contract Purchaser/Lessee: Forefront Power LLC	
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Jonathan A. Jordan Esq	
Company/Firm (if applicable):	
Address: 717 Constitution Drive	
Suite 201	
Exton PA 19341	
Telephone Number: 610 - 458 - 4400	
Jonathan @ RRHC. COM	
DONATHAN CO 70/20	115

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KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 30, 2017

Carroll Sauter
Joan Stephens
Dawn Marszal
2316 Ridge Road
Windsor Mill MD 21244

RE: Case Number: 2018-0077 X, Address: 2316 Ridge Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 11, 2017. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

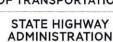
W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Forefront Power LLC, Brian Maliszewski, 100 Montgomery Street, Suite 1400
San Fransisco CA 94104
Jonathan A Jordan, Esquire, 717 Constitution Drive, Suite 201, Exton PA 19341





Larry Hogan Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater Administrator

Date: 9/21/17

Ms. Kristen Lewis Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory

Committee approval of Case No. 2018 -0077-X

Special Exception
Delores white

9:55 0 1d Court Road-

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

### BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

DATE: 11/27/2017

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 18-077

RECEIVED

NOV 29 2017

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

**Property Address:** 

2316 Ridge Road

Petitioner:

Carroll Sauter, Joan Stephens, Dawn Marszal

Zoning:

RC 6

Requested Action:

Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a 1,980 kW (AC) ground mounted solar facility.

A site visit was conducted on September 25, 2017. Ridge Road is a Baltimore County scenic route at this location.

The Department cannot recommend granting the petitioned zoning relief.

The subject site is zoned R.C.6. Pursuant to BCZR § 1A07.4, "The design of the tract, including the designation of conservancy areas and all development, must be in accordance with this section..." and further, "Before the approval of any concept plan, development plan, limited exemption, special exception or variance, the Director of Planning or the Directors' designee must certify in a written finding that the plan, exemption or variance is consistent with the spirit and intent of these regulations."

As of the date of these comments, this Department has not received the necessary determination from the Department of Environmental Protection and Sustainability (EPS) regarding the "Primary Conservancy Area". The Department is unable to determine the "Secondary Conservancy Area" or the "Building Area" so therefore cannot make a finding as required by regulation. The Department has confirmed with EPS that they have not as yet received from the petitioners required information necessary to fulfill their regulatory obligation. The Sector Planner listed below has apprised the petitioner of the Department of Planning requirements for review of this special exception proposal.

Date: 11/27/2017 Subject: ZAC #18-077

Page 2

For further information concerning the matters stated herein, please contact Keeve Brine at 410-887-3480.

Prepared by:

Lloyd T. Moxley

**Division Chief:** 

Kathy Schlabach

AVA/KS/LTM/ka

c: Keeve Brine
 Jonathan A. Jordan, Esquire
 Office of the Administrative Hearings
 People's Counsel for Baltimore County

**Inter-Office Correspondence** 

RECEIVED

OCT 30 2017





TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

October 27, 2017

SUBJECT:

DEPS Comment for Zoning Item

# 2018-0077-X

Address

2316 Ridge Road (Sauter Property)

Zoning Advisory Committee Meeting of October 30, 2017.

_X_	The Department of Environmental Protection and Sustainability offers the following
	comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

#### Additional Comments:

Construction and operation of this solar facility must comply with Article 4E, Sections 104, 106, and 107 of County Code, in that all onsite streams, wetlands, associated buffers, and forest shall be adequately protected. To that end:

A Forest Buffer Easement must be delineated in accordance with Section 33-3-111 and recorded along with its Declaration of Protective Covenants prior to permit issuance.

A forest stand delineation and a full forest conservation plan will be required. Any resultant planting requirement must be met prior to permit issuance. Any Forest Conservation Easement must be recorded along with its Declaration of Protective Covenants prior to permit issuance.

Reviewer:

Glenn Shaffer

Date: October 27, 2017

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**Inter-Office Correspondence** 

RECEIVED

OCT 1 2 2017

OFFICE OF ADMINISTRATIVE HEARINGS



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

October 12, 2017

SUBJECT:

DEPS Comment for Zoning Item

# 2018-0077-X

Address

2316 Ridge Road

(Sauter Property)

Zoning Advisory Committee Meeting of September 25, 2017.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

#### Additional Comments:

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A forest stand delineation and a full forest conservation plan will be required. Any resultant planting requirement must be met prior to permit issuance. Any Forest Conservation Easement must be recorded along with its Declaration of Protective Covenants prior to permit issuance.

Reviewer:

Glenn Shaffer

Date: Sept. 19, 2017

**Inter-Office Correspondence** 

RECEIVED

OFFICE OF HEARINGS



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

September 26, 2017

SUBJECT:

DEPS Comment for Zoning Item

# 2018-0078-X

Address

9155 Old Court Road (White - Rose Property)

Zoning Advisory Committee Meeting of September 25, 2017.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

#### Additional Comments:

A Forest Buffer Easement must be delineated in accordance with Section 33-3-111 and recorded along with its Declaration of Protective Covenants prior to permit issuance.

A simplified forest stand delineation and a full forest conservation plan will be required. Any resultant afforestation requirement must be met prior to permit issuance. Any Forest Conservation Easement must be recorded along with its Declaration of Protective Covenants prior to permit issuance.

Reviewer:

Glenn Shaffer

Date: <u>Sept. 19, 2017</u>

#### **Inter-Office Correspondence**



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

October 12, 2017

SUBJECT:

DEPS Comment for Zoning Item

# 2018-0077-X

Address

2316 Ridge Road (Sauter Property)

Zoning Advisory Committee Meeting of September 25, 2017.

_X_	The Department of Environmental Protection and Sustainability offers the
	following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

#### **Additional Comments:**

A Forest Buffer Easement must be delineated in accordance with Section 33-3-111 and recorded along with its Declaration of Protective Covenants prior to permit issuance.

A forest stand delineation and a full forest conservation plan will be required. Any resultant planting requirement must be met prior to permit issuance. Any Forest Conservation Easement must be recorded along with its Declaration of Protective Covenants prior to permit issuance.

Reviewer:

Glenn Shaffer

Date: Sept. 19, 2017

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 1, 2017

Department of Permits, Approvals

And Inspections

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 30, 2017

Item No. 2018-0077-X (Corrected Comment Sheet)

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

If Special Exception is granted a landscape plan is required per the requirements of the Landscape Manual, Bill No. 37-17 and the CMDP. Specific landscape comments:

- 1. Ridge Road is a Baltimore County Scenic Route,
- 2. Perimeter landscape buffers are required,
- 3. Must minimize tree and vegetation removal,
- 4. Solar panels are considered a utility and should be designed and located to harmonize with the surroundings and to create the least visual impact. (See Comment #10 below)
- 5. Additional landscape buffers (including contour strip buffers) may be required to address existing topography changes, Scenic Views, Scenic Routes, etc. depending on a number of items including the subject properties topography. The plans that were circulated and dated 7-21-17 were insufficient with respect to showing a number of the existing site conditions including existing adjacent property information i.e. topo, homes, out buildings, garages, driveways etc.
- 6. More comments may be rendered during review of the landscape plan.
- 7. Proposed perimeter fence shall be black vinyl-coated chain-link fence.
- 8. Landscape plan does not take into consideration that Ridge Road is a designated scenic road and therefore does not meet requirements.
- 9. Additional landscape and screening may be needed to address adjacent properties views when it relates to the proposed solar facility.
- 10. Consideration should be given to locate the solar facility in a less visual location on the existing property giving consideration that Ridge Road is a Baltimore County Scenic Route.
- 11. Additional site plan information is needed and may include a number of site crosssections with no exaggeration.

VKD: efc

#### INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: October 4, 2017

Department of Permits, Approvals

And Inspections

ME

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting

For September 25, 2017 Item No. 2018-0077-X

The Bureau of Development Plans Review has reviewed the subject zoning Items and we have the following comments.

If Special Exception is granted a landscape plan is required per the requirements of the Landscape Manual, Bill No. 37-17 and the CMDP. Specific landscape comments:

- 1. Ridge Road is a Baltimore County Scenic Route,
- 2. Perimeter landscape buffers are required,
- 3. Must minimize tree and vegetation removal,
- 4. Solar panels are considered a utility and should be designed and located to harmonize with the surroundings and to create the least visual impact. (See Comment #10 below),
- 5. Additional landscape buffers (including contour strip buffers) may be required to address existing topography changes, Scenic Views, Scenic Routes, etc. depending on a number of items including the subject properties topography. The plans that were circulated and dated 7-21-17 were insufficient with respect to showing a number of the existing site conditions including existing adjacent property information i.e. topo, homes, out buildings, garages, driveways etc.,
- 6. More comments may be rendered during review of the landscape plan,
- 7. Proposed perimeter fence shall be black vinyl-coated chain-link fence,
- 8. Landscape plan does not take into consideration that Ridge Road is a designated scenic road. Therefore, does not meet the requirements,
- 9. Additional landscape and screening may be needed to address adjacent properties views when it relates to the proposed solar facility,
- 10. Consideration should be given to locate the solar facility in a less visual location on the existing property giving consideration that Ridge Road is a Baltimore County Scenic Route.
- 11. Additional site plan information is needed and may include a number of site cross-sections with no exaggeration.

VKD: CEN cc: file

#### **Inter-Office Correspondence**



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

October 27, 2017

SUBJECT:

**DEPS** Comment for Zoning Item

# 2018-0077-X

Address

2316 Ridge Road (Sauter Property)

Zoning Advisory Committee Meeting of October 30, 2017.

_X_	The Department of Environmental Protection and Sustainability offers the following
	comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

#### Additional Comments:

Construction and operation of this solar facility must comply with Article 4E, Sections 104, 106, and 107 of County Code, in that all onsite streams, wetlands, associated buffers, and forest shall be adequately protected. To that end:

A Forest Buffer Easement must be delineated in accordance with Section 33-3-111 and recorded along with its Declaration of Protective Covenants prior to permit issuance.

A forest stand delineation and a full forest conservation plan will be required. Any resultant planting requirement must be met prior to permit issuance. Any Forest Conservation Easement must be recorded along with its Declaration of Protective Covenants prior to permit issuance.

Reviewer:

Glenn Shaffer

Date: October 27, 2017

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### BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

**DATE:** 11/27/2017

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 18-077

INFORMATION:

Property Address: 2316 Ridge Road

Petitioner:

Carroll Sauter, Joan Stephens, Dawn Marszal

Zoning:

RC 6

Requested Action:

Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a 1.980 kW (AC) ground mounted solar facility.

A site visit was conducted on September 25, 2017. Ridge Road is a Baltimore County scenic route at this location.

The Department cannot recommend granting the petitioned zoning relief.

The subject site is zoned R.C.6. Pursuant to BCZR § 1A07.4, "The design of the tract, including the designation of conservancy areas and all development, must be in accordance with this section ... " and further, "Before the approval of any concept plan, development plan, limited exemption, special exception or variance, the Director of Planning or the Directors' designee must certify in a written finding that the plan, exemption or variance is consistent with the spirit and intent of these regulations."

As of the date of these comments, this Department has not received the necessary determination from the Department of Environmental Protection and Sustainability (EPS) regarding the "Primary Conservancy Area". The Department is unable to determine the "Secondary Conservancy Area" or the "Building Area" so therefore cannot make a finding as required by regulation. The Department has confirmed with EPS that they have not as yet received from the petitioners required information necessary to fulfill their regulatory obligation. The Sector Planner listed below has apprised the petitioner of the Department of Planning requirements for review of this special exception proposal.

Date: 11/27/2017 Subject: ZAC #18-077

Page 2

For further information concerning the matters stated herein, please contact Keeve Brine at 410-887-3480.

Prepared by:

Lloyd T. Moxley

Division Chief:

Kathy Schlabach

AVA/KS/LTM/ka

c: Keeve Brine
Jonathan A. Jordan, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

## BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

DATE: September 11, 2017

TO: Zoning Commissioner and File

FROM: Leonard Wasilewski, Planner II, Zoning Review

SUBJECT: Petitions for Special Exception

Case No. 2018-0077-X 2316 Ridge Road and Case No. 2018-0078-X 9155 Old Court Road

- A. For clarification, this office accepted two drop-off petitions for Special Exception from Forefront Power LLC for the development of Solar Farms pursuant to County Code Bill 37-17.
- B. These petitions were rejected on August 27, 2017 by me because they were not following the check list for commercial petitions and they did not have the proper signatures on the applications.
- C. They were rejected on September 1, 2017 by Joe Merrey and Jeff Perlow during their scheduled appointments for similar reasons.
- D. On September 7, 2017 Forefront Power LLC showed up without the engineered site plans and without scheduled appointments. They spoke at length with Carl Richards.
- E. Once the engineer arrived, Mr. Jablon told the Engineer that we would accept the petitions at their risk as drop-offs and process them at our convenience.
- F. These petitions are being processed without a review.



Support/Oppose/

## CHECKLIST

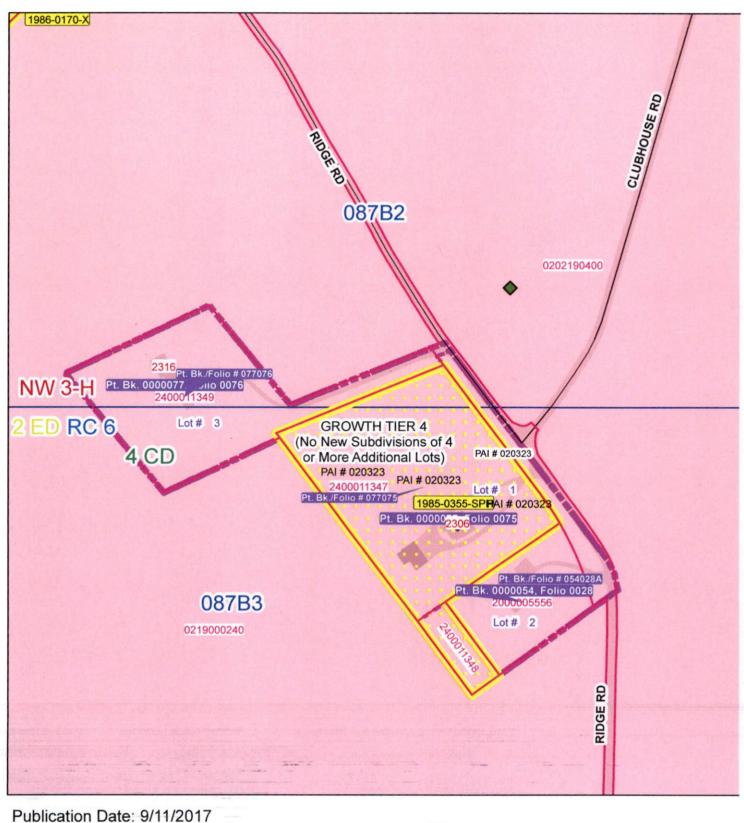
Comment Received	<u>Department</u>	Conditions/ Comments/ <u>No Comment</u>
##	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	thompoo.
10/30	DEPS (if not received, date e-mail sent)	Comment
-	FIRE DEPARTMENT	
11/20	PLANNING (if not received, date e-mail sent)	Obborg MCCHINA
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	TRAFFIC ENGINEERING	
<u> </u>	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	)
ZONING VIOLAT	TION (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER AD	OVERTISEMENT Date:	O VI
SIGN POSTING	Date: 111317	by O'heafe
PEOPLE'S COUN	ISEL APPEARANCE Yes No 🔲	
PEOPLE'S COUN	ISEL COMMENT LETTER Yes L No L	
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#### Real Property Data Search

#### Search Result for BALTIMORE COUNTY

View M	ар	<u> </u>	View GroundRent Redemption View GroundRent Registration								· · · ·	
Account	identifie	er:	District - 02 Account Number - 2400011349									
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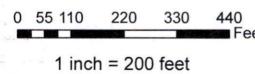
## 2316 idge Road 2018-J077-X

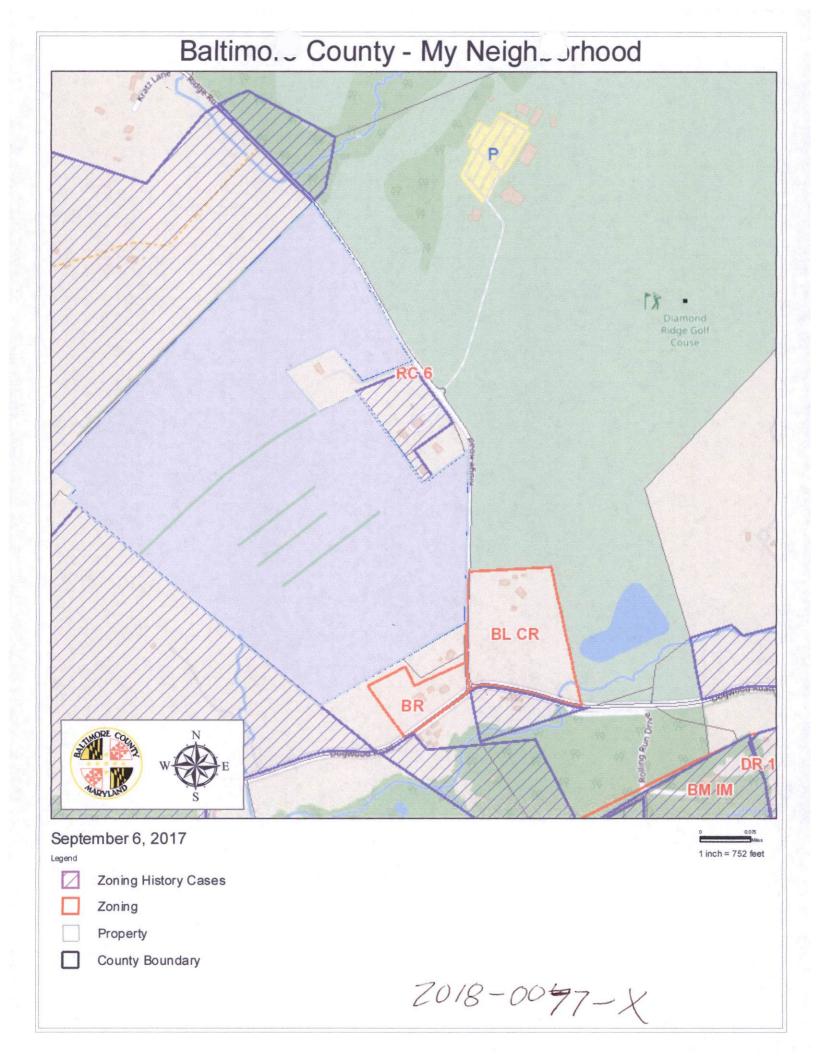


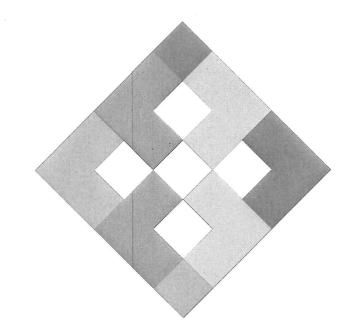


Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot









# FOREFRONT POWER

## SITE NAME:

## MD-BALTIMORE LAND - SAUTER

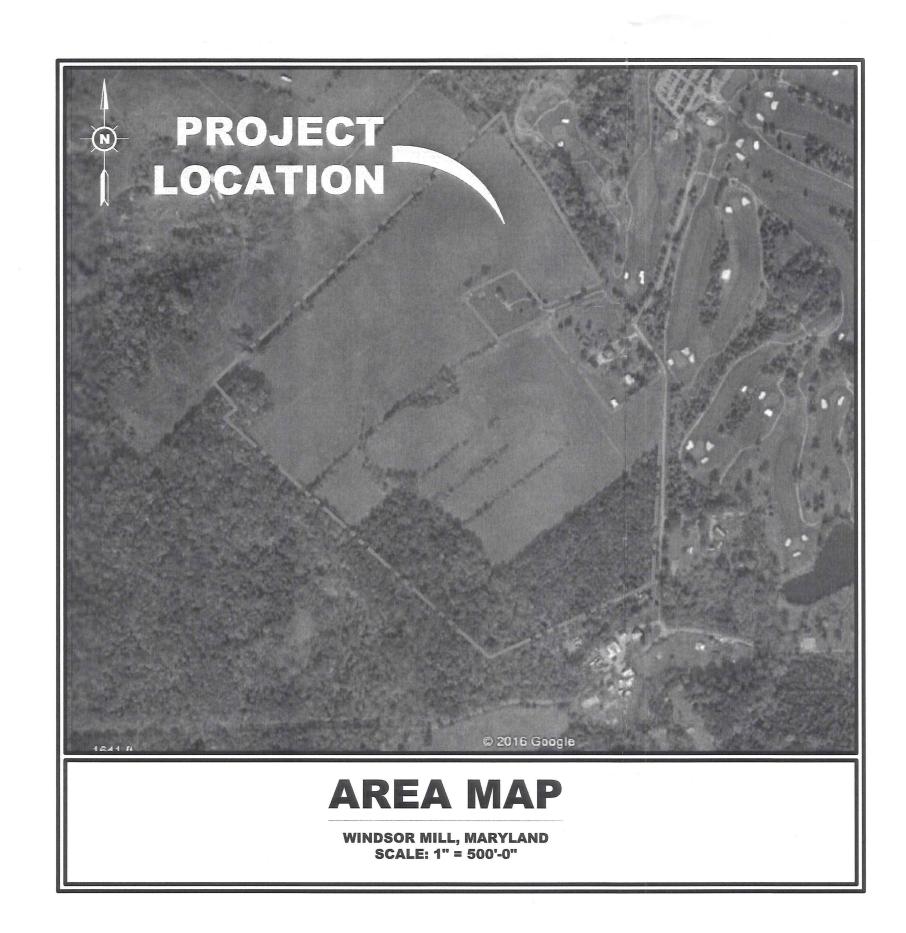
SITE ADDRESS:
2316 RIDGE ROAD
WINDSOR MILL, MARYLAND 21244

SITE IN	FORMATION
SITE NAME:	MD-BALTIMORE LAND - SAUTER
SITE ADDRESS:	2316 RIDGE ROAD WINDSOR MILL, MARYLAND 21244
JURISDICTION:	BALTIMORE, COUNTY, MARYLAND
ZONING:	RC 6
TAX ACCOUNT ID:	02-0219000240
SITE COORDINATES:	N 39° 19' 29.7" (NAD 83) W 76° 46' 50.4" (NAD 83)
GROUND ELEVATION:	458'± (NAVD 88)
SYSTEM SIZE (DC):	2,643.84 kW
SYSTEM SIZE (AC):	1,980.00 kW
MODULE TYPE:	TRINASOLAR TSM-340 DE 14A (II)
INVERTER 1:	SUNGROW SG60KU-M
AZIMUTH:	180°
TILT:	25°
GROUND LANDLORD NAME:	CARROLL SAUTER
GROUND LANDLORD ADDRESS:	2316 RIDGE ROAD, WINDSOR MILL MD 21244
APPLICANT:	FOREFRONT POWER, LLC 100 MONTGOMERY ST. #1400 SAN FRANCISCO, CA 94104
ELECTION DISTRICT:	2
CONCILMANIC DISTRICT:	4
CONGRESSIONAL DISTRICT:	7
LEGISLATIVE DISTRICT:	10/44B
VOTING PRECINCT:	02-011
ZONING MAP NUMBER:	087B2

CODE	A	NALYSIS
BUILDING CODE:		IBC 2015
ELECTRICAL CODE:		NEC 2014
FIRE CODE:		2012 NFPA 101
USE GROUP:		U (UTILITY)
CONSTRUCTION TYPE:		IIB

## PROJECT SCOPE OF WORK

THIS DESIGN PACKAGE PROVIDES DRAWINGS FOR THE INSTALLATION OF A 2,643.84 kW DC RATED PHOTOVOLTAIC SYSTEM AT 2316 RIDGE RD, WINDSOR MILL, MARYLAND.



## **SYSTEM SUMMARY**

NUMBER OF PANELS: 7,776 SYSTEM SIZE (DC): 2,643.84 kW SYSTEM SIZE (AC): 1,980.00 kW

	CIVIL SHEET INDEX								
DRAWING SHEET	DRAWING TITLE								
T-001	TITLE SHEET								
C-101	EXISTING CONDITIONS								
C-201	PROPOSED SITE PLAN								
C-503	FENCE & GATE DETAILS								
L-101	LANDSCAPING PLAN								

THIS PLAN TO ACCOMPANY ZONING PERMIT FOR 09/01/2017 ZONING HEARING

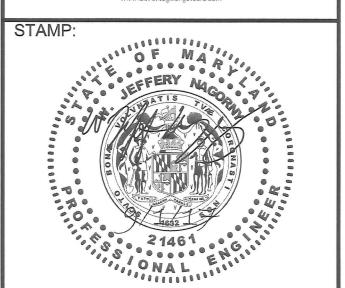
FOREFRONT
POWER

2017 FOREFRONT POWER, LLC AND IT
AFFILIATES, ALL RIGHTS RESERVED



advantage engineers

435 INDEPENDENCE AVENUE, SUITE C
MECHANICSBURG, PENNSYLVANIA 17055
PHONE: (717) 458-0890



MD - BALTIMORE LAND - SAUTER

PROJECT NUMBER: 1700165.001

SHEET TITLE:

TITLE SHEET

SHEET SIZE:

ARCH "D" 24" X 36" (610 x 914)

THIS DRAWING IS THE PROPERTY OF FOREFRONT POWER, LLC. THIS INFORMATION IS CONFIDENTIAL AND IS TO BE USED ONLY IN CONNECTION WITH WORK DESCRIBED BY FOREFRONT POWER, LLC. NO PART IS TO BE DISCLOSED TO OTHERS WITHOUT WRITTEN PERMISSION FROM FOREFRONT POWER, LLC.

NO.	REVISION	DATE	INIT.	
1	ZONING	08/29/17	SPD	

DATE:	07/21/17
DRAWN BY:	MTG
ENGINEER:	AMM
APPROVED BY:	PC

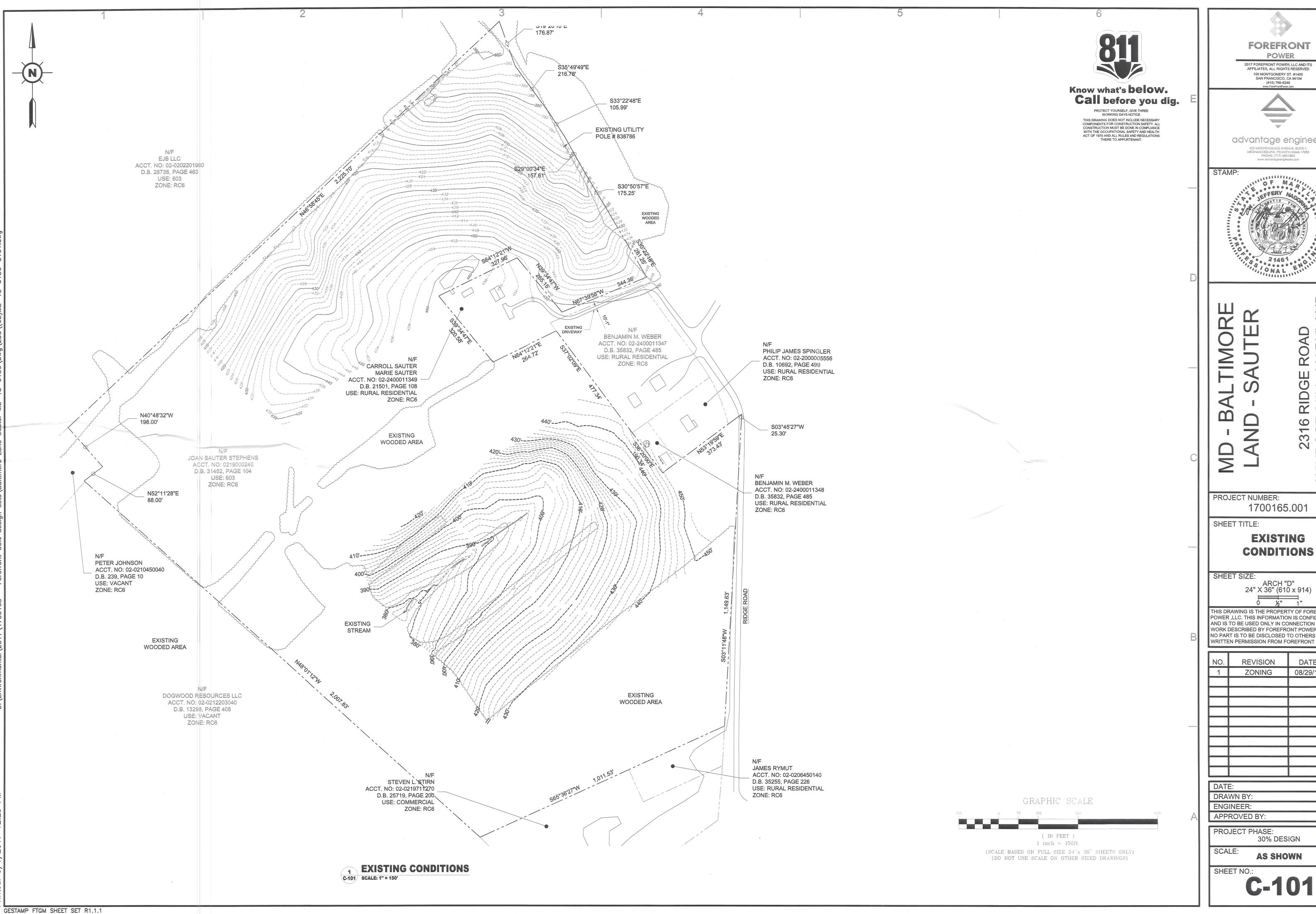
PROJECT PHASE: 30% DESIGN

SCALE: AS SHOWN

T-001

GESTAMP FTGM SHEET SET R1.1.1

Drop off No Review Z018-0077-X





2017 FOREFRONT POWER, LLC AND ITS AFFILIATES, ALL RIGHTS RESERVED



advantage engineers

16 I 237 WINDSC

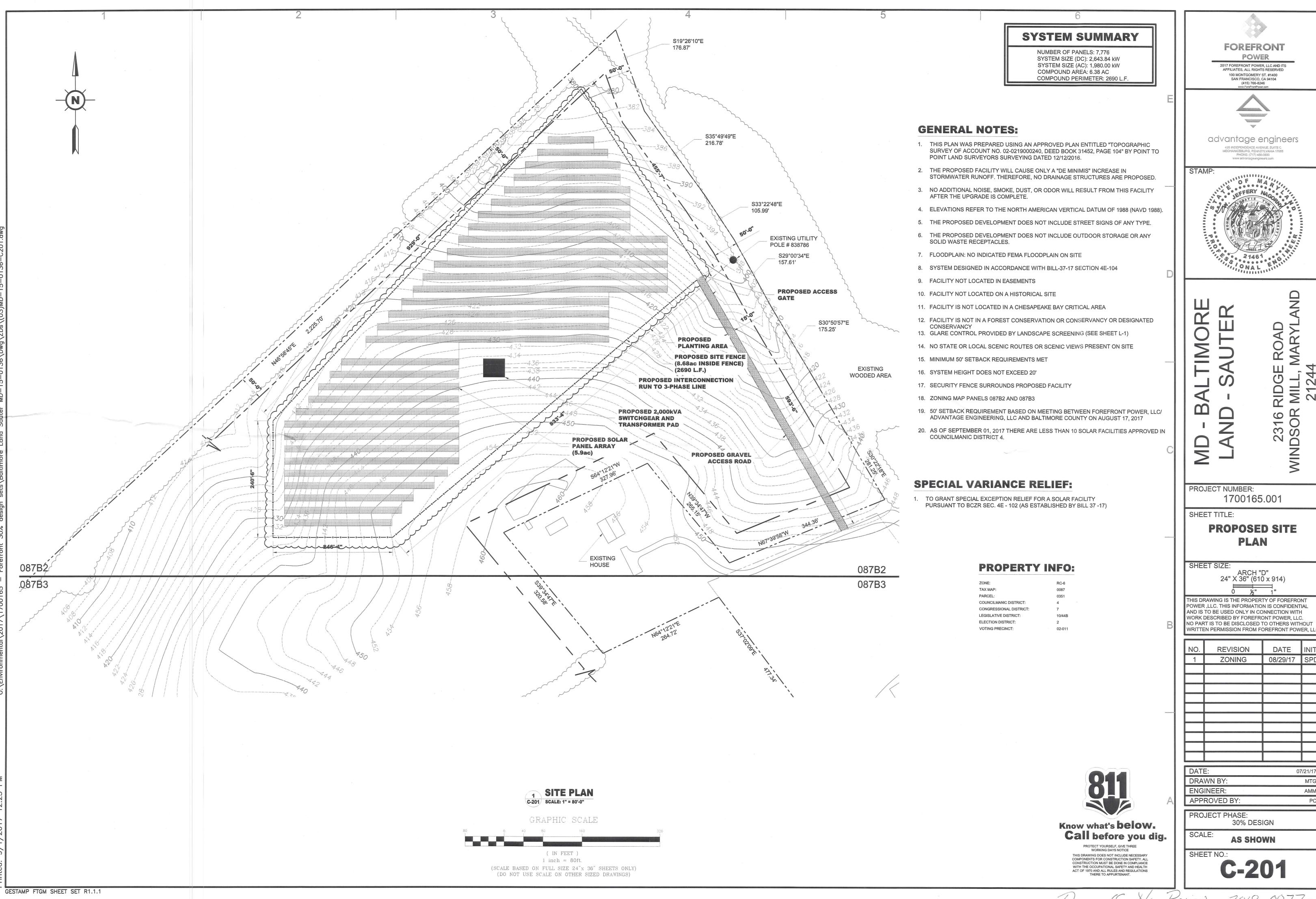
1700165.001

**EXISTING** CONDITIONS

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10.	REVISION	DATE	INIT.
1	ZONING	08/29/17	SPD
07/24/47			

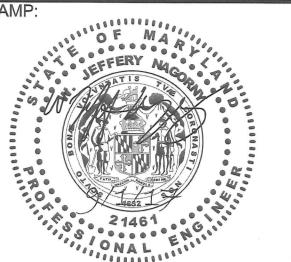
DATE:	07/21/17
DRAWN BY:	MTG
ENGINEER:	AMM
APPROVED BY:	PC



**FOREFRONT** 



advantage engineers



**PROPOSED SITE** 

ARCH "D" 24" X 36" (610 x 914)

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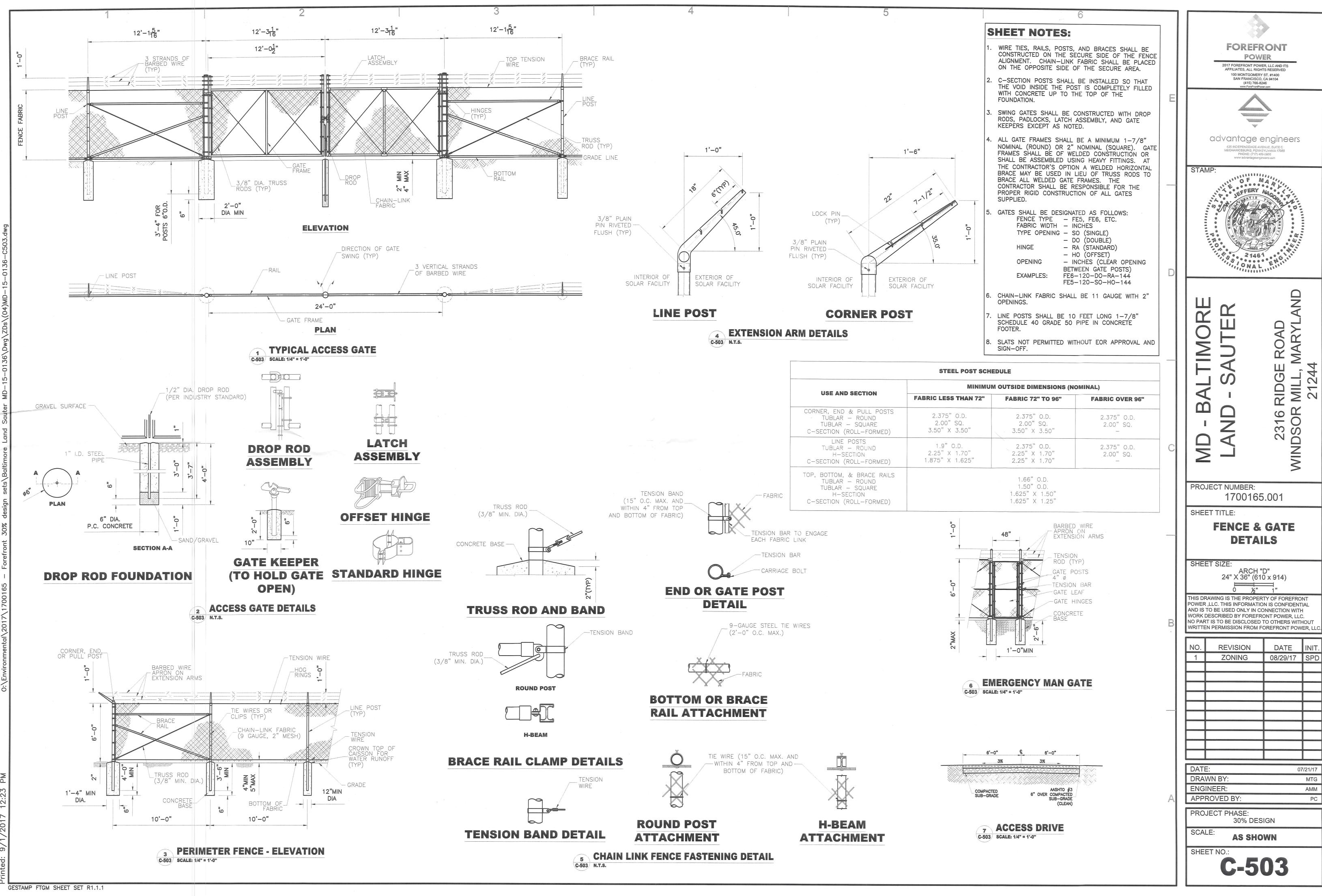
NO.	REVISION	DATE	INIT.
1	ZONING	08/29/17	SPD
			-

07/21/17 MTG AMM

**AS SHOWN** 

**C-201** 

Drop off X6 Review 2018-0077-X



**FOREFRONT** 

advantage engineers



**FENCE & GATE** 

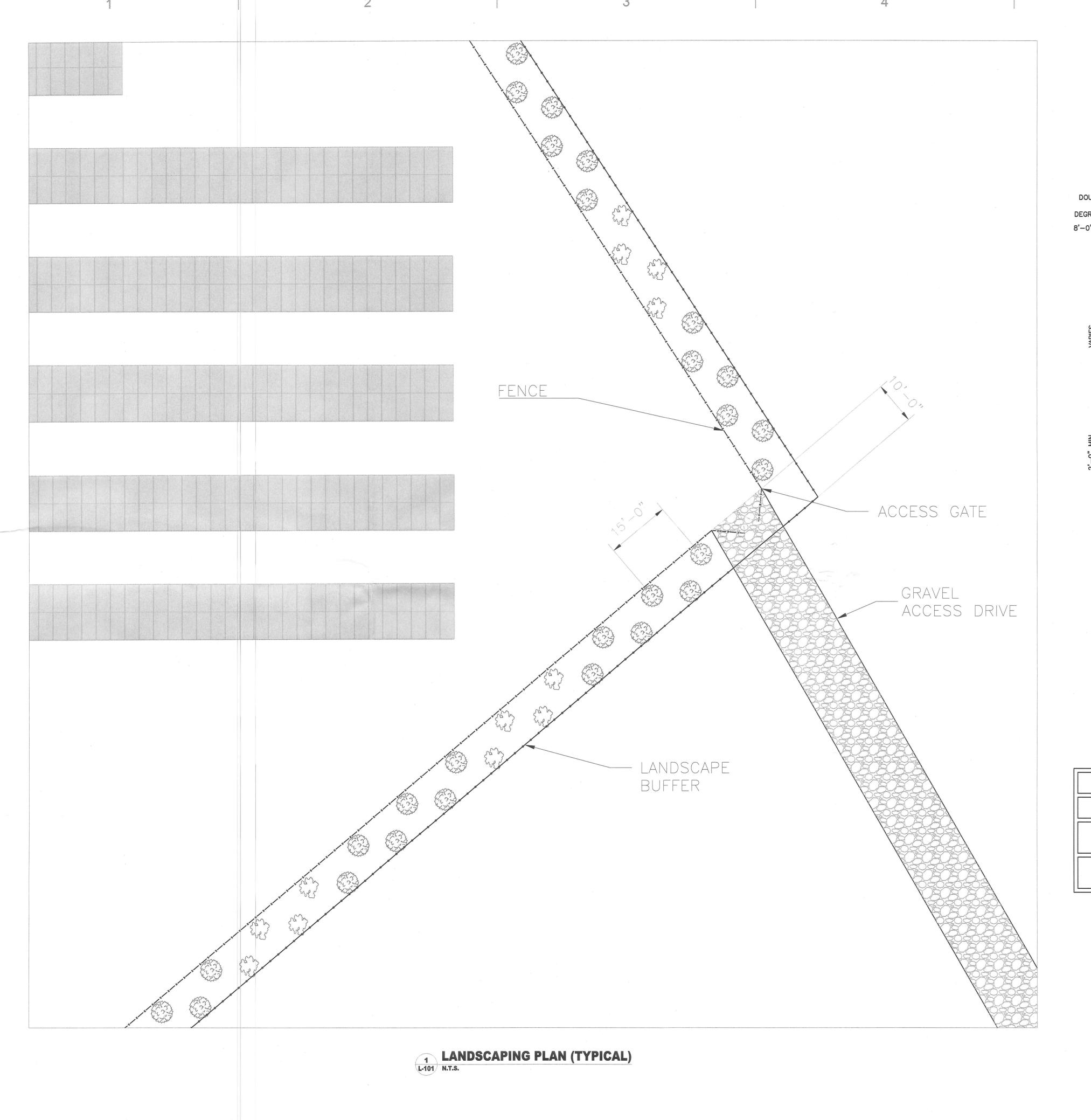
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NO.	REVISION	DATE	INIT.
1	ZONING	08/29/17	SPD

07/21/17 MTG **AMM** 

C-503



GESTAMP FTGM SHEET SET R1.1.1

DO NOT CUT LEADER
PRUNE IMMEDIATELY PRIOR TO PLANTING CONIFER TO HAVE SHREDDED HARDWOOD MULCH UNLESS NOTED OTHERWISE. NO MULCH TO BE IN CONTACT WITH TRUNK. DOUBLE STRAND 14 GA. WIRE - 3' @ 120 -DEGREE INTERVALS (TYP) 8'-0" STEEL STAKE 16" POLYPROPYLENE OR POLYETHYLENE (40 MIL, 1-1/2" WIDE STRAP, TYP) - FLAGGING - ONE PER WIRE ROOTBALL TO SIT ON SUBGRADE MULCH - 3" DEEP PLANTING SOIL - TOPSOIL - SUBGRADE 2"x2"x24" WOOD STAKE SET AT ANGLE TWO ALTERNATE METHODS OF TREE STAKING ARE ILLUSTRATED IT IS THE CONTRACTOR'S OPTION TO STAKE TREES: HOWEVER, THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING TREES IN A PLUMB POSITION THROUGHOUT THE GUARANTEE PERIOD

## **NOTES:**

- INSTALL WATERING SAUCER IN NATIVE AREAS.
   CONSTRUCT 6" HEIGHT WATERING RING FOR INITIAL WATERING. REMOVE IN DOS

SCARIFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING

- AREAS PRIOR TO MULCHING.

  3. AFTER SEPTEMBER 1ST, INSTALL 4" TREE TAPE ON DECIDUOUS TREES FROM 6"
  OFF THE GROUND TO THE FIRST BRANCH. REMOVE PROMPTLY IN SPRING.

  4. COMPLETELY REMOVE WIRE WIRE BASKET, ALL TWINE & PLASTIC. REMOVE
- BURLAP OFF TOP 2/3 OF BALL.
- 5. FILL PLANT PIT WITH 1/2 SPECIFIED SOIL MIX AND 1/2 PIT SOIL.

TREE PLANTING DETAIL

LANDSCAPE PLANT LEGEND				
SYMBOL	SPECIES	SPECIFICATION	CALIPER	QUANTITY
	ABIES BALSAMEA	2 PER PU	6 FEET IN HEIGHT	219
	THUJA OCCIDENTALIS	2 PER PU	6 FEET IN HEIGHT	147

PER THE BALITMORE COUNTY LANDSCAPING MANUAL: THE SCREEN MAY RANGE FROM A SOLID LINEAR SCREEN OF EVERGREEN TREES WHERE MAXIMUM OPACITY IS NEEDED TO A LOOSELY STAGGERED SCREEN WHERE A FILTERED VIEW IS APPROPRIATE. A COMBINATION OF MAJOR DECIDUOUS TREES, MINOR DECIDUOUS TREES, EVERGREEN TREES, AND SHRUBS MAY BE USED.

ONE PLANTING UNIT (PU) PER 15 LINEAR FEET OF THE AREA TO BE SCREENED.

COMPOUND PERIMETER: 2,690 LF REO'D Pu's: (2,690)(1 Pu/15 LF) = 180 Pu'sREO'D EVERGREEN TREES: (180 PU)(2 EVERGREEN TREES/PU)=360 TREES (MIN) PROPOSED EVERGREE TREES: 366

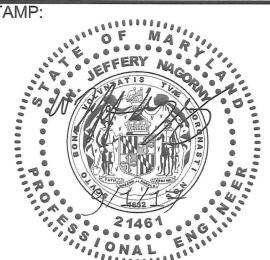


## **FOREFRONT**

POWER 2017 FOREFRONT POWER, LLC AND ITS AFFILIATES, ALL RIGHTS RESERVED 100 MONTGOMERY ST. #1400 SAN FRANCISCO, CA 94104 (415) 766-8246



STAMP:



RIDGE MILL, 2124<sup>2</sup> 16 OR 23 DS(

PROJECT NUMBER: 1700165.001

SHEET TITLE:

**LANDSCAPING PLAN** 

SHEET SIZE:

ARCH "D" 24" X 36" (610 x 914)

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NO.	REVISION	DATE	INIT.
1	ZONING	08/29/17	SPD
DATE			

DATE:	07/21/17
DRAWN BY:	MTG
ENGINEER:	AMM
APPROVED BY:	PC

PROJECT PHASE: 30% DESIGN

SCALE: **AS SHOWN** 

SHEET NO.: