

## MEMORANDUM

DATE: January 9, 2018  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2018-0078-X – Appeal Period Expired

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The appeal period for the above-referenced case expired on January 8, 2018. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File  
Office of Administrative Hearings

|                                       |   |                         |
|---------------------------------------|---|-------------------------|
| IN RE: PETITION FOR SPECIAL EXCEPTION | * | BEFORE THE              |
| (9155 Old Court Road)                 |   |                         |
| 2 <sup>nd</sup> Election District     | * | OFFICE OF               |
| 4 <sup>th</sup> Council District      |   |                         |
| Delores White-Rose                    | * | ADMINISTRATIVE HEARINGS |
| <i>Legal Owner</i>                    |   |                         |
| Forefront Power, LLC                  | * | FOR BALTIMORE COUNTY    |
| <i>Lessee</i>                         |   |                         |
| Petitioners                           | * | Case No. 2018-0078-X    |

\* \* \* \* \*

### OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Exception filed on behalf of Delores White-Rose, legal owner and Forefront Power, LLC, lessee ("Petitioners"). The Special Exception was filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R.") to use the property for a 1,980 kilowatt (kW) A/C ground-mounted solar facility.

Kelsey Crane, Brian Maliszewski, Delores White-Rose, Shana Beiger and professional engineer Andrew Miller appeared in support of the petition. Lawrence E. Schmidt, Esq. represented the Petitioners. Cathy Wolfson, of the Greater Patapsco Community Association, attended the hearing and opposed the request. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP), the Bureau of Development Plans Review (DPR) the State Highway Administration (SHA), and Department of Environmental Protection and Sustainability (DEPS). None of the reviewing agencies opposed the requests.

The subject property is approximately 16.75 acres and is zoned RC-2. The property is unimproved and is situated along Old Court Road in the Granite area. Forefront proposes to install on the property 6,822 solar panels which would be enclosed within a fence. The enclosure area

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Date 12/7/17

By Sen



would be approximately 9.81 acres in size. The panels would be 6-8 feet in height and would be set back a minimum of 50 ft. from any property boundary.

### Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Professional engineer Andrew Miller testified via proffer the facility would be unmanned and would generate no noise or traffic. While not required under County law, Forefront undertook a “glare analysis” and determined the project would satisfy Federal Aviation Administration (FAA) standards. Those standards are designed to ensure a pilot’s vision is not obscured by glare, and while they are not applicable in this case it is helpful to know the project would satisfy those rigorous standards. Mr. Miller opined Petitioner satisfied the requirements of B.C.Z.R. §502.1.

A landscape plan has not yet been approved for this project, although Petitioners submitted a proposed plan (Ex. 2) which reflects that substantial vegetative buffers would be installed around the periphery of the site, and Mr. Miller did not believe the solar panels would in fact be visible to motorists on Old Court Road. A chain-link fence will also enclose the panels, and Forefront representatives indicated they would be amenable to installing slats or sheeting on the fence to soften its appearance.

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By sen

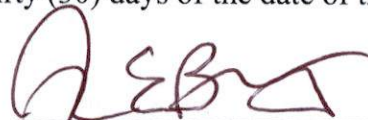
Ms. Wolfson stated her association met and voted to object to the proposal, based solely upon the anticipated (negative) visual impact the project will have on the community. Solar panels certainly do not improve the view shed in a rural area; a forest or open field would have more aesthetic appeal. But the County Council recently enacted legislation (Bill 37-17) which permits such facilities in the RC zones, and the petition cannot be denied based on aesthetics. In special exception parlance, the lack of visual appeal is an inherent negative impact of the use, and the Council is presumed to have been aware of this when it enacted the legislation. Without proof that the use would have non-inherent impacts at this location I believe the petition should be granted.

THEREFORE, IT IS ORDERED this 7<sup>th</sup> day of **December, 2017**, by this Administrative Law Judge, that the Petition for Special Exception to use the property for a 1,980 kilowatt (kW) A/C ground-mounted solar facility in accordance with Section 4E-102 of Baltimore County Council Bill No. 37-17, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must obtain from SHA an entrance or access permit.
3. Petitioners must comply with the ZAC comments of the DOP, DPR & DEPS, copies of which are attached.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB/sln

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Date

12/7/17

By

sln

accordance with the attached Maryland Department of the Environment solar panel installation guidance document as part of the permit approval process.

Reviewer:     Jeff Livingston, Development Coordination (410) 887-5859

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Date 12/17/17

By SLH





# 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 9155 Old Court Road, Windsor Mill MD 21244

which is presently zoned RC-2

Deed References: Book 32561, Page 355

10 Digit Tax Account # 2500009355

Property Owner(s) Printed Name(s) Delores White

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1.      a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2.   X   a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for  
Partial development of a 1,980 mega watt A/C ground mounted solar facility. In accordance with 4E-102 of County Bill 37-17

3.      a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:  
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Development of a 1,980 mega watt A/C solar facility in accordance with the land owner lease agreement as part of the State of Maryland's CSEGS program.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

**Legal Owner(s) Affirmation:** I / we do so 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 / these Petition(s).

## Contract Purchaser/Lessee:

Forefront Power, LLC, Brian Maliszewski

Name- Type or Print

Signature

100 Montgomery Street, Suite 1400, San Francisco, CA

Mailing Address

City

State

94104

415-800-1582

bmaliszewski@forefrontpower.com

Zip Code

Telephone #

Email Address

## Attorney for Petitioner:

Jonathan A. Jordan, Esq.

Name- Type or Print

Signature

717 Constitution Dr. Suite 201 Exton PA

Mailing Address

City

State

19341

610-458-4400

JONATHAN@RRHC.com

Zip Code

Telephone #

Email Address

## Legal Owners (Petitioners):

Delores White

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature # 2

9155 Old Court Road, Windsor Mill MD

Mailing Address

City

State

21244

Zip Code

Telephone #

Email Address

## Representative to be contacted:

Same as Contract Lessee

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2018-0078-X

Filing Date 9/11/2017

Do Not Schedule Dates:

Reviewer [Signature]

Drop off No Review

REV. 10/4/11



LEGAL DESCRIPTION OF  
9155 OLD COURT ROAD  
BALTIMORE MD 21244  
TAX ACCT. NO. 02-2500009355

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 on the southeast side of Old Court Road, a 70 foot wide public right of way; said place of beginning being located at the place of beginning as described in a conveyance of property from Delores White and Vanessa Sue Adams to Delores White by a deed dated September 14, 2012 and recorded among the Land Records of Baltimore County, Maryland in Deed Book 32561, at Page 355; thence leaving said place of beginning and running with the southeast side of Old Court Road, the following courses and distances, with bearings referred to Maryland Grid North, NAD 83/2011,

1. 336.50 feet along an arc of a curve to the left, having a radius of 1035.00 feet and being scribed by a chord bearing and distance of North 49°42'19" East 335.02 feet to a point; thence
2. North 40°23'30" East, 692.72 feet to a point, thence, leaving said road and running with the boundary of said conveyance,
3. South 48°02'49" East, 349.72 feet to an iron bar and cap found; thence
4. North 39°24'21" East, 280.91 feet to a point; thence
5. South 18°30'17" East, 112.71 feet to a point; thence
6. South 25°57'04" East, 100.52 feet to a point; thence
7. South 36°34'19" East, 150.00 feet to a point; thence
8. South 23°36'19" East, 26.57 feet to a point; thence
9. South 53°06'37" West, 1488.31 feet to a point; thence
10. North 36°59'29" West, 312.07 feet to an iron pipe found; thence
11. North 53°00'31" East, 200.00 feet to a point; thence
12. North 36°59'29" West, 173.23 feet to the place of beginning.

Containing 729,916 square feet or 16.7566 acres of land, more or less.

Being all of the property described in a conveyance from Delores White and Vanessa Sue Adams to Delores White by a deed dated September 14, 2012 and recorded among the Land Records of Baltimore County, Maryland in Deed Book 32561, at Page 355. This description is based on title records and limited field work. A complete boundary survey has not been performed.



*Dep off No Review 2018-0078-X*



# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN LEWIS

**DATE:** 11/14/2017

**Case Number:** 2018-0078-X

**Petitioner / Developer:** JOHNATHAN JORDAN~ MR. MALISZEWSKI~  
DELORES WHITE

**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:  
9155 OLD COURT ROAD

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



Linda O'Keefe  
(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: 2018-0078-X**

9155 Old Court Road

Southeast side of Old Court Road, 1920 ft. +/- southwest of Ridge Road

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

Legal Owners: Delores White

Contract Purchaser/Lessee: Forefront Power, LLC

Special Exception to use property 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 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon  
Director

AJ:kl

C: Jonathan Jordan, 717 Constitution Drive, Ste. 201, Exton PA 19341  
Mr. Maliszewski, Forefront Power, 100 Montgomery St. Ste. 1400, San Francisco CA 94104  
Delores White, 9155 Old Court 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.



TO: PATUXENT PUBLISHING COMPANY  
Tuesday, November 14, 2017 Issue - Jeffersonian

Please forward billing to:  
Jonathan Jordan, Esq.  
717 Constitution Drive, Ste. 201  
Exton, PA 19341

610-458-4400

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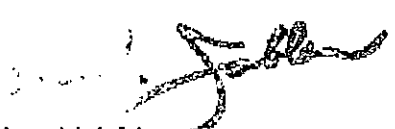
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Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE OFFICE  
9155 Old Court Road; SE/S Old Court Road \*  
1920' SW of c/line of Ridge Road \* OF ADMINSTRATIVE  
2<sup>nd</sup> Election & 4<sup>th</sup> Councilmanic Districts \*  
Legal Owner(s): Delores White \* HEARINGS FOR  
Contract Purchaser(s): Forefront Power, LLC \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2018-078-X

\* \* \* \* \*

**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 Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

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

VED  
SEP 21 2017

**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 Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 2018-0078-X  
Property Address: 9155 Old Court Road  
Property Description: \_\_\_\_\_  
Legal Owners (Petitioners): Delores White-Rose  
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

Revised 7/9/2015



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET AND FINANCE  
MISCELLANEOUS CASH RECEIPT

NO 157154

Date: 9/7/17

| Fund | Dept | Unit | Sub Unit | Rev Source/Obj | Sub Rev/Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|----------------|-------------|----------|---------|--------|
| 001  | 806  | 0000 |          | 6150           |             |          |         | 500.00 |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |
|      |      |      |          |                |             |          |         |        |

Total: 500.00

Rec From:

For:

9155 01/1/00 = + RQ

2018-0078 - X

#201413

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING  
PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME MM  
9/08/2017 9/07/2017 11:47:14 2  
REG #502 WALKIN JEE  
>>RECEIPT # 027202 9/07/2017 CFLN  
Dept 5 528 ZONING VERIFICATION  
CR NO. 157154  
Recpt Tot \$500.00  
\$500.00 CK \$0.00 CA  
Baltimore County, Maryland

CASHIER'S  
VALIDATION



KEVIN KAMENETZ  
*County Executive*

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

November 30, 2017

Delores White  
9155 Old Court Road  
Windsor Mill MD 21244

RE: Case Number: 2018-0078 X, Address: 9155 Old Court Road

Dear Ms. White:

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,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a light blue horizontal line.

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 Francisco CA 94104  
Jonathan A Jordan, Esquire, 717 Constitution Drive, Suite 201, Exton PA 19341

September 26, 2017

Ms. Kristen Lewis  
Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 109  
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review the site plan to accompany the petition for special exception, for the proposed 1980kw A/C ground mounted solar facility located at 9155 Old Court Road (MD 125) in Baltimore County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the submittal listed below and is pleased to respond.

**9155 Old Court Road**  
**Site Plan Review for Special Exception**  
**Case No. 2018-0078-X**  
MD 125 (east side) 1900' south of Ridge Road  
Baltimore County

The proposed access to this site will be subject to the terms of an access permit to construct a farm entrance that may be obtained by contacting Mr. Aamir Khurram, Resident Maintenance Engineer - Owings Mills Shop at 410-363-1315. Please have the developer contact Mr. Khurram to obtain the access permit.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (x2332) or by email at (rzeller@sha.state.md.us).

Sincerely,



*for* Wendy Wolcott, P.L.A.  
Metropolitan District Engineer  
Maryland Department of Transportation  
State Highway Administration  
District 4 - Baltimore and Harford Counties

cc: Advantage Engineers / 435 Independence Avenue, Suite C, Mechanicsburg, PA 17055  
Forefront Power, LLC / 100 Montgomery Street, #1400, San Francisco, CA 94104  
Mr. Aamir Khurram, MDOT SHA Resident Maintenance Engineer – Owings Mills Shop



## **BALTIMORE COUNTY, MARYLAND**

### **Interoffice Memorandum**

DATE: September 11, 2017

TO: Zoning Commissioner and File

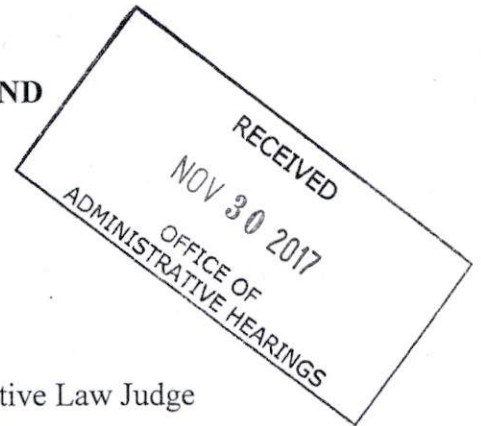
FROM: Leonard Wasilewski, Planner II, Zoning Review

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.

BALTIMORE COUNTY, MARYLAND

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: November 30, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0078-X-Revised  
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:

1. This property is Lot 2 of a Baltimore County approved Minor Subdivision (White-Adams Property; 07-047M). One of the requirements for approval of the subdivision was that the project comply with both the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains as well as Forest Conservation Regulations. Both of these regulations have already been satisfied through the Minor Subdivision process and the resulting easements have been recorded in Baltimore County Land records.
2. In order to meet State – mandated stormwater management requirements and minimize water quality impacts, the project must be designed and constructed in

ORDER RECEIVED FOR FILING  
Date 12/11/17  
By [Signature]

## BALTIMORE COUNTY, MARYLAND

## 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: November 30, 2017

SUBJECT: DEPS Comment for Zoning Item # 2018-0078-X-Revised  
Address 9155 Old Court Road  
(White - Rose Property)

Zoning Advisory Committee Meeting of **September 25, 2017**.

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1. This property is Lot 2 of a Baltimore County approved Minor Subdivision (White-Adams Property; 07-047M). One of the requirements for approval of the subdivision was that the project comply with both the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains as well as Forest Conservation Regulations. Both of these regulations have already been satisfied through the Minor Subdivision process and the resulting easements have been recorded in Baltimore County Land records.
2. In order to meet State – mandated stormwater management requirements and minimize water quality impacts, the project must be designed and constructed in



accordance with the attached Maryland Department of the Environment solar panel installation guidance document as part of the permit approval process.

Reviewer:     Jeff Livingston, Development Coordination (410) 887-5859

## BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

**TO:** Arnold Jablon  
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: 18-078



**INFORMATION:**

**Property Address:** 9155 Old Court Road  
**Petitioner:** Delores White-Rose  
**Zoning:** RC 2  
**Requested Action:** Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for partial development of a 1,980 kW (AC) ground mounted solar facility in accordance with 4E-102 of County Bill 37-17.

A site visit was conducted on September 25, 2017. Old Court Road is a Baltimore County scenic route.

This property was a CZMP issue in 2016 (4-001) seeking to rezone the tract from RC 2 to RC 5. The County Council denied the requested zoning change.

The Comprehensive Manual of Development Policies (CMDP), enabled by Section 504.2 of the Baltimore County Zoning Regulations, provides the following guidelines to the development of any area within or adjacent to a designated scenic route or significant view.

- Minimize tree and vegetation removal.
- Minimize grading to preserve the quality of the existing landforms.
- Design and locate utilities, lighting, signage, and fences to harmonize with the surroundings and to create the least visual impact.
- Use indigenous species or ones commonly found in the area when landscaping.
- Complement existing vegetation with flowering or evergreen trees and shrubs, wildflowers, etc. for seasonal interest.
- Locate parking, services and storage areas at the side or rear of the building(s), and screen them from the road to reduce their visual impact.
- Avoid placing structures on the tops of prominent ridges.

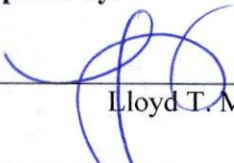
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Pursuant to BCZR §502.1.A, petitioners shall demonstrate to the satisfaction of the Administrative Law Judge that the facility will not be detrimental to the adjacent residential properties as a result of glare emanating from the facility.
- Petitioners shall note on the plan that the proposed solar facility will be subject to BCZR §4E-107.

- As noted above, Old Court Road is a Baltimore County Scenic Route. Any landscape plan submitted to Baltimore County for review and approval shall show vegetative screening at minimum along the northeast and southwest perimeter of the solar field and along the entire road frontage. Said screening shall be a mix of native deciduous, evergreen and flowering trees with understory shrubs situated in beds having a minimum width of 30'. The Department will not support a regimented planting. The plantings will have a naturalistic arrangement approaching an "enclosed view" as defined in the CMDP with a count and proximity that will not allow an observer from the scenic route to have a sustained view of the solar facility.
- Petitioners shall certify by note on the plan that the proposed solar facility will not exceed the maximum permitted number of facilities allowed in its respective councilmanic district. If approved, Petitioners shall submit to this Department at the time of building permit application the final fixed location and area of the facility by coordinate data so that an inventory may be kept.
- Lighting shall be limited to what is required for security purposes only and will be sited in such a way as to have minimal spillage onto neighboring properties.
- Signage shall be limited to that which is necessary for safety and security purposes.
- No deliveries or outdoor maintenance which may generate excessive noise may occur on-site between the hours of 6 P.M. through 6 A.M.

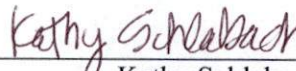
For further information concerning the matters stated herein, please contact Kieve Brine at 410-887-3480.

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

AVA/KS/LTM/ka

**Division Chief:**

  
\_\_\_\_\_  
Kathy Schlabach

c: Kieve Brine

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Delores White-Rose

Jonathan A. Jordan, Esquire

Office of the Administrative Hearings

People's Counsel for Baltimore County



**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For September 25, 2017  
Item No. 2018-0078-X

**DATE:** October 4, 2017

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

Specific landscape comments:

1. Old Court 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,
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 8-29-17 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 Old Court Road is a designated Baltimore County Scenic Route. 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. Additional site plan information is needed and may include a number of site cross-sections with no exaggeration.

\*

\*

\*

\*

\*

VKD: CEN

cc: file

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** Arnold Jablon  
Deputy Administrative Officer and  
Director of Permits, Approvals and Inspections

**DATE:** 10/30/2017

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 18-078

**INFORMATION:**

**Property Address:** 9155 Old Court Road  
**Petitioner:** Delores White-Rose  
**Zoning:** RC 2  
**Requested Action:** Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for partial development of a 1,980 kW (AC) ground mounted solar facility in accordance with 4E-102 of County Bill 37-17.

A site visit was conducted on September 25, 2017. Old Court Road is a Baltimore County scenic route.

This property was a CZMP issue in 2016 (4-001) seeking to rezone the tract from RC 2 to RC 5. The County Council denied the requested zoning change.

The Comprehensive Manual of Development Policies (CMDP), enabled by Section 504.2 of the Baltimore County Zoning Regulations, provides the following guidelines to the development of any area within or adjacent to a designated scenic route or significant view.

- Minimize tree and vegetation removal.
- Minimize grading to preserve the quality of the existing landforms.
- Design and locate utilities, lighting, signage, and fences to harmonize with the surroundings and to create the least visual impact.
- Use indigenous species or ones commonly found in the area when landscaping.
- Complement existing vegetation with flowering or evergreen trees and shrubs, wildflowers, etc. for seasonal interest.
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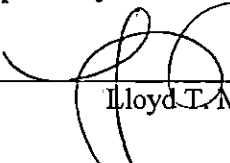
The Department has no objection to granting the petitioned zoning relief conditioned upon the following;

- Pursuant to BCZR §502.1.A, petitioners shall demonstrate to the satisfaction of the Administrative Law Judge that the facility will not be detrimental to the adjacent residential properties as a result of glare emanating from the facility.
- Petitioners shall note on the plan that the proposed solar facility will be subject to BCZR §4E-107.

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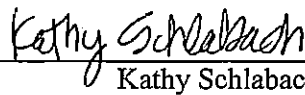
For further information concerning the matters stated herein, please contact Keeve Brine at 410-887-3480.

Prepared by:

  
\_\_\_\_\_  
Lloyd T. Moxley

AVA/KS/LTM/ka

Division Chief:

  
\_\_\_\_\_  
Kathy Schlabach

c: Keeve Brine

James Hermann, R.L.A., Department of Permits, Approvals and Inspections  
Delores White-Rose  
Jonathan A. Jordan, Esquire  
Office of the Administrative Hearings  
People's Counsel for Baltimore County



**BALTIMORE COUNTY, MARYLAND**

**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: 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: Sept. 19, 2017

|                                       |   |                      |
|---------------------------------------|---|----------------------|
| RE: Petition for Special Exception    | * | BEFORE THE OFFICE    |
| 9155 Old Court Road                   |   |                      |
| Southeast side of Old Court Road,     | * | OF ADMINISTRATIVE    |
| 1920 ft. +/- southwest of Ridge Road  |   |                      |
| 2 <sup>nd</sup> Election District     | * | HEARINGS FOR         |
| 4 <sup>th</sup> Councilmanic District |   |                      |
| Legal Owners: Delores White           | * | BALTIMORE COUNTY     |
| Contract Purchaser/Lessee:            |   |                      |
| Forefront Power, LLC                  | * | Case No. 2018-0078-X |

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of Smith, Gildea & Schmidt LLC on behalf of the Legal Owner, Delores White, and Contract Purchaser/Lessee, Forefront Power, LLC, in the above captioned case.



Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lawrence E. Schmidt".

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 29<sup>th</sup> 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

A handwritten signature in blue ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt

DATE \_\_\_\_\_

12/7/17

E - MAIL

[illegible]



CASE NAME \_\_\_\_\_  
CASE NUMBER 2018-0078-X  
DATE \_\_\_\_\_

12/4/2017

E - MAIL

|                                     |                 |                    |                     |
|-------------------------------------|-----------------|--------------------|---------------------|
| Cathy Wilson                        | 8434 Dogwood Rd | Windsor Mill 21244 | oakknob@comcast.net |
| - Greater Patapsco Community Assn - |                 |                    |                     |



**C H E C K L I S T**

| <u>Comment Received</u>                              | <u>Department</u>                                                     | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------|
| <u>10/4</u>                                          | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>Comment</u>                                          |
| <u>11/30</u>                                         | DEPS<br>(if not received, date e-mail sent _____)                     | <u>Comment</u>                                          |
| _____                                                | FIRE DEPARTMENT                                                       | _____                                                   |
| <u>11/1</u>                                          | PLANNING<br>(if not received, date e-mail sent _____)                 | <u>Comment</u>                                          |
| <u>9/26</u>                                          | STATE HIGHWAY ADMINISTRATION                                          | <u>Comment</u>                                          |
| _____                                                | TRAFFIC ENGINEERING                                                   | _____                                                   |
| _____                                                | COMMUNITY ASSOCIATION                                                 | _____                                                   |
| _____                                                | ADJACENT PROPERTY OWNERS                                              | _____                                                   |
| ZONING VIOLATION (Case No. _____)                    |                                                                       |                                                         |
| PRIOR ZONING (Case No. _____)                        |                                                                       |                                                         |
| NEWSPAPER ADVERTISEMENT Date: _____                  |                                                                       |                                                         |
| SIGN POSTING Date: <u>11/13/17</u> by <u>O'Keefe</u> |                                                                       |                                                         |
| PEOPLE'S COUNSEL APPEARANCE                          | Yes <input checked="" type="checkbox"/>                               | No <input type="checkbox"/>                             |
| PEOPLE'S COUNSEL COMMENT LETTER                      | Yes <input type="checkbox"/>                                          | No <input type="checkbox"/>                             |

Comments, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Real Property Data Search

## Search Result for BALTIMORE COUNTY

| View Map                                     |          | View GroundRent Redemption                |               |                        |                      | View GroundRent Registration |                                                                |                  |           |
|----------------------------------------------|----------|-------------------------------------------|---------------|------------------------|----------------------|------------------------------|----------------------------------------------------------------|------------------|-----------|
| Account Identifier:                          |          | District - 02 Account Number - 2500009355 |               |                        |                      |                              |                                                                |                  |           |
| Owner Information                            |          |                                           |               |                        |                      |                              |                                                                |                  |           |
| Owner Name:                                  |          | WHITE DELORES                             |               |                        | Use:                 |                              | RESIDENTIAL                                                    |                  |           |
| Mailing Address:                             |          | 119 COLTON CT<br>SMITHSBURG MD 21783-1595 |               |                        | Principal Residence: |                              | NO                                                             |                  |           |
|                                              |          |                                           |               |                        | Deed Reference:      |                              | /32561/ 00355                                                  |                  |           |
| Location & Structure Information             |          |                                           |               |                        |                      |                              |                                                                |                  |           |
| Premises Address:                            |          | 9155 OLD COURT RD<br>BALTIMORE 21244-1022 |               |                        | Legal Description:   |                              | 16.757 AC MINOR SUB<br>SES OLD COURT RD<br>1900 FT SW RIDGE RD |                  |           |
| Map:                                         | Grid:    | Parcel:                                   | Sub District: | Subdivision:           | Section:             | Block:                       | Lot:                                                           | Assessment Year: | Plat No:  |
| 0077                                         | 0019     | 1487                                      |               | 0000                   |                      |                              | 2                                                              | 2016             | Plat Ref: |
| Special Tax Areas:                           |          |                                           |               | Town:                  |                      | NONE                         |                                                                |                  |           |
|                                              |          |                                           |               | Ad Valorem:            |                      |                              |                                                                |                  |           |
|                                              |          |                                           |               | Tax Class:             |                      |                              |                                                                |                  |           |
| Primary Structure Built                      |          | Above Grade Living Area                   |               | Finished Basement Area |                      | Property Land Area           |                                                                | County Use       |           |
|                                              |          |                                           |               |                        |                      | 16.7570 AC                   |                                                                | 04               |           |
| Stories                                      | Basement | Type                                      | Exterior      | Full/Half Bath         | Garage               | Last Major Renovation        |                                                                |                  |           |
| Value Information                            |          |                                           |               |                        |                      |                              |                                                                |                  |           |
|                                              |          |                                           | Base Value    | Value                  | Phase-in Assessments |                              |                                                                |                  |           |
|                                              |          |                                           |               | As of                  | As of                |                              | As of                                                          |                  |           |
|                                              |          |                                           |               | 01/01/2016             | 07/01/2017           |                              | 07/01/2018                                                     |                  |           |
| Land:                                        |          |                                           | 120,100       | 120,100                |                      |                              |                                                                |                  |           |
| Improvements                                 |          |                                           | 0             | 0                      |                      |                              |                                                                |                  |           |
| Total:                                       |          |                                           | 120,100       | 120,100                | 120,100              |                              | 120,100                                                        |                  |           |
| Preferential Land:                           |          |                                           | 0             |                        | 0                    |                              |                                                                |                  |           |
| Transfer Information                         |          |                                           |               |                        |                      |                              |                                                                |                  |           |
| Seller: WHITE DELORES                        |          |                                           |               | Date: 09/19/2012       |                      |                              | Price: \$0                                                     |                  |           |
| Type: NON-ARMS LENGTH OTHER                  |          |                                           |               | Deed1: /32561/ 00355   |                      |                              | Deed2:                                                         |                  |           |
| Seller: BRUCE VIVIAN ANN                     |          |                                           |               | Date: 08/09/2001       |                      |                              | Price: \$249,000                                               |                  |           |
| Type: ARMS LENGTH IMPROVED                   |          |                                           |               | Deed1: /15450/ 00442   |                      |                              | Deed2:                                                         |                  |           |
| Seller:                                      |          |                                           |               | Date:                  |                      |                              | Price:                                                         |                  |           |
| Type:                                        |          |                                           |               | Deed1:                 |                      |                              | Deed2:                                                         |                  |           |
| Exemption Information                        |          |                                           |               |                        |                      |                              |                                                                |                  |           |
| Partial Exempt Assessments:                  |          | Class                                     |               | 07/01/2017             |                      | 07/01/2018                   |                                                                |                  |           |
| County:                                      |          | 000                                       |               | 0.00                   |                      |                              |                                                                |                  |           |
| State:                                       |          | 000                                       |               | 0.00                   |                      |                              |                                                                |                  |           |
| Municipal:                                   |          | 000                                       |               | 0.00 0.00              |                      | 0.00 0.00                    |                                                                |                  |           |
| Tax Exempt:                                  |          |                                           |               | Special Tax Recapture: |                      |                              |                                                                |                  |           |
| Exempt Class:                                |          |                                           |               | NONE                   |                      |                              |                                                                |                  |           |
| Homestead Application Information            |          |                                           |               |                        |                      |                              |                                                                |                  |           |
| Homestead Application Status: No Application |          |                                           |               |                        |                      |                              |                                                                |                  |           |

## Stormwater Design Guidance – Solar Panel Installations

Revisions to Maryland's stormwater management regulations in 2010 require that environmental site design (ESD) be used to the maximum extent practicable (MEP) to mimic natural hydrology, reduce runoff to reflect forested wooded conditions, and minimize the impact of land development on water resources. This applies to any residential, commercial, industrial, or institutional development where more than 5,000 square feet of land area is disturbed. Consequently, stormwater management must be addressed even when permeable features like solar panel installations exceed 5,000 square feet of land disturbance.

Depending on local soil conditions and proposed imperviousness, the amount of rainfall that stormwater requirements are based on varies from 1.0 to 2.6 inches. However, addressing stormwater management does not mean that structural or micro-scale practices must be constructed to capture and treat large volumes of runoff. Using nonstructural techniques like disconnecting impervious cover reduces runoff by promoting overland filtering and infiltration. Commonly used with smaller or narrower impervious areas like driveways or open roads, the Disconnection of Non-Rooftop Runoff technique (see pp. 5.61 to 5.65 of the **2000 Maryland Stormwater Design Manual**<sup>1</sup>) is a low cost alternative for treating runoff in situations like rows of solar panels.

When non-rooftop disconnection is used to treat runoff, the following factors should be considered:

- The vegetated area receiving runoff must be equal to or greater in length than the disconnected surface (e.g., width of the row of solar panels)
- Runoff must sheet flow onto and across vegetated areas to maintain the disconnection
- Disconnections should be located on gradual slopes ( $\leq 5\%$ ) to maintain sheetflow. Level spreaders, terraces, or berms may be used to maintain sheetflow conditions if the average slope is steeper than 5%. However, installations on slopes greater than 10% will require an engineered plan that ensures adequate treatment and the safe and non-erosive conveyance of runoff to the property line or downstream stormwater management practice.
- Disconnecting impervious surfaces works best in undisturbed soils. To minimize disturbance and compaction, construction vehicles and equipment should avoid areas used for disconnection during installation of the solar panels.
- Groundcover vegetation must be maintained in good condition in those areas receiving disconnected runoff. Typically this maintenance is no different than other lawn or landscaped areas. However, areas receiving runoff should be protected (e.g., planting shrubs or trees along the perimeter) from future compaction.

Depending on the layout and number of panels installed, the disconnection of non-rooftop runoff technique may address some or all of the stormwater management requirements for an individual project. Where the imperviousness is high or there is other infrastructure (e.g., access roads, transformers), additional runoff may need to be treated. In these situations, other ESD techniques or micro-scale practices may be needed to provide stormwater management for these features.

ORDER RECEIVED FOR FILING

Date

12/7/17

By

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### Example 1 – Using Non-Rooftop Disconnection Where the Average Slope $\leq 5\%$

Several rows of solar panels will be installed in an existing meadow. The soils within the meadow are hydrologic soil group (HSG) B and the average slope does not exceed 5%. Each row of panels is 10 feet wide and the distance between rows is 20 feet. The rows of solar panels will be installed according to Figure 1 below. In this scenario, the disconnection length is the same as the distance between rows (20 feet) and is greater than the width of each row (10 feet). Therefore, each row of panels is adequately disconnected and the runoff from 1.0 inch of rainfall is treated.

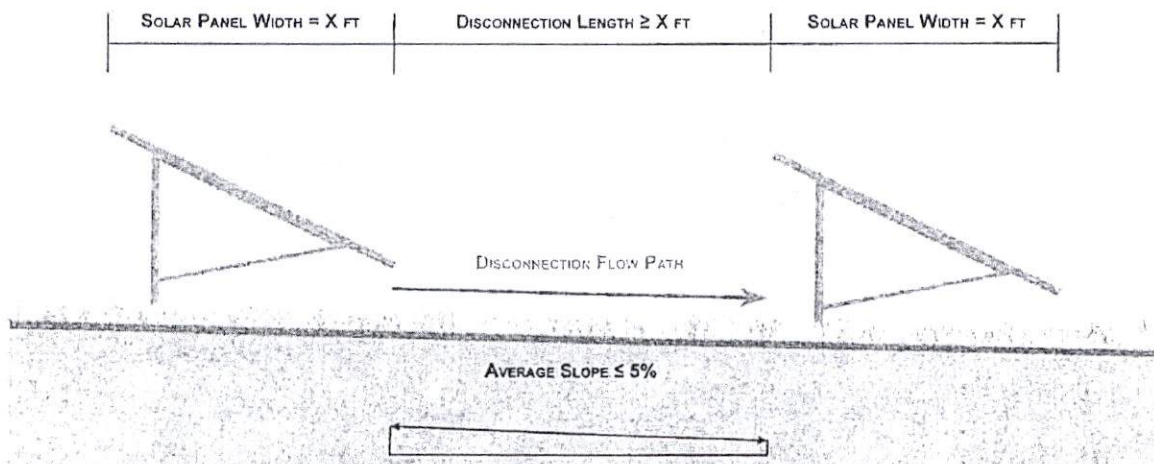


Figure 1. Typical Installation - Slope  $\leq 5\%$

### Example 2 – Using Non-Rooftop Disconnection Where the Average Slope $\geq 5\%$ but $\leq 10\%$

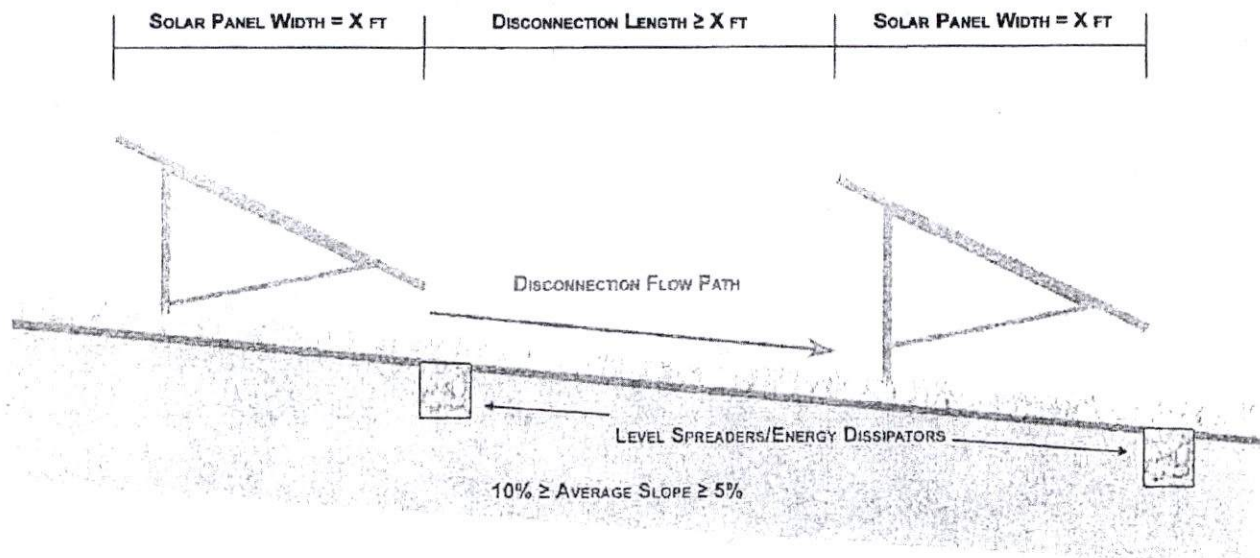
Several rows of solar panels will be installed in an existing meadow. The soils within the meadow are hydrologic soil group (HSG) B and the average slope is greater than 5% but less than 10%. Each row of panels is 10 feet wide and the distance between rows is 20 feet. The rows of solar panels will be installed as shown in Figure 2 below. The disconnection length is the same as the distance between rows (20 feet) and is greater than the width of each row (10 feet). However, in this example, a level spreader (typically 1 to 2-foot wide and 1 foot deep) has been located at the drip edge of each row of panels to dissipate energy and maintain sheetflow.

### Discussion

To meet State and local stormwater management requirements, ESD must be used to the MEP to reduce runoff to reflect forested conditions. While all reasonable options for implementing ESD must be investigated, minimally, the runoff from 1 inch of rainfall must be treated. In each of the examples above, there may be additional opportunities to implement ESD techniques or practices and reduce runoff that should be explored. However, simply disconnecting the runoff from the solar panel arrays captures and treats the runoff from 1.0 inch of rainfall. Where imperviousness is low and soil conditions less optimal (e.g., HSG C or D), this may be sufficient to completely address stormwater management requirements. In more dense applications or in sandy soils, additional stormwater management may be required.

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By sen



**Figure 2. Typical Installation – Slope  $\geq 5\%$  but  $\leq 10\%$**

### Conclusion

The primary purpose of Maryland's stormwater management program is to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water resources. Any land development project that exceeds 5,000 square feet of disturbance, including solar panel projects, must address stormwater management. However, for solar panels, stormwater management may be provided in a cost-effective manner by disconnecting each row of panels and directing runoff over the vegetated areas between the individual rows.

### Resources

<sup>1</sup> 2000 Maryland Stormwater Design Manual, Volumes I and II, MDE, October 2000  
 ([http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/MarylandStormwaterDesignManual/Pages/Programs/WaterPrograms/SedimentandStormwater/stormwater\\_design/index.aspx](http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/MarylandStormwaterDesignManual/Pages/Programs/WaterPrograms/SedimentandStormwater/stormwater_design/index.aspx))

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# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** Arnold Jablon  
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: 18-078



**INFORMATION:**

**Property Address:** 9155 Old Court Road  
**Petitioner:** Delores White-Rose  
**Zoning:** RC 2  
**Requested Action:** Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for partial development of a 1,980 kW (AC) ground mounted solar facility in accordance with 4E-102 of County Bill 37-17.

A site visit was conducted on September 25, 2017. Old Court Road is a Baltimore County scenic route.

This property was a CZMP issue in 2016 (4-001) seeking to rezone the tract from RC 2 to RC 5. The County Council denied the requested zoning change.

The Comprehensive Manual of Development Policies (CMDP), enabled by Section 504.2 of the Baltimore County Zoning Regulations, provides the following guidelines to the development of any area within or adjacent to a designated scenic route or significant view.

- Minimize tree and vegetation removal.
- Minimize grading to preserve the quality of the existing landforms.
- Design and locate utilities, lighting, signage, and fences to harmonize with the surroundings and to create the least visual impact.
- Use indigenous species or ones commonly found in the area when landscaping.
- Complement existing vegetation with flowering or evergreen trees and shrubs, wildflowers, etc. for seasonal interest.
- Locate parking, services and storage areas at the side or rear of the building(s), and screen them from the road to reduce their visual impact.
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- Petitioners shall note on the plan that the proposed solar facility will be subject to BCZR §4E-107.

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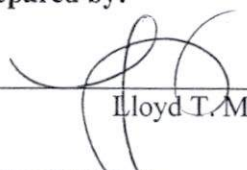
By Sen



- As noted above, Old Court Road is a Baltimore County Scenic Route. Any landscape plan submitted to Baltimore County for review and approval shall show vegetative screening at minimum along the northeast and southwest perimeter of the solar field and along the entire road frontage. Said screening shall be a mix of native deciduous, evergreen and flowering trees with understory shrubs situated in beds having a minimum width of 30'. The Department will not support a regimented planting. The plantings will have a naturalistic arrangement approaching an "enclosed view" as defined in the CMDP with a count and proximity that will not allow an observer from the scenic route to have a sustained view of the solar facility.
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- Lighting shall be limited to what is required for security purposes only and will be sited in such a way as to have minimal spillage onto neighboring properties.
- Signage shall be limited to that which is necessary for safety and security purposes.
- No deliveries or outdoor maintenance which may generate excessive noise may occur on-site between the hours of 6 P.M. through 6 A.M

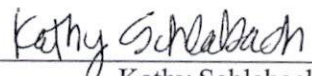
For further information concerning the matters stated herein, please contact Keeve Brine at 410-887-3480.

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

AVA/KS/LTM/ka

**Division Chief:**

  
\_\_\_\_\_  
Kathy Schlabach

c: Keeve Brine

James Hermann, R.L.A., Department of Permits, Approvals and Inspections  
Delores White-Rose  
Jonathan A. Jordan, Esquire  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 12/7/17

By Sen

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections  
*MS*

**FROM:** Vishnu Desai, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For September 25, 2017  
Item No. 2018-0078-X

**DATE:** October 4, 2017

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

Specific landscape comments:

1. Old Court 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,
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 8-29-17 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 Old Court Road is a designated Baltimore County Scenic Route. 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. Additional site plan information is needed and may include a number of site cross-sections with no exaggeration.

\* \* \* \* \*

VKD: CEN  
cc: file

ORDER RECEIVED FOR FILING

Date 12/7/17

By Sen

Case No.: 2018-078-X

Exhibit Sheet

Petitioner/Developer

Protestants

DW  
1-9-18

Aln  
12-11-17

|        |                                                     |  |
|--------|-----------------------------------------------------|--|
| No. 1  | Plan                                                |  |
| No. 2  | Landscape plan                                      |  |
| No. 3  | Minor Sub Plan<br>No. 07-047-M                      |  |
| No. 4  | 4A-4B Aerial photos                                 |  |
| No. 5  | 5A-5C Forest Con. and<br>Forest buffer declarations |  |
| No. 6  | 6A-6B<br>Renderings                                 |  |
| No. 7  |                                                     |  |
| No. 8  |                                                     |  |
| No. 9  |                                                     |  |
| No. 10 |                                                     |  |
| No. 11 |                                                     |  |
| No. 12 |                                                     |  |



0029278 446

RW 10-005  
 J.O. 205-0001-7500  
 Item 1(FC)  
 Election Dist.: 2 C4

5A

FOREST CONSERVATION  
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION, made this 27<sup>th</sup> day of August, 2009, by Delores White and Vanessa Sue Adams, (the "Declarant"), and BALTIMORE COUNTY, MARYLAND, A BODY CORPORATE AND POLITIC (the "County").

WHEREAS, the Declarant is the owner in fee simple of all that property situate and lying in the 2<sup>nd</sup> Election District of Baltimore County, Maryland, and more particularly described in a Deed dated July 12, 2001, and recorded among the Land Records of Baltimore County in Liber 15450, folio 442, from Vivian Ann Bruce a/k/a Ann Bruce and William Ross Davidson, Jr. a/k/a William Davidson to Delores White and Vanessa Sue Adams, the ("Property"); and

WHEREAS, Code of Maryland Regulations, as amended (hereafter referred to as "COMAR") Section 08.19.05.02 requires the establishment of long-term protective measures for all land retained as forest, afforested or reforested areas defined in Md. Code Ann. Nat. Res. § 5-1601.

WHEREAS, the Baltimore County Department of Environmental Protection and Resource Management ("DEPRM") has primary responsibility for developing and implementing a local forest conservation program within Baltimore County pursuant to Md. Code Ann. Nat. Res. § 5-1603; and

WHEREAS, in order to protect the environmental quality of the area of the property, said area containing 2.642 acres (115,095 S.F.), more or less, as designated and shown as Forest Conservation Easement Area ("the "Forest Conservation Easement" on Baltimore County Bureau of Land Acquisition Drawing No. RW10-005-03), which is attached hereto and made a part hereof, the Declarant desires to protect said Forest Conservation Easement by imposing covenants, conditions and restrictions which will bind the lots and the present and future owners thereof. The County shall have the legal right to enforce the covenants, conditions and restrictions as set forth herein together with the enforcement rights referenced in Section 4.

NOW, THEREFORE, in consideration of the benefits derived by the Declarant and its successors in interest, the said Declarant, for itself, its successors and/or assigns, does hereby agree as follows:

1. Except as provided for in an approved Forest Conservation Plan pursuant to § 33-6-110 of the Baltimore County Code, as amended (hereafter referred to as "The Code"):

a. Existing vegetation within the Forest Conservation Easement shall not be disturbed. This includes, but is not limited to, disturbance by tree removal, shrub removal, clearing, mowing, burning, spraying and grazing;

b. Soil disturbance shall not take place within the Forest Conservation Easement by grading, stripping of topsoil, plowing, cultivating, or other practices;

c. Filling or dumping shall not occur within the Forest Conservation Easement;

c. Animals shall not be housed, grazed or otherwise maintained within the Forest Conservation Easement;

e. Pesticides shall not be stored, used, or applied within the Forest Conservation Easement, except for the spot spraying of noxious weeds consistent with the recommendations of the University of Maryland Cooperative Extension Service;

0029278 4471

f. Motorized vehicles shall not be stored or operated within the Forest Conservation Easement, except for planting, maintenance and emergency used approved by DEPRM;

g. Materials shall not be stored within the Forest Conservation Easement;

h. Logging and timber harvesting operations shall not occur within the Forest Conservation Easement except in accordance with a Forest Management Plat that has been approved by DEPRM as part of the Forest Conservation Plan.

2. Waiver by DEPRM. The aforementioned covenants, conditions and restrictions may be waived or modified by variance only by DEPRM as provided in Code § 33-6-116

3. Easement for Access. The Declarant hereby grants to Baltimore County, Maryland, an easement of access to the Forest Conservation Easement as shown and indicated "ACCESS EASEMENT AREA" on Baltimore County Bureau of Land Acquisition Drawing No. RW 15-005-03, which is attached hereto and made part thereof, for the limited purposes of inspecting and maintaining the Forest Conservation Easement and to ensure compliance with the Forest Conservation Plan and Title 6 of Article 33 of the Code, and for no other use or purpose.

4. Miscellaneous.  
a. Enforcement shall be pursuant to the Enforcement Procedures of §§ 33-6-118 et. seq. of the Code. Invalidation of any one or more of these covenants by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

b. Any failure by any party entitled to enforce any of the covenants, conditions and restrictions herein contained, shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior to, or subsequent thereto.

c. These covenants shall run with and be binding upon the Property and shall inure to the benefit of and be binding upon the Declarant, its successors and/or assigns. These covenants and the rights and liabilities arising hereunder are governed by and shall be determined in accordance with the laws of the State of Maryland.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

WITNESS:

Bernadette M. [Signature]  
Howard [Signature]

DECLARANTS:

Delores White  
Delores White  
Vanessa Sue Adams  
Vanessa Sue Adams

STATE OF MARYLAND, COUNTY OF BALIMORE, to wit:

I HEREBY CERTIFY that on this 17 day of Aug., 2009, before me, the subscriber, a Notary Public, personally appeared Delores White and she acknowledged the foregoing Declaration to be her act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my hand and notarial seal.

[Signature]  
NOTARY PUBLIC

My Commission expires: 10-25-2012

0029278 4481

STATE OF MARYLAND, COUNTY OF BALIMORE, to wit:

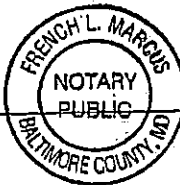
I HEREBY CERTIFY that on this 27<sup>th</sup> day of August, 2009 before me, the subscriber, a Notary Public, personally appeared Vanessa Sue White, and she acknowledged the foregoing Declaration to be her act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my hand and notarial seal.

*Adams*

*French L. Marcus*  
NOTARY PUBLIC

My Commission expires: \_\_\_\_\_



FRENCH L. MARCUS

This is ~~MY COMMISSION EXPIRES 1/17/2010~~ was prepared by an attorney admitted to practice before the Court of Appeals of Maryland.

*Michael T. Wyatt*  
Michael T. Wyatt

APPROVED:

*Thomas F. Urban*  
Department of Environmental  
Protection and Resource Management

APPROVED FOR LEGAL FORM AND SUFFICIENCY\*  
(Subject to Execution by A Duly Authorized County  
Administrative Official and County Council, if indicated)

*Amy D. Hines* 3/31/10  
OFFICE OF THE COUNTY ATTORNEY  
\*Approved of Legal Form and Sufficiency Does Not Convey  
Approval or Disapproval of Substantive Nature of Transaction.  
Approval is Based Upon Typeset Document. All Modifications  
Require Re-Approval.

APPROVED and ACCEPTED this  
6<sup>th</sup> day of March, 2010.  
BALTIMORE COUNTY, MARYLAND

ATTEST:

*Donna Morrison*

By: \_\_\_\_\_

*Fred Homan* 3/6/10  
County Administrative Officer  
Fred Homan



0029278 4491

Reference Deed of Trust:  
Dated: October 2, 2003  
Recorded on October 22, 2003  
Book 0019006 at Page 275

Reference Assignment:  
Assigned to US Bank, National Association Trustee by  
Wells Fargo Bank, N.A. s/b/m to Wells Fargo Home Mortgage, Inc.  
Dated: December 3, 2008  
Recorded: December 9, 2008  
Book 0027496 at Page 093

Consent of Lienholder

Wells Fargo Bank, N.A. acting as attorney in fact for U.S. Bank, National Association as Trustee ("Lienholder"), hereby consents to the grant of the foregoing Forest Conservation Easement by Delores White and Vanessa Adams, Address 9115 OLD COURT RD, WINDSOR MILL MD21244 to Baltimore County and, consents in the execution hereof solely as Lienholder and hereby does agree that in the event of the foreclosure of said mortgage, or other sale of said property described in said mortgage under judicial or non-judicial proceedings, the same shall be sold subject to said Forest Conservation Easement as shown on the map titled Baltimore County minor Subdivision Project no. 07-047-M.

SIGNED AND EXECUTED this 23rd day of November, 2009.

Wells Fargo Bank, N.A.

By: Edward A. DeBus  
Edward A. DeBus, Vice President

STATE OF MARYLAND, Frederick COUNTY: to wit:

I HEREBY CERTIFY, that on this 23rd day of November, 2009, before me, the subscriber, a Notary Public of the State of Maryland in and for Frederick County personally appeared Edward A. DeBus who acknowledged himself/herself to be the Vice President of Wells Fargo Bank, N.A., an Association, and that as such officer, being authorized so to do, he/she executed the within instrument for the purposes therein contained by signing in my presence the name of said association by himself/herself as its Vice President.

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed my Notarial seal.

Jennifer L. Eaton  
Notary Public, Jennifer L. Eaton

My Commission Expires: 10-30-2011

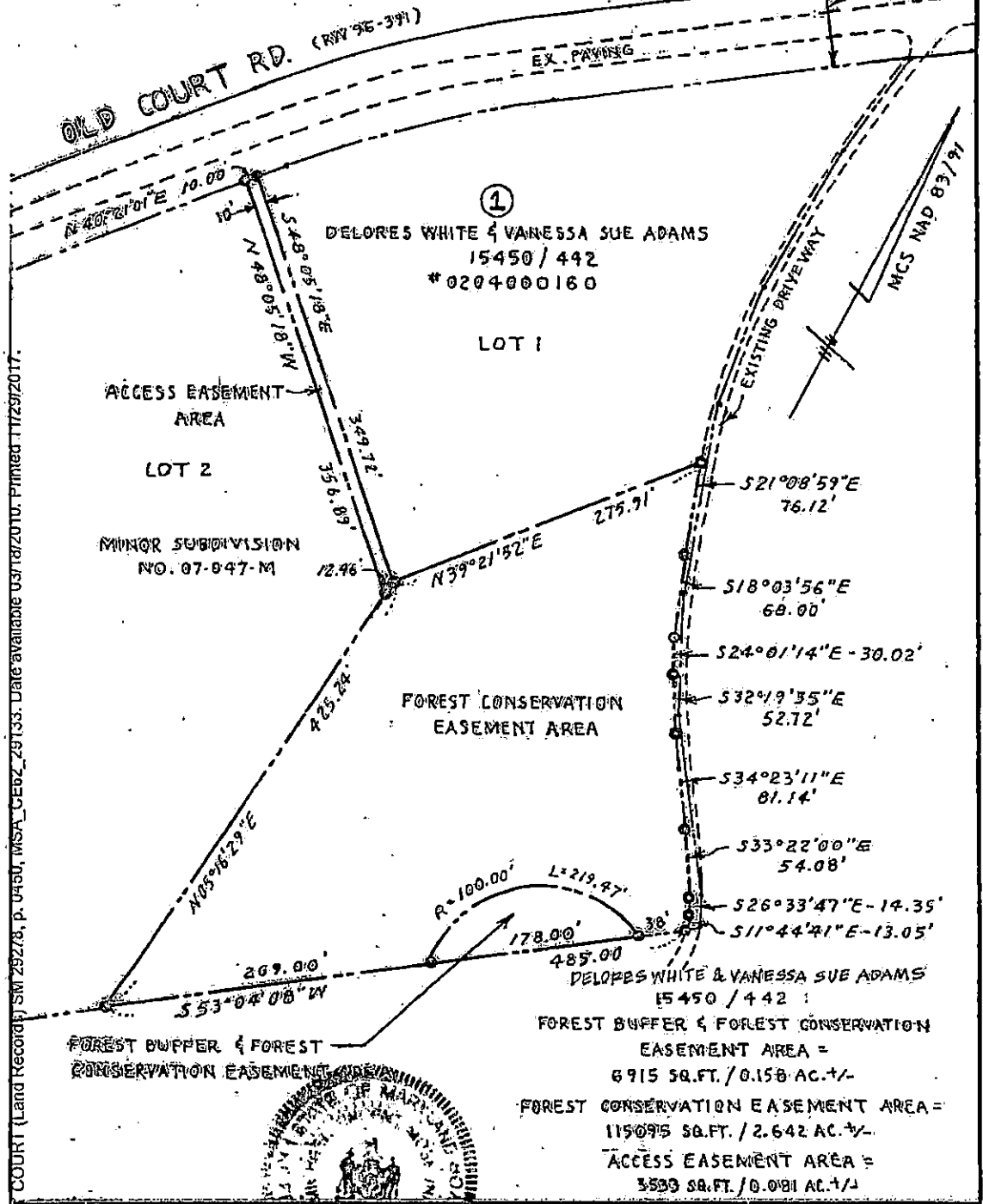


My Comm. Exp. 10/30/2011

0029278.450

NOTICE: THIS PLAT IS A PRELIMINARY PLAT FOR THE PURPOSE OF RECORDING. IT IS NOT TO BE USED FOR CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENT AREA EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

THE FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROCEEDINGS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH MAY AFFECT DISTURBANCE AND USE OF THESE AREAS.



|                                                                                 |                |                                  |                  |
|---------------------------------------------------------------------------------|----------------|----------------------------------|------------------|
| BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT |                | BUREAU OF LAND ACQUISITION       |                  |
| PROJECT NO. 15450                                                               | DATE 6/15/2008 | SHEET 1 OF 1                     | SCALE: 1" = 100' |
| DIRECTOR OF PUBLIC WORKS                                                        | DATE 6/15/2008 | SHEET 1 OF 1                     | SCALE: 1" = 100' |
| ADVERTISED SLOPE EASEMENT                                                       | DATE 6/15/2008 | SHEET 1 OF 1                     | SCALE: 1" = 100' |
| TEMPORARY CONSTRUCTION AREA                                                     | DATE 6/15/2008 | SHEET 1 OF 1                     | SCALE: 1" = 100' |
| ITEM NO.                                                                        | RECORDED       | DRAWN BY: GDS                    | DATE: 6/15/2008  |
|                                                                                 |                | PLAT CHECKED: MVM                | DATE: 6/15/2008  |
|                                                                                 |                | AREA CHECKED: GDS                | DATE: 6/15/2008  |
|                                                                                 |                | TITLE CHECKED: -                 | DATE: 6/15/2008  |
|                                                                                 |                | B.C. JOB ORDER NO. 205-0001-7500 | DATE: 6/15/2008  |
|                                                                                 |                | RW 10 - 005 - 03                 | DATE: 6/15/2008  |

## ATTORNEY CERTIFICATION

SUBDIVISION/PROJECT NAME: Minor Subdivision Plat, White / Adams Property

PUBLIC WORKS AGREEMENT NO: \_\_\_\_\_

CRG NO.: \_\_\_\_\_

FINAL DEVELOPMENT PLAN DATED: \_\_\_\_\_

FOR PROJECT KNOWN AS: \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES, REPRESENTS AND OPINES TO BALTIMORE COUNTY, MARYLAND, that:

1. The undersigned is an attorney duly admitted to practice before the Court of Appeals of Maryland and in good standing thereunder.

2. The undersigned maintains, or has maintained for the benefit of the undersigned, professional liability insurance coverage under Policy No: 09APMD00074, issued by Promarc Lawyers Professional Liability Insurance Program, insurer, with limits of liability of \$500,000/1,000,000. Such policy is in force and effect as of the date of this Certification, benefiting the County in case of loss, injury or damage arising from any errors or omissions related to the issuance of this Certificate by the undersigned and the County's reliance thereon.

3. The attached instrument, Forest Conservation Declaration of Protective Covenants, Conditions and Restrictions (the "Instrument") was prepared by me or under my supervision, and conforms in all material respects to the prescribed form for such Instrument as set forth in The Baltimore County, Maryland, Department of Permits and Development Management, Bureau of Land Acquisition Right of Way Documents Manual, 2007 edition.

4. The undersigned has caused a diligent examination of the Land Records of Baltimore County, Maryland, to be made to ascertain the status of record title to the real property (the "Property") described in, and to be encumbered or conveyed by, the Instrument. Based solely upon examination of such records as on file through the date of this certification (the "Examination Date"), by the undersigned, the undersigned certifies, represents and opines to Baltimore County, Maryland, that:

- a. Fee simple title of record is vested in Delores White and Vanessa Sue Adams as joint tenants by virtue of a deed from Vivian Ann Bruce a/k/a Ann Bruce and William Ross Davidson, Jr. a/k/a William Davidson dated July 12, 2001 and recorded among the Land Records of Baltimore County, Maryland in Liber SM No. 15450, folio 442.
- b. The Instrument is in appropriate form for the conveyance of, or creation of encumbrance on, the Property.



0029278 452

- c. Following the due execution and acknowledgment of the Instrument by the parties named therein, the signatory(ies) thereon having the authority to so bind the grantor entity(ies) referenced therein (if applicable), and its delivery to and acceptance by the County, and its recordation among the Land Records, the Instrument will be effective in accordance with its terms to create or convey the interest in the Property which the Instrument purports to create or convey, without the requirement or joinder of any other party having an interest of record in the Property (including, but not limited to, beneficiaries of easements, rights of way, security instruments, and/or agreements) as of the Examination Date.
- d. I have no personal knowledge of conflicting interests (including, but not limited to, rights or claims of parties in possession, adverse claims, and/or equitable interests not shown by the public records) that would interfere with or jeopardize Baltimore County's use of the herein granted easement or fee simple area for the purposes set forth in this Instrument.

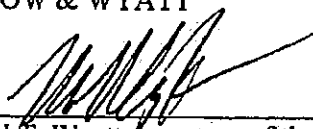
5. This Certification is made and delivered subject to the express understandings and agreements:

- a. The execution and delivery of this Certification by the undersigned was an express condition precedent to the agreement of Baltimore County, Maryland, to accept the Instrument from the parties named therein as granting or joining in the same.
- b. This Certification of title is rendered to Baltimore County, Maryland, for its benefit, with the understanding that Baltimore County, Maryland, will rely upon the truth, accuracy and completeness of the certifications, representations and opinions herein set forth.
- c. This Certification of title may be relied upon by Baltimore County, Maryland, authorities. It may not be relied upon by any other person or entity without the prior written consent of the undersigned.
- d. The undersigned assumes no liability for any lien, encumbrance, and/or defect in title to or ownership of the Property, of whatever nature or character, arising subsequent to the Examination Date of which the undersigned had no personal knowledge. The undersigned assumes no responsibility for any lien, encumbrance, title defect or any other matter affecting title to the Property of which the undersigned had no personal knowledge and not appearing of record among the Land Records of Baltimore County, Maryland, as of the Examination Date.

0029278 453

Date: 12/9/07

MARLOW & WYATT

By: 

Michael T. Wyatt, a partner of the firm  
Address: 404 Allegheny Avenue  
Towson, Maryland 21204  
Phone No: (410) 821-1013

**ATTORNEY DEED PREPARATION CERTIFICATION**  
(with use of an Attorney Title Certification)

SUBDIVISION/PROJECT NAME: Minor Subdivision Plat, White / Adams Property

PUBLIC WORKS AGREEMENT NO: \_\_\_\_\_

CRG NO.: \_\_\_\_\_

FINAL DEVELOPMENT PLAN DATED: \_\_\_\_\_

FOR PROJECT KNOWN AS: \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES, REPRESENTS AND OPINES TO BALTIMORE COUNTY, MARYLAND, that:

1. The undersigned is an attorney duly admitted to practice before the Court of Appeals of Maryland and in good standing thereunder.

2. The undersigned maintains, or has maintained for the benefit of the undersigned, professional liability insurance coverage under Policy No: 09APMD00074, issued by Promarc Lawyers Professional Liability Insurance Program, insurer, with limits of liability of \$500,000/1,000,000. Such policy is in force and effect as of the date of this Certification, benefiting the County in case of loss, injury or damage arising from any errors or omissions related to the issuance of this Certificate by the undersigned and the County's reliance thereon.

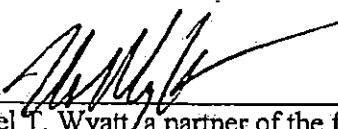
3. The attached instrument, Forest Conservation Declaration of Protective Covenants, Conditions and Restrictions (the "Instrument") was prepared by me or under my supervision, and conforms in all material respects to the prescribed form for such Instrument as set forth in The Baltimore County, Maryland, Department of Permits and Development Management, Bureau of Land Acquisition Right of Way Documents Manual, 2007 edition.

4. The execution and delivery of this Certification by the undersigned was an express condition precedent to the agreement of Baltimore County, Maryland, to accept the Instrument from the parties named therein as granting or joining in the same.

5. Following the due execution and acknowledgment of the Instrument by the parties named therein, the signatory(ies) thereon having the authority to so bind the grantor entity(ies) referenced therein (if applicable), and its delivery to and acceptance by the County, and its recordation among the Land Records, the Instrument will be effective in accordance with its terms to create or convey the interest in the Property which the Instrument purports to create or convey, without the requirement or joinder of any other party having an interest of record in the Property (including, but not limited to, beneficiaries of easements, rights of way, security instruments, and/or agreements) as of the Examination Date.

0029278 455

MARLOW & WYATT

By: 

Michael T. Wyatt, a partner of the firm  
Address: 404 Allegheny Avenue  
Towson, Maryland 21204  
Phone No: (410) 821-1013

Date: 12/4/09





Section Prepared for: Missy Carr, Clark Correction Institute

Mar-16-2016 11:32 am

0029278 434

RW 10-005 - 03

J.O. 205-0001-7500

Item (FBC)

Election Dist.: 2 C4

50

**FOREST BUFFER AND FOREST CONSERVATION  
DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS DECLARATION, made this 27th day of August, 2009, by Delores White and Vanessa Sue Adams, (the "Declarant"); and BALTIMORE COUNTY, MARYLAND, A BODY CORPORATE AND POLITIC (the "County").

WHEREAS, the Declarant is the owner in fee simple of all that property situate and lying in the 2<sup>nd</sup> Election District of Baltimore County, Maryland, and more particularly described in a Deed dated July 12, 2001, and recorded among the Land Records of Baltimore County in Liber 15450, folio 442, from Vivian Ann Bruce a/k/a Ann Bruce and William Ross Davidson, Jr. a/k/a William Davidson to Delores White and Vanessa Sue Adams, (the "Property"); and

WHEREAS, in order to protect the environmental quality of the area of the property, said area containing 0.158 acre, ( 6915 sq. ft.), more or less, as designated and shown as (the "Forest Buffer and Forest Conservation Easement Area") on Baltimore County Bureau of Land Acquisition Drawing No. RW 10-005-03, which is attached hereto and made a part hereof, the Declarant desires to protect said Forest Buffer and Forest Conservation Easement by imposing covenants, conditions and restrictions which will bind the lots and the present and future owners thereof. The County shall have the legal right to enforce the covenants, conditions and restrictions as set forth herein together with the enforcement rights referenced in Section 4.

NOW, THEREFORE, in consideration of the benefits derived by the Declarant and its successors in interest, the said Declarant, for itself, its successors and assigns, do hereby agree as follows:

1. a. Existing vegetation within the Forest Buffer and Forest Conservation Easement shall not be disturbed, except as provided pursuant to Baltimore County Code, as amended (hereafter referred to as "the Code"), §33-3-112;
- b. Soil disturbance shall not take place within the Forest Buffer and Forest Conservation Easement by grading, stripping of topsoil, plowing, cultivating, or other practices;
- c. Filling or dumping shall not occur within the Forest Buffer and Forest Conservation Easement;
- d. Except as permitted by the Baltimore County Department of Environmental Protection and Resource Management ("DEPRM"), the Forest Buffer and Forest Conservation Easement shall not be drained by ditching, underdrains, other drainage systems;
- e. Pesticides shall not be stored, used or applied within the Forest Buffer and Forest Conservation Easement, except for the spot spraying of noxious weeds consistent with the recommendations of the University of Maryland Cooperative Extension Service;
- f. Animals shall not be housed, grazed or otherwise maintained within the Forest Buffer and Forest Conservation Easement;
- g. Motorized vehicles shall not be stored or operated within the Forest Buffer and Forest Conservation Easement, except for maintenance and emergency use approved by DEPRM;

0029278 435

h. Materials shall not be stored within the Forest Buffer and Forest Conservation Easement.

2. Waiver by DEPRM. The aforementioned covenants, conditions and restrictions may be waived or modified by variance only by DEPRM as provided in § 33-3-106 of the Code.

3. Easement for Access. Declarant hereby grants to Baltimore County, Maryland, an easement of access to the Forest Buffer and Forest Conservation Easement as shown and indicated as "ACCESS EASEMENT AREA" on Baltimore County Bureau of Land Acquisition Drawing No. RW 10-005-03, which is attached hereto and made a part thereof for the limited purposes of inspecting and maintaining the Forest Buffer and Forest Conservation Easement and providing for the abatement and correction of water pollution, erosion and sedimentation of stream channels, wetlands and flood plains, and for no other use or purpose.

4. Miscellaneous.

a. Enforcement shall be pursuant to the Enforcement Procedures of §§ 33-3-115 et seq. of the Code. Invalidation of any one or more of these covenants by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

b. Any failure by any party entitled to enforce any of the covenants, conditions and restrictions herein contained, shall in no event be deemed a waiver of the right to do so thereafter as to the same breach, or as to one occurring prior to, or subsequent thereto.

c. These covenants shall run with and binding upon the Property and shall inure to the benefit of and be binding upon the Declarant, its successors and assigns. These covenants and the rights and liabilities arising hereunder are governed by and shall be determined in accordance with the laws of the State of Maryland.

IN WITNESS WHEREOF, the party hereto has executed this Agreement as of the day and year first above written.

ATTEST/WITNESS

Emmanuel M. Johnson

DECLARANT:

Delores White

(SEAL)

Delores White

Howard J. Adams

Vanessa Sue Adams

(SEAL)

Vanessa Sue Adams

STATE OF Maryland, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY that on this 17 day of Aug., 2009, before me, a Notary Public, personally appeared **Delores White** and she acknowledged the foregoing Declaration to be her act, and IN MY PRESENCE SIGNED AND SEALED THE SAME.

AS WITNESS my hand and notarial seal.

Robert J. Reed  
Notary Public

My Commission expires: 10-25-2012



BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 29278, p. 0436, MSA\_CE62\_29133. Date available 03/18/2010. Printed 11/29/2017.

0029278 4361

STATE OF MARYLAND CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY that on this 27<sup>th</sup> day of August, 2009, before me, a Notary Public, personally appeared **Vanessa Sue Adams** and she acknowledged the foregoing Declaration to be her act, and IN MY PRESENCE SIGNED AND SEALED THE SAME

AS WITNESS my hand and notarial seal.



*French L. Marcus*  
Notary Public

FRENCH L. MARCUS  
MY COMMISSION EXPIRES: 11/1/2010  
My Commission expires: \_\_\_\_\_

This is to certify that the within instrument was prepared by an attorney admitted to practice before the Court of Appeals of Maryland.

*Michael T. Wyott*  
Michael T. Wyott

APPROVED:  
*Ronnie L. Wilson*  
Department of Environmental  
Protection and Resource Management

APPROVED FOR LEGAL FORM AND SUFFICIENCY\*  
(Subject to Execution by a Duly Authorized County  
Administrative Official and County Council, if indicated)

*Christopher L. ...* 313110  
OFFICE OF THE COUNTY ATTORNEY  
\* Approval of Legal Form and Sufficiency Does Not Convey  
Approval or Disapproval of Substantive Nature of Transaction.  
Approval is Based Upon Typeset Document, All Modifications Require Re-Approval.

APPROVED AND ACCEPTED this  
6<sup>th</sup> day of March, 2010.

ATTEST/WITNESS  
*Donna Morrison*

BALTIMORE COUNTY, MARYLAND  
BY: *Fred Homan* 3/6/10  
Name: Fred Homan  
County Administrative Officer

INDEXED  
DATE: 3-12-2010

0029278 437

Reference Deed of Trust:  
Dated: October 2, 2003  
Recorded on October 22, 2003  
Book 0019006 at Page 275

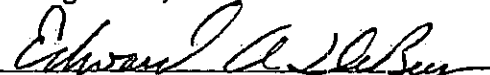
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Assigned to US Bank, National Association Trustee by  
Wells Fargo Bank, N.A. s/b/m to Wells Fargo Home Mortgage, Inc.  
Dated: December 3, 2008  
Recorded: December 9, 2008  
Book 0027496 at Page 093

Consent of Lienholder

Wells Fargo Bank, N.A. acting as attorney in fact for U.S. Bank, National Association as Trustee ("Lienholder"), hereby consents to the grant of the foregoing Forest Buffer and Forest Conservation Easement by Delores White and Vanessa Adams, Address 9115 OLD COURT RD, WINDSOR MILL MD21244 to Baltimore County and, consents in the execution hereof solely as Lienholder and hereby does agree that in the event of the foreclosure of said mortgage, or other sale of said property described in said mortgage under judicial or non-judicial proceedings, the same shall be sold subject to said Forest Buffer and Forest Conservation Easement as shown on the map titled Baltimore County minor Subdivision Project no. 07-047-M.

SIGNED AND EXECUTED this 23rd day of November, 2009.

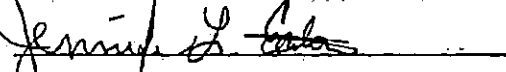
Wells Fargo Bank, N.A.

By:   
Edward A. Debus, Vice President

STATE OF MARYLAND, Frederick COUNTY: to wit:

I HEREBY CERTIFY, that on this 23rd day of November, 2009, before me, the subscriber, a Notary Public of the State of Maryland in and for Frederick County personally appeared Edward A. DeBus who acknowledged himself/herself to be the Vice President of Wells Fargo Bank, N.A., an Association, and that as such officer, being authorized so to do, he/she executed the within instrument for the purposes therein contained by signing in my presence the name of said association by himself/herself as its Vice President.

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed my Notarial seal.

  
Notary Public, Jennifer L. Eaton

My Commission Expires: 10-30-2011



My Comm. Exp. 10/30/2011

|                                                   |  |                                                                                                                                   |  |
|---------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------|--|
| IDENTITY OF ACCOUNTOR<br>DISTRICT NO. <b>1264</b> |  | DEPARTMENT OF HIGHWAYS & TRANSPORTATION MANAGEMENT<br>BUREAU OF LAND ACQUISITION                                                  |  |
| REFERENCE NO. <b>1264</b>                         |  | SPECIAL PROJECT NO.                                                                                                               |  |
| CONSTRUCTION METHOD <b>WALL &amp; CURB</b>        |  | SPECIAL FEATURES                                                                                                                  |  |
| APPROVED<br>DIRECTOR OF PUBLIC WORKS              |  | EXISTING COUNTY R/W<br>AREA TO BE RELEASED<br>TEMPORARY SLOPE EASEMENT<br>TEMPORARY CONSTRUCTION AREA<br>TEMPORARY SLOPE EASEMENT |  |
| DATE                                              |  | DATE <b>6/15/2008</b>                                                                                                             |  |
| DIVISION OF LAND ACQUISITION                      |  | SHEET <b>OF</b>                                                                                                                   |  |
| DATE                                              |  | SCALE: <b>1" = 100'</b>                                                                                                           |  |
| DIVISION OF DRAINAGE                              |  | B.C. JOB ORDER NO.<br><b>205-0001-7500</b>                                                                                        |  |
| DATE                                              |  | RW <b>10 - 005-03</b>                                                                                                             |  |

0029278 439

### ATTORNEY CERTIFICATION

SUBDIVISION/PROJECT NAME: Minor Subdivision Plat, White / Adams Property

PUBLIC WORKS AGREEMENT NO: \_\_\_\_\_

CRG NO.: \_\_\_\_\_

FINAL DEVELOPMENT PLAN DATED: \_\_\_\_\_

FOR PROJECT KNOWN AS: \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES, REPRESENTS AND OPINES TO BALTIMORE COUNTY, MARYLAND, that:

1. The undersigned is an attorney duly admitted to practice before the Court of Appeals of Maryland and in good standing thereunder.

2. The undersigned maintains, or has maintained for the benefit of the undersigned, professional liability insurance coverage under Policy No: 09APMD00074, issued by Promarc Lawyers Professional Liability Insurance Program, insurer, with limits of liability of \$500,000/1,000,000. Such policy is in force and effect as of the date of this Certification, benefiting the County in case of loss, injury or damage arising from any errors or omissions related to the issuance of this Certificate by the undersigned and the County's reliance thereon.

3. The attached instrument, Forest Buffer and Forest Conservation Declaration of Protective Covenants, Conditions and Restrictions (the "Instrument") was prepared by me or under my supervision, and conforms in all material respects to the prescribed form for such Instrument as set forth in The Baltimore County, Maryland, Department of Permits and Development Management, Bureau of Land Acquisition Right of Way Documents Manual, 2007 edition.

4. The undersigned has caused a diligent examination of the Land Records of Baltimore County, Maryland, to be made to ascertain the status of record title to the real property (the "Property") described in, and to be encumbered or conveyed by, the Instrument. Based solely upon examination of such records as on file through the date of this certification (the "Examination Date"), by the undersigned, the undersigned certifies, represents and opines to Baltimore County, Maryland, that:

- a. Fee simple title of record is vested in Delores White and Vanessa Sue Adams as joint tenants by virtue of a deed from Vivian Ann Bruce a/k/a Ann Bruce and William Ross Davidson, Jr. a/k/a William Davidson dated July 12, 2001 and recorded among the Land Records of Baltimore County, Maryland in Liber SM No. 15450, folio 442.



- b. The Instrument is in appropriate form for the conveyance of, or creation of encumbrance on, the Property.
- c. Following the due execution and acknowledgment of the Instrument by the parties named therein, the signatory(ies) thereon having the authority to so bind the grantor entity(ies) referenced therein (if applicable), and its delivery to and acceptance by the County, and its recordation among the Land Records, the Instrument will be effective in accordance with its terms to create or convey the interest in the Property which the Instrument purports to create or convey, without the requirement or joinder of any other party having an interest of record in the Property (including, but not limited to, beneficiaries of easements, rights of way, security instruments, and/or agreements) as of the Examination Date.
- d. I have no personal knowledge of conflicting interests (including, but not limited to, rights or claims of parties in possession, adverse claims, and/or equitable interests not shown by the public records) that would interfere with or jeopardize Baltimore County's use of the herein granted easement or fee simple area for the purposes set forth in this Instrument.

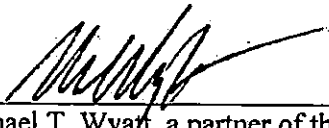
5. This Certification is made and delivered subject to the express understandings and agreements:

- a. The execution and delivery of this Certification by the undersigned was an express condition precedent to the agreement of Baltimore County, Maryland, to accept the Instrument from the parties named therein as granting or joining in the same.
- b. This Certification of title is rendered to Baltimore County, Maryland, for its benefit, with the understanding that Baltimore County, Maryland, will rely upon the truth, accuracy and completeness of the certifications, representations and opinions herein set forth.
- c. This Certification of title may be relied upon by Baltimore County, Maryland, authorities. It may not be relied upon by any other person or entity without the prior written consent of the undersigned.
- d. The undersigned assumes no liability for any lien, encumbrance, and/or defect in title to or ownership of the Property, of whatever nature or character, arising subsequent to the Examination Date of which the undersigned had no personal knowledge. The undersigned assumes no responsibility for any lien, encumbrance, title defect or any other matter affecting title to the Property of which the undersigned had no personal knowledge and not appearing of record among the Land Records of Baltimore County, Maryland, as of the Examination Date.

0029278 441

Date: 12/4/01

MARLOW & WYATT

By: 

Michael T. Wyatt, a partner of the firm  
Address: 404 Allegheny Avenue  
Towson, Maryland 21204  
Phone No: (410) 821-1013

0029278 442

**ATTORNEY DEED PREPARATION CERTIFICATION**  
(with use of an Attorney Title Certification)

SUBDIVISION/PROJECT NAME: Minor Subdivision Plat, White / Adams Property

PUBLIC WORKS AGREEMENT NO: \_\_\_\_\_

CRG NO.: \_\_\_\_\_

FINAL DEVELOPMENT PLAN DATED: \_\_\_\_\_

FOR PROJECT KNOWN AS: \_\_\_\_\_

THE UNDERSIGNED HEREBY CERTIFIES, REPRESENTS AND OPINES TO  
BALTIMORE COUNTY, MARYLAND, that:

1. The undersigned is an attorney duly admitted to practice before the Court of Appeals of Maryland and in good standing thereunder.

2. The undersigned maintains, or has maintained for the benefit of the undersigned, professional liability insurance coverage under Policy No: 09APMD00074, issued by Promarc Lawyers Professional Liability Insurance Program, insurer, with limits of liability of \$500,000/1,000,000. Such policy is in force and effect as of the date of this Certification, benefiting the County in case of loss, injury or damage arising from any errors or omissions related to the issuance of this Certificate by the undersigned and the County's reliance thereon.

3. The attached instrument, Forest Buffer and Forest Conservation Declaration of Protective Covenants, Conditions and Restrictions (the "Instrument") was prepared by me or under my supervision, and conforms in all material respects to the prescribed form for such Instrument as set forth in The Baltimore County, Maryland, Department of Permits and Development Management, Bureau of Land Acquisition Right of Way Documents Manual, 2007 edition.

4. The execution and delivery of this Certification by the undersigned was an express condition precedent to the agreement of Baltimore County, Maryland, to accept the Instrument from the parties named therein as granting or joining in the same.

5. Following the due execution and acknowledgment of the Instrument by the parties named therein, the signatory(ies) thereon having the authority to so bind the grantor entity(ies) referenced therein (if applicable), and its delivery to and acceptance by the County, and its recordation among the Land Records, the Instrument will be effective in accordance with its terms to create or convey the interest in the Property which the Instrument purports to create or convey, without the requirement or joinder of any other party having an interest of record in the Property (including, but not limited to, beneficiaries of easements, rights of way, security instruments, and/or agreements) as of the Examination Date.

0029278 443

MARLOW & WYATT

By: 

Michael T. Wyatt, a partner of the firm  
Address: 404 Allegheny Avenue  
Towson, Maryland 21204  
Phone No: (410) 821-1013

Date: 12/11/11



0029278 4441

## ENGINEER CERTIFICATION

SUBDIVISION/PROJECT NAME White/Adams Property Minor Subdivision No. 07-047-M  
 PUBLIC WORKS AGREEMENTS NO.: N/A  
 COUNTY REVIEW GROUP NO. N/A  
 FINAL DEVELOPMENT PLAN DATED: N/A  
 FOR PROJECT KNOWN AS: White/Adams Property Minor Subdivision No. 07-047-M

I HEREBY declare, affirm, and certify under penalties of perjury that the following listed right-of-way plat(s) were prepared in compliance with Baltimore County, Department of Permits and Development Management, Bureau of Land Acquisition, Drafting Section, Design Manual, dated September, 1996 and revised May 2007.

I FURTHER agree to indemnify, protect, and hold harmless Baltimore County, Maryland, its agents, employees, successors, and/or assigns from and against any and all costs, liability, penalties, fines, forfeitures, attorney's fees, judgments, and related litigation costs arising from any negligent errors and omissions contained in this certification, it being fully understood and acknowledged that Baltimore County, its successors and/or assigns, shall be a third party beneficiary of an agreement, whether oral or written, between my client Delores White and Vanessa Sue Adams, and myself for the preparation of this Certification.

## Right-of-Way Plat

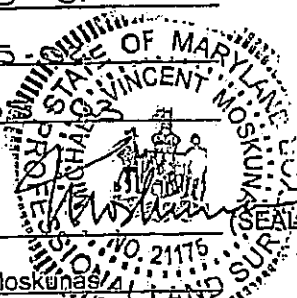
RW 10-005 - 01

RW 10-005 - 02

RW 10-005 - 03

Date:

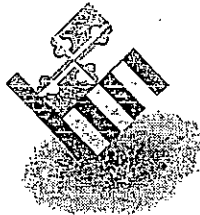
11/28/09

  
 Name: Michael V. Moskun  
 Company: Site Rite Surveying, Inc.  
 Address: 200 E. Joppa Road, Room 101  
Towson MD 21286  
 Telephone No (410) 828-9060

Professional Liability Insurance  
 Company: National Surety Corporation  
 Policy No.: MZO 80446584  
 Policy Limits: 1,000,000 aggregate  
1,000,000 each claim

Space Reserved for Credit Court Clerk Recording Validation

Mar 16r 2013 11:31 am



**BALTIMORE COUNTY**  
M A R Y L A N D

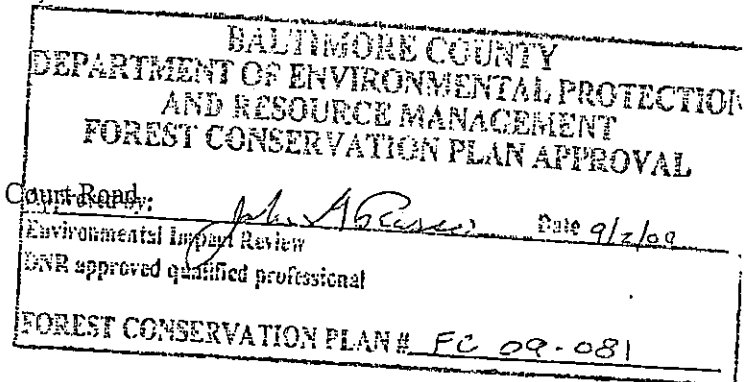
JAMES T. SMITH, JR.  
County Executive

JONAS A. JACOBSON, Director  
Department of Environmental Protection  
and Resource Management

June 18, 2009

Ms. Delores White  
9115 Old Court Road  
Windsor Mill, Md. 21244

Re: White/Adams Property AT 9115 Old Court Road:  
Forest Conservation Variance  
Tracking # 04-09-889



Dear Ms. White:

This Department has completed a review of the request for a variance from the Baltimore County Forest Conservation Regulations for the proposed activity on the above referenced property. This request proposes to allow sowing 2.8 acres of woody seed mix onsite in lieu of planting 4.5 acres of individual woody plants to address the afforestation required by the Forest Conservation Law for the proposed two lot minor subdivision.

The Director of DEPRM may grant a special variance to the Forest Conservation law in accordance with criteria outlined in Section 33-6-116 of the Baltimore County Code. There are six criteria listed in Subsection 33-6-116(d) and (e) that shall be used to evaluate the variance request. One of the criteria under Subsection 33-6-116(d) must be met, and all three of the criteria under Subsection 33-6-116(e) must be met, in order to approve the variance.

The first criterion (Subsection 33-6-116(d)(1) of the Code) requires that the petitioner show that the land in question cannot yield a reasonable return and all beneficial use of the property will be deprived if the requirement from which the special variance is requested is imposed. The proposed 21.1-acre subdivision requires 4.5 acres of afforestation, which requires a minimum performance security of \$49,005.00. In this case, full application of the law requiring installation of woody plants and posting of a significant performance security would result in an unwarranted financial hardship to the applicant due to unforeseen and unique circumstances. Therefore, we find that this criterion has been met in this specific case.

The second criterion (Subsection 33-6-116(d)(2) of the Code) requires that the petitioner show that his/her plight is due to unique circumstances and not the general conditions in the neighborhood. The plight is due to unforeseen and unique financial and legal constraints of the applicant, a single property owner solely responsible financially for a subdivision that is bound by legal conditions. Using a seed mix instead of woody specimens is due to this unique financial hardship rather than general conditions in the neighborhood. Therefore, we find that this criterion has been met.

The third criterion (Subsection 33-6-116(d)(3) requires that the petitioner show that the special variance requested will not alter the essential character of the neighborhood. The Forest Conservation Easement to be seeded will ultimately become forest. The area to be planted is located in the southeast corner of the property on slopes adjacent to a Forest Buffer Easement. Furthermore, the proposed two-lot subdivision is designed to allow the central portion of the site approximately 10.5 acres to remain as a productive agricultural field. Therefore, we find that this criterion has been met.

The fourth criterion (Subsection 33-6-116(e)(1) of the Code) requires that granting the variance will not adversely affect water quality, both during construction and over the long term. We have determined that the proposed Forest Buffer Easement (FBE) and Forest Conservation Easement (FCE) area to be seeded is a priority planting area because of its close proximity to the stream system and steep slopes. Additionally, the FBE/FCE will be posted with permanent protective signage. Therefore, we find that granting of the special variance will not adversely affect water quality, and that this criterion has been met.

The fifth criterion (Subsection 33-6-116(e)(2) of the Code) requires that granting the special variance request does not arise from a condition or circumstance which is the result of actions taken by the petitioner. The petitioner has not taken any actions on the property prior to requesting this variance request. Therefore, this criterion has been met.

The sixth criterion (Subsection 33-6-116(e)(3) of the Code) requires that the Director of DEPRM find that the special variance, as granted, would be consistent with the spirit and intent of Article 33 of the Baltimore County Code. Allowing seeding in lieu of planting individual trees would be consistent with the spirit and intent of the Forest Conservation Regulations because both methods will result in creating a forest that will be protected in perpetuity. Furthermore, there is also adequate seed source from nearby pioneer species of trees to aid in the succession of this Forest Buffer and Forest Conservation Easement area.

Based upon our review, this Department finds that all of the criteria have been met. Therefore, the requested variance is hereby approved, in accordance with Section 33-6-116 of the Baltimore County Code with the following conditions:

1. The 2.8 acre Forest Conservation Easement and Forest Buffer Easement as shown on the attached exhibit shall be seeded with a native woody tree and shrub mix. The specific seed mix, application rate, site preparation, seeding method, maintenance procedure and permanent protective signage must be detailed on a revised forest conservation plan (FCP) and submitted to this Department for approval prior to minor subdivision approval.
2. The Forest Conservation Easement (FCE) shall be permanently posted with "Forest Conservation-Do Not Disturb" signs as shown on the attached exhibit. Surveyed limits of the environmental easement shall be clearly marked in the field at the predetermined intervals with permanent below grade markers to facilitate identification of the easement limits by both homeowners and County staff. The aforementioned "Do Not Disturb" signs should be installed as "witness" posts near each marker location using metal posts as indicated on the FCP. The signs and

Ms. Delores White  
White/Adams Property  
Forest Conservation Variance  
June 18, 2009  
Page 3

markers also must be installed by October 31, 2009 or prior to issuance of any building permits, whichever comes first. Details of the signs and markers are included on the second attachment.

3. Seeding of FCE shall be completed by October 31, 2009 and a consultant's report documenting the seed mix used, planting date, application rate and method of seeding shall be submitted by November 30, 2009.
4. A note must be added to all plans stating "A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Baltimore's Forest Conservation Law. Conditions were placed on this variance to reduce forest and water quality impacts including posting permanent protective signage and permanent monuments along the Forest Conservation/Forest Buffer Easement limit.
5. The Forest Buffer/Forest Conservation Easement shall be recorded along with the respective Declaration of Protective Covenants in Baltimore County Land Records via a right of way plat process prior to minor subdivision approval.
6. The granting of this variance does not exempt future development activities on the property from full compliance with Baltimore County Code Article 33. Environmental; Protection and Resource Management, Title 6. Forest Conservation.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Please have the property owner sign the statement on the next page and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please call John Russo of Environmental Impact Review at 410 887-3980.

Sincerely,



Jonas A. Jacobson  
Director

Attachments (2)



Ms. Delores White  
White/Adams Property  
Forest Conservation Variance  
June 18, 2009  
Page 4

JAJ/jgr

- c. John Canoles, Eco-Science Professionals, Inc.  
Vincent Moskunas, Site Rite Surveying

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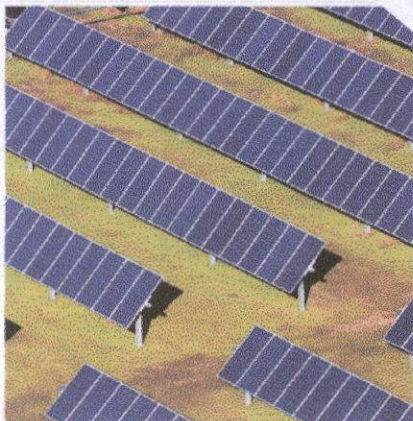
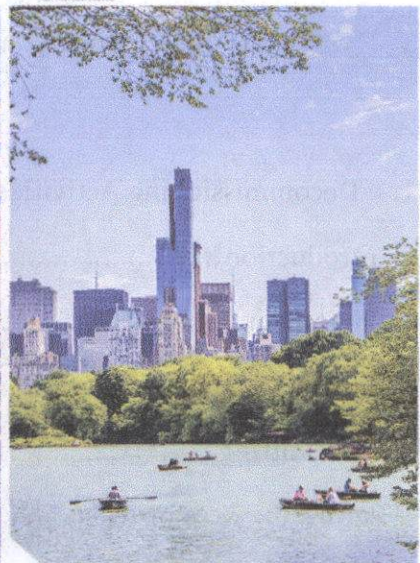
I/we agree to the above conditions to bring my/our property into compliance with Baltimore  
County Forest Conservation Law.

|                            |                |                      |
|----------------------------|----------------|----------------------|
| <u>Delores White</u>       | <u>6-29-09</u> | <u>Delores White</u> |
| Property Owner's Signature | Date           | Printed Name         |

# Decommissioning Plan

## Ground Mounted Project

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2018-0078-X





ForeFront Power | [www.forefrontpower.com](http://www.forefrontpower.com)

100 Montgomery Street | Suite 1400

San Francisco, CA 94104

# Contents

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|                                    |    |
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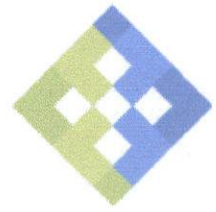


# *1. Decommissioning Activities*

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SAMPLE









## Introduction

The Decommission Plan (the “Plan”) describes anticipated activities and process for decommissioning of the proposed facility following its useful life. The purpose of decommissioning is to restore the Property to a clean, safe and usable condition for continued use by the landowner.

Decommissioning consists of the removal of above-ground and below-ground facility components, management of excess materials and waste as well as the restoration of Project lands, as applicable. Activities are expected to take between 8-10 weeks but no longer than four-months.

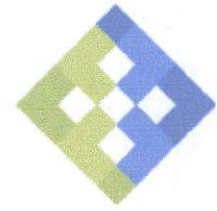
Potential negative environmental effects from decommissioning of the facility will be mitigated through use of erosion and sediment control measures, limiting the use of heavy machinery (where possible), and maintaining a buffer from natural features. These control measures, as well as other mitigation measures used during construction will be re-implemented during the decommissioning phase and until the site is stabilized.

Future consultation will occur with the municipality prior to decommissioning to discuss preferences and commitments to restore the Project to its pre-construction condition or a similar state. All decommissioning and restoration activities will adhere to the requirements set forth by Occupational Health and Safety Administration (OSHA) and will be in accordance with all applicable federal, state and local permitting requirements. As with the construction phase, an onsite manager responsible for safety will be present on-site (generally the contractor’s project manager) while decommissioning activities are taking place.

The decommissioning plan is based on current procedures and experience. These procedures may be subject to revision based on new experiences and requirements over time. At the time of decommissioning, various options and procedures will be re-evaluated to ensure that decommissioning is safe and beneficial to the environment.

## Equipment Removal





A significant amount of the components of the Project will include recyclable or re-saleable components, including copper, aluminum, galvanized steel, and modules. Due to their resale monetary value, these components will be dismantled and disassembled rather than being demolished and disposed of.

Following coordination with the local utility company regarding timing and required procedures for disconnecting the Facility from the private utility, all electrical connections to the system will be disconnected and all connections will be tested locally to confirm that no electric current is running through them before proceeding. All electrical connections to the panels will be cut at the panel and then removed from their framework by cutting or dismantling the connections to the supports. Inverters, transformers, and switchgear will be lifted, secured onto flat beds, and transported off-site for processing.

Modules will be detached from the racking system and stacked for removal. However, in the event of a total fracture, the interior materials are silicon-based and may not be considered hazardous. Disposal of these materials at a landfill will be permissible.

The metal piling systems used to secure the PV system in the ground will be removed entirely and if full removal is not possible, then terminated at a depth greater than four-feet from grade or at bedrock whichever is shallower. The piling materials will be collected and recycled. Additionally, all associated metal mounting structures along with the metal perimeter fencing and gates will be removed and either reused or sent for recycling.

Grade slabs will be broken, removed, and disposed of off-site or recycled. Unless requested by the landowner for the access road to remain, materials from road construction will be removed, shipped off-site for either re-use or disposal. If necessary, the former road bed will be backfilled and graded with material native to the region to blend it with the immediately adjacent and existing topography.

Aboveground utility poles owned by the Project will be completely removed and disposed of off-site in accordance with utility best practices. Overhead wires will be removed from the area of the solar modules and terminated at the point of interconnection. Underground wiring at depths of less than four-feet will be removed and recycled.



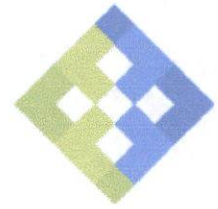


Prior to final demobilization, a final walkthrough of the Project area and the Property is completed to police for and ensure all debris is collected and removed.

## Site Restoration

Those areas disturbed during decommissioning activities will be graded as necessary to ensure a uniform slope for proper storm water management, prevent the ponding of waters and address any rutting or other depressions caused by removal equipment. The disturbed areas will then be seeded either by hand or via hydro seeding to reestablish vegetation compatible with the Property and region. It is anticipated that a seed mix native to the area will be used by the decommissioning contractor, unless the landowner instructs that they will begin using the property for agricultural purposes and will reestablish the area with agricultural vegetation.



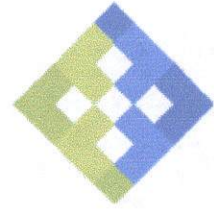


## 2. Permitting

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## Permitting & Approvals

Prior to the initiation of decommissioning activities, local code will be reviewed for applicability with decommissioning activities. The municipality will be consulted to confirm and applications made for appropriate permits and approvals, if any. At a minimum, it is anticipated that a new storm water pollution prevention plan (SWPPP) will be required along with a building permit. It is assumed that neither a new or revised site plan or special use permit would be necessary because decommissioning activities are associated with the originally issued approvals.

Throughout the decommissioning process, the municipality will be provided with regular updates and notice upon completing the restoration activities.

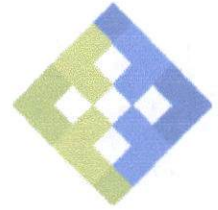
SAMPLE

Assurance

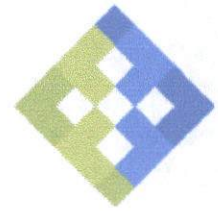
### 3. Decommisioning











## Form of Assurance

A Decommissioning Agreement (“Agreement”), Exhibit 1, will be established for the project entered into by the Operator/Owner of the project and the municipality. The Agreement will result in the Operator/Owner securing a bond as assurance. The bond will begin with and maintained for the duration term established in the Agreement. The bond will be maintained and updated according to the Agreement and remain in place through the completion of decommissioning activities at the Project. The amount and term of the bond will be established and agreed upon by both parties.

## Use of Assurance

In the event that the Operator/Owner fails to undertake decommissioning activities within the established period of the Agreement, the municipality shall have the right to undertake decommissioning activities and make a claim against the decommissioning assurance. In such circumstances, the municipality shall have such access to the Property as may be necessary to allow its qualified contractors to conduct decommissioning activities.





# Appendix

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Exhibit 1: Decommissioning Agreement

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SAMPLE



# *Exhibit 1*

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## Decommissioning Agreement

---

SAMPLE

COUNTY OF \_\_\_\_\_

## SOLAR ENERGY SYSTEM DECOMMISSIONING AGREEMENT

This Solar Energy System Decommissioning Agreement ("Agreement") is entered into this \_\_\_\_ day of \_\_\_\_\_, 201\_ by and among the following parties:

|            |                                                                                                                                                                           |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| "Operator" | == OPERATOR==, a ==INCORPORATION==,<br>with an address of ==ADDRESS==,                                                                                                    |
| "County"   | County of _____, being a municipal<br>corporation in the State of _____, County of<br>_____, with its offices for the transaction of<br>County _____ business located at: |

### PREAMBLE

WHEREAS, on \_\_\_\_\_, based on the Operator's application, and after duly noticed public hearing(s), the County, by its Planning Board, granted site plan approval (hereinafter "Site Plan Approval") of a solar energy facility (hereinafter "Solar Energy System") on real property (hereinafter "Property") described in **Schedule A** attached hereto, as shown on the Site Plan entitled \_\_\_\_\_, **County of \_\_\_\_\_, \_\_\_\_\_ County, \_\_\_\_\_**, prepared by == ENGINEERING FIRM ==, dated \_\_\_\_\_ (hereinafter "Site Plan"), a copy of which is attached as **Schedule B**; and

WHEREAS, the above-described Site Plan Approval provides that the Operator "[S]hall agree in writing, to remove the solar energy system and all associated equipment and structures if the solar energy system ceases to be used for its intended purpose for twelve (12) consecutive months and the Operator does not provide reasonable evidence of intent to restart operations within six (6) months thereafter. Removal of such obsolete and/or unused structures shall be completed within three (3) months thereafter or as soon as feasible due to weather restrictions;" and

**WHEREAS**, as a condition to providing the Site Plan Approval, the County requires that Operator sign this agreement, which provides that the Operator shall be required to execute and file, prior to the (tenth) 10<sup>th</sup> year of operation, with the County Clerk a bond, or other form of surety reasonably acceptable to the County Attorney and Engineer, in an amount sufficient for the faithful performance of the terms and conditions of the Site Plan Approval issued hereunder, and to provide for the aforesaid removal and restoration of the Property subsequent to removal of the Solar Energy System. The amount of the bond or security shall be no less than one hundred ten percent (110%) of the cost of the removal of the solar energy system and restoration of the site, and shall be reviewed and adjusted at five (5)-year intervals upon request of the County; and

**WHEREAS**, the sum of \$XX,XXX.00 is an amount sufficient for the aforesaid removal of the Solar Energy System and subsequent restoration of the Property, based upon the documentation attached hereto as Exhibit A ("Removal Letter"); and, therefore, determined that the required amount of surety for the aforesaid removal and restoration of the property is \$XX,XXXX.00; and

**WHEREAS**, the Operator hereby agrees to remove the Solar Energy System and all associated equipment and structures if the Solar Energy System ceases to be used for its intended purpose for twelve (12) consecutive months and the Operator does not provide reasonable evidence of intent to restart operations within six (6) months thereafter. Removal of the Solar Energy System, obsolete and/or unused structures shall be completed within three (3) months thereafter or as soon as feasible due to weather restrictions; and

**WHEREAS**, the Operator hereby agrees to execute and file with the County Clerk a bond, or other form of surety acceptable to the County Attorney and Engineer ("Security"), in the amount of \$XX,XXX.00 to provide for the aforesaid removal of the Solar Energy System and subsequent restoration of the Property. Further, prior to the end of each 5-year period after the establishment of the security, upon County's request, the Operator shall provide the County with an updated Removal Letter setting forth an updated estimate for the removal of such obsolete and or unused structures, which updated estimate shall be subject to review and approval by the County, which approval shall not unreasonably be withheld and the Security shall be changed to reflect the updated estimate approved by the County for such removal and restoration of the site;

**NOW THEREFORE**, for and in consideration of the mutual promises set forth below, and after good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

## **SECTION 1. INCORPORATION OF PREAMBLE**

The Preamble shall be incorporated into and become an enforceable part of this Surety Agreement.



## **SECTION 2. EFFECTIVE DATE**

This agreement shall be effective upon its execution by all parties hereto. This agreement may be executed in multiple counterparts.

## **SECTION 3. OBLIGATIONS, DUTIES, AND RIGHTS OF THE COUNTY**

- a. Upon removal and decommissioning of the Solar Energy System, the Operator shall inform the County accordingly, in writing. Upon the County's determination that the Operator has decommissioned and removed the Solar Energy System and restored the Property as required under the Site Plan Approval, the County shall: (i) release the Operator from this agreement; (ii) issue a certificate of completion and release and (iii) return or release any unused portion of the Security to the Operator. A determination that the removal and restoration has been satisfactorily completed shall be in the reasonable discretion of the County. The Operator and its agents and consultants shall fully comply with all reasonable requests for inspections and information by the County and its agents.
- b. If the Operator fails to complete the required removal of the Solar Energy System and restoration of the Property within six (6) months of cessation of the Solar Energy System as set forth herein, the County shall be entitled to utilize the Security provided hereunder to the extent necessary, in the County's reasonable discretion, to complete the removal and restoration process. Any portion of the Security that is not utilized as set forth herein shall be returned to the Operator, less reasonable administrative costs. In the event that the County elects to obtain the Security, in whole or in part, as described in this paragraph, it shall notify the Operator accordingly, in writing and, within fourteen (14) days of such writing, the Security shall be paid to the County.

## **SECTION 4. OBLIGATIONS, DUTIES, AND RIGHTS OF THE OPERATOR AND SURETY ENTITY**

- a. The Operator shall deliver, to the County, suitable evidence of the establishment of the Security prior to the (tenth) 10<sup>th</sup> year of operation of the Solar Energy System. The County requires that the Operator obtain a Surety for the Security, with said Surety binding itself to a Surety Agreement with the County.
- b. Upon County's request, within thirty (30) days prior to the end of each five (5)-year period after the establishment of the Security, the Operator shall provide the County

with an updated Removal Letter setting forth an updated estimate for the removal of such obsolete and or unused structures and the Security shall be altered to reflect the updated estimate for such removal. The Operator shall deliver to the County evidence of the new balance of the Security, as aforesaid.

- c. The Operator agrees that the Security shall not be released except in accordance with the terms hereof.
- d. The Operator agrees that the Security shall not be released in full, unless another method of security is provided, until the removal and restoration has been satisfactorily completed as reasonably determined by the County and the County issued a Certificate of Compliance evidencing same.
- e. The Operator shall at all times provide the County forthwith (no more than forty five (45) days after transfer of title) with the name of the current Operator or Operators of the Solar Energy System.

## **SECTION 5. BINDING EFFECT**

This agreement, and any amendments thereto, shall be binding on the Operator, the Operator's agents and representatives, and any successors to the Operator's title, interest, and rights in the parcel of land constituting this subdivision, including executors, administrators, devisees, heirs, successors and assigns of the Operator.

## **SECTION 6. USE OF TERMINOLOGY**

Use of the term "Operator" in this surety agreement is for convenience only and should not be considered as a limitation on those parties who may be subject to and bound by the provisions of this agreement and any amendments thereon. Use of the term "Site Planning County" or "County" in this covenant is for convenience only and may include agents or representatives of the Site Planning County.

## **SECTION 7. APPOINTMENT OF AN AGENT**

If someone other than the Operator will represent the Operator, the Operator must designate such representative below.

Name of representative:

\_\_\_\_\_

Address of representative:

\_\_\_\_\_

Tel. #: Days \_\_\_\_\_ Evenings \_\_\_\_\_

Relationship of representative to Operator:

---

In executing this surety agreement, the Operator hereby authorizes the person or persons named above to represent his/its interest before the Site Planning County with respect to the matters that are the subject of this surety agreement.

## **SECTION 8. AMENDMENTS**

This surety agreement may be amended, in writing, by agreement of all of the parties to this agreement.

## **SECTION 9. GOVERNING LAW**

This agreement, and any amendments thereto, shall be governed by the laws of the State of \_\_\_\_\_ and shall be enforceable only in a \_\_\_\_\_ Court of competent jurisdiction.

## **SECTION 10. SEVERABILITY**

If a court of competent jurisdiction determines that any provision of this surety agreement is unenforceable, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, I, the Operator, hereby certify under the pains and penalties of perjury that the information contained in this surety agreement is true and complete; and we, the parties to this surety agreement, set our hands and seals to this agreement on the date(s) written below.

OPERATOR

|                       |      |         |
|-----------------------|------|---------|
| <hr/>                 |      | <hr/>   |
| Signature of Operator | Date | Witness |
| By:                   |      |         |
| Its:                  |      |         |
| Duly authorized       |      |         |

COUNTY OF 

---

|                     |      |         |
|---------------------|------|---------|
| <hr/>               |      | <hr/>   |
| Signature of County | Date | Witness |
| By:                 |      |         |
| Its:                |      |         |
| Duly authorized     |      |         |



STATE OF \_\_\_\_\_ :

:SS.:

COUNTY OF \_\_\_\_\_ :

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC - STATE OF \_\_\_\_\_

STATE OF \_\_\_\_\_ :

:SS.:

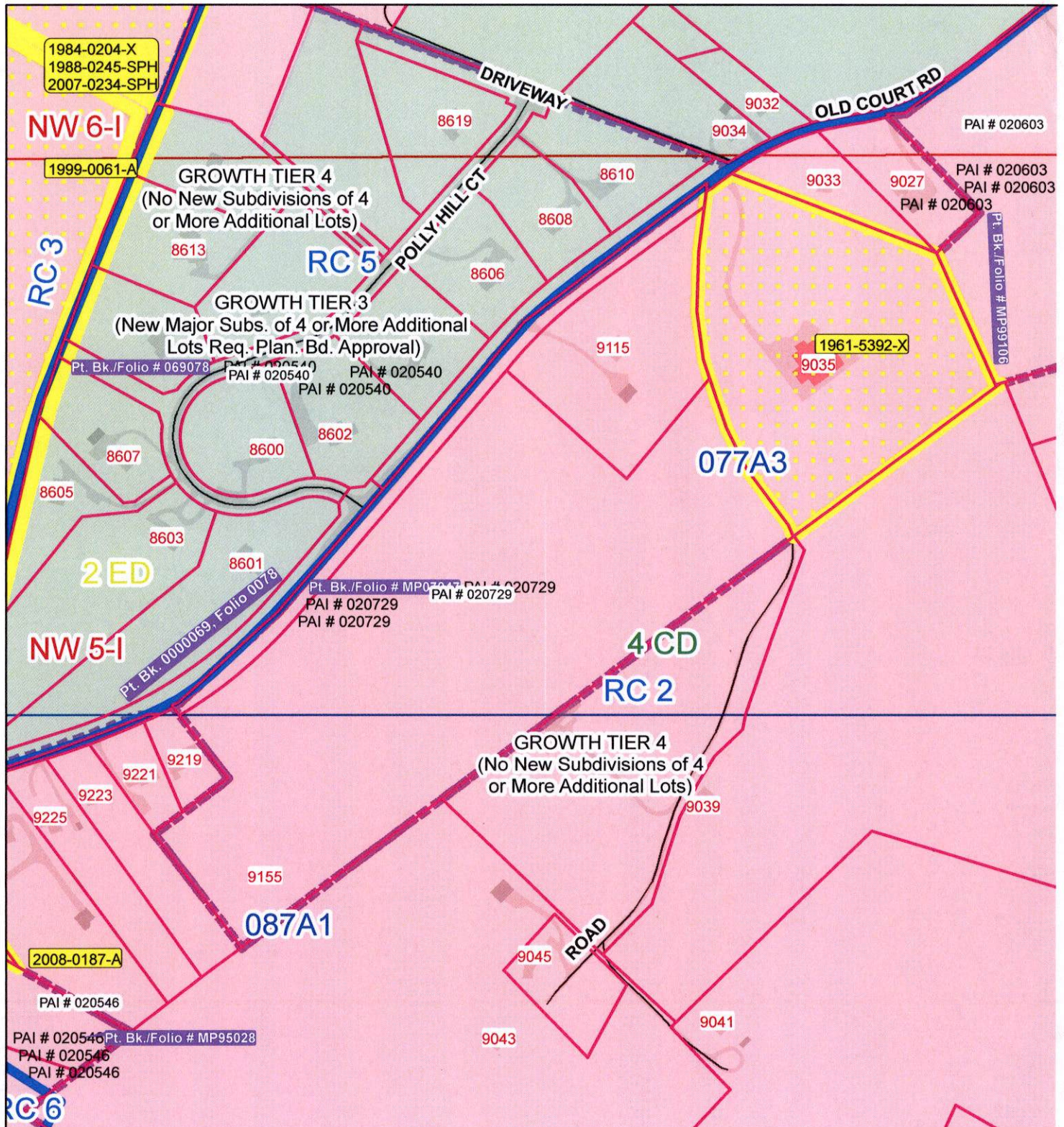
COUNTY OF \_\_\_\_\_ :

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
NOTARY PUBLIC - STATE OF \_\_\_\_\_



# 9155 Court Road 20.3-0078-X



Publication Date: 9/14/2017



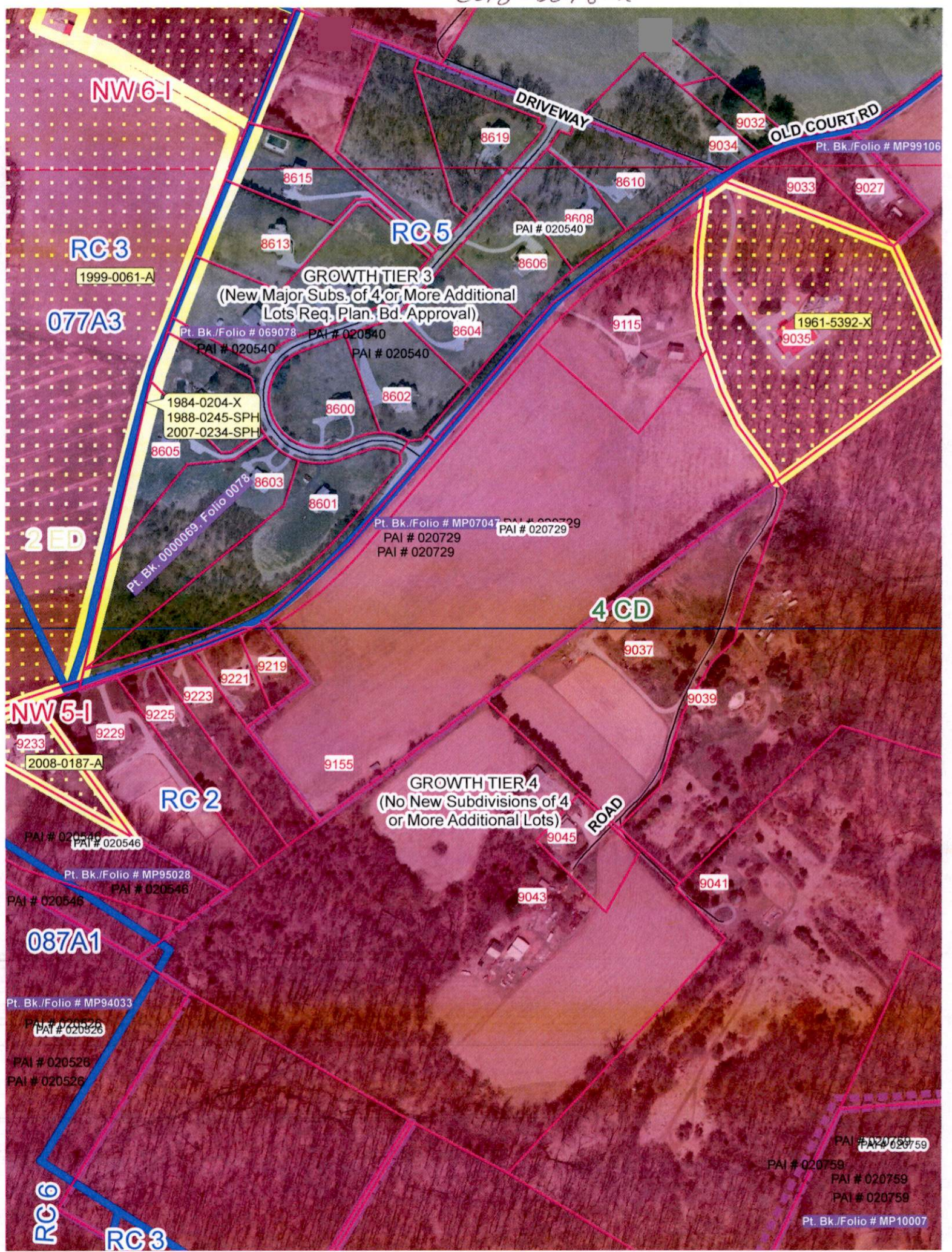
Publication Agency: Permits, Approvals & Inspections  
 Projection/Datum: Maryland State Plane,  
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 80 160 320 480 640 Feet

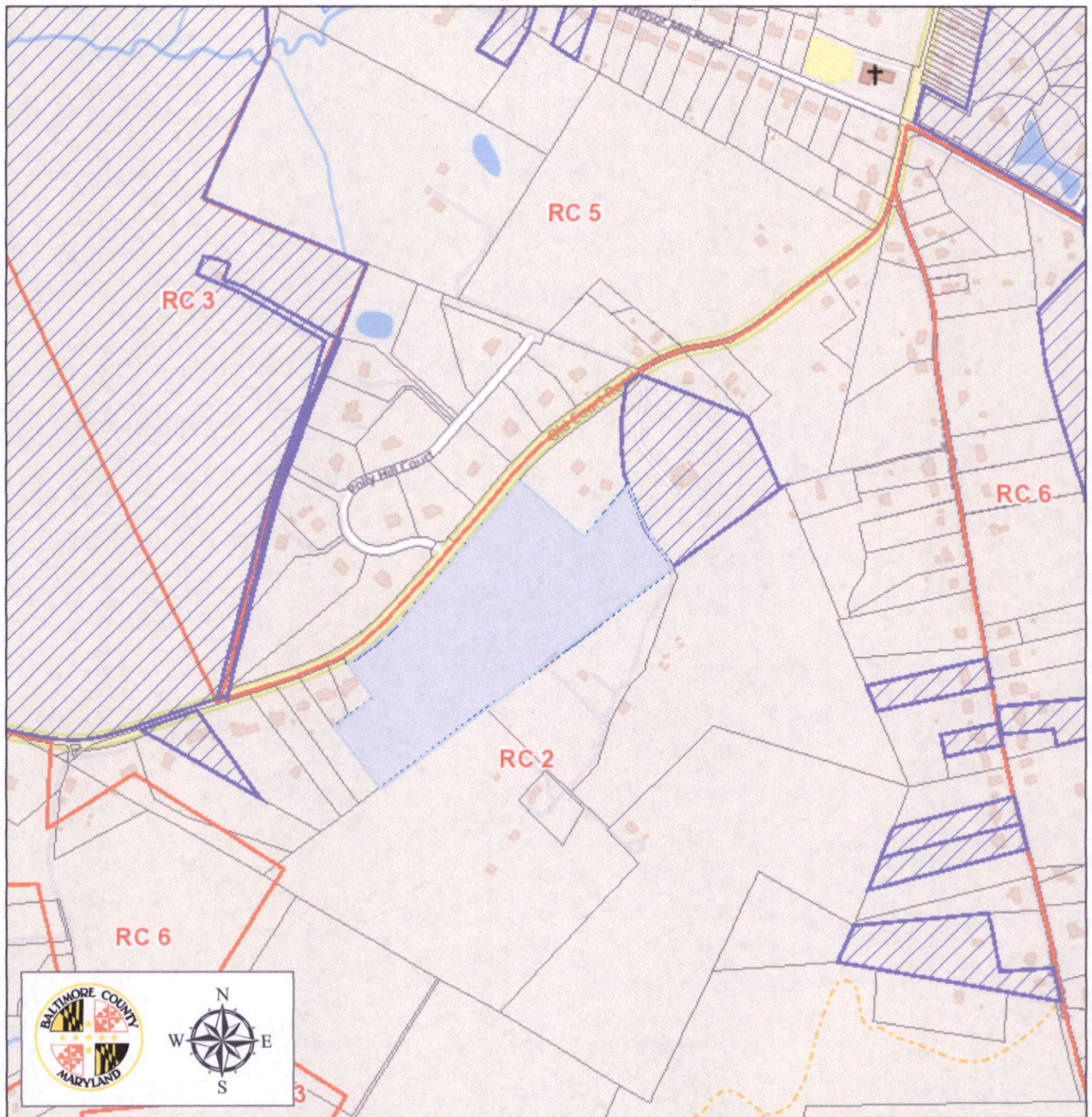
1 inch = 300 feet







# Baltimore County - My Neighborhood



September 6, 2017

Legend

-  Zoning History Cases
-  Zoning
-  Property
-  County Boundary

2018-0078-X

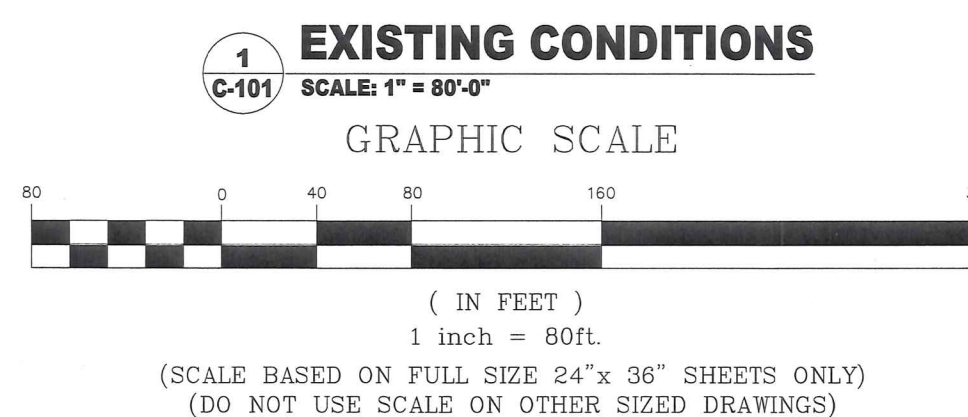
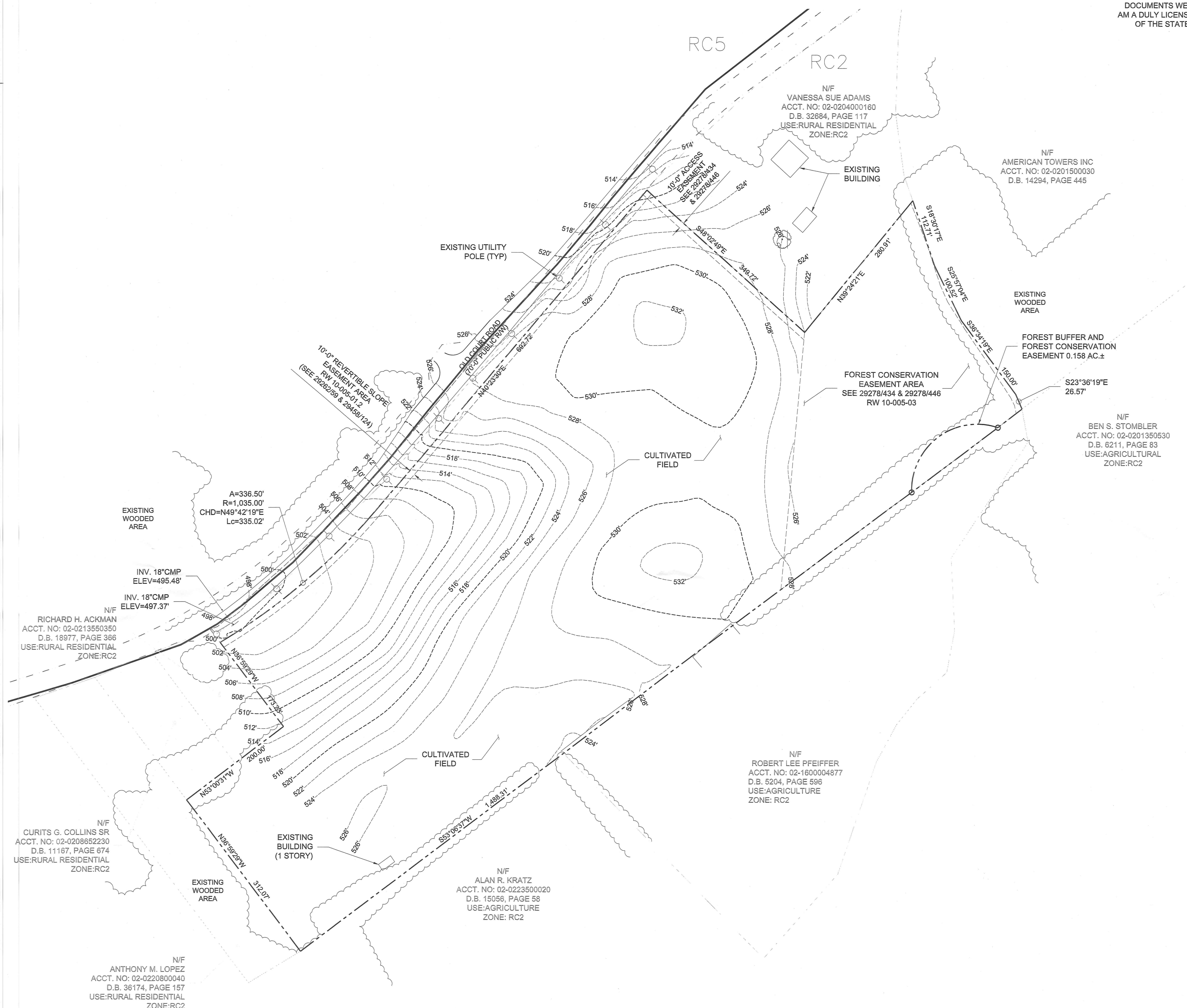
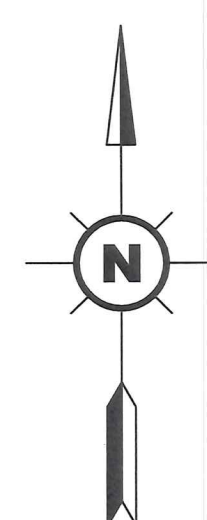




**SITE ADDRESS:**  
**9155 OLD COURT ROAD**  
**WINDSOR MILL, MARYLAND 21244**

## Petitioners Ex 1

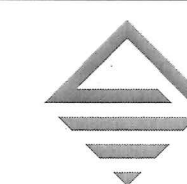




PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 41497, EXPIRATION DATE: 01-05-2018



2017 FOREFRONT POWER, LLC AND ITS  
AFFILIATES, ALL RIGHTS RESERVED  
100 MONTGOMERY ST. #1400  
SAN FRANCISCO, CA 94104  
(415) 788-8246  
[www.ForefrontPower.com](http://www.ForefrontPower.com)



advantage engineers  
435 INDEPENDENCE AVENUE, SUITE C  
MECHANICSBURG, PENNSYLVANIA 17055  
PHONE: (717) 458-0900  
[www.advantageengineers.com](http://www.advantageengineers.com)

STAMP:



Andrew M. Miller, P.E.  
Maryland Professional Engineer  
MD License #41497

MD - OWINGS MILL  
LAND - WHITE

9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:

**EXISTING  
CONDITIONS**

SHEET SIZE: ARCH "D"  
24" X 36" (610 x 914)

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[illegible]

|              |          |
|--------------|----------|
| DATE:        | 04/03/17 |
| DRAWN BY:    | MTG      |
| ENGINEER:    | AMM      |
| APPROVED BY: | CP       |

PROJECT PHASE:  
30% DESIGN

SHEET NO.:  
**C-101**

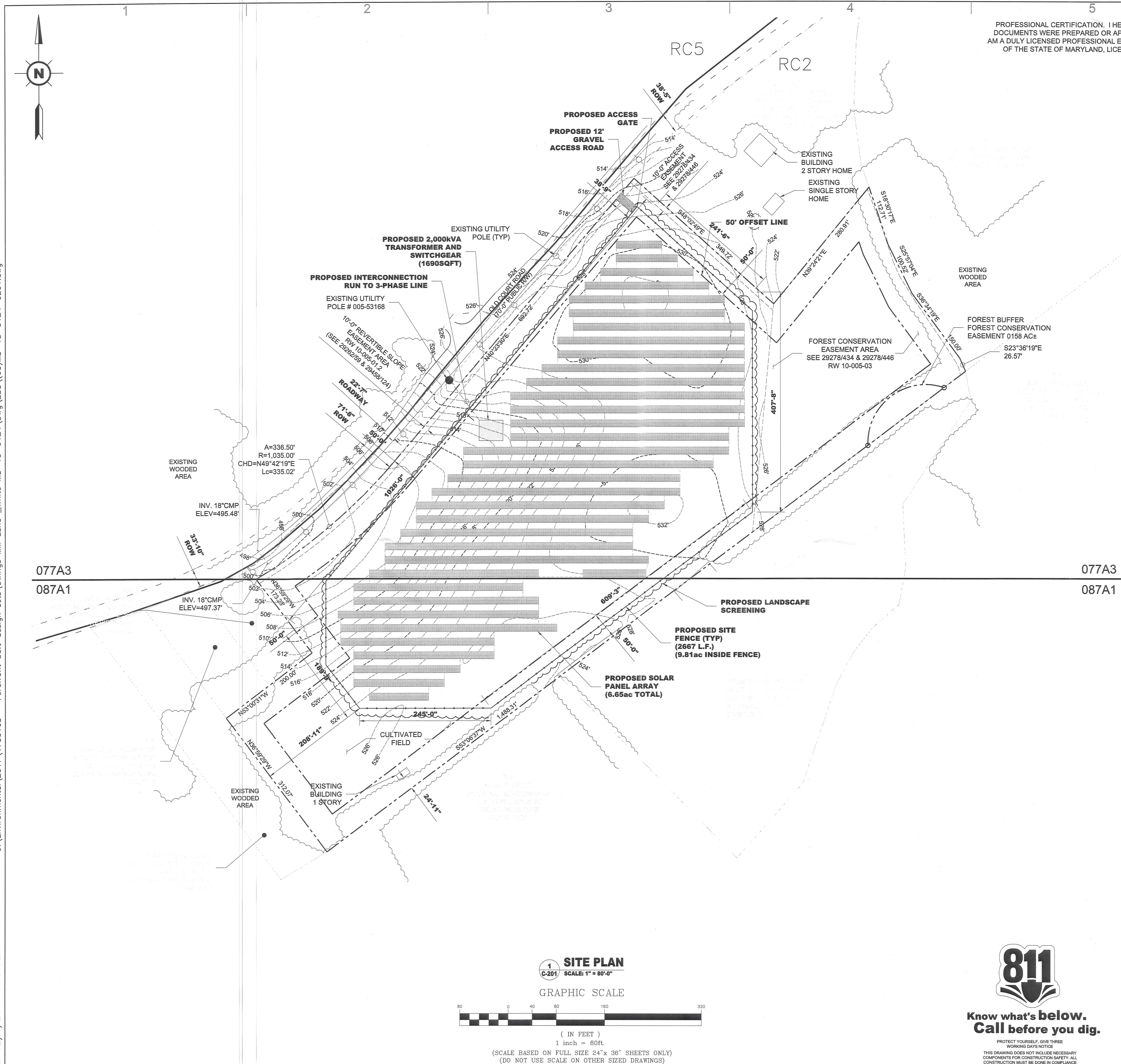


**Know what's below.  
Call before you dig.**

PROTECT YOURSELF, GIVE THREE  
WORKING DAYS NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY  
COMPONENTS FOR CONSTRUCTION SAFETY. ALL  
CONSTRUCTION MUST BE DONE IN COMPLIANCE  
WITH THE OCCUPATIONAL SAFETY AND HEALTH  
ACT OF 1970 AND ALL RULES AND REGULATIONS  
THERE TO APPURTENANT





PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 41497, EXPIRATION DATE: 01-05-2018

### SYSTEM SUMMARY

NUMBER OF PANELS: 6,822  
SYSTEM SIZE (DC): 2,319.48 kW  
SYSTEM SIZE (AC): 1,980.00 kW  
COMPOUND AREA: 9.81 AC

### GENERAL NOTES:

- THIS PLAN WAS PREPARED USING AN APPROVED PLAN ENTITLED "TOPOGRAPHIC SURVEY OF TAX LOT 11.04 - BLOCK 11011" BY POINT TO POINT SURVEYORS DATED 12/07/2016.
- THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
- NO ADDITIONAL NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY AFTER THE UPGRADE IS COMPLETE.
- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
- NO SIGNAGE IS PROPOSED FOR THE PROPOSED DEVELOPMENT.
- NO FIRE HYDRANTS ARE PRESENT IN THE PROJECT AREA AND SURROUNDING PROPERTIES.
- THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
- FLOODPLAIN: NO INDICATED FEMA FLOODPLAIN ON SITE.
- SYSTEM DESIGNED IN ACCORDANCE WITH BILL-37-17 SECTION 4E-104.
- THE PROPERTY IS NOT ENCUMBERED BY AN AGRICULTURAL PRESERVATION EASEMENT, AN ENVIRONMENTAL PRESERVATION EASEMENT OR A RURAL LEGACY EASEMENT.
- FACILITY NOT LOCATED ON A HISTORICAL SITE. THE PROPERTY IS NOT LOCATED IN A BALTIMORE COUNTY HISTORICAL DISTRICT NOR IS THE PROPERTY LISTED ON THE BALTIMORE COUNTY FINAL LANDMARKS LIST.
- PROPOSED FACILITY IS NOT LOCATED IN A CHESAPEAKE BAY CRITICAL AREA.
- PROPOSED FACILITY IS NOT IN A FOREST CONSERVATION OR CONSERVANCY OR DESIGNATED CONSERVANCY.
- GLARE CONTROL PROVIDED BY LANDSCAPE SCREENING (SEE SHEET L-1).
- STATE SCENIC BYWAY (OLD COURT ROAD) LOCATED ADJACENT TO SITE.
- ALL PANELS, STRUCTURES AND INFRASTRUCTURE RELATED TO THE PROPOSED SOLAR FACILITY WILL BE LOCATED A MINIMUM OF FIFTY FEET FROM THE PROPERTY LINE AND NOT STRUCTURE SHALL EXCEED TWENTY FEET IN HEIGHT.
- SECURITY FENCE SURROUNDS PROPOSED FACILITY.
- ZONING MAP PANELS 077A3 AND 087A1.
- AS OF SEPTEMBER 01, 2017 THERE ARE LESS THAN 10 SOLAR FACILITIES APPROVED IN COUNCILMANIC DISTRICT 4
- THE PROPERTY IS NOT WITHIN THE SHED OF ANY FAILING INTERSECTIONS AND IS NOT IDENTIFIED IN THE 2017 BASIC SERVICES MAPS
- THE MAXIMUM POWER THAT CAN BE GENERATED FOR THIS FACILITY IS TWO MEGAWATTS
- IN THE EVENT THAT THE SOLAR FACILITY SHALL BE ABANDONED AND/OR THE USE DISCONTINUED, THE OWNER/LESSEE WILL COMPLY WITH BCZR SECTION 4E-107.
- NO DELIVERIES TO OR OUTDOOR MAINTENANCE OF THE PROPOSED SOLAR FACILITY SHALL OCCUR BETWEEN 6:00 P.M. AND 6:00 A.M.
- THE PROPERTY IS LOCATED OUTSIDE OF THE URDL
- THERE ARE NO PROPOSED SEWAGE DISPOSAL AREAS
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY

### SPECIAL EXCEPTION RELIEF:

- TO GRANT SPECIAL EXCEPTION RELIEF FOR A SOLAR FACILITY PURSUANT TO BCZR SEC. 4E-102 (AS ESTABLISHED BY BILL 37-17)

### PROPERTY INFORMATION:

ZONE: RC-2  
TAX MAP: 077A3  
PARCEL: 1487  
COUNCILMANIC DISTRICT: 4  
CONGRESSIONAL DISTRICT: 7  
LEGISLATIVE DISTRICT: 10  
ELECTION DISTRICT: 2  
VOTING PRECINCT: 02-011

### PROPERTY ZONING HISTORY:

ZONE HISTORY NUMBER:  
2018-0078-X

### PROPERTY SOIL TYPES:

Soil Name: Glenville silt loam, 3 to 8 percent slopes  
Soil Name: Manor loam, 8 to 15 percent slopes  
Soil Name: Manor loam, 15 to 25 percent slopes  
Soil Name: Glenville silt loam, 8 to 15 percent slopes  
Soil Name: Manor loam, 3 to 8 percent slopes  
Soil Name: Glenelg loam, 3 to 8 percent slopes



STAMP:



MD - OWINGS MILL  
LAND - WHITE

9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
**PROPOSED SITE  
PLAN**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 X 914)  
0 1/2" 1"

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| NO. | REVISION | DATE     | INIT. |
|-----|----------|----------|-------|
| 1   | ZONE     | 08/29/17 | SPD   |
| 2   | REVISION | 11/28/17 | SPD   |
|     |          |          |       |
|     |          |          |       |
|     |          |          |       |
|     |          |          |       |
|     |          |          |       |
|     |          |          |       |
|     |          |          |       |
|     |          |          |       |

DATE: 04/03/17  
DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

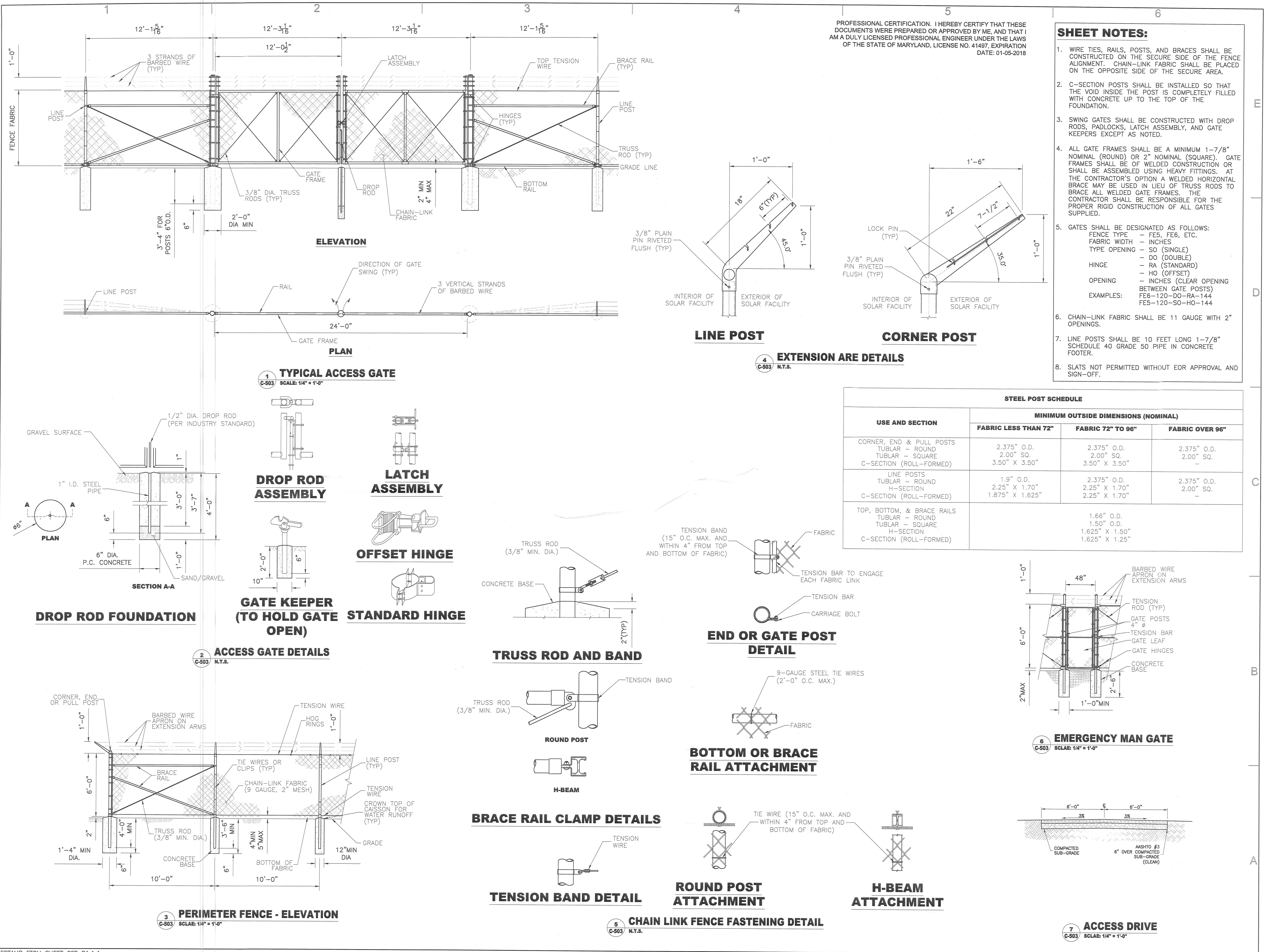
PROJECT PHASE:  
30% DESIGN

SCALE:  
**AS SHOWN**

SHEET NO.:  
**C-201**



O:\Environmental\2017\1700165 - Forefront 30% design sets\Owings Mill Land - White MD-15-0124\Drawings\04\MD-15-0124-C503.dwg  
Printed: 12/1/2017 1:50 PM  
GESTAMP FTGM SHEET SET R1.1.1



**FOREFRONT POWER**  
2017 FOREFRONT POWER, LLC AND ITS AFFILIATES, ALL RIGHTS RESERVED  
100 MONTGOMERY ST. #400  
SAN FRANCISCO, CA 94104  
(415) 786-8246  
www.forefrontpower.com

**advantage engineers**  
435 INDEPENDENCE AVENUE, SUITE C  
MECHANICSBURG, PENNSYLVANIA 17055  
PHONE: (717) 465-8902  
www.advantageengineers.com

STAMP:

Andrew M. Miller, P.E.  
Maryland Professional Engineer  
MD License #41497

**MD - OWINGS MILL  
LAND - WHITE**

**9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244**

PROJECT NUMBER:  
**1700165.003**

SHEET TITLE:  
**FENCE & GATE  
DETAILS**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)

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|     |          |          |       |
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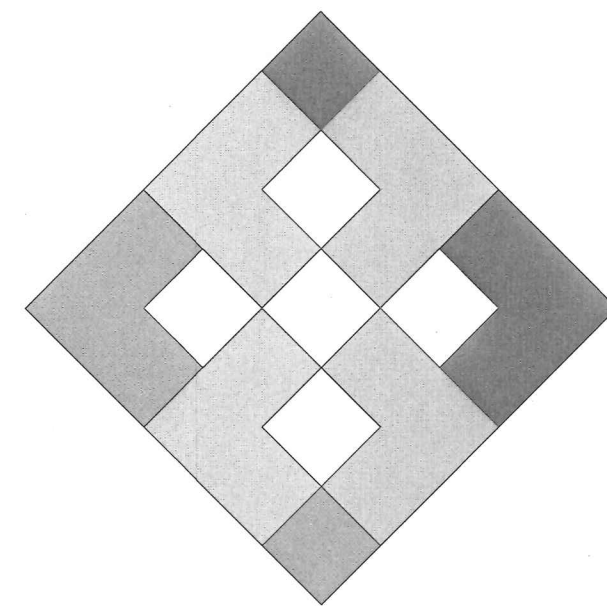
DATE: 04/03/17  
DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

PROJECT PHASE:  
30% DESIGN

SCALE:  
**AS SHOWN**

SHEET NO.:  
**C-503**





# FOREFRONT POWER

PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 41497, EXPIRATION DATE: 01-05-2018

SITE NAME:

## MD-OWINGS MILL LAND - WHITE

SITE ADDRESS:

### 9155 OLD COURT ROAD WINDSOR MILL, MARYLAND 21244

#### SITE INFORMATION

|                         |                                                                             |
|-------------------------|-----------------------------------------------------------------------------|
| SITE NAME:              | MD-OWINGS MILL LAND - WHITE                                                 |
| SITE ADDRESS:           | 9155 OLD COURT ROAD<br>WINDSOR MILL, MARYLAND 21244                         |
| JURISDICTION:           | BALTIMORE COUNTY, MARYLAND                                                  |
| ZONING:                 | RC-2                                                                        |
| TAX MAP:                | 77                                                                          |
| TAX ACCOUNT ID:         | 02-2500009355                                                               |
| PARCEL NUMBER:          | 1487                                                                        |
| LOT NUMBER:             | 2                                                                           |
| SITE COORDINATES:       | N 39° 20' 59.0" (NAD 83)<br>W 78° 48' 04.5" (NAD 83)                        |
| GROUND ELEVATION:       | 529± (NAVD 88)                                                              |
| SYSTEM SIZE (DC):       | 2,319.48 kW                                                                 |
| SYSTEM SIZE (AC):       | 1,980.00 kW                                                                 |
| MODULE TYPE:            | (6,822) TRINASOLAR TSM-340 DE 14A (II)                                      |
| INVERTER 1:             | (33) SUNGROW SG60KU-M                                                       |
| AZIMUTH:                | 180°                                                                        |
| TILT:                   | 25°                                                                         |
| OWNER NAME:             | DELORES WHITE                                                               |
| OWNER ADDRESS:          | 9155 OLD COURT ROAD<br>WINDSOR MILL, MARYLAND 21244                         |
| LESSEE:                 | FOREFRONT POWER, LLC<br>100 MONTGOMERY ST. #1400<br>SAN FRANCISCO, CA 94104 |
| ELECTION DISTRICT:      | 2                                                                           |
| CONCILMANIC DISTRICT:   | 4                                                                           |
| CONGRESSIONAL DISTRICT: | 7                                                                           |
| LEGISLATIVE DISTRICT:   | 10                                                                          |
| VOTING PRECINCT:        | 02-011                                                                      |
| ZONING MAP NUMBER:      | 0077                                                                        |

#### CODE ANALYSIS

|                    |               |
|--------------------|---------------|
| 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 2,319.48 kW DC RATED PHOTOVOLTAIC SYSTEM AT 9155 OLD CT RD, WINDSOR MILL, MARYLAND, USA IN BALTIMORE COUNTY, MARYLAND.

PROJECT  
LOCATION

#### AREA MAP

WINDSOR MILL, MARYLAND  
SCALE: 1" = 200'-0"

#### SYSTEM SUMMARY

NUMBER OF PANELS: 6,822  
SYSTEM SIZE (DC): 2,319.48 kW  
SYSTEM SIZE (AC): 1,980.00 kW

PROJECT  
LOCATION

#### VICINITY MAP

WINDSOR MILL, MARYLAND  
SCALE: 1" = 2500'-0"

#### 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 |



STAMP:



MD - OWINGS MILL  
LAND - WHITE  
9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
**TITLE  
SHEET**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)  
0 1/2 1"

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|-----|----------|----------|-------|
| 1   | ZONE     | 08/29/17 | SPD   |
| 2   | REVISION | 11/28/17 | SPD   |
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DATE: 04/03/17  
DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

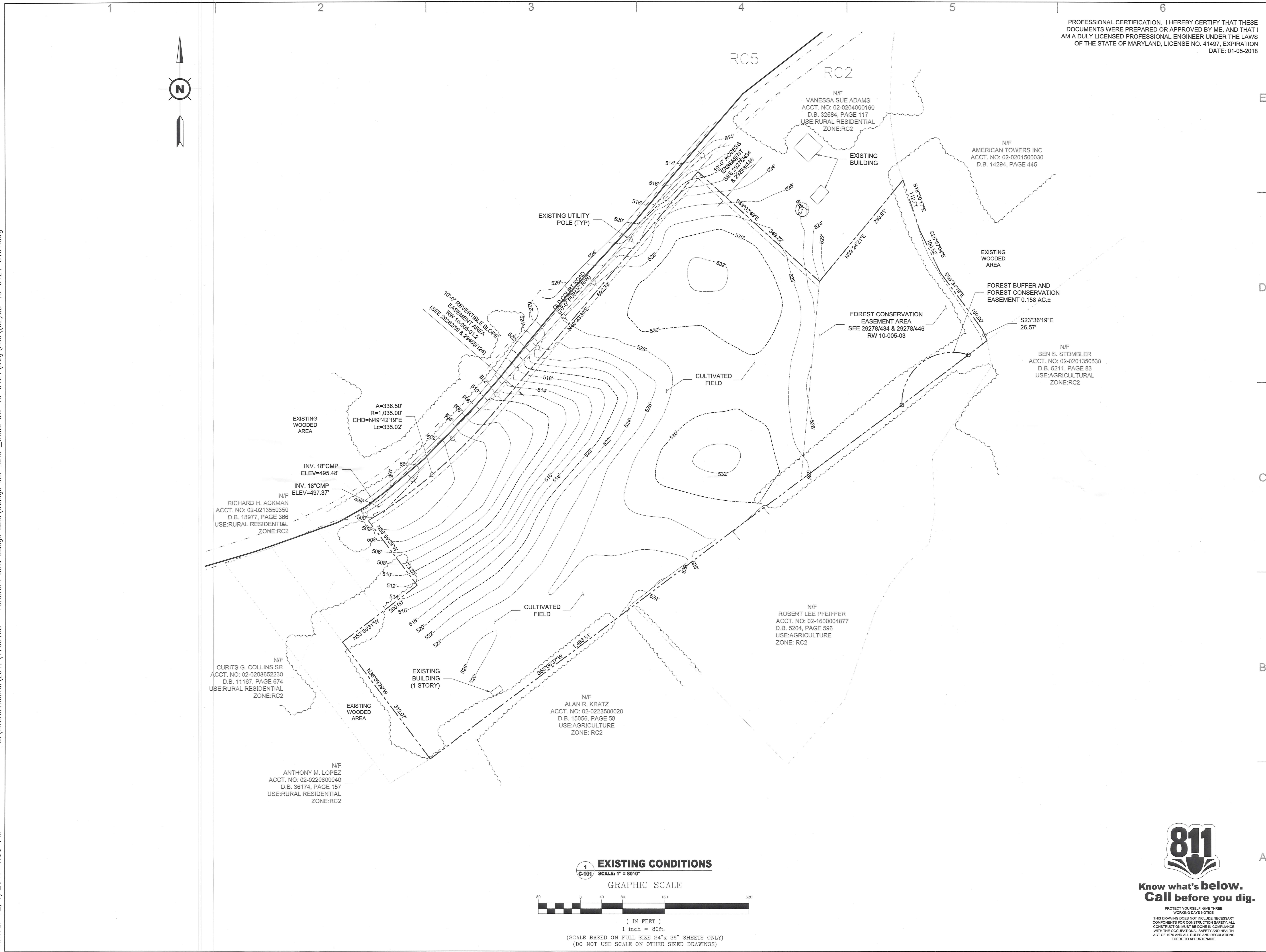
PROJECT PHASE:  
30% DESIGN

SCALE:  
**AS SHOWN**

SHEET NO.:  
**T-001**

Ref: 1001 Ex 2





PROFESSIONAL CERTIFICATION. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 41497, EXPIRATION DATE: 01-05-2018

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SAN FRANCISCO, CA 94104  
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advantage engineers  
435 INDEPENDENCE AVENUE, SUITE C  
MECHANICSBURG, PENNSYLVANIA 17055  
PHONE: (717) 458-0002  
www.advantageengineers.com

STAMP:  
  
Andrew M. Miller, P.E.  
Maryland Professional Engineer  
MD License #41497

MD - OWINGS MILL  
LAND - WHITE  
9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
**EXISTING  
CONDITIONS**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)

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DATE: 04/03/17  
DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

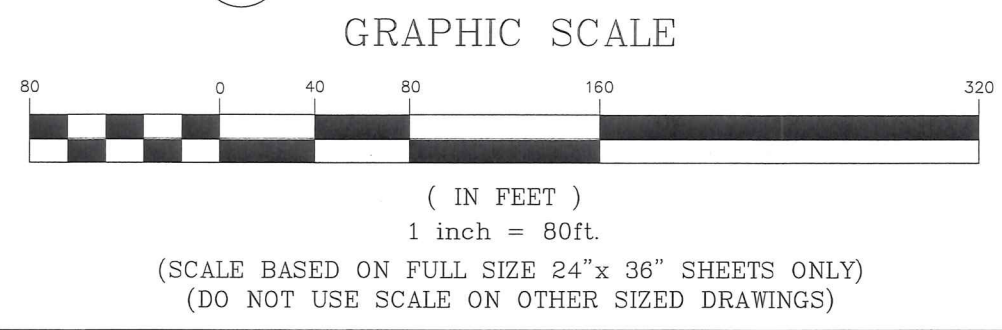
PROJECT PHASE:  
30% DESIGN

SCALE:  
**AS SHOWN**

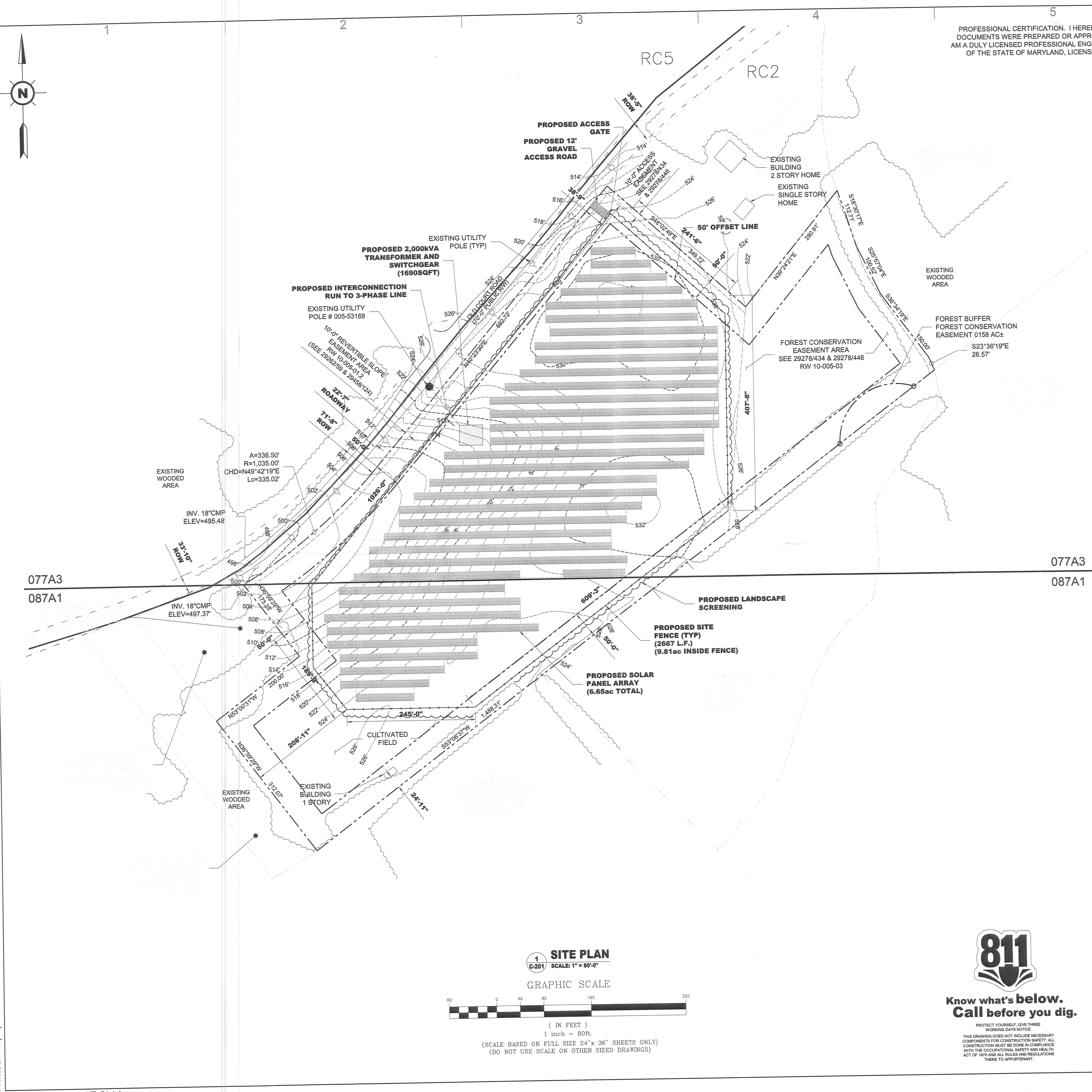
SHEET NO.:  
**C-101**

**811**  
Know what's below.  
Call before you dig.  
PROTECT YOURSELF. GIVE THREE WORKING DAYS NOTICE.  
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THEREAFTER.

**EXISTING CONDITIONS**  
SCALE: 1" = 80'-0"







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## SYSTEM SUMMARY

NUMBER OF PANELS: 6,822  
SYSTEM SIZE (DC): 2,319.48 KW  
SYSTEM SIZE (AC): 1,980.00 KW  
COMPOUND AREA: 9.81 AC

## GENERAL NOTES:

- THIS PLAN WAS PREPARED USING AN APPROVED PLAN ENTITLED "TOPOGRAPHIC SURVEY OF TAX LOT 11.04 - BLOCK 11011" BY POINT TO POINT SURVEYORS DATED 12/07/2016.
- THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
- NO ADDITIONAL NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY AFTER THE UPGRADE IS COMPLETE.
- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
- NO SIGNAGE IS PROPOSED FOR THE PROPOSED DEVELOPMENT.
- NO FIRE HYDRANTS ARE PRESENT IN THE PROJECT AREA AND SURROUNDING PROPERTIES.
- THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
- FLOODPLAIN: NO INDICATED FEMA FLOODPLAIN ON SITE.
- SYSTEM DESIGNED IN ACCORDANCE WITH BILL-37-17 SECTION 4E-104.
- THE PROPERTY IS NOT ENCUMBERED BY AN AGRICULTURAL PRESERVATION EASEMENT, AN ENVIRONMENTAL PRESERVATION EASEMENT OR A RURAL LEGACY EASEMENT.
- FACILITY NOT LOCATED ON A HISTORICAL SITE. THE PROPERTY IS NOT LOCATED IN A BALTIMORE COUNTY HISTORICAL DISTRICT NOR IS THE PROPERTY LISTED ON THE BALTIMORE COUNTY FINAL LANDMARKS LIST.
- PROPOSED FACILITY IS NOT LOCATED IN A CHESAPEAKE BAY CRITICAL AREA.
- PROPOSED FACILITY IS NOT IN A FOREST CONSERVATION OR CONSERVANCY OR DESIGNATED CONSERVANCY.
- GLARE CONTROL PROVIDED BY LANDSCAPE SCREENING (SEE SHEET L-1).
- STATE SCENIC BYWAY (OLD COURT ROAD) LOCATED ADJACENT TO SITE.
- ALL PANELS, STRUCTURES AND INFRASTRUCTURE RELATED TO THE PROPOSED SOLAR FACILITY WILL BE LOCATED A MINIMUM OF FIFTY FEET FROM THE PROPERTY LINE AND NOT STRUCTURE SHALL EXCEED TWENTY FEET IN HEIGHT.
- SECURITY FENCE SURROUNDS PROPOSED FACILITY.
- ZONING MAP PANELS 077A3 AND 087A1.
- AS OF SEPTEMBER 01, 2017 THERE ARE LESS THAN 10 SOLAR FACILITIES APPROVED IN COUNCILMANIC DISTRICT 4
- THE PROPERTY IS NOT WITHIN THE SHED OF ANY FAILING INTERSECTIONS AND IS NOT IDENTIFIED IN THE 2017 BASIC SERVICES MAPS
- THE MAXIMUM POWER THAT CAN BE GENERATED FOR THIS FACILITY IS TWO MEGAWATTS
- IN THE EVENT THAT THE SOLAR FACILITY SHALL BE ABANDONED AND/OR THE USE DISCONTINUED, THE OWNER/LESSEE WILL COMPLY WITH BCZR SECTION 4E-107.
- NO DELIVERIES TO OR OUTDOOR MAINTENANCE OF THE PROPOSED SOLAR FACILITY SHALL OCCUR BETWEEN 6:00 P.M. AND 6:00 A.M.
- THE PROPERTY IS LOCATED OUTSIDE OF THE URDL
- THERE ARE NO PROPOSED SEWAGE DISPOSAL AREAS
- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY

## SPECIAL EXCEPTION RELIEF:

- TO GRANT SPECIAL EXCEPTION RELIEF FOR A SOLAR FACILITY PURSUANT TO BCZR SEC. 4E-102 (AS ESTABLISHED BY BILL 37-17)

## PROPERTY INFORMATION:

ZONE: RC-2  
TAX MAP: 077A3  
PARCEL: 1487  
COUNCILMANIC DISTRICT: 4  
CONGRESSIONAL DISTRICT: 7  
LEGISLATIVE DISTRICT: 10  
ELECTION DISTRICT: 2  
VOTING PRECINCT: 02-011

## PROPERTY ZONING HISTORY:

ZONE HISTORY NUMBER:  
2018-0078-X

## PROPERTY SOIL TYPES:

Soil Name: Glenville silt loam, 3 to 8 percent slopes  
Soil Name: Manor loam, 8 to 15 percent slopes  
Soil Name: Manor loam, 15 to 25 percent slopes  
Soil Name: Glenville silt loam, 8 to 15 percent slopes  
Soil Name: Manor loam, 3 to 8 percent slopes  
Soil Name: Glenelg loam, 3 to 8 percent slopes

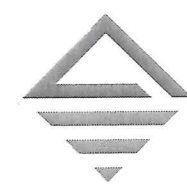


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STAMP:



Andrew M. Miller, P.E.  
Maryland Professional Engineer  
MD License #41497

MD - OWINGS MILL  
LAND - WHITE

9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
**PROPOSED SITE  
PLAN**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)

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DATE: 04/03/17  
DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

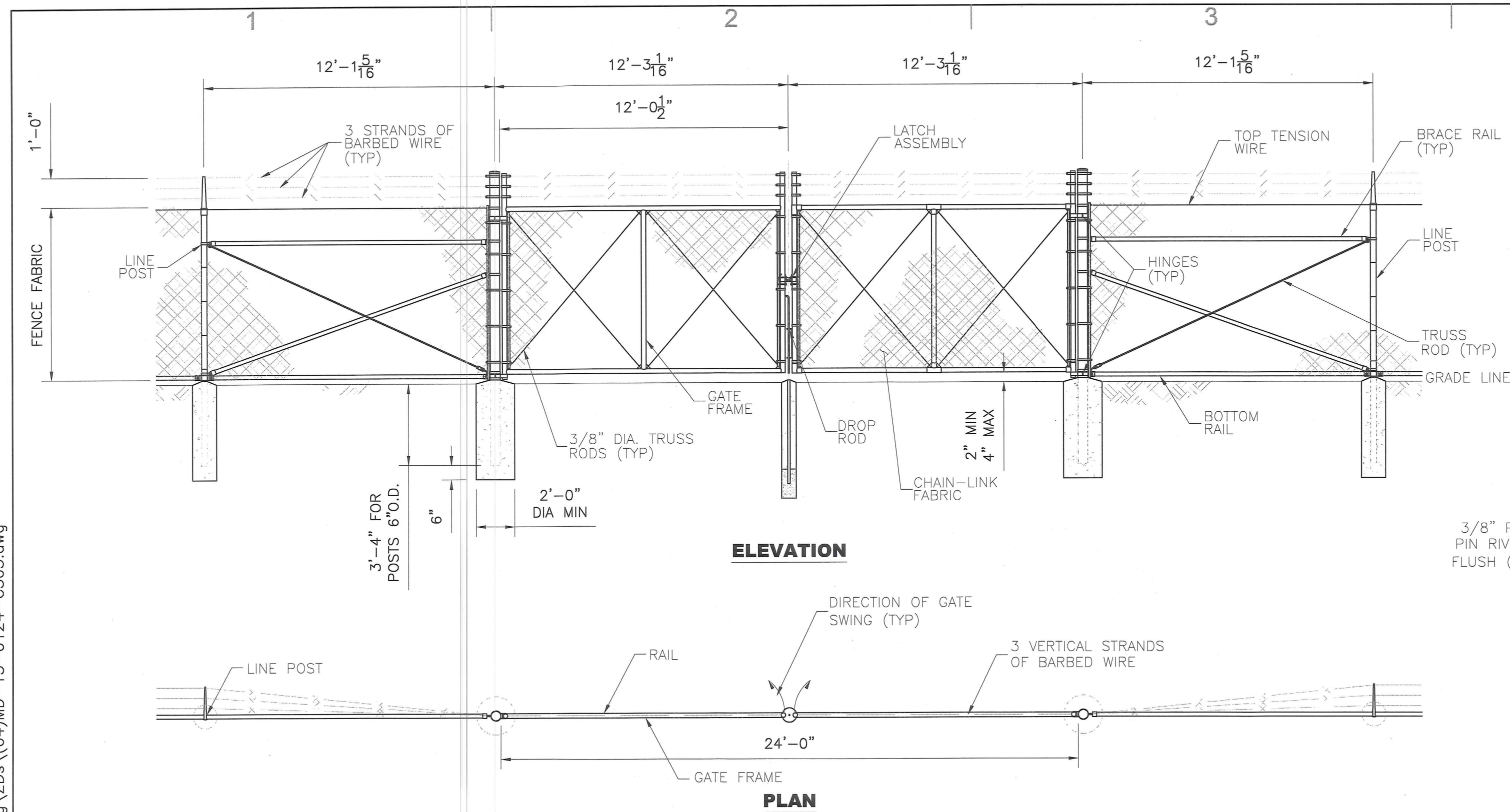
PROJECT PHASE:  
30% DESIGN

SCALE:  
**AS SHOWN**

SHEET NO.:

**C-201**



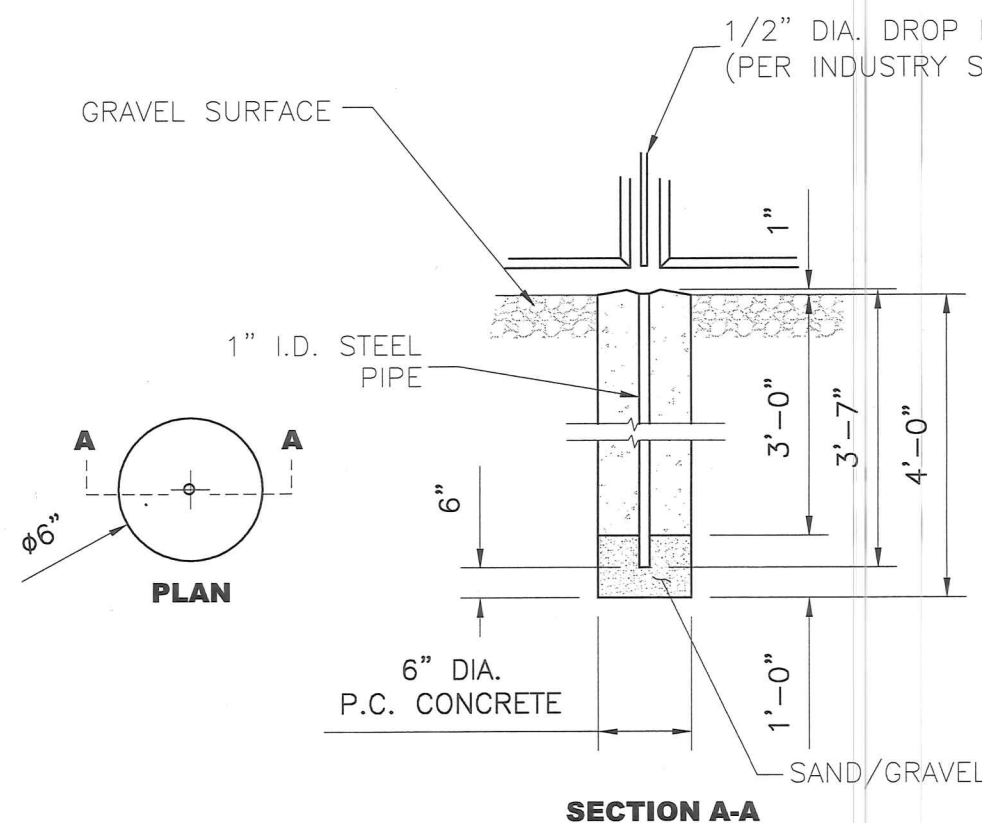


ELEVATION

PLAN

TYPICAL ACCESS GATE

1 C-503 SCALE: 1/4" = 1'-0"



SECTION A-A

DROP ROD FOUNDATION

DROP ROD ASSEMBLY

LATCH ASSEMBLY

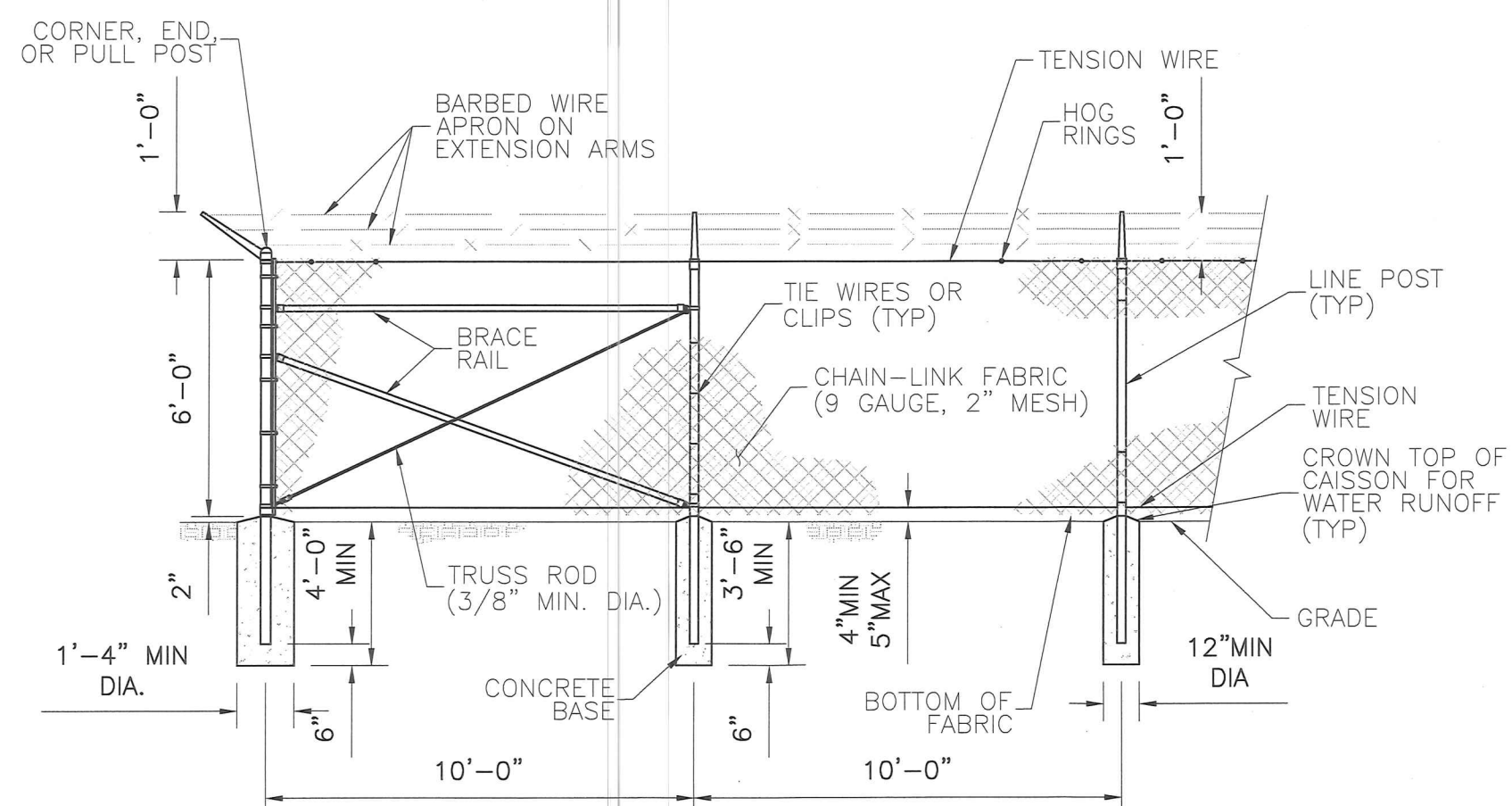
OFFSET HINGE

GATE KEEPER (TO HOLD GATE OPEN)

STANDARD HINGE

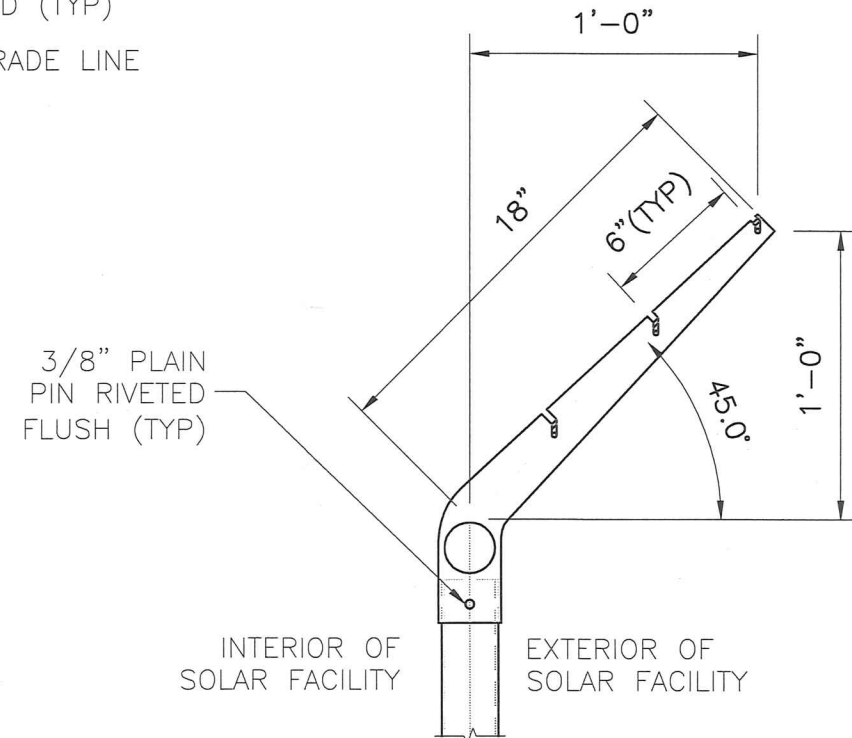
ACCESS GATE DETAILS

2 C-503 N.T.S.



PERIMETER FENCE - ELEVATION

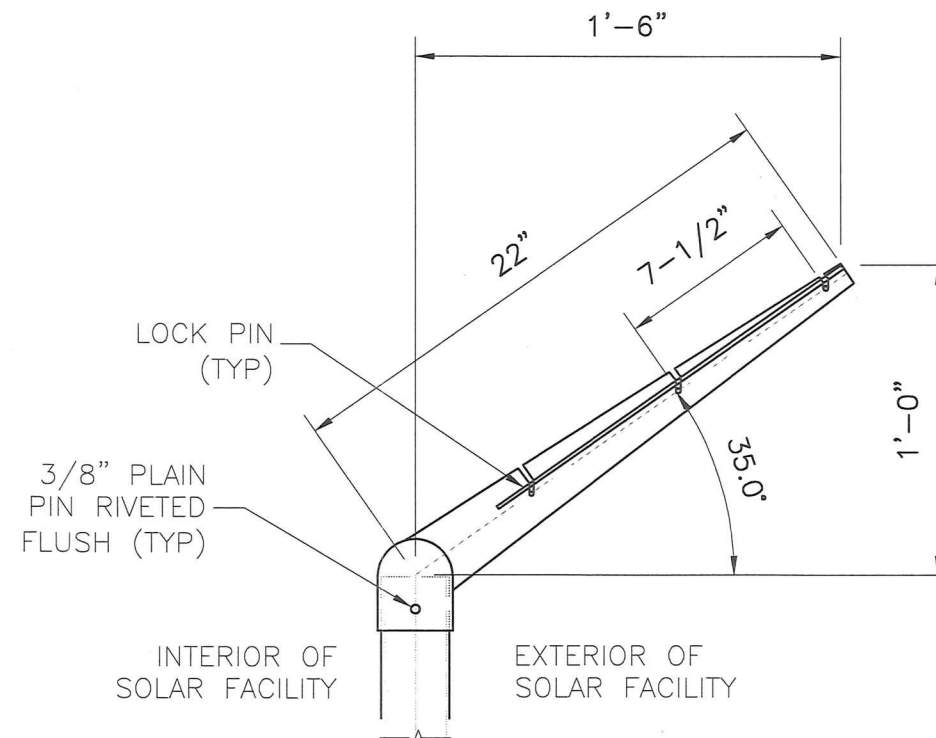
3 C-503 SCALE: 1/4" = 1'-0"



LINE POST

EXTENSION ARE DETAILS

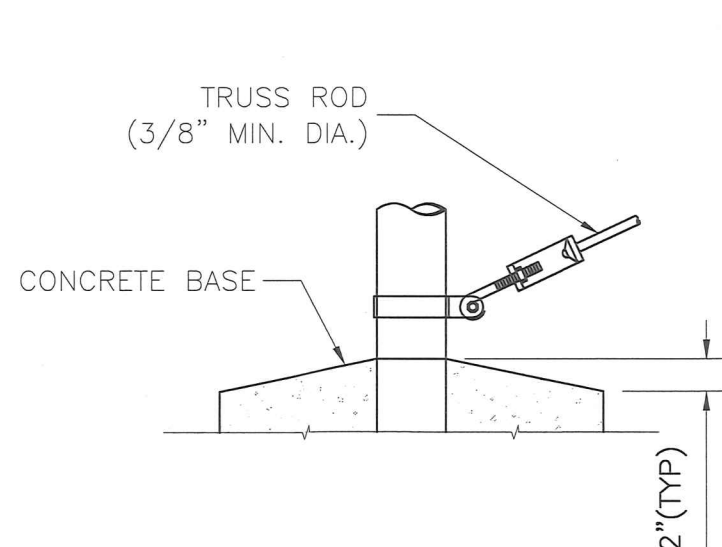
4 C-503 N.T.S.



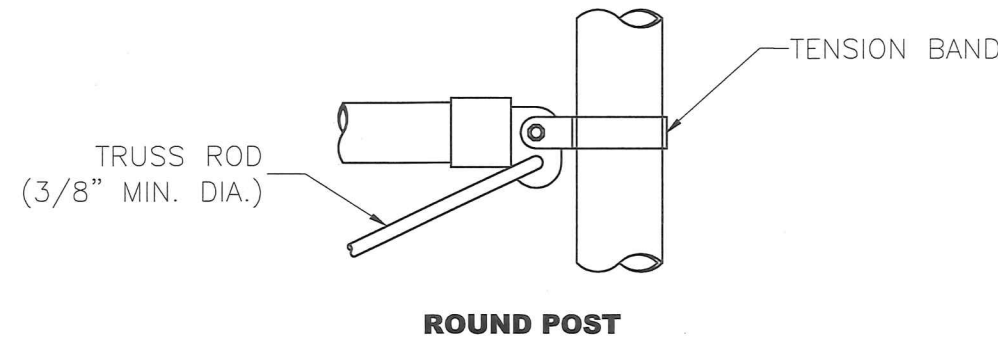
CORNER POST

| USE AND SECTION            | MINIMUM OUTSIDE DIMENSIONS (NOMINAL) |                   |                 |
|----------------------------|--------------------------------------|-------------------|-----------------|
|                            | FABRIC LESS THAN 72"                 | FABRIC 72" TO 96" | FABRIC OVER 96" |
| CORNER, END & PULL POSTS   |                                      |                   |                 |
| TUBULAR - ROUND            | 2.375" O.D.                          | 2.375" O.D.       | 2.375" O.D.     |
| TUBULAR - SQUARE           | 2.00" SQ.                            | 2.00" SQ.         | 2.00" SQ.       |
| C-SECTION (ROLL-FORMED)    | 3.50" X 3.50"                        | 3.50" X 3.50"     | -               |
| LINE POSTS                 |                                      |                   |                 |
| TUBULAR - ROUND            | 1.9" O.D.                            | 2.375" O.D.       | 2.375" O.D.     |
| H-SECTION                  | 2.25" X 1.70"                        | 2.25" X 1.70"     | 2.00" SQ.       |
| C-SECTION (ROLL-FORMED)    | 1.875" X 1.625"                      | 2.25" X 1.70"     | -               |
| TOP, BOTTOM, & BRACE RAILS |                                      |                   |                 |
| TUBULAR - ROUND            |                                      | 1.66" O.D.        |                 |
| TUBULAR - SQUARE           |                                      | 1.50" O.D.        |                 |
| H-SECTION                  |                                      | 1.625" X 1.50"    |                 |
| C-SECTION (ROLL-FORMED)    |                                      | 1.625" X 1.25"    |                 |

END OR GATE POST DETAIL



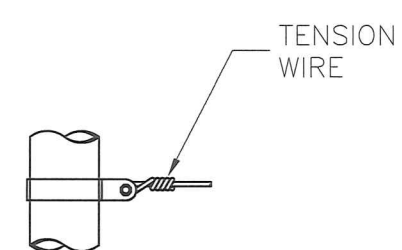
TRUSS ROD AND BAND



ROUND POST

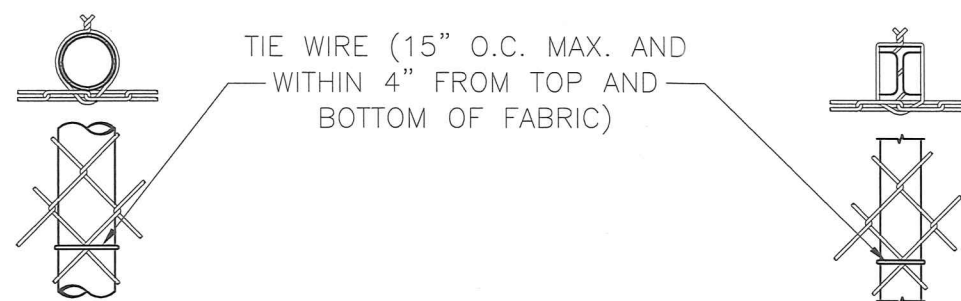
H-BEAM

BRACE RAIL CLAMP DETAILS



TENSION BAND DETAIL

BOTTOM OR BRACE RAIL ATTACHMENT



ROUND POST ATTACHMENT

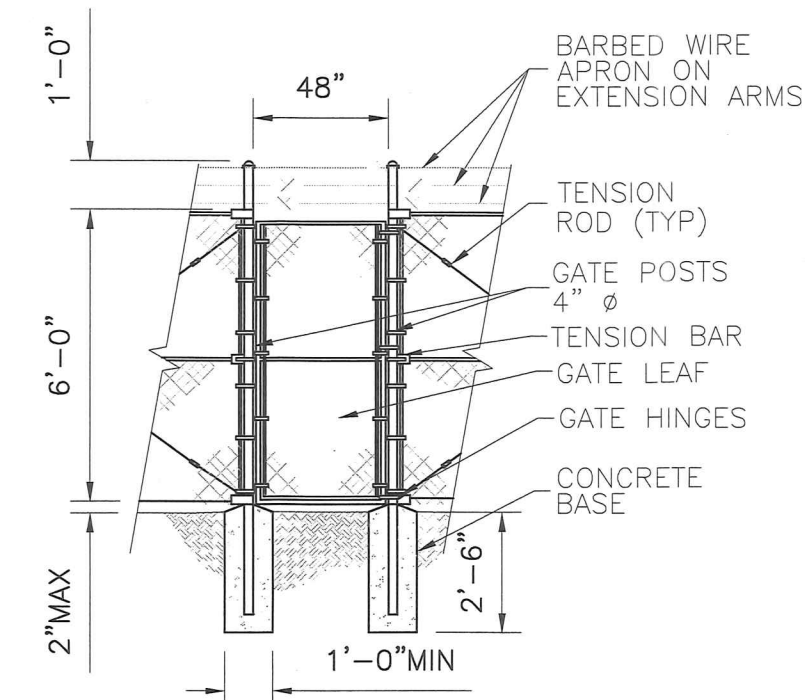
H-BEAM ATTACHMENT

CHAIN LINK FENCE FASTENING DETAIL

5 C-503 N.T.S.

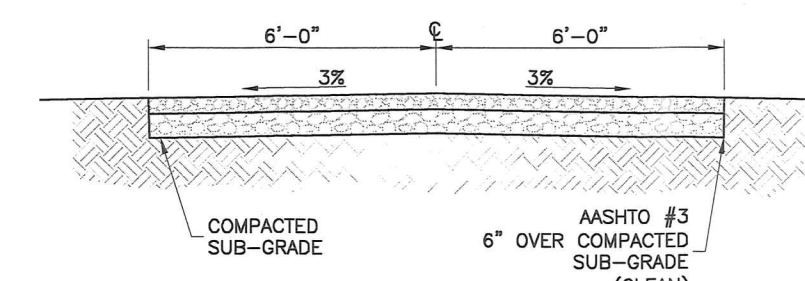
SHEET NOTES:

- WIRE TIES, RAILS, POSTS, AND BRACES SHALL BE CONSTRUCTED ON THE SECURE SIDE OF THE FENCE ALIGNMENT. CHAIN-LINK FABRIC SHALL BE PLACED ON THE OPPOSITE SIDE OF THE SECURE AREA.
- C-SECTION POSTS SHALL BE INSTALLED SO THAT THE VOID INSIDE THE POST IS COMPLETELY FILLED WITH CONCRETE UP TO THE TOP OF THE FOUNDATION.
- SWING GATES SHALL BE CONSTRUCTED WITH DROP RODS, PADLOCKS, LATCH ASSEMBLY, AND GATE KEEPERS EXCEPT AS NOTED.
- ALL GATE FRAMES SHALL BE A MINIMUM 1-7/8" NOMINAL (ROUND) OR 2" NOMINAL (SQUARE). GATE FRAMES SHALL BE OF WELDED CONSTRUCTION OR SHALL BE ASSEMBLED USING HEAVY FITTINGS. AT THE CONTRACTOR'S OPTION A WELDED HORIZONTAL BRACE MAY BE USED IN LIEU OF TRUSS RODS TO BRACE ALL WELDED GATE FRAMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER RIGID CONSTRUCTION OF ALL GATES SUPPLIED.
- GATES SHALL BE DESIGNATED AS FOLLOWS:  
FENCE TYPE - FE5, FE6, ETC.  
FABRIC WIDTH - INCHES  
TYPE OPENING - SO (SINGLE)  
HINGE - DO (DOUBLE)  
HINGE - RA (STANDARD)  
HINGE - HO (OFFSET)  
OPENING - INCHES (CLEAR OPENING BETWEEN GATE POSTS)  
EXAMPLES: FE6-120-DO-RA-144  
FE5-120-SO-HO-144
- CHAIN-LINK FABRIC SHALL BE 11 GAUGE WITH 2" OPENINGS.
- LINE POSTS SHALL BE 10 FEET LONG 1-7/8" SCHEDULE 40 GRADE 50 PIPE IN CONCRETE FOOTER.
- SLATS NOT PERMITTED WITHOUT EOR APPROVAL AND SIGN-OFF.



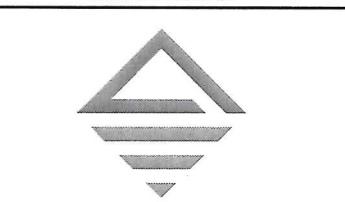
EMERGENCY MAN GATE

6 C-503 SCALE: 1/4" = 1'-0"



ACCESS DRIVE

7 C-503 SCALE: 1/4" = 1'-0"



STAMP:



MD - OWINGS MILL  
LAND - WHITE  
9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
FENCE & GATE  
DETAILS

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 X 914)

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DATE: 04/03/17  
DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

PROJECT PHASE:  
30% DESIGN

SCALE:  
AS SHOWN

SHEET NO.:  
C-503

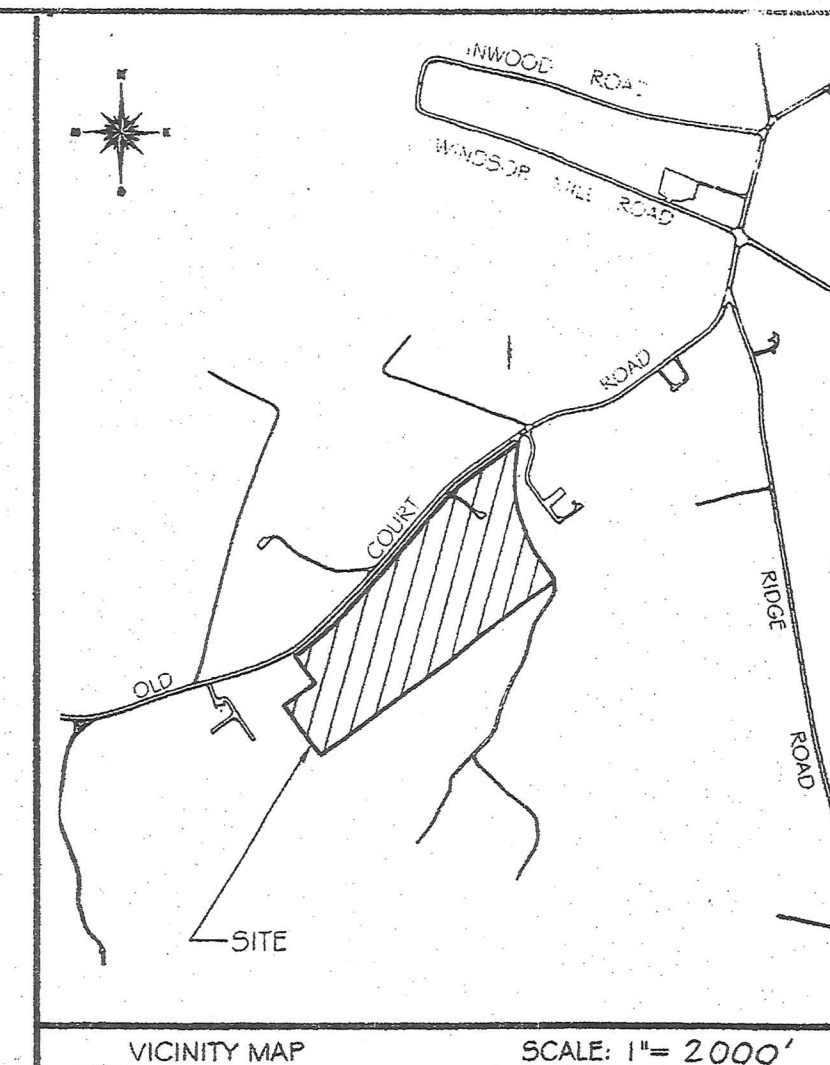


THE DEVELOPER MUST PROVIDE NECESSARY DRAINAGE FACILITIES (TEMPORARY OR PERMANENT) TO PREVENT CREATING ANY NUISANCES OR DAMAGES TO ADJACENT PROPERTIES, ESPECIALLY BY THE CONCENTRATION OF SURFACE WATERS. CORRECTION OF ANY PROBLEM WHICH MAY RESULT, DUE TO IMPROPER GRADING OR IMPROPER INSTALLATION OF DRAINAGE FACILITIES, WOULD BE THE FULL RESPONSIBILITY OF THE DEVELOPER.

### FCP NOTES

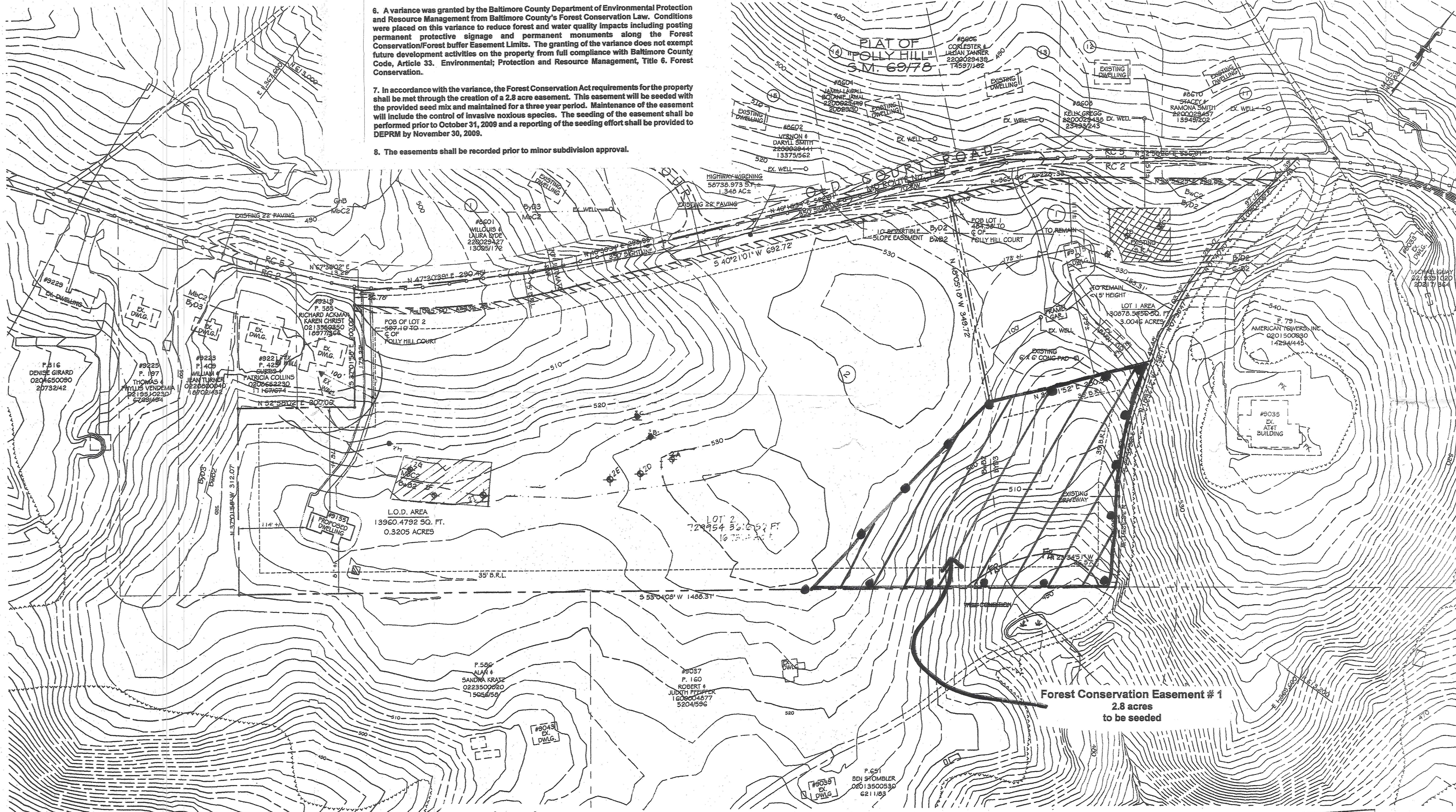
- Any Forest Conservation Easements (FCE) shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict the disturbance and use of these areas.
- There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement, except as permitted by Baltimore County DEPRM.
- No stockpiles, parking areas, equipment cleaning areas, etc. shall occur within areas designated as Forest Conservation Easements or as Forest Buffer Easements.
- Permanent signage shall be placed 100' apart along the boundaries of all areas included in Forest Conservation Easements. Surveyed limits of the easement shall be clearly marked in the field at the predetermined intervals with permanent below grade markers to facilitate identification of the easement limits by both homeowners and County staff. The permanent signage should be installed as "witness posts near each marker location. The signs and markers shall be installed by October 31, 2009 or prior to issuance of any building permits, whichever comes first.
- Access to Easements can be gained directly from a 10 foot access easement.
- A variance was granted by the Baltimore County Department of Environmental Protection and Resource Management from Baltimore County's Forest Conservation Law. Conditions were placed on this variance to reduce forest and water quality impacts including posting permanent protective signage and permanent monuments along the Forest Conservation/Forest Buffer Easement Limits. The granting of the variance does not exempt future development activities on the property from full compliance with Baltimore County Code, Article 33. Environmental, Protection and Resource Management, Title 6. Forest Conservation.
- In accordance with the variance, the Forest Conservation Act requirements for the property shall be met through the creation of a 2.8 acre easement. This easement will be seeded with the provided seed mix and maintained for a three year period. Maintenance of the easement will include the control of invasive noxious species. The seeding of the easement shall be performed prior to October 31, 2009 and a reporting of the seeding effort shall be provided to DEPRM by November 30, 2009.
- The easements shall be recorded prior to minor subdivision approval.

See Sheet 2 of 2 for all Forest Conservation Plan specifications, notes and details



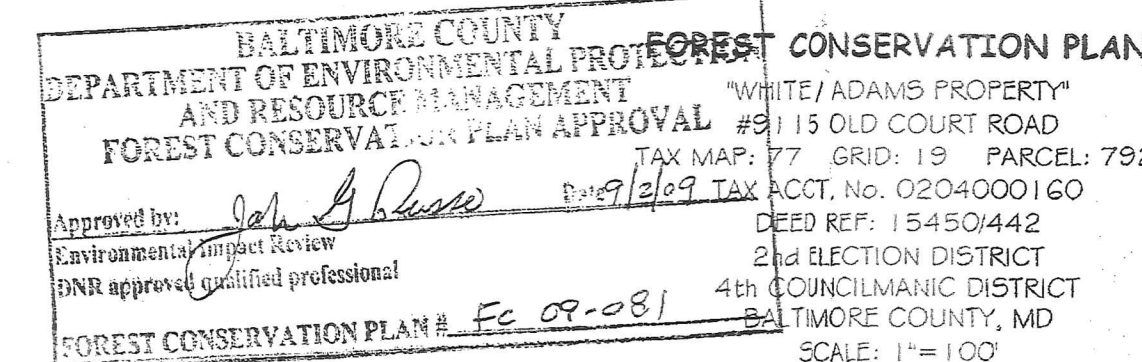
### GENERAL NOTES:

- EXISTING ZONE: RC 2
- LOT SIZE:  
GROSS AREA: 2.11 ACRES  
NET AREA: 1.16 ACRES  
NUMBER OF LOTS ALLOWED: 2  
NUMBER OF LOTS PROPOSED: 2  
200' SCALE MAP REFERENCE: 077A3 & 087A1  
CENSUS TRACT: 4022.02  
REGIONAL PLAN: 311  
COUNCILMANIC DISTRICT: 4  
ELECTION DISTRICT: 2  
ELEMENTARY SCHOOL DISTRICT: WINFIELD E5  
MIDDLE SCHOOL DISTRICT: WINDSOR MILL M5  
HIGH SCHOOL DISTRICT: RANDALLTOWN H5
- WATERSHED: 81
- THIS PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
- ZONING HISTORY: NONE
- SOIL TYPE(S): MbC2; BwB2; BvD2; GcB2  
MAP REFERENCE NO: 38
- SEWER SHED: 79 & 80
- THERE IS A WELL AND SEPTIC SYSTEM ON THIS PROPERTY AND WITHIN 100' AS SHOWN
- EXISTING USE OF PROPERTY: SINGLE FAMILY DWELLING
- PROPOSED USE OF PROPERTY: SINGLE FAMILY DWELLING (EX/1 PROP.)
- HOUSE TYPE MUST BE APPROVED BY THE OFFICE OF PLANNING AND ZONING. THE HOUSE TYPE MUST BE CAPABLE WITH SURROUNDING NEIGHBORHOOD IN SIZE, HEIGHT, MATERIALS, AND STYLE.
- THERE ARE NO STREAMS, WETLANDS, BODIES OF WATER, SPRINGS, OR DEEPS ON OR WITHIN 200' OF THIS SITE
- ALL SITE RUNOFF MUST BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPOSING AN ADVERSE IMPACT ON THE RECEIVING BODY OF WATER.
- ALL IMPERVIOUS AREAS SHOULD BE LIMITED TO 30% OF CLEARED AREA AND CONVEYED AS SHEETFLOW THROUGH VEGETATED AREAS WITHOUT CONCENTRATING OR CAUSING EROSIONS
- HOUSE DOWNSPOUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS OR ONTO DRYWELLS, WHERE FEASIBLE.
- THIS PROPERTY AS SHOWN ON THE PLAN AS BEEN HELD INTACT SINCE MARCH 1952 BY THE OWNERSHIP SINCE. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED, OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFFSITE DWELLINGS.
- ADDITIONAL SUBDIVISIONS ON THIS PARCEL AND/OR LOTS WILL REQUIRE SWM CONTROLS FOR THIS SITE AND THE ADDITIONAL SUBDIVISION.
- THE AREA BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED AND KEPT FREE OF ANY OBSTRUCTION.
- THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN AREA
- COMMUNITY PANEL NO. 240010-03608  
ZONE: C
- CALVIN THOMA: REPLACED THE EXISTING SEPTIC TANK AND INSTALLED DISTRIBUTION BOX. THE ORIGINAL SEPTIC TANK WAS PUMPED AND BACK-FILLED
- FOREST CONSERVATION REGULATIONS:
- PROPOSED BUILDING PLANS TO BE REVIEWED BY THE BALTIMORE COUNTY OFFICE OF PLANNING AT THE TIME OF BUILDING PERMIT APPLICATION.
- THERE ARE NO UNDERGROUND STORAGE TANKS LOCATED ON THIS PROPERTY.
- DRC No. 0108077 GRANTED A LIMITED EXEMPTION UNDER SECTION 32-4-16 (b)(5)
- ALL EXISTING ACCESSORY STRUCTURES TO REMAIN
- THE TOPOGRAPHY SHOWN HEREON IS FOR GENERAL INFORMATION PURPOSES ONLY. THE DATA MAY BE INACCURATE OR CONTAIN ERRORS OR OMISSIONS. BALTIMORE COUNTY, MD DOES NOT WARRANT THE ACCURACY OR RELIABILITY OF THE DATA AND DISCLAIMS ALL WARRANTIES WITH REGARD TO THE DATA, INCLUDING BUT NOT LIMITED TO, ALL WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE. BALTIMORE COUNTY, MD DISCLAIMS ALL OBLIGATION AND LIABILITY FOR DAMAGES, INCLUDING BUT NOT LIMITED TO, ACTUAL, SPECIAL, INDIRECT, AND CONSEQUENTIAL DAMAGES, ATTORNEYS' FEES, AND COURT COSTS INCURRED AS A RESULT OF, ARISING FROM OR IN CONNECTION WITH THE USE OF OR RELIANCE UPON THIS DATA.
- PROPERTY IS TO BE DIVIDED BY COURT ORDER PER CIRCUIT COURT OF BALTIMORE COUNTY, MD CASE No. 03-C-05-002305
- PRIVATE DRIVEWAY ENTRANCES SHALL CONFORM WITH BALTIMORE COUNTY STANDARD DETAIL PLATE R-15, FOR TYPICAL DRIVEWAY ENTRANCES FROM ROAD WITHOUT CURB AND GUTTER
- THE EXISTING SEPTIC SYSTEM HAS BEEN INSPECTED AND CERTIFIED BY A LICENSED SEWAGE DISPOSAL CONTRACTOR. DOCUMENTATION VERIFYING THE INSPECTION AND CONDITION HAS BEEN SUBMITTED TO DEPRM
- MAXIMUM BUILDING HEIGHT 35 FEET



### Legend

- Existing Contours
- Existing Treeline
- Forest Buffer Easement
- Proposed Planting Areas/FCE
- Permanent Signage Location
- Temporary Protective Signage



Sheet 1 of 2

**siterite**  
SURVEYING™  
200 E. JOPPA RD.  
SUITE 101  
TOWSON, MD 21286  
T: (410) 828-9080  
F: (410) 828-9086

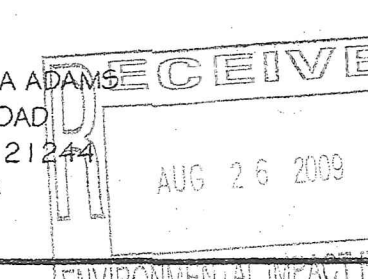
| REVISIONS                | DATE   |
|--------------------------|--------|
| FCE REVISED PER VARIANCE | 8/1/09 |

NOTE:  
I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE MINOR SUBDIVISION COMMENTS DATED 04/19/07 AND HAVE PREPARED WITH DUE DILIGENCE THIS MINOR SUBDIVISION PLAN.

### RC 2 ZONING REGULATIONS

- LOT AREA: 1 ACRE
- SETBACKS:  
75 FEET FROM CENTERLINE OF STREET AND 35 FEET FROM ANY LOT LINE OTHER THAN A STREET

OWNER  
DELORES WHITE & VANESSA ADAMS  
9115 OLD COURT ROAD  
BALTIMORE, MARYLAND 21244  
(410) 521-4185



|                                                                                                                                                                                                                        |                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| BALTIMORE COUNTY MINOR SUBDIVISION<br>PROJECT NO. 07-047-M                                                                                                                                                             |                                    |
| DEVELOPMENT REGULATIONS<br><input type="checkbox"/> EXEMPT FROM ARTICLE 32, TITLE 4, SUBTITLE 2<br><input type="checkbox"/> PANHANDLE EXEMPT FROM SECTION 32-4-211 THROUGH 32-4-217 AND SECTIONS 32-4-226 AND 32-4-227 |                                    |
| PDM CERTIFICATION<br>APPROVED BY _____<br>DATE _____                                                                                                                                                                   | DISAPPROVED BY _____<br>DATE _____ |

Ref No 3



Baltimore County - My Neighborhood



December 4, 2017

Legend

 County Boundary

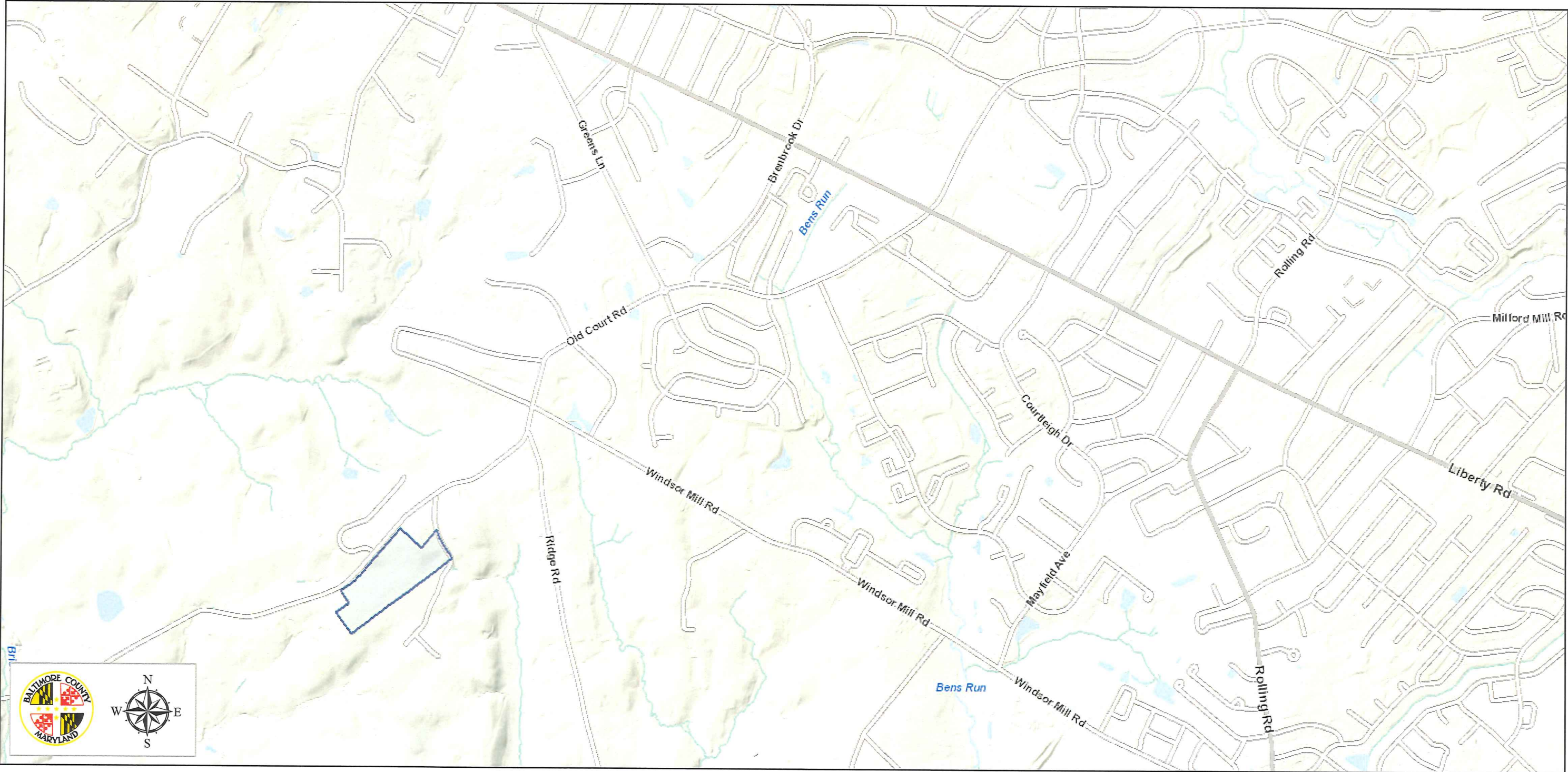
0 0.15 Miles  
1 inch = 1,500 feet

PETITIONER' S

EXHIBIT NO. 4a



Baltimore County - My Neighborhood



December 4, 2017

Legend  
□ County Boundary

0 0.15 Miles  
1 inch = 1,500 feet

PETITIONER'S

EXHIBIT NO. 9b



# Baltimore County - My Neighborhood



November 30, 2017

- Legend
- House Numbers
  - Zoning
  - Property
  - County Boundary

0 0.025 Miles  
1 inch = 376 feet

PETITIONER'S

EXHIBIT NO. 4c





Plot  
4/D





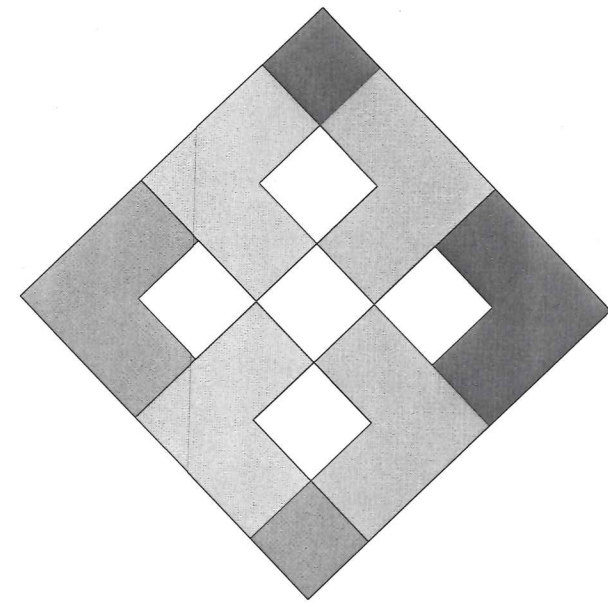
Plot 6 A





10/6/03





# FOREFRONT POWER

## SITE NAME: MD-OWINGS MILL LAND - WHITE

SITE ADDRESS:  
9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND 21244

### SITE INFORMATION

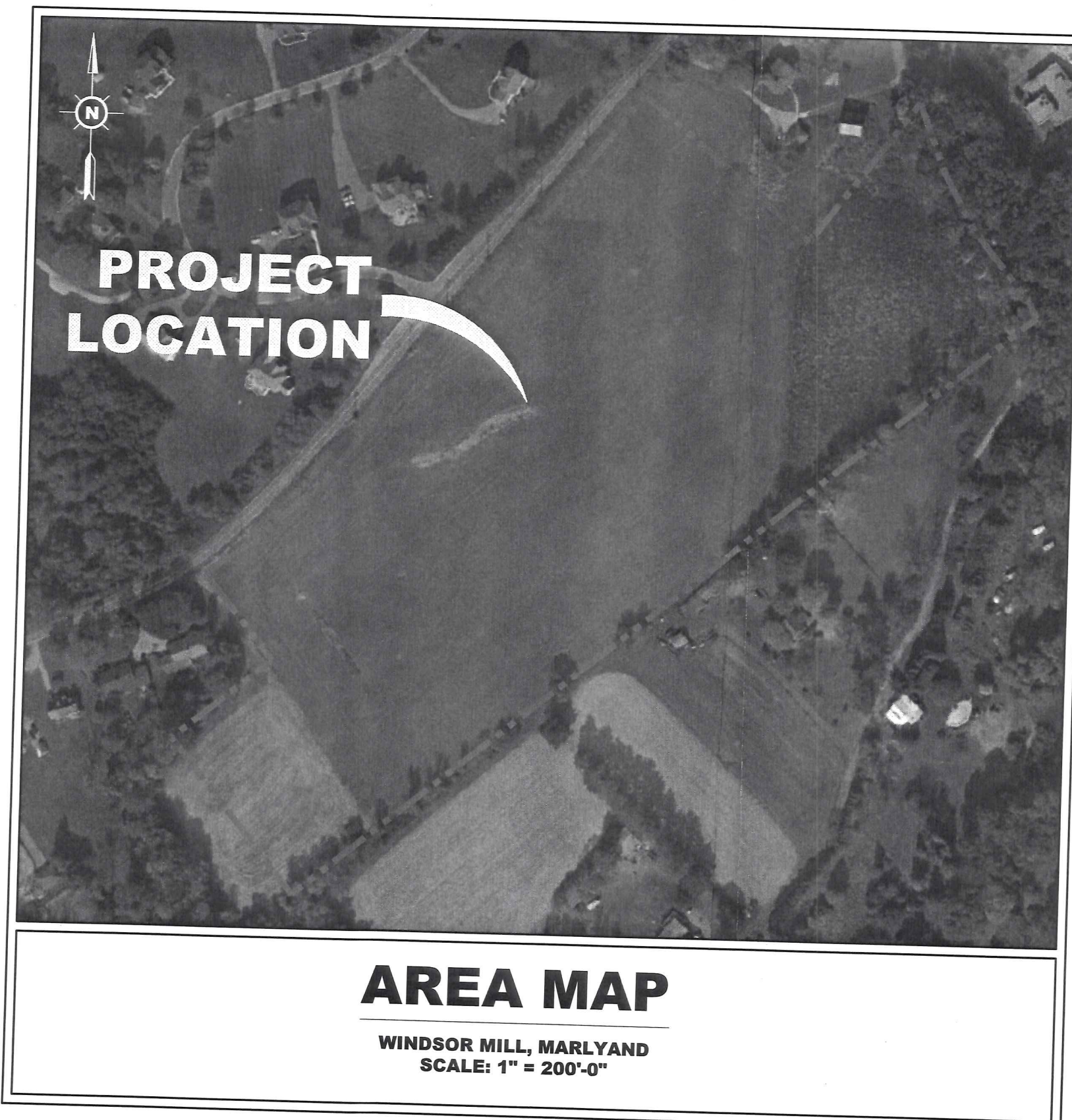
|                          |                                                                             |
|--------------------------|-----------------------------------------------------------------------------|
| SITE NAME:               | MD-OWINGS MILL LAND - WHITE                                                 |
| SITE ADDRESS:            | 9155 OLD COURT ROAD<br>WINDSOR MILL, MARYLAND 21244                         |
| JURISDICTION:            | BALTIMORE COUNTY, MARYLAND                                                  |
| ZONING:                  | RC-2                                                                        |
| SITE COORDINATES:        | N 39° 20' 59.0" (NAD 83)<br>W 76° 48' 04.5" (NAD 83)                        |
| GROUND ELEVATION:        | 529± (NAVD 88)                                                              |
| SYSTEM SIZE (DC):        | 2,319.48 kW                                                                 |
| SYSTEM SIZE (AC):        | 1,980.00 kW                                                                 |
| MODULE TYPE:             | (6,822) TRINASOLAR TSM-340 DE 14A (II)                                      |
| INVERTER 1:              | (33) SUNGROW SG60KU-M                                                       |
| AZIMUTH:                 | 180°                                                                        |
| TILT:                    | 25°                                                                         |
| GROUND LANDLORD NAME:    | DELORES WHITE                                                               |
| GROUND LANDLORD ADDRESS: | 9155 OLD COURT ROAD<br>WINDSOR MILL, MARYLAND 21244                         |
| APPLICANT:               | FOREFRONT POWER, LLC<br>100 MONTGOMERY ST. #1400<br>SAN FRANCISCO, CA 94104 |
| ELECTION DISTRICT:       | 2                                                                           |
| CONCILMANIC DISTRICT:    | 4                                                                           |
| CONGRESSIONAL DISTRICT:  | 7                                                                           |
| LEGISLATIVE DISTRICT:    | 10                                                                          |
| VOTING PRECINCT:         | 02-011                                                                      |
| ZONING MAP NUMBER:       | 0077                                                                        |

### CODE ANALYSIS

|                    |               |
|--------------------|---------------|
| 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 2,319.48 kW DC RATED PHOTOVOLTAIC SYSTEM AT 9155 OLD CT RD, WINDSOR MILL, MARYLAND, USA IN BALTIMORE COUNTY, MARYLAND.

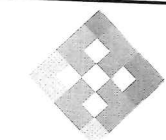
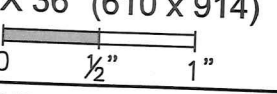


### SYSTEM SUMMARY

NUMBER OF PANELS: 6,822  
SYSTEM SIZE (DC): 2,319.48 kW  
SYSTEM SIZE (AC): 1,980.00 kW

### CIVIL SHEET INDEX

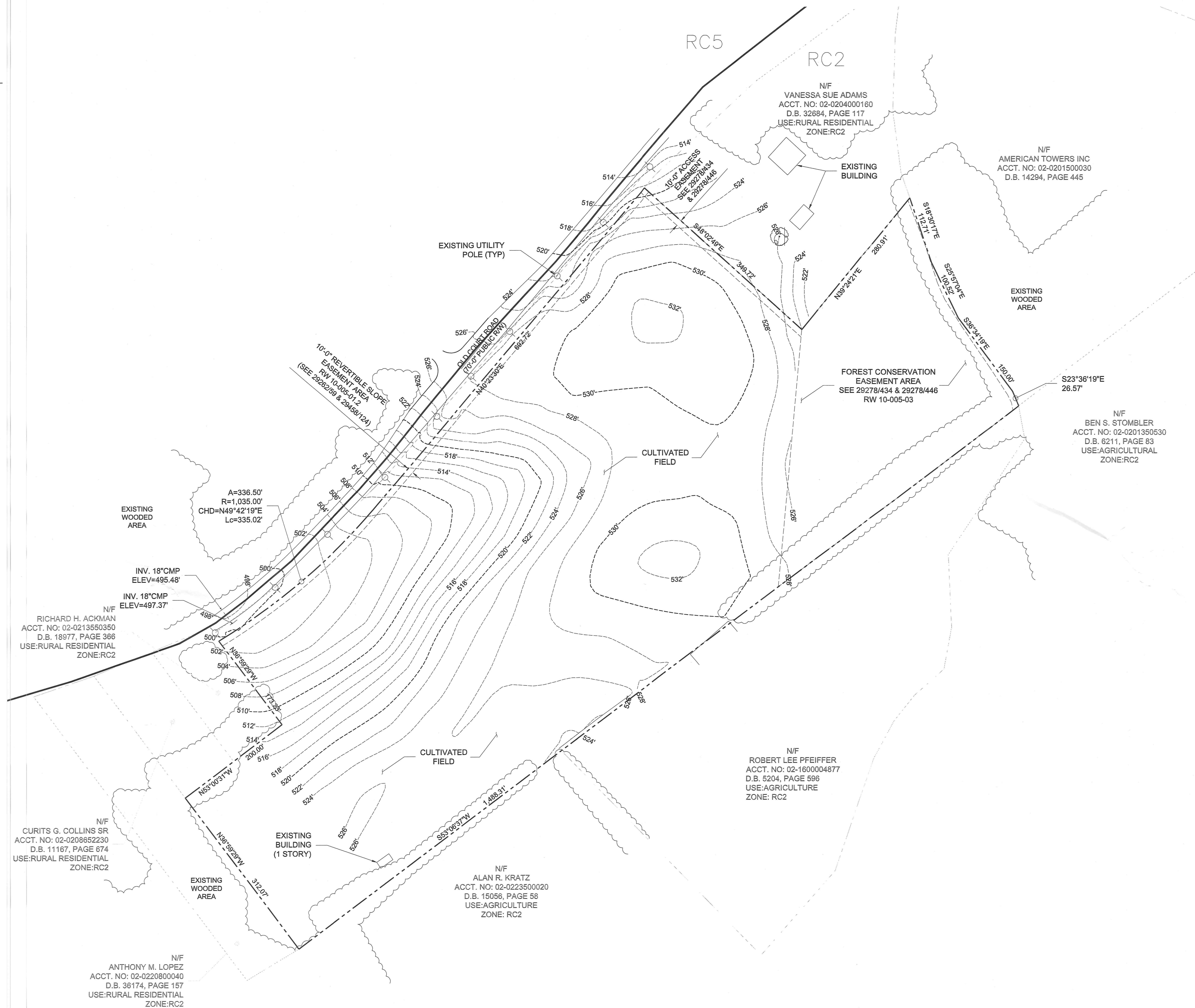
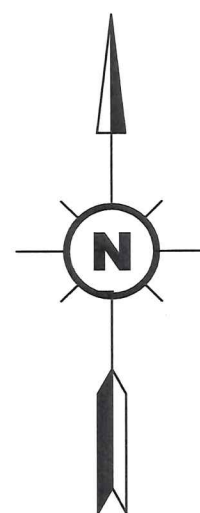
| DRAWING SHEET | DRAWING TITLE        |
|---------------|----------------------|
| T-001         | TITLE SHEET          |
| C-101         | EXISTING CONDITIONS  |
| C-201         | PROPOSED SITE PLAN   |
| C-503         | FENCE & GATE DETAILS |
| L-101         | LANDSCAPE PLAN       |

| <br><b>FOREFRONT<br/>POWER</b><br><small>2017 FOREFRONT POWER, LLC AND ITS<br/>AFFILIATES. ALL RIGHTS RESERVED.<br/>100 MONTGOMERY ST. #1400<br/>SAN FRANCISCO, CA 94104<br/>(415) 768-8246<br/>www.ForefrontPower.com</small>                                                                                                                                                                                                                                                                                       |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| <br><b>advantage engineers</b><br><small>435 INDEPENDENCE AVENUE, SUITE C<br/>MECHANICSBURG, PENNSYLVANIA 17055<br/>PHONE: (717) 458-0800<br/>www.advantageengineers.com</small>                                                                                                                                                                                                                                                                                                                                    |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| STAMP:<br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <b>MD - OWINGS MILL<br/>LAND - WHITE</b><br><b>9155 OLD COURT ROAD<br/>WINDSOR MILL, MARYLAND<br/>21244</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| PROJECT NUMBER:<br>1700165.003                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| SHEET TITLE:<br><b>TITLE<br/>SHEET</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| SHEET SIZE:<br>ARCH "D"<br>24" X 36" (610 x 914)<br>                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <small>THIS DRAWING IS THE PROPERTY OF FOREFRONT<br/>POWER, LLC. THIS INFORMATION IS CONFIDENTIAL<br/>AND IS TO BE USED ONLY IN CONNECTION WITH<br/>WORK DESCRIBED BY FOREFRONT POWER, LLC.<br/>NO PART IS TO BE DISCLOSED TO OTHERS WITHOUT<br/>WRITTEN PERMISSION FROM FOREFRONT POWER, LLC.</small>                                                                                                                                                                                                                                                                                                 |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <table><tr><th>NO.</th><th>REVISION</th><th>DATE</th><th>INIT.</th></tr><tr><td>1</td><td>ZONE</td><td>08/29/17</td><td>SPD</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table> | NO.      | REVISION | DATE  | INIT. | 1 | ZONE | 08/29/17 | SPD |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| NO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | REVISION | DATE     | INIT. |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ZONE     | 08/29/17 | SPD   |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| DATE: 04/03/17<br>DRAWN BY: MTG<br>ENGINEER: AMM<br>APPROVED BY: CP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| PROJECT PHASE:<br>30% DESIGN<br>SCALE: <b>AS SHOWN</b><br>SHEET NO.:<br><b>T-001</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |          |          |       |       |   |      |          |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

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

2018-0078-X  
Drop off No Review





**EXISTING CONDITIONS**

SCALE: 1" = 80'-0"

GRAPHIC SCALE



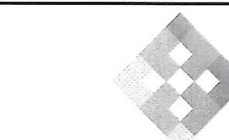
( IN FEET )  
1 inch = 80ft.

(SCALE BASED ON FULL SIZE 24" x 36" SHEETS ONLY)  
(DO NOT USE SCALE ON OTHER SIZED DRAWINGS)

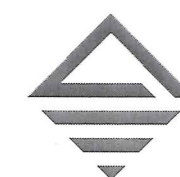


**Know what's below.  
Call before you dig.**

PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE  
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.



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100 MONTGOMERY ST. #1400  
SAN FRANCISCO, CA 94104  
(415) 786-8246  
www.forefrontpower.com



advantage engineers

435 INDEPENDENCE AVENUE, SUITE C  
MECHANICSBURG, PENNSYLVANIA 17055  
PHONE: (717) 458-6020  
www.advantageengineers.com

STAMP:



**MD - OWINGS MILL  
LAND - WHITE**

**9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244**

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
**EXISTING  
CONDITIONS**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)

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| NO. | REVISION | DATE     | INIT. |
|-----|----------|----------|-------|
| 1   | ZONE     | 08/29/17 | SPD   |
|     |          |          |       |
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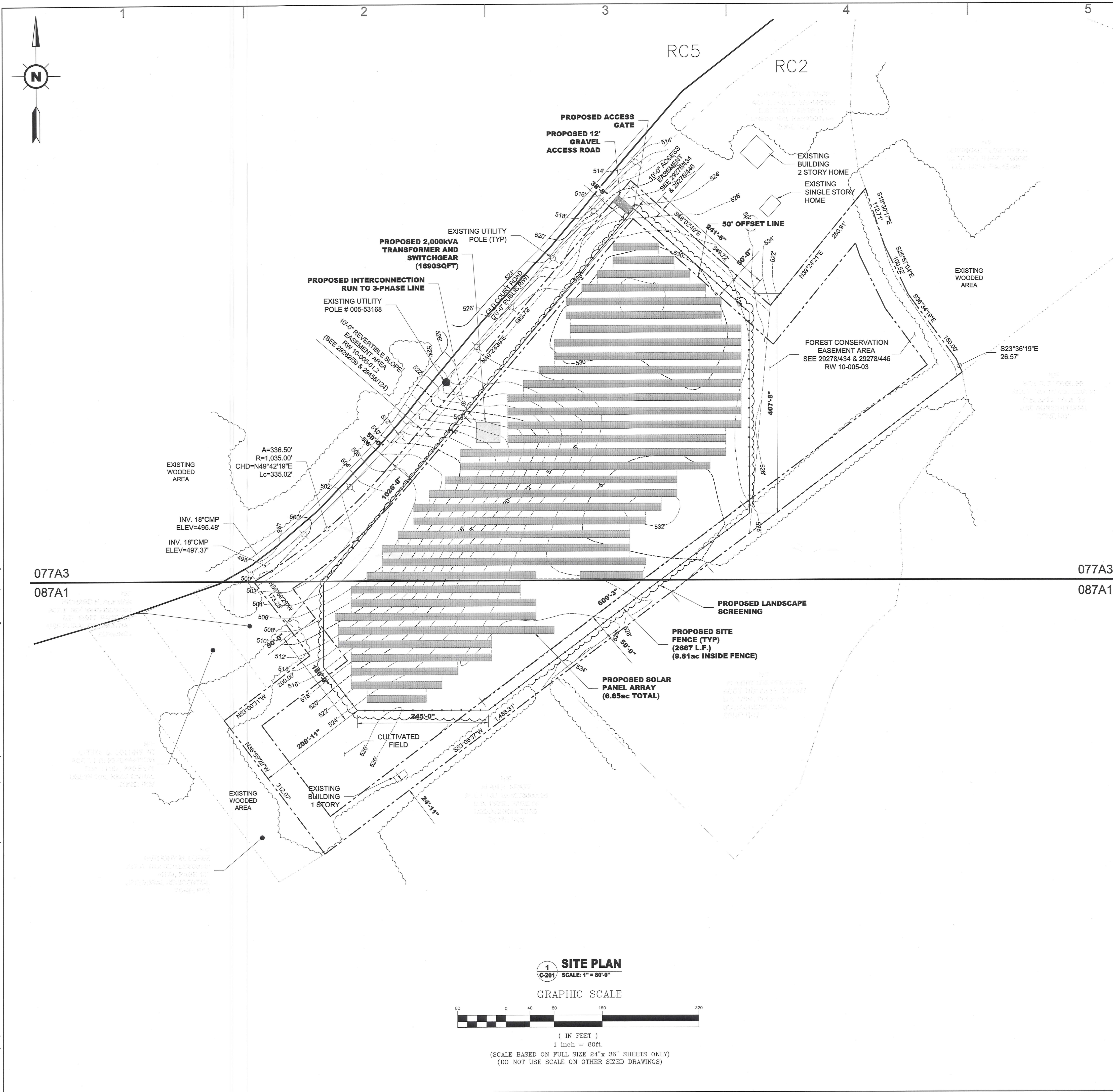
|              |          |
|--------------|----------|
| DATE:        | 04/03/17 |
| DRAWN BY:    | MTG      |
| ENGINEER:    | AMM      |
| APPROVED BY: | CP       |

PROJECT PHASE:  
30% DESIGN

SCALE:  
**AS SHOWN**

SHEET NO.:  
**C-101**





**SYSTEM SUMMARY**

NUMBER OF PANELS: 6,822  
SYSTEM SIZE (DC): 2,319.48 kW  
SYSTEM SIZE (AC): 1,980.00 kW  
COMPOUND AREA: 9.81 AC

- GENERAL NOTES:**
- THIS PLAN WAS PREPARED USING AN APPROVED PLAN ENTITLED "TOPOGRAPHIC SURVEY OF TAX LOT 11.04 - BLOCK 11011" BY POINT TO POINT SURVEYORS DATED 12/07/2016.
  - THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
  - NO ADDITIONAL NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY AFTER THE UPGRADE IS COMPLETE.
  - ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
  - THE PROPOSED DEVELOPMENT DOES NOT INCLUDE STREET SIGNS OF ANY TYPE.
  - THE PROPOSED DEVELOPMENT DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEPTACLES.
  - FLOODPLAIN: NO INDICATED FEMA FLOODPLAIN ON SITE.
  - SYSTEM DESIGNED IN ACCORDANCE WITH BILL-37-17 SECTION 4E-104.
  - PROPOSED FACILITY NOT LOCATED IN EASEMENTS.
  - PROPOSED FACILITY NOT LOCATED ON A HISTORICAL SITE.
  - PROPOSED FACILITY IS NOT LOCATED IN A CHESAPEAKE BAY CRITICAL AREA.
  - PROPOSED FACILITY IS NOT IN A FOREST CONSERVATION OR CONSERVANCY OR DESIGNATED CONSERVANCY.
  - GLARE CONTROL PROVIDED BY LANDSCAPE SCREENING (SEE SHEET L-1).
  - NO STATE OR LOCAL SCENIC ROUTES OR SCENIC VIEWS PRESENT ON SITE.
  - MINIMUM 50' SETBACK REQUIREMENTS MET.
  - SYSTEM HEIGHT DOES NOT EXCEED 20'.
  - SECURITY FENCE SURROUNDS PROPOSED FACILITY.
  - ZONING MAP PANELS 077A3 AND 087A1.
  - 50' SETBACK REQUIREMENT BASED ON MEETING BETWEEN FOREFRONT POWER, LLC/ADVANTAGE ENGINEERS, LLC AND BALTIMORE COUNTY ON AUGUST 17, 2017.
  - AS OF SEPTEMBER 01, 2017 THERE ARE LESS THAN 10 SOLAR FACILITIES APPROVED IN COUNCILMANIC DISTRICT 4

- SPECIAL VARIANCE RELIEF:**
- TO GRANT SPECIAL EXCEPTION RELIEF FOR A SOLAR FACILITY PURSUANT TO BCZR SEC. 4E-102 (AS ESTABLISHED BY BILL 37-17)

**PROPERTY INFORMATION:**

|                         |        |
|-------------------------|--------|
| ZONE:                   | RC-2   |
| TAX MAP:                | 077A3  |
| PARCEL:                 | 1487   |
| COUNCILMANIC DISTRICT:  | 4      |
| CONGRESSIONAL DISTRICT: | 7      |
| LEGISLATIVE DISTRICT:   | 10     |
| ELECTION DISTRICT:      | 2      |
| VOTING PRECINCT:        | 02-011 |

**811**  
Know what's below.  
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THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.

**FOREFRONT POWER**  
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**STAMP:**  
STATE OF MARYLAND  
JAMES J. JEFFERY  
PROFESSIONAL ENGINEER  
21461

**MD - OWINGS MILL  
LAND - WHITE**  
9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
**PROPOSED SITE  
PLAN**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)  
0 1/2" 1"

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DATE: 04/03/17  
DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

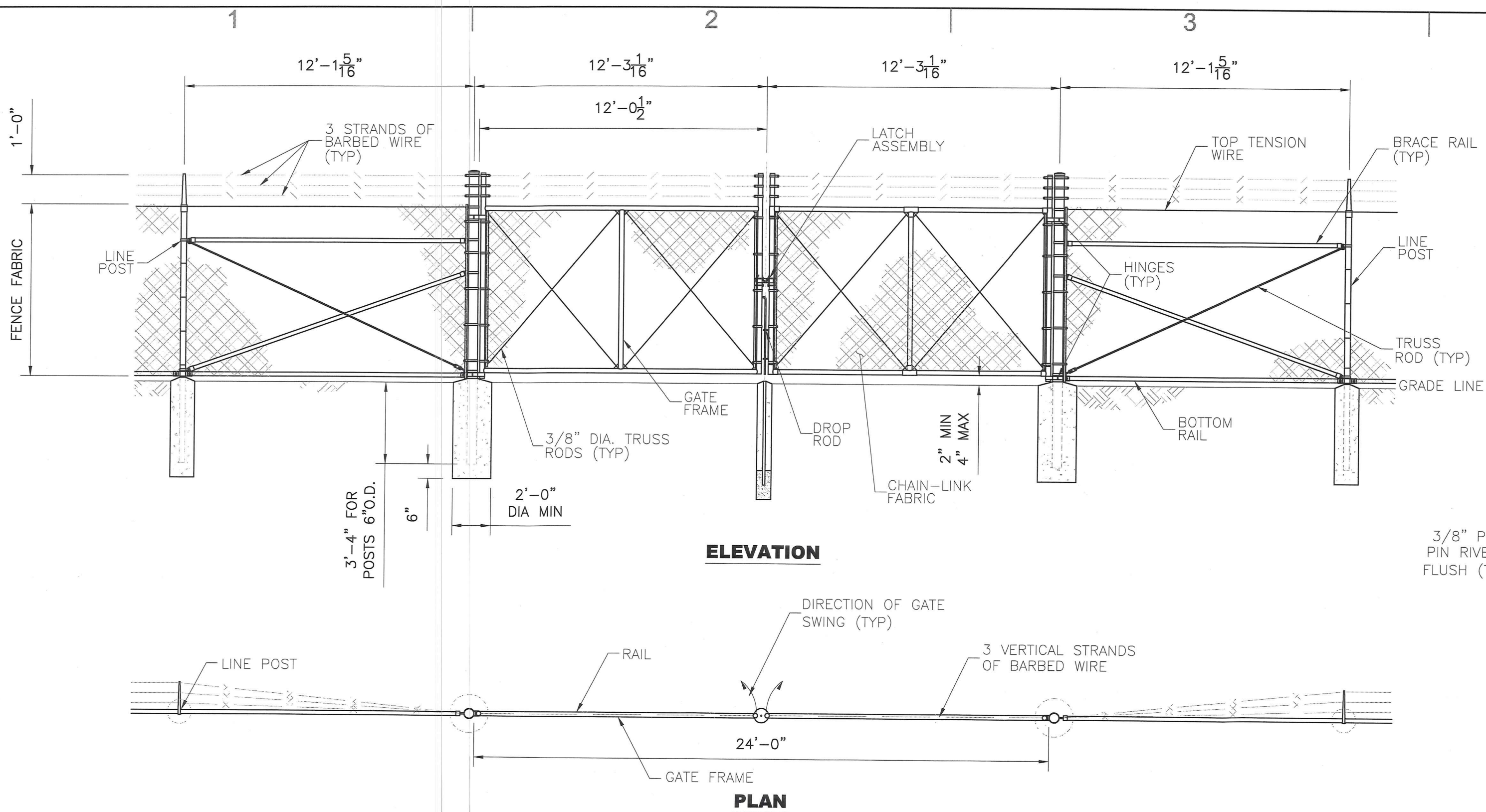
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30% DESIGN

SCALE:  
**AS SHOWN**

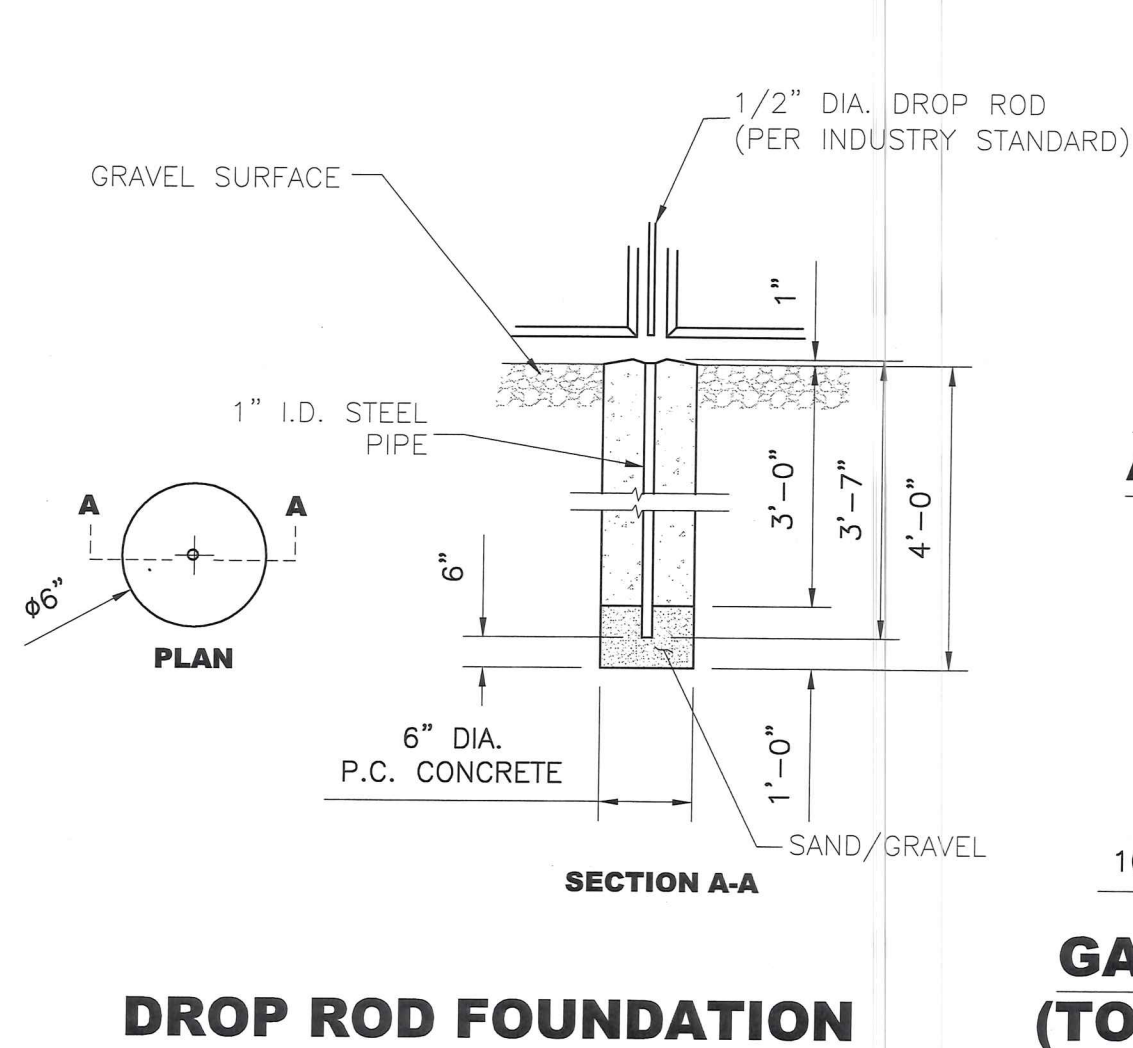
SHEET NO.:  
**C-201**

2018-0078-X  
Desp Off No Review

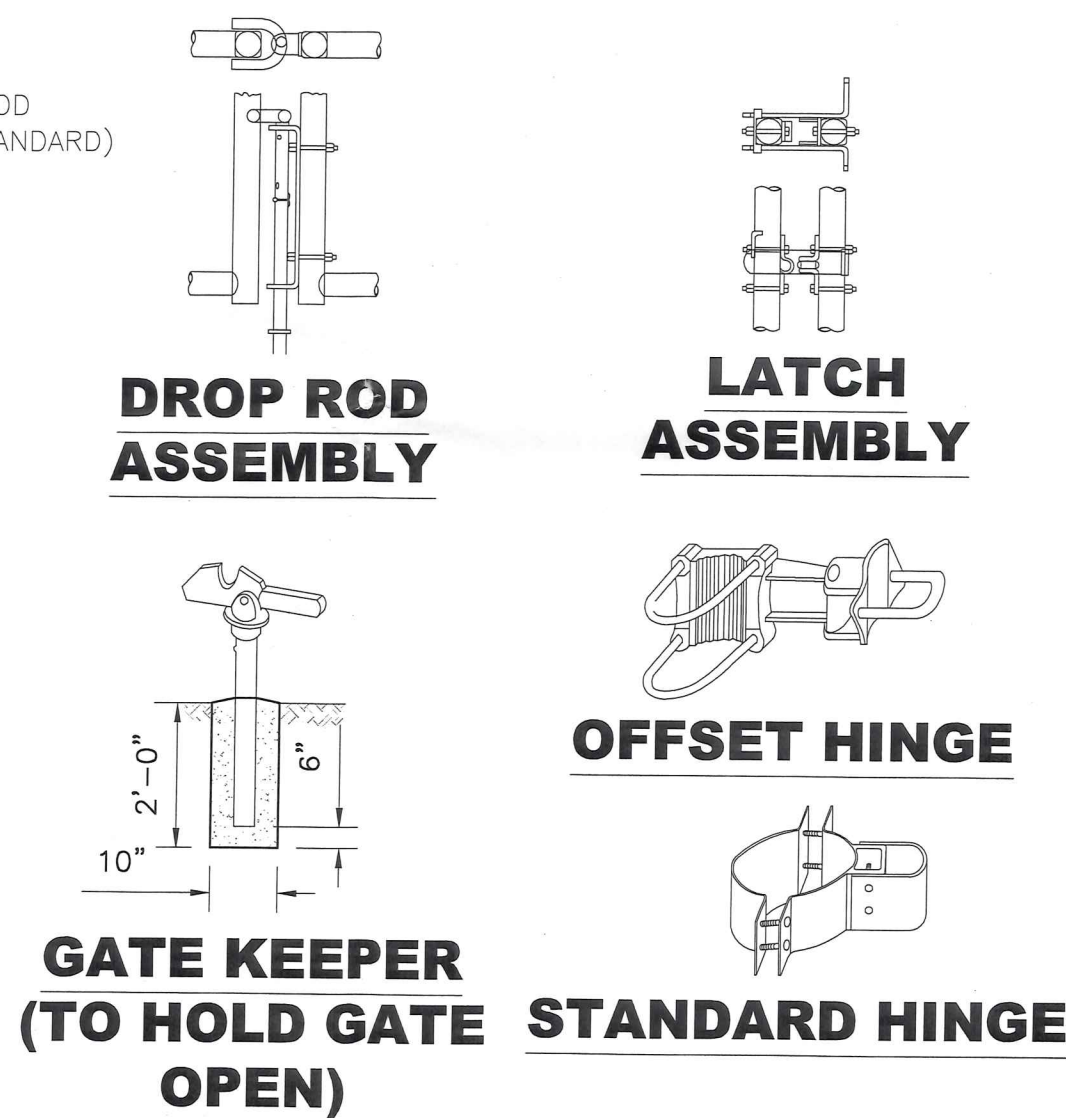




1 TYPICAL ACCESS GATE  
C-503 SCALE: 1/4\"/>

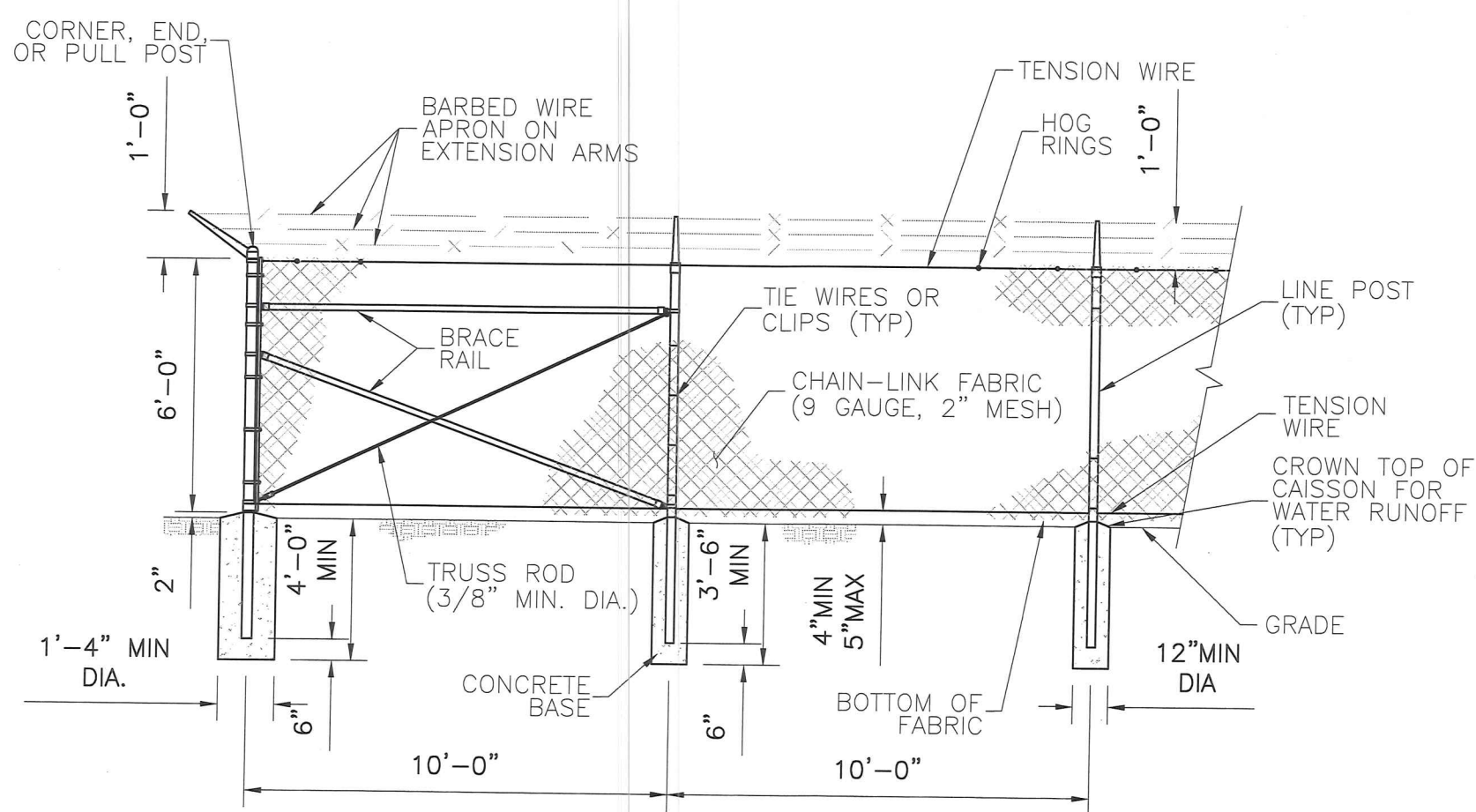


DROP ROD FOUNDATION

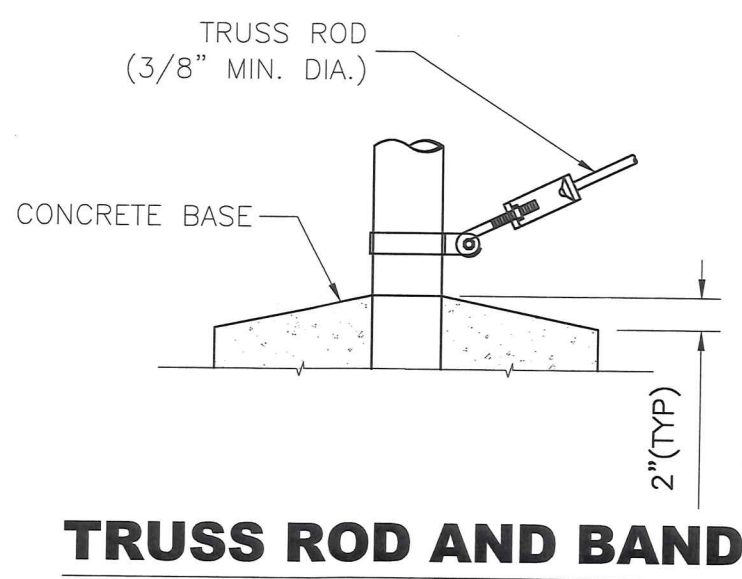


GATE KEEPER (TO HOLD GATE OPEN)  
STANDARD HINGE

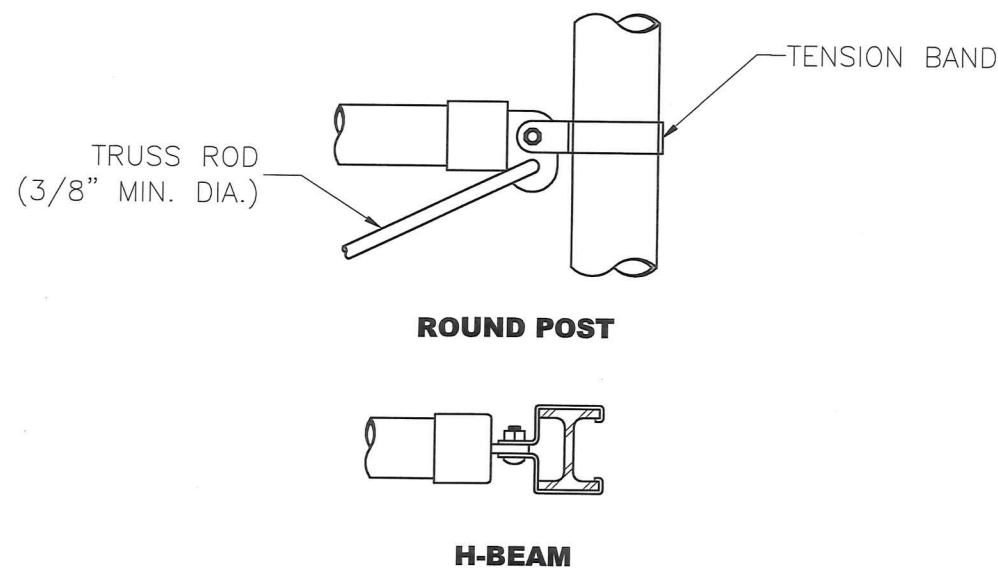
2 ACCESS GATE DETAILS  
C-503 N.T.S.



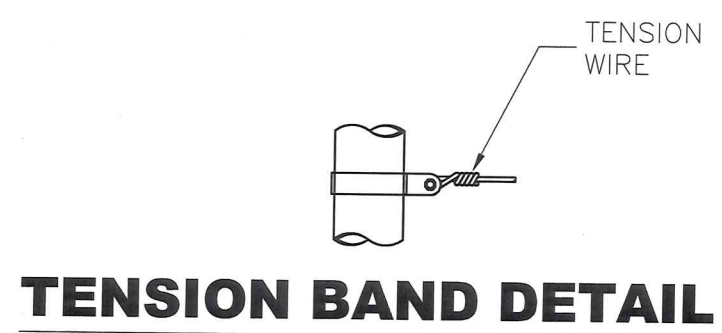
3 PERIMETER FENCE - ELEVATION  
C-503 SCALE: 1/4\"/>



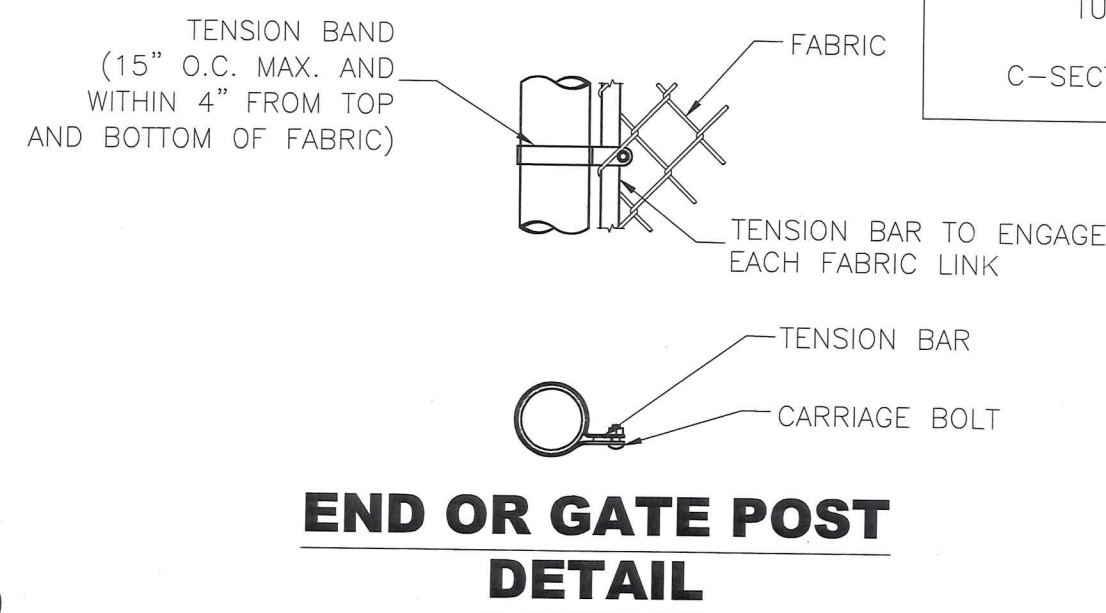
TRUSS ROD AND BAND



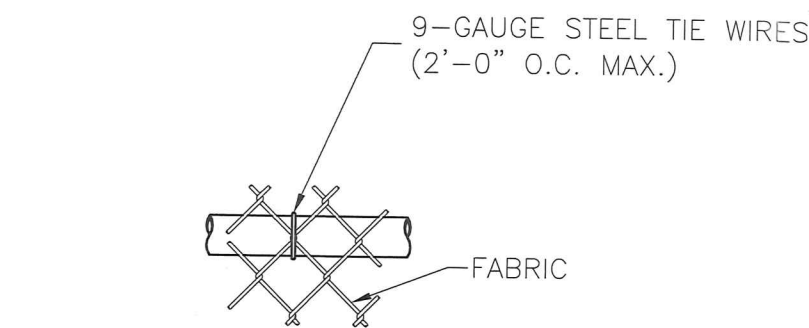
BRACE RAIL CLAMP DETAILS



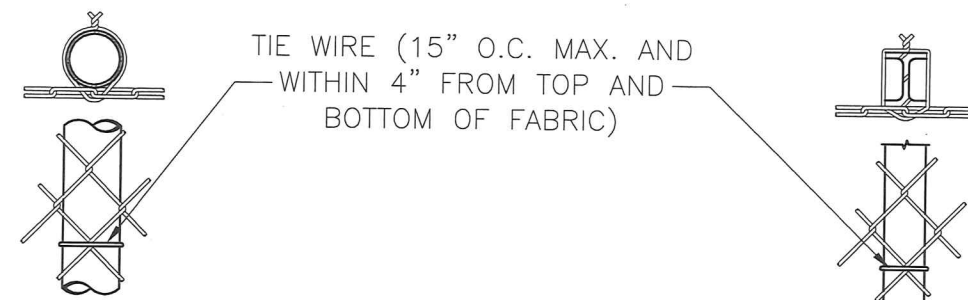
TENSION BAND DETAIL



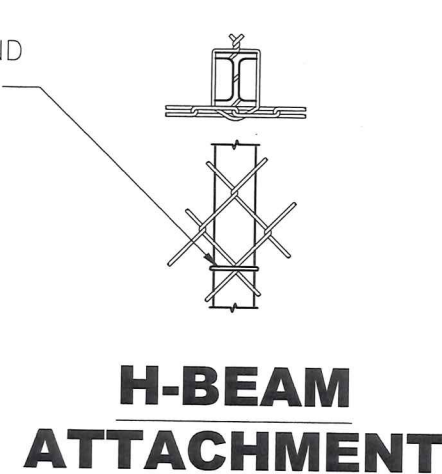
END OR GATE POST  
DETAIL



BOTTOM OR BRACE  
RAIL ATTACHMENT

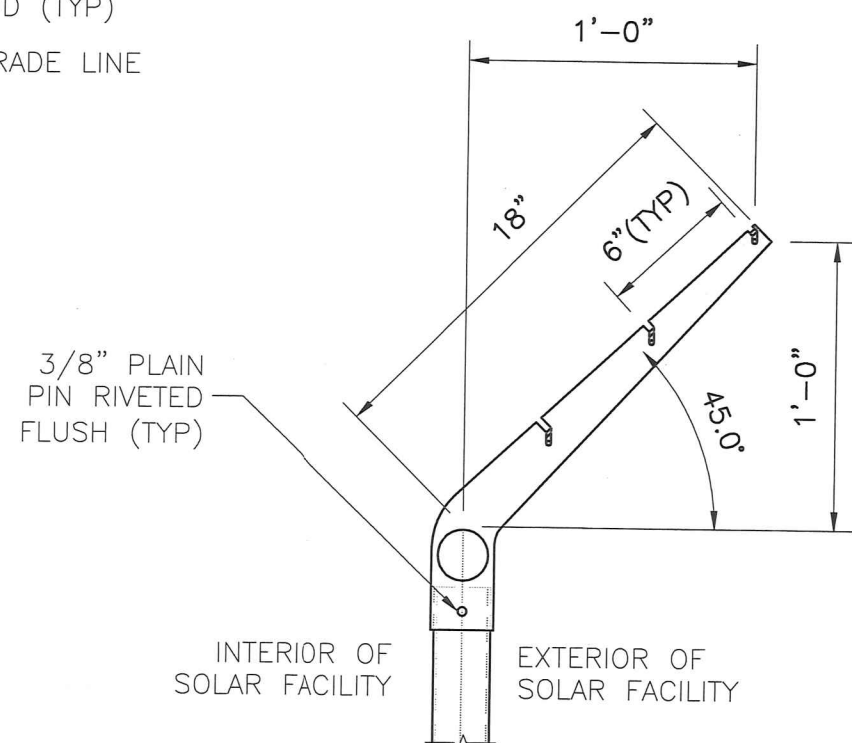


ROUND POST  
ATTACHMENT



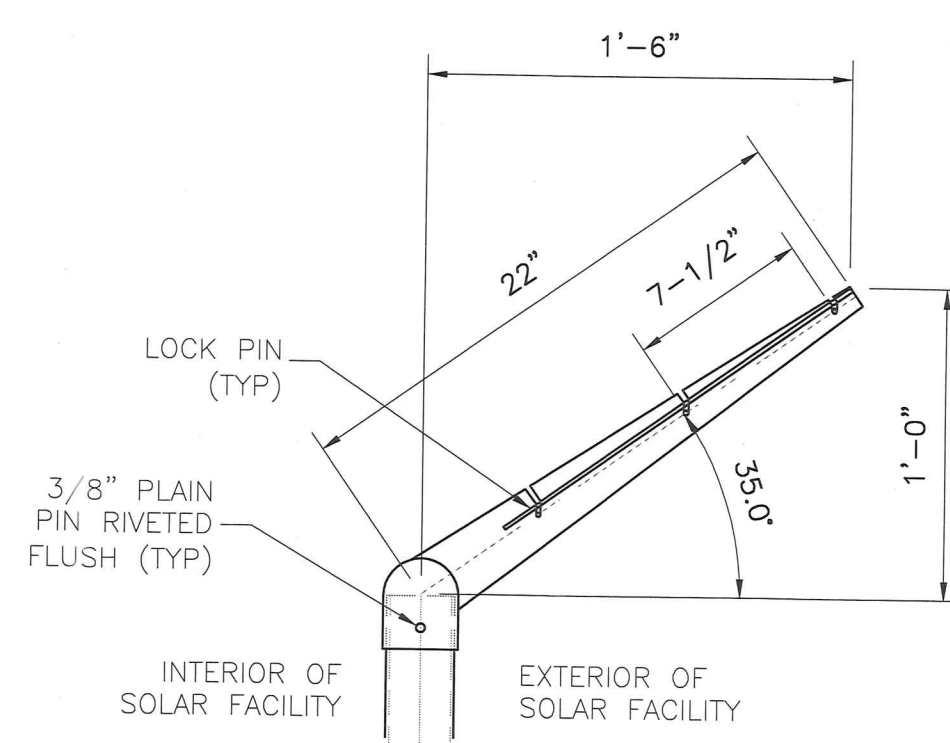
H-BEAM  
ATTACHMENT

5 CHAIN LINK FENCE FASTENING DETAIL  
C-503 N.T.S.



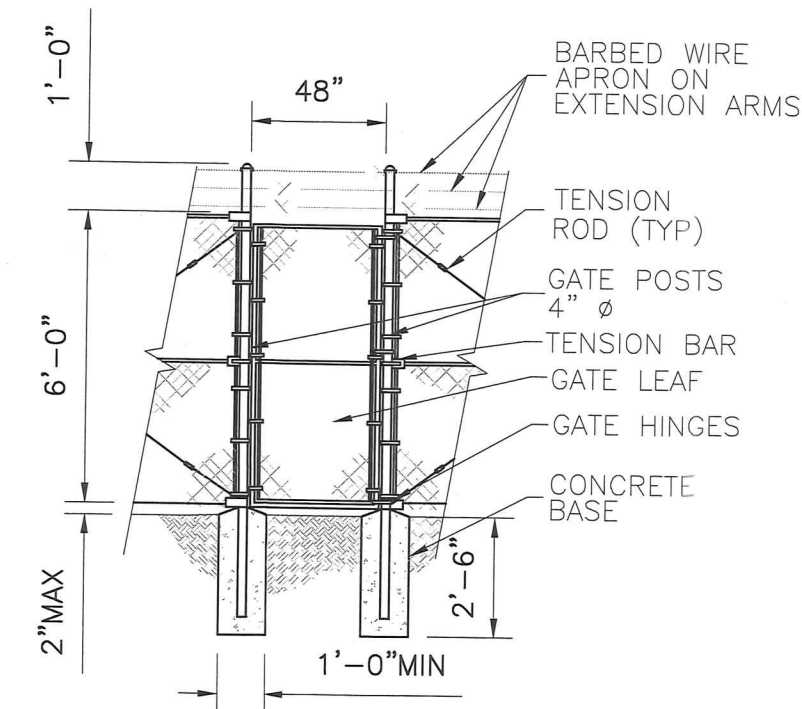
LINE POST

4 EXTENSION ARE DETAILS  
C-503 N.T.S.

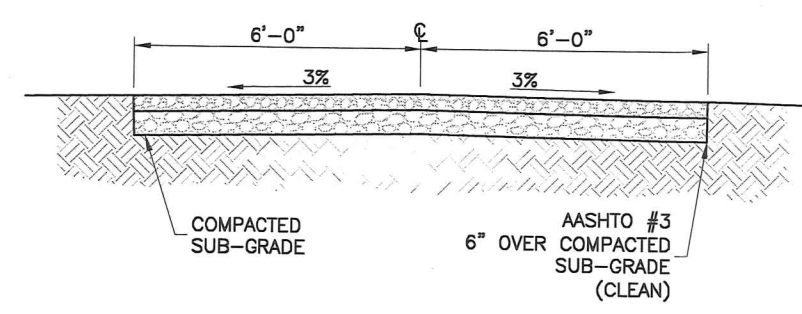


CORNER POST

| USE AND SECTION                                                                                           | MINIMUM OUTSIDE DIMENSIONS (NOMINAL)          |                                                              |                               |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------|-------------------------------|
|                                                                                                           | FABRIC LESS THAN 72"                          | FABRIC 72" TO 96"                                            | FABRIC OVER 96"               |
| CORNER, END & PULL POSTS<br>TUBULAR - ROUND<br>TUBULAR - SQUARE<br>C-SECTION (ROLL-FORMED)                | 2.375" O.D.<br>2.00" SQ.<br>3.50" X 3.50"     | 2.375" O.D.<br>2.00" SQ.<br>3.50" X 3.50"                    | 2.375" O.D.<br>2.00" SQ.<br>- |
| LINE POSTS<br>TUBULAR - ROUND<br>H-SECTION<br>C-SECTION (ROLL-FORMED)                                     | 1.9" O.D.<br>2.25" X 1.70"<br>1.875" X 1.625" | 2.375" O.D.<br>2.25" X 1.70"<br>2.25" X 1.70"                | 2.375" O.D.<br>2.00" SQ.<br>- |
| TOP, BOTTOM, & BRACE RAILS<br>TUBULAR - ROUND<br>TUBULAR - SQUARE<br>H-SECTION<br>C-SECTION (ROLL-FORMED) |                                               | 1.66" O.D.<br>1.50" O.D.<br>1.625" X 1.50"<br>1.625" X 1.25" |                               |



6 EMERGENCY MAN GATE  
C-503 SCALE: 1/4\"/>



7 ACCESS DRIVE  
C-503 SCALE: 1/4\"/>

### SHEET NOTES:

- WIRE TIES, RAILS, POSTS, AND BRACES SHALL BE CONSTRUCTED ON THE SECURE SIDE OF THE FENCE ALIGNMENT. CHAIN-LINK FABRIC SHALL BE PLACED ON THE OPPOSITE SIDE OF THE SECURE AREA.
- C-SECTION POSTS SHALL BE INSTALLED SO THAT THE VOID INSIDE THE POST IS COMPLETELY FILLED WITH CONCRETE UP TO THE TOP OF THE FOUNDATION.
- SWING GATES SHALL BE CONSTRUCTED WITH DROP RODS, PADLOCKS, LATCH ASSEMBLY, AND GATE KEEPERS EXCEPT AS NOTED.
- ALL GATE FRAMES SHALL BE A MINIMUM 1-7/8" NOMINAL (ROUND) OR 2" NOMINAL (SQUARE). GATE FRAMES SHALL BE OF WELDED CONSTRUCTION OR SHALL BE ASSEMBLED USING HEAVY FITTINGS. AT THE CONTRACTOR'S OPTION A WELDED HORIZONTAL BRACE MAY BE USED IN LIEU OF TRUSS RODS TO BRACE ALL WELDED GATE FRAMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER RIGID CONSTRUCTION OF ALL GATES SUPPLIED.
- GATES SHALL BE DESIGNATED AS FOLLOWS:  
FENCE TYPE - FE5, FE6, ETC.  
FABRIC WIDTH - INCHES  
TYPE OPENING - SO (SINGLE)  
DO (DOUBLE)  
HINGE - RA (STANDARD)  
HO (OFFSET)  
OPENING - INCHES (CLEAR OPENING BETWEEN GATE POSTS)  
EXAMPLES:  
FE6-120-DO-RA-144  
FE5-120-SO-HO-144
- CHAIN-LINK FABRIC SHALL BE 11 GAUGE WITH 2" OPENINGS.
- LINE POSTS SHALL BE 10 FEET LONG 1-7/8" SCHEDULE 40 GRADE 50 PIPE IN CONCRETE FOOTER.
- SLATS NOT PERMITTED WITHOUT EOR APPROVAL AND SIGN-OFF.

MD - OWINGS MILL  
LAND - WHITE  
9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
FENCE & GATE  
DETAILS

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 X 914)  
0 1/2" 1"

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DRAWN BY: MTG  
ENGINEER: AMM  
APPROVED BY: CP

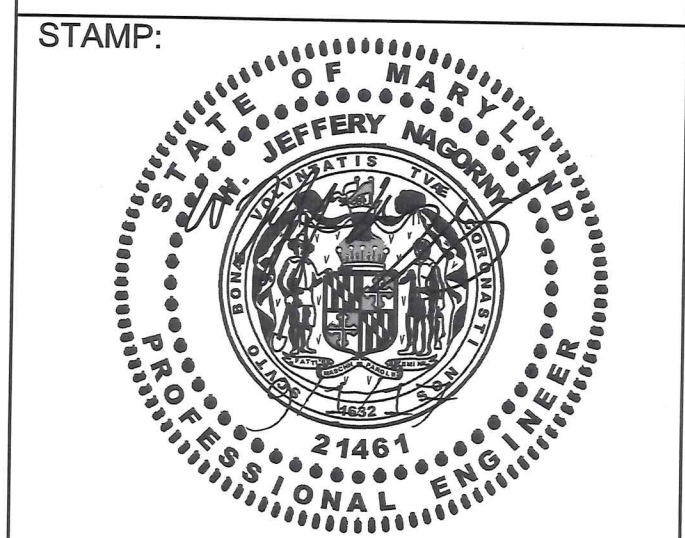
PROJECT PHASE:  
30% DESIGN

SCALE:  
AS SHOWN

SHEET NO.:  
C-503

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POWER  
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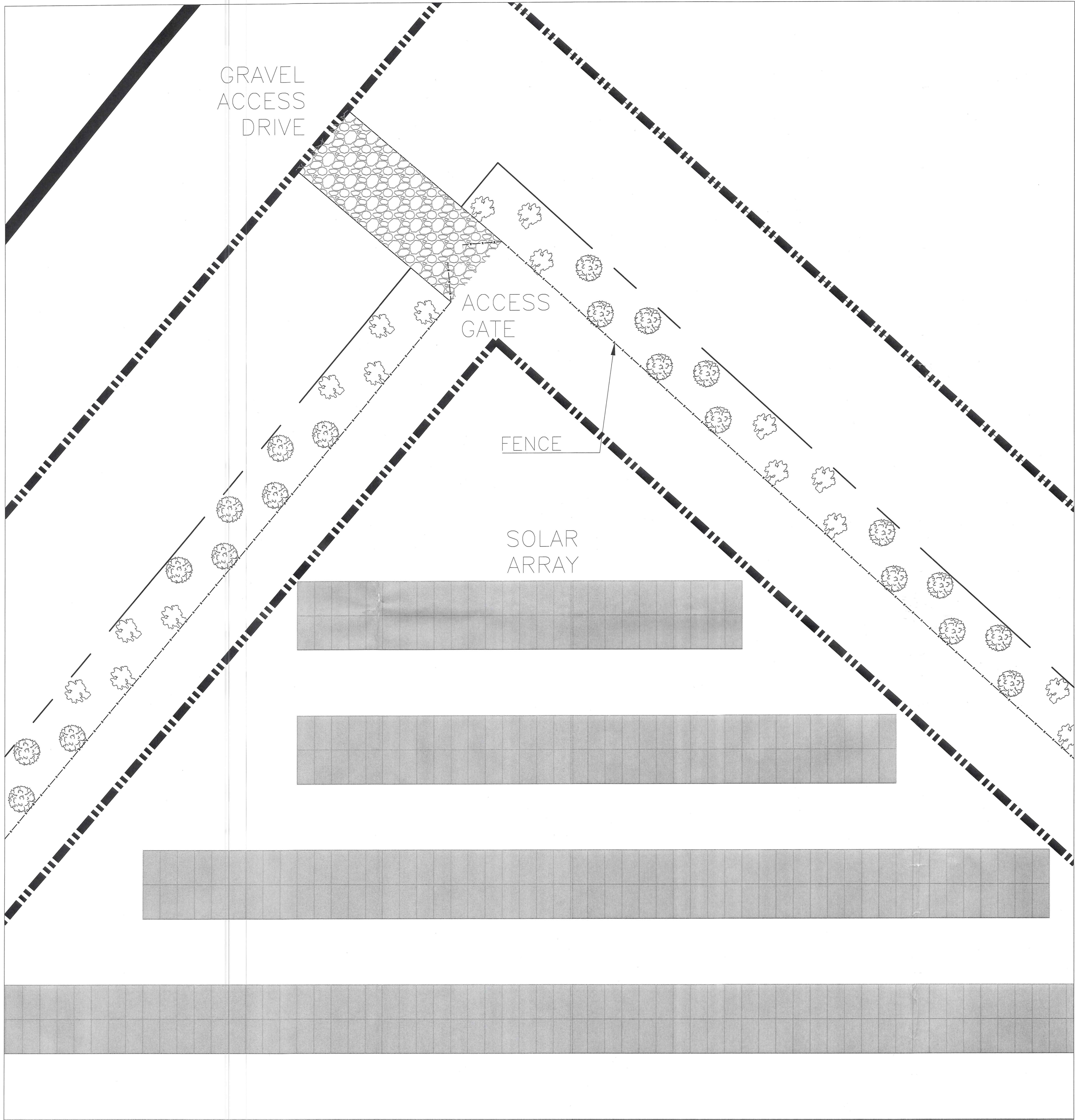




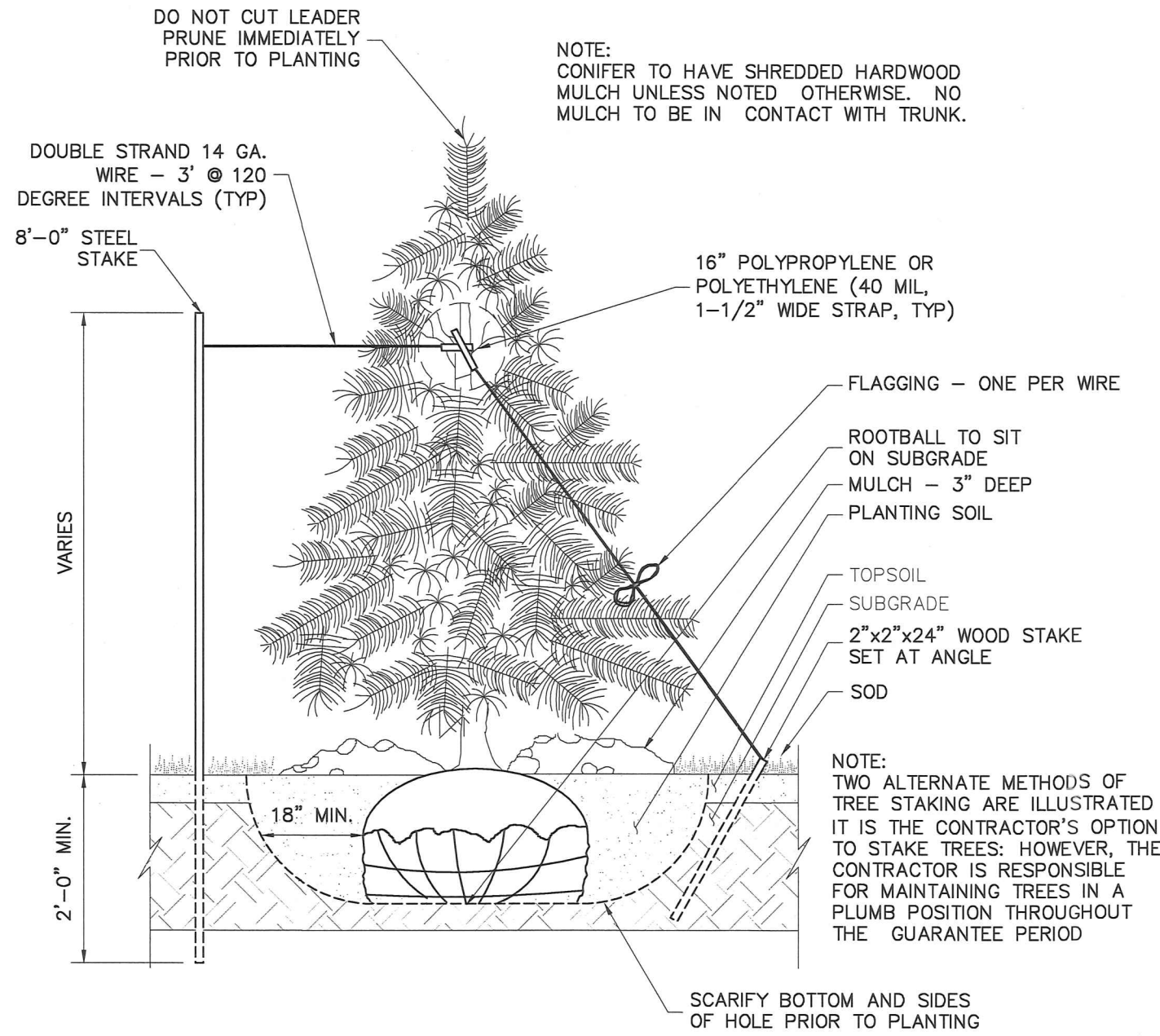
O:\Environmental\2017\1700165 - Forefront 30% design sets\Owings Mill Land \_White MD-15-0124\Drawings\ZDs\MD-15-0124-L101.dwg

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GESTAMP FTGM SHEET SET R1.1.1



1  
L-101/ N.T.S. Landscaping Plan (Typical)



NOTES:

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

2  
L-101/ N.T.S. TREE PLANTING DETAIL

| LANDSCAPE PLANT LEGEND |                    |               |                  |          |
|------------------------|--------------------|---------------|------------------|----------|
| SYMBOL                 | SPECIES            | SPECIFICATION | CALIPER          | QUANTITY |
|                        | ABIES BALSAMEA     | 2 PER PU      | 6 FEET IN HEIGHT | 215      |
|                        | THUJA OCCIDENTALIS | 2 PER PU      | 6 FEET IN HEIGHT | 144      |

PER THE BALTIMORE 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.

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STAMP:

**MD - OWINGS MILL  
LAND - WHITE**

**9155 OLD COURT ROAD  
WINDSOR MILL, MARYLAND  
21244**

PROJECT NUMBER:  
1700165.003

SHEET TITLE:  
**LANDSCAPING  
PLAN**

SHEET SIZE:  
ARCH "D"  
24" X 36" (610 x 914)  
0 1/2" 1"

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DATE: 04/03/17

DRAWN BY: MTG

ENGINEER: AMM

APPROVED BY: CP

PROJECT PHASE:  
30% DESIGN

SCALE:  
**AS SHOWN**

SHEET NO.:  
**L-101**