

M E M O R A N D U M

DATE: February 5, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0147-X - Appeal Period Expired

The appeal period for the above-referenced case expired on February 4, 2019. 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
(715 Westminster Pike)		
4 th Election District	*	OFFICE OF
4 th Council District		
Elaine Oursler Burns	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
SGC Power, LLC	*	FOR BALTIMORE COUNTY
<i>Lessee</i>		
Petitioners	*	Case No. 2019-0147-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 Elaine Oursler Burns, legal owner and SGC Power, LLC, lessee ("Petitioners"). The special exception petition was filed pursuant to the Baltimore County Zoning Regulations ("BCZR") to approve a solar facility.

Professional engineer David Thaler appeared in support of the petition. Lawrence E. Schmidt, Esq. represented the Petitioners. One neighbor attended the hearing to obtain additional information regarding the project. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection and Sustainability ("DEPS"), the Bureau of Development Plans Review ("DPR") and the Department of Planning ("DOP"). None of the reviewing agencies opposed the request.

In the aggregate the subject property is 49.13 acres and zoned RC-4. The area used for the special exception however will only be slightly larger than the fenced enclosure surrounding the proposed solar panels, which is approximately 10.76 acres in size. Petitioners noted this will be an unmanned facility that will be visited twice yearly for maintenance and inspection. The property will not be lighted and there will be no signage visible from Maryland Route 140.

ORDER RECEIVED FOR FILING

Date 1-4-19

By bw

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.

Mr. Thaler, who was accepted as an expert, opined Petitioners satisfied all requirements set forth in BCZR Section 502.1 and the Maryland case law interpreting that provision. He testified that in his opinion this site is ideal for the proposed use, especially since the property slopes upward 30 +/- feet from Route 140 and the solar panels would be situated on the other side of that slope. This means of course the panels would not be visible to motorists on Route 140 which, as noted in the DOP's ZAC comment, is designated as a scenic route in Master Plan 2020.

For the same reason Mr. Thaler noted glare will not be an issue in this case, since the fixed panels will not be visible from the roadway and will also face south, away from the road and nearby homes. Based on this testimony and the exhibits presented at the hearing I believe Petitioners have established a *prima facie* case entitling them to the special exception, and in the absence of any evidence to the contrary the petition will be granted.

The only remaining issue concerns the fence which would enclose the solar panels. Petitioners submitted a photograph of an agricultural-style fence (Pets. Ex. 4) which they believe would be in keeping with the rural setting. The Bureau of DPR and the DOP, on the other hand,

ORDER RECEIVED FOR FILING

Date 1-4-19

By [Signature]

suggest a black vinyl coated chain-link fence be used. While I agree with Petitioners the agricultural fence shown in Exhibit 4 would be most appropriate for this site, I will defer to the expertise of the County's landscape architect to make the final determination.

THEREFORE, IT IS ORDERED this 4th day of **January, 2019**, by this Administrative Law Judge, that the Petition for Special Exception for a solar facility 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 comply with the ZAC comment submitted by the DEPS, a copy of which is attached hereto and made a part hereof.
3. Prior to issuance of permits Petitioners must submit for approval by Baltimore County a landscape plan for the site.
4. No barbed wire fencing shall be permitted in connection with the solar facility.

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

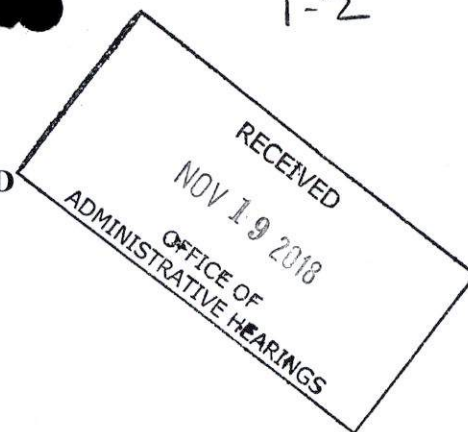
ORDER RECEIVED FOR FILING

Date 1-4-19

By law

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 19, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0147-X
Address 715 Westminster Pike
(Burns Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

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-a.k.a. Forest Buffer Law).

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:

The Forest Buffer Easement may not be trimmed or maintained for operation of the solar facility unless a variance is requested and granted to Section 33-3-112 of the Forest Buffer Law.

The solar facility cannot be constructed in non-tidal wetlands or the Forest buffer Easement. It cannot be determined from the plan accompanying the zoning petition if such impacts are proposed.

All afforestation shall occur in and adjacent to the Forest Buffer onsite.

Reviewer: Glenn Shaffer

ORDER RECEIVED FOR FILING

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Files\Content.Outlook\WPHS9SSK\ZAC 19-0147-X-715 Westminster Pike.doc

Date

By

1-4-19

pw



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 715 Westminster Pike

which is presently zoned RC4

Deed References: 31741/192

10 Digit Tax Account # 0415077025

Property Owner(s) Printed Name(s) Elaine Oursler Burns

(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. ☒ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
Please see attached.

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)

TO BE PRESENTED AT HEARING

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:

Bruce Wilson, Authorized Rep. of SGC Power, LLC

Name- Type or Print

Signature

6865 Deerpath Road Elkridge MD

Mailing Address City State

21075 / bruce.wilson@sgc-power.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 / (410) 821-0070 / lschmidt@sgs-law.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Elaine Oursler Burns

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

715 Westminster Pike Reisterstown MD

Mailing Address City State

21136 /

Zip Code Telephone # Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 / (410) 821-0070 / lschmidt@sgs-law.com

Zip Code Telephone # Email Address

CASE NUMBER 2019-0147-X Filing Date 4/1/18

Do Not Schedule Dates: _____

Reviewer RLD

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ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

715 Westminster Pike
4th Councilmanic District
4th Election District

Special Exception Relief:

1. To grant Special Exception relief for a solar facility pursuant to BCZR § 4F-102 (as established by Bill 37-17); and
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Item #0147

October 30, 2018

ZONING DESCRIPTION

715 WESTMINSTER PIKE

Beginning for the same on the south side of Westminster Pike, approximately 373 feet southeasterly from the centerline of the intersection of Gores Mill Road and Westminster Pike, thence running the following five (5) courses and distances:

1. South 67°38'10" East 945.85 feet to a point; thence,
2. South 22°21'50" West 2,020.75 feet to a point; thence,
3. North 48°52'54" West 862.27 feet to a point; thence,
4. North 26°58'50" East 237.88 feet to a point; thence,
5. North 16°44'00" East 1,513.71 feet to the point of beginning.

Containing 37.13 acres of land, more or less.

Saving and excepting the existing dwelling site, as now described,

Beginning for the same at a point distant South 07°01'41" West 415.24 feet from the beginning of the above described parcel, thence running the following eight (8) courses and distances:

1. South 67°51'29" East 371.71 feet to a point; thence
2. South 21°18'07" West 296.34 feet to a point; thence
3. North 66°33'29" West 67.06 feet to a point; thence
4. South 22°32'07" West 138.50 feet to a point; thence
5. North 69°51'51" West 75.56 feet to a point; thence

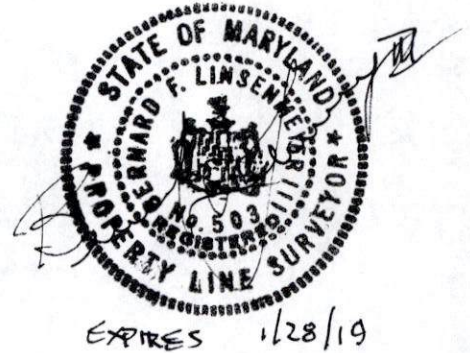
Item #0147

6. North 64°37'30" West 77.32 feet to the point; thence
7. North 19°39'22" West 192.13 feet to a point, thence
8. North 16°44'00" East 289.63 feet to the point of beginning.

Containing 3.12 acres of land, more or less.

The zoning parcel as described herein is 34.01 acres of land, more or less.

Located in the Fourth Election District and the Fourth Councilmanic District of
Baltimore County, Maryland.



Item #0147

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

12/13/2018

Order #: 11660949
Case #: 2019-0147-X
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0147-X



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County
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: 2019-0147-X
715 Westminster Pike
S/s Westminster Pike, 370 ft. S/e of centerline of Gores Mill Road
4th Election District - 4th Councilmanic District
Legal Owners: Elaine Oursler Burns
Contract Purchaser/Lessee: SGC Power, LLC
Special Exception for relief for a solar facility; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.
Hearing: Wednesday, January 2, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204
Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.
d13

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 12/13/2018

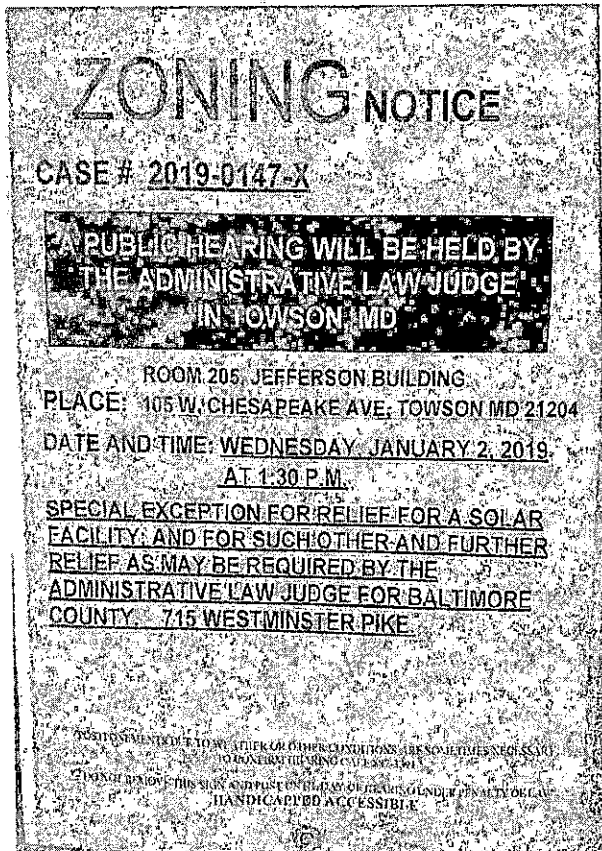
Case Number: 2019-0147-X

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~ BRUCE WILSON
ELAINE OUSLER BURNS

Date of Hearing: JANUARY 2, 2019

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:
715 WESTMINSTER PIKE

The sign(s) were posted on: DECEMBER 13, 2018



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)



Background photo 1st Sign posted @ 715 Westminster Pike 12/13/2018



Background photo 2nd Sign posted @ 715 Westminister Pike 12/13/2018
CASE # 2019-0147-X



DONALD I. MOHLER III
County Executive

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

November 30, 2018

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: 2019-0147-X

715 Westminster Pike

S/s Westminster Pike, 370 ft. S/e of centerline of Gores Mill Road

4th Election District – 4th Councilmanic District

Legal Owners: Elaine Oursler Burns

Contract Purchaser/Lessee: SGC Power, LLC

Special Exception for relief for a solar facility; for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Wednesday, January 2, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Bruce Wilson, SGC Power, LLC, 6865 Deerpath Road, Elkrige 21075
Elaine Oursler Burns, 715 Westminster Pike, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., DECEMBER 13, 2018**
- (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: THE DAILY RECORD
Thursday, December 13, 2018 - Issue

Please forward billing to:

Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2019-0147-X

715 Westminster Pike

S/s Westminster Pike, 370 ft. S/e of centerline of Gores Mill Road

4th Election District – 4th Councilmanic District

Legal Owners: Elaine Oursler Burns

Contract Purchaser/Lessee: SGC Power, LLC

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Hearing: Wednesday, January 2, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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
715 Westminster Pike; S/S Westminster Pike, *
370' SE of Gores Mill Road * OF ADMINISTRATIVE
4th Election & 4th Councilmanic Districts *
Legal Owner(s): Elaine Oursler Burns * HEARINGS FOR
Contract Purchaser(s): SGC Power, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 2019-147-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.

RECEIVED

NOV 08 2018

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Lawrence Schmidt, Esquire, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

DIRECTOR
*Department of Permits,
Approvals & Inspections*

December 27, 2018

Lawrence M. Schmidt
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Ste. 200
Towson, MD 21204

RE: Case Number: 2019-0147-X, Address: 715 Westminster Pike

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 1, 2018. 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 black ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Bruce Wilson, 6865 Deerpath Road, Elkridge 21075
Elaine Oursler Burns, 715 Westminster Pike, Reisterstown 21136

JB 1-2-19
1:30 PM

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 12/4/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-147



INFORMATION:

Property Address: 715 Westminster Pike
Petitioner: Elaine Oursler Burns
Zoning: RC 4
Requested Action: Special Exception

The Department of Planning has reviewed the petition for a special exception to use the property for a solar facility.

A site visit was conducted on November 14, 2018. Westminster Pike is a Master Plan 2020 designated scenic route presenting an "expansive view" as defined in the Comprehensive Manual of Development Policies (CMDP pg.177). When developing on a scenic route, the CMDP development guidelines instructs one to "*maintain a buffer between the road and the new development*" (CMDP pg. 180).

- The Department supports the Baltimore County Landscape Architect in planting requirements deemed necessary to include interior contour screening and other planting schemes that will mitigate the visual impact of the special exception proposal upon the scenic route.

The subject property is within the Master Plan 2020 Resource Preservation Area (RPA) land management area. One mission of the RPA is to preserve environmental resources. The R.C 4 watershed protection zone designation for the site reinforces this goal through establishing limits on the amount of lot coverage pursuant to BCZR §1A03.4.B.3

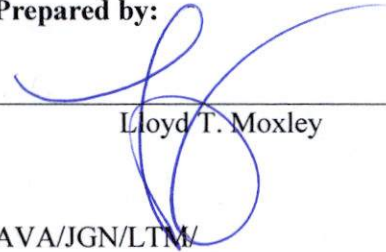
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The Department will support the Department of Environmental Protection and Sustainability in any conditions that may be imposed to protect the water resource.
- Proposed perimeter fence shall be black vinyl coated chain-link fence.
- 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.

- 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 Wally Lippincott at 410-887-3480.

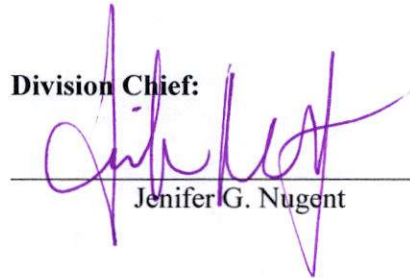
Prepared by:



Lloyd T. Moxley

AVA/JGN/LTM/

Division Chief:



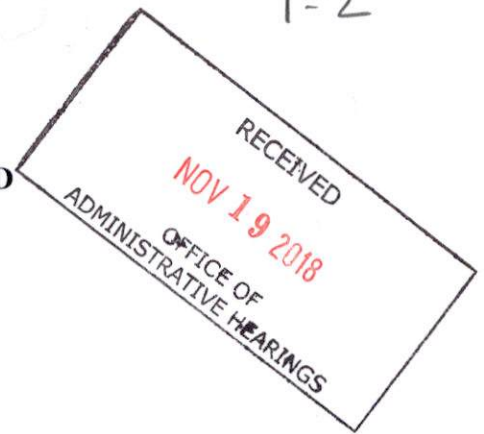
Jenifer G. Nugent

c: Wally Lippincott

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
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: November 19, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0147-X
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(Burns Property)

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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:

The Forest Buffer Easement may not be trimmed or maintained for operation of the solar facility unless a variance is requested and granted to Section 33-3-112 of the Forest Buffer Law.

The solar facility cannot be constructed in non-tidal wetlands or the Forest buffer Easement. It cannot be determined from the plan accompanying the zoning petition if such impacts are proposed.

All afforestation shall occur in and adjacent to the Forest Buffer onsite.

Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

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Sustainability (EPS) - Development Coordination

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Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2018
Item No. 2019-0147-X

DATE: November 26, 2018

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

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

1. Westminster Pike is a Baltimore County Scenic Route,
2. Perimeter landscape buffers may be required in some locations,
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. Proposed perimeter fence shall be black vinyl-coated chain-link fence,
6. More comments may be rendered during review of the landscape plan,

The on-site access road extension back to the equipment pad shall be dustless and durable.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 12, 2018
Item No. 2019-0147-X

DATE: December 5, 2018

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

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

1. Westminster Pike is a Baltimore County Scenic Route,
2. Perimeter landscape buffers may be required in some locations,
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. Proposed perimeter fence shall be black vinyl-coated chain-link fence,
6. More comments may be rendered during review of the landscape plan,

The on-site access road extension back to the equipment pad shall be dustless and durable.

*

*

*

*

*

VKD: can
cc: file

Date: 11/7/18

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

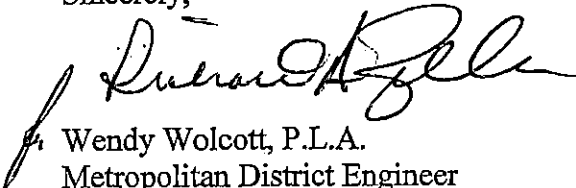
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 11/7/18. A field inspection and internal review reveals that an entrance onto MD 140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Exception Case Number 2019-0147-X.

Elaine Ourster Burns
715 Westminster Pike

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

Sincerely,



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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office 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 19, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0147-X
Address 715 Westminster Pike
(Burns Property)

Zoning Advisory Committee Meeting of **November 12, 2018**.

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-a.k.a. Forest Buffer Law).

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:

The Forest Buffer Easement may not be trimmed or maintained for operation of the solar facility unless a variance is requested and granted to Section 33-3-112 of the Forest Buffer Law.

The solar facility cannot be constructed in non-tidal wetlands or the Forest buffer Easement. It cannot be determined from the plan accompanying the zoning petition if such impacts are proposed.

All afforestation shall occur in and adjacent to the Forest Buffer onsite.

Reviewer: Glenn Shaffer

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

No. **177112**

Date: **11/01/2018**

PAID RECEIPT

BUSINESS ACTION TIME DAY

11/01/2018 11:01 AM 11/01/2018

BY: J. L. CAR

RECEIPT # 795808 11/01/2018

5 528 JUDGING VERIFICATION

Amount

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	0010	0000		50					\$500

Total:

\$500

Rec

From:

For:

Zoning hearing - case # 2019-0147-X

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



*Office of Administrative Hearings
105 West Chesapeake Avenue, Room 103
Jefferson Building
Towson, Maryland 21204*

Return Service Requested

Maribeth Diemer
10625 St. Paul Avenue
Woodstock, MD 21163

Copy of order sent 1-4-19

Debra Wiley

From: Administrative Hearings
Sent: Wednesday, January 02, 2019 12:58 PM
To: Maribeth Diemer
Subject: RE: Case Number: 2019-0147-X interested party

John
OK to
send her
copy of
order?
Deb

Ms. Diemer,

This is to acknowledge receipt of your correspondence, which has been placed in the case file for today's hearing.

Thank you for contacting the Office of Administrative Hearings.

-----Original Message-----

From: Maribeth Diemer [mailto:maribeth-13@att.net]
Sent: Wednesday, January 02, 2019 12:12 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Cathy Wolfson <oakknob@comcast.net>; GPCA Communications Chair <gpca21163@gmail.com>
Subject: Case Number: 2019-0147-X interested party

To Whom It May Concern:

I am expressing my concern about granting a special exception for relief for a solar facility proposed on property located Southside of Westminster Pike, south of Gores Mill Rd. The hearing is scheduled for today, January 2, 2019 at 1:30. My request of postponement is because of Council Wade Kach's Dec 17, 2018 introduction of Bill No 102-18 which proposes a 9 month moratorium on the processing and approval of any petition for special exceptions for Solar Facilities in RC zones. A work session for public comment is scheduled for Jan 15th. The council's vote on Bill No 102-18 January 22, 2019. T

I respectfully request as an interested party that the hearing this afternoon on case # 0147-X be postponed until after the council vote on Jan 22nd.

A copy of the Bill 102-18 is attached.

Thank you for your consideration of my request. I can be reached at this email address or 410 320 3588.

Maribeth Diemer
10625 St Paul Ave
Woodstock, MD 21163

CASE NO. 2019- 0147-X

C H E C K L I S T

**Comment
Received**

Department

**Support/Oppose/
Conditions/
Comments/
No Comment**

11/26

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comment

11/19

DEPS
(if not received, date e-mail sent _____)

Comment

12/5

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)

Comment

11/7

STATE HIGHWAY ADMINISTRATION

NO Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 12/13/18

SIGN POSTING (1st) Date: 12/13/18 by O'Keefe

SIGN POSTING (2nd) Date: 11/1/19 by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

DATE _____

Bunn, Prof-

2019-147-V

1/2/19

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

DAVID THALER

Box 47428

BALTIMORE MD

dsthalder@dsthaler.com

ANDREW BROWN

L 7115 AMBASSADOR RD

21244-7428

abrown@dsthale.r.com

Back Copus

16065 Deerpath Rd Sols 330

JEKridge mtd 21075

jack.corpus@spc-power

Bruce Wilson

Bruce W. Sartage - Jowett

Adrian Weber

A blank coordinate plane with x and y axes. The x-axis is horizontal and the y-axis is vertical, intersecting at the origin. There are tick marks on both axes, but no numerical labels.

adria.weber@sgc-power.co

Le streptococcus

715 Westminster Dike

Reisterstown Md 21113

momapdboc@gmail.com

Lawrence J. Schmitt 600 Washington Ave

Tolson, MP 212

1schurath@sps-lan

CASE NAME 2019-147-X
CASE NUMBER _____
DATE 1-2-2019

[illegible]

Debra Wiley

From: Administrative Hearings
Sent: Wednesday, January 02, 2019 12:58 PM
To: Maribeth Diemer
Subject: RE: Case Number: 2019-0147-X interested party

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This is to acknowledge receipt of your correspondence, which has been placed in the case file for today's hearing.

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Maribeth Diemer
10625 St Paul Ave
Woodstock, MD 21163

JS 1-2-19
1:30 PM

Debra Wiley

From: Maribeth Diemer <maribeth-13@att.net>
Sent: Wednesday, January 02, 2019 12:12 PM
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Cc: Cathy Wolfson; GPCA Communications Chair
Subject: Case Number: 2019-0147-X interested party

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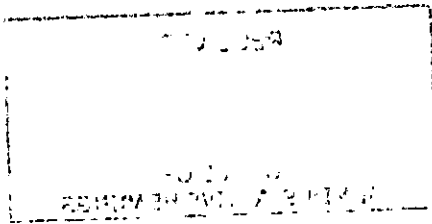
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A copy of the Bill 102-18 is attached.

Thank you for your consideration of my request. I can be reached at this email address or 410 320 3588.

Maribeth Diemer
10625 St Paul Ave
Woodstock, MD 21163





COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2018, Legislative Day No. 21

Bill No. 102-18

Mr. Wade Kach, Councilman

By the County Council, December 17, 2018

A BILL
ENTITLED

AN ACT concerning

Solar Facilities

FOR the purpose of imposing a temporary 9-month moratorium on the processing and approval of any petition for special exceptions for solar facilities in the Resource Conservation (R.C.) Zones to allow time and consideration of recommendations from the Baltimore County Planning Board; to provide for further review and to improve the law for processing and approval of solar facilities; and generally relating to solar facilities.

WHEREAS, the Baltimore County Council enacted legislation (Bill 37-17) to allow industrial and commercial solar facilities in designated R.C, business, and manufacturing zones by special exception; and

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

~~Strike-out~~ indicates matter stricken from bill.

Underlining indicates amendments to bill.

WHEREAS, the legislative purpose of Bill 37-17 was to balance the benefits of solar energy with safeguards to protect the County's communities, agricultural land, forests, waterways, and other natural resources; and

WHEREAS, Bill 37-17 also called for the Baltimore County Planning Board to submit recommendations to the County Council and the County Executive regarding potential changes to current law; and

WHEREAS, the Baltimore County Planning Board submitted the following recommendations:

- Solar facilities should not be permitted on prime and productive soils;
- Solar facilities should be directed into business and manufacturing zones, brownfields, rooftops and parking lots where financially feasible;
- Further in-depth study of how other similar jurisdictions have responded to the use should be considered in a review of the current law;
- The feasibility of establishing locational criteria to determine appropriate siting of solar facilities should be investigated;
- Solar facilities should not be detrimental to scenic views or routes;
- Participation in future studies should be broadened to include stakeholders from each Councilmanic District; and

WHEREAS, the Baltimore County and Maryland farm bureaus have adopted policies opposing the use of prime and productive soils for solar arrays as well as using the term "solar farms;" and

WHEREAS, all of the petitions for proposed solar facilities pursuant to Bill 37-17 have thus far been on properties located in R.C. Zones, and mostly on prime and productive soils and along scenic roads or views; and

WHEREAS, there has been extensive community opposition to industrial and commercial solar facilities on prime and productive soils, and significant concern has been expressed about

potentially displacing industrial uses and jobs; and

WHEREAS, there are tremendous opportunities for co-locating solar facilities and adding value to contaminated and underutilized lands through smart solar siting and incentives; and

WHEREAS, there is growing consensus that the impacts of population growth will require prime and productive farm land to be more productive than it currently is in order to meet the needs of future generations; and

WHEREAS, as recognized by the United States Supreme Court in the 2002 case of *Tahoe-Sierra Preservation Council v. Tahoe Regional Planning Agency*, temporary moratoriums are a common and valid tool throughout the country and are imposed during the review and revision of comprehensive land use plans to maintain the status quo while land use patterns are analyzed; and

WHEREAS, solar companies were involved in the legislative hearings on Bill 37-17 and were aware that the regulations were to be studied and that recommendations for regulation changes were expected by July 1, 2018; and

WHEREAS, the new County administration has identified the need to address climate change issues in a holistic manner, including a transition to 100% renewable energy, in order to assure Baltimore County is resilient in the face of emerging environmental challenges and weather patterns and is prepared to meet established goals to improve waterways and the Chesapeake Bay; and

WHEREAS, the State of Maryland has identified eligible facilities for inclusion in the Renewable Portfolio Standard (RPS) that include:

- Solar photovoltaic (PV) and thermal systems that produce electric power, and solar water-heating systems constructed after June 1, 2011;
- Land-based and offshore wind;
- Qualifying biomass;
- Methane from the anaerobic decomposition of organic materials in a landfill or a wastewater treatment plant;

- Geothermal including energy generated through geothermal exchange from or thermal energy avoided by groundwater or a shallow ground source;
- Ocean including energy from waves, tides, currents, and thermal differences;
- Fuel cells powered by methane or biomass;
- Hydroelectric plants under 30 MW licensed by FEREC or exempt from licensing;
- Poultry litter-to-energy within Maryland;
- Waste-to-energy (including blast furnace and refuse-derived fuels) within Maryland;
- Hydroelectric plants other than pumped storage hydropower; and

WHEREAS, energy conservation is an important component of energy policy and sustainability; and

WHEREAS, the 2030 Master Plan to be adopted in 2020 will likely benefit from the additional study and review contemplated by this Act, and will require new elements and data to address renewable energy and other new uses and environmental issues; and

WHEREAS, renewable energy must also be compatible with other demands on natural resources including forests, prime and productive soils, streams, wetlands, and clean air; and

WHEREAS, Baltimore County has abundant natural resources that can be utilized to create a sustainable future with a healthy environment and economy; and

WHEREAS, a comprehensive study to identify existing renewable resources, and utilize new and existing resources in the most effective, equitable and efficient way is needed to assure long-term benefits for county residents; now, therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that there shall be a temporary 9-month moratorium on petitions for
3 special exceptions for solar facilities in the Resource Conservation (R.C.) Zones. This
4 moratorium shall halt, for nine (9) months from the effective date of this Act, the filing of any new
5 petitions for special exception for a proposed solar facility and the processing and approval of any

1 pending petitions for solar facilities in R.C. Zones at any stage of the approval process.

2
3 SECTION 2. AND BE IT FURTHER ENACTED, that the Planning Board shall, in
4 consultation with the Departments of Planning and Environmental Protection and Sustainability,
5 the participation of the Baltimore County Advisory Commission on Environmental Quality, a
6 representative of community groups from each Council district, and a representative from the
7 renewable energy industry, conduct a comprehensive study regarding siting of solar facilities in
8 R.C. Zones, and shall by August 31, 2019 present the results of the study and recommendations
9 to the County Council and the County Executive. The results of this study shall provide
10 information necessary to establish a goal to meet the optimal percentage of County energy needs
11 with renewable energy in order to ensure an aggressive but practical timeline, smart facility
12 siting, social justice, maximization of job creation, and best integration with the power grid and
13 existing energy facilities, while at the same time fulfilling the important legislative purpose to
14 balance the protection of communities, agricultural land, and the environment generally.

15
16 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
17 the affirmative vote of five members of the County Council, shall take effect on February 4,
18 2019, and this 9-month moratorium shall apply retroactively to all petitions for special
19 exceptions filed for solar facilities in the Resource Conservation (R.C.) Zones at any stage of the
20 approval process, including petitions pending at the Office of Administrative Hearings or the
21 Board of Appeals on appeal.

JB 1-2-19
1:30 PM

Debra Wiley

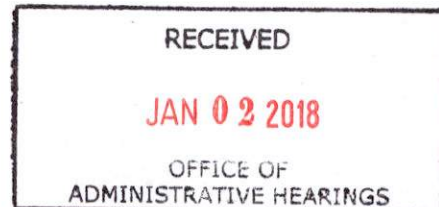
From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Tuesday, January 01, 2019 11:38 PM
To: Administrative Hearings
Subject: Westminster Pike Cert. Case # 2019-0147-X
Attachments: Westminster Pike 2nd Cert..jpeg; Photo Westminster Pike.docx

Hi Sherry,

I have attached a copy of the Second Certification for Case # 2019-0147-X @ 715 Westminster Pike for your records.
Happy New Year!

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 1/1/2019

Case Number: 2019-0147-X

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~ BRUCE WILSON
ELAINE OUSLER BURNS

Date of Hearing: JANUARY 2, 2019

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:
715 WESTMINSTER PIKE

The sign(s) were posted on: **DECEMBER 13, 2018**

The sign(s) were re-photographed on: **JANUARY 1, 2019**



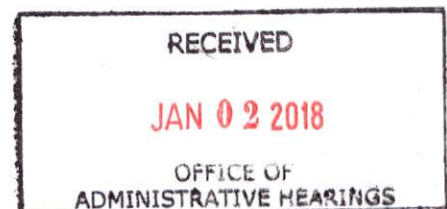
Linda O'Keefe
(Signature of Sign Poster)

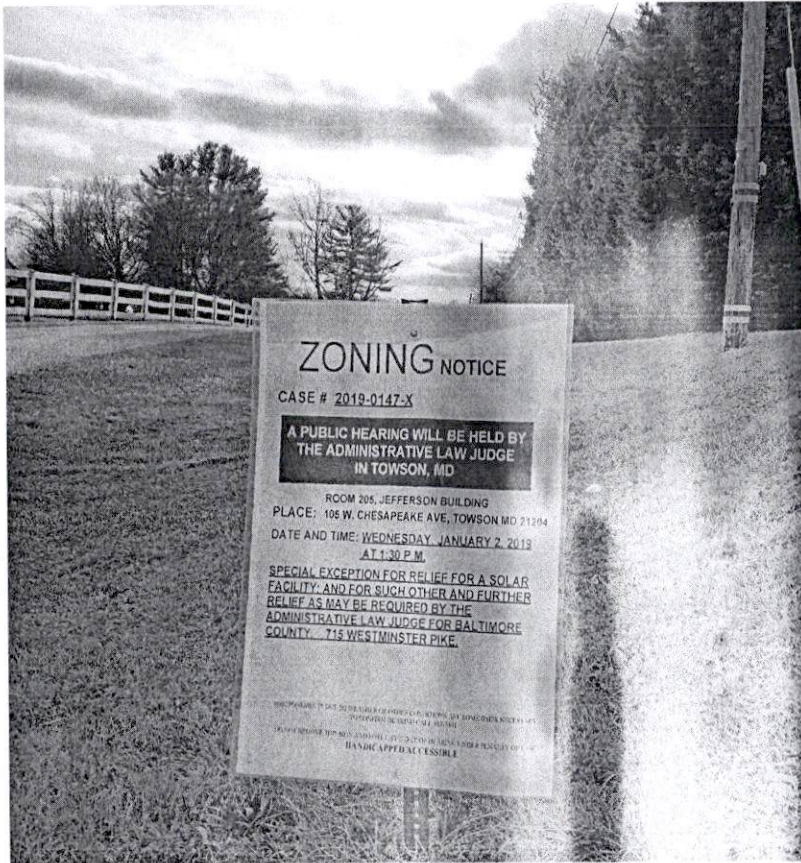
Linda O'Keefe
(Printed Name of Sign Poster)

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)





2nd Sign re-photographed 1/1/2019 @ 715 Westminster Pike
CASE # 2019-0147-X



Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:						
Exempt Class:			AGRICULTURAL TRANSFER TAX						
Account Identifier:			District - 04 Account Number - 0415077025						
Owner Information									
Owner Name:			BURNS ELAINE OURSLER				Use:		AGRICULTURAL
Mailing Address:			715 WESTMINSTER PIKE REISTERSTOWN MD 21136-4623				Principal Residence:		YES
							Deed Reference:		/31741/ 00192
Location & Structure Information									
Premises Address:			715 WESTMINSTER PIKE 0-0000				Legal Description:		49.133 AC 715 WESTMINSTER PK SS NOB HILL PARK DR
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0048	0002	0378		0000				2019	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
1943			2,520 SF		300 SF		49.1300 AC		05
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
2 1/2	YES	STANDARD UNIT	STONE	2 full/ 1 half	1 Attached				
Value Information									
Base Value			Value			Phase-In Assessments			
			As of			As of		As of	
			01/01/2018			07/01/2018		07/01/2019	
Land:			110,400			110,400			
Improvements			239,600			239,600			
Total:			350,000			350,000		350,000	
Preferential Land:			12,900						
Transfer Information									
Seller: BURNS ELAINE OURSLER				Date: 03/19/2008				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /31741/ 00192				Deed2:	
Seller: OURSLER MARY ELIZABETH				Date: 07/25/2002				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /12408/ 00245				Deed2:	
Seller: OURSLER GEORGE A				Date: 09/29/1997				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /12408/ 00245				Deed2:	
Exemption Information									
Partial Exempt Assessments:		Class				07/01/2018		07/01/2019	
County:		000				0.00			
State:		000				0.00			
Municipal:		000				0.00		0.00	
Tax Exempt:			Special Tax Recapture:						
Exempt Class:			AGRICULTURAL TRANSFER TAX						
Homestead Application Information									
Homestead Application Status: Denied									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				

Eco-Science Professionals, Inc.



CONSULTING ECOLOGISTS

December 28, 2018

Mr. Glenn Shaffer
Baltimore County Department of Environmental Protection
and Sustainability
111 W. Chesapeake Avenue, Room 319
Towson, MD 21204

RE: 715 Westminster Pike Property - Reisterstown

Dear Glenn,

Enclosed find the following items for the referenced project:

- A. One (1) Wetland Delineation and Steep Slopes/Erodible Soils Analysis Report
- B. One (1) Simplified Forest Stand Delineation letter

I would appreciate if you would assign these to the appropriate EIR staff person for review and comment.

Please feel free to call me if you have any questions.

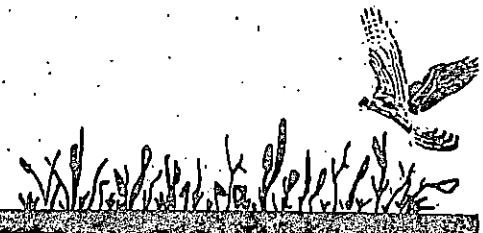
Sincerely,

Henry A. Leskinen

Enclosures

cc: Ms. Stacy McArthur, D.S. Thaler & Associates
Mr. Larry Schmidt, Smith, Gildea & Schmidt

Eco-Science Professionals, Inc.



CONSULTING ECOLOGISTS

December 27, 2018

Mr. Glenn Shaffer
Baltimore County Department of Environmental Protection
and Sustainability
111 W. Chesapeake Avenue, Room 319
Towson, MD 21204

**RE: 715 Westminster Pike Property - Reisterstown, Baltimore County, Maryland
Simplified Forest Stand Delineation**

Dear Glenn,

Eco-Science Professionals, Inc. performed a natural resources assessment of the project site on December 4, 2018. The property includes approximately 47.6 acres and is located on the southwest side of Westminster Pike (U.S. Route 140), approximately 0.25 miles southeast of the intersection of Gores Mills Road, in the Reisterstown section of Baltimore County, Maryland. The site has been previously improved with a two-story single family home and numerous outbuildings which are located on the north-central portion of the site. The area immediately around the house is fenced and maintained as lawn with scattered trees. Twelve (12) specimen trees are present in this fenced lawn. A list of these trees is attached to this letter. The far northern portion of the property consist of meadow/old field which is periodically mowed. Dominant vegetation in this meadow includes Kentucky fescue (*Schedonorus arundinaceus*), orchard grass (*Dactylis glomerata*), sweet vernal grass (*Anthoxanthum odoratum*), perennial ryegrass (*Lolium perenne*), and various wildflower and weed species. The central portion of the property (south of the house) is maintained as a hayfield. Dominant vegetation in this hayfield includes Kentucky fescue, orchard grass, broomsedge (*Andropogon virginicus*), purpletop grass (*Triodea flavus*), white clover (*Trifolium repens*), and narrow-leaved plantain (*Plantago lanceolata*). Hedgerows border this hayfield and are dominated by black cherry (*Prunus serotina*), sour cherry (*Prunus cerasus*), sassafras (*Sassafras albidum*), common mulberry (*Morus rubra*), autumn olive (*Elaeagnus umbellata*), bush honeysuckle (*Lonicera tatarica*), multiflora rose (*Rosa multiflora*), blackberry (*Rubus allegheniensis*), bittersweet vine (*Celastrus orbiculatus*), and grape (*Vitis* sp.). The southern end of the site is forested and contains two forest associations. A mid-age mixed oak-poplar association dominated by chestnut oak (*Quercus prinus*), white oak (*Quercus alba*), tulip poplar (*Liriodendron tulipifera*), red oak (*Quercus rubra*), mockernut (*Carya tomentosa*), red maple (*Acer rubrum*), and black gum (*Nyssa sylvatica*) is present on gentle to steep north facing slopes south of the perennial stream. A mixed mesic forest dominated by red maple, black walnut (*Juglans nigra*), black cherry, tulip poplar, spicebush (*Lindera benzoin*), multiflora rose, and Japanese barberry (*Berberis thunbergii*) is present on the mesic stream terrace. The stream is a headwater to Keyzers Run. Keyzers Run and its tributaries are classified as Use III-P by the Maryland Department of the Environment (MDE). Waters with this use



classification are capable of supporting natural trout populations and are part of a public water supply. Pockets of adjacent wetlands are present along the stream. These wetlands are described in the accompanying report entitled *715 Westminster Pike - Wetland Delineation Report and Steep Slopes/Erodible Soils Analysis*.

The Natural Resources Conservation Service (NRCS) *Web Soil Survey of Baltimore County, Maryland* shows soils on the project site to be Elioak silt loam, 3-8 percent slopes (EcB); Gaila loam, 3-8 percent slopes (GaB); Glenelg loam, 3-8 percent slopes (GdB); Glenville silt loam, 3-8 percent slopes (GhB); Glenville silt loam, 8-15 percent slopes (GhC); Hatboro silt loams, 0-3 percent slopes (HbA); Manor loam, 8-15 percent slopes (MaC); Manor channery loam, 8-15 percent slopes (MbC); and Manor channery loam, 15-25 percent slopes (MbD). Elioak, Gaila, Glenelg, and Manor soils are well drained soils on uplands of the Piedmont Plateau. These soils are suitable for most uses, except where limited by slope and stoniness (mainly in the Manor soils). Glenville soils are moderately well drained soils of swales and drainageways. A seasonally perched water table to within 20-40 inches of the soil surface somewhat limits these soils for nonfarm uses. Hatboro soils are poorly drained soils on floodplains of the Piedmont Plateau. A high groundwater table to within 0-6 inches of the soil surface and the threat of frequent flooding and ponding severely limit these soils for nonfarm uses. Hatboro soils are identified as a hydric soil by the NRCS and Glenville soils have the potential for hydric Baile inclusions. Elioak silt loam, 3-8 percent slopes; Gaila loam, 3-8 percent slopes; Glenelg loam, 3-8 percent slopes, and Glenville silt loam, 3-8 percent slopes are identified as Prime Farmland by the NRCS. Glenville silt loam, 8-15 percent slopes; Manor loam, 8-15 percent slopes; and Manor channery loam, 8-15 percent slopes are identified as Farmland of Statewide Importance by the NRCS.

I have reviewed the proposed site development plan and have determined that no forest or specimen trees will be disturbed. Therefore the project should qualify for a Simplified Forest Stand Delineation as outlined in Policy 01-93. All natural resource elements are shown on the Wetland Delineation and Simplified Forest Stand Delineation Plan enclosed in the accompanying Wetland Delineation Report.

Please feel free to call me if you have any questions regarding these findings. I thank you in advance for your prompt review of these findings.

Sincerely,

Henry A. Leskinen

Enclosures

cc: Ms. Stacey McArthur, D.S. Thaler & Assoc., LLC

Specimen Trees

Key	Species Name	Size	CRZ	Cond.
A	Red oak	37"	55.5'	Good
B	Tulip poplar	39"	58.5'	Fair
C	Scarlet oak	44"	66'	Good
D	Sweetgum	36"	54'	F. good
E	White pine	32"	46'	Good
F	White pine	37"	55.5'	Good
G	American beech	58"	87'	Fair
H	American beech	46"	69'	Fair
I	Scarlet oak	46"	69'	V.poor
J	White pine	33.5"	50'	Good
K	White pine	59"	88.5'	Good
L	Norway maple	34"	51'	Poor



715 WESTMINSTER PIKE PROPERTY
WETLAND DELINEATION REPORT
and
STEEP SLOPES/ERODIBLE SOILS ANALYSIS

prepared for:

D.S. Thaler & Assoc., LLC.
7115 Ambassador Road
Baltimore, Maryland 21244

prepared by:

Eco-Science Professionals, Inc.
P.O. Box 5006
Glen Arm, Maryland 21057
(410) 683-7840

December 27, 2018

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I. INTRODUCTION

Eco-Science Professionals, Inc. was contracted by D.S. Thaler & Assoc., LLC to perform a Wetland Delineation and Steep Slopes/Erodible Soils Analysis of the 715 Westminster Pike Property. The property includes approximately 47.6 acres and is located, as the name indicates, at 715 Westminster Pike in the Reisterstown section of Baltimore County, Maryland. The study was performed as part of an effort to assess the regulated natural resources on the property.

II. SITE DESCRIPTION

The project site is located on the southwest side of Westminster Pike, approximately 0.25 miles southeast of the intersection of Gores Mills Road, in the Reisterstown section of Baltimore County, Maryland. Surrounding land uses include low to medium density residential development, forested land, and a landscaping operation.

The site is located in the Piedmont physiographic province of Maryland. In Baltimore County, the Piedmont is typified by rolling hills drained by numerous small streams in fairly narrow valleys.

The site has been previously improved with a two-story single family home and numerous outbuildings which are located on the north-central portion of the site. The area immediately around the house is maintained as fenced lawn with scattered trees. The far northern portion of the property consist of meadow/old field which is periodically mowed. Dominant vegetation in this meadow includes Kentucky fescue (*Schedonorus arundinaceus*), orchard grass (*Dactylis glomerata*), sweet vernal grass (*Anthoxantum odoratum*), perennial ryegrass (*Lolium perenne*), and various wildflower and weed species. The central portion of the property (south of the house) is maintained as a hayfield. Dominant vegetation in this hayfield includes Kentucky fescue, orchard grass, broomsedge (*Andropogon virginicus*), purpletop grass (*Triodea flavus*), white clover (*Trifolium repens*), and narrow-leaved plantain (*Plantago lanceolata*). Hedgerows border this hayfield and are dominated by black cherry (*Prunus serotina*), sour cherry (*Prunus cerasus*), sassafras (*Sassafras albidum*), common mulberry (*Morus rubra*), autumn olive (*Elaeagnus umbellata*), bush honeysuckle (*Lonicera tatarica*), multiflora rose (*Rosa multiflora*), blackberry (*Rubus allegheniensis*), bittersweet vine (*Celastrus orbiculatus*), and grape (*Vitis* sp.). The southern end of the site is forested and contains two forest associations. A mid-age mixed oak-poplar association dominated by chestnut oak (*Quercus prinus*), white oak (*Quercus alba*), tulip poplar (*Liriodendron tulipifera*), red oak (*Quercus rubra*), mockernut (*Carya tomentosa*), red maple (*Acer rubrum*), and black gum (*Nyssa sylvatica*) is present on gentle to steep north facing slopes south of the perennial stream. A mixed mesic forest dominated by red maple, black walnut (*Juglans nigra*), black cherry, tulip poplar, spicebush (*Lindera benzoin*), multiflora rose, and Japanese barberry (*Berberis thunbergii*) is present on the mesic stream terrace. The stream is a headwater to Keysers Run. Keysers Run and its tributaries are classified as Use III-P by the Maryland Department of the Environment (MDE). Waters with this use classification are capable of supporting natural trout populations and are part of a public water supply. Pockets of adjacent wetlands are present along the stream. These wetlands are described

further in Section III. A Baltimore Gas and Electric Company transmission line bisects the southern end of the site.

The Natural Resources Conservation Service (NRCS) *Web Soil Survey of Baltimore County, Maryland* shows soils on the project site to be Elioak silt loam, 3-8 percent slopes (EcB); Gaila loam, 3-8 percent slopes (GaB); Glenelg loam, 3-8 percent slopes (GdB); Glenville silt loam, 3-8 percent slopes (GhB); Glenville silt loam, 8-15 percent slopes (GhC); Hatboro silt loams, 0-3 percent slopes (HbA); Manor loam, 8-15 percent slopes (MaC); Manor channery loam, 8-15 percent slopes (MbC); and Manor channery loam, 15-25 percent slopes (MbD). Elioak, Gaila, Glenelg, and Manor soils are well drained soils on uplands of the Piedmont Plateau. These soils are suitable for most uses, except where limited by slope and stoniness (mainly in the Manor soils). Glenville soils are moderately well drained soils of swales and drainageways. A seasonally perched water table to within 20-40 inches of the soil surface somewhat limits these soils for nonfarm uses. Hatboro soils are poorly drained soils on floodplains of the Piedmont Plateau. A high groundwater table to within 0-6 inches of the soil surface and the threat of frequent flooding and ponding severely limit these soils for nonfarm uses. Hatboro soils are identified as a hydric soil by the NRCS and Glenville soils have the potential for hydric Baile inclusions. Elioak silt loam, 3-8 percent slopes; Gaila loam, 3-8 percent slopes, Glenelg loam, 3-8 percent slopes, and Glenville silt loam, 3-8 percent slopes are identified as Prime Farmland by the NRCS. Glenville silt loam, 8-15 percent slopes; Manor loam, 8-15 percent slopes; and Manor channery loam, 8-15 percent slopes are identified as Farmland of Statewide Importance by the NRCS. Soil types are shown on the enclosed Wetland and Simplified Forest Stand Delineation Plan (Appendix D).

III. WETLAND DELINEATION

Methods

The wetland delineation of the 715 Westminster Pike Property was performed on December 4, 2018. The criteria outlined in the U.S. Army Corps of Engineers *1987 Wetland Delineation Manual* and 2012 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region* were used to determine the extent of non-tidal wetlands on the property. **The wetland delineation was limited to the portion of the property on the north side of the stream channel. All of the property to the south of this stream will be placed in a forest buffer and/or forest conservation easement.** All personnel making wetland boundary determinations have been certified by the USACOE Provisional Wetland Delineators Certification Program. Documentation of certification can be found in Appendix C.

Weather conditions

The weather on the day of the field visit was partly sunny and breezy, with a temperature of about 42 degrees. The area had received moderately heavy rainfall in the 48 hours preceding my site and annual rainfall to date was 26 inches $\pm$ above normal.

Results

The headwaters to Keyzers Run cross the south-central portion of the project site. The stream occurs within a well defined channel with a cobble/gravel substrate. The Cowardin classification of this stream is R3UB1- riverine, upper perennial, unconsolidated bottom, cobble/gravel.

An emergent wetland, identified as System B, is present in the lower portion of the hayfield along the stream terrace. Dominant vegetation in this wetland includes many-flowered bulrush (*Scirpus polyphyllus*), a sedge (*Carex* sp.), Kentucky fescue, broomsedge, and soft rush (*Juncus effusus*). Soil borings in the wetland reveal a soil matrix color in the upper six inches of 10YR 5/1, with mottles 7.5YR 5/6, when compared to the Munsell soil color charts. Texture of the soil is a silt loam. Below six inches, matrix color brightens to 2.5Y 5/3, with mottles 7.5YR 5/6. Hydrologic indicators some soil saturation (in the upper two inches) and some surface seepage. Hydrology in this wetland is probably much less evident in a normal precipitation year. The Cowardin classification of this wetland is PEM1C - palustrine, emergent, persistent, seasonal water regime.

A pocket of forested wetlands is adjacent to the stream, near Flags 27-28A. Dominant vegetation in this wetland includes red maple, multiflora rose, Japanese stiltgrass (*Microstegium vimineus*), jewelweed (*Impatiens capensis*), and rough bluegrass (*Poa trivialis*). Soil borings in the wetland reveal a soil matrix color in the upper five inches of 2.5Y 5/2, with mottles 10YR 5/6, when compared to the Munsell soil color charts. Texture of the soil is a silt loam. Below five inches, soil matrix color brightens to 10YR 5/6, with texture being a clayey silt loam. Hydrologic indicators include pockets of standing water to 2/10 of an inch and water-stained leaves. The soil indicators suggest that hydrology is the result of perched surface water. The Cowardin classification of this wetland is PFO6C - palustrine, forested, deciduous, seasonal water regime.

A very seasonal emergent wetland (System C) has developed in a grass swale in the hayfield. Vegetation in this wetland is weakly hydrophytic, with rough bluegrass and Kentucky fescue being the two dominant species. Soil borings also suggest the very seasonal nature of the wetland, with borings to seven inches revealing a soil matrix color of 2.5Y 5/2, with faint mottles 7.5YR 5/6, when compared to the Munsell soil color charts. Texture of the soil is a clayey silt loam. Below seven inches, soil matrix color brightens to 2.5Y 5/3, with mottles 10YR 5/6. Hydrologic indicators include surface seepage and drainage patterns. Soils are not saturated, again suggesting that hydrology is a result of perched surface water over clayey soils. Visible surface hydrology is probably very limited during normal precipitation years. Hydrophytic vegetation, hydric soil field indicators, and evidence of hydrology all disappear downslope of the wetland. The Cowardin classification of this wetland is PEM1A - palustrine, emergent, persistent, temporary water regime.

The locations of the wetlands and stream are shown on the enclosed plan. Data sheets for the wetlands are included in Appendix A.

IV. STEEP SLOPES/ERODIBLE SOILS ANALYSIS

Methods

The project site meets the criteria for sites requiring a steep slopes/erodible soils analysis (SSA). The SSA is performed to determine the need for expanded forest buffers due to the presence of steep slopes and/or highly erodible soils. This analysis was performed in accordance with the procedures outlined in *A Methodology of Evaluating Steep Slopes and Erodible Soils Adjacent to Watercourses and Wetlands*, prepared by the Baltimore County Department of Environmental Protection and Sustainability (DEPS), January 1991, 3rd Revision June 2011.

Results

The slope analysis forms and accompanying work map (Appendix B) detail the segment scores and calculations used to determine the extent of the forest buffer. The analysis determined that the buffer will be 100 feet in width, either in plan view or along the transect line, from the stream and wetland. A general lack of slopes greater than 20 percent on the north side of the stream, good vegetative cover, and the presence of moderately erodible Gaila, Glenelg, and Manor soils limit the extent of the buffer. The exception to the 100 foot buffer width is along portions of System B, where contours run perpendicular to wetland and prevent a flow path to the wetland, and downslope of System C, where no flow reaches the wetland. In these areas the standard 25 foot wetland buffer is applied.

Below find a summary of each transect.

Property line to Transect A - buffer is 100 feet in width due to good vegetative cover and lack of slopes 20 percent and greater

Transect A - segment scores 40 at 100 feet from resource, buffer set at this point.

Area between Transects A and B - buffer remains 100 feet in width.

Transect B - segment scores 40 at 100 feet from resource, buffer set at this point.

Area between Transect B and C - buffer remains 100 feet in width, except at northwest corner of System B, where perpendicular contours allow for the standard 25-foot wetland buffer near the corner of the wetland.

Transect C - segment scores 40 at 100 feet from resource, buffer set at this point.

Area between Transects C and D - buffer remains 100 feet in width.

Transect D - segment scores 40 at 100 feet from resource, buffer set at this point.

Area between Transect D and property line - buffer remains 100 feet in width due to good vegetative cover and lack of steep slopes.

Transect E - segment scores 40 at 100 feet from resource along transect line, buffer set at this point.

Area between Transects E and F - buffer remains 100 feet in width along transect line.

Transect F - segment scores 45 at 100 feet from resource, buffer set at this point.

Area between Transects F and G - buffer remains 100 feet in width along transect line.

Transect G - segment scores 45 at 100 feet from resource along transect line, buffer set at this point

Area between Transect G and bottom of wetland - buffer remains 100 feet in width along transect line to the point where contours drain downslope and below wetland. At this point, standard 25-foot wetland buffer is applied.

V. RECOMMENDATIONS

A headwater to Keyzers Run, associated wetlands and a disjunct emergent wetland are present on the south and east-central portion of the project sites. There should be no impacts to this these resources or associated forest buffers based on my understanding of the proposed site development proposal. No permits from the USACOE or MDE and no environmental variances from Baltimore County will be required.

VI. AUTHORSHIP

This wetland study was performed by Henry Leskinen. Co-founder of Eco-Science Professionals, Inc. Mr. Leskinen has extensive experience in natural resources assessments and inventories. He received his B.S. in Biological Sciences from St. Marys College of Maryland in St. Marys City, Maryland. Mr. Leskinen has received his Provisional Wetland Certification from the U.S. Army Corps of Engineers, Baltimore District.

VII. LITERATURE CITED

- Cowardin, Lewis et.al. *Classification of Wetlands and Deepwater Habitats of the United States*. U.S. Dept. of Interior, Fish and Wildlife Service, Washington, D.C. FWS/OBS-79/31. December, 1979.
- Environmental Laboratory. 1987. *Corps of Engineers Wetland Delineation Manual*, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Mississippi.
- U.S. Army Corps of Engineers 2017. *Eastern Mountains and Piedmont 2017 Regional Wetland Plant List*.
- U.S. Army Corps of Engineers. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region*. U.S. Army Engineer Research and Development Center, Vicksburg, Mississippi. 2012
- U.S. Department of Agriculture, Natural Resources Conservation Service. *Web Soil Survey of Baltimore County, Maryland*. December 2018

APPENDIX A

Wetland Field Data Sheets

WETLAND DETERMINATION DATA FORM -- Eastern Mountains and Piedmont¹

Project/Site: 715 Westminster Pike City/County: Resisterstown Baltimore Sampling Date: 12/14/18
 Applicant/Owner: SGC State: MD Sampling Point: BC-13
 Investigator(s): H. Leskinen Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): concave (slightly)
 Slope (%): 2-5% Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name: Glennville silt loam, 3-8% slopes, MWD NWI classification: NIA
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks.) *
 Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS -- Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No _____	Is the Sampled Area within a Wetland?	Yes <u>X</u>	No _____
Hydric Soil Present?	Yes <u>X</u>	No _____			
Wetland Hydrology Present?	Yes <u>X</u>	No _____			
Remarks: * Rainfall year to date about 26 inches (roughly 70%) above average - Emergent wetland along stream terrace at bend of hayfield					

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: <u>wetland</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A) Total Number of Dominant Species Across All Strata: _____ (B) Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)
1. _____				
2. _____				
3. _____				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
4. _____				
5. _____				
Sapling/Shrub Stratum (Plot size: <u>wetland</u>)				
1. _____				Hydrophytic Vegetation Indicators: ____ Rapid Test for Hydrophytic Vegetation <u>X</u> Dominance Test is >50% ____ Prevalence Index is ≤3.0 ¹ ____ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ____ Problematic Hydrophytic Vegetation ¹ (Explain)
2. _____				
3. _____				
Herb Stratum (Plot size: <u>wetland</u>)				
1. <u>Scirpus polyphyllus</u>	<u>40</u>	<u>Y</u>	<u>OBL</u>	¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
2. <u>Carex sp</u>	<u>20</u>	<u>Y</u>	<u>FACW</u>	
3. <u>Scheuchzeria palustris</u>	<u>18</u>	<u>N</u>	<u>FACU</u>	
4. <u>Andropogon virginicus</u>	<u>9</u>	<u>N</u>	<u>FACU</u>	Hydrophytic Vegetation Present? Yes <u>X</u> No _____
5. <u>Juncus effusus</u>	<u>4</u>	<u>N</u>	<u>OBL</u>	
6. _____				
Woody Vine Stratum (Plot size: <u>wetland</u>)				
1. _____				Remarks: (Include photo numbers here or on a separate sheet.) <u>Note amount of Carex to ID species, assume FACW or not in Fescue and bromegrass suggest wetland seasonal, in nature</u>
2. _____				
3. _____				

SOIL

Sampling Point: 8(1-13)

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features		Type ¹	Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%				
0-6	10YR5/1	75	7.5YR5/6	25	C	M	silt loam	
6-10	2.5Y 5/3	60	7.5YR5/6	40	C	M	silt loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

Indicators for Problematic Hydric Soils³:

- | | |
|--|--|
| ☐ Histosol (A1) | ☐ Dark Surface (S7) |
| ☐ Histic Epipedon (A2) | ☐ Polyvalue Below Surface (S8) (MLRA 147, 148) |
| ☐ Black Histic (A3) | ☐ Thin Dark Surface (S9) (MLRA 147, 148) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ Stratified Layers (A5) | ☒ Depleted Matrix (F3) |
| ☐ 2 cm Muck (A10) (LRR N) | ☐ Redox Dark Surface (F6) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Depleted Dark Surface (F7) |
| ☐ Thick Dark Surface (A12) | ☐ Redox Depressions (F8) |
| ☐ Sandy Mucky Mineral (S1) (LRR N, MLRA 147, 148) | ☐ Iron-Manganese Masses (F12) (LRR N, MLRA 136) |
| ☐ Sandy Gleyed Matrix (S4) | ☐ Umbric Surface (F13) (MLRA 136, 122) |
| ☐ Sandy Redox (S5) | ☐ Piedmont Floodplain Soils (F19) (MLRA 148) |
| ☐ Stripped Matrix (S6) | |

- ☐ 2 cm Muck (A10) (MLRA 147)
- ☐ Piedmont Floodplain Soils (F19) (MLRA 136, 147)
- ☐ Red Parent Material (TF2)
- ☐ Very Shallow Dark Surface (TF12)
- ☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Secondary Indicators (minimum of two required)

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|---|
| ☒ Surface Water (A1) | ☐ True Aquatic Plants (B14) |
| ☐ High Water Table (A2) | ☐ Hydrogen Sulfide Odor (C1) |
| ☒ Saturation (A3) | ☐ Oxidized Rhizospheres on Living Roots (C3) |
| ☐ Water Marks (B1) | ☐ Presence of Reduced Iron (C4) |
| ☐ Sediment Deposits (B2) | ☐ Recent Iron Reduction in Tilled Soils (C6) |
| ☐ Drift Deposits (B3) | ☐ Thin Muck Surface (C7) |
| ☐ Algal Mat or Crust (B4) | ☐ Other (Explain in Remarks) |
| ☐ Iron Deposits (B5) | |
| ☐ Inundation Visible on Aerial Imagery (B7) | |
| ☐ Water-Stained Leaves (B9) | |
| ☐ Aquatic Fauna (B13) | |

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☒ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry-Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Stunted or Stressed Plants (D1)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ Microtopographic Relief (D4)
- ☐ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ☒ No ☐ Depth (inches): 0-1Water Table Present? Yes ☐ No ☒ Depth (inches): _____Saturation Present? Yes ☒ No ☐ Depth (inches): 0-2

(includes capillary fringe)

Wetland Hydrology Present? Yes ☒ No ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Saturation limited to upper 2 inches, suggests perched water table

WETLAND DETERMINATION DATA FORM – Eastern Mountains and Piedmont¹

Project/Site: 715 Westminster Aky City/County: Essex/Baltimore Sampling Date: 12/1/12
 Applicant/Owner: SGC State: MD Sampling Point: CANAL
 Investigator(s): M. Leskinen Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): concave
 Slope (%): 7-11% Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name: Glenville silt loam, 8-15% slopes, MWD NWI classification: N/A
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks.)
 Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u>	No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Hydric Soil Present?	Yes <u>X</u>	No _____	
Wetland Hydrology Present?	Yes <u>X</u>	No _____	
Remarks: <u>* Precipitation 70% above normal for year</u> <u>very seasonal emergent wetland within 1/2 mile in hayfield. All wetland characteristics disappear down slope of wetland</u>			

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>Wetland</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>33.3</u> (A/B)
1. _____				
2. _____				
3. _____				
4. _____				
5. _____	<u>0</u>			Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species <u>42</u> x 2 = <u>84</u> FAC species <u>10</u> x 3 = <u>30</u> FACU species <u>30</u> x 4 = <u>120</u> UPL species _____ x 5 = _____ Column Totals: <u>82</u> (A) <u>234</u> (B) Prevalence Index = B/A = <u>2.85</u>
Sapling/Shrub Stratum (Plot size: <u>Wetland</u>)				
1. <u>Rosa multiflora</u>	<u>2</u>	<u>Y</u>	<u>FACW</u>	
2. _____				
3. _____				
4. _____				Hydrophytic Vegetation Indicators: _____ Rapid Test for Hydrophytic Vegetation _____ Dominance Test is >50% <u>X</u> Prevalence Index is ≤3.0 ¹ _____ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) _____ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
5. _____	<u>2</u>			
Herb Stratum (Plot size: <u>Wetland</u>)				
1. <u>Poa trivialis</u>	<u>42</u>	<u>Y</u>	<u>FACW</u>	
2. <u>Scheuchzeria palustris</u>	<u>28</u>	<u>Y</u>	<u>FACU</u>	
3. <u>Carex sp</u>	<u>6</u>	<u>N</u>	<u>FAC*</u>	
4. <u>Juncus tenuis</u>	<u>4</u>	<u>N</u>	<u>FAC</u>	
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
Woody Vine Stratum (Plot size: <u>Wetland</u>)				
1. _____				Hydrophytic Vegetation Present? Yes <u>X</u> No _____
2. _____				
<u>0</u> = Total Cover				
Remarks: (Include photo numbers here or on a separate sheet.) <u>Not enough of sedge to ID to species, assumed FAC or wetter. Vegetation fails dominance test but meets prevalence index</u>				

SOIL

Sampling Point: CC(Norfolk)

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features		Type ¹	Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%				
0-7	2.5Y5/2	92	2.5YR5/6	8	C	M	silt loam	
7-10	2.5Y5/3	55	10YR5/6	45	C	M	silt loam	sticky

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

Indicators for Problematic Hydric Soils³:

- | | | |
|--|--|---|
| ☐ Histosol (A1) | ☐ Dark Surface (S7) | ☐ 2 cm Muck (A10) (MLRA 147) |
| ☐ Histic Epipedon (A2) | ☐ Polyvalue Below Surface (S8) (MLRA 147, 148) | ☐ Piedmont Floodplain Soils (F19) |
| ☐ Black Histic (A3) | ☐ Thin Dark Surface (S9) (MLRA 147, 148) | ☐ (MLRA 136, 147) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) | ☐ Red Parent Material (TF2) |
| ☐ Stratified Layers (A5) | ☒ Depleted Matrix (F3) | ☐ Very Shallow Dark Surface (TF12) |
| ☐ 2 cm Muck (A10) (LRR N) | ☐ Redox Dark Surface (F6) | ☐ Other (Explain in Remarks) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Depleted Dark Surface (F7) | |
| ☐ Thick Dark Surface (A12) | ☐ Redox Depressions (F8) | |
| ☐ Sandy Mucky Mineral (S1) (LRR N, MLRA 147, 148) | ☐ Iron-Manganese Masses (F12) (LRR N, MLRA 136) | |
| ☐ Sandy Gleyed Matrix (S4) | ☐ Umbric Surface (F13) (MLRA 136, 122) | |
| ☐ Sandy Redox (S5) | ☐ Piedmont Floodplain Soils (F19) (MLRA 148) | |
| ☐ Stripped Matrix (S6) | | |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ☒ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1)
- ☐ Sediment Deposits (B2)
- ☐ Drift Deposits (B3)
- ☐ Algal Mat or Crust (B4)
- ☐ Iron Deposits (B5)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Aquatic Fauna (B13)

- ☐ True Aquatic Plants (B14)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres on Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Tilled Soils (C6)
- ☐ Thin Muck Surface (C7)
- ☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
- ☐ Sparsely Vegetated Concave Surface (B8)
- ☒ Drainage Patterns (B10)
- ☐ Moss Trim Lines (B16)
- ☐ Dry-Season Water Table (C2)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Stunted or Stressed Plants (D1)
- ☐ Geomorphic Position (D2)
- ☐ Shallow Aquitard (D3)
- ☐ Microtopographic Relief (D4)
- ☐ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ☒ No ☐ Depth (inches): 0.1Water Table Present? Yes ☐ No ☒ Depth (inches): _____Saturation Present? Yes ☐ No ☒ Depth (inches): _____
(includes capillary fringe)Wetland Hydrology Present? Yes ☒ No ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Soils not saturation - seepage over surface - suggests surface water influence

WETLAND DETERMINATION DATA FORM – Eastern Mountains and Piedmont

Project/Site: 215 Westminster Pike City/County: Rockford 1 Baltimore Sampling Date: 12/14/12
 Applicant/Owner: SGC State: MD Sampling Point: New 28A
 Investigator(s): H. Leskinen Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): concave
 Slope (%): 2-5% Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name: Hatboro silt loam, 0-3% slopes, PD NWI classification: N/A
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X * (If no, explain in Remarks.)
 Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Hydric Soil Present?	Yes <u>X</u> No _____	
Wetland Hydrology Present?	Yes <u>X</u> No _____	
Remarks: <u>* Annual precip to date 26 inches ± (70%) above normal</u> <u>Forested wetland on stream terrace</u>		

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>0.1 ac</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>80</u> (A/B)
1. <u>Acer rubrum</u>	<u>45</u>	<u>Y</u>	<u>FAC</u>	
2. _____				
3. _____				
4. _____				
_____ = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: <u>0.1 ac</u>)				
1. <u>Rosa multiflora</u>	<u>14</u>	<u>Y</u>	<u>FACU</u>	
2. _____				
3. _____				
_____ = Total Cover				
Herb Stratum (Plot size: <u>0.1 ac</u>)				Hydrophytic Vegetation Indicators: _____ Rapid Test for Hydrophytic Vegetation <u>X</u> Dominance Test is >50% _____ Prevalence Index is ≤3.0 ¹ _____ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) _____ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Solidago sp</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	
2. <u>Microrhizon virginicus</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	
3. <u>Empetrum canadense</u>	<u>3</u>	<u>Y</u>	<u>FACW</u>	
4. <u>Poa trivialis</u>	<u>6</u>	<u>N</u>	<u>FACU</u>	
5. <u>Glyceria striata</u>	<u>5</u>	<u>N</u>	<u>OBL</u>	
6. <u>Symplacopus foetidus</u>	<u>5</u>	<u>N</u>	<u>OBL</u>	
7. <u>Carex sp.</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	
8. <u>Juncus effusus</u>	<u>3</u>	<u>N</u>	<u>OBL</u>	
9. _____				
_____ = Total Cover				
Woody Vine Stratum (Plot size: <u>0.1 ac</u>)				Hydrophytic Vegetation Present? Yes <u>X</u> No _____
1. <u>Lonicera japonica</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>	
2. _____				
_____ = Total Cover				

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: Near 28A

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features		Type ¹	Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%				
0-5	2.5Y5/2	77	10YR5/6	22	C	M	silt loam	
5-10	10YR5/6	100					silt loam	clayey

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

Indicators for Problematic Hydric Soils³:

- | | | |
|--|--|---|
| ☐ Histosol (A1) | ☐ Dark Surface (S7) | ☐ 2 cm Muck (A10) (MLRA 147) |
| ☐ Histic Epipedon (A2) | ☐ Polyvalue Below Surface (S8) (MLRA 147, 148) | ☐ Piedmont Floodplain Soils (F19) |
| ☐ Black Histic (A3) | ☐ Thin Dark Surface (S9) (MLRA 147, 148) | ☐ (MLRA 136, 147) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) | ☐ Red Parent Material (TF2) |
| ☐ Stratified Layers (A5) | ☒ Depleted Matrix (F3) | ☐ Very Shallow Dark Surface (TF12) |
| ☐ 2 cm Muck (A10) (LRR N) | ☐ Redox Dark Surface (F6) | ☐ Other (Explain in Remarks) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Depleted Dark Surface (F7) | |
| ☐ Thick Dark Surface (A12) | ☐ Redox Depressions (F8) | |
| ☐ Sandy Mucky Mineral (S1) (LRR N, MLRA 147, 148) | ☐ Iron-Manganese Masses (F12) (LRR N, MLRA 136) | |
| ☐ Sandy Gleyed Matrix (S4) | ☐ Umbric Surface (F13) (MLRA 136, 122) | |
| ☐ Sandy Redox (S5) | ☐ Piedmont Floodplain Soils (F19) (MLRA 148) | |
| ☐ Stripped Matrix (S6) | | |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Secondary Indicators (minimum of two required)

Primary Indicators (minimum of one is required; check all that apply)

- | | | |
|--|---|--|
| ☒ Surface Water (A1) | ☐ True Aquatic Plants (B14) | ☐ Surface Soil Cracks (B6) |
| ☐ High Water Table (A2) | ☐ Hydrogen Sulfide Odor (C1) | ☐ Sparsely Vegetated Concave Surface (B8) |
| ☐ Saturation (A3) | ☐ Oxidized Rhizospheres on Living Roots (C3) | ☐ Drainage Patterns (B10) |
| ☐ Water Marks (B1) | ☐ Presence of Reduced Iron (C4) | ☐ Moss Trim Lines (B16) |
| ☐ Sediment Deposits (B2) | ☐ Recent Iron Reduction in Tilled Soils (C6) | ☐ Dry-Season Water Table (C2) |
| ☐ Drift Deposits (B3) | ☐ Thin Muck Surface (C7) | ☐ Crayfish Burrows (C8) |
| ☐ Algal Mat or Crust (B4) | ☐ Other (Explain in Remarks) | ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Iron Deposits (B5) | | ☐ Stunted or Stressed Plants (D1) |
| ☐ Inundation Visible on Aerial Imagery (B7) | | ☐ Geomorphic Position (D2) |
| ☒ Water-Stained Leaves (B9) | | ☐ Shallow Aquitard (D3) |
| ☐ Aquatic Fauna (B13) | | ☐ Microtopographic Relief (D4) |
| | | ☐ FAC-Neutral Test (D5) |

Field Observations:

Surface Water Present? Yes ☒ No ☐ Depth (inches): 0.2Water Table Present? Yes ☐ No ☒ Depth (inches): _____Saturation Present? Yes ☐ No ☒ Depth (inches): _____
(includes capillary fringe)Wetland Hydrology Present? Yes ☒ No ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Soils not saturated, suggests surface water ponding

APPENDIX B

Steep Slopes Worksheets and SSA Workmap

715 Westminster Pike

Steep Slope and Erodible Soils Analysis Data

Transect Segment	A		A		A	
	1		2		3	
	Value	Score	Value	Score	Value	Score
Slope	3.8%	0	7.6%	0	10.1%	5
Slope Length	132'	5	957'	10	1037'	10
SEI	High	10	Medium	5	Medium	5
Cover	Field(g)	0	Field(g)	0	Field(g)	0
Sed. Delivery	1242'	0	417'	0	337'	0
TOTAL	15		15		20	

Transect Segment	A		A		A	
	4		5		6	
	Value	Score	Value	Score	Value	Score
Slope	8.3%	0	7.5%	0	10.1%	5
Slope Length	1073'	10	1219'	10	1274'	10
SEI	Medium	5	Medium	5	Medium	5
Cover	Field(g)	0	Field(g)	0	Field(g)	0
Sed. Delivery	301'	0	155'	5	100'	5
TOTAL	15		20		25	

Transect Segment	A					
	7					
	Value	Score	Value	Score	Value	Score
Slope	6.5%	0				
Slope Length	1374'	10				
SEI	High	10				
Cover	bare(g)	10				
Sed. Delivery	0'	10				
TOTAL	40					

715 Westminster Pike

Steep Slope and Erodible Soils Analysis Data

Transect Segment	B		B		B	
	1		2		3	
	Value	Score	Value	Score	Value	Score
Slope	3.3%	0	4.3%	0	11.1%	5
Slope Length	135'	5	802'	10	892'	10
SEI	High	10	Medium	5	Medium	5
Cover	Field(g)	0	Field(g)	0	Field(g)	0
Sed. Delivery	1126'	0	459'	0	369'	0
TOTAL	15		15		20	

Transect Segment	B		B		B	
	4		5		6	
	Value	Score	Value	Score	Value	Score
Slope	8.8%	0	10.2%	5	6.3%	0
Slope Length	960'	10	1058'	10	1121'	10
SEI	Medium	5	Medium	5	Medium	5
Cover	Field(g)	0	Field(g)	0	Field(g)	0
Sed. Delivery	301'	0	203'	5	140'	5
TOTAL	15		25		20	

Transect Segment	B		B			
	7		8			
	Value	Score	Value	Score	Value	Score
Slope	15.0%	5	6.0%	0		
Slope Length	1161'	10	1261'	10		
SEI	Medium	5	High	10		
Cover	Field(g)	0	bare(g)	10		
Sed. Delivery	100'	5	0'	10		
TOTAL	25		40			

715 Westminster Pike

Steep Slope and Erodible Soils Analysis Data

Transect Segment	C		C		C	
	1		2		3	
	Value	Score	Value	Score	Value	Score
Slope	3.8%	0	5.9%	0	6.3%	0
Slope Length	137'	5	817'	10	849'	10
SEI	High	10	Medium	5	Medium	5
Cover	field(g)	0	field(g)	0	field(g)	0
Sed. Delivery	981'	0'	301'	0	269'	5'
TOTAL	15		15		20	

Transect Segment	C		C			
	4		5			
	Value	Score	Value	Score	Value	Score
Slope	14.2%	5	10.2%	5		
Slope Length	1013'	10	1113'	10		
SEI	Medium	5	Medium	5		
Cover	field(g)	0	bare(g)	10		
Sed. Delivery	100'	5	0'	10		
TOTAL	25		40			

Transect Segment	D		D		D	
	1		2		3	
	Value	Score	Value	Score	Value	Score
Slope	3.8%	0	5.8%	0	14.0%	5
Slope Length	137'	5	859'	10	916'	10
SEI	High	10	Medium	5	Medium	5
Cover	field(g)	0	field(g)	0	field(g)	0
Sed. Delivery	1080'	0	358'	0	301'	0
TOTAL	15		15		20	

715 Westminster Pike

Steep Slope and Erodible Soils Analysis Data

Transect Segment	D		D		D	
	4		5		6	
	Value	Score	Value	Score	Value	Score
Slope	12.8%	5	6.6%	0	5.0%	0
Slope Length	1057'	10	1117'	10	1217'	10
SEI	Medium	5	High	10	High	10
Cover	Field(g)	0	Field(g)	0	bare(g)	10
Sed. Delivery	100'	5	100'	5	0'	10
TOTAL	25		25		40	

Transect Segment	E		E		E	
	1		2		3	
	Value	Score	Value	Score	Value	Score
Slope	3.8%	0	6.1%	0	10.5%	5
Slope Length	137'	5	585'	10	619'	10
SEI	High	10	Medium	5	Medium	5
Cover	Field(g)	0	Field(g)	0	Field(g)	0
Sed. Delivery	827'	0	383'	0	345'	0
TOTAL	15		15		20	

Transect Segment	E		E		E	
	4		5		6	
	Value	Score	Value	Score	Value	Score
Slope	9.1%	0	7.0%	0	13.3%	5
Slope Length	663'	10	834'	10	864'	10
SEI	Medium	5	Medium	5	Medium	5
Cover	Field(g)	0	Field(g)	0	Field(g)	0
Sed. Delivery	301'	0	130'	5	100'	5
TOTAL	15		20		25	

Steep Slope and Erodible Soils Analysis Data

Transect Segment	E				F	
	7				1	
	Value	Score	Value	Score	Value	Score
Slope	8.0%	0			2.5%	0
Slope Length	964'	10			80'	5
SEI	High	10			High	10
Cover	bare(0%)	0			field(0%)	0
Sed. Delivery	0'	10			571'	0
TOTAL		40				15

Transect Segment	F		F		F	
	2		3		4	
	Value	Score	Value	Score	Value	Score
Slope	6.7%	0	13.3%	5	10.1%	5
Slope Length	290'	10	350'	10	376'	10
SEI	Medium	5	Medium	5	Medium	5
Cover	field(0%)	0	field(0%)	0	field(0%)	0
Sed. Delivery	361'	0	308'	0	275'	5
TOTAL		15		20		25

Transect Segment	F		F		F	
	5		6		7	
	Value	Score	Value	Score	Value	Score
Slope	7.7%	0	7.3%	0	11.0%	5
Slope Length	441'	10	551'	10	651'	10
SEI	Medium	5	High	10	High	10
Cover	field(0%)	0	field(0%)	0	bare(0%)	10
Sed. Delivery	210'	5	100'	5	0'	100
TOTAL		20		25		45

Steep Slope and Erodible Soils Analysis Data

Transect Segment	G		G		G	
	1		2		3	
	Value	Score	Value	Score	Value	Score
Slope	2.5%	0	5.2%	0	10.2%	5
Slope Length	76'	5	289'	10	407'	10
SEI	High	10	Medium	5	Medium	5
Cover	Field(g)	0	Field(g)	0	Field(g)	0
Sed. Delivery	632'	0	419'	0	301'	0
TOTAL	15		15		20	

Transect Segment	G		G		G	
	4		5		6	
	Value	Score	Value	Score	Value	Score
Slope	7.3%	0	7.3%	0	11.0%	5
Slope Length	577'	10	608'	10	702'	10
SEI	Medium	5	High	10	High	10
Cover	Field(g)	0	Field(g)	0	Field(g)	10
Sed. Delivery	130'	5	100'	5	0'	10
TOTAL	20		25		45	

Transect Segment						
	Value	Score	Value	Score	Value	Score
Slope						
Slope Length						
SEI						
Cover						
Sed. Delivery						
TOTAL						

APPENDIX C

USACOE Wetland Certification



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

U.S. ARMY CORPS OF ENGINEERS

CERTIFIES THAT

HENRY A. LESKINEN

CERTIFICATE NUMBER: WDCP93MD0310006A

has successfully demonstrated
to the U.S. Army Corps of Engineers, Baltimore District,
sufficient understanding of, and the capability to
perform satisfactory wetland delineations consistent with, the
Corps 1987 Wetland Delineation Manual and supplemental guidance.

This verifies that wetland delineations performed by the
certified wetland delineator named above will receive expedited
consideration and acceptance by the certifying district, for

purposes of the Corps' final determination of wetland

jurisdiction pursuant to Section 404 of the Clean Water Act.

Donald W. Roeske
Donald W. Roeske
Chief, Regulatory Branch

April 23, 1993
Date

Baltimore District.

*This is a provisional certification for the purposes of the
demonstration phase of the Corps Wetland Delineator Certification
Program

APPENDIX D

Wetland and Simplified Forest Stand Delineation Plan

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Pet
No 6



Installation Guide

GRASSPROTECTA is a tough, flexible, long lasting extruded polyethylene mesh. Available in two grades (Standard & Heavy) and supplied in two roll sizes (6.56' x 65.6' & 3.25' x 32.8'), GRASSPROTECTA can be effectively employed onto stable ground by unrolling and pinning adjacent and successive lengths using metal U-pins. After time the grass grows through the mesh and reaches a convenient height to be mown. The area quickly adopts a natural appearance with the grass plants intertwined with the mesh to provide permanent protection against wear. Installation is best carried out during the growing season to allow a strong interlock between mesh and grass, although GRASSPROTECTA can be installed throughout the year as appropriate.

Installation Method

A. EXISTING GRASSED AREA

1. The surface must be reasonably flat, level, firm and free-draining enough to sustain the proposed traffic. Fill shallow depressions with free-draining sandy soil. Level and consolidate. Apply seed before or after mesh installation as preferred. Alternatively, lift turf locally, fill the low area with sandy soil, consolidate and replace turf to level.
 2. Prior to permanent fixing of the mesh, it is advisable to unroll it and pin loosely at each corner to allow the mesh to relax and regain its natural flatness for a minimum of one hour prior to permanent fixing. Ambient temperature variations will influence the time period required for the mesh to relax and lay flat.
 3. Fixing Pins (50 per bag) - For the most effective pinning, a single roll will require a minimum four bags (200 pins). Installations of two or more rolls will require a minimum of three bags (150 pins) per roll plus one extra bag more than the total roll quantity ordered.
 4. All outer edges of mesh will require pins at 12 - 14" maximum centers. Pins in the middle of the roll will be in three equally off-set rows in a chevron type pattern at 20" apart (roll width) and at maximum 30" centers (roll length). On multi-roll installations the edge pins will overlap and fix two adjacent butted edges. Pins should be inserted parallel to the mesh and flush within the structure to avoid exposure at the surface. Try to avoid inserting pins across and above the top strand of mesh. Refer to diagram for suggested pinning layout.
 5. Position the mesh where required on the prepared surface. Starting from a corner of the roll and maintaining the mesh as taut and straight as possible at all times, fix the first edge (length) and then go back to the start and fix one end of the roll using the metal U-Pins (12 - 14" centres). Do not fix both ends or both edges at this stage. Always work in the same direction along the mesh length to keep the mesh taut and to avoid ripples.
 6. Working progressively along and across the mesh and away from the first pinned corner, insert three more rows of pins down the center of the roll in the chevron type layout as described (three rows at 20" apart & at 30" centres down the length). Continue this until all pins are in place except for the leading edge and the roll end.
 7. For single roll installations, fix the leading edge (length) and the final roll end (12 - 14" centers) to complete the operation.
 8. For multi-roll installations, position the next roll for fixing. Adjacent rolls must be butt jointed and not overlapped. For sites with variations in temperature, it is recommended to leave a gap between rolls for heat expansion (See Notes). Continue across the site using this method until fully installed.
- Additional pins may be required as determined by specific site and weather conditions and to secure any bridged or raised/tented sections of mesh where evident. Installation in cold weather conditions may benefit from fixing adjacent rolls approximately 1cm apart to allow for thermal expansion in hot weather.

APPLICATIONS

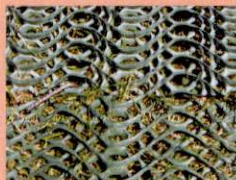
Vehicle access routes • Overflow car lots • Pedestrian and ADA accessibility • Golf cart paths • Walkways
Boat access • Light aircraft taxiways/parking • Slope stabilization • HGV access (determined by ground conditions)



Mesh unrolled



Secured with U-pins



Mesh 'Butt' joined



Mesh after installation



After installation - grass grows through quickly

9. When satisfied that the mesh is laid flat and fixed securely, a brushing of free-draining sandy topsoil may assist in levelling any minor low spots, but is not essential. It is not advisable to completely fill or cover the mesh with soil. A dressing of seasonal fertilizer and any appropriate irrigation will encourage new grass growth to be made more rapidly through the mesh.
10. Best results are obtained by restricting trafficking until after the grass has thoroughly established through the mesh and the grass has been cut several times. This process normally takes six to eight weeks during the growing season and early use will affect grass establishment. The area can be trafficked immediately if necessary, but exposed mesh may present reduced traction in wet or frosty conditions and advisory signage to this effect may be required.
11. Mowing can be carried out as normal, but blades should be set higher for the first three to four cuts to enable the grass to grow through and fully intertwine with the structure.
12. After installation and establishment, warm weather conditions may cause localized raised 'tented' mesh areas to become apparent through expansion. These localized raised areas can be further secured by placing additional U-pins as required.

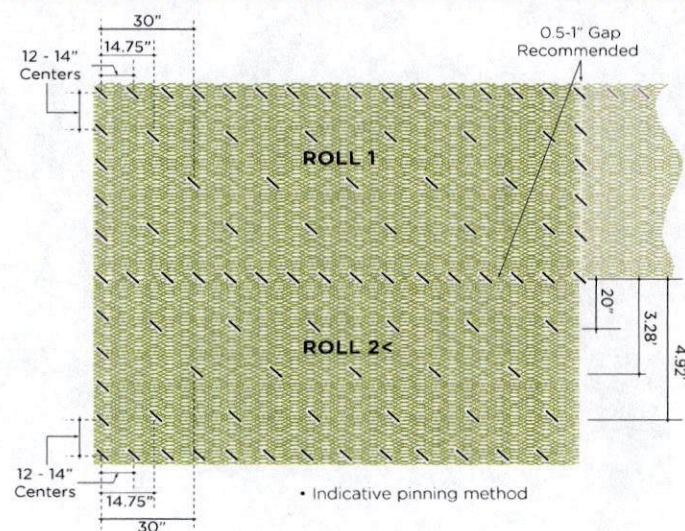
B. NEWLY SOWN LANDSCAPED AREAS

1. A seeded surface will require significantly longer for the grass to establish through the GRASSPROTECTA mesh. GRASSPROTECTA can be installed directly onto newly installed turf.
2. The site must be clear of debris, reasonably flat and level, well consolidated and free-draining enough to enable it to sustain the proposed traffic.
3. Having prepared the seedbed, grass seed can be sown before or after the mesh installation. Turfed areas are prepared and installed as normal.
4. Continue with points two through twelve above.

Notes:

- Where weak and / or waterlogged ground conditions exist, these must be improved prior to placement of GRASSPROTECTA. For occasional use by HGV's, a sub-base may be required.
- Advice on suitability for specific applications is available from TYPAR Technical advisors.
- GRASSPROTECTA can become slippery when wet (before the grass has had a chance to grow through). TYPAR strongly recommends that all newly installed mesh is cordoned off and signage erected to advise of any potential slip hazards.
- Expansion and contraction in hot climates: For installations where there may be broad +/- day to night temperature variations or where installations are carried out in spring and summer, it is recommended that a .5-1" gap is left between adjacent rolls and that rolls are pinned individually.

GRASSPROTECTA PINNING DIAGRAM

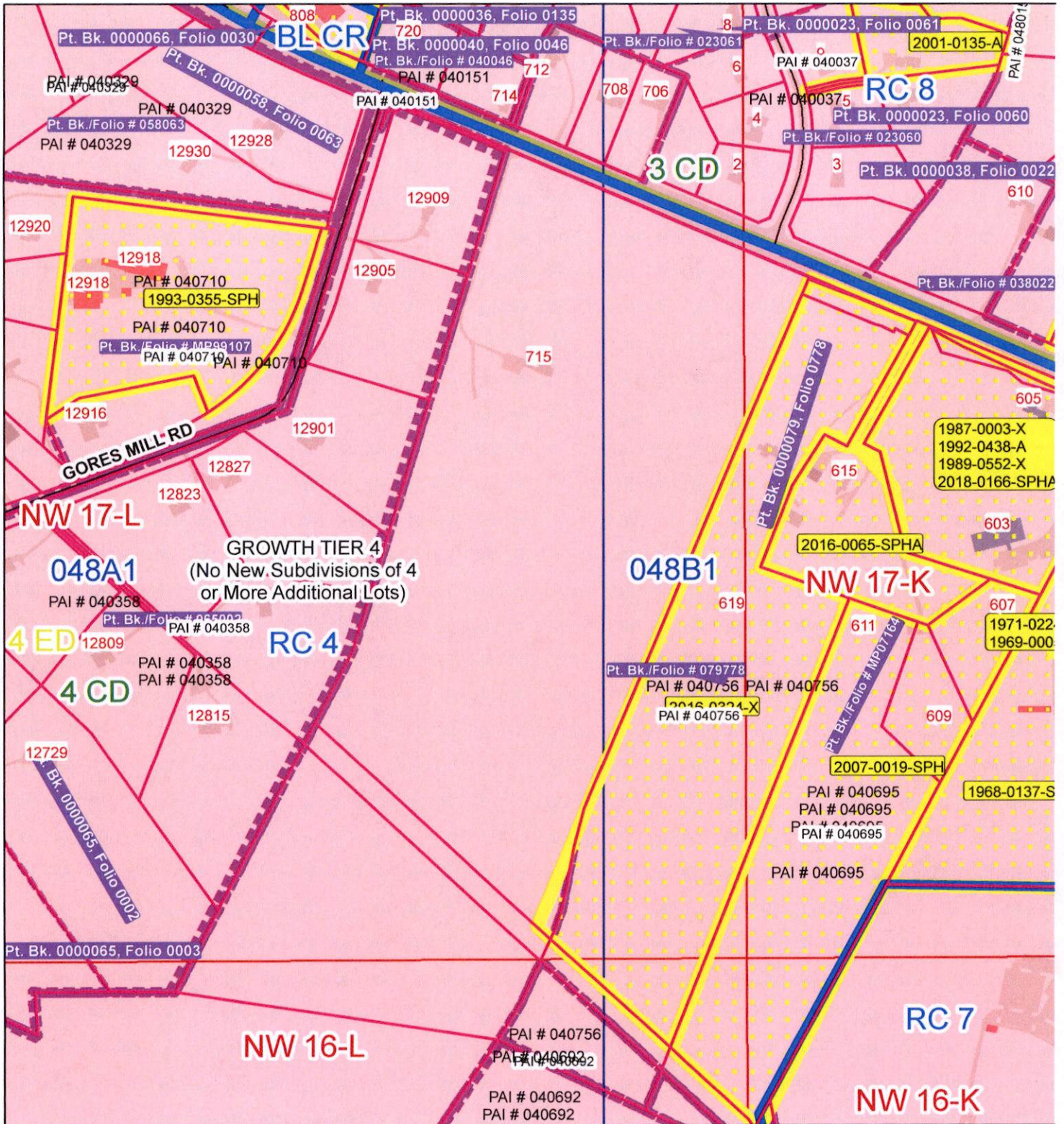


*Manufacturing tolerances (maximum +/-) to length and width apply to the final dimensions of this product. Length +19.7". Width +1.97"/-0.8". Specification Data is obtained from routine production sampling, therefore figures are nominal and may not necessarily be representative of the product supplied but will be within manufacturing tolerances.

The information contained herein is, to the best of our knowledge, accurate in all material respects. However, since the circumstances and conditions in which such information and the products mentioned herein can be used may vary and are beyond our control, no representation or warranty, express or implied, of any nature whatsoever is or will be made and no responsibility or liability is or will be accepted by us, any of our affiliates or our or their respective directors, officers, employees or agents in relation to the accuracy or completeness or use of the information contained herein or any such products and any such liability is expressly disclaimed.

™ indicates a trade mark of Polymer Group, Inc., many of which are registered in a number of countries around the world.

715 Westminster Pike, Tax #01-15-077-025



Publication Date: 11/1/2018



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

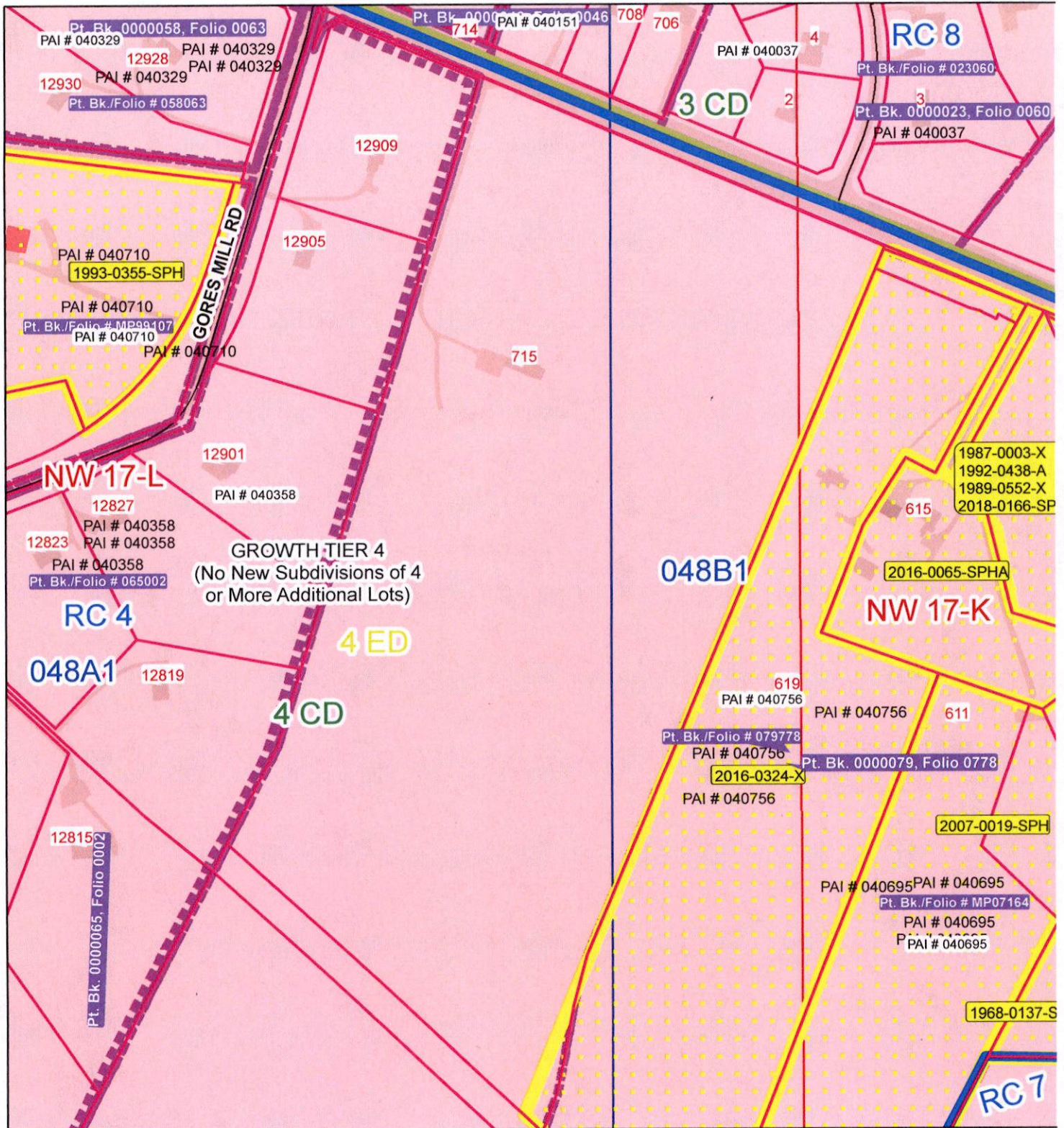


0 112.5 225 450 675 900 Fe

1 inch = 400 feet

Item #0147

715 Westminster Pike, Tax #04-15-077-025



Publication Date: 11/1/2018



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

Item #0147

**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 fifteen (15) 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: 2019-0147-X

Property Address: 715 Westminster Pike

Property Description: south of Westminster Pike, +/- 373 south -
east of Goves Mill Rd

Legal Owners (Petitioners): Elaine Oursler Burns

Contract Purchaser/Lessee: SGC Power, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt, Esquire

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200

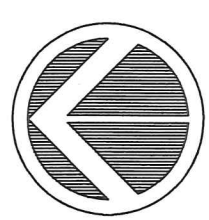
Towson, MD 21204

Telephone Number: 410-821-0070

Revised 5/20/2014



AERIAL EXHIBIT
SSC-140



0 100' 200' 400'
SCALE: 1"=200'

CONF

PROJECT NAME:
SSC-140

PLAN TITLE:
AERIAL EXHIBIT

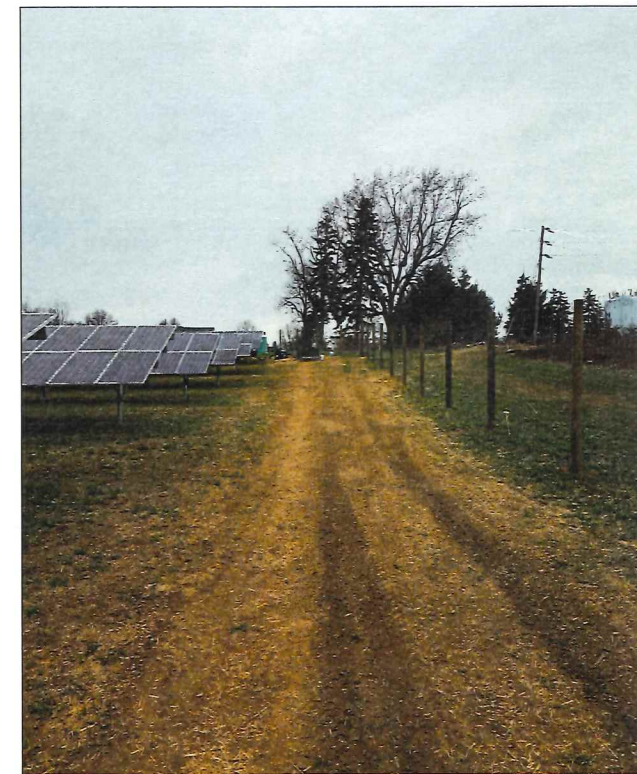
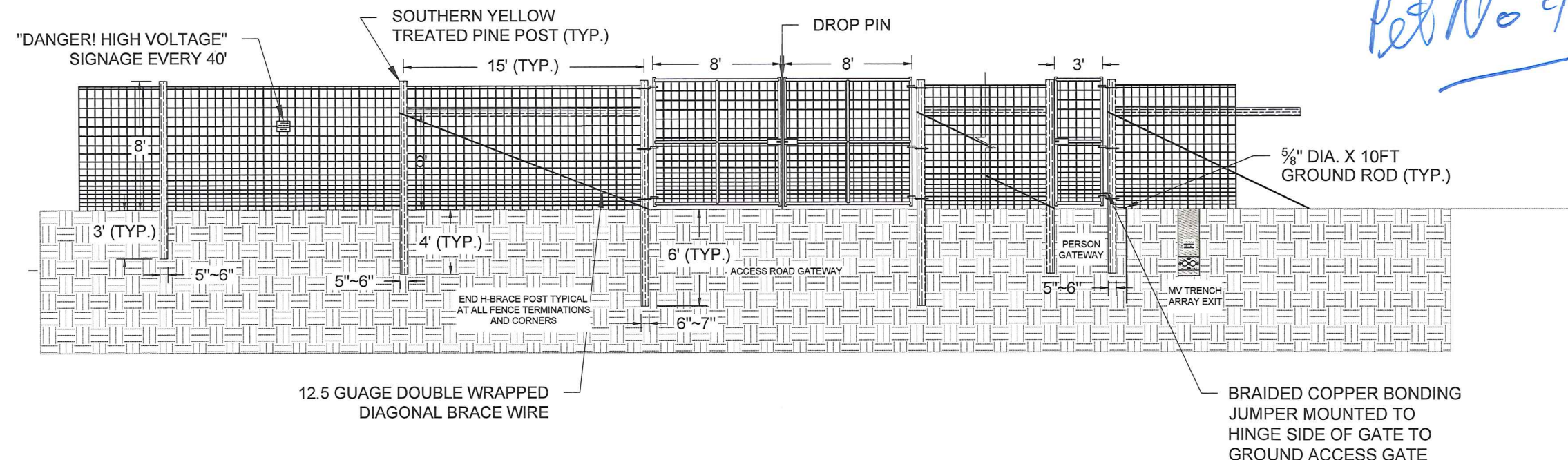
COUNCILMANIC DIST: 4TH
ELECTION DIST: 4TH
SITE ADDRESS: 715 WESTMINSTER PIKE

DEVELOPER:
SSC POWER
6965 Deerpath Road
Suite 330
Elkridge, MD 21075
ATTN: Jack Copus
443-831-5634

DS Thaler
& ASSOC., LLC

CIVIL AND ENVIRONMENTAL ENGINEERS, SURVEYORS,
LANDSCAPE ARCHITECTS & LAND PLANNERS
7115 AMBASSADOR ROAD
P.O. BOX 47428
BALTIMORE, MARYLAND 21244-1428
410-444-5641
www.dsthaller.com

DATE: 12/20/19
SCALE: 1"=200'
C.I.: 2'
PROJ. NO. 457T
SHEET 1 OF 1



1 AGRICULTURAL FENCING DETAILS

Scale: NTS

MODULE	SYSTEM SIZE (DC / AC)	SPECIFIC PRODUCTION	RACKING	WIND SPEED	EXPOSURE CATEGORY
--- MODULES @ STC	--- / ---	---	---	--- MPH	---
QUANTITY	INVERTER	ESTIMATED YIELD	TILT ANGLE	HIGH TEMP	LOW TEMP
--- MODULES (--- STRINGS OF ---)	[---] ---	---	---°	---°C	---°C

NOT FOR CONSTRUCTION - DRAWING FOR BID PURPOSES ONLY - EQUIPMENT SUBJECT TO CHANGE



6865 Deerpath Rd, Ste 330
Elkridge, MD 21075
(443) 837-5634

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AGRICULTURAL FENCING DETAIL

DRAWING SIZE
11X17
MEASURE 1/2"

DRAWN BY
AMLW

DATE
12/27/2018

SCALE
NONE

W1

