

Donna Mignon

From: Donna Mignon
Sent: Monday, June 28, 2021 8:29 AM
To: 'Whitney Wilder'
Cc: 'mrepp@hanoverlandservices.com'; 'kheindel@hanoverlandservices.com'; 'aeboroch@younginds.com'; 'edare@beynonsports.com'; Debra Wiley; County Council (countycouncil@baltimorecountymd.gov); Henry Ayakwah; Jeffery Livingston (jlivingston@baltimorecountymd.gov); Jenifer G. Nugent; Peter Max Zimmerman (pzimmerman@baltimorecountymd.gov); Rebecca Wheatley (rwheatley@baltimorecountymd.gov); Vishnubhai K Desai (vdesai@baltimorecountymd.gov)
Subject: Case No; 2019-0457-SPHA - 16 Alt Road
Attachments: 2019-0457-SPHA - Amended Order.pdf

Good Morning,

Please find attached ALJ Mayhew's **Amended** Opinion and Order in reference to the above matter.

Have a great day.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

June 28, 2021

Whitney Wilder, Esquire – wwilder@bodie-law.com

RE: Petition for Special Hearing & Variance
Case No. 2019-0457-SPHA
Property: 16 Alt Road

Dear Ms. Wilder:

Enclosed please find a copy of the **Amended** decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, reading "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

c: Melanie Repp – mrepp@hanoverlandservices.com
Keith Heindel – kheindel@hanoverlandservies.com
Anthony Boroch – aeboroch@younginds.com
Elsie Dare – edare@beynonsports.com

BV

("DPW") and the Department of Environmental Protection and Sustainability ("DEPS"). None of these agencies opposed the requested relief.

Ms. Repp explained that a chemical solvents plant currently occupies the site, which is within the Cockeysville Road Industrial Park. She further explained that the proposed improvements will replace the outdated storage facilities there. It is acknowledged by the Petitioner and the county agencies, as well as by the Maryland Department of the Environment ("MDE") that the proposed improvements will be located within a 100 year floodplain. However, the current chemical facilities are also in the floodplain.² Petitioner's Exhibit 1 is a Floodplain Impact Analysis performed by the engineer Ms. Repp. Appendix A to this exhibit is an "Alternative Silo Location Analysis" which was done in order to determine the safest possible location for the storage silo. Ms. Repp explained that they settled on this proposed location because it is within the "conveyance shadow" of the plant building and therefore buffered from the brunt of flood impacts. The DPW comments refer to this as the "hydraulic shadow." A geotechnical engineering study was also performed by Herbst/Benson & Associates Geotechnical Engineers under the auspices of Hanover Land Services. That report is also contained within Exhibit 1 and certifies that the design and installation of the silo is state of the art. Finally, Petitioner's Exhibit 3 is an "Authorization to Proceed" issued by MDE, which green lights the design and construction of the proposed facilities as being compliant with state law.

SPECIAL HEARING

A Special Hearing under BCZR Sec. 500.7 is in the nature of a request for a declaratory judgment. *Antwerpen v. Baltimore County*, 163 Md. App. 194, 209 (2005). In an unreported opinion the court of special appeals explained that "the administrative practice in Baltimore

² Evidently the county agencies acknowledge that these existing buildings within the floodplain are a valid non-conforming use under BCZR § 101. That issue was not before me.

County has been to determine whether the proposed Special Hearing [relief] would be compatible with the community and generally compatible with the spirit and intent of the regulations. Based on the record evidence I find that the Special Hearing relief should be granted. It is quite unusual for DPW to endorse any construction within a riverine floodplain as this is prohibited by the plain language of the County Code and Building Code. However, in the instant case there is an existing building and accessory structures within the floodplain and the proposed upgrades will substantially improve the site's capacity to withstand flooding events. This was also recognized by the MDE. As a result, the other businesses and residences in this community will be rendered safer. In sum, these improvements are within the spirit and intent of the BCZR.

VARIANCE

As to the variance, it requires a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

As explained above, the entire site is within the 100 year floodplain and has an existing building and accessory structures. It is also within an industrial park. As such, the property is unique in a zoning sense. If the Regulations were strictly interpreted Petitioner would experience hardship and practical difficulty because it would be unable to construct the proposed silo and storage container. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of county agency or community opposition.

ORDER RECEIVED FOR FILING

Date

By

6/28/21

J. Mignone

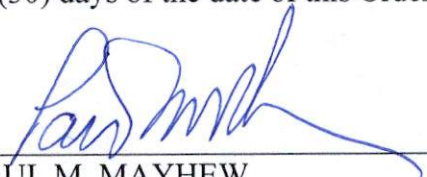
THEREFORE, IT IS ORDERED this 28th day of **June, 2021**, by this Administrative Law Judge, that the Petition for Special Hearing for the construction of a **12 foot** diameter welded carbon steel tank ("silo") and replacement fireproof/flood proof chemical storage container within the 100-year floodplain and within the minimum required setback area, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Variance for front setback of 25 feet and rear setback of 20 feet, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of permits, Petitioner must comply with ZAC comments received from DEPS, DOP and DPW, copies of which are attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm

ORDER RECEIVED FOR FILING

Date 6/28/21
By DMWagon

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Michael Mallinoff, Director,
Department of Permits, Approvals and Inspections

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: October 1, 2019

SUBJECT: Case No: 2019-0457-SPHA
Tax Account 22-00-022395
16 Alt Road, Cockeysville, Maryland 21030

This is a Special Hearing and Variance to construct a 10-foot diameter steel tank and replacement chemical storage container within the 100-year floodplain and within the minimum required setback.

The project site as shown on the "Plan to Accompany Petition for Special Hearing" dated June 18, 2019, is inside of the special flood hazard area (100-year flood plain) as shown as Zone A on the Federal Emergency Management Agency, FEMA, Flood Insurance Rate Map, FIRM, Panel 2400100235F effective date September 26, 2008.

Baltimore County Code Sections 32-4-414, 32-8 and the 2015 Baltimore County Building Code Part 125 all state "no building in a riverine flood plain".

The entire building is within the special flood hazard area. The proposed plans shows the proposed steel tank within the hydraulic shadow of the existing masonry building. A Floodplain Impact Analysis performed by Hanover Land Services, Inc. dated July 15, 2019 signed and sealed by a Maryland Professional Engineer was included in the Special Hearing and Variance request. The report states that the proposed tanks will not impact the base flood elevations.

In addition the Floodplain Impact Analysis by Hanover Land Services, Inc. states the flowing benefits for the floodplain:

- 1.) The 10-foot diameter steel tank will be elevated on four-leg support, braced on four sides and an engineering foundation, a minimum of 1.0' above the base flood elevation.
- 2.) The proposed chemical storage container will be fireproof/floodproof eliminating the likelihood of contamination of flood waters.
- 3.) An existing fence surrounding the existing chemical storage container will be removed and eliminating trapped debris.

The Department of Public Works takes no exception for the approval of the waiver request.

SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

ORDER RECEIVED FOR FILING

Date 10/28/21

By [Signature]

11-8-19

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 10/7/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-457

INFORMATION:

Property Address: 16 Alt Road
Petitioner: Beynon Family, LLC
Zoning: ML-IM
Requested Action: Special Hearing, Variance



The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve construction of a 10-foot diameter welded carbon steel tank ("silo") and replacement fireproof/flood proof chemical storage container within the 100-year floodplain and the minimum required setback area and also the petition for variance to permit setbacks of 2' and 22' in lieu of the required 30'.

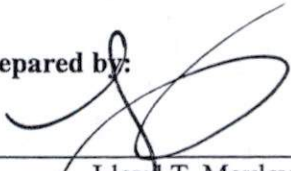
A site visit was conducted on September 19, 2019. The site is within the Hunt Valley /Timonium Master Plan (HV/T) area made a part of the Baltimore County Master Plan. The HV/T Plan identifies the Hunt Valley area is one of the most important employment areas in the County (pg.3). Said plan further sets a goal for the area of "restoring and protecting environmental quality" (pg.8).

The Department does not object to granting the petitioned zoning relief conditioned upon the following:

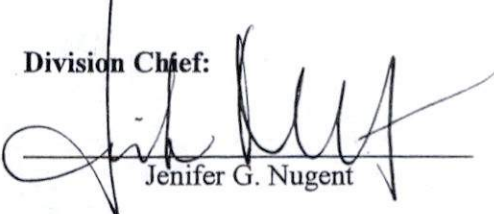
- Petitioners shall demonstrate to the satisfaction of the Administrative Law Judge that the proposed structures will not constitute a public hazard in the event of a flooding event.

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

Prepared by:


Lloyd T. Moxley
CPG/JGN/LTM/

Division Chief:


Jenifer G. Nugent

c: Wally Lippincott
Drew Beynon
Whitney E. Wilder, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

By



11-8-19

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: October 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0457-SPHA
Address 16 Alt Road
(Beynon Family, LLC Property)

Zoning Advisory Committee Meeting of **September 13, 2019**.

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 (§ 33-3-101 through § 33-3-120 of the Baltimore County Code). Disturbances to the floodplain and associated Forest Buffer will have to first be evaluated and approved through the variance and alternatives analysis processes in accordance with § 33-3-106 and § 33-3-112(c)(ii) of the Code, respectively.
- 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). Should the proposed work be occurring entirely on impervious surfaces, this project may request a waiver in accordance with Annotated Code of Maryland, Natural Resources Article § 5-1603. Otherwise, this project may request a special variance in accordance with § 33-6-116 of the Baltimore County Code to base Forest Conservation on the limit of disturbance as opposed to the net tract area due to an unwarranted hardship.

Reviewer: Michael S. Kulis, EIR

ORDER RECEIVED FOR FILING

Date

By

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Michael Mallinoff, Director,
Department of Permits, Approvals and Inspections

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: October 1, 2019

SUBJECT: Case No: 2019-0457-SPHA
Tax Account 22-00-022395
16 Alt Road, Cockeysville, Maryland 21030

This is a Special Hearing and Variance to construct a 10-foot diameter steel tank and replacement chemical storage container within the 100-year floodplain and within the minimum required setback.

The project site as shown on the "Plan to Accompany Petition for Special Hearing" dated June 18, 2019, is inside of the special flood hazard area (100-year flood plain) as shown as Zone A on the Federal Emergency Management Agency, FEMA, Flood Insurance Rate Map, FIRM, Panel 2400100235F effective date September 26, 2008.

Baltimore County Code Sections 32-4-414, 32-8 and the 2015 Baltimore County Building Code Part 125 all state "no building in a riverine flood plain".

The entire building is within the special flood hazard area. The proposed plans shows the proposed steel tank within the hydraulic shadow of the existing masonry building. A Floodplain Impact Analysis performed by Hanover Land Services, Inc. dated July 15, 2019 signed and sealed by a Maryland Professional Engineer was included in the Special Hearing and Variance request. The report states that the proposed tanks will not impact the base flood elevations.

In addition the Floodplain Impact Analysis by Hanover Land Services, Inc. states the flowing benefits for the floodplain:

- 1.) The 10-foot diameter steel tank will be elevated on four-leg support, braced on four sides and an engineering foundation, a minimum of 1.0' above the base flood elevation.
- 2.) The proposed chemical storage container will be fireproof/floodproof eliminating the likelihood of contamination of flood waters.
- 3.) An existing fence surrounding the existing chemical storage container will be removed and eliminating trapped debris.

The Department of Public Works takes no exception for the approval of the waiver request.

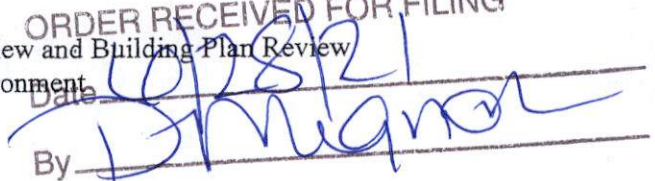
SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

ORDER RECEIVED FOR FILING

Date

By


10/28/21

Donna Mignon

From: Donna Mignon
Sent: Wednesday, June 23, 2021 8:51 AM
To: 'Whitney Wilder'
Cc: 'mrepp@hanoverlandservices.com'; 'kheindel@hanoverlandservices.com'; 'aeboroch@younginds.com'; 'edare@beynonsports.com'; Debra Wiley; County Council (countycouncil@baltimorecountymd.gov); Henry Ayakwah; Jeffery Livingston (jlivingston@baltimorecountymd.gov); Jenifer G. Nugent; Peter Max Zimmerman (pzimmerman@baltimorecountymd.gov); Rebecca Wheatley (rwheatley@baltimorecountymd.gov); Vishnubhai K Desai (vdesai@baltimorecountymd.gov)
Subject: Case No: 2019-0457-SPHA 16 Alt Road
Attachments: 2019-0457-SPHA.pdf

Good Morning,

Please find attached ALJ Mayhew's Opinion and Order in reference to the above matter.

Have a great and safe day.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

June 23, 2021

Whitney Wilder, Esquire – wwilder@bodie-law.com

RE: Petition for Special Hearing & Variance
Case No. 2019-0457-SPHA
Property: 16 Alt Road

Dear Ms. Wilder:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

c: Melanie Repp – mrepp@hanoverlandservices.com
Keith Heindel – kheindel@hanoverlandservies.com
Anthony Boroch – aeboroch@younginds.com
Elsie Dare – edare@beynonsports.com

IN RE: **PETITIONS FOR SPECIAL HEARING** *
AND VARIANCE
(16 Alt Road) *

8th Election District *
3rd Council District *

Beynon Family, LLC, *Legal Owner*
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0457-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of Beynon Family, LLC, legal owner (“Petitioner”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) for the construction of a 10 foot diameter welded carbon steel tank (“silo”) and replacement fireproof/flood proof chemical storage container within the 100-year floodplain and within the minimum required setback area. In addition, a petition for variance seeks front setback of 25 feet and rear setback of 20 feet. A site plan was marked and accepted into evidence as Petitioner’s Exhibit 2.

Elsie Dare appeared in support of the requests. Professional Engineer, Melanie Repp, of Hanover Land Services, Inc., also attended. Whitney E. Wilder, Esq. represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), the Department of Public Works (“DPW”) and the Department of Environmental Protection and Sustainability (“DEPS”). None of these agencies opposed the requested relief.

ORDER RECEIVED FOR FILING

Date 10/23/21
By D. Mignon

Ms. Repp explained that a chemical solvents plant currently occupies the site, which is within the Cockeysville Road Industrial Park. She further explained that the proposed improvements will replace the outdated storage facilities there. It is acknowledged by the Petitioner and the county agencies, as well as by the Maryland Department of the Environment ("MDE") that the proposed improvements will be located within a 100 year floodplain. However, the current chemical facilities are also in the floodplain.¹ Petitioner's Exhibit 1 is a Floodplain Impact Analysis performed by the engineer Ms. Repp. Appendix A to this exhibit is an "Alternative Silo Location Analysis" which was done in order to determine the safest possible location for the storage silo. Ms. Repp explained that they settled on this proposed location because it is within the "conveyance shadow" of the plant building and therefore buffered from the brunt of flood impacts. The DPW comments refer to this as the "hydraulic shadow." A geotechnical engineering study was also performed by Herbst/Benson & Associates Geotechnical Engineers under the auspices of Hanover Land Services. That report is also contained within Exhibit 1 and certifies that the design and installation of the silo is state of the art. Finally, Petitioner's Exhibit 3 is an "Authorization to Proceed" issued by MDE, which green lights the design and construction of the proposed facilities as being compliant with state law.

SPECIAL HEARING

A Special Hearing under BCZR Sec. 500.7 is in the nature of a request for a declaratory judgment. *Antwerpen v. Baltimore County*, 163 Md. App. 194, 209 (2005). In an unreported opinion the court of special appeals explained that "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing [relief] would be compatible with the community and generally compatible with the spirit and intent of the regulations. Based

¹ Evidently the county agencies acknowledge that these existing buildings within the floodplain are a valid non-conforming use under BCZR Sec. 101. That issue was not before me.

10/23/21
D. M. M. M.

on the record evidence I find that the Special Hearing relief should be granted. It is quite unusual for DPW to endorse any construction within a riverine floodplain as this is prohibited by the plain language of the County Code and Building Code. However, in the instant case there is an existing building and accessory structures within the floodplain and the proposed upgrades will substantially improve the site's capacity to withstand flooding events. This was also recognized by the MDE. As a result, the other businesses and residences in this community will be rendered safer. In sum, these improvements are within the spirit and intent of the BCZR.

VARIANCE

As to the variance, it requires a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

As explained above, the entire site is within the 100 year floodplain and has an existing building and accessory structures. It is also within an industrial park. As such, the property is unique in a zoning sense. If the Regulations were strictly interpreted Petitioner would experience hardship and practical difficulty because it would be unable to construct the proposed silo and storage container. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of county agency or community opposition.

THEREFORE, IT IS ORDERED this 23rd day of **June, 2021**, by this Administrative Law Judge, that the Petition for Special Hearing for the construction of a 10 foot diameter welded

ORDER RECEIVED FOR FILING

Date

10/23/21

By

D. Mignone

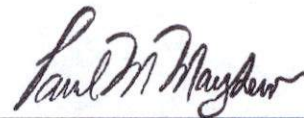
carbon steel tank ("silo") and replacement fireproof/flood proof chemical storage container within the 100-year floodplain and within the minimum required setback area, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Variance for front setback of 25 feet and rear setback of 20 feet, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.
2. Prior to issuance of permits, Petitioner must comply with ZAC comments received from DEPS, DOP and DPW, copies of which are attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:sln

ORDER RECEIVED FOR FILING

Date

By

4/23/21
B. Mignone

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Michael Mallinoff, Director,
Department of Permits, Approvals and Inspections

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: October 1, 2019

SUBJECT: Case No: 2019-0457-SPHA
Tax Account 22-00-022395
16 Alt Road, Cockeysville, Maryland 21030

This is a Special Hearing and Variance to construct a 10-foot diameter steel tank and replacement chemical storage container within the 100-year floodplain and within the minimum required setback.

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- 2.) The proposed chemical storage container will be fireproof/floodproof eliminating the likelihood of contamination of flood waters.
- 3.) An existing fence surrounding the existing chemical storage container will be removed and eliminating trapped debris.

The Department of Public Works takes no exception for the approval of the waiver request.

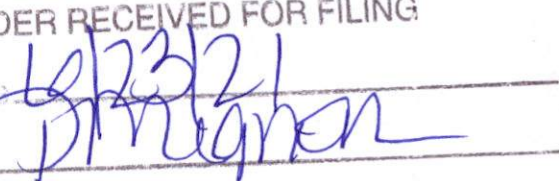
SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

ORDER RECEIVED FOR FILING

Date

By


10/23/21

11-8-19

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 10/7/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-457



INFORMATION:

Property Address: 16 Alt Road
Petitioner: Beynon Family, LLC
Zoning: ML-IM
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve construction of a 10-foot diameter welded carbon steel tank ("silo") and replacement fireproof/flood proof chemical storage container within the 100-year floodplain and the minimum required setback area and also the petition for variance to permit setbacks of 2' and 22' in lieu of the required 30'.

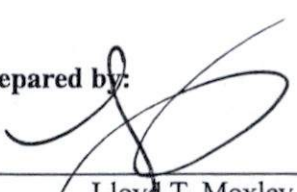
A site visit was conducted on September 19, 2019. The site is within the Hunt Valley /Timonium Master Plan (HV/T) area made a part of the Baltimore County Master Plan. The HV/T Plan identifies the Hunt Valley area is one of the most important employment areas in the County (pg.3). Said plan further sets a goal for the area of "restoring and protecting environmental quality" (pg.8).

The Department does not object to granting the petitioned zoning relief conditioned upon the following:

- Petitioners shall demonstrate to the satisfaction of the Administrative Law Judge that the proposed structures will not constitute a public hazard in the event of a flooding event.

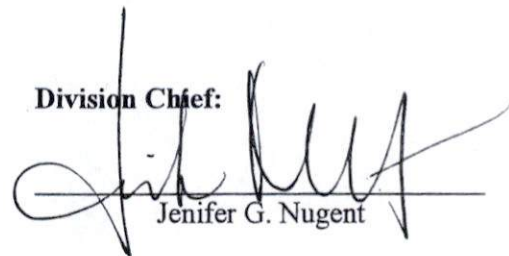
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley
CPG/JGN/LTM/

Division Chief:



Jenifer G. Nugent

c: Wally Lippincott
Drew Beynon
Whitney E. Wilder, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

11-8-19

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: October 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0457-SPHA
Address 16 Alt Road
(Beynon Family, LLC Property)

Zoning Advisory Committee Meeting of **September 13, 2019.**

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 (§ 33-3-101 through § 33-3-120 of the Baltimore County Code). Disturbances to the floodplain and associated Forest Buffer will have to first be evaluated and approved through the variance and alternatives analysis processes in accordance with § 33-3-106 and § 33-3-112(c)(ii) of the Code, respectively.

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). Should the proposed work be occurring entirely on impervious surfaces, this project may request a waiver in accordance with Annotated Code of Maryland, Natural Resources Article § 5-1603. Otherwise, this project may request a special variance in accordance with § 33-6-116 of the Baltimore County Code to base Forest Conservation on the limit of disturbance as opposed to the net tract area due to an unwarranted hardship.

ORDER RECEIVED FOR FILING

Reviewer: Michael S. Kulis, EIR

Date

By



SECOND AMENDED

7/30/2020

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 16 Alt Road Baltimore County, Maryland 21030 which is presently zoned ML-IM

Deed References: Liber S.M. 10947 Folio 196 10 Digit Tax Account # 2 2 0 0 0 2 2 3 9 5

Property Owner(s) Printed Name(s) Beynon Family LLC

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

The construction of an 12-foot diameter welded carbon steel tank ("silo") and replacement fireproof/floodproof chemical storage container within the 100 year floodplain and within minimum setback area.

2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

BCZR: 238.2 & 255.1 → To permit a proposed "silo" on the north side of the building and a proposed "storage container" on the south side of the building with side setbacks of 25 feet and 22 feet respectively, in lieu of the minimum required 30 feet for each.

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 the 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:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Whitney E. Wilder

Name- Type or Print

Signature

305 Washington Ave. Suite 300 Towson, MD 21204

Mailing Address

City

State

21212

Zip Code

410-823-1250

Telephone #

wwilder@bodie-law.com

Email Address

Legal Owners (Petitioners):

Beynon Family LLC

Name #1 - Type or Print

Name #2 - Type or Print

See attached

Signature #1

Signature #2

1685 Campbell Road

Forrest Hill

MD

Mailing Address

City

State

21050

Zip Code

410-771-9473

Telephone #

drew.beynon@tarkettsports.com

Email Address

Representative to be contacted:

Drew Beynon

Name - Type or Print

See attached

Signature

1685 Campbell Road

Forrest Hill

MD

Mailing Address

City

State

21050

Zip Code

410-771-9473

Telephone #

drew.beynon@tarkettsports.com

Email Address

CASE NUMBER 2019-0457-SPHA

Filing Date 9 /10 / 2019

Do Not Schedule Dates:

Reviewer

AT

Amended Petition filed on 11/21/2019 & this Second Amended Petition filed on 7/30/2020

REV. 10/4/11



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 16 Alt Road Baltimore County, Maryland which is presently zoned ML-IM

Deed References: Liber S.M. 10947 Folio 196 10 Digit Tax Account # 2 2 0 0 0 2 2 3 9 5

Property Owner(s) Printed Name(s) Beynon Family, LLC

(SELECT THE HEARING(S) BY MARKING ☒ 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
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)

See attached.

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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Whitney E. Wilder, Esquire

Name- Type or Print

Signature

305 Washington Ave. Suite 300 Towson, MD

Mailing Address City State

21212 / 410-823-1250 / wwilder@bodie-law.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Beynon Family, LLC.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1685 Campbell Road Forrest Hill MD

Mailing Address City State

21050 / 410-771-9473 / Drew.Beynon@tarkettsports.com

Zip Code Telephone # Email Address

Representative to be contacted:

Drew Beynon

Name - Type or Print

Signature

1685 Campbell Road Forrest Hill MD

Mailing Address City State

21050 / 410-771-9473 / Drew.Beynon@tarkettsports.com

Zip Code Telephone # Email Address

CASE NUMBER

2019-0457-SPHA

Filing Date

Do Not Schedule Dates:

Reviewer

AT

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

No. **192048**

PAID RECEIPT

Date: **11/21/19**

BUSINESS ACTUAL TIME DRW
 11/22/2019 11/21/2019 11:22:04 3

REG WSD3 WALKIN CAM
 RECEIPT # 040507 11/21/2019 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$250.00

5 528 ZONING VERIFICATION
 CR NO. 192048

Recpt Tot \$ 250.00
 250.00 CK .00 CA
 Baltimore County, Maryland

Total: **\$250.00**

Rec From: **2019-0457-SPHA (RE-FILED)**

For: **BEYNOW FAMILY, LLC**

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



engineering land + designing the future

Zoning Description
The Beynon Family, LLC Property
16 Alt Road, Cockeysville, MD 21030
June 26, 2019

Beginning for a point on the eastern side of a private roadway known as Alt Road, which has a right-of-way or easement width of 30 feet, at a distance of 290 feet south of the centerline of Cockeysville Road, which has a right-of-way width of 60 feet; thence running the following courses,

- 1.) North 82 degrees 00 minutes 25 seconds East 119.62 feet; thence,
- 2.) South 03 degrees 48 minutes 59 seconds East 371.79 feet; thence,
- 3.) South 82 degrees 03 minutes 41 seconds West 122.89 feet; thence,
- 4.) South 18 degrees 37 minutes 16 seconds West 67.08 feet; thence,
- 5.) South 82 degrees 03 minutes 41 seconds West 230.14 feet; thence,
- 6.) North 09 degrees 39 minutes 13 seconds West 286.02 feet; thence,
- 7.) North 14 degrees 21 minutes 13 seconds West 145.43 feet; thence,

8.) North 82 degrees 00 minutes 24 seconds East 314.94 feet to the point of beginning, being all of that parcel of land recorded in the following deed: Liber S.M. 10947 folio 196, etc., containing 165,255 square feet or 3.794 acres of land, more or less. Located in the Eighth Election District and Third Councilmanic District of Baltimore County, Maryland.



My License Expires 12/31/19

This description is not to be used for any purpose other than the zoning hearing for which it was prepared.

X:\Jobs\2018\H8283-18\Corr\Zoning Desc_Beynon_06262019.docx

HANOVER
585 McAllister Street, Hanover, PA 17331
Phone: 717.637.5674 Fax: 717.633.1987

WESTMINSTER
194 E. Main Street, Westminster, MD 21157
Phone: 410.751.8795

2019-0457-SPHA



engineering land + designing the future

Zoning Description
The Beynon Family, LLC Property
16 Alt Road, Cockeysville, MD 21030
June 26, 2019

Beginning for a point on the eastern side of a private roadway known as Alt Road, which has a right-of-way or easement width of 30 feet, at a distance of 290 feet south of the centerline of Cockeysville Road, which has a right-of-way width of 60 feet; thence running the following courses,

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- 3.) South 82 degrees 03 minutes 41 seconds West 122.89 feet; thence,
- 4.) South 18 degrees 37 minutes 16 seconds West 67.08 feet; thence,
- 5.) South 82 degrees 03 minutes 41 seconds West 230.14 feet; thence,
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8.) North 82 degrees 00 minutes 24 seconds East 314.94 feet to the point of beginning, being all of that parcel of land recorded in the following deed: Liber S.M. 10947 folio 196, etc., containing 165,255 square feet or 3.794 acres of land, more or less. Located in the Eighth Election District and Third Councilmanic District of Baltimore County, Maryland.



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X:\Jobs\2018\H8283-18\Corr\Zoning Desc_Beynon_06262019.docx

HANOVER
585 McAllister Street, Hanover, PA 17331
Phone: 717.637.5674 Fax: 717.633.1987

WESTMINSTER
194 E. Main Street, Westminster, MD 21157
Phone: 410.751.8795

2019-0457-SPHA

CERTIFICATE OF POSTING

Date: 11-4-19

RE: Case Number: 2019-0457-SPHA RECERT

Petitioner/Developer: Beynon Family, LLC

Date of Hearing/Closing: 11-8-19 10A

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 16 Alt Road

The signs(s) were posted on RECERT 11-4-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

2019-457 (PP)
per
Kusken
10/30

dol

ZONING NOTICE

CASE # 2019-0457-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ~~ADMINISTRATIVE BOARD~~
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE TOWSON, MD

DATE AND TIME: FRI NOV 8, 2019 10 AM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF
10 FT. WELDED CARBON STEEL TANK (SLO) AND REPLENISHMENT

FIREPROOF / FLOODPROOF CHEMICAL STORAGE CONTAINER
WITHIN THE 100-YEAR FLOODPLAIN AND A TANK THE 100-YEAR
REQUIRED SETBACK AREA

ARE SOME FEES NECESSARY
OF \$100

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2019-0457-SP4A
Property Address: 16 Alt. Rd. Baltimore, md 21030
Property Description: _____

Legal Owners (Petitioners): Beynon Family LLC
Contract Purchaser/Lessee: Drew Beynon

PLEASE FORWARD ADVERTISING BILL TO:

Name: Drew Beynon
Company/Firm (if applicable): Beynon Family LLC
Address: 1685 Campbell Rd
Forrest Hill md 21050

Telephone Number: 410-771-9473

2019-0457-SPHA

PP per Kristen
10/30
for 11-8-19
10 AM

Debra Wiley

From: Larry Pilson <lpilson@hotmail.com>
Sent: Monday, November 4, 2019 10:57 AM
To: Administrative Hearings; Kristen L Lewis; Dare, Elsie
Subject: Correction: Should be 2019-0457 SPHA not 2019-0457-A 16 Alt Road RECERT
Attachments: 16 Alt Road Recert.pdf; DSC_0911.JPG; DSC_0910.JPG

CAUTION: This message from lpilson@hotmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

CERTIFICATE OF POSTING

Date: 11-4-19

RE: Case Number: 2019-0457-SPHA RECERT

Petitioner/Developer: Beynon Family, LLC

Date of Hearing/Closing: 11-8-19 10A

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 16 Alt Road

The signs(s) were posted on RECERT 11-4-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0457-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE. TOWSON 21204
DATE AND TIME: 8th NOV. 8, 2019, 10 AM
REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF
A 10' FT. WELDED CARBON STEEL TANK (S-2) AND RE-
PLACEMENT FIREPROOF/FLOODPROOF CHEMICAL STORAGE
CONTAINER WITHIN THE 100-YEAR FLOODPLAIN AND WITHIN THE
MINIMUM REQUIRED SETBACK AREA

NOTICE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONSIDER HEARING FOR A 100%
CONSIDERATION OF THE HEARING UNDER PENALTY OF LAW
POSSIBLE

ZONING NOTICE

CASE # 2019-0457-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ~~TOWSON PLANNING BOARD~~
IN TOWSON, MD

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE. TOWSON, MD

DATE AND TIME: FRI. NOV. 8, 2019 10 AM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF
10 FT. WELDED CARBON STEEL TANK (SILO) AND REPLACEMENT
FIRE PROOF / FLOOD PROOF CHEMICAL STORAGE CONTAINERS
WITHIN THE 100-YEAR FLOODPLAIN AND WITHIN THE FRONT-YARD
REQUIRED SETBACK AREA

**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/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

For Newspaper Advertising:

Case Number: 2019-0457-SPHA

Property Address: 16 Alt Road Baltimore, MD 21030

Property Description: See attached Description

Legal Owners (Petitioners): Beynon Family, LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Drew Beynon

Company/Firm (if applicable): Beynon Family, LLC

Address: 1685 Campbell Road

Forrest Hill, MD 21050

Telephone Number: 410-771-9473

Revised 7/9/2015

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

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:

10/18/2019

Order #: 11802265
Case #: 2019-0457-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0457-SPHA



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: 2019-0457-SPHA

16 Alt Road

West side of Alt Road, 200 ft. south of Cockeysville Road

8th Election District - 3rd Councilmanic District

Legal Owners: Beynon Family, LLC

Special Hearing for the construction of a 10 ft. welded carbon steel tank (sto) and replacement fireproof/floodproof chemical storage container within the 100 year floodplain and within the minimum required setback area.

Hearing: Friday, November 8, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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 410-837-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-837-3391.

o18

CERTIFICATE OF POSTING

Date: 10-17-19

RE: Case Number: 2019-0457-SPHA

Petitioner/Developer: Beynon Family, LLC

Date of Hearing/Closing: 11-8-2019 10 AM

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 16 Alt Road

The sign(s) were posted on 10-17-19

(Month, Day, Year)

J. Lawrence Pilson

(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0457-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: FRI. NOV. 8, 2019 10 AM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF
A 10' FT. WELDED CARBON STEEL TANK (SILO) AND RE-
PLACEMENT FIREPROOF/FLOODPROOF CHEMICAL STORAGE
CONTAINER WITHIN THE 100-YEAR FLOODPLAIN AND WITHIN THE
MINIMUM REQUIRED SETBACK AREA

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391
DO NOT REMOVE THIS SIGN AND POST.

#2

ZONING NOTICE

CASE # 2019-0457-SPHA

**A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: FRI NOV. 8, 2019 10 AM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF A
10FT. WELDED CARBON STEEL TANK (S.L.S) AND REPLACEMENT
FIREPROOF / FLOODPROOF CHEMICAL STORAGE CONTAINER
WITHIN THE 100-YEAR FLOODPLAIN AND WITHIN THE MINIMUM
REQUIRED SETBACK AREA

ARE SOMETIMES NECESSARY.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 8, 2019

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: 2019-0457-SPHA

16 Alt Road

West side of Alt Road, 290 ft. south of Cockeysville Road

8th Election District – 3rd Councilmanic District

Legal Owners: Beynon Family, LLC

Special Hearing for the construction of a 10 ft. welded carbon steel tank (silo) and replacement fireproof/floodproof chemical storage container within the 100 year floodplain and within the minimum required setback area.

Hearing: Friday, November 8, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Whitney Wilder, 305 Washington Avenue, Ste. 300, Towson 21212
Beynon Family, LLC, 1685 Campbell Road, Forrest Hill 21050

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 19, 2019.**
- (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
Friday, October 19, 2019 - Issue

Please forward billing to:
Drew Beynon
Beynon Family, LLC
1685 Campbell Road
Forrest Hill, MD 21050

410-771-9473

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: 2019-0457-SPHA

16 Alt Road

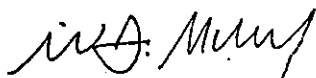
West side of Alt Road, 290 ft. south of Cockeysville Road

8th Election District – 3rd Councilmanic District

Legal Owners: Beynon Family, LLC

Special Hearing for the construction of a 10 ft. welded carbon steel tank (silo) and replacement fireproof/floodproof chemical storage container within the 100 year floodplain and within the minimum required setback area.

Hearing: Friday, November 8, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
16 Alt Road; W/S of Alt Road, 290' S of c/line* OF ADMINISTRATIVE
of Cockeysville Road *
8th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Beynon Family, LLC *
Petitioner(s) * BALTIMORE COUNTY
* 2019-457-SPHA

* * * * *

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

SEP 19 2019

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 19th day of September, 2019, a copy of the foregoing Entry of Appearance was mailed to Drew Beynon, 1685 Campbell Blvd, Forrest Hill, Maryland 21050 and Whitney Wilder, Esquire, 305 Washington Avenue, Suite 300, 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

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 28, 2019

Whitney E. Wilder
305 Washington Ave Suite 300
Towson MD 21212

RE: Case Number: 2019-0457-SPHA, 16 Alt Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 10, 2019. 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.", with a long, sweeping horizontal line extending to the right.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Drew Beynon 1685 Campbell Road Forrest Hill MD 21050

MOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 9/18/19

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

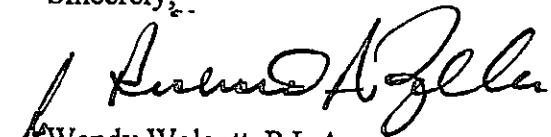
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0457-SPHA

*Special Hearing, Variance
Reyson Family, LLC
16 Alt Road.*

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

Sincerely,



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

WW/RAZ



STATE HIGHWAY
ADMINISTRATION

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

Date: 12/5/19

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. **2019-0457 - SPHA**

*Special Hearing, Variance
Benyon Family, LLC
16 A14 Road.*

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

Sincerely,

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

WW/RAZ

11-8-19

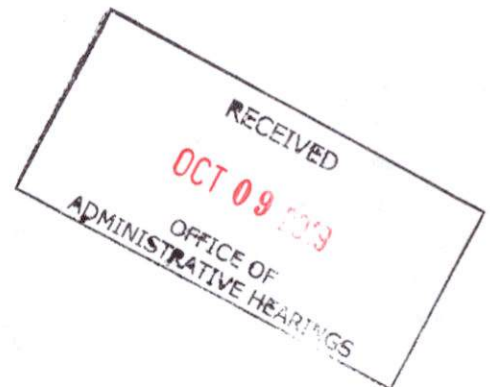
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 10/7/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-457



INFORMATION:

Property Address: 16 Alt Road
Petitioner: Beynon Family, LLC
Zoning: ML-IM
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve construction of a 10-foot diameter welded carbon steel tank ("silo") and replacement fireproof/flood proof chemical storage container within the 100-year floodplain and the minimum required setback area and also the petition for variance to permit setbacks of 2' and 22' in lieu of the required 30'.

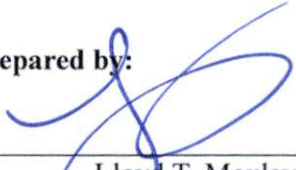
A site visit was conducted on September 19, 2019. The site is within the Hunt Valley /Timonium Master Plan (HV/T) area made a part of the Baltimore County Master Plan. The HV/T Plan identifies the Hunt Valley area is one of the most important employment areas in the County (pg.3). Said plan further sets a goal for the area of "restoring and protecting environmental quality" (pg.8).

The Department does not object to granting the petitioned zoning relief conditioned upon the following:

- Petitioners shall demonstrate to the satisfaction of the Administrative Law Judge that the proposed structures will not constitute a public hazard in the event of a flooding event.

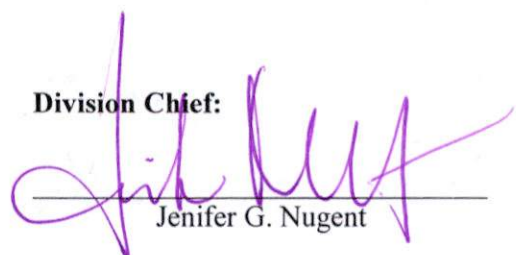
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley
CPG/JGN/LTM/

Division Chief:



Jenifer G. Nugent

c: Wally Lippincott
Drew Beynon
Whitney E. Wilder, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

11-8-19

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: October 3, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0457-SPHA
Address 16 Alt Road
(Beynon Family, LLC Property)

Zoning Advisory Committee Meeting of **September 13, 2019.**

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

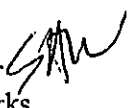
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (§ 33-3-101 through § 33-3-120 of the Baltimore County Code). Disturbances to the floodplain and associated Forest Buffer will have to first be evaluated and approved through the variance and alternatives analysis processes in accordance with § 33-3-106 and § 33-3-112(c)(ii) of the Code, respectively.
- 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). Should the proposed work be occurring entirely on impervious surfaces, this project may request a waiver in accordance with Annotated Code of Maryland, Natural Resources Article § 5-1603. Otherwise, this project may request a special variance in accordance with § 33-6-116 of the Baltimore County Code to base Forest Conservation on the limit of disturbance as opposed to the net tract area due to an unwarranted hardship.

Reviewer: Michael S. Kulis, EIR

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Michael Mallinoff, Director,
Department of Permits, Approvals and Inspections

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: October 1, 2019

SUBJECT: Case No: 2019-0457-SPHA
Tax Account 22-00-022395
16 Alt Road, Cockeysville, Maryland 21030

This is a Special Hearing and Variance to construct a 10-foot diameter steel tank and replacement chemical storage container within the 100-year floodplain and within the minimum required setback.

The project site as shown on the "Plan to Accompany Petition for Special Hearing" dated June 18, 2019, is inside of the special flood hazard area (100-year flood plain) as shown as Zone A on the Federal Emergency Management Agency, FEMA, Flood Insurance Rate Map, FIRM, Panel 2400100235F effective date September 26, 2008.

Baltimore County Code Sections 32-4-414, 32-8 and the 2015 Baltimore County Building Code Part 125 all state "no building in a riverine flood plain".

The entire building is within the special flood hazard area. The proposed plans shows the proposed steel tank within the hydraulic shadow of the existing masonry building. A Floodplain Impact Analysis performed by Hanover Land Services, Inc. dated July 15, 2019 signed and sealed by a Maryland Professional Engineer was included in the Special Hearing and Variance request. The report states that the proposed tanks will not impact the base flood elevations.

In addition the Floodplain Impact Analysis by Hanover Land Services, Inc. states the flowing benefits for the floodplain:

- 1.) The 10-foot diameter steel tank will be elevated on four-leg support, braced on four sides and an engineering foundation, a minimum of 1.0' above the base flood elevation.
- 2.) The proposed chemical storage container will be fireproof/floodproof eliminating the likelihood of contamination of flood waters.
- 3.) An existing fence surrounding the existing chemical storage container will be removed and eliminating trapped debris.

The Department of Public Works takes no exception for the approval of the waiver request.

SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council

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MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

Date: 9/18/19

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

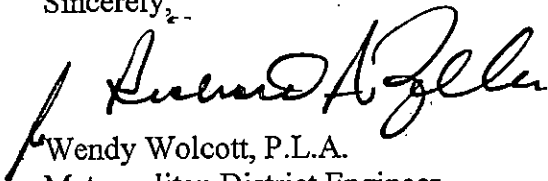
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. *2019-0457-SPHA*

*Special Hearing, Variance
Reynon Family, LLC
16 Alt Road.*

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

Sincerely,



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

WW/RAZ

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION.
**STATE HIGHWAY
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Boyd K. Rutherford
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Gregory Slater
Secretary

Tim Smith, P.E.
Administrator

April 7, 2021

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

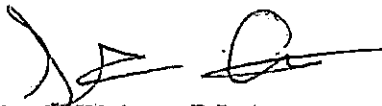
Dear Ms. Lewis:

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Beynon Family LLC
16 Alt Rd.

If there are any questions, please contact Mr. Steven Autry at 410-229-2335, or toll free (in Maryland only) at 1-800-735-2258 (x2335), or via email at sautry@mdot.maryland.gov

Sincerely,



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

WW/RAZ

2019-0457-SPH

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

10/3/19

DEPS

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

Comment

FIRE DEPARTMENT

PLANNING

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

10/7/19

Comment

4/7/21

STATE HIGHWAY ADMINISTRATION

N/C

TRAFFIC ENGINEERING

DPW

10/1/2019

Comment

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

5/28/21

SIGN POSTING (1st)

Date:

5/28/21

by L. Pilson

SIGN POSTING (2nd)

Date:

10/12/21

by "

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Donna Mignon

From: Donna Mignon
Sent: Tuesday, June 15, 2021 1:23 PM
To: 'Whitney Wilder'
Subject: RE: Case No: 2019-0457-SPHA 16 Alt Road

Yes you do. These need to be provided electronically (so they can be shown at the webex hearing)and a paper copy dropped off to our office. We have a box in the lobby that you can drop off by Thursday. Thank you.

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Tuesday, June 15, 2021 1:20 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Case No: 2019-0457-SPHA 16 Alt Road

CAUTION: This message from wwilder@bodie-law.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thank you for sending to me. Would I need to include as exhibits the paperwork/documents I already filed with Zoning?

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Tuesday, June 15, 2021 1:17 PM
To: Whitney Wilder <wwilder@bodie-law.com>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Case No: 2019-0457-SPHA 16 Alt Road

Dear Ms. Wilder,
I thought I emailed this to you last week, but it was an oversight on my part.
Please try to get your exhibits sent to us ASAP. Thank you. See email below.

Good Afternoon,

As you are aware, a virtual Webex hearing has been scheduled for June 17, 2021. You should have received an invitation in an email which invited you to this hearing when the event was created.

Please note that all electronic and hard copies of all hearing exhibits, documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at least **two business days** in advance of the hearing to :

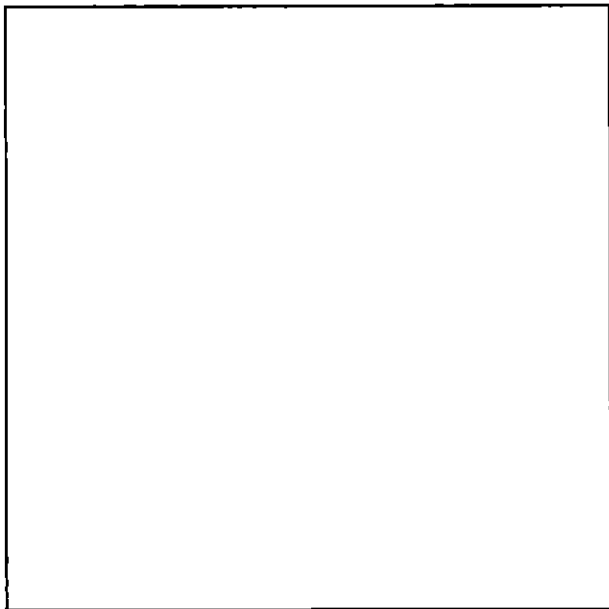
Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov

Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop off in our lobby (address below) at least two business days before the hearing date.**

If you have any questions or concerns, please feel free to contact our office. Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Register for your COVID-19 vaccine today.

CONNECT WITH BALTIMORE COUNTY

--	--	--	--	--	--

www.baltimorecountymd.gov

Donna Mignon

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Tuesday, June 15, 2021 1:20 PM
To: Donna Mignon
Cc: Debra Wiley
Subject: RE: Case No: 2019-0457-SPHA 16 Alt Road

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To: Whitney Wilder <wwilder@bodie-law.com>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Case No: 2019-0457-SPHA 16 Alt Road

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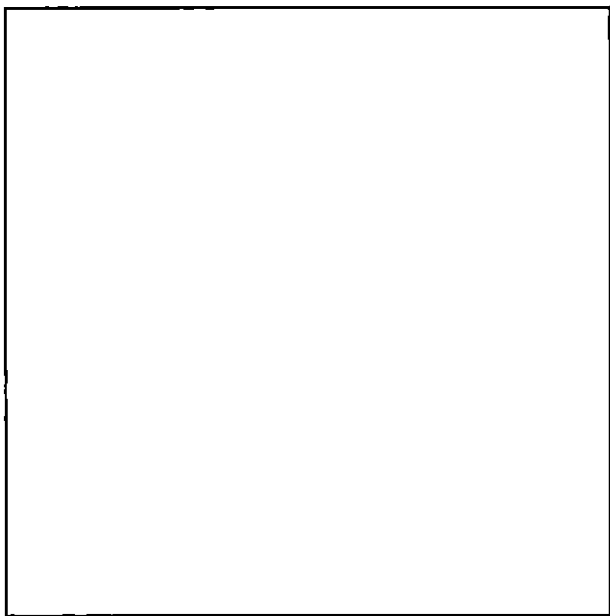
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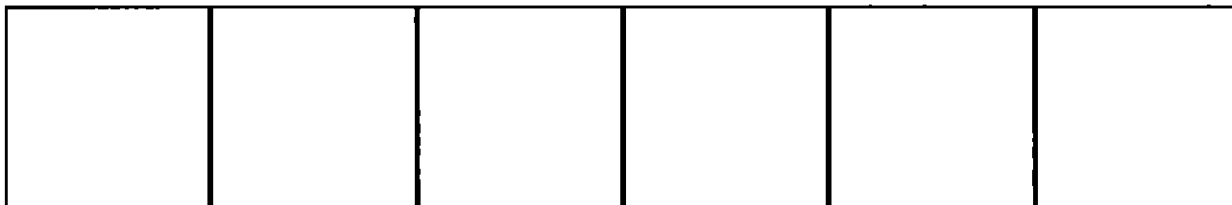
Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



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CERTIFICATE OF POSTING

Date: 6-12-21

RE: Case Number: 2019-0457-SPHA RECERT

Petitioner/Developer: Beignon Family LLC

Date of Hearing/Closing: June 17, 2021 1:30 PM

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 16 Alt Road

The signs(s) were posted on RECERT 6-12-21
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: 6-12-21

RE: Case Number: 2019-0457-SPHA RECERT

Petitioner/Developer: Beignon Family LLC

Date of Hearing/Closing: June 17, 2021 1:30 PM

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(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0457-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

PLACE: FOR INFO. ON HOW TO PARTICIPATE IN THE HEARINGS GO TO
WWW.PALTIMORECOUNTYMD.GOV/ADMINHEARINGS NO LATER THAN 48 HOURS
PRIOR TO THE HEARING DATE. YOU MAY ALSO CALL 410-887-3868 EXT. 0

DATE AND TIME: THURSDAY JUNE 17, 2021 1:30 PM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF A 12
FOOT DIAMETER WELDED CARBON STEEL TANK (SILO) AND REPLACEMENT
FIRE PROOF/FLOOD PROOF MECHANICAL STORAGE CONTAINER WITHIN THE 100
YEAR FLOODPLAIN AND WITHIN MINIMUM SETBACK AREA. VARIANCE TO PERMIT
A PROPOSED SILO ON THE NORTH SIDE OF THE BUILDING AND A PROPOSED
STORAGE CONTAINER ON SOUTH SIDE OF THE BUILDING WITH SIDE SETBACKS
OF 25 FEET AND 22 FEET, RESPECTIVELY, IN LIEU OF THE MINIMUM
REQUIRED 30 FEET FOR EACH

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW.

HANDICAPPED ACCESSIBLE

#2

ZONING NOTICE

CASE # 2019-0457-SHA

A PUBLIC HEARING WILL BE HELD BY

ADMINISTRATIVE LAW JUDGE

IN TOWSON, MD

PLACE FOR INFO ON HOW TO PARTICIPATE IN THE HEARING: GO TO WWW.TOWSONCOUNTYMD.GOV/ADJUDICATION/HEARINGS NO LATER THAN 48 HOURS PRIOR TO THE HEARING YOU MAY ALSO CALL 410.387.3848 EXT 0

DATE AND TIME: THURSDAY, JUNE 17, 2021 11:30 AM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF A 12 FOOT

2-STEP VEDER CARGO STEEL TANK (2500) AND PERMANENT FIREPROOF

FLOOR FOR CEMENT STORAGE CONTAINER WITHIN THE 100 YEAR FLOODPLAIN

AND WITHIN HIGH RISK AREA VARIANCE TO BUILD A PROPOSED

CONTAINER ON THE SOUTH SIDE OF THE BUILDING AND A PROPOSED STORMW

2-2 FEET AND 21 FEET RESPECTIVELY, SIDING WITH SIDE SETBACKS

REQUIRED 22 FEET PER EACH

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

FOR THE 100 YEAR FLOODPLAIN

Donna Mignon

From: Kristen L Lewis
Sent: Wednesday, June 2, 2021 1:39 PM
To: Debra Wiley; Donna Mignon
Subject: FW: Beynon 2019-0457

Good afternoon,

I am finally in receipt of the list for the above referenced case. Please create the webex event and I will post to the website.

Case 2019-0457-SPHA
16 Alt Road
Owners: Beynon Family, LLC
6/17/21 at 1:30 p.m.

Thank you,

Kristen Lewis-Coles
PAI – Zoning Review

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Wednesday, June 2, 2021 12:45 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

CAUTION: This message from wwilder@bodie-law.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hello,

Here are the names and emails for the virtual hearing:

mrepp@hanoverlandservices.com (Melanie Rapp)

kheindel@hanoverlandservices.com (Keith Heindel)

aeboroch@younginds.com (Anthony Boroch)

edare@beynonsports.com (Elsie Dare)

wwilder@bodie-law.com (Whitney Wilder)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Tuesday, June 1, 2021 6:17 PM
To: Whitney Wilder <wwilder@bodie-law.com>
Subject: RE: Beynon 2019-0457

Good afternoon,

I am following up on the list of names and email addresses to be sent the link for the virtual hearing.

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Tuesday, May 25, 2021 2:54 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

CAUTION: This message from wwilder@bodie-law.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

We can confirm the 17th. I will get the list and email it to you.

From: Kristen L Lewis [<mailto:klewis@baltimorecountymd.gov>]
Sent: Tuesday, May 25, 2021 2:08 PM
To: Whitney Wilder
Subject: RE: Beynon 2019-0457

Good afternoon,

Yes as of right now the hearings are still virtual. If this date works, I will send out the notice today so that the newspaper can run this in time, please let me know. Also, with the hearing being virtual, in addition to you and Ms. Dare, please email a LIST of names and email addresses of any participants that would need a webex invite link to the hearing sent to them. I will send a notice once you confirm. Thank you.

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Tuesday, May 25, 2021 1:55 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; 'Dare, Elsie' <EDare@beynonsports.com>
Subject: RE: Beynon 2019-0457

CAUTION: This message from wwilder@bodie-law.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hello,

Just to follow up, is the hearing in person or virtual.

From: Whitney Wilder
Sent: Tuesday, May 25, 2021 11:50 AM
To: Kristen L Lewis; 'Dare, Elsie'
Subject: Beynon 2019-0457

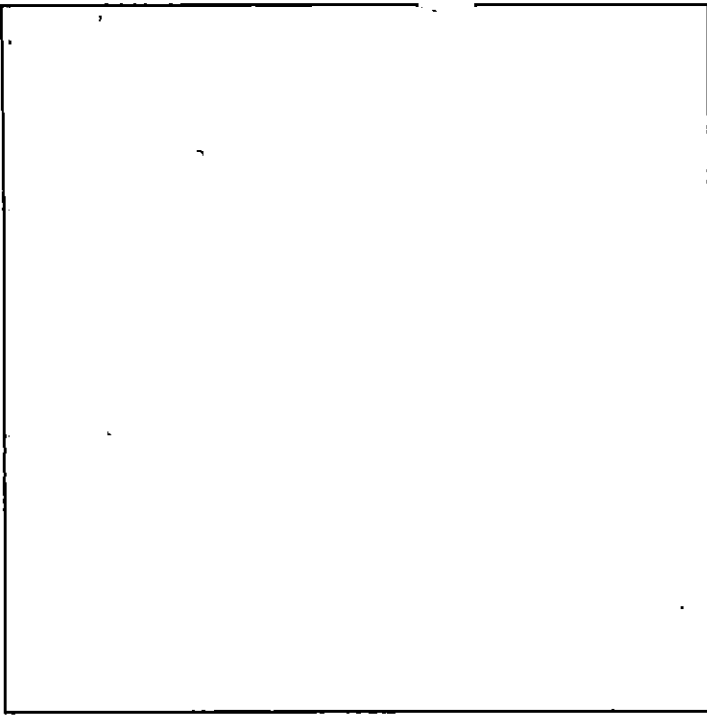
Hello,

Elsie is the contact person for this matter. Her phone number is (443) 391-6318, to contact regarding payment.

She will contact the sign person.

If June 17th at 1:30 does not work for any reason, I will get back in touch with you.

Thank you,



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--	--	--	--	--	--

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Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 172 457 0687

Event address for attendees:

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edf11619cbe2586a3c262a21be9a>

Start event

+1-415-655-0001 US Toll

Global call-in numbers

Dial 1724570687@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

1.

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e87462913846e2b84603f678b2ce88b07>

Need help? Go to <https://help.webex.com>

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - Case No: 2019-0457-SPHA-16 Alt Road - Beynon Family, LLC
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edfba68c6a6250245ec6e7b6d723f8fea>
Start: Thu 6/17/2021 1:30 PM
End: Thu 6/17/2021 2:30 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

CAUTION: This message from messenger@webex.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 172 457 0687

Thursday, June 17, 2021 1:30 pm, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edfba68c6a6250245ec6e7b6d723f8fea>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edf11619cbe2586a3c262a21be9e3>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1724570687@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 178940

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e87462913846e2b84603f678b2ce88b07>

Need help? Go to <https://help.webex.com>

Donna Mignon

From: Donna Mignon
Sent: Wednesday, June 2, 2021 1:49 PM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: LINK -RE: Beynon 2019-0457

Top of Form

Event Information

Event: Zoning Hearing - Case No: 2019-0457-SPHA-16 Alt Road - Beynon Family, LLC
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC>
Date and time: Thursday, June 17, 2021 1:30 pm
Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
Case No: 2019-0457-SPHA
Address: 16 Alt Road
Owners: Beynon Family, LLC
Event number: 172 457 0687
Event password: 1234
Host key: 106050
Alternate Host: Deb Wiley, Maureen Murphy, Paul Mayhew
Panelist Info:
Panelist password:
Panelist numeric password: 178940
Video Address: 1724570687@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 172 457 0687
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No
Password required: No
Password:

Approval required: No
Custom registration form: No
After registration, go to URL: 1

Bottom of Form
Top of Form
Bottom of Form

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From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Wednesday, June 2, 2021 1:46 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

Sure no problem. Thank you. As you see, they were supposed to send me this awhile ago SMH

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Wednesday, June 2, 2021 1:43 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

Thank you. Sorry about that.

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Wednesday, June 2, 2021 1:42 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

Thank you! The list of names is under my last email below.

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Wednesday, June 2, 2021 1:40 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

Hi Kristen,
I will take care of this. Who do we need to invite?

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Wednesday, June 2, 2021 1:39 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: FW: Beynon 2019-0457

Good afternoon,

I am finally in receipt of the list for the above referenced case. Please create the webex event and I will post to the website.

Case 2019-0457-SPHA
16 Alt Road
Owners: Beynon Family, LLC
6/17/21 at 1:30 p.m.

Thank you,

Kristen Lewis-Coles
PAI – Zoning Review

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Wednesday, June 2, 2021 12:45 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

CAUTION: This message from wwilder@bodie-law.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hello,

Here are the names and emails for the virtual hearing:

mrepp@hanoverlandservices.com (Melanie Rapp)

kheindel@hanoverlandservices.com (Keith Heindel)

aeboroch@younginds.com (Anthony Boroch)

edare@beynonsports.com (Elsie Dare)

wwilder@bodie-law.com (Whitney Wilder)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Tuesday, June 1, 2021 6:17 PM
To: Whitney Wilder <wwilder@bodie-law.com>
Subject: RE: Beynon 2019-0457

Good afternoon,

I am following up on the list of names and email addresses to be sent the link for the virtual hearing.

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Tuesday, May 25, 2021 2:54 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: Beynon 2019-0457

CAUTION: This message from wwilder@bodie-law.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

We can confirm the 17th. I will get the list and email it to you.

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Tuesday, May 25, 2021 2:08 PM
To: Whitney Wilder
Subject: RE: Beynon 2019-0457

Good afternoon,

Yes as of right now the hearings are still virtual. If this date works, I will send out the notice today so that the newspaper can run this in time, please let me know. Also, with the hearing being virtual, in addition to you and Ms. Dare, please email a LIST of names and email addresses of any participants that would need a webex invite link to the hearing sent to them. I will send a notice once you confirm. Thank you.

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Tuesday, May 25, 2021 1:55 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; 'Dare, Elsie' <EDare@beynonsports.com>
Subject: RE: Beynon 2019-0457

CAUTION: This message from wwilder@bodie-law.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.
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Hello,

Just to follow up, is the hearing in person or virtual.

From: Whitney Wilder
Sent: Tuesday, May 25, 2021 11:50 AM
To: Kristen L Lewis; 'Dare, Elsie'
Subject: Beynon 2019-0457

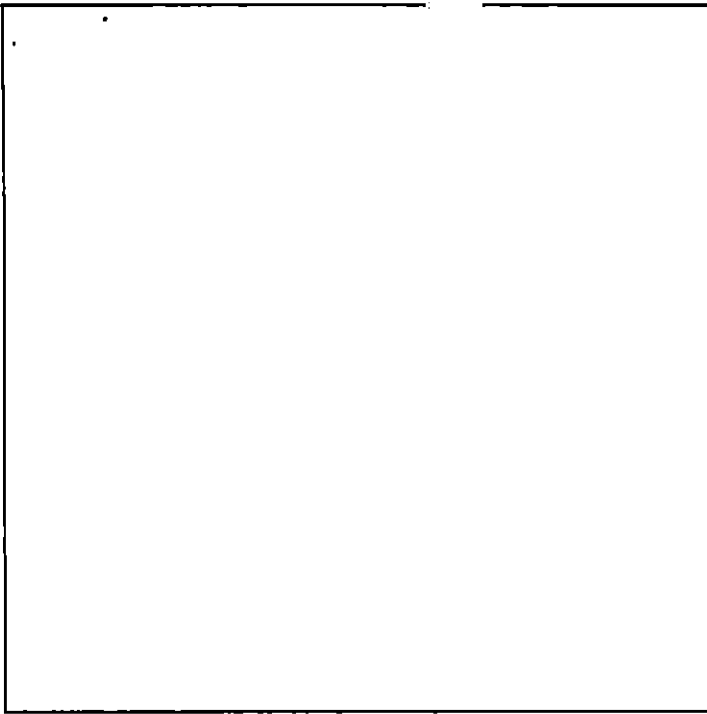
Hello,

Elsie is the contact person for this matter. Her phone number is (443) 391-6318, to contact regarding payment.

She will contact the sign person.

If June 17th at 1:30 does not work for any reason, I will get back in touch with you.

Thank you,



Register for your COVID-19 vaccine today.

CONNECT WITH BALTIMORE COUNTY

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www.baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Wednesday, June 2, 2021 2:54 PM
To: Kristen L Lewis
Subject: RE: LINK -RE: Beynon 2019-0457

Okay, I will invite them. Thanks.

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Wednesday, June 2, 2021 2:46 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: LINK -RE: Beynon 2019-0457

Donna,

They have just another person who needs a invite. Thank you!!

Stephen Schmidt steve@dispersetech.com

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Wednesday, June 2, 2021 1:49 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: LINK -RE: Beynon 2019-0457

Top of Form

Event Information

Event:	Zoning Hearing - Case No: 2019-0457-SPHA-16 Alt Road - Beynon Family, LLC
Type:	Listed Event
Event address for attendees:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC=106050
Event address for panelists:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC=106050
Date and time:	Thursday, June 17, 2021 1:30 pm Eastern Daylight Time (New York, GMT-04:00)
Duration:	1 hour
Description:	Zoning Hearing Case No: 2019-0457-SPHA Address: 16 Alt Road Owners: Beynon Family, LLC
Event number:	172 457 0687
Event password:	1234
Host key:	106050
Alternate Host:	Deb Wiley, Maureen Murphy, Paul Mayhew
Panelist Info:	
Panelist password:	

Panelist numeric password: 178940
Video Address: 1724570687@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 172 457 0687
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Bottom of Form
Top of Form

Bottom of Form

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Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
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16 Alt Road
Owners: Beynon Family, LLC
6/17/21 at 1:30 p.m.

Thank you,

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PAI – Zoning Review

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Hello,

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mrepp@hanoverlandservices.com (Melanie Rapp)

kheindel@hanoverlandservices.com (Keith Heindel)

aeboroch@younginds.com (Anthony Boroch)

edare@beynonsports.com (Elsie Dare)

wwilder@bodie-law.com (Whitney Wilder)

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Subject: Beynon 2019-0457

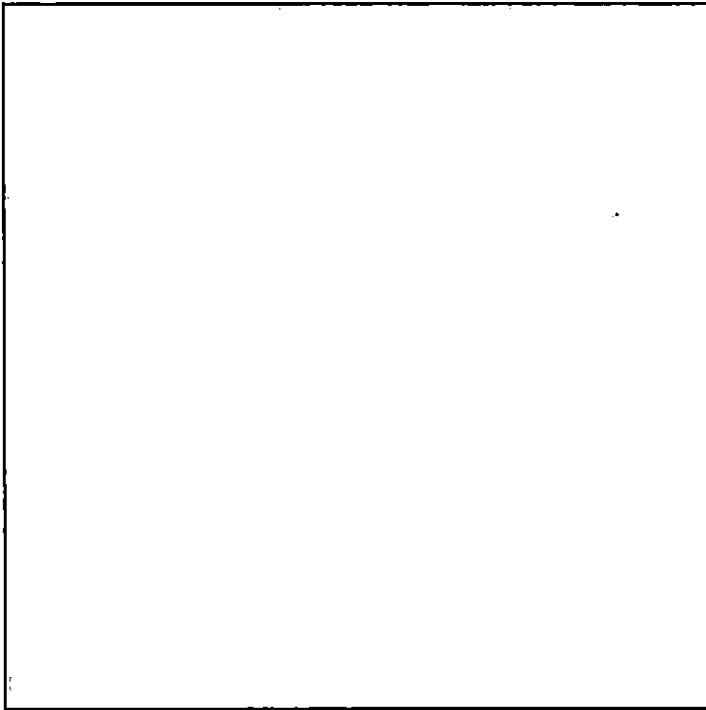
Hello,

Elsie is the contact person for this matter. Her phone number is (443) 391-6318, to contact regarding payment.

She will contact the sign person.

If June 17th at 1:30 does not work for any reason, I will get back in touch with you.

Thank you,



Register for your COVID-19 vaccine today.

CONNECT WITH BALTIMORE COUNTY

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www.baltimorecountymd.gov

6-17-21
1:30 pm
not on
cal.

CERTIFICATE OF POSTING

Date: 5-26-21

RE: Case Number: 2019-0457-SPHA

Petitioner/Developer: Deigna Family LLC

Date of Hearing/Closing: 6-17-21 1:30 PM

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 16 Alt Road

The signs(s) were posted on 5-26-21
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0457-SPHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: FOR INFO, ON HOW TO PARTICIPATE IN THE HEARINGS GO TO
WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS NO LATER THAN 48 HOURS
PRIOR TO THE HEARING DATE. YOU MAY ALSO CALL 410-887-3868 EXT. 0

DATE AND TIME: THURSDAY JUNE 17, 2021 1:30 PM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF A 12-
FOOT DIAMETER WELDED CARBON STEEL TANK (S-0) AND REPLACEMENT
FIRE PROOF/FLOOD PROOF CHEMICAL STORAGE CONTAINER WITHIN THE MD
/CAR FLOOD PLAIN AND WITHIN MINIMUM SETBACK AREA. VARIANCE TO PERMIT
A PROPOSED "SILO" ON THE NORTH SIDE OF THE BUILDING AND A PROPOSED
STORAGE CONTAINER ON SOUTH SIDE OF THE BUILDING WITH SIDE SETBACKS
OF 25 FEET AND 22 FEET, RESPECTIVELY, IN LIEU OF THE MINIMUM
REQUIRED 30 FEET FOR EACH.

CONDITIONS ARE SOME TIME-SENSITIVE
CALL 410-887-3391
OF HEARING UNDER PENALTY OF LAW

ZONING NOTICE

CASE # 2019-0457-SHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LEAD JUDGE
IN TOWSON, MD**

PLACE FOR INFO ON HOW TO PARTICIPATE IN THE HEARING GO
TO WWW.BALTIMORECOUNTYMD.GOV/ADJUDICATIONS/HEARINGS/NO LATER THAN
48 HOURS PRIOR TO THE HEARING YOU MAY ALSO CALL 410.381.3150

DATE AND TIME: THURSDAY JUNE 17, 2021 3:00 PM

REQUEST: SPECIAL HEARING FOR THE CONSTRUCTION OF A 12 FOOT
DIAMETER WELDED CARBON STEEL TANK (1500) AND REMOVAL OF EXISTING
FLOODPROOF CHEMICAL STORAGE CONTAINERS FROM THE LOT FOR REUSE
AND WITHIN MINIMUM SETBACKS AND VARIANCE TO EXISTING ZONING
CUBO ON THE NORTH SIDE OF THE BUILDING AND 7 PROPOSED STORAGE
CONTAINERS ON THE SOUTH SIDE OF THE BUILDING WITH 5 SETBACKS
OF 25 FEET AND 25 FEET RESPECTIVELY IN REAR OF THE BUILDING
REQUIRED 30 FEET FOR EACH

POSTED HERE DUE TO WEATHER OR OTHER CONDITIONS ARE SUBJECT TO BE MOVED
TO CONTRIBUTE TO THE PUBLIC HEARING PROCESS
DO NOT REMOVE THIS SIGN AND LOSS OF ALL RIGHTS OF HEARING WILL BE FORFEITED
HANDICAPPED ACCESSIBLE

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 12005004
 Case #: 2019-0457-SPHA
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2019-0457-SPHA

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:

5/28/2021



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 virtual hearing on the property identified herein as follows

CASE NUMBER: 2019-0457-SPHA

16 Alt Road

West side of Alt Road, 290 ft. south of Cockeysville Road

8th Election District - 3rd Councilmanic District

Legal Owners: Beynon Family, LLC

Special Hearing for the construction of a 12 foot diameter welded carbon steel tank ("silo") and replacement fireproof/ flood proof chemical storage container within the 100 year floodplain and within minimum setback area. Variance to permit a proposed "silo" on the north side of the building and a proposed "storage container" on south side of the building with side setbacks of 25 feet and 22 feet respectively, in lieu of the minimum required 30 feet for each.

Hearing: Thursday, June 17, 2021 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

018

ZONING NOTICE

CASE # 2019-0451-SHA

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE FOR INFO ON HOW TO PARTICIPATE IN THE HEARINGS GO
TO WWW.BALTIMORECOUNTYMDGOVT/PLANNING/NO LATER THAN
48 HOURS PRIOR TO THE HEARING ON ANY SCHEDULED HEARING

DATE AND TIME: THURSDAY JUNE 7, 2021 2:00 PM

REQUEST: SPECIAL VARIANCE FOR CONSTRUCTION OF A 14' X 20' X 10' WELDED CARBON STEEL TANK FOR STORAGE OF FLUOROPOLYMER CHEMICAL WASTE CONTAINERS IN THE INDUSTRIAL ZONE

AND WITHIN A 10' BUFFER ZONE VARIANCE TO BUILD A 10' X 10' X 10' TANK ON THE NORTH SIDE OF THE TANKS - 10' X 10' X 10' TANKS

CONTAINERS ON THE SOUTH SIDE OF THE TANKS - 10' X 10' X 10' TANKS

OR 25 FEET AND 25 FEET POSITIVELY AS TO THE 10' X 10' X 10' TANKS

REQUIRE D 10' FEET FOR EACH

POSTPONEMENTS ARE TO BE MADE PRIOR TO THE HEARING AND NO MORE THAN 10 DAYS PRIOR TO THE HEARING
TO REQUEST A POSTPONEMENT, CONTACT THE PLANNING DEPARTMENT AT 410-386-1000
DO NOT REMOVE THIS SIGN AND CONTACT THE PLANNING DEPARTMENT AT 410-386-1000
HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2019-0457-SPHA

A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE

IN TOWSON, MD

PLACE: FOR INFO. ON HOW TO PARTICIPATE IN THE HEARINGS, GO TO
WWW.BALTIMORECOUNTYMD.GOV/ADMINISTRATIVE LAW JUDGES. NO LATER THAN 48 HOURS
PRIOR TO THE HEARING DATE. YOU MAY ALSO CALL 410-887-2986 SAT. 9

DATE AND TIME: THURSDAY JUNE 17, 2021 1:30 PM

REQUEST: SPECIAL HEARING FOR THE CONSIDERATION OF A 12-

FOOT DIAMETER WELDED CARBON STEEL TANK (C-S-C) D. 200' DIAMETER

FIREPROOF FLOODPROOF CYLINDRICAL STORAGE CONTAINER WITHIN THE 50-

YEAR FLOODPLAIN AND WITHIN MINIMUM SETBACK AREA, SPACING TO 20'

A PROPOSED "SLO" ON THE NORTH SIDE OF THE BUILDING AND A PROPOSED

"STORAGE CONTAINER" ON SOUTH SIDE OF THE BUILDING WITH 5' SETBACK

OF 25 FEET AND 22 FEET, RESPECTIVELY, IN LIEU OF THE MINIMUM

PROPOSED 50 FEET FOR EACH

CONSIDERATION OF THE PROPOSED

11-11-2021

ADMINISTRATIVE LAW JUDGE

CERTIFICATE OF POSTING

Date: 5-26-21

RE: Case Number: 2019-0457-SPHA

Petitioner/Developer: Deynon Family LLC

Date of Hearing/Closing: 6-17-21 1:30 PM

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 16 Alt Road

The signs(s) were posted on 5-26-21
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

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THOMAS J. DOLINA**

CHESTER H. HOBBS, IV

WINN C. FRIDDELL

LOUIS E. GRENZER, JR.*

S. TODD WILLSON*

ARTHUR P. CALTRIDER, JR.*

CHRISTOPHER M. McNALLY

RYAN E. NAUGLE*

JAMES T. SMITH

ANGELA J. SILVERSTEIN

CHRISTOPHER A. BURGOYNE

MICHAEL A. HARMON*

ZACHARY D. SCHLEIN

WHITNEY E. WILDER

CHRISTINA R. STRINGER

DIMITRI C. KOTZIAS*

ZHANNA MAGDA

LILY I. MACKENTY

MATTHEW ULANDER

COLIN SMITH

MICHAEL HOUE

Of Counsel:

THOMAS G. BODIE
WALLACE DANN

*Also Admitted in DC

**Also Admitted in CO & WY

MARTIN J. SMITH
(1938-1992)

July 31, 2020

Baltimore County Office of Zoning
Department of Permits, Approvals, & Inspections
Zoning Review Office
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Case Number: 2019-457-SPHA
16 Alt Road, Baltimore County Maryland 21030
Owner: Beynon Family, LLC

Dear Madam or Sir:

Enclosed please find a supplement of documents for your review in Case Number 2019-457-SPHA.

I would request that a hearing date be set.

Thank you.

Very truly yours,

Whitney E. Wilder, e
Whitney E. Wilder

/es
Enclosure

cc: Beynon Family, LLC

2019-457-SPHA

Debra Wiley

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Friday, July 17, 2020 4:38 PM
To: Debra Wiley
Subject: RE: Case No. 2019-0457-SPHA - 16 Alt Rd. (Beynon Family LLC) - November 8, 2019 Hearing Postponement

CAUTION: This message from wwilder@bodie-law.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thank you I will.

Whitney E. Wilder, Esq.
Bodie, Dolina, Hobbs, Friddell & Grenzer, P.C.
305 Washington Avenue, Suite 300
Towson, Maryland 21204
Wwilder@bodie-law.com
410-823-1250 ext. 125
410-296-0432 (fax)

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Friday, July 17, 2020 4:14 PM
To: Whitney Wilder
Subject: RE: Case No. 2019-0457-SPHA - 16 Alt Rd. (Beynon Family LLC) - November 8, 2019 Hearing Postponement

Good Afternoon,

If this case needs to be amended, those amendments should be delivered to the Office of Zoning Review, which is where the petitions are filed. I believe you can drop off items to their lobby at 111 W. Chesapeake Ave. for Room 111.

Once the amendments are received and distributed to the County agencies, it is then that your case can be scheduled.

Please let me know once you've dropped off the amendments.

Thank you.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Whitney Wilder <wwilder@bodie-law.com>
Sent: Friday, July 17, 2020 3:43 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Case No. 2019-0457-SPHA - 16 Alt Rd. (Beynon Family LLC) - November 8, 2019 Hearing Postponement

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Hello,

Yes, the hearing needs to be scheduled. It was postponed and then it was amended. We have another amendment to bring in and I can bring that by.

But yes, the hearing needs to be scheduled. Thank you.

Whitney E. Wilder, Esq.

Bodie, Dolina, Hobbs, Friddell & Grenzer, P.C.

305 Washington Avenue, Suite 300

Towson, Maryland 21204

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410-823-1250 ext. 125

410-296-0432 (fax)

From: Debra Wiley [<mailto:dwiley@baltimorecountymd.gov>]

Sent: Friday, July 17, 2020 3:42 PM

To: Whitney Wilder

Subject: Case No. 2019-0457-SPHA - 16 Alt Rd. (Beynon Family LLC) - November 8, 2019 Hearing Postponement

Good Afternoon Counsel,

As you may or may not be aware, there is quite a backlog of cases to be scheduled.

Our office is attempting to help Kristen from the Office of Zoning Review and it appears that the hearing scheduled for November 8, 2019 was granted a postponement (see attachment).

In any event, please provide a status update (in writing). And if it's just a matter of needing to be scheduled, please let me know and we'll work on getting that set in.

If we do not hear from you within ten (10) days, this case may be dismissed without prejudice.

Thank you in advance for your understanding.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>

Sent: Friday, July 17, 2020 3:41 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 07.17.2020 15:41:00 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov

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Kristen -
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 Critical Area ☐ Yes
☒ No
☐ Unknown

 Floodplain ☐ Yes
☒ No
☐ Unknown

 DWI ☐ Yes
☒ No
☐ Unknown

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Tax Account Number	Deed Book	Deed Folio
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Related Cases

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Violation Cases

Create New \

Concl Cases
 Related Case Number
(s)

 1997-0309-SPH

 No Violation Cases
Found

No C

Miscellaneous Notes**Miscellaneous Note**

OAH notified Ms. Whitney Wilder on July 17, 2020 requesting a status update regarding scheduling of the case. Per Ms. Wilder on July 17, 2020, hearing needs to be scheduled but they have another amendment. Ms. Wilder was advised by OAH on July 17, 2020 that the amendment needs to be sent to Zoning Review and once amendments are received and distributed to County agencies, case will then be scheduled. As of this writing on August 5, 2020, OAH has not been notified that amendment has

08

 Zoning Case History Database

been delivered to Zoning Review, therefore, case file returned to Kristen Lewis

 DWILEY

Log Out

 Home Hearings Calendar Reports**Hearing / Administrative Variance Information**

Hearing Location	Hearing Date & Time	Hearing Continued From	Hearing Rescheduled From
 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MD 21204 Rm. 205	Friday, November 08, 2019 10:00 AM	-	-

Petition Information

Update Pet

Contract Purchaser

Attorney

Filing Date

Census Tract

Existing Zoning Class

Existing District

North/S Coordin

Requested Zoning Class

Requested District

East/W Coordin

ATTORNEYS AT LAW
BODIE

Bodie, Dolina, Hobbs,
Friddell & Grenzer, P.C.

305 Washington Avenue
Suite 300
Towson, MD 21204
410.823.1250 tel
410.296.0432 fax

10/30/19
Postponement granted per P.M.

October 24, 2019

THOMAS J. DOLINA**

CHESTER H. HOBBS, IV

WINN C. FRIDDELL

LOUIS E. GRENZER, JR.*

S. TODD WILLSON*

ARTHUR P. CALTRIDER

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KATHRYN F. WEINRICH

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ANGELICA A. CARLINER

WHITNEY E. WILDER

IFEANYI EZEIGBO

Of Counsel:

THOMAS G. BODIE

WALLACE DANN

SARAH MANN KOGELSCHATZ

*Also Admitted in DC

**Also Admitted in CO & WV

****Also Admitted in DC, FL and PA

Baltimore County Office of Zoning
Zoning Review
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Case Number: 201-0457-SPHA
16 Alt Road
Owner: Beynon Family, LLC
REQUEST FOR POSETPONEMENT

Dear Madam or Sir:

The above-referenced matter is scheduled for a Hearing on Friday, November 8, 2019, at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson.

The property owners just recently became aware that alterations to the documents previously submitted are necessary. Specifically, the location of the silo needs to be moved. The analysis and plats cannot be completed prior to the Hearing scheduled for November 8.

Therefore, we respectfully request that the hearing be postponed so that additional documents can be submitted.

Thank you for your consideration.

Very truly yours,

WE Wilder

Whitney E. Wilder

WEW:jmh

cc: Beynon Family, LLC

MARTIN J. SMITH
(1938-1992)

C. ARTHUR EBY, JR.
(1925 - 2006)

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

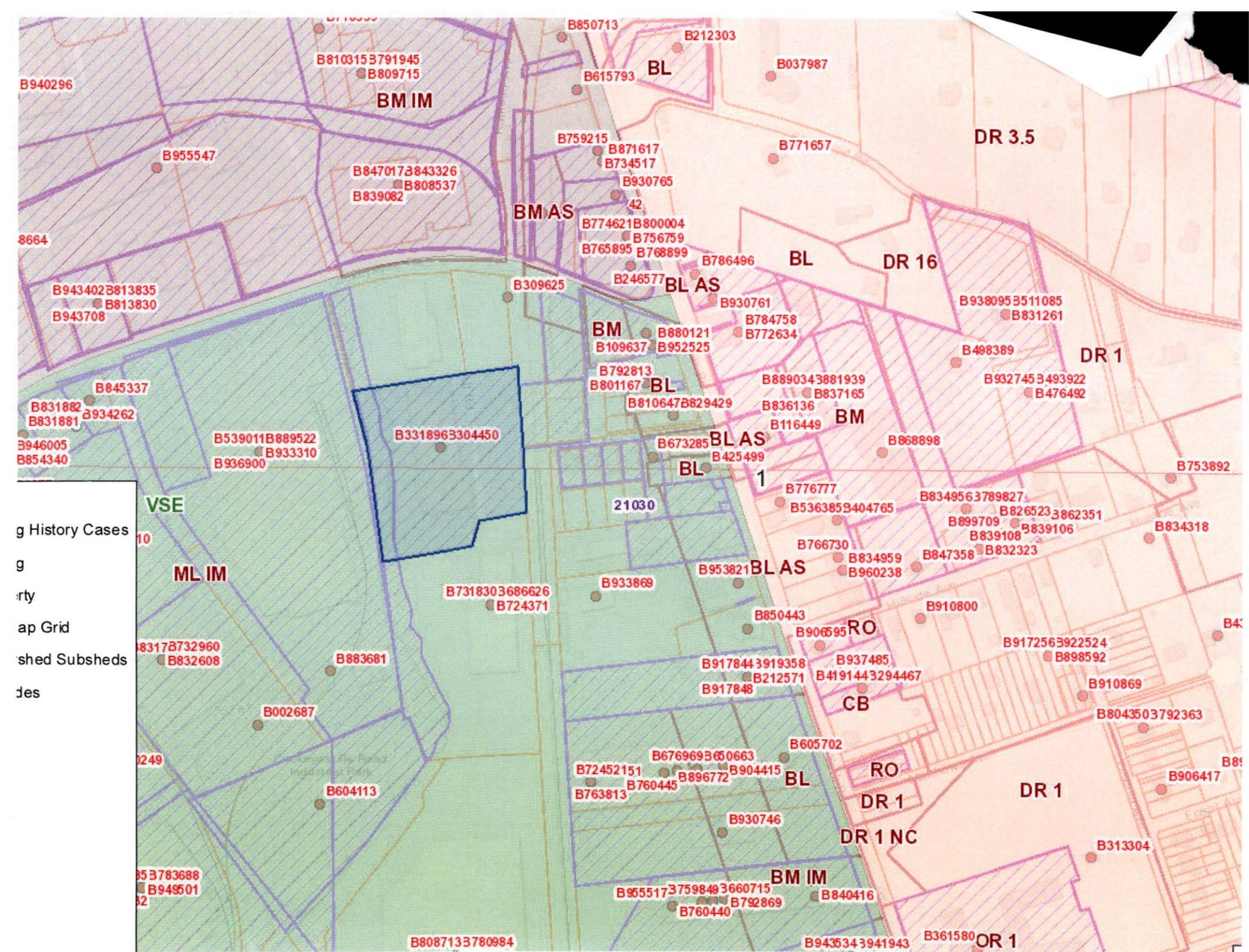
For Newspaper Advertising:

Case Number: 2019-457-SPHA
Property Address: 16 Alt. Rd. Baltimore County Md. 21030
Property Description: _____
Legal Owners (Petitioners): Drew Beynon 1685 Campbell Rd.
Contract Purchaser/Lessee: Forrest Hill, MD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Drew Beynon
Company/Firm (if applicable): See above
Address: " "

Telephone Number: 410-771-9473



Zoning Hearing

June 17, 2021

16 Alt Road Baltimore County, Maryland

Case No.: 2019-0457-SPHA

Exhibit List

Exhibit 1: Flood Plain Analysis

Exhibit 2: Site Plans

Exhibit 3: Authorization Letter

6/23/21
Dm



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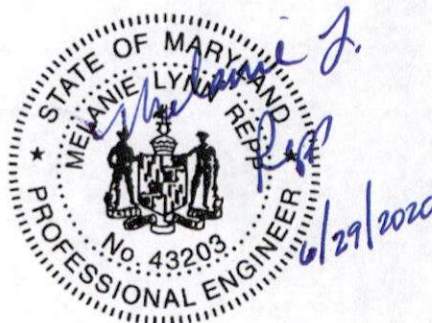
16 Alt Road
Baltimore County, Maryland

June 29, 2020

mrepp@hanoverlandservices.com

HANOVER

585 McAllister Street
Hanover, PA 17331
ph: 717. 637.5674
fax: 717. 633.1987



WESTMINSTER

194 E. Main Street
Westminster, MD 21157
ph: 410.751.8795

PROFESSIONAL CERTIFICATION: I CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 43203, EXPIRATION DATE 12-20-2020.

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1. INTRODUCTION

1.1 *Objective*

This report documents the proposal of a 12-foot diameter welded carbon steel tank (silo) in addition to a fireproof/floodproof chemical storage container and was prepared to accompany a petition for a special hearing seeking a waiver. The petition is to allow the placement of a silo and a fireproof/floodproof container within the 100-year floodplain in addition to allowing both proposed structures to be located within the minimum required setback area.

1.2 *Description of Project*

The project is located at 16 Alternate Road, Hunt Valley, MD. A 12-foot diameter silo is proposed on the northside of the building between an existing chiller and dumpster. The location of the proposed silo was chosen in order to eliminate floodplain impacts and still serve its intended purpose. The silo will be positioned within the conveyance shadow of the building, and therefore, will not impact the base flood elevation. (The conveyance shadow is discussed in more detail later in the report)

In addition to the tank, a 9'-4" x 19'-4" flammable/floodproof container is proposed to replace the existing fenced area currently utilized for chemical storage.

The proposed container will improve conditions during a flooding event by eliminating the risk of contamination. Hazardous chemicals will be stored in the proposed floodproof container rather than within the fenced area where flood waters can reach the barrels. Additionally, the existing fencing, which currently traps debris during a flooding event will be removed, adding to the benefits of the proposed container.

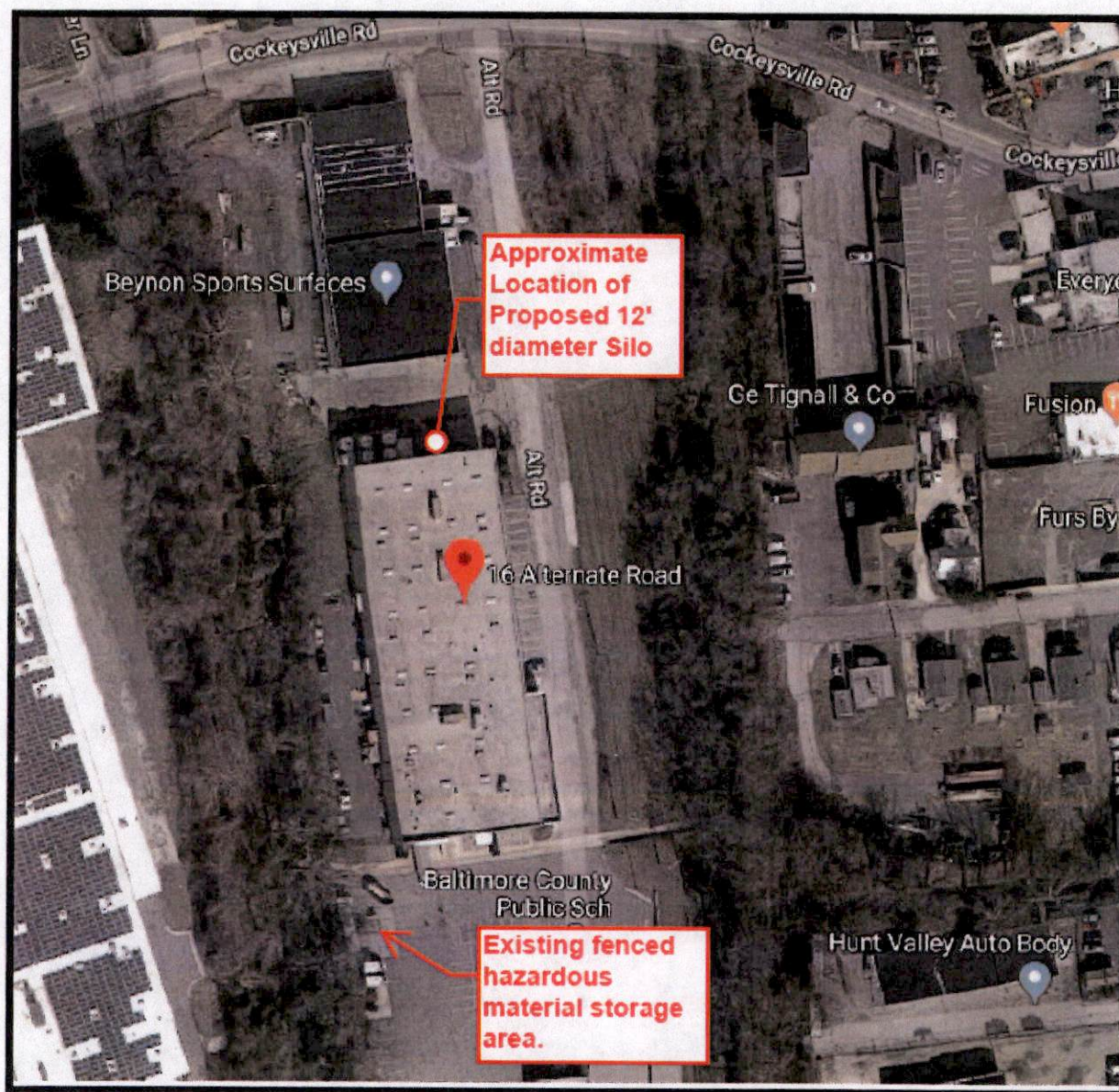


Figure 1 – Location Map

1.3 Soils and Land Uses

The existing land use/cover within the site area consists primarily of impervious area associated with the existing industrial use of the property.

Based on the latest Web Soil Survey data for Baltimore County prepared by the USDA Natural Resources Conservation Service (NRCS), the soil classification is Ur, urban land 0 to 8 percent slopes, which is classified as Hydrologic Soil Group D. Figure 2 illustrates the approximate site area and soils.

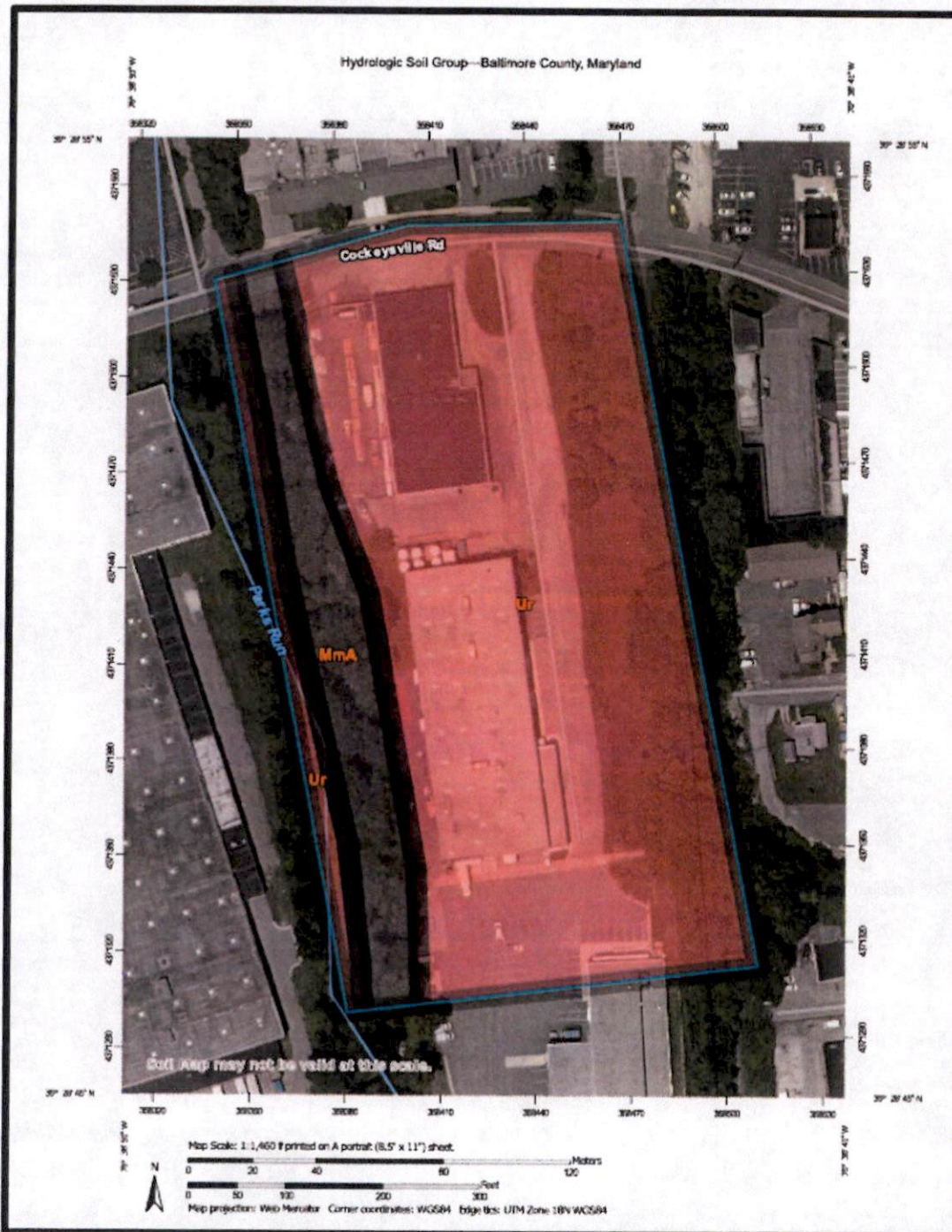


Figure 2 - Soil Map

1.4 MD Stream Use Designation and Wetlands

The project is located within the Loch Raven Reservoir Watershed (MD 8 Digit Watershed 02-13-05-05). Parks Run flows from south to north adjacent to the site into Beaverdam Run. The drainage area for the entire project site is designated as MD Stream Use III-P.

There are no wetlands or Waters of the U.S. within the project area.

1.5 100-Year Floodplain and Chesapeake Bay Critical Area

The project site is located within a FEMA Zone A per FIRM Panel 2400100235F, Revised September 26, 2008. Figure 3 illustrates the Flood Risk Map per www.mdfloodmaps.org.

Flood Risk Map

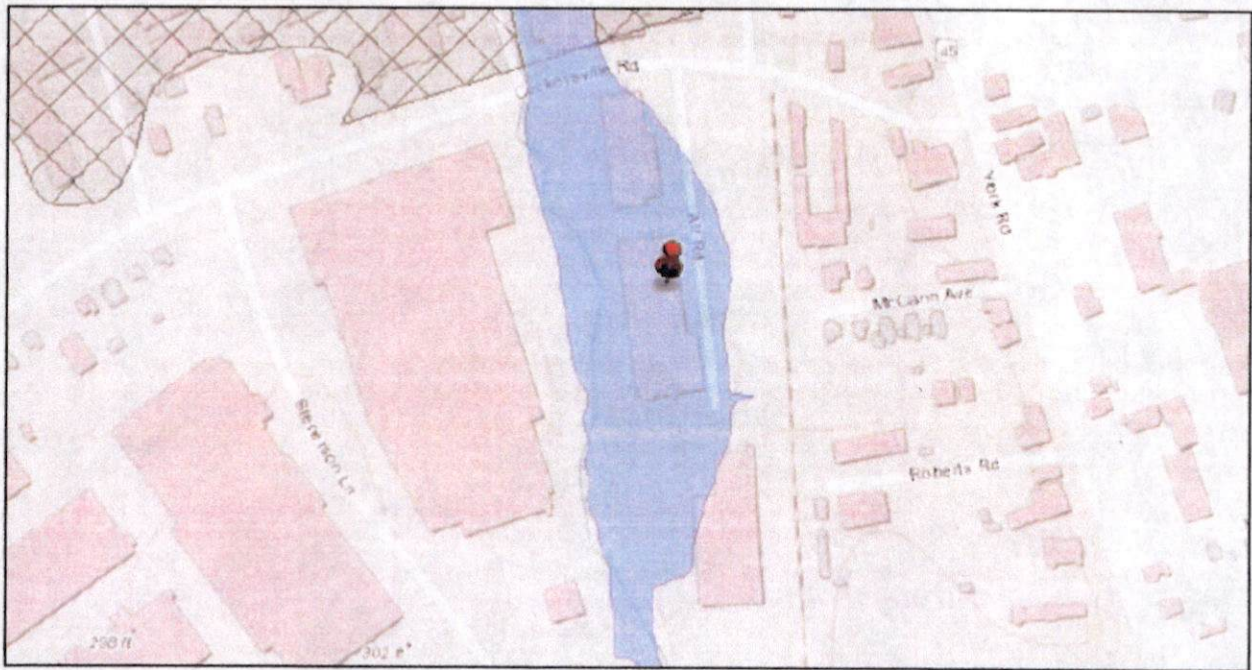


Figure 3 – Flood Risk Map

2. PROJECT DETAILS

2.1 Proposed Silo

Details

In order to eliminate impacts to the FEMA Floodplain, the silo is proposed to be located within the conveyance shadow (discussed later) of the existing building in addition to being elevated a minimum of 1.0' above the BFE (base flood elevation).

The proposed silo will be constructed from welded carbon steel. It will have an outside diameter of 12-feet and a height of 48.5-feet and be elevated a minimum of 1.0' above the BFE by a four-leg support, braced on four sides and supported by an engineered foundation.

BFE Determination

The BFE was computed using the simplified method of contour interpolation as outlined in the FEMA Publication *Managing Floodplain Development in Approximate Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*. Excerpt from this publication is shown below:

Determining BFEs for Riverine flooding:

On each side of the stream in the vicinity of the site, determine the ground elevation at which the superimposed Zone A boundary lies by interpolating between two contour lines. Add one-half of the map contour interval to the lower of the two interpolated elevations. This is the approximate BFE for the site (be sure to perform this method at each structure location).

By adding one-half of the contour interval to the lowest interpolated water-surface elevation, two things are achieved: 1) the final BFE is within one-half of the contour interval of both interpolated water-surface elevations and, therefore, is still within the acceptable tolerance of the topographic map (generally regarded as $\pm$ one-half of the map contour interval); 2) it is a conservative estimate of the BFE. If the BFE determined under this procedure seems too high, then a detailed analysis may be performed to justify lowering it.

The effective FIRM shown overlaid on current county topo was utilized to determine the right and left overbank water surface elevations at the upstream location of the proposed tower. These elevations must be within one-half of the map contour interval (1.0-foot) in order for the simplified method to be acceptable. The elevations were determined to be 260.2 for the left overbank and 259.8 for the right overbank. The difference of 0.4' is less than half the contour interval, thereby meeting the requirements to utilize this method.

The BFE was then determined by adding one-half the contour interval (1.0-feet) to the lower of the two elevations, 259.8, resulting in a final BFE determination of 260.8. The tower will therefore be required to be elevated to a minimum elevation of 261.8.

Figure 4, located in the following section, shows the topographic map utilized to determine the BFE.

Silo Placement

The silo will be located within the conveyance shadow of the existing building. The conveyance shadow is an area immediately above or below a building or other obstruction around which flood waters must flow. Below obstructions, this area is defined by a line drawn at a 4:1 ratio from each outside edge of the obstruction until they intersect. The resulting area is an area subject to ineffective flow where flood waters are not being actively conveyed downstream. Minor projects located within this area will not obstruct the flow of floodwaters, and therefore, will not impact the BFE.

The conveyance shadow was determined utilizing guidelines published by FEMA titled: *Managing Floodplain Development Through the National Flood Insurance Program, Unit 5*. The excerpt below can be found on pages 5-23 & 5-24 of said guidelines.

Minor projects: Some projects are too small to warrant an engineering study and the certification. Many of these can be determined with logic: a sign post or telephone pole will not block flood flows. A driveway, road or parking lot at grade (without any filling) won't cause a problem, either.

Building additions, accessory buildings, and similar small projects can be located in the conveyance shadow. This is the area upstream and downstream of an existing building or other obstruction to flood flows. Flood water is already flowing around the larger obstruction, so the addition of a new structure will not change existing flood flow.

NFIP Requirements

5-23

Determining the limits of the conveyance shadow is illustrated in Figure 5-6. Small structures located completely within the shadow can be permitted without the engineering analysis needed for a no-rise certification.

Note: Just because a small structure can be located in the conveyance shadow, it is still preferable to keep all development out of the floodway. Don't forget: all buildings must be elevated or otherwise protected from the base flood.

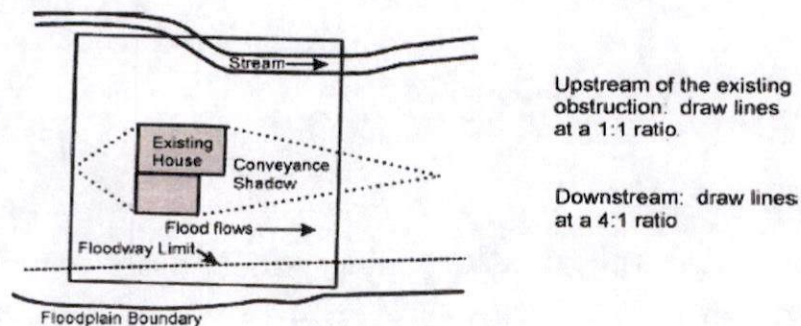


Figure 5-6. Determining the conveyance shadow

The conveyance shadow was determined by drawing a line at a 4:1 ratio from the right corner of the building and from the corner of the containment area on the left side of the building.

The exhibit shown below illustrates both the conveyance shadow and the BFE determination.

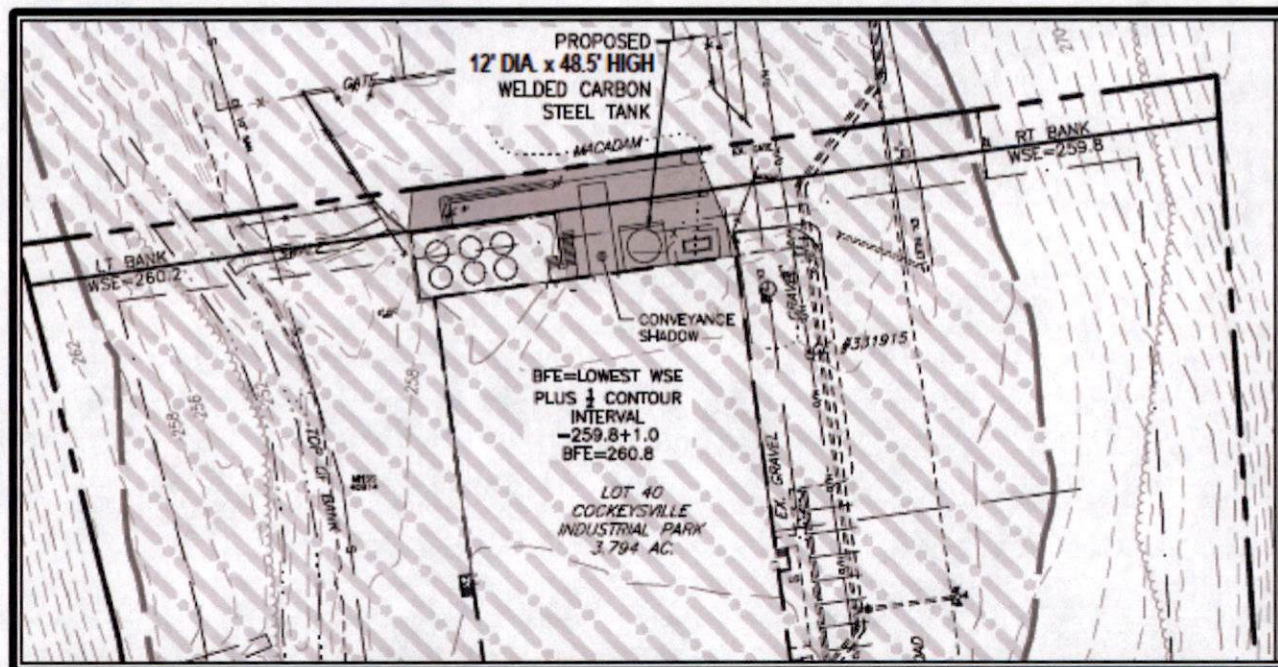


Figure 4 - Conveyance Shadow and BFE Determination

Certifications

Certifications are included in Appendix B from both Imperial Industries Inc. (Young Industries) for the silo and Providence Engineering Corp for the foundation/support design certifying that each will be able to withstand flooding conditions.

2.2 Proposed Chemical Storage Container

The proposed fireproof/floodproof chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Therefore, there will be no floodplain impact as a result of its installation. More importantly, site conditions relative to flooding events will be improved by replacing the fenced storage area with a permanent floodproof container. Thereby eliminating the likelihood of contamination of flood waters and eliminating undesirable fencing which traps debris.

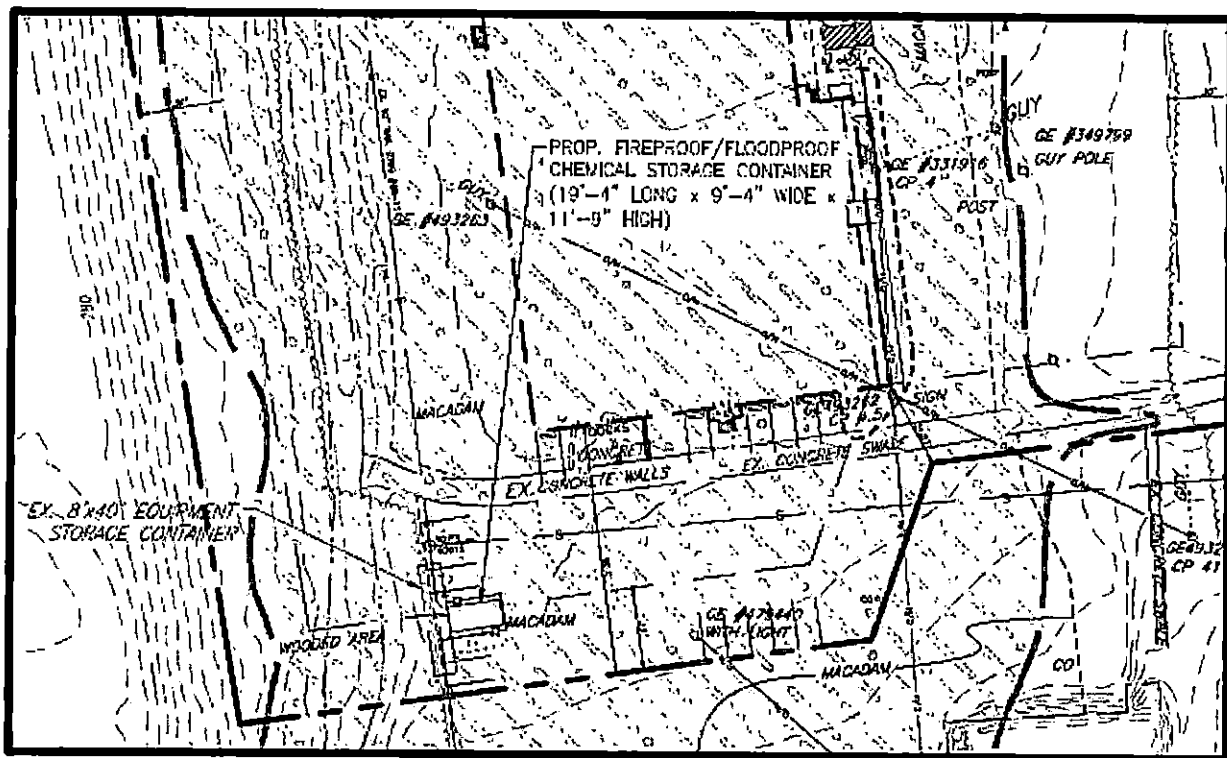


Figure 5 - Proposed storage container location

3. ZONING HEARING PETITION

3.1 Special Hearing

A Special Hearing will be required to allow new construction within the regulated 100-year FEMA floodplain. The proposed silo location was selected because it is within the conveyance shadow, and therefore, will not impact the base flood elevation. Justification to support the petition will include the original proposed location of the tank, the alternative locations reviewed and explanations as to why those alternative locations were or were not feasible (located in Appendix A). The current proposed location was one of the alternative locations considered.

The proposed chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Justification to support the petition will include how the proposed floodproof container will not impact the BFE and will improve conditions during a flooding event.

3.2 Setback Variance

The Subject property is located within ML-IM zoning district for which the side setback requirement is 30-feet. There is only 39-feet available from the existing building to the property line on the north side of the building where the silo is proposed to be located. Therefore, a variance will be required to allow the silo to be placed partially within the setback area. The justification to support the request will include the benefits of locating the silo as shown on the proposed plans compared to the only other feasible locations which would be located within the effective flow area of the floodplain and possibly negatively impacting the base flood elevation.

A Variance will also be required for the proposed storage container to be located within the side setback area. Justification to support the request will include discussion of the existing fenced area and the benefits of replacing this area with a floodproof container to be located in the same location. Due to garage doors on the existing equipment storage container, the proposed container cannot be located further north, outside of the setback area.

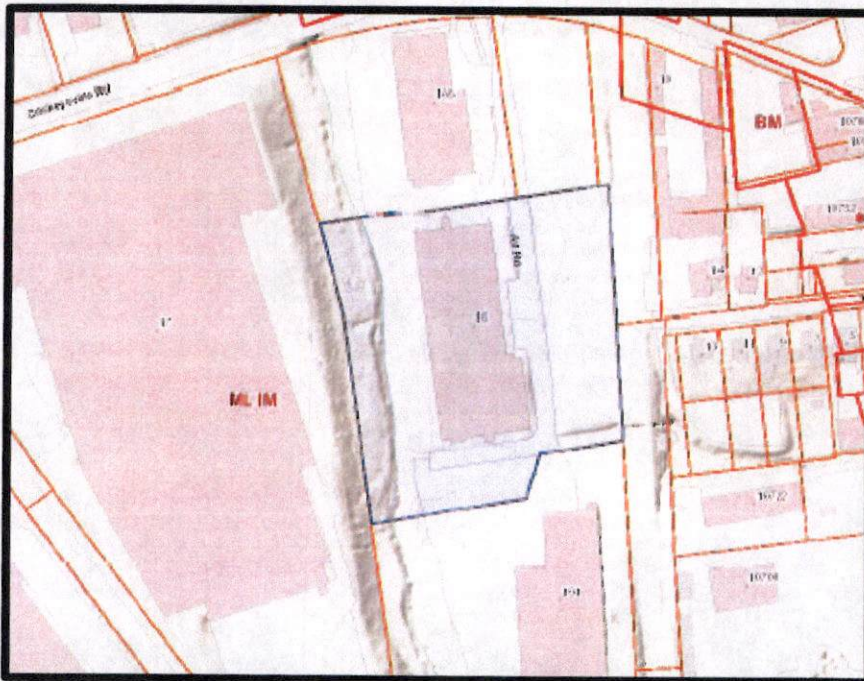


Figure 6 - Zoning Map

4. CONCLUSIONS

By utilizing guidance documents published by FEMA, the BFE was determined for the location of the proposed silo. The silo is proposed to be located within the conveyance shadow of the existing building in order to eliminate any negative impacts to the 100-year regulated floodplain. Additionally, it will be elevated a minimum of 1.0' above the base flood elevation as required.

Per guidelines published by FEMA titled: Managing Floodplain Development Through the National Flood Insurance Program, Unit 5, minor projects located within the conveyance shadow will not change the existing flood flow and therefore do not warrant an engineered study. The limits of the conveyance shadow were determined utilizing these guidelines and the proposed silo located within this area.

It can therefore be concluded that the proposed location of the silo will not negatively impact the regulated 100-year floodplain.

Additionally, the proposed fireproof/floodproof container will improve conditions within the 100-year floodplain by eliminating the risk of contamination during a flooding event while also eliminating undesirable fencing that traps debris. By locating the proposed container in the same location of the existing fenced area, the impact to the regulated 100-year floodplain will be eliminated.

APPENDIX A
Alternative Silo Location Analysis

Dry Holding Tank/Tower Response – Response to Alternative Locations

Option 1 – Not a good location. There are actually a total of six tanks containing polyols and/or castor oil, all vegetable based oils. There is NOT sufficient room within the existing containment area to install the new tower. The existing tanks contain liquids and must be located within the secondary containment structure. We have a Spill Prevention Control and Countermeasures (SPCC) Plan which defines what controls and processes we have in place to prevent a leak. The containment area must be able to contain 110% of the volume of one of the tanks in the event of a tank failure. If there was space to build the tower in the containment area, that would reduce the overall storage capacity of the containment structure.

Option 2 – Yes, this is a suitable and desirable location as long as the tower is constructed on the western-most portion of the highlighted area (Closest to Option #3 - Red Dot). This area contains a Spill Berm with a flow control valve that is designed to contain the volume of the largest compartment of the tanker trucks that drop off polyols on a daily basis. The spill berm is listed as spill control device in our SPCC Plan. If constructed in this location, the tower would need to be elevated in order to allow normal storm water flow. In fact, this area is subject to heavy sediment deposits after rain events. As part of the construction planning, we would attempt to implement a control or a feature that would allow for better drainage limiting the sediment buildup. This location is in close proximity to where the stored materials will be utilized inside the building and would require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building. **UPDATE: There may not be sufficient room for the proposed foundation for the silo at this location.**

Option 3 – Yes, this is a suitable location. The tower would be constructed as close to the containment berm and containment wall as possible based upon the recommendations of the engineers and installers. To address Option 9, yes we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain. This location is in close proximity to where the stored materials will be utilized inside the building and will require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building. Unlike Option 2, this area is currently NOT paved and serves as a vegetative buffer for storm water pollution control. Constructing the tower here would destroy a portion of the buffer and create additional impermeable surfaces in close proximity to the adjacent stream.

Option 4 - Not a good location. There is a parking area in this location. It was constructed using permeable pavement materials to limit runoff that could pollute the stream on the western portion of our property. Additionally, if installed here, we would need to construct an elaborate piping system to move the materials to our blenders and mixers located in the corner of the building where we have proposed installing the tower. In addition to significantly increasing the cost of the project, this would also increase the risk of a release of the material in the event of a pipe failure. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan, a requirement of our NPDES Permit.

Option 5 - Not a good location. There are transfer ports in this location where tanker trucks drop off polyols that are stored in tanks inside of our building along the eastern wall and where tanker trucks pick up finished materials that are shipped weekly to one of our affiliate companies. Also, our chillers and the electric transformer are located in this area. This area includes a few trees and grass that help control storm water runoff.

Option 6 - Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. This area is also the location of our two loading docks. During our peak season, we have close to 20 tractor trailers either picking up finished products, or dropping off raw materials. As it stands now, the trucks have a difficult time accessing the loading docks.

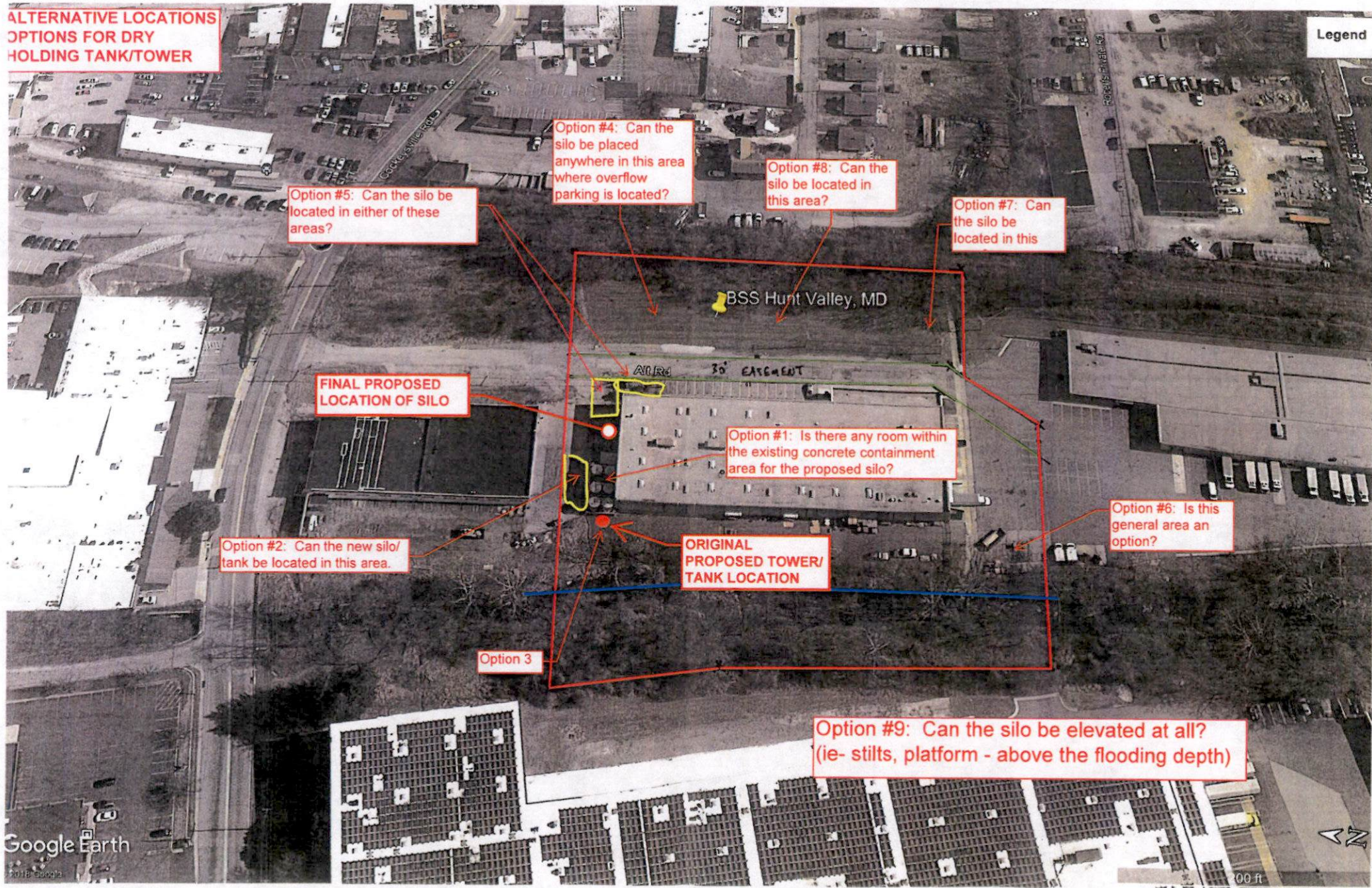
Option 7 - Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. There is a large storm water culvert in this area that channels all of the storm water from York Road and the adjacent Baltimore County Schools Facility. During a heavy rain event, this culvert becomes a "river." Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.

Option 8 - Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.

Option 9 - As indicated in the response to Option 3, yes, we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain.

**ALTERNATIVE LOCATIONS
OPTIONS FOR DRY
HOLDING TANK/TOWER**

Legend



APPENDIX B

Silo Design & Certification Letters



IMPERIAL INDUSTRIES INC

P.O. Box 1685
Wausau, WI 54402-1685
Phone: 715-359-0200
Toll Free: 800-558-2945

E-Mail: Joshua@imperialind.com
Website: <http://www.imperialind.com>

Young Industries
16 PAINTER STREET
MUNCY, PA 17756
UNITED STATES
c/o Anthony Boroch

Anthony,

This letter is to acknowledge that the silo being quoted to you by Imperial Industries, INC. under quote number 109378-02, and that is intended to be erected in Hunt Valley, MD, will be designed and fabricated such that it will resist the forces present during a flood event.

If you have any questions or would like to further discuss this requirement, please feel free to contact me.

Regards,



IMPERIAL
INDUSTRIES INC

Troy Hanson

Engineering Manager

P: (715) 348-8702 | T: (800) 558-2945

C: (715) 297-8232 | F: (715) 355-5349

email: troy@imperialind.com

web: www.imperialind.com

550 W Industrial Park Ave. | Rothschild, WI 54474



DESIGN CRITERIA

Support Column Wide Flange Supported, Allowable Stress from manufacturing standard, Engineering & Design Per ES-1000

Tank Dimensions

Tank Diameter: 12'-0"
Eave Height: 47'-6"
Overall Height: 48'-6 11/16"
Cylinder Height: 28'-4 3/4"

Usable Capacity: 3,211 Cu. Ft.
Hopper Angle: 60°
Discharge Size (Conical): Ø4'-0"
Discharge Clearance: 12'-0"
Interior Design Pressure: 0.50 PSI
Exterior Design Pressure: 0.03 PSI Vacuum

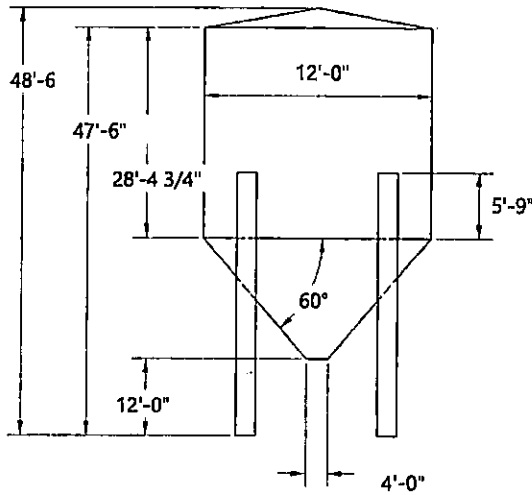
Tank Loads

Code Name: IBC 2018
Risk Category: Risk Category II
Seismic Importance Factor: 1.00
Soil Class: D
Roof Load (Snow Load): 30.00 PSF
Wind Speed: 110.00 MPH
Wind Exposure: C
Tank Weight (Dead Load): 14,100 Lbs.
Material Load (Live Load): 144,488 Lbs.
SS: 0.149 S1: 0.044
Unbraced Length: 1'-0"

Material Characteristics

Material Name: Calcium Carbonate (45) (45)
Density: 45.00 Lbs. per Cu. Ft. Angle of Repose: 45°
Internal Friction: 22° Pressure Coefficient: 0.33
Freeboard Height: 0'-0"

Need MTRs: No



Roof 10'	3/16" A36
Cylinder 1	29'-1 7/8" 3/16" A-36
Hopper 60°	3/16" A36
Legged Material	A36 Carbon Steel
Base Plate Material	A36 Carbon Steel

STANDARD ACCESSORIES

- Lifting Lugs Included
- (2) 9/16" Holes in Support for Grounding per NFPA 780, Grounding Rods and Connectors By Others
- All Fasteners To Be ASTM A-449 With Electro/Zinc Finish Per ASTM B-633
- Anchor Bolts Are Not Included

WELDING & GRINDING STANDARDS

- Welding Class 2 Per ES-500
- Interior Grinding Class 1 per ES-520
- Exterior Grinding Class 1 per ES-520

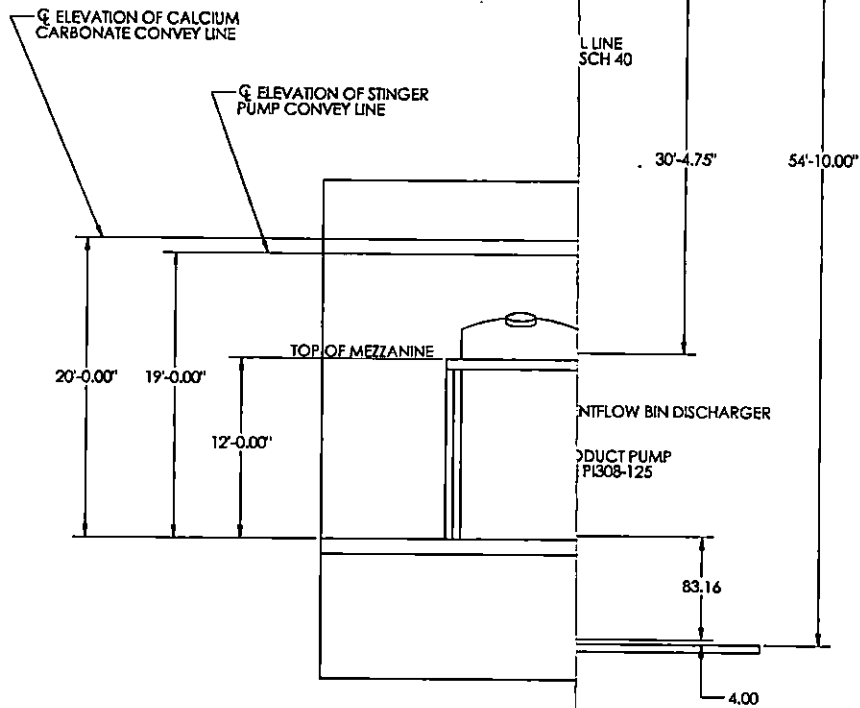
CLEANING & FINISHING STANDARDS

- Interior Cleaning Class 0 per ES-510
- Interior Finish - Plain
- Exterior Cleaning Class 1 per ES-510
- Exterior Finish - Grit Blasted Per SSPC-SP6 (Commercial Blast)

INSPECTION STANDARDS

- Manufacturing Tolerances Per ES-531
- Inspection 100% Visual Per IMP-111

The Above Standards And Accessories Are Included In The Base Tank Assembly. Upgrades And Additional Accessories For Your Application Are As Follows



REV.	DESCRIPTION	DATE	BY
REVISIONS			
CUSTOMER:			
CUSTOMER PO NUMBER:			
YOUNG JOB NUMBER:			
TITLE			
ELEVATION VIEW CALCIUM CARBONATE SILO SYSTEM & FILTER BAG DUMP / STINGER PUMP SYSTEM			
			
INDUSTRIES, INC. MUNCT, PA 16801-1756 TELEPHONE: 814-344-3145			
DRAWN BY: AEB		DATE: 03/27/20	
CHECKED BY:		SCALE: 1:75	
DRAWING NUMBER		SHEET	REV:
S-19-0448-03		1 OF 1	00

GENERAL TOLERANCES

UNLESS OTHERWISE SPECIFIED THE FOLLOWING SHALL APPLY

MACHINING - .004" .002" .001" .0005" ANGLES - .50°

SURFACE ROUGHNESS HEIGHT 63 MICROINCHES OR LESS

FABRICATION - UNDER 4" 4 TO 24" 24 TO 60" OVER 60"

± .06 ± .12 ± .19 ± .25

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

March 26, 2020

Beynon Sports Surfaces
16 Alt Road
Hunt Valley, MD 21030
Attn: Elsie Dare

Re: Calcium Carbonate Silo Foundation – Flood Design Confirmation
Beynon Sports Surfaces
16 Alt Road
Hunt Valley, MD 21030
Project #200437

Dear Elsie:

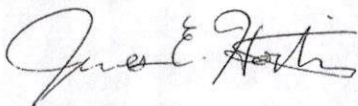
Per your request, Providence Engineering Corporation (Providence) is confirming that the design of the calcium carbonate silo foundation, as detailed on Providence's "Issued for Construction" drawings dated 03/24/20, takes into account all flood loads required by ASCE 7-10 (American Society of Civil Engineers Minimum Design Loads for Buildings and Other Structures).

Per Hanover Land Services, the proposed silo foundation is located in the conveyance shadow of the building and therefore is reasonably subjected to reduced, even negligible, hydrodynamic and impact loads, in addition to the required hydrostatic loads. Hydrodynamic loads are directly related to the water velocity and in the conveyance shadow water velocities will be greatly reduced. Thus, Providence found that the required hydrodynamic load on the foundation is negligible. Similarly, impact loads are directly affected by the water velocity, as well as a host of other factors including a "blockage coefficient". With the building blocking the flow of water and in turn flood debris, and with the silo location with respect to the building, the required impact load was found by Providence to be zero (0).

Geometry was the main controlling factor behind the design of the piers and mat foundation. As such, the piers and mat foundation are more than capable of safely supporting the silo during the design flood event.

We appreciate the opportunity to be of service to you. If you need any further information or have any questions, please contact us.

Sincerely,



James E. Horting, P.E.
Senior Project Manager

A. BUILDING CODES AND STANDARDS

- ### C. CONSTRUCTION

1. GENERAL

- #### D. FOUNDATION

- #### E. CAST-IN-PLACE CONCRETE

2. MATERIALS
- a. CONCRETE SHALL HAVE THE FOLLOWING MINIMUM PROPERTIES

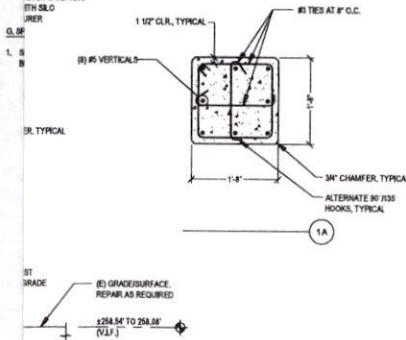
- E. CA



4. IN

F. M. S.

1. D
2. M
3. G

ETER ANCHORS.
THE FINAL SETTING

E. CAST-IN-PLACE CONCRETE

2. MATERIALS
- a. CONCRETE SHALL HAVE THE FOLLOWING MINIMUM PROPERTIES

- 
- PROVIDENCE**
ENGINEERING CORP.
- 33 South Main Street
Muncy, PA 17756
Phone: 570-975-4129
Certificate Number: 3885



Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 44111, Expiration Date: 2021-06-15

REVISION		DATE	BY
6	ISSUED FOR CONSTRUCTION	03/24/23	JEH
5			
4			
3			
2			
1			

BEYNON SPORTS SURFACES

16 ALT ROAD
MOUNT VALLEY, MD 21030

GENERAL STRUCTURAL NOTES,
FOUNDATION PLAN, AND SECTION
CALCIUM CARBONATE SILO FOUNDATION

16 ALT ROAD
MOUNT VALLEY, MD 21030

DRAWN BY:	CRC
CHECKED BY:	JEH
DATE:	03/24/20
SCALE:	AS NOTED
JOB NO.:	200437
SHEET:	S101
REVISION 0	

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**CALCIUM CARBONATE SILO
BEYNON SPORTS SURFACES
BALTIMORE COUNTY, MARYLAND**

**HERBST/BENSON & ASSOCIATES
GEOTECHNICAL ENGINEERS**

December 9, 2019

Hanover Land Services
585 McAllister Street
Hanover, Pennsylvania 17331

Attention: Mr. Doug Barmoy

Re: Calcium Carbonate Silo
Beynon Sports Surfaces
Baltimore County, Maryland

Gentlemen:

We have completed our geotechnical study for the proposed calcium carbonate silo. The purpose of the study has been to determine geotechnical design criteria and construction recommendations for the proposed silo foundation. The methods of explorations and tests, the subsurface data, the laboratory test results, and our conclusions and recommendations concerning the above-noted geotechnical aspects of the proposed construction are presented in the following sections of the report.

I. SUBSURFACE EXPLORATORY PROGRAM

The subsurface exploratory program consisted of one standard penetration test (SPT) boring, B-1, located as shown on PLATE 1, BORING LOCATION PLAN AND PROFILE. The boring was drilled with a truck-mounted drilling rig using continuous flight, helical augers to advance the borehole to the planned termination depth of 25 feet. Standard penetration testing and split spoon soil sampling were performed at regular intervals as the boring was advanced.

The information obtained from the boring is presented on PLATE 1. The method of classification used to prepare the soil descriptions for the boring profile is shown on CLASSIFICATION OF SOILS included in the back of this report.

II. LABORATORY TESTING

A sample of the upper founding soil was classified by sieve gradation and Atterberg limits testing. Moisture content testing was performed on all recovered soil samples. The test results are presented as follows:

TABLE 1, CLASSIFICATION TEST DATA
PLATE 1, BORING LOCATION PLAN AND PROFILE
(existing moistures in brackets on left side of boring column at appropriate
sample depth)

III. SITE DESCRIPTION

The project site is the existing Beynon Sports Surface manufacturing facility located off the end of Alt Road in the Hunt Valley area of northern Baltimore County. The new storage silo will be located in the flat paved area along the back of the building close to the northeast building corner.

IV. SITE GEOLOGY

The Geologic Map of the Cockeysville Quadrangle, Maryland compiled by the Maryland Geological Survey in 1975 shows the project area to be underlain by the Cockeysville Marble bedrock formation. The soils in this area are residual in origin, having been formed from in-place weathering and decomposition of the underlying bedrock formation. A characteristic of the formation is pinnacle bedrock weathering, where the depth to bedrock can vary greatly over relatively short horizontal distances.

V. SUBSURFACE MATERIAL

The paving at the boring location was found to consist of 3 inches of hot-mix asphalt over 10 inches of crushed stone base. No fill was evident below the paving.

The soil below the pavement is a 2-foot thick stratum of gray-brown, stiff, moist, low plasticity silt & clay with nearly equal sand content (ML), overlying a similarly colored layer of medium dense, very moist to wet sand with rock fragments (SM) to a depth of about 9 feet. From the 9-foot depth to the bottom of the boring, light gray and tan, very dense, wet sand and rock fragments (SM) are penetrated with difficulty. The (Decomposed Rock) designation on the boring profile indicates that the residual relict structure of the parent marble bedrock mass can be observed in the recovered soil samples.

VI. GROUNDWATER

While drilling, groundwater was noted on the drill rod about 4 to 5 feet deep, but the water surface in the borehole was 1.7 feet below grade at completion of drilling and one day later. Additionally, the recovered soil samples were very moist at a depth of 4 feet and wet below the 6-foot depth.

It is possible, but not a certainty, that the groundwater is under excess hydrostatic pressure in the light colored sand and rock fragment layer confined by the upper finer-grained soil. When the confining layer is penetrated, the water flows up through the hole to reach equilibrium.

These readings represent conditions at the time of the test boring program. Groundwater levels will tend to vary with changes in precipitation, typically rising during the late winter, spring and early summer seasons, and receding through the remainder of the year.

VII. PROPOSED CONSTRUCTION

The calcium carbonate storage silo will be 46 feet tall and 12 feet in diameter supported by four braced legs or columns on a 16-foot square concrete mat foundation. Information from the tank supplier states that the tank structure plus a full silo of product weighs about 295,000 pounds. On the planned mat foundation the resulting applied pressure will be a 1,200 PSF.

VIII. SILO SUPPORT RECOMMENDATIONS

The boring information shows that the planned mat foundation will be adequately supported in the undisturbed native soil at or below the 30-inch frost depth required by local code. The mat foundation grade should match the grade of the adjacent building wall footing, but the new foundation should be isolated from the building foundation by a construction joint. There could be challenges to foundation construction depending on the actual groundwater conditions in the foundation excavation (see Section VI).

During initial excavation, the extent of required groundwater control can be evaluated. Heavy flow would require a series of shallow trenches and pits with pumps likely will be needed to control groundwater. If the groundwater is a confined artesian condition and the water bearing layer is not penetrated, less extensive control methods may be adequate.

The foundation excavation should be deepened an additional 3 inches below planned bottom-of-mat elevation. Once a firm, stable surface is obtained in undisturbed native soil and the soil is tested for adequate bearing, a 3-inch thick concrete "mud" mat should be placed across the bottom of the excavation. This non-structural concrete mat will allow placement and tying of steel reinforcement without disturbing and compromising the strength of the founding soils.

IX. EXCAVATION CHARACTERISTICS

The boring shows that the mat excavation can be completed with normal soil excavation techniques. Groundwater could be an issue in construction as described in the previous sections of the report.

X. GEOTECHNICAL MONITORING AND TESTING

We recommend that Herbst/Benson & Associates be retained to provide the geotechnical monitoring and testing services during foundation construction. This is to observe compliance with design concepts, specifications or recommendations and to allow design changes in the event that subsurface conditions differ from those anticipated prior to the start of construction.

Prior to construction a mud mat, the open foundation excavation shall be examined and the exposed soil conditions approved for a design bearing pressure of at least 2,000 PSF in undisturbed native soils. The in-place steel reinforcement should be checked for compliance with the approved design and the concrete placement observed with testing performed to check compliance to the design requirements. We can provide the indicated construction phase services along with on-call geotechnical engineering consultation services as needed during construction.

XI. GENERAL CONDITIONS

This report has been prepared in accordance with generally accepted geotechnical engineering practice to aid in the evaluation and design of this project. In the event of changes in the proposed construction (types, elevations, locations, etc.), the conclusions and recommendations presented in this report should not be considered valid unless changes are reviewed and the conclusions of this report are modified or approved in writing by our office.

The analyses and recommendations included in this report are based upon the data obtained from the test boring performed at the approximate location indicated on the boring location plan. This report does not reflect variations which may occur away from the boring. The nature and extent of the variations may not become evident until the time of construction. If significant variations then become evident, it may be necessary for us to reevaluate the recommendations of this report.

In the process of obtaining and testing samples and preparing this report, procedures were followed that represent reasonable and accepted practice in the field of geotechnical engineering. Specifically, a field log was prepared during

the drilling operations that describe visual soil classifications, soil stratification, groundwater observations, and other information. Each soil sample obtained in the field was returned to our office to be examined and classified by trained personnel. Selected samples were subjected to laboratory classification testing. Accordingly, differences exist between the field boring log and the final log which reflect the results of laboratory tests and the classifications by trained personnel. The final log developed from the classifications and laboratory data was used to prepare the boring information indicated on the boring profile. The recommendations in this report have been based upon the content of the final boring and laboratory test information.

We appreciate the opportunity to provide a geotechnical study for the proposed calcium carbonate silo. We will be available to provide additional consultation as needed, and hope to have the opportunity to follow the project through construction by providing geotechnical monitoring and testing services. Please do not hesitate to contact us should you, the owner, or the other consultants have any comments or questions.

Most Sincerely,

HERBST/BENSON & ASSOCIATES



Robert C. Benson
cn=Robert C. Benson, o=Herbst/
Benson Associates, Inc., ou,
email=bensonr@herbst-benson.
com, c=US
2019.12.16 17:34:29 -05'00'

By: Robert C. Benson, P.E.
Principal

RCB
19072MD

CALCIUM CARBONATE SILO
BEYNON SPORTS SURFACES
BALTIMORE COUNTY, MARYLAND
19072MD

DECEMBER 2019

TABLE 1

CLASSIFICATION TEST DATA

<u>Sieve/Particle Size</u>	<u>% by Weight Passing Indicated Size</u>
	B-1 <u>(3.5'-5.0')</u>
1"	100
3/4"	91
1/2"	85
3/8"	83
#4	74
#10	66
#40	47
#60	33
#200	16
<u>Atterberg Limits</u>	
Liquid Limit (LL)	34
Plasticity Index (PI)	NP
<u>Classification</u>	
Unified	SM
AASHTO	A-1-b(0)
<u>Natural Moisture Content (%)</u>	23.4

CLASSIFICATION OF SOILS

The soil descriptions on the boring profiles are in accordance with the criteria outlined below. The principal constituents are written in capital letters with other constituents preceded by descriptive terminology used to denote the percentages by weight of each component. The soil descriptions are based upon visual examinations except where laboratory gradation and Atterberg limits tests are available.

Descriptive Terms Denoting Component Proportions

Descriptive Terms	Range of Proportion
Trace	1 - 10%
Little	10 - 20%
Some	20 - 35%
And	35 - 50%

Component Definitions by Gradation

Soil Component		Sieve Limits	
		Upper	Lower
*GRAVEL/ ROCK FRAGS	Coarse	3 in.	1 in.
	Medium	1 in.	3/8 in.
	Fine	3/8 in.	No. 10 (2.0mm)
SAND	Coarse	No. 10 (2.0mm)	No. 30 (0.590mm)
	Medium	No. 30 (0.590mm)	No. 60 (0.250mm)
	Fine	No. 60 (0.250mm)	No. 200(0.074mm)
SILT, CLAY and COLLOIDS: (fines defined by degree of plasticity)		No. 200 (0.074mm)	

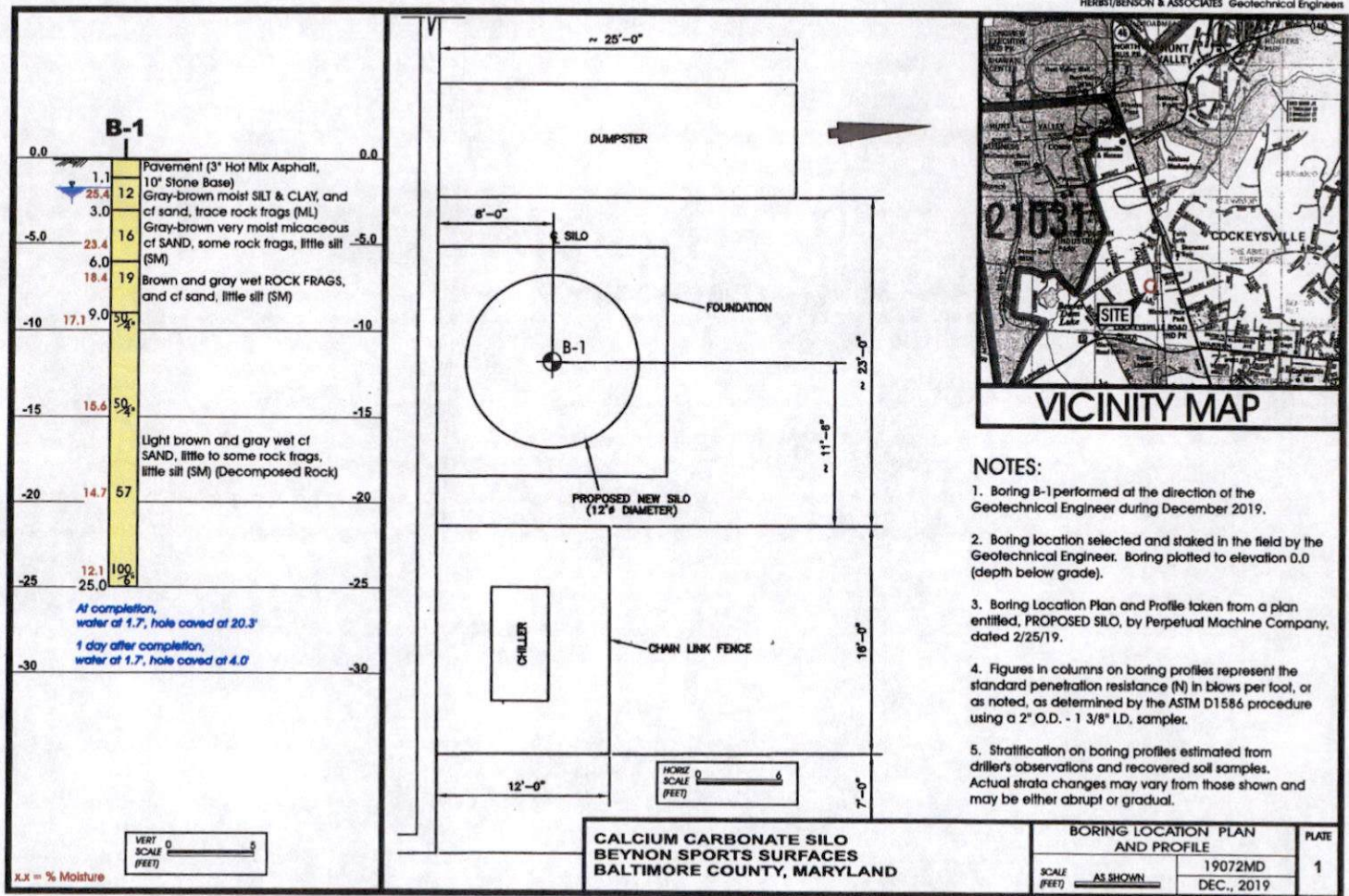
*This component is classified as "GRAVEL" in sedimentary soils and as "ROCK FRAGS" in residual soils.

Component Definitions by Degree of Plasticity

Descriptive Term	Degree of Plasticity	Plasticity Index Range
SILT	None	Non-plastic (NP)
Clayey SILT	Slight	1 - 5
SILT & CLAY	Low	5 - 10
CLAY & SILT	Medium	10 - 20
Silty CLAY	High	20 - 40
CLAY	Very High	Over 40

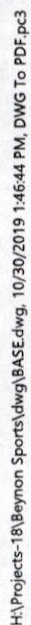
Gradation Terms of Granular Components

Gradation Designation	Symbol	Defining Proportions
coarse to fine	cf	All fractions greater than 10% of the component
coarse to medium	cm	Less than 10% fine
medium to fine	mf	Less than 10% coarse
coarse	c	Less than 10% medium and fine
medium	m	Less than 10% coarse and fine
fine	f	Less than 10% coarse and medium



APPENDIX C

Floodplain Exhibit



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
AUTHORIZATION TO PROCEED

AUTHORIZATION NUMBER: 201961551/19-NT-0296

EFFECTIVE DATE: November 8, 2019

EXPIRATION DATE: November 8, 2024

AUTHORIZED PERSON: Beynon Family LLC
1685 Campbell Road
Forest Hill, Maryland 21050
Attn: Drew Benon



IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS OF AUTHORIZATIONS, Beynon Family LLC ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON November 6, 2019 ("APPROVED PLAN") AND PREPARED BY Hanover Land Services, Inc AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

The project involves the construction of a 12-foot diameter and 46-foot tall material storage tank on the north side of the existing building within the 100-year nontidal floodplain of Parks Run with a foundation flushed in existing ground. The project will also include the replacement of the existing fenced storage area with a fire and flood proof storage container on the south side of the existing building. The project will result in temporary impact to 436 square feet of 100-year nontidal floodplain. The project is located on 16 Alt Road, Cockeysville in Baltimore County.

MD Grid Coordinates 201463 x 430428

A handwritten signature in blue ink, appearing to read "Denise M. Keehner", written over a horizontal line.

Denise M. Keehner
Program Manager
Wetlands and Waterways Program

Attachments: Conditions of Authorization
Approved Plans

cc: WSA Compliance Division w/ file
Melanie Repp, HLS, Inc.



THE FOLLOWING CONDITIONS OF AUTHORIZATION APPLY TO ALL ACTIVITIES AUTHORIZED BY
AUTHORIZATION NUMBER 19-NT-0296/201961551

Page 2 of 3

1. **Validity:** Authorization is valid only for use by Authorized Person. Authorization may be transferred only with prior written approval of the Administration. In the event of transfer, transferee agrees to comply with all terms and conditions of Authorization.
2. **Initiation of Work, Modifications and Extension of Term:** Authorized Person shall initiate authorized activities with two (2) years of the Effective Date of this Authorization or the Authorization shall expire. Authorized Person may submit written requests to the Administration for (a) extension of the period for initiation of work, (b) modification of Authorization, including the Approved Plan, or, (c) not later than 45 days prior to Expiration Date, an extension of the term. Requests for modification shall be in accordance with applicable regulations and shall state reasons for changes, and shall indicate the impacts on nontidal wetlands, streams, and the floodplain, as applicable. The Administration may grant a request at its sole discretion.
3. **Responsibility and Compliance:** Authorized Person is fully responsible for all work performed and activities authorized by this Authorization shall be performed in compliance with this Authorization and Approved Plan. Authorized Person agrees that a copy of the Authorization and Approved Plan shall be kept at the construction site and provided to its employees, agents and contractors. A person (including Authorized Person, its employees, agents or contractors) who violates or fails to comply with the terms and conditions of this Authorization, Approved Plan or an administrative order may be subject to penalties in accordance with §5-514 and §5-911, Department of the Environment Article, Annotated Code of Maryland (2007 Replacement Volume).
4. **Failure to Comply:** If Authorized Person, its employees, agents or contractors fail to comply with this Authorization or Approved Plan, the Administration may, in its discretion, issue an administrative order requiring Authorized Person, its employees, agents and contractors to cease and desist any activities which violate this Authorization, or the Administration may take any other enforcement action available to it by law, including filing civil or criminal charges.
5. **Suspension or Revocation:** Authorization may be suspended or revoked by the Administration, after notice of opportunity for a hearing, if Authorized Person: (a) submits false or inaccurate information in Permit application or subsequently required submittals; (b) deviates from the Approved Plan, specifications, terms and conditions; (c) violates, or is about to violate terms and conditions of this Authorization; (d) violates, or is about to violate, any regulation promulgated pursuant to Title 5, Department of the Environment Article, Annotated Code of Maryland as amended; (e) fails to allow authorized representatives of the Administration to enter the site of authorized activities at any reasonable time to conduct inspections and evaluations; (f) fails to comply with the requirements of an administrative action or order issued by the Administration; or (g) does not have vested rights under this Authorization and new information, changes in site conditions, or amended regulatory requirements necessitate revocation or suspension.
6. **Other Approvals:** Authorization does not authorize any injury to private property, any invasion of rights, or any infringement of federal, State or local laws or regulations, nor does it obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
7. **Site Access:** Authorized Person shall allow authorized representatives of the Administration access to the site of authorized activities during normal business hours to conduct inspections and evaluations necessary to assure compliance with this Authorization. Authorized Person shall provide necessary assistance to effectively and safely conduct such inspections and evaluations.
8. **Inspection Notification:** Authorized Person shall notify the Administration's Compliance Program at least five (5) days before starting authorized activities and five (5) days after completion. For Allegany, Garrett, and Washington counties, Authorized Person shall call 301-689-1480. For Carroll, Frederick, Howard, Montgomery, and Prince George's counties, Authorized Person shall call 301-665-2850. For Baltimore City, Anne Arundel, Baltimore, Harford, Calvert, Charles, and St. Mary's, Authorized Person shall call 410-537-3510. For Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester, Authorized Person shall call 410-901-4020. If Authorization is for a project that is part of a mining site, please contact the Land and Materials Administration's Mining Program at 410-537-3557 at least five (5) days before starting authorized activities and five (5) days after completion.
9. **Sediment Control:** Authorized Person shall obtain approval from the Baltimore Soil Conservation District for a grading and sediment control plan specifying soil erosion control measures. The approved grading and sediment control plan shall be included in the Approved Plan, and shall be available at the construction site.

THE FOLLOWING CONDITIONS OF AUTHORIZATION APPLY TO ALL ACTIVITIES AUTHORIZED BY
AUTHORIZATION NUMBER 19-NT-0296/201961551

Page 3 of 3

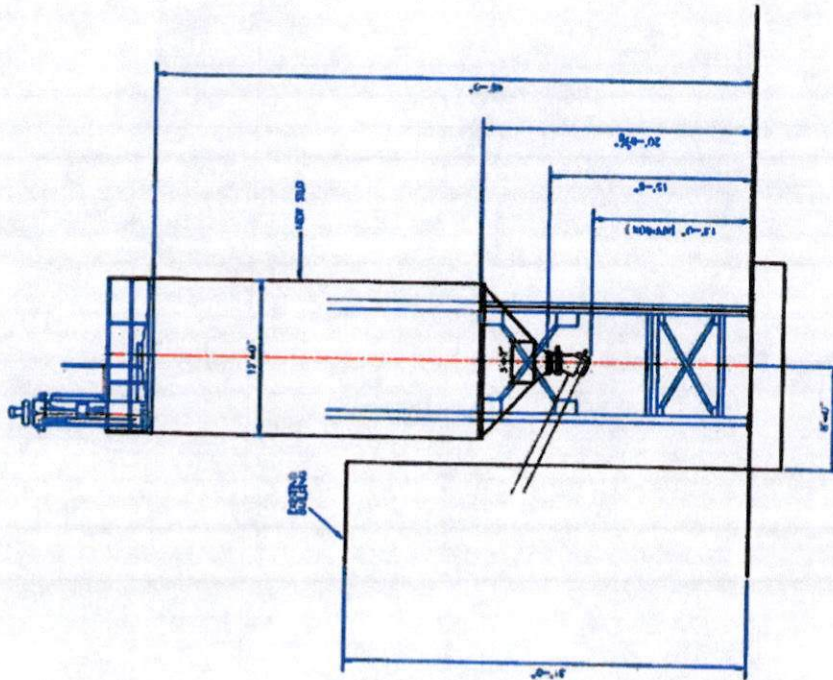
10. **Best Management Practices During Construction:** Authorized Person, its employees, agents and contractors shall conduct authorized activities in a manner consistent with the Best Management Practices specified by the Administration.
11. **Disposal of Excess:** Unless otherwise shown on the Approved Plan, all excess fill, spoil material, debris, and construction material shall be disposed of outside of nontidal wetlands, nontidal wetlands buffers, and the 100-year floodplain, and in a location and manner which does not adversely impact surface or subsurface water flow into or out of nontidal wetlands.
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FEDERALLY MANDATED STATE AUTHORIZATIONS

In accordance with the requirements of Section 401 of the Federal Clean Water Act, Water Quality Certification is hereby issued for any discharges to Waters of the U.S. authorized herein, subject to the conditions of this Authorization. In addition, as applicable, this Authorization constitutes the State's concurrence with the Applicant's certification that the activities authorized herein are consistent with the Maryland Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. Activities in the following counties are not subject to the Maryland Coastal Zone Management requirement: Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington.

U.S. ARMY CORPS OF ENGINEERS AUTHORIZATION

The U.S. Army Corps of Engineers does not regulate the 100-year nontidal floodplain. So, no corps authorization is required..

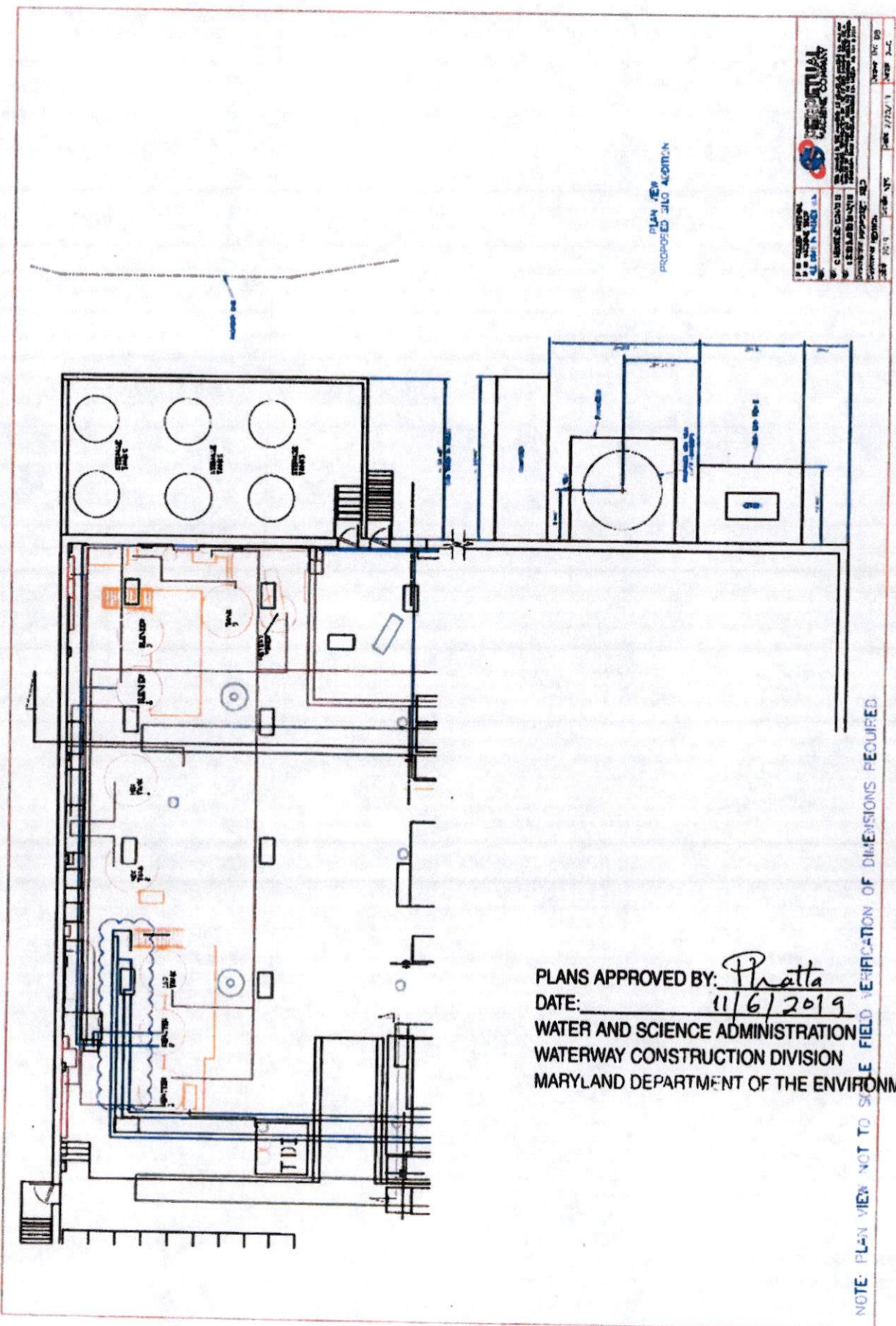


ELEVATION VIEW
PROPOSED SILC ADDITION

NOTE: EXISTING ELEMENTS NOT TO SCALE. FIELD VERIFICATION OF DIMENSIONS REQUIRED.

PLANS APPROVED BY: Phatta
 DATE: 11/6/2019
 WATER AND SCIENCE ADMINISTRATION
 WATERWAY CONSTRUCTION DIVISION
 MARYLAND DEPARTMENT OF THE ENVIRONMENT

PROJECT NO.: DATE:	DRAWN BY: CHECKED BY:
SCALE:	SHEET NO.:
TOTAL SHEETS:	PROJECT NAME:



PLAN FOR PROPOSED FIELD ADMINISTRATION

PROJECT NO. 11/12/1 DATE 11/12/1 DRAWN BY J.C.	CHECKED BY J.C. APPROVED BY J.C.

PLANS APPROVED BY: Pratta
 DATE: 11/6/2019
 WATER AND SCIENCE ADMINISTRATION
 WATERWAY CONSTRUCTION DIVISION
 MARYLAND DEPARTMENT OF THE ENVIRONMENT

NOTE: PLAN VIEW NOT TO SCALE FIELD VERIFICATION OF DIMENSIONS REQUIRED

**STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
AUTHORIZATION TO PROCEED**

AUTHORIZATION NUMBER: 201961551/19-NT-0296

EFFECTIVE DATE: November 8, 2019

EXPIRATION DATE: November 8, 2024

AUTHORIZED PERSON: Beynon Family LLC
1685 Campbell Road
Forest Hill, Maryland 21050
Attn: Drew Benon



IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS OF AUTHORIZATIONS, Beynon Family LLC ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON November 6, 2019 ("APPROVED PLAN") AND PREPARED BY Hanover Land Services, Inc AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

The project involves the construction of a 12-foot diameter and 46-foot tall material storage tank on the north side of the existing building within the 100-year nontidal floodplain of Parks Run with a foundation flushed in existing ground. The project will also include the replacement of the existing fenced storage area with a fire and flood proof storage container on the south side of the existing building. The project will result in temporary impact to 436 square feet of 100-year nontidal floodplain. The project is located on 16 Alt Road, Cockeysville in Baltimore County.

MD Grid Coordinates 201463 x 430428

A handwritten signature in blue ink, appearing to read "Denise M. Keehner", written over a horizontal line.

Denise M. Keehner
Program Manager
Wetlands and Waterways Program

Attachments: Conditions of Authorization
Approved Plans

cc: WSA Compliance Division w/ file
Melanie Repp, HLS, Inc.

Revised 2019-04-27-SQHA

THE FOLLOWING CONDITIONS OF AUTHORIZATION APPLY TO ALL ACTIVITIES AUTHORIZED BY
AUTHORIZATION NUMBER 19-NT-0296/201961551

Page 2 of 3

1. **Validity:** Authorization is valid only for use by Authorized Person. Authorization may be transferred only with prior written approval of the Administration. In the event of transfer, transferee agrees to comply with all terms and conditions of Authorization.
2. **Initiation of Work, Modifications and Extension of Term:** Authorized Person shall initiate authorized activities with two (2) years of the Effective Date of this Authorization or the Authorization shall expire. Authorized Person may submit written requests to the Administration for (a) extension of the period for initiation of work, (b) modification of Authorization, including the Approved Plan, or, (c) not later than 45 days prior to Expiration Date, an extension of the term. Requests for modification shall be in accordance with applicable regulations and shall state reasons for changes, and shall indicate the impacts on nontidal wetlands, streams, and the floodplain, as applicable. The Administration may grant a request at its sole discretion.
3. **Responsibility and Compliance:** Authorized Person is fully responsible for all work performed and activities authorized by this Authorization shall be performed in compliance with this Authorization and Approved Plan. Authorized Person agrees that a copy of the Authorization and Approved Plan shall be kept at the construction site and provided to its employees, agents and contractors. A person (including Authorized Person, its employees, agents or contractors) who violates or fails to comply with the terms and conditions of this Authorization, Approved Plan or an administrative order may be subject to penalties in accordance with §5-514 and §5-911, Department of the Environment Article, Annotated Code of Maryland (2007 Replacement Volume).
4. **Failure to Comply:** If Authorized Person, its employees, agents or contractors fail to comply with this Authorization or Approved Plan, the Administration may, in its discretion, issue an administrative order requiring Authorized Person, its employees, agents and contractors to cease and desist any activities which violate this Authorization, or the Administration may take any other enforcement action available to it by law, including filing civil or criminal charges.
5. **Suspension or Revocation:** Authorization may be suspended or revoked by the Administration, after notice of opportunity for a hearing, if Authorized Person: (a) submits false or inaccurate information in Permit application or subsequently required submittals; (b) deviates from the Approved Plan, specifications, terms and conditions; (c) violates, or is about to violate terms and conditions of this Authorization; (d) violates, or is about to violate, any regulation promulgated pursuant to Title 5, Department of the Environment Article, Annotated Code of Maryland as amended; (e) fails to allow authorized representatives of the Administration to enter the site of authorized activities at any reasonable time to conduct inspections and evaluations; (f) fails to comply with the requirements of an administrative action or order issued by the Administration; or (g) does not have vested rights under this Authorization and new information, changes in site conditions, or amended regulatory requirements necessitate revocation or suspension.
6. **Other Approvals:** Authorization does not authorize any injury to private property, any invasion of rights, or any infringement of federal, State or local laws or regulations, nor does it obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
7. **Site Access:** Authorized Person shall allow authorized representatives of the Administration access to the site of authorized activities during normal business hours to conduct inspections and evaluations necessary to assure compliance with this Authorization. Authorized Person shall provide necessary assistance to effectively and safely conduct such inspections and evaluations.
8. **Inspection Notification:** Authorized Person shall notify the Administration's Compliance Program at least five (5) days before starting authorized activities and five (5) days after completion. For Allegany, Garrett, and Washington counties, Authorized Person shall call 301-689-1480. For Carroll, Frederick, Howard, Montgomery, and Prince George's counties, Authorized Person shall call 301-665-2850. For Baltimore City, Anne Arundel, Baltimore, Harford, Calvert, Charles, and St. Mary's, Authorized Person shall call 410-537-3510. For Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester, Authorized Person shall call 410-901-4020. If Authorization is for a project that is part of a mining site, please contact the Land and Materials Administration's Mining Program at 410-537-3557 at least five (5) days before starting authorized activities and five (5) days after completion.
9. **Sediment Control:** Authorized Person shall obtain approval from the Baltimore Soil Conservation District for a grading and sediment control plan specifying soil erosion control measures. The approved grading and sediment control plan shall be included in the Approved Plan, and shall be available at the construction site.

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AUTHORIZATION NUMBER 19-NT-0296/201961551

Page 3 of 3

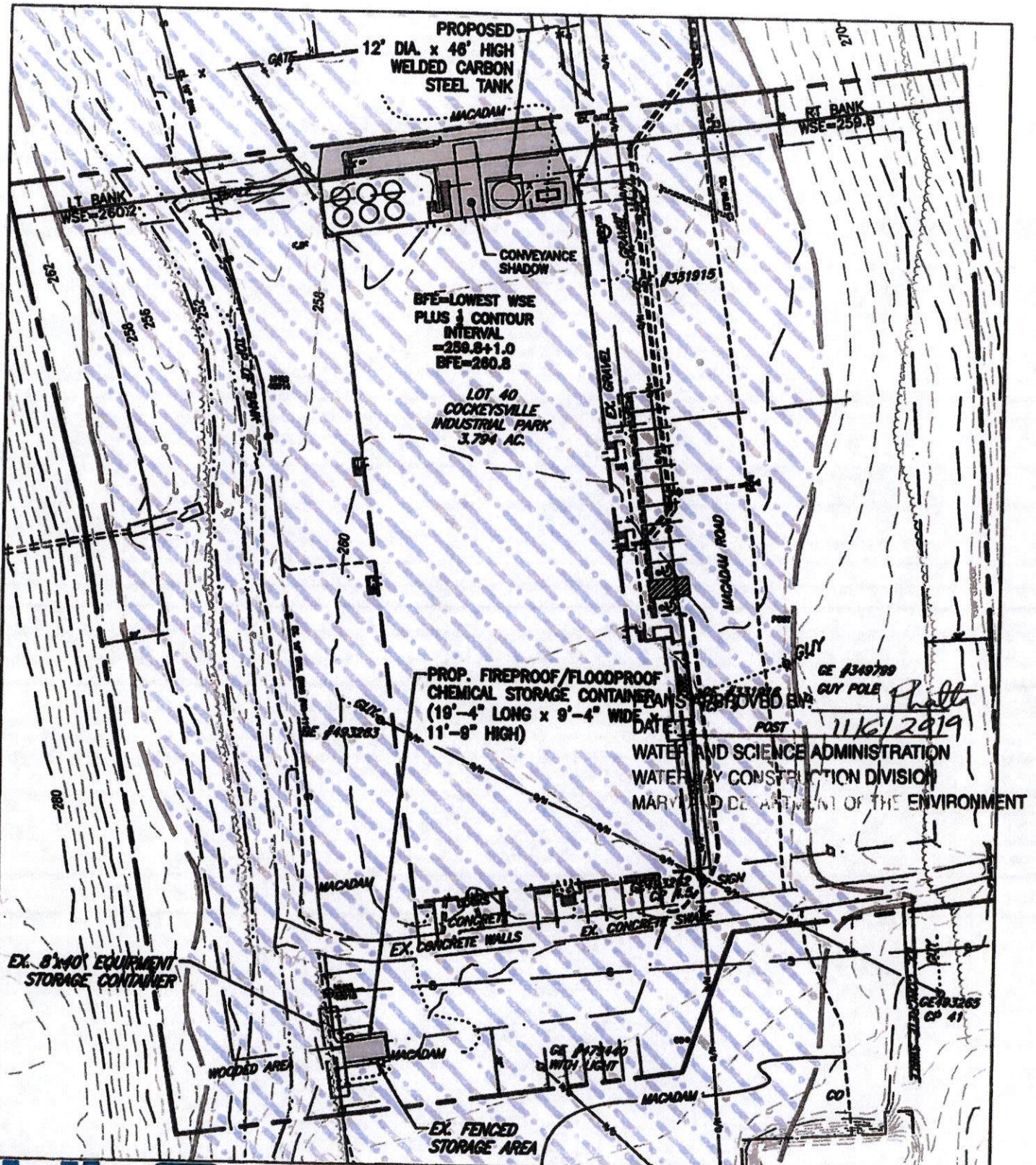
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HLS

engineering land + designing the future

HANOVER LAND SERVICES, INC.

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585 McAllister Street
Hanover, PA 17331
Ph: (717) 637-5674
Fax: (717) 633-1987

Westminster Office:
194 East Main Street
Westminster, MD 21157
Ph: (410) 751-8795

www.hanoverlandservices.com

FLOODPLAIN EXHIBIT

16 ALT ROAD
BALTIMORE COUNTY, MARYLAND

SCALE: 1"=60'

DATE: 01-07-19

JOB NUMBER: 8283

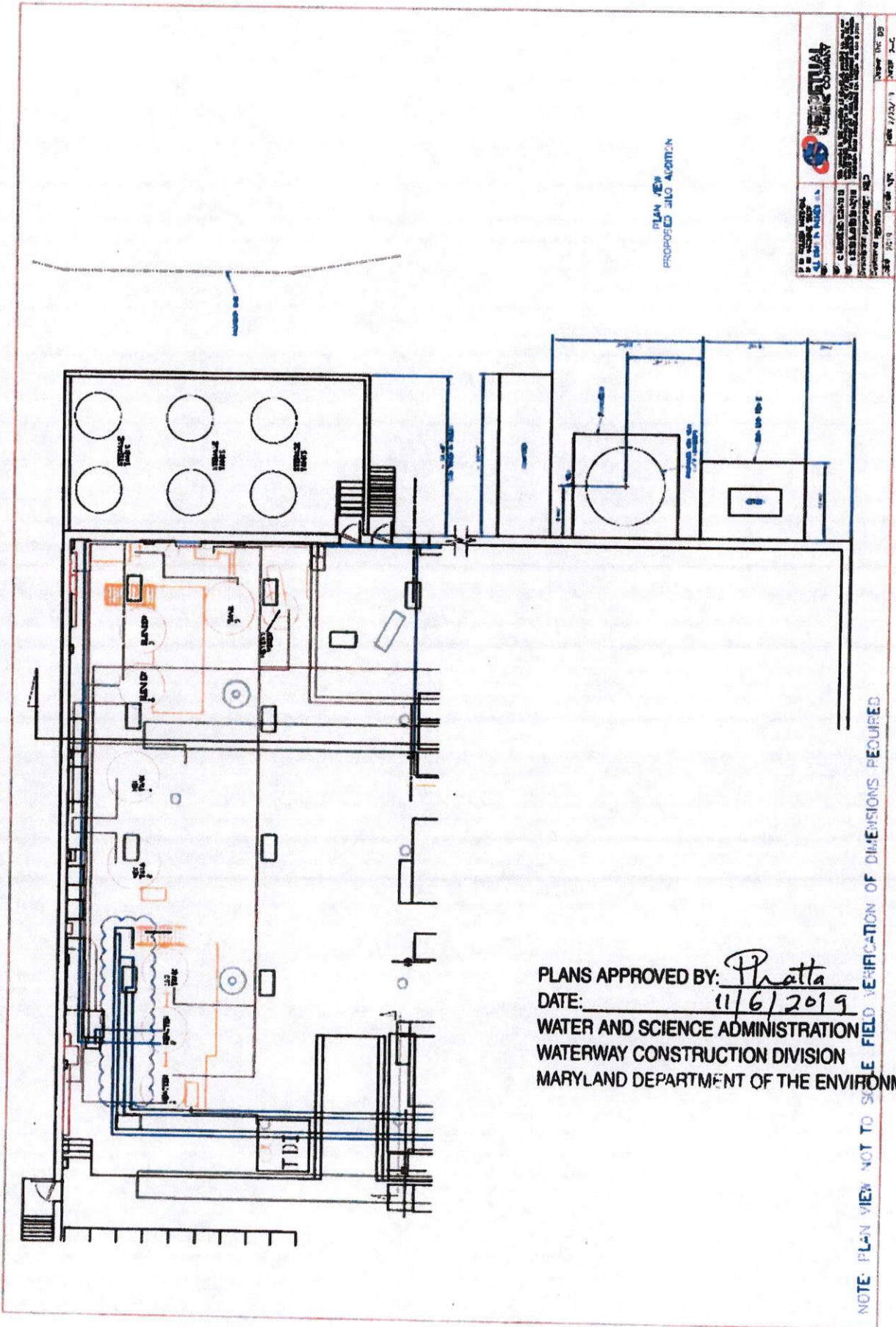
SHEET DRAWING NO: 1 OF 1

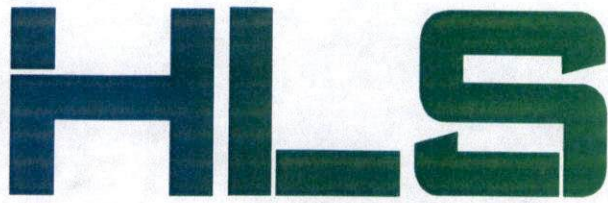


NOTE: EXISTING ELEMENTS NOT TO SCALE. FIELD VERIFICATION OF DIMENSIONS REQUIRED

PLANS APPROVED BY: Phalla
DATE: 11/6/2019
WATER AND SCIENCE ADMINISTRATION
WATERWAY CONSTRUCTION DIVISION
MARYLAND DEPARTMENT OF THE ENVIRONMENT

[illegible]





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HANOVER LAND SERVICES, INC.

Land Planning ♦ Surveying ♦ Engineering ♦ Permitting

FLOODPLAIN IMPACT ANALYSIS

BEYNON SPORTS SURFACES

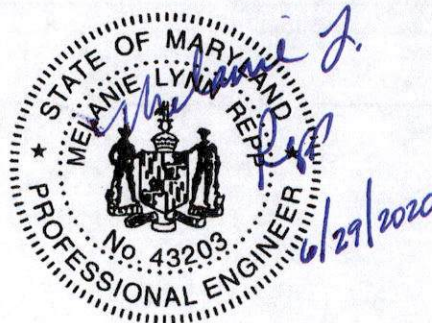
16 Alt Road
Baltimore County, Maryland

June 29, 2020

mrepp@hanoverlandservices.com

HANOVER

585 McAllister Street
Hanover, PA 17331
ph: 717. 637.5674
fax: 717. 633.1987



WESTMINSTER

194 E. Main Street
Westminster, MD 21157
ph: 410.751.8795

PROFESSIONAL CERTIFICATION: I CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 43203, EXPIRATION DATE 12-20-2020.

www.hanoverlandservices.com

WBE/DBE Certified ♦ MDOT# 08-513 ♦ Baltimore City # 11-358172 ♦ PennDOT # 13426

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1. INTRODUCTION

1.1 Objective

This report documents the proposal of a 12-foot diameter welded carbon steel tank (silo) in addition to a fireproof/floodproof chemical storage container and was prepared to accompany a petition for a special hearing seeking a waiver. The petition is to allow the placement of a silo and a fireproof/floodproof container within the 100-year floodplain in addition to allowing both proposed structures to be located within the minimum required setback area.

1.2 Description of Project

The project is located at 16 Alternate Road, Hunt Valley, MD. A 12-foot diameter silo is proposed on the northside of the building between an existing chiller and dumpster. The location of the proposed silo was chosen in order to eliminate floodplain impacts and still serve its intended purpose. The silo will be positioned within the conveyance shadow of the building, and therefore, will not impact the base flood elevation. (The conveyance shadow is discussed in more detail later in the report)

In addition to the tank, a 9'-4" x 19'-4" flammable/floodproof container is proposed to replace the existing fenced area currently utilized for chemical storage.

The proposed container will improve conditions during a flooding event by eliminating the risk of contamination. Hazardous chemicals will be stored in the proposed floodproof container rather than within the fenced area where flood waters can reach the barrels. Additionally, the existing fencing, which currently traps debris during a flooding event will be removed, adding to the benefits of the proposed container.

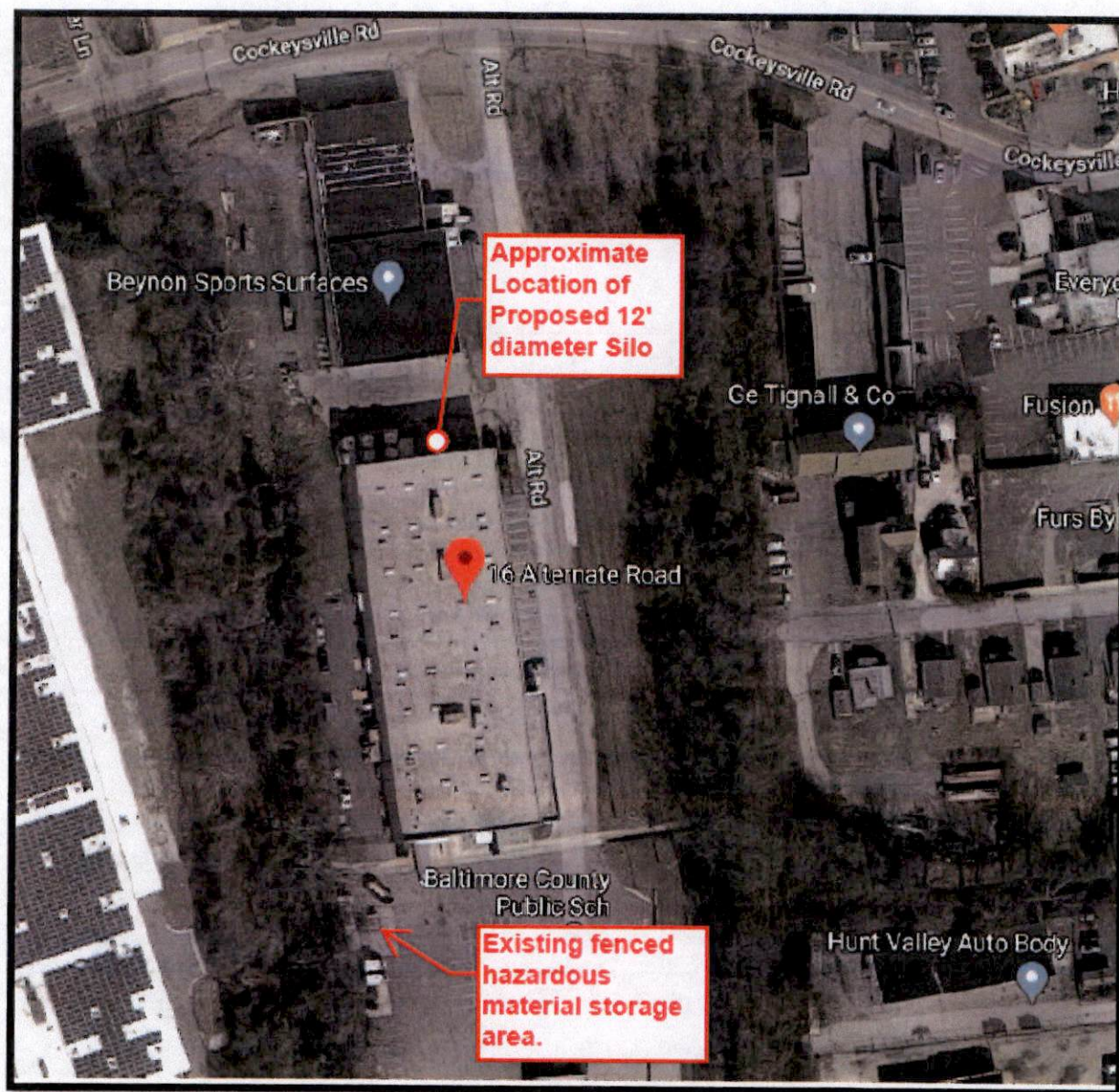


Figure 1 – Location Map

1.3 Soils and Land Uses

The existing land use/cover within the site area consists primarily of impervious area associated with the existing industrial use of the property.

Based on the latest Web Soil Survey data for Baltimore County prepared by the USDA Natural Resources Conservation Service (NRCS), the soil classification is Ur, urban land 0 to 8 percent slopes, which is classified as Hydrologic Soil Group D. Figure 2 illustrates the approximate site area and soils.

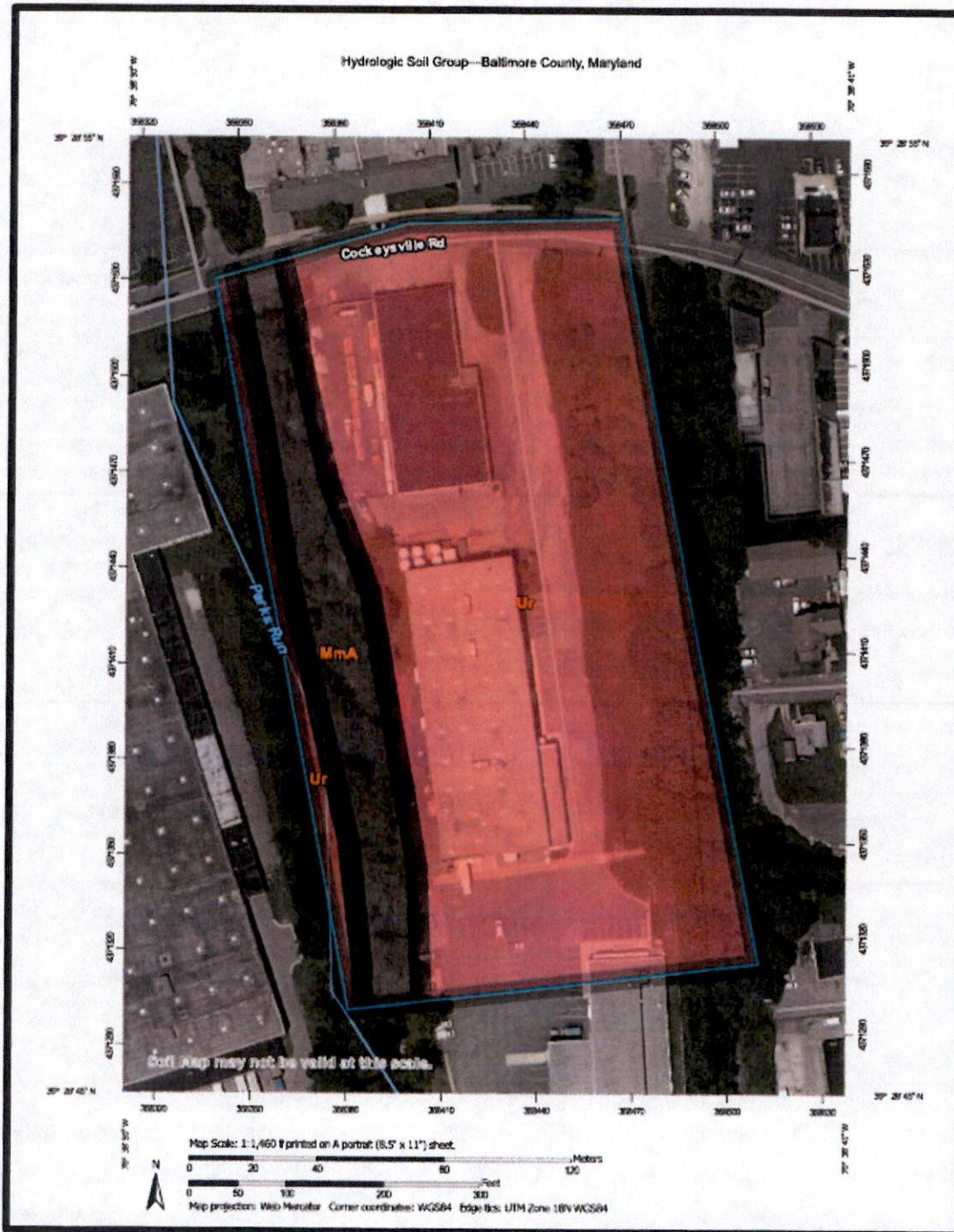


Figure 2 - Soil Map

1.4 MD Stream Use Designation and Wetlands

The project is located within the Loch Raven Reservoir Watershed (MD 8 Digit Watershed 02-13-05-05). Parks Run flows from south to north adjacent to the site into Beaverdam Run. The drainage area for the entire project site is designated as MD Stream Use III-P.

There are no wetlands or Waters of the U.S. within the project area.

1.5 100-Year Floodplain and Chesapeake Bay Critical Area

The project site is located within a FEMA Zone A per FIRM Panel 2400100235F, Revised September 26, 2008. Figure 3 illustrates the Flood Risk Map per www.mdfloodmaps.org.

Flood Risk Map

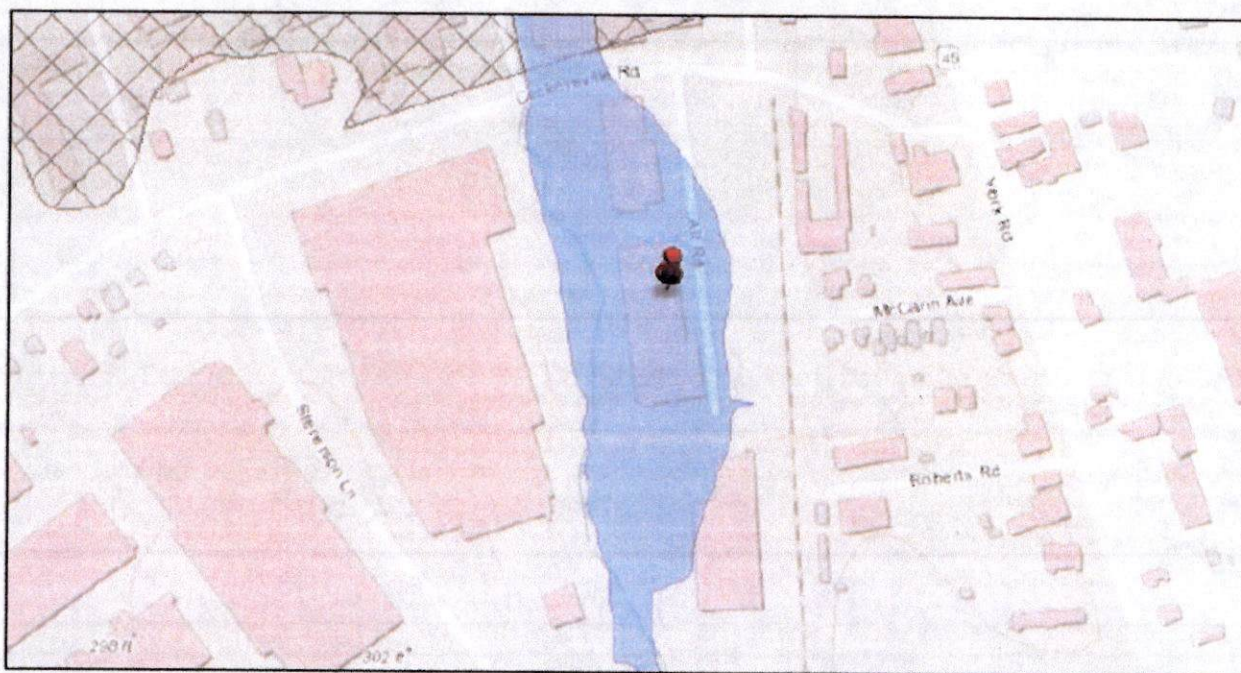


Figure 3 – Flood Risk Map

2. PROJECT DETAILS

2.1 Proposed Silo

Details

In order to eliminate impacts to the FEMA Floodplain, the silo is proposed to be located within the conveyance shadow (discussed later) of the existing building in addition to being elevated a minimum of 1.0' above the BFE (base flood elevation).

The proposed silo will be constructed from welded carbon steel. It will have an outside diameter of 12-feet and a height of 48.5-feet and be elevated a minimum of 1.0' above the BFE by a four-leg support, braced on four sides and supported by an engineered foundation.

BFE Determination

The BFE was computed using the simplified method of contour interpolation as outlined in the FEMA Publication *Managing Floodplain Development in Approximate Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*. Excerpt from this publication is shown below:

Determining BFEs for Riverine flooding:

On each side of the stream in the vicinity of the site, determine the ground elevation at which the superimposed Zone A boundary lies by interpolating between two contour lines. Add one-half of the map contour interval to the lower of the two interpolated elevations. This is the approximate BFE for the site (be sure to perform this method at each structure location).

By adding one-half of the contour interval to the lowest interpolated water-surface elevation, two things are achieved: 1) the final BFE is within one-half of the contour interval of both interpolated water-surface elevations and, therefore, is still within the acceptable tolerance of the topographic map (generally regarded as $\pm$ one-half of the map contour interval); 2) it is a conservative estimate of the BFE. If the BFE determined under this procedure seems too high, then a detailed analysis may be performed to justify lowering it.

The effective FIRM shown overlaid on current county topo was utilized to determine the right and left overbank water surface elevations at the upstream location of the proposed tower. These elevations must be within one-half of the map contour interval (1.0-foot) in order for the simplified method to be acceptable. The elevations were determined to be 260.2 for the left overbank and 259.8 for the right overbank. The difference of 0.4' is less than half the contour interval, thereby meeting the requirements to utilize this method.

The BFE was then determined by adding one-half the contour interval (1.0-feet) to the lower of the two elevations, 259.8, resulting in a final BFE determination of 260.8. The tower will therefore be required to be elevated to a minimum elevation of 261.8.

Figure 4, located in the following section, shows the topographic map utilized to determine the BFE.

Silo Placement

The silo will be located within the conveyance shadow of the existing building. The conveyance shadow is an area immediately above or below a building or other obstruction around which flood waters must flow. Below obstructions, this area is defined by a line drawn at a 4:1 ratio from each outside edge of the obstruction until they intersect. The resulting area is an area subject to ineffective flow where flood waters are not being actively conveyed downstream. Minor projects located within this area will not obstruct the flow of floodwaters, and therefore, will not impact the BFE.

The conveyance shadow was determined utilizing guidelines published by FEMA titled: *Managing Floodplain Development Through the National Flood Insurance Program, Unit 5*. The excerpt below can be found on pages 5-23 & 5-24 of said guidelines.

Minor projects: Some projects are too small to warrant an engineering study and the certification. Many of these can be determined with logic: a sign post or telephone pole will not block flood flows. A driveway, road or parking lot at grade (without any filling) won't cause a problem, either.

Building additions, accessory buildings, and similar small projects can be located in the conveyance shadow. This is the area upstream and downstream of an existing building or other obstruction to flood flows. Flood water is already flowing around the larger obstruction, so the addition of a new structure will not change existing flood flow.

NFIP Requirements

5-23

Determining the limits of the conveyance shadow is illustrated in Figure 5-6. Small structures located completely within the shadow can be permitted without the engineering analysis needed for a no-rise certification.

Note: Just because a small structure can be located in the conveyance shadow, it is still preferable to keep all development out of the floodway. Don't forget: all buildings must be elevated or otherwise protected from the base flood.

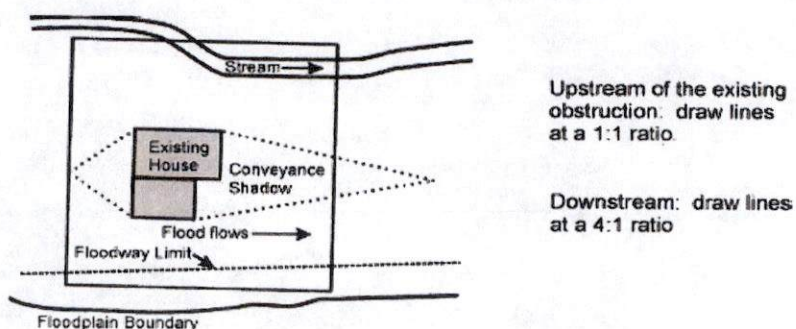


Figure 5-6. Determining the conveyance shadow

The conveyance shadow was determined by drawing a line at a 4:1 ratio from the right corner of the building and from the corner of the containment area on the left side of the building.

The exhibit shown below illustrates both the conveyance shadow and the BFE determination.

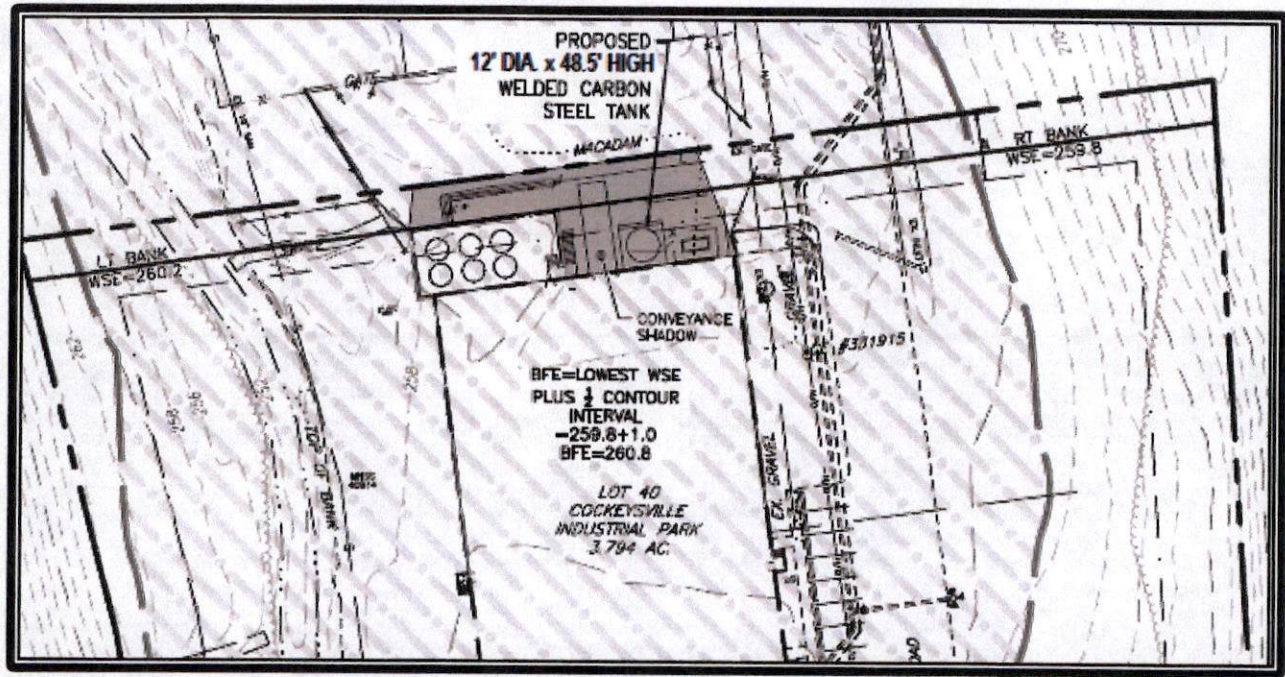


Figure 4 - Conveyance Shadow and BFE Determination

Certifications

Certifications are included in Appendix B from both Imperial Industries Inc. (Young Industries) for the silo and Providence Engineering Corp for the foundation/support design certifying that each will be able to withstand flooding conditions.

2.2 Proposed Chemical Storage Container

The proposed fireproof/floodproof chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Therefore, there will be no floodplain impact as a result of its installation. More importantly, site conditions relative to flooding events will be improved by replacing the fenced storage area with a permanent floodproof container. Thereby eliminating the likelihood of contamination of flood waters and eliminating undesirable fencing which traps debris.

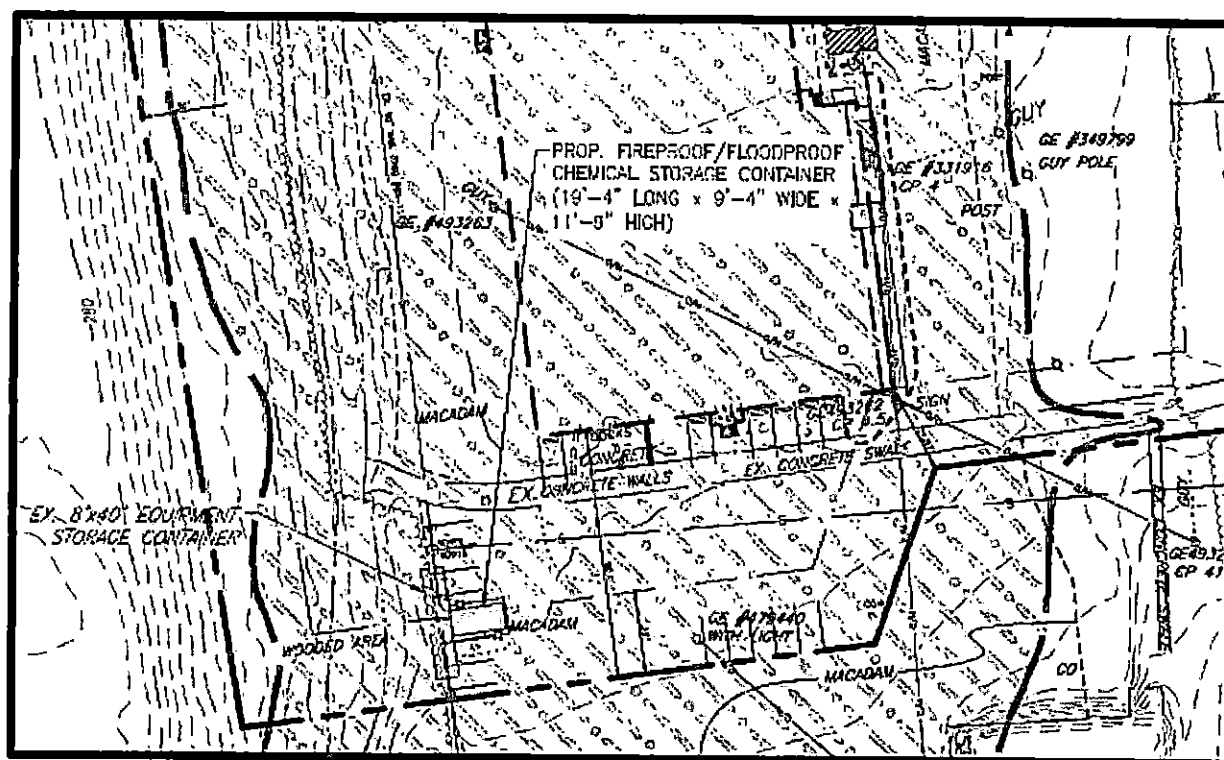


Figure 5 - Proposed storage container location

3. ZONING HEARING PETITION

3.1 Special Hearing

A Special Hearing will be required to allow new construction within the regulated 100-year FEMA floodplain. The proposed silo location was selected because it is within the conveyance shadow, and therefore, will not impact the base flood elevation. Justification to support the petition will include the original proposed location of the tank, the alternative locations reviewed and explanations as to why those alternative locations were or were not feasible (located in Appendix A). The current proposed location was one of the alternative locations considered.

The proposed chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Justification to support the petition will include how the proposed floodproof container will not impact the BFE and will improve conditions during a flooding event.

3.2 Setback Variance

The Subject property is located within ML-IM zoning district for which the side setback requirement is 30-feet. There is only 39-feet available from the existing building to the property line on the north side of the building where the silo is proposed to be located. Therefore, a variance will be required to allow the silo to be placed partially within the setback area. The justification to support the request will include the benefits of locating the silo as shown on the proposed plans compared to the only other feasible locations which would be located within the effective flow area of the floodplain and possibly negatively impacting the base flood elevation.

A Variance will also be required for the proposed storage container to be located within the side setback area. Justification to support the request will include discussion of the existing fenced area and the benefits of replacing this area with a floodproof container to be located in the same location. Due to garage doors on the existing equipment storage container, the proposed container cannot be located further north, outside of the setback area.

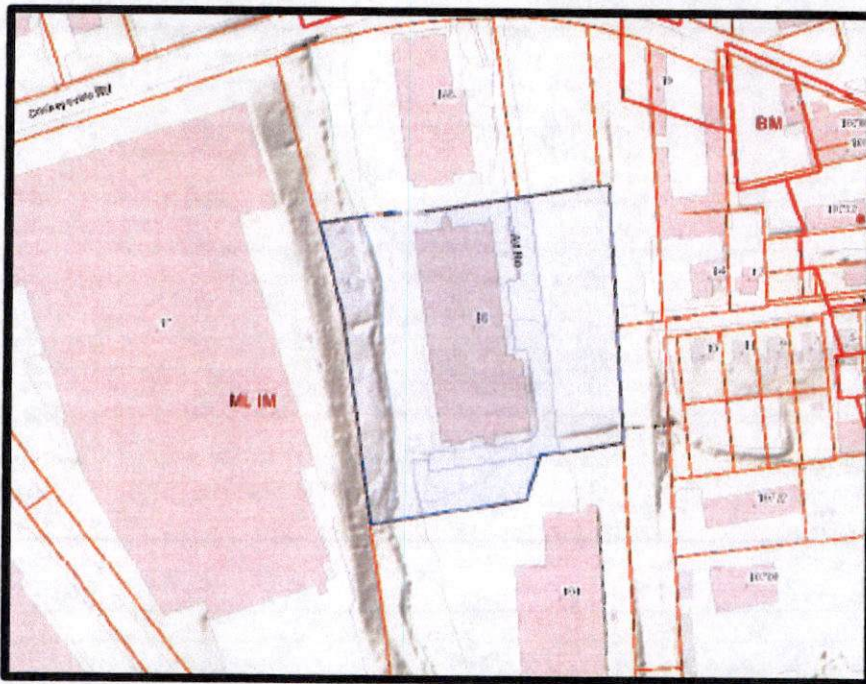


Figure 6 - Zoning Map

4. CONCLUSIONS

By utilizing guidance documents published by FEMA, the BFE was determined for the location of the proposed silo. The silo is proposed to be located within the conveyance shadow of the existing building in order to eliminate any negative impacts to the 100-year regulated floodplain. Additionally, it will be elevated a minimum of 1.0' above the base flood elevation as required.

Per guidelines published by FEMA titled: Managing Floodplain Development Through the National Flood Insurance Program, Unit 5, minor projects located within the conveyance shadow will not change the existing flood flow and therefore do not warrant an engineered study. The limits of the conveyance shadow were determined utilizing these guidelines and the proposed silo located within this area.

It can therefore be concluded that the proposed location of the silo will not negatively impact the regulated 100-year floodplain.

Additionally, the proposed fireproof/floodproof container will improve conditions within the 100-year floodplain by eliminating the risk of contamination during a flooding event while also eliminating undesirable fencing that traps debris. By locating the proposed container in the same location of the existing fenced area, the impact to the regulated 100-year floodplain will be eliminated.

APPENDIX A

Alternative Silo Location Analysis

Dry Holding Tank/Tower Response – Response to Alternative Locations

Option 1 – Not a good location. There are actually a total of six tanks containing polyols and/or castor oil, all vegetable based oils. There is NOT sufficient room within the existing containment area to install the new tower. The existing tanks contain liquids and must be located within the secondary containment structure. We have a Spill Prevention Control and Countermeasures (SPOC) Plan which defines what controls and processes we have in place to prevent a leak. The containment area must be able to contain 110% of the volume of one of the tanks in the event of a tank failure. If there was space to build the tower in the containment area, that would reduce the overall storage capacity of the containment structure.

Option 2 – Yes, this is a suitable and desirable location as long as the tower is constructed on the western-most portion of the highlighted area (Closest to Option #3 - Red Dot). This area contains a Spill Berm with a flow control valve that is designed to contain the volume of the largest compartment of the tanker trucks that drop off polyols on a daily basis. The spill berm is listed as spill control device in our SPOC Plan. If constructed in this location, the tower would need to be elevated in order to allow normal storm water flow. In fact, this area is subject to heavy sediment deposits after rain events. As part of the construction planning, we would attempt to implement a control or a feature that would allow for better drainage limiting the sediment buildup. This location is in close proximity to where the stored materials will be utilized inside the building and would require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building. **UPDATE:** There may not be sufficient room for the proposed foundation for the silo at this location.

Option 3 – Yes, this is a suitable location. The tower would be constructed as close to the containment berm and containment wall as possible based upon the recommendations of the engineers and installers. To address Option 2, yes we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain. This location is in close proximity to where the stored materials will be utilized inside the building and will require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building. Unlike Option 2, this area is currently NOT paved and serves as a vegetative buffer for storm water pollution control. Constructing the tower here would destroy a portion of the buffer and create additional impermeable surfaces in close proximity to the adjacent stream.

Option 4 - Not a good location. There is a parking area in this location. It was constructed using permeable pavement materials to limit runoff that could pollute the stream on the western portion of our property. Additionally, if installed here, we would need to construct an elaborate piping system to move the materials to our blenders and mixers located in the corner of the building where we have proposed installing the tower. In addition to significantly increasing the cost of the project, this would also increase the risk of a release of the material in the event of a pipe failure. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan, a requirement of our NPDES Permit.

Option 5 - Not a good location. There are transfer ports in this location where tanker trucks drop off polyols that are stored in tanks inside of our building along the eastern wall and where tanker trucks pick up finished materials that are shipped weekly to one of our affiliate companies. Also, our chillers and the electric transformer are located in this area. This area includes a few trees and grass that help control storm water runoff.

Option 6 - Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. This area is also the location of our two loading docks. During our peak season, we have close to 20 tractor trailers either picking up finished products, or dropping off raw materials. As it stands now, the trucks have a difficult time accessing the loading docks.

Option 7 - Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. There is a large storm water culvert in this area that channels all of the storm water from York Road and the adjacent Baltimore County Schools Facility. During a heavy rain event, this culvert becomes a "river." Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.



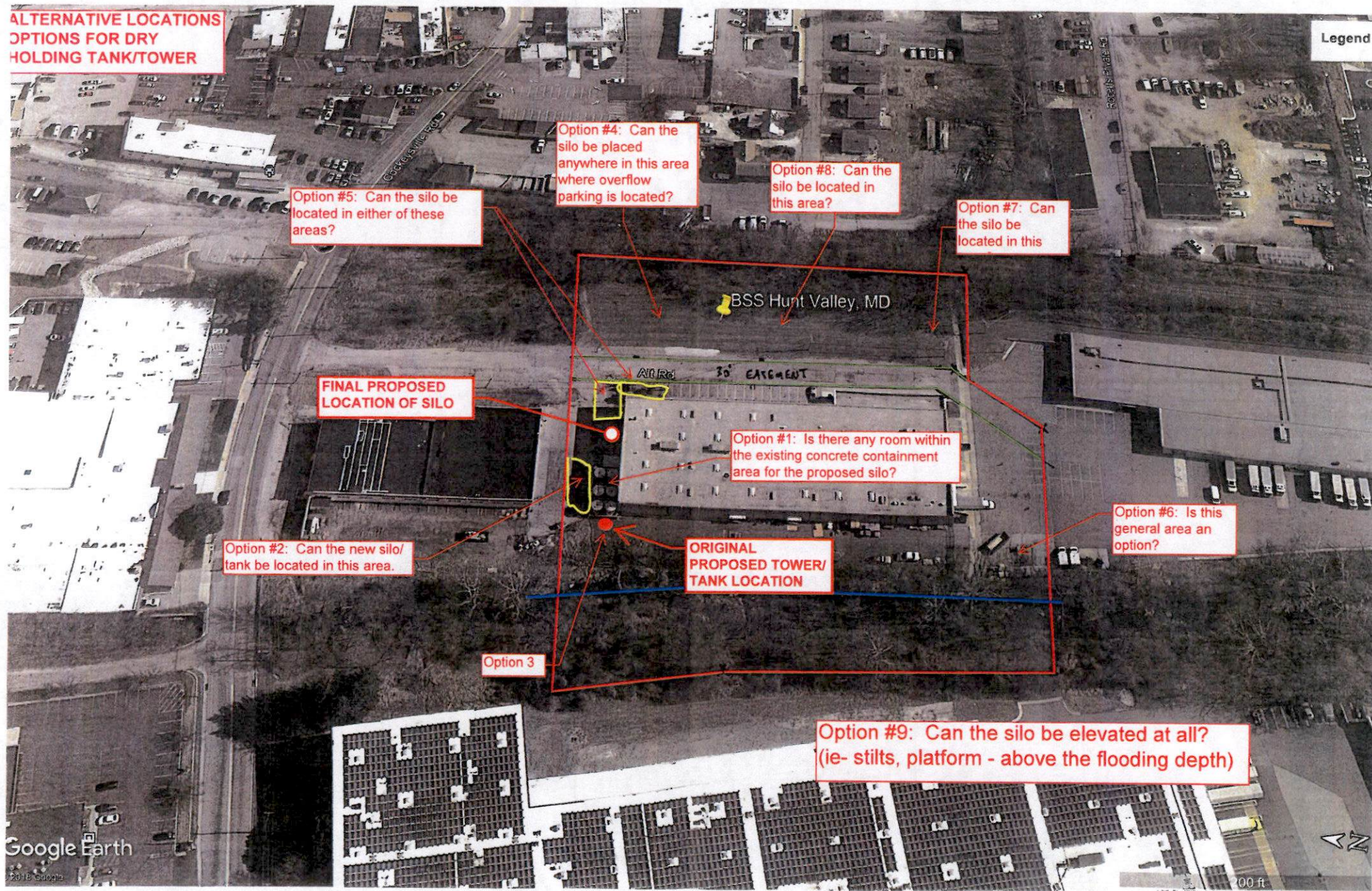
THE OILDRIFT
SURFACE EXPERIMENT

Option 8 - Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.

Option 9 - As indicated in the response to Option 3, yes, we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain.

**ALTERNATIVE LOCATIONS
OPTIONS FOR DRY
HOLDING TANK/TOWER**

Legend



APPENDIX B

Silo Design & Certification Letters



**IMPERIAL
INDUSTRIES INC**

P.O. Box 1685
Wausau, WI 54402-1685
Phone: 715-359-0200
Toll Free: 800-558-2945

E-Mail: Joshua@imperialind.com
Website: <http://www.imperialind.com>

Young Industries
16 PAINTER STREET
MUNCY, PA 17756
UNITED STATES
c/o Anthony Boroch

Anthony,

This letter is to acknowledge that the silo being quoted to you by Imperial Industries, INC. under quote number 109378-02, and that is intended to be erected in Hunt Valley, MD, will be designed and fabricated such that it will resist the forces present during a flood event.

If you have any questions or would like to further discuss this requirement, please feel free to contact me.

Regards,



**IMPERIAL
INDUSTRIES INC**

Troy Hanson

Engineering Manager

P: (715) 348-8702 | T: (800) 558-2945

C: (715) 297-8232 | F: (715) 355-5349

email: troy@imperialind.com

web: www.imperialind.com

550 W Industrial Park Ave. | Rothschild, WI 54474



DESIGN CRITERIA

Support Column Wide Flange Supported, Allowable Stress from manufacturing standard, Engineering & Design Per ES-1000

Tank Dimensions

Tank Diameter: 12'-0"
Eave Height: 47'-6"
Overall Height: 48'-6 11/16"
Cylinder Height: 28'-4 3/4"

Usable Capacity: 3,211 Cu. Ft.
Hopper Angle: 60°
Discharge Size (Conical): Ø4'-0"
Discharge Clearance: 12'-0"
Interior Design Pressure: 0.50 PSI
Exterior Design Pressure: 0.03 PSI Vacuum

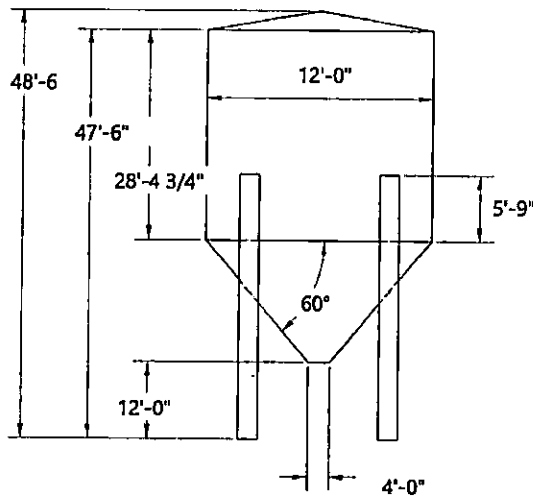
Tank Loads

Code Name: IBC 2018
Risk Category: Risk Category II
Seismic Importance Factor: 1.00
Soil Class: D
Roof Load (Snow Load): 30.00 PSF
Wind Speed: 110.00 MPH
Wind Exposure: C
Tank Weight (Dead Load): 14,100 Lbs.
Material Load (Live Load): 144,488 Lbs.
SS: 0.149 S1: 0.044
Unbraced Length: 1'-0"

Material Characteristics

Material Name: Calcium Carbonate (45) (45)
Density: 45.00 Lbs. per Cu. Ft. Angle of Repose: 45°
Internal Friction: 22° Pressure Coefficient: 0.33
Freeboard Height: 0'-0"

Need MTRs: No



Roof 10°	3/16" A36
Cylinder 1	29'-1 7/8" 3/16" A-36
Hopper 60°	3/16" A36
Legged Material	A36 Carbon Steel
Base Plate Material	A36 Carbon Steel

STANDARD ACCESSORIES

- Lifting Lugs Included
- (2) 9/16" Holes in Support for Grounding per NFPA 780, Grounding Rods and Connectors By Others
- All Fasteners To Be ASTM A-449 With Electro/Zinc Finish Per ASTM B-633
- Anchor Bolts Are Not Included

WELDING & GRINDING STANDARDS

- Welding Class 2 Per ES-500
- Interior Grinding Class 1 per ES-520
- Exterior Grinding Class 1 per ES-520

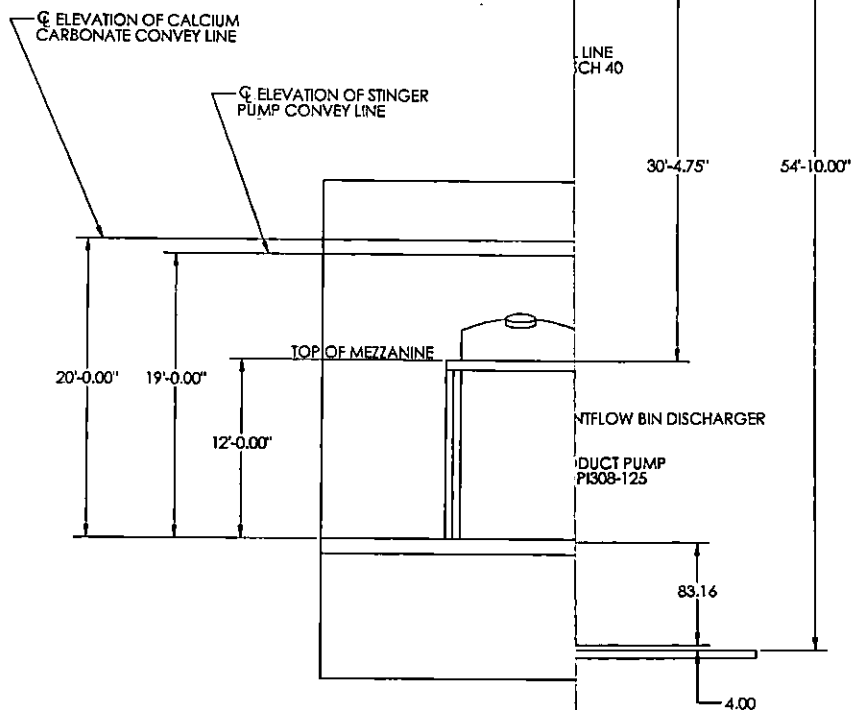
CLEANING & FINISHING STANDARDS

- Interior Cleaning Class 0 per ES-510
- Interior Finish - Plain
- Exterior Cleaning Class 1 per ES-510
- Exterior Finish - Grit Blasted Per SSPC-SP6 (Commercial Blast)

INSPECTION STANDARDS

- Manufacturing Tolerances Per ES-531
- Inspection 100% Visual Per IMP-111

The Above Standards And Accessories Are Included In The Base Tank Assembly. Upgrades And Additional Accessories For Your Application Are As Follows



REV. NO.	DESCRIPTION	DATE	BY
REVISIONS			
CUSTOMER:			
CUSTOMER PO NUMBER:			
YOUNG JOB NUMBER:			
TITLE ELEVATION VIEW CALCIUM CARBONATE SILO SYSTEM & FILTER BAG DUMP / STINGER PUMP SYSTEM			
 INDUSTRIES, INC. MUNCY, PENNSYLVANIA 17754 TELEPHONE 570-544-2145			
DRAWN BY: AEB		DATE: 03/27/20	
CHECKED BY:		SCALE=1:75	
DRAWING NUMBER S-19-0448-03		SHEET 1 OF 1	REV: 00

GENERAL TOLERANCES

UNLESS OTHERWISE SPECIFIED THE FOLLOWING SHALL APPLY

MACHINING - .004" .02 .004" .025 ANGLE .50"
SURFACE ROUGHNESS HEIGHT 63 MICROINCHES OR LESS

FABRICATION - UNDER 6 6 TO 24 24 TO 60 OVER 60
± .06 ± .12 ± .19 ± .25

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES



March 26, 2020

Beynon Sports Surfaces
16 Alt Road
Hunt Valley, MD 21030
Attn: Elsie Dare

Re: Calcium Carbonate Silo Foundation – Flood Design Confirmation
Beynon Sports Surfaces
16 Alt Road
Hunt Valley, MD 21030
Project #200437

Dear Elsie:

Per your request, Providence Engineering Corporation (Providence) is confirming that the design of the calcium carbonate silo foundation, as detailed on Providence's "Issued for Construction" drawings dated 03/24/20, takes into account all flood loads required by ASCE 7-10 (American Society of Civil Engineers Minimum Design Loads for Buildings and Other Structures).

Per Hanover Land Services, the proposed silo foundation is located in the conveyance shadow of the building and therefore is reasonably subjected to reduced, even negligible, hydrodynamic and impact loads, in addition to the required hydrostatic loads. Hydrodynamic loads are directly related to the water velocity and in the conveyance shadow water velocities will be greatly reduced. Thus, Providence found that the required hydrodynamic load on the foundation is negligible. Similarly, impact loads are directly affected by the water velocity, as well as a host of other factors including a "blockage coefficient". With the building blocking the flow of water and in turn flood debris, and with the silo location with respect to the building, the required impact load was found by Providence to be zero (0).

Geometry was the main controlling factor behind the design of the piers and mat foundation. As such, the piers and mat foundation are more than capable of safely supporting the silo during the design flood event.

We appreciate the opportunity to be of service to you. If you need any further information or have any questions, please contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'James E. Horting', is written over a light blue horizontal line.

James E. Horting, P.E.
Senior Project Manager



A. BUILDING CODES AND STANDARDS

A. BUILDING CODES AND STANDARDS

1. THE FOLLOWING CODES AND STANDARDS, INCLUDING ALL SPECIFICATIONS REFERENCED THEREIN, SHALL APPLY TO THE DESIGN, CONSTRUCTION AND QUALITY CONTROL OF ALL WORK REPORTED ON THE PROJECT.
 - a. INTERNATIONAL BUILDING CODE: 2015 INTERNATIONAL CODE COUNCIL, INC.
2. **2.1. MATERIAL DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES:** (AMERICAN 7) AMERICAN SOCIETY OF CIVIL ENGINEERS.
3. **2.2. ADDITIONAL DESIGN STANDARDS FOR MATERIALS SHALL BE FOUND IN THE APPROPRIATE SECTION THAT FOLLOW**
4. **2.3. AND THOSE SECTIONS FOR THE APPLICABLE CODES.**
5. **2.4. DESIGN LOADS (2015 IBC) FOR FOUNDATION DESIGN ONLY: (TANK DESIGN BY OTHERS)**

1. GRAVITY-SUPERIMPOSED DEAD LOADS
- | | | |
|--------------------------------|---|--------------|
| a. TANK WEIGHT | = | 14,100 LBS. |
| b. MAXIMUM PRODUCT WEIGHT = | | 144,486 LBS. |
| c. MAXIMUM TOTAL SLOO WEIGHT = | | 158,586 LBS. |
2. LATERAL LOADS - WIND
- WIND LOADS ARE NOT SPECIFIED IN ACCORDANCE WITH THE U.S. NATIONAL BUILDING CODE, SECTION 1903.1. THEREFORE, WIND LOADS ARE ASSUMED TO BE ZERO.

- [illegible]

4. THE STRUCTURE HAS BEEN DESIGNED FOR THE DEAD AND LATERAL LOADS INDICATED ABOVE. ANY INCREASE OF LOADS DUE TO CHANGE IN USAGE OR CONSTRUCTION MATERIALS, ETC. SHALL BEAR THE WHOLETY THEREOF. THE ENGINEER, THE CONTRACTOR IS CAUTIONED AS TO NOT STORE ANY CONSTRUCTION MATERIALS OR UNDER TAKE ANY CONSTRUCTION OPERATIONS WHICH WILL EXCEED THE DESIGN LOAD CAPACITY NOTED.

C. CONSTRUCTION

3. THE DRAWINGS PREPARED FOR THE PROJECT WHICH HAVE BEEN DESIGNED FOR THE STRUCTURE LOADS INDICATED IN THE SHEETING AND IN THE CONNECTIONS RELATIVELY TO DETERMINE ALLOWABLE INTERIOR BRACING, BRACING AND STAYING ETC.
4. AN AGREEMENT TO BE SAFETY AND CONSTRUCTION PROCEDURES AND THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
5. A CLAUSE OF COOPERATION BETWEEN THE GENERAL CONTRACTOR AND DRAWINGS, THE MOST FAVORABLE REQUIREMENT SHALL CORRESPOND.
6. THE CONTRACTOR SHALL CHECK AND VERIFY DIMENSIONS FOR ALL WORK BEFORE PROCEEDING WITH THE WORK AND SHALL BE RESPONSIBLE FOR THE CORRECTION OF THE DIMENSIONS PRIOR TO THE START OF ANY WORK.
7. WORK NOT INCLUDED IN THE DRAWINGS WILL BE TO BE MADE TO FIT THE WORK AS INDICATED IN THE DRAWINGS SHALL BE REJECTED.
8. COOPERATING BUILDING REGULATIONS, STANDARDS, METHODS AND PROCEDURES, INDICATED BY THE CONTRACTOR SHALL APPLY TO THE STRUCTURAL BRACING AND INTERIOR BRACING, CONNECTIONS, ELEVATIONS, DRAWINGS AND ALL OTHER TECHNICAL MEMBERS OF AN EXPERIENCED WORKMAN, FOUNDATION ELEVATIONS, ELEVATIONS, PLANNED WITHIN THE APPROVAL OF THE STRUCTURAL ENGINEER TO ACHIEVE MAXIMUM CONNECTION EFFICIENCY.
9. ALL TYPES OF BRACING SYSTEMS AND CONNECTIONS DUE TO THE CONTRACTOR'S APPLICATION OF STRUCTURAL DESIGN, STANDARDS OF CODES, STANDARDS AND ALL RELATED DOCUMENTS SHALL BE IN THE CONTRACTOR'S POSSESSION.

SHOP DRAWINGS

- a. **PROPOSALS AND CONTRACT DOCUMENTS.** The Engineer's Contract Documents, including all Addenda, shall be made available to prospective bidders. The Engineer shall provide the bidders with a copy of the Contract Documents, including the Addenda, and shall provide the bidders with a copy of the Addenda. The Engineer shall provide the bidders with a copy of the Addenda. The Engineer shall provide the bidders with a copy of the Addenda.
- b. **UNAUTHORIZED REPRODUCTION OF ANY PORTION OF THE STRUCTURAL DRAWINGS FOR REUSE, AS SHOWN HEREON, IS PROHIBITED. ANY REPRODUCTION OF ANY PORTION OF THE STRUCTURAL DRAWINGS FOR REUSE, AS SHOWN HEREON, IS PROHIBITED. ANY REPRODUCTION OF ANY PORTION OF THE STRUCTURAL DRAWINGS FOR REUSE, AS SHOWN HEREON, IS PROHIBITED.**
- c. **THE CONTRACTOR OF RECORD SHALL OBTAIN THE ENGINEER'S RECORD OF THE SHOP DRAWINGS. THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SHOP DRAWINGS. THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SHOP DRAWINGS. THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SHOP DRAWINGS.**
- d. **THE CONTRACTOR SHALL OBTAIN THE ENGINEER'S RECORD OF THE SHOP DRAWINGS. THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SHOP DRAWINGS. THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SHOP DRAWINGS. THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE SHOP DRAWINGS.**

WESTLING, G.

- DESIGN DATA**

 - a. FOUNDATIONS SHALL BE DESIGNED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT PREPARED BY THE CONSULTING ENGINEER.
 - b. ALL FOUNDATIONS SHALL BE DESIGNED TO RESIST A MINIMUM UPLIFT OF 100 KIPS.
 - c. IF SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO SECURE AND TEST THE SOILS FOR A MINIMUM OF 100 FEET DEPTH TO DETERMINE THE SOIL BEARING CAPACITY. SOIL BEARING PRESSURES SHALL BE USED TO CORRELATE FOUNDATION. SHOULD THE SOIL BEARING PRESSURE BE FOUND TO BE LESS THAN 2,000 PSF, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE STRUCTURAL ENGINEER.
 - d. ALL EXISTING FOUNDATIONS SHALL BE A MINIMUM OF 3' BELOW FINISHED GRADE TO ALLOW FOR PROPER DRAINAGE.
 - e. ALL EXISTING FOUNDATIONS SHALL BEOR APPROVED EXISTING FOUNDATIONS TO ALLOW FOR PROPER DRAINAGE.
 - f. NEW FOUNDATIONS SHALL BEOR APPROVED EXISTING FOUNDATIONS TO ALLOW FOR PROPER DRAINAGE.

GENERAL

- [illegible]

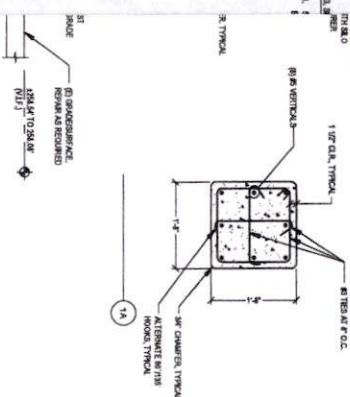
CAST-IN-PLACE CONCRETE

- a1. CONCRETE SHALL CONFORM TO ALL PROVISIONS OF THE FOLLOWING PARAGRAPHS:
 - a. SPECIFICATION FOR STRUCTURAL CONCRETE, ACI 318.
 - b. FINISHING CODE REQUIREMENTS FOR CONCRETE, ACI 116.
 - c. GUIDE TO HOT WEATHER CONCRETING, ACI 304.
 - d. GUIDE TO COLD WEATHER CONCRETING, ACI 306.
 - e. GUIDE TO FORMWORK FOR CONCRETE, ACI 308.
 - f. SPECIFICATIONS FOR TOLERANCES FOR CONCRETE CONSTRUCTION MATERIALS, ACI 111T.
- CONCRETE SHALL HAVE THE FOLLOWING MINIMUM PROPERTIES:

- | APPLICATION
FOUNDATIONS AND PILES | DRIFT UNIT | | MAX.
SUC-
TION |
|--------------------------------------|---|----------------------------------|----------------------|
| | FT AT 28 DAYS | WEIGHT LOSS
PER
CUBIC FOOT | |
| 1. CEMENT | 4.55 | 145 | 0.45 |
| 2. CEMENT | ASTM C150, TYPE I OR II | | |
| 3. CEMENT SUBSTITUTES | ASTM C594, ASTM C595, ASTM C915 (CLASS C OR D) | | |
| 4. CEMENT AGGREGATES | MAXIMUM PERCENT OF TOTAL IN ACCORDANCE WITH AASHTO | | |
| 5. COARSE AGGREGATES | COARSE AGGREGATE SIZE SHALL BE 1/2" MAX. 1" TOP SIZE FOR ALL WORK | | |
| 6. FILL | ASTM D2922 (NORMAL WEIGHT) | | |



1. THE PAD HANGING ABOVE THE
1. GROUND LEVEL TO THE PAD
ELEVATIONS WERE PROMOTED BY
2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835



BEYNON SPORTS SURFACES

16 ALT ROAD
HUNT VALLEY, MD 21030

GENERAL STRUCTURAL NOTES,
FOUNDATION PLAN, AND SECTION
CALCIUM CARBONATE SILO FOUNDATION

16 ALT ROAD
HUNT VALLEY, MD 21030

| | REVISION | DATE | BY |
|---|-------------------------|----------|-----|
| 0 | ISSUED FOR CONSTRUCTION | 03/24/20 | JEH |
| A | " | " | " |
| B | " | " | " |
| C | " | " | " |
| D | " | " | " |
| E | " | " | " |
| F | " | " | " |

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 44110, Expiration Date: 2021-09-13.

**PROVIDENCE**

23 South Main Street
Muncy, PA 17795
Phone: 814-754-1129
Certificate Number: 30649

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| | |
|-------------|----------|
| DRAIN BY: | CRC |
| CHECKED BY: | JBH |
| DATE: | 03/24/20 |
| SCALE: | AS NOTED |
| JOB NO.: | 200437 |
| SHEET: | S101 |

**CALCIUM CARBONATE SILO
BEYNON SPORTS SURFACES
BALTIMORE COUNTY, MARYLAND**

**HERBST/BENSON & ASSOCIATES
GEOTECHNICAL ENGINEERS**

December 9, 2019

Hanover Land Services
585 McAllister Street
Hanover, Pennsylvania 17331

Attention: Mr. Doug Barmoy

Re: Calcium Carbonate Silo
Beynon Sports Surfaces
Baltimore County, Maryland

Gentlemen:

We have completed our geotechnical study for the proposed calcium carbonate silo. The purpose of the study has been to determine geotechnical design criteria and construction recommendations for the proposed silo foundation. The methods of explorations and tests, the subsurface data, the laboratory test results, and our conclusions and recommendations concerning the above-noted geotechnical aspects of the proposed construction are presented in the following sections of the report.

I. SUBSURFACE EXPLORATORY PROGRAM

The subsurface exploratory program consisted of one standard penetration test (SPT) boring, B-1, located as shown on PLATE 1, BORING LOCATION PLAN AND PROFILE. The boring was drilled with a truck-mounted drilling rig using continuous flight, helical augers to advance the borehole to the planned termination depth of 25 feet. Standard penetration testing and split spoon soil sampling were performed at regular intervals as the boring was advanced.

The information obtained from the boring is presented on PLATE 1. The method of classification used to prepare the soil descriptions for the boring profile is shown on CLASSIFICATION OF SOILS included in the back of this report.

II. LABORATORY TESTING

A sample of the upper founding soil was classified by sieve gradation and Atterberg limits testing. Moisture content testing was performed on all recovered soil samples. The test results are presented as follows:

TABLE 1, CLASSIFICATION TEST DATA
PLATE 1, BORING LOCATION PLAN AND PROFILE
(existing moistures in brackets on left side of boring column at appropriate sample depth)

III. SITE DESCRIPTION

The project site is the existing Beynon Sports Surface manufacturing facility located off the end of Alt Road in the Hunt Valley area of northern Baltimore County. The new storage silo will be located in the flat paved area along the back of the building close to the northeast building corner.

IV. SITE GEOLOGY

The Geologic Map of the Cockeysville Quadrangle, Maryland compiled by the Maryland Geological Survey in 1975 shows the project area to be underlain by the Cockeysville Marble bedrock formation. The soils in this area are residual in origin, having been formed from in-place weathering and decomposition of the underlying bedrock formation. A characteristic of the formation is pinnacle bedrock weathering, where the depth to bedrock can vary greatly over relatively short horizontal distances.

V. SUBSURFACE MATERIAL

The paving at the boring location was found to consist of 3 inches of hot-mix asphalt over 10 inches of crushed stone base. No fill was evident below the paving.

The soil below the pavement is a 2-foot thick stratum of gray-brown, stiff, moist, low plasticity silt & clay with nearly equal sand content (ML), overlying a similarly colored layer of medium dense, very moist to wet sand with rock fragments (SM) to a depth of about 9 feet. From the 9-foot depth to the bottom of the boring, light gray and tan, very dense, wet sand and rock fragments (SM) are penetrated with difficulty. The (Decomposed Rock) designation on the boring profile indicates that the residual relict structure of the parent marble bedrock mass can be observed in the recovered soil samples.

VI. GROUNDWATER

While drilling, groundwater was noted on the drill rod about 4 to 5 feet deep, but the water surface in the borehole was 1.7 feet below grade at completion of drilling and one day later. Additionally, the recovered soil samples were very moist at a depth of 4 feet and wet below the 6-foot depth.

It is possible, but not a certainty, that the groundwater is under excess hydrostatic pressure in the light colored sand and rock fragment layer confined by the upper finer-grained soil. When the confining layer is penetrated, the water flows up through the hole to reach equilibrium.

These readings represent conditions at the time of the test boring program. Groundwater levels will tend to vary with changes in precipitation, typically rising during the late winter, spring and early summer seasons, and receding through the remainder of the year.

VII. PROPOSED CONSTRUCTION

The calcium carbonate storage silo will be 46 feet tall and 12 feet in diameter supported by four braced legs or columns on a 16-foot square concrete mat foundation. Information from the tank supplier states that the tank structure plus a full silo of product weighs about 295,000 pounds. On the planned mat foundation the resulting applied pressure will be a 1,200 PSF.

VIII. SILo SUPPORT RECOMMENDATIONS

The boring information shows that the planned mat foundation will be adequately supported in the undisturbed native soil at or below the 30-inch frost depth required by local code. The mat foundation grade should match the grade of the adjacent building wall footing, but the new foundation should be isolated from the building foundation by a construction joint. There could be challenges to foundation construction depending on the actual groundwater conditions in the foundation excavation (see Section VI).

During initial excavation, the extent of required groundwater control can be evaluated. Heavy flow would require a series of shallow trenches and pits with pumps likely will be needed to control groundwater. If the groundwater is a confined artesian condition and the water bearing layer is not penetrated, less extensive control methods may be adequate.

The foundation excavation should be deepened an additional 3 inches below planned bottom-of-mat elevation. Once a firm, stable surface is obtained in undisturbed native soil and the soil is tested for adequate bearing, a 3-inch thick concrete "mud" mat should be placed across the bottom of the excavation. This non-structural concrete mat will allow placement and tying of steel reinforcement without disturbing and compromising the strength of the founding soils.

IX. EXCAVATION CHARACTERISTICS

The boring shows that the mat excavation can be completed with normal soil excavation techniques. Groundwater could be an issue in construction as described in the previous sections of the report.

X. GEOTECHNICAL MONITORING AND TESTING

We recommend that Herbst/Benson & Associates be retained to provide the geotechnical monitoring and testing services during foundation construction. This is to observe compliance with design concepts, specifications or recommendations and to allow design changes in the event that subsurface conditions differ from those anticipated prior to the start of construction.

Prior to construction a mud mat, the open foundation excavation shall be examined and the exposed soil conditions approved for a design bearing pressure of at least 2,000 PSF in undisturbed native soils. The in-place steel reinforcement should be checked for compliance with the approved design and the concrete placement observed with testing performed to check compliance to the design requirements. We can provide the indicated construction phase services along with on-call geotechnical engineering consultation services as needed during construction.

XI. GENERAL CONDITIONS

This report has been prepared in accordance with generally accepted geotechnical engineering practice to aid in the evaluation and design of this project. In the event of changes in the proposed construction (types, elevations, locations, etc.), the conclusions and recommendations presented in this report should not be considered valid unless changes are reviewed and the conclusions of this report are modified or approved in writing by our office.

The analyses and recommendations included in this report are based upon the data obtained from the test boring performed at the approximate location indicated on the boring location plan. This report does not reflect variations which may occur away from the boring. The nature and extent of the variations may not become evident until the time of construction. If significant variations then become evident, it may be necessary for us to reevaluate the recommendations of this report.

In the process of obtaining and testing samples and preparing this report, procedures were followed that represent reasonable and accepted practice in the field of geotechnical engineering. Specifically, a field log was prepared during

the drilling operations that describe visual soil classifications, soil stratification, groundwater observations, and other information. Each soil sample obtained in the field was returned to our office to be examined and classified by trained personnel. Selected samples were subjected to laboratory classification testing. Accordingly, differences exist between the field boring log and the final log which reflect the results of laboratory tests and the classifications by trained personnel. The final log developed from the classifications and laboratory data was used to prepare the boring information indicated on the boring profile. The recommendations in this report have been based upon the content of the final boring and laboratory test information.

We appreciate the opportunity to provide a geotechnical study for the proposed calcium carbonate silo. We will be available to provide additional consultation as needed, and hope to have the opportunity to follow the project through construction by providing geotechnical monitoring and testing services. Please do not hesitate to contact us should you, the owner, or the other consultants have any comments or questions.

Most Sincerely,

HERBST/BENSON & ASSOCIATES



Robert C. Benson
cn=Robert C. Benson, o=Herbst/
Benson Associates, Inc., ou,
email=bensonr@herbst-benson.
com, c=US
2019.12.16 17:34:29 -05'00'

By: Robert C. Benson, P.E.
Principal

RCB
19072MD

CALCIUM CARBONATE SILO
BEYNON SPORTS SURFACES
BALTIMORE COUNTY, MARYLAND
19072MD

DECEMBER 2019

TABLE 1

CLASSIFICATION TEST DATA

| <u>Sieve/Particle Size</u> | <u>% by Weight Passing Indicated Size</u> |
|----------------------------|---|
|----------------------------|---|

B-1
(3.5'-5.0')

| | |
|------|-----|
| 1" | 100 |
| 3/4" | 91 |
| 1/2" | 85 |
| 3/8" | 83 |
| #4 | 74 |
| #10 | 66 |
| #40 | 47 |
| #60 | 33 |
| #200 | 16 |

Atterberg Limits

| | |
|-----------------------|----|
| Liquid Limit (LL) | 34 |
| Plasticity Index (PI) | NP |

Classification

| | |
|---------|----------|
| Unified | SM |
| AASHTO | A-1-b(0) |

| | |
|-------------------------------------|------|
| <u>Natural Moisture Content (%)</u> | 23.4 |
|-------------------------------------|------|

CLASSIFICATION OF SOILS

The soil descriptions on the boring profiles are in accordance with the criteria outlined below. The principal constituents are written in capital letters with other constituents preceded by descriptive terminology used to denote the percentages by weight of each component. The soil descriptions are based upon visual examinations except where laboratory gradation and Atterberg limits tests are available.

Descriptive Terms Denoting Component Proportions

| Descriptive Terms | Range of Proportion |
|--------------------------|----------------------------|
| Trace | 1 - 10% |
| Little | 10 - 20% |
| Some | 20 - 35% |
| And | 35 - 50% |

Component Definitions by Gradation

| Soil Component | | Sieve Limits | |
|---|--------|---------------------|------------------|
| | | Upper | Lower |
| *GRAVEL/
ROCK FRAGS | Coarse | 3 in. | 1 in. |
| | Medium | 1 in. | 3/8 in. |
| | Fine | 3/8 in. | No. 10 (2.0mm) |
| SAND | Coarse | No. 10 (2.0mm) | No. 30 (0.590mm) |
| | Medium | No. 30 (0.590mm) | No. 60 (0.250mm) |
| | Fine | No. 60 (0.250mm) | No. 200(0.074mm) |
| SILT, CLAY and COLLOIDS:
(fines defined by degree of plasticity) | | No. 200 (0.074mm) | |

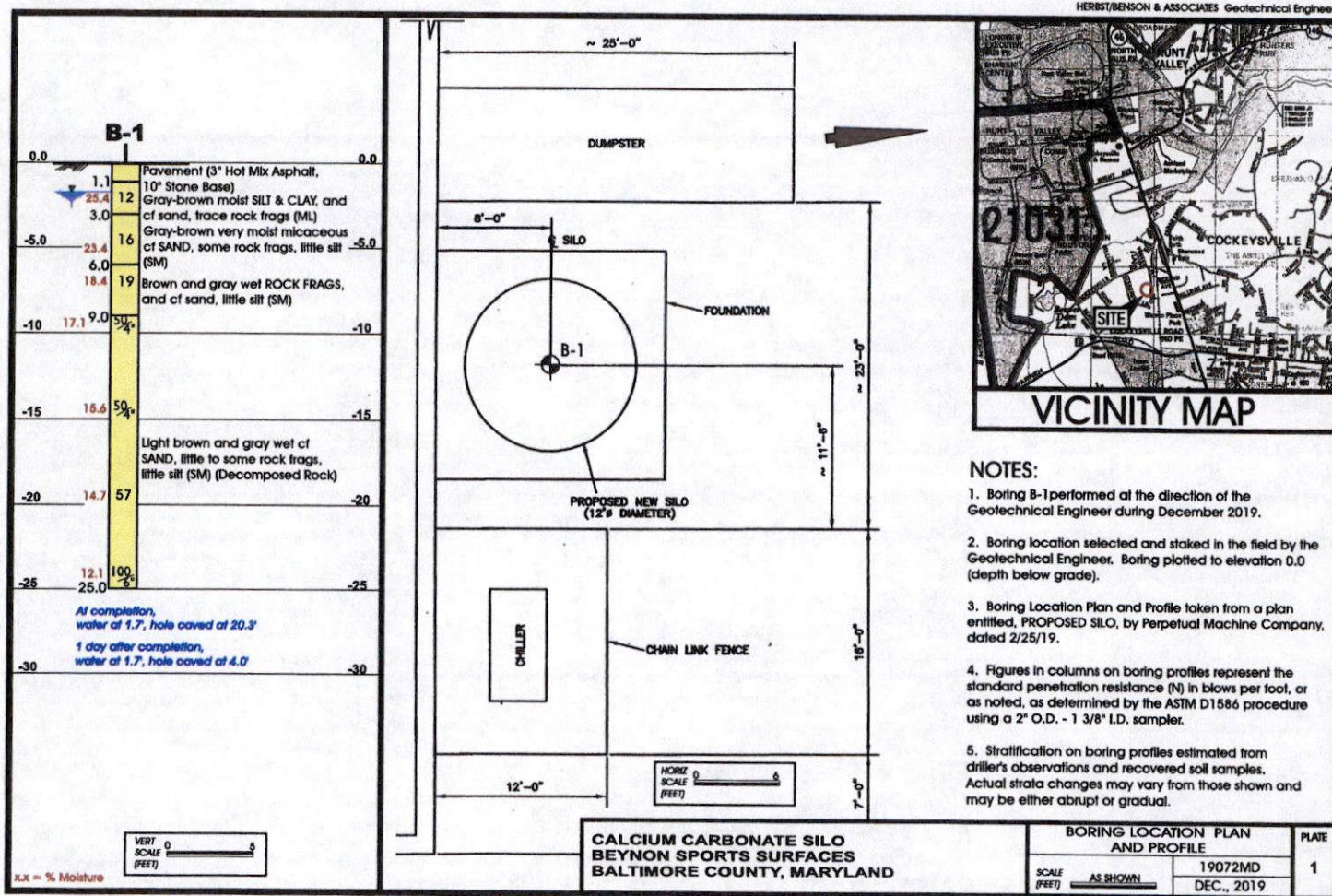
*This component is classified as "GRAVEL" in sedimentary soils and as "ROCK FRAGS" in residual soils.

Component Definitions by Degree of Plasticity

| Descriptive Term | Degree of Plasticity | Plasticity Index
Range |
|-------------------------|-----------------------------|-----------------------------------|
| SILT | None | Non-plastic (NP) |
| Clayey SILT | Slight | 1 - 5 |
| SILT & CLAY | Low | 5 - 10 |
| CLAY & SILT | Medium | 10 - 20 |
| Silty CLAY | High | 20 - 40 |
| CLAY | Very High | Over 40 |

Gradation Terms of Granular Components

| Gradation Designation | Symbol | Defining Proportions |
|------------------------------|---------------|---|
| coarse to fine | cf | All fractions greater than 10% of the component |
| coarse to medium | cm | Less than 10% fine |
| medium to fine | mf | Less than 10% coarse |
| coarse | c | Less than 10% medium and fine |
| medium | m | Less than 10% coarse and fine |
| fine | f | Less than 10% coarse and medium |



APPENDIX C

Floodplain Exhibit



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HANOVER LAND SERVICES, INC.

Land Planning ♦ Surveying ♦ Engineering ♦ Permitting

FLOODPLAIN IMPACT ANALYSIS

BEYNON SPORTS SURFACES

16 Alt Road
Baltimore County, Maryland

July 15, 2019

mrepp@hanoverlandservices.com

HANOVER

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WESTMINSTER

194 E. Main Street
Westminster, MD 21156
ph: 410.771.1111

PROFESSIONAL CERTIFICATION: I CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY A
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSED
12-20-2020.

www.hanoverlandservices.com

WBE/DBE Certified ♦ MDOT# 08-513 ♦ Baltimore City # 11-3581

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1. INTRODUCTION

1.1 *Objective*

This report documents the proposal of a 10-foot diameter welded carbon steel tank (silo) in addition to a fireproof/floodproof chemical storage container and was prepared to accompany a petition for a special hearing seeking a waiver. The petition is to allow the placement of a silo and a fireproof/floodproof container within the 100-year floodplain in addition to allowing both proposed structures to be located within the minimum required setback area.

1.2 *Description of Project*

The project is located at 16 Alternate Road, Hunt Valley, MD. A 10-foot diameter silo is proposed on the northside of the building behind an existing concrete containment area which currently accommodates six existing storage tanks, and can be seen in the aerial image below. The location of the proposed silo was chosen in order to eliminate floodplain impacts and still serve its intended purpose. The silo will be positioned within the conveyance shadow of the building, and therefore, will not impact the base flood elevation. (The conveyance shadow is discussed in more detail later in the report)

In addition to the tank, a 9'-4" x 19'-4" flammable/floodproof container is proposed to replace the existing fenced area currently utilized for chemical storage.

The proposed container will improve conditions during a flooding event by eliminating the risk of contamination. Hazardous chemicals will be stored in the proposed floodproof container rather than within the fenced area where flood waters can reach the barrels. Additionally, the existing fencing, which currently traps debris during a flooding event will be removed, adding to the benefits of the proposed container.



Figure 1 – Location Map

1.3 Soils and Land Uses

The existing land use/cover within the site area consists primarily of impervious area associated with the existing industrial use of the property.

Based on the latest Web Soil Survey data for Baltimore County prepared by the USDA Natural Resources Conservation Service (NRCS), the soil classification is Ur, urban land 0 to 8 percent slopes, which is classified as Hydrologic Soil Group D. Figure 2 illustrates the approximate site area and soils.

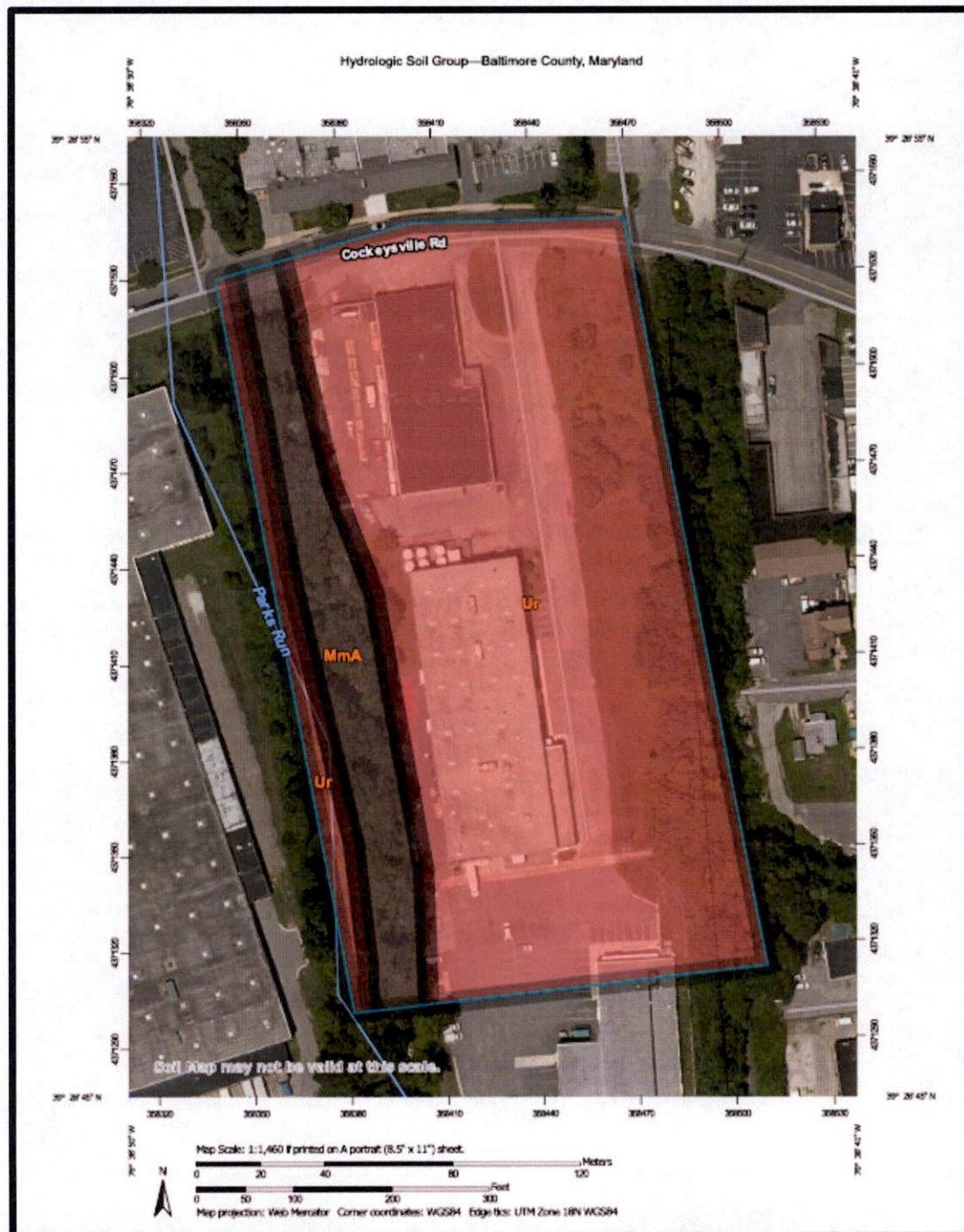


Figure 2 - Soil Map

[Type here]

1.4 MD Stream Use Designation and Wetlands

The project is located within the Loch Raven Reservoir Watershed (MD 8 Digit Watershed 02-13-05-05). Parks Run flows from south to north adjacent to the site into Beaverdam Run. The drainage area for the entire project site is designated as MD Stream Use III-P.

There are no wetlands or Waters of the U.S. within the project area.

1.5 100-Year Floodplain and Chesapeake Bay Critical Area

The project site is located within a FEMA Zone A per FIRM Panel 2400100235F, Revised September 26, 2008. Figure 3 illustrates the Flood Risk Map per www.mdfloodmaps.org.

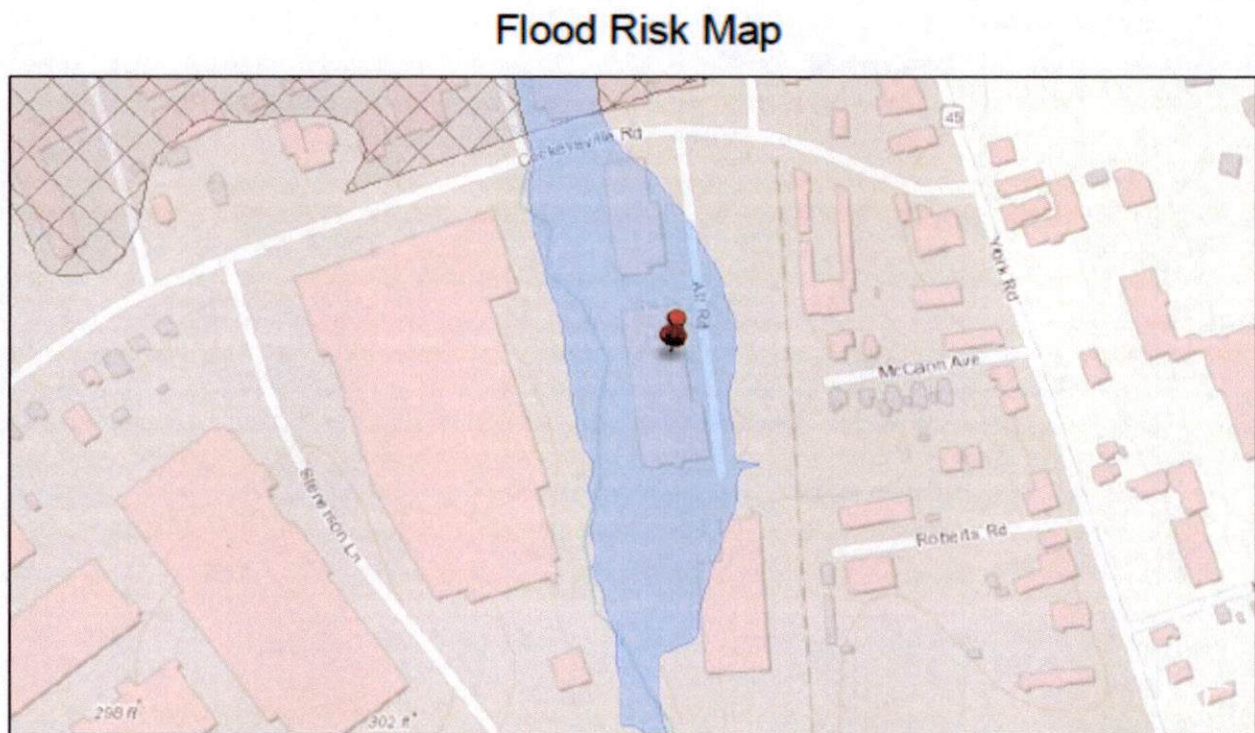


Figure 3 – Flood Risk Map

2. PROJECT DETAILS

2.1 Proposed Silo

Details

In order to eliminate impacts to the FEMA Floodplain, the silo is proposed to be located within the conveyance shadow (discussed later) of the concrete containment area in addition to being elevated a minimum of 1.0' above the BFE (base flood elevation).

The proposed silo will be constructed from welded carbon steel. It will have an outside diameter of 10-feet and a height of 56-feet and be elevated a minimum of 1.0' above the BFE by a four-leg support, braced on four sides and supported by an engineered foundation.

BFE Determination

The BFE was computed using the simplified method of contour interpolation as outlined in the FEMA Publication *Managing Floodplain Development in Approximate Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*. Excerpt from this publication is shown below:

Determining BFEs for Riverine flooding:

On each side of the stream in the vicinity of the site, determine the ground elevation at which the superimposed Zone A boundary lies by interpolating between two contour lines. Add one-half of the map contour interval to the lower of the two interpolated elevations. This is the approximate BFE for the site (be sure to perform this method at each structure location).

By adding one-half of the contour interval to the lowest interpolated water-surface elevation, two things are achieved: 1) the final BFE is within one-half of the contour interval of both interpolated water-surface elevations and, therefore, is still within the acceptable tolerance of the topographic map (generally regarded as $\pm$ one-half of the map contour interval); 2) it is a conservative estimate of the BFE. If the BFE determined under this procedure seems too high, then a detailed analysis may be performed to justify lowering it.

The effective FIRM shown overlaid on current county topo was utilized to determine the right and left overbank water surface elevations at the upstream location of the proposed tower. These elevations must be within one-half of the map contour interval (1.0-foot) in order for the simplified method to be acceptable. The elevations were determined to be 260.2 for the left overbank and 259.8 for the right overbank. The difference of 0.4' is less than half the contour interval, thereby meeting the requirements to utilize this method.

The BFE was then determined by adding one-half the contour interval (1.0-feet) to the lower of the two elevations, 259.8, resulting in a final BFE determination of 260.8. The tower will therefore be required to be elevated to a minimum elevation of 261.8.

[Type here]

Figure 4, located in the following section, shows the topographic map utilized to determine the BFE.

Silo Placement

The silo will be located within the conveyance shadow of the existing building and containment area. The conveyance shadow is an area immediately above or below a building or other obstruction around which flood waters must flow. Below obstructions, this area is defined by a line drawn at a 4:1 ratio from each outside edge of the obstruction until they intersect. The resulting area is an area subject to ineffective flow where flood waters are not being actively conveyed downstream. Minor projects located within this area will not obstruct the flow of floodwaters, and therefore, will not impact the BFE.

The conveyance shadow was determined utilizing guidelines published by FEMA titled: *Managing Floodplain Development Through the National Flood Insurance Program, Unit 5*. The excerpt below can be found on pages 5-23 & 5-24 of said guidelines.

Minor projects: Some projects are too small to warrant an engineering study and the certification. Many of these can be determined with logic: a sign post or telephone pole will not block flood flows. A driveway, road or parking lot at grade (without any filling) won't cause a problem, either.

Building additions, accessory buildings, and similar small projects can be located in the conveyance shadow. This is the area upstream and downstream of an existing building or other obstruction to flood flows. Flood water is already flowing around the larger obstruction, so the addition of a new structure will not change existing flood flow.

NFIP Requirements

5-23

Determining the limits of the conveyance shadow is illustrated in Figure 5-6. Small structures located completely within the shadow can be permitted without the engineering analysis needed for a no-rise certification.

Note: Just because a small structure can be located in the conveyance shadow, it is still preferable to keep all development out of the floodway. Don't forget: all buildings must be elevated or otherwise protected from the base flood.

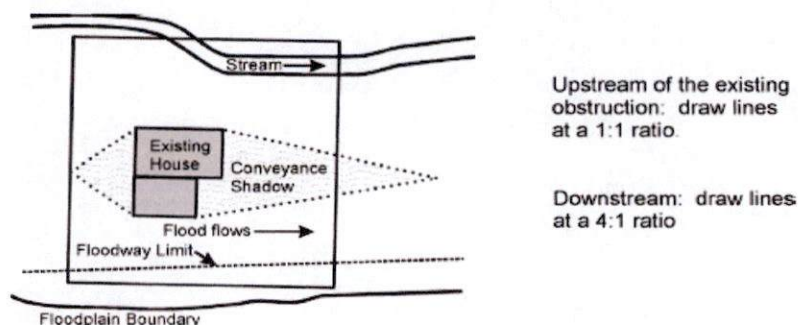


Figure 5-6. Determining the conveyance shadow

The conveyance shadow was determined by drawing a line at a 4:1 ratio from the right corner of the building and from the corner of the containment area on the left side of the building.

The exhibit shown below illustrates both the conveyance shadow and the BFE determination. The silo was positioned close to the left boundary of the conveyance shadow in order to reduce impacts to the spill area. Locating the silo within the conveyance shadow on the right side is not feasible due to required tractor trailer access.

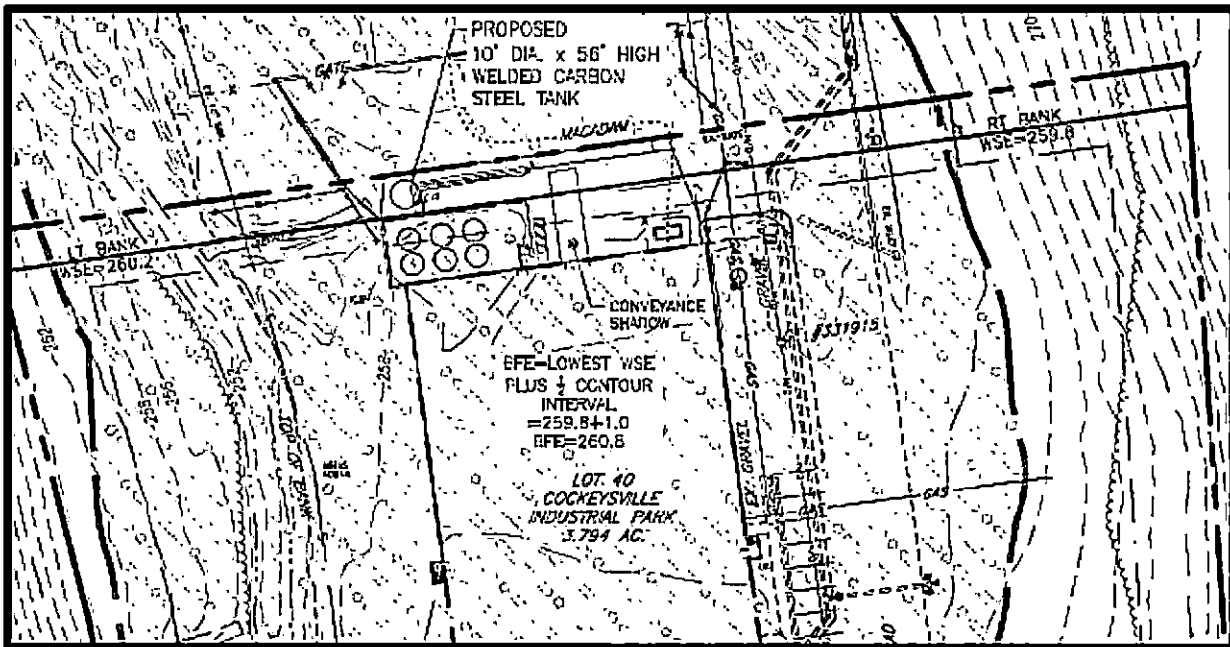


Figure 4 - Conveyance Shadow and BFE Determination

2.2 Proposed Chemical Storage Container

The proposed fireproof/floodproof chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Therefore, there will be no floodplain impact as a result of its installation. More importantly, site conditions relative to flooding events will be improved by replacing the fenced storage area with a permanent floodproof container. Thereby eliminating the likelihood of contamination of flood waters and eliminating undesirable fencing which traps debris.

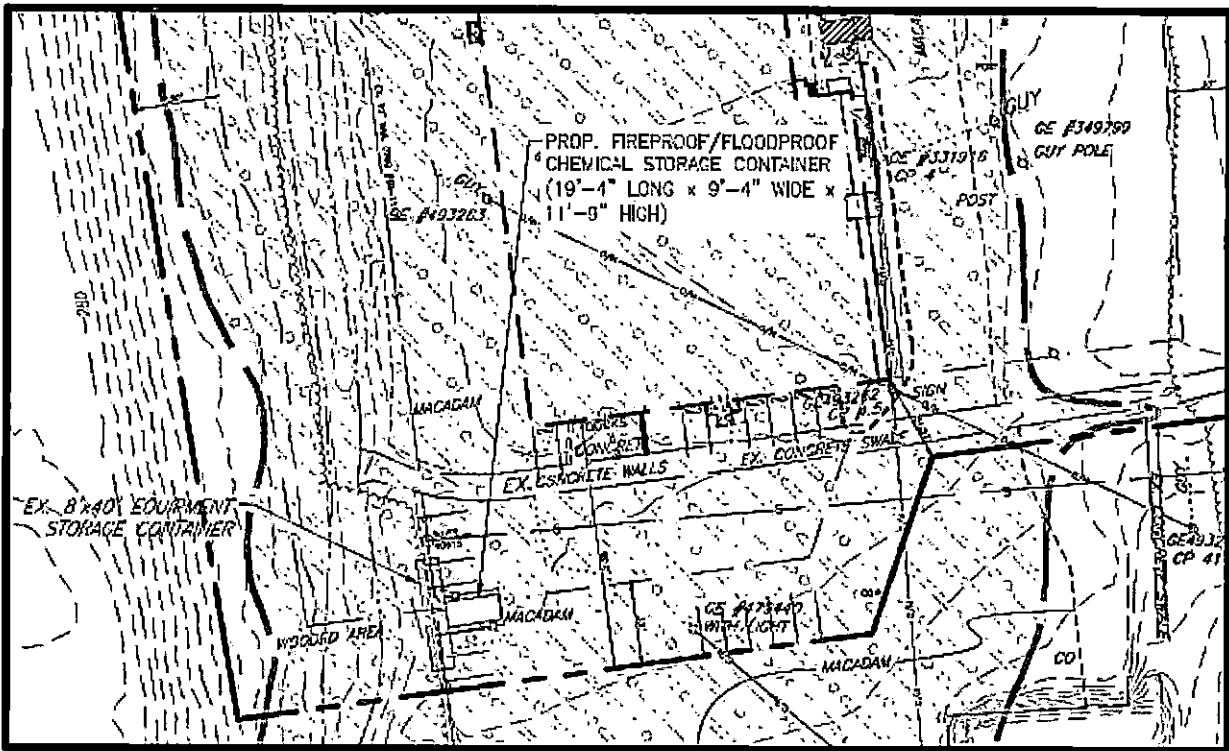


Figure 5 - Proposed storage container location

3. ZONING HEARING PETITION

3.1 Special Hearing

A Special Hearing will be required to allow new construction within the regulated 100-year FEMA floodplain. The proposed silo location was selected because it is within the conveyance shadow, and therefore, will not impact the base flood elevation. Justification to support the petition will include the original proposed location of the tank, the alternative locations reviewed and explanations as to why those alternative locations were or were not feasible (located in Appendix A). The current proposed location was one of the alternative locations considered.

The proposed chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Justification to support the petition will include how the proposed floodproof container will not impact the BFE and will improve conditions during a flooding event.

[Type here]

3.2 Setback Variance

The Subject property is located within ML-IM zoning district for which the front setback is 25-feet and the rear setback is 30-feet. There is only 15-feet available from the existing concrete containment area to the property line on the north side of the building where the silo is proposed to be located. Therefore, a variance will be required to allow the silo to be placed within the setback area. The justification to support the request will include the benefits of locating the tank as shown on the proposed plans compared to the only other feasible locations which would be located within the effective flow area of the floodplain and possibly negatively impacting the base flood elevation.

A Variance will also be required for the proposed storage container to be located within the rear setback area. Justification to support the request will include discussion of the existing fenced area and the benefits of replacing this area with a floodproof container to be located in the same location. Due to garage doors on the existing equipment storage container, the proposed container cannot be located further north, outside of the setback area.

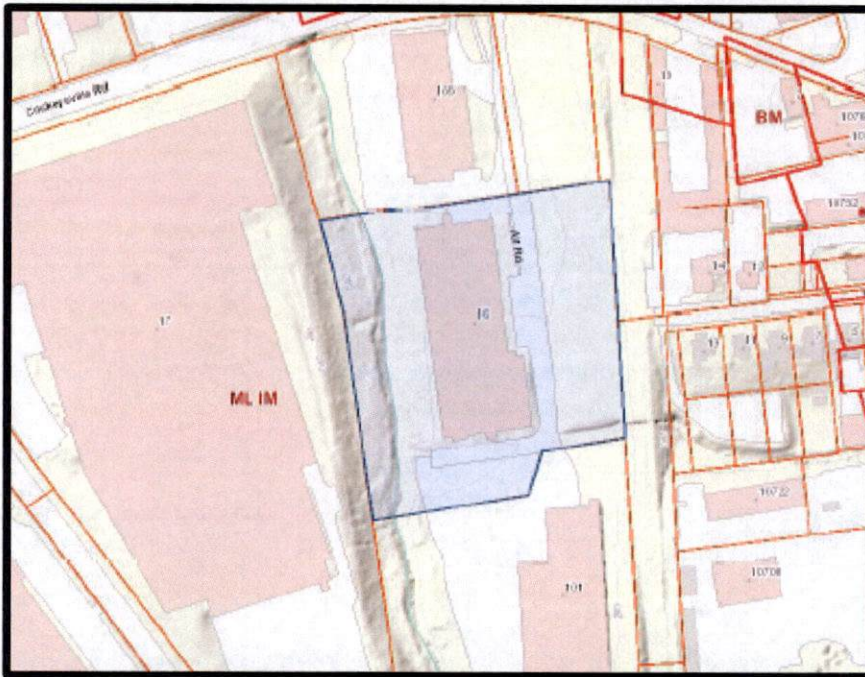


Figure 6 - Zoning Map

4. CONCLUSIONS

By utilizing guidance documents published by FEMA, the BFE was determined for the location of the proposed silo. The silo is proposed to be located within the conveyance shadow of the existing building in order to eliminate any negative impacts to the 100-year regulated floodplain. Additionally, it will be elevated a minimum of 1.0' above the base flood elevation as required.

Per guidelines published by FEMA titled: Managing Floodplain Development Through the National Flood Insurance Program, Unit 5, minor projects located within the conveyance shadow will not change the existing flood flow and therefore do not warrant an engineered study. The limits of the conveyance shadow were determined utilizing these guidelines and the proposed silo located within this area.

It can therefore be concluded that the proposed location of the silo will not negatively impact the regulated 100-year floodplain.

Additionally, the proposed fireproof/floodproof container will improve conditions within the 100-year floodplain by eliminating the risk of contamination during a flooding event while also eliminating undesirable fencing that traps debris. By locating the proposed container in the same location of the existing fenced area, the impact to the regulated 100-year floodplain will be eliminated.

APPENDIX A

Alternative Silo Location Analysis

Dry Holding Tank/Tower Response – Response to Alternative Locations

Option 1 – Not a good location. There are actually a total of six tanks containing polyols and/or castor oil, all vegetable based oils. There is NOT sufficient room within the existing containment area to install the new tower. The existing tanks contain liquids and must be located within the secondary containment structure. We have a Spill Prevention Control and Countermeasures (SPCC) Plan which defines what controls and processes we have in place to prevent a leak. The containment area must be able to contain 110% of the volume of one of the tanks in the event of a tank failure. If there was space to build the tower in the containment area, that would reduce the overall storage capacity of the containment structure.

Option 2 – Yes, this is a suitable and desirable location as long as the tower is constructed on the western-most portion of the highlighted area (Closest to Option # - Red Dot). This area contains a Spill Berm with a flow control valve that is designed to contain the volume of the largest compartment of the tanker trucks that drop off polyols on a daily basis. The spill berm is listed as spill control device in our SPCC Plan. If constructed in this location, the tower would need to be elevated in order to allow normal storm water flow. In fact, this area is subject to heavy sediment deposits after rain events. As part of the construction planning, we would attempt to implement a control or a feature that would allow for better drainage limiting the sediment buildup. This location is in close proximity to where the stored materials will be utilized inside the building and would require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building.

Option 3 – Yes, this is a suitable location. The tower would be constructed as close to the containment berm and containment wall as possible based upon the recommendations of the engineers and installers. To address Option 9, yes we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain. This location is in close proximity to where the stored materials will be utilized inside the building and will require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building. Unlike Option 2, this area is currently NOT paved and serves as a vegetative buffer for storm water pollution control. Constructing the tower here would destroy a portion of the buffer and create additional impermeable surfaces in close proximity to the adjacent stream.

Option 4 - Not a good location. There is a parking area in this location. It was constructed using permeable pavement materials to limit runoff that could pollute the stream on the western portion of our property. Additionally, if installed here, we would need to construct an elaborate piping system to move the materials to our blenders and mixers located in the corner of the building where we have proposed installing the tower. In addition to significantly increasing the cost of the project, this would also increase the risk of a release of the material in the event of a pipe failure. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan, a requirement of our NPDES Permit.

Option 5 - Not a good location. There are transfer ports in this location where tanker trucks drop off polyols that are stored in tanks inside of our building along the eastern wall and where tanker trucks pick up finished materials that are shipped weekly to one of our affiliate companies. Also, our chillers and the electric transformer are located in this area. This area includes a few trees and grass that help control storm water runoff.

Option 6 - Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. This area is also the location of our two loading docks. During our peak season, we have close to 20 tractor trailers either picking up finished products, or dropping off raw materials. As it stands now, the trucks have a difficult time accessing the loading docks.

Option 7 - Not a good location. The proposed building is NOT being built. This area is at the opposite end of the property from where the materials stored in the tower will be used. There is a large storm water culvert in this area that channels all of the storm water from York Road and the adjacent Baltimore County Schools Facility. During a heavy rain event, this culvert becomes a "river." Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.

Option 8 - Not a good location. The proposed building is NOT being built. This area is at the opposite end of the property from where the materials stored in the tower will be used. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.

Option 9 - As indicated in the response to Option 3, yes, we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain.

**ALTERNATIVE LOCATIONS
OPTIONS FOR DRY
HOLDING TANK/TOWER**

Legend

Option #4: Can the tank/tower be placed anywhere in this area?

Option #8: There was a proposed building on this side of the easement (no longer proposed). Could the tank/tower be located off the front corner of where that building was proposed?

Option #5: Can the tank/tower be located in either of these areas?

Option #7: There was a proposed building on this side of the easement (no longer proposed), could the tank/tower be located beside where the proposed loading area was?

Option #1: Is there any room between these existing towers and the loading dock for the proposed tank/tower?

BSS Hunt Valley, MD

30' EASEMENT

**ORIGINAL
PROPOSED TOWER/
TANK LOCATION**

Option #6: Is this general area an option?

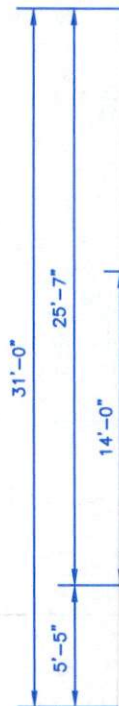
Option #2: Can the new tank/tower be put in this area so that it is within the building's "conveyance shadow" (not within the flow path)?

Option #3: If the proposed tank/tower location stays here, how close can it get to the existing containment area/towers?

Option #9: Can the tower be elevated at all? (ie- stilts, platform - above the flooding depth)

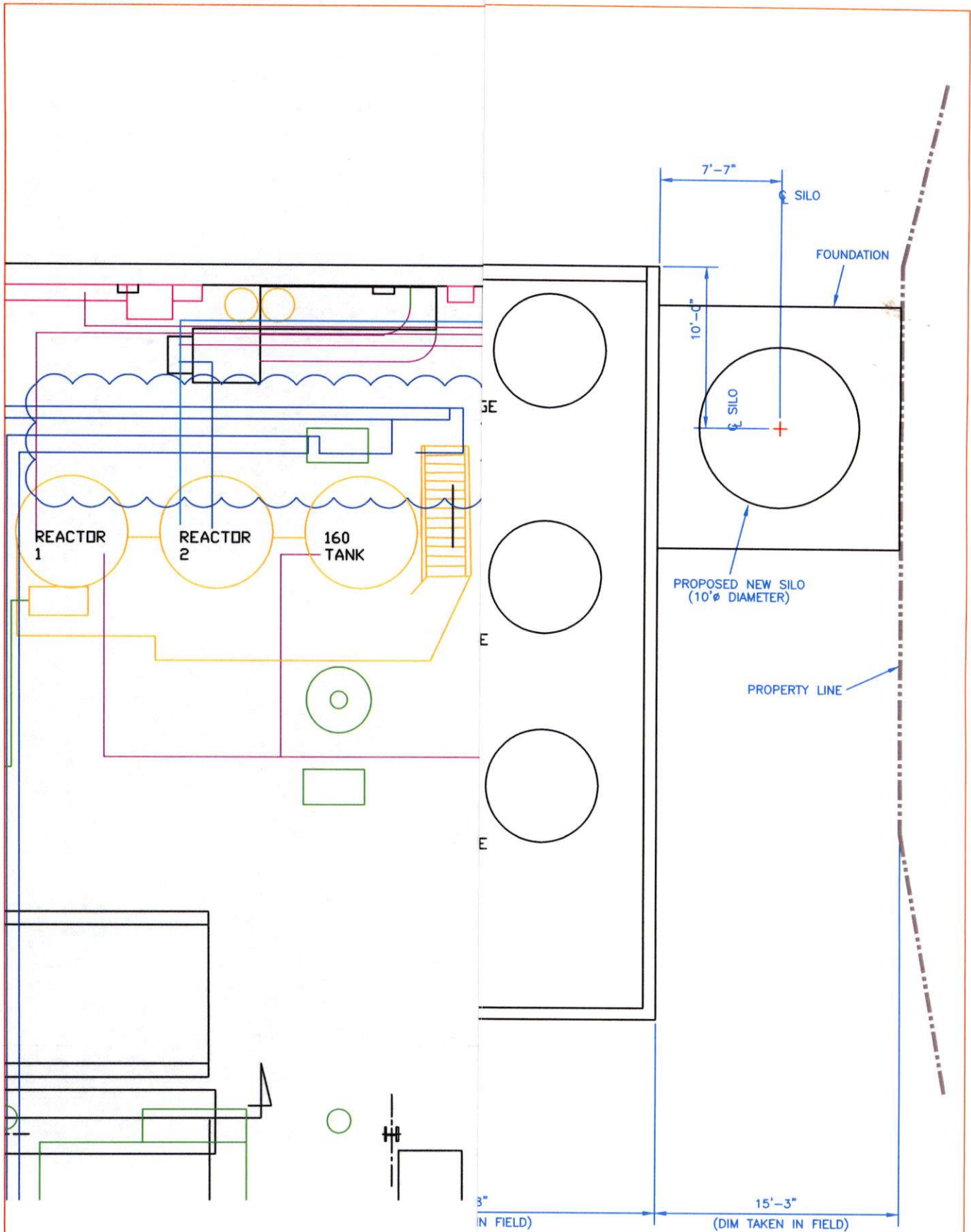
APPENDIX B

Silo Design



RED.

| | | |
|--|------------|--|
| R = ROLLER MATERIAL
M = MACHINE SHOP
ALL DIMS IN INCHES U.N. | |  PERPETUAL
MACHINE COMPANY |
| REV. A CHG SILO DIA & HT 4/10/19 DB | | |
| Description PROPOSED SILO | | <small>THIS DRAWING IS THE PROPERTY OF PERPETUAL MACHINE CO. AND ANY UNAUTHORIZED REPRODUCTION OR USE OF THIS DRAWING SHALL BE A BREACH OF COPYRIGHT AND SHALL NOT BE PERMITTED WITHOUT WRITTEN PERMISSION FROM PERPETUAL MACHINE CO. DALTON, GA. USA © 2019</small> |
| Customer BEYNON | | |
| Job# 2019 | Scale: NTS | |
| Date: 2/25/19 | Dwg# 1 | |



R = ROLLER MATERIAL
M = MACHINE SHOP
ALL DIMS IN INCHES U.N.

REV.

REV.

REV.

1. SEE SLO DR, AND FIELD DIMS 4/18/19 DB

Description PROPOSED SILO

Customer BEYNON

Job# 2019

Scale: NTS

Date: 2/25/19

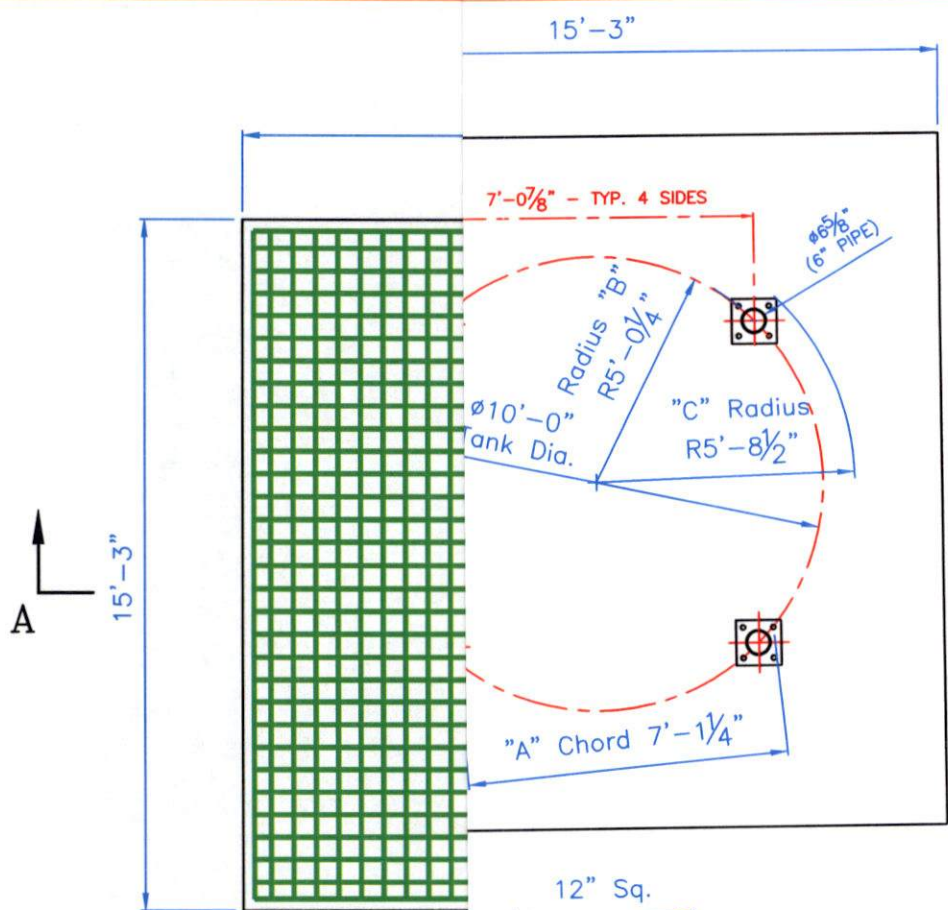
Drawn By: DB

Dwg# 2

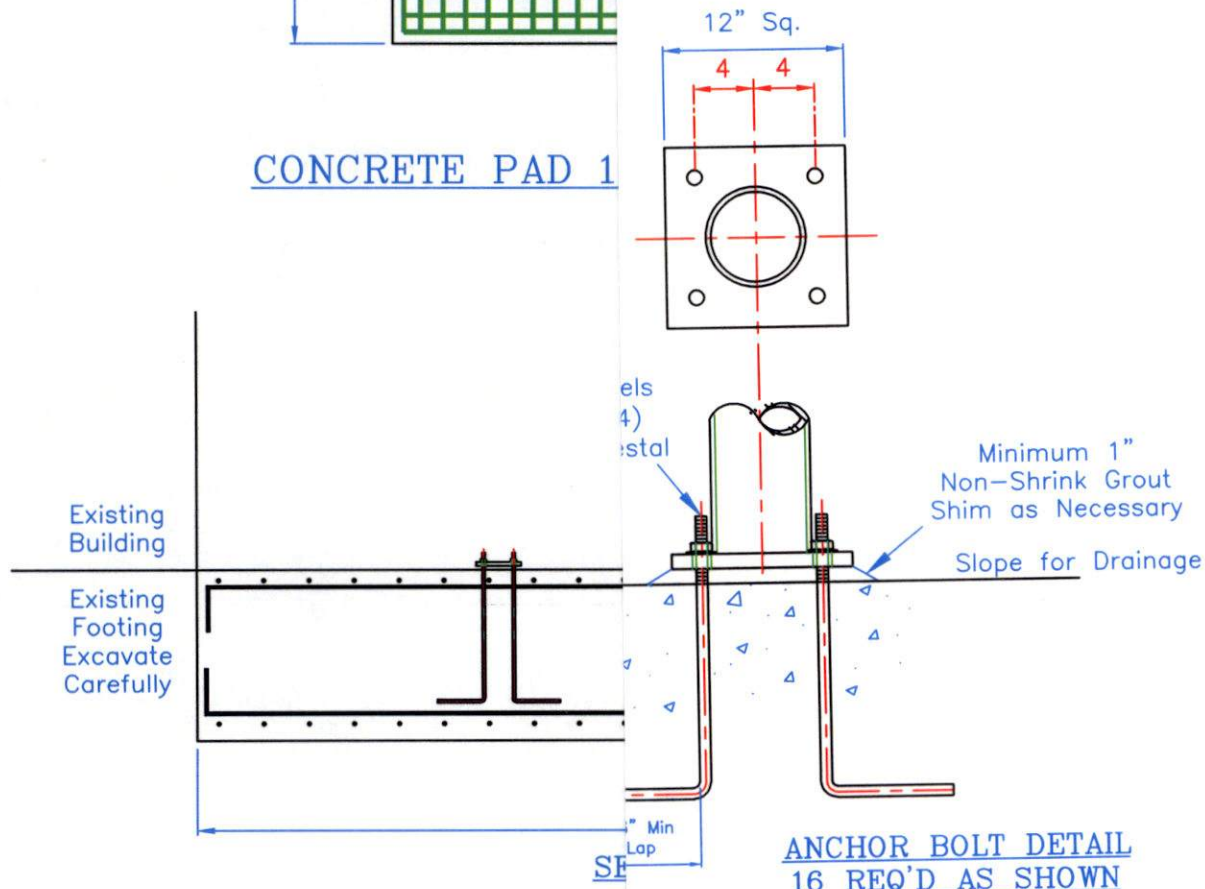


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ED.



CONCRETE PAD 1



ANCHOR BOLT DETAIL 16 REQ'D AS SHOWN

NOTES:

CONCRETE:
FOOTINGS: 4000 PSI @ 28 DAYS
SOIL BEARING: 2000 PSF MIN.
REBAR: 60,000 PSI

R = ROLLER MATERIAL
M = MACHINE SHOP
ALL DIMS IN INCHES U.N.
REV.



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| | | | | |
|-------------|---------------------|---------------|----------|---------------|
| Description | Proposed Foundation | | | Drawn By: reh |
| Customer | BEYNON | | | Job# |
| Proposal | Scale: No Scale | Date: 7/30/19 | Dwg# F-1 | |

APPENDIX C

Floodplain Exhibit

Sherry Nuffer

From: Kristen L Lewis
Sent: Wednesday, October 30, 2019 12:54 PM
To: Sherry Nuffer
Subject: Postponement
Attachments: 20191030130355388.pdf

Good afternoon,

I have attached the request for postponement per our conversation. I will mark it postponed on my end, and reschedule once all parties are ready. Thanks!!

Kristen Lewis
PAI – Zoning Review
410-887-3391

ATTORNEYS AT LAW
BODIE

Bodie, Dollna, Hobbs,
Fridell & Grenzer, P.C.

10/30/19

Postponement granted per R.M.

305 Washington Avenue
Suite 300
Towson, MD 21204
410.823.1250 tel
410.296.0432 fax

October 24, 2019

Rec'd
10/30/19
HL

THOMAS J. DOLINA**

CHESTER H. HOBBS, IV

WINN C. FRIDELL

LOUIS E. GRENZER, JR.*

S. TODD WILLSON*

ARTHUR P. CALTRIDER

CHRISTOPHER M. McNALLY

JAMES T. SMITH

RYAN E. NAUGLE*

ANGELA J. SILVERSTEIN

KATHRYN F. WEINRICH

JEFFREY P. ROGOVOM*

CHRISTOPHER A. BURGOYNE

DANIEL P. STRINGER

MICHAEL A. HARMON

ZACHARY D. SCHLEIN

JONATHAN M. MEYER****

ANGELICA A. CARLINER

WHITNEY E. WILDER

IFEANYI EZEIOBO

Of Counsel:

THOMAS G. BODIE

WALLACE DANN

SARAH MANN KOEGLSCHATZ

*Also Admitted in DC

**Also Admitted in CO & WY

***Also Admitted in DC, FL and PA

Re: Case Number: 201-0457-SPHA
16 Alt Road
Owner: Beynon Family, LLC
REQUEST FOR POSETPONEMENT

Dear Madam or Sir:

The above-referenced matter is scheduled for a Hearing on Friday, November 8, 2019, at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson.

The property owners just recently became aware that alterations to the documents previously submitted are necessary. Specifically, the location of the silo needs to be moved. The analysis and plats cannot be completed prior to the Hearing scheduled for November 8.

Therefore, we respectfully request that the hearing be postponed so that additional documents can be submitted.

Thank you for your consideration.

Very truly yours,

WEWilder

Whitney E. Wilder

WEW:jmh

cc: Beynon Family, LLC

MARTIN J. SMITH
(1938-1992)

C. ARTHUR EBY, JR.
(1923 - 2006)

11-8-19

CASE NO. 2019-0457-SHA

CHECKLIST

| <u>Comment Received</u> | <u>Department</u> | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|-------------------------|---|---|
| _____ | DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____) | _____ |
| 10/3 | DEPS
(if not received, date e-mail sent _____) | Comment |
| _____ | FIRE DEPARTMENT | _____ |
| 10/7 | PLANNING
(if not received, date e-mail sent _____) | No objection
w/condition |
| 9/18 | STATE HIGHWAY ADMINISTRATION | No Objection |
| _____ | TRAFFIC ENGINEERING | _____ |
| 10/1/19 | Department of Public Works | Comment |
| _____ | COMMUNITY ASSOCIATION | _____ |
| _____ | ADJACENT PROPERTY OWNERS | _____ |

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 10/18/19

SIGN POSTING (1st) Date: 10/17/19 by Pulson

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

| View Map | | View GroundRent Redemption | | View GroundRent Registration | |
|--|----------|---|---------------|---|---|
| Tax Exempt: None | | Special Tax Recapture: None | | | |
| Exempt Class: None | | | | | |
| Account Identifier: | | District - 08 Account Number - 2200022395 | | | |
| Owner Information | | | | | |
| Owner Name: | | BEYNON FAMILY L L C | | Use: INDUSTRIAL | |
| Mailing Address: | | 1685 CAMPBELL RD
FOREST HILL MD 21050 | | Principal Residence: NO | |
| | | | | Deed Reference: /10947/ 00196 | |
| Location & Structure Information | | | | | |
| Premises Address: | | 16 ALT RD
0-0000 | | Legal Description: 3.794 AC
16 ALT RD
COCKEYSVILLE INDUS PARK | |
| Map: | Grid: | Parcel: | Neighborhood: | Subdivision: | Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 0047/ 0102 |
| 0042 | 0022 | 0480 | 20000.04 | 0000 | 40 2020 |
| Special Tax Areas: None | | Town: | | None | |
| | | Ad Valorem: | | None | |
| | | Tax Class: | | None | |
| Primary Structure Built 1998 | | Above Grade Living Area 35,622 SF | | Finished Basement Area | |
| | | | | Property Land Area 3.7900 AC | |
| | | | | County Use 07 | |
| Stories | Basement | Type | Exterior | Quality | Full/Half Bath |
| | | STORAGE WAREHOUSE | / | C3 | |
| Last Notice of Major Improvements | | | | | |
| Value Information | | | | | |
| Base Value | | Value As of 01/01/2017 | | Phase-in Assessments As of 07/01/2019 As of 07/01/2020 | |
| Land: 1,070,200 | | 1,070,200 | | | |
| Improvements 2,187,100 | | 2,187,100 | | | |
| Total: 3,257,300 | | 3,257,300 | | 3,257,300 | |
| Preferential Land: 0 | | | | | |
| Transfer Information | | | | | |
| Seller: COCKEYSVILLE INVESTORS | | Date: 02/17/1995 | | Price: \$1,025,000 | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: /10947/ 00196 | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Exemption Information | | | | | |
| Partial Exempt Assessments: | | Class | | 07/01/2019 07/01/2020 | |
| County: | | 000 | | 0.00 | |
| State: | | 000 | | 0.00 | |
| Municipal: | | 000 | | 0.00 0.00 | |
| Tax Exempt: None | | Special Tax Recapture: None | | | |
| Exempt Class: None | | | | | |
| Homestead Application Information | | | | | |
| Homestead Application Status: No Application | | | | | |
| Homeowners' Tax Credit Application Information | | | | | |



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 28, 2019

Whitney E. Wilder
305 Washington Ave Suite 300
Towson MD 21212

RE: Case Number: 2019-0457-SPHA, 16 Alt Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 10, 2019. 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 horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Drew Beynon 1685 Campbell Road Forrest Hill MD 21050

**BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE**

TO: Michael Mallinoff, Director,
Department of Permits, Approvals and Inspections

ATTN: Kristen Lewis
MS 1105

FROM: Steven A. Walsh, Director 
Department of Public Works

DATE: October 1, 2019

SUBJECT: Case No: 2019-0457-SPHA
Tax Account 22-00-022395
16 Alt Road, Cockeysville, Maryland 21030

This is a Special Hearing and Variance to construct a 10-foot diameter steel tank and replacement chemical storage container within the 100-year floodplain and within the minimum required setback.

The project site as shown on the "Plan to Accompany Petition for Special Hearing" dated June 18, 2019, is inside of the special flood hazard area (100-year flood plain) as shown as Zone A on the Federal Emergency Management Agency, FEMA, Flood Insurance Rate Map, FIRM, Panel 2400100235F effective date September 26, 2008.

Baltimore County Code Sections 32-4-414, 32-8 and the 2015 Baltimore County Building Code Part 125 all state "no building in a riverine flood plain".

The entire building is within the special flood hazard area. The proposed plans shows the proposed steel tank within the hydraulic shadow of the existing masonry building. A Floodplain Impact Analysis performed by Hanover Land Services, Inc. dated July 15, 2019 signed and sealed by a Maryland Professional Engineer was included in the Special Hearing and Variance request. The report states that the proposed tanks will not impact the base flood elevations.

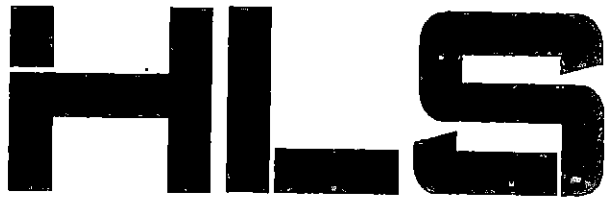
In addition the Floodplain Impact Analysis by Hanover Land Services, Inc. states the flowing benefits for the floodplain:

- 1.) The 10-foot diameter steel tank will be elevated on four-leg support, braced on four sides and an engineering foundation, a minimum of 1.0' above the base flood elevation.
- 2.) The proposed chemical storage container will be fireproof/floodproof eliminating the likelihood of contamination of flood waters.
- 3.) An existing fence surrounding the existing chemical storage container will be removed and eliminating trapped debris.

The Department of Public Works takes no exception for the approval of the waiver request.

SAW/TWC/s

CC: Vishnubhai K. Desai, Chief, Development Plans Review and Building Plan Review
Kevin G. Wagner, Maryland Department of the Environment
Peter M. Zimmerman, People's Council



engineering land ♦ designing the future

HANOVER LAND SERVICES, INC.

Land Planning ♦ Surveying ♦ Engineering ♦ Permitting

FLOODPLAIN IMPACT ANALYSIS

BEYNON SPORTS SURFACES

16 Alt Road
Baltimore County, Maryland

July 15, 2019

mrepp@hanoverlandservices.com

HANOVER

585 McAllister Street
Hanover, PA 17331
ph: 717. 637.5674
fax: 717. 633.1987



WESTMINSTER

194 E. Main Street
Westminster, MD 21157
ph: 410.751.8795

PROFESSIONAL CERTIFICATION: I CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 43203, EXPIRATION DATE 12-20-2020.

www.hanoverlandservices.com

WBE/DBE Certified ♦ MDOT# 08-513 ♦ Baltimore City # 11-358172 ♦ PennDOT # 13426

[Type here]

2019-0457-SPHA

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1. INTRODUCTION

1.1 Objective

This report documents the proposal of a 10-foot diameter welded carbon steel tank (silo) in addition to a fireproof/floodproof chemical storage container and was prepared to accompany a petition for a special hearing seeking a waiver. The petition is to allow the placement of a silo and a fireproof/floodproof container within the 100-year floodplain in addition to allowing both proposed structures to be located within the minimum required setback area.

1.2 Description of Project

The project is located at 16 Alternate Road, Hunt Valley, MD. A 10-foot diameter silo is proposed on the northside of the building behind an existing concrete containment area which currently accommodates six existing storage tanks, and can be seen in the aerial image below. The location of the proposed silo was chosen in order to eliminate floodplain impacts and still serve its intended purpose. The silo will be positioned within the conveyance shadow of the building, and therefore, will not impact the base flood elevation. (The conveyance shadow is discussed in more detail later in the report)

In addition to the tank, a 9'-4" x 19'-4" flammable/floodproof container is proposed to replace the existing fenced area currently utilized for chemical storage.

The proposed container will improve conditions during a flooding event by eliminating the risk of contamination. Hazardous chemicals will be stored in the proposed floodproof container rather than within the fenced area where flood waters can reach the barrels. Additionally, the existing fencing, which currently traps debris during a flooding event will be removed, adding to the benefits of the proposed container.

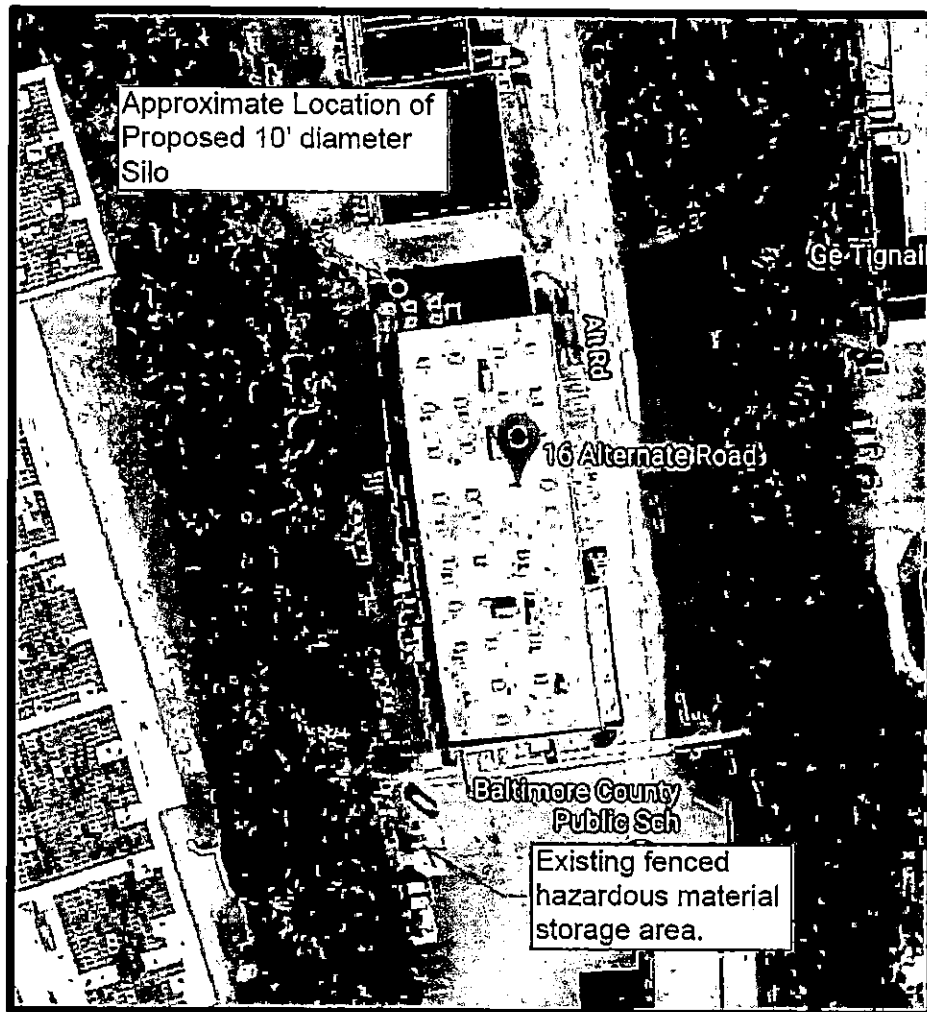


Figure 1 – Location Map

1.3 Soils and Land Uses

The existing land use/cover within the site area consists primarily of impervious area associated with the existing industrial use of the property.

Based on the latest Web Soil Survey data for Baltimore County prepared by the USDA Natural Resources Conservation Service (NRCS), the soil classification is Ur, urban land 0 to 8 percent slopes, which is classified as Hydrologic Soil Group D. Figure 2 illustrates the approximate site area and soils.

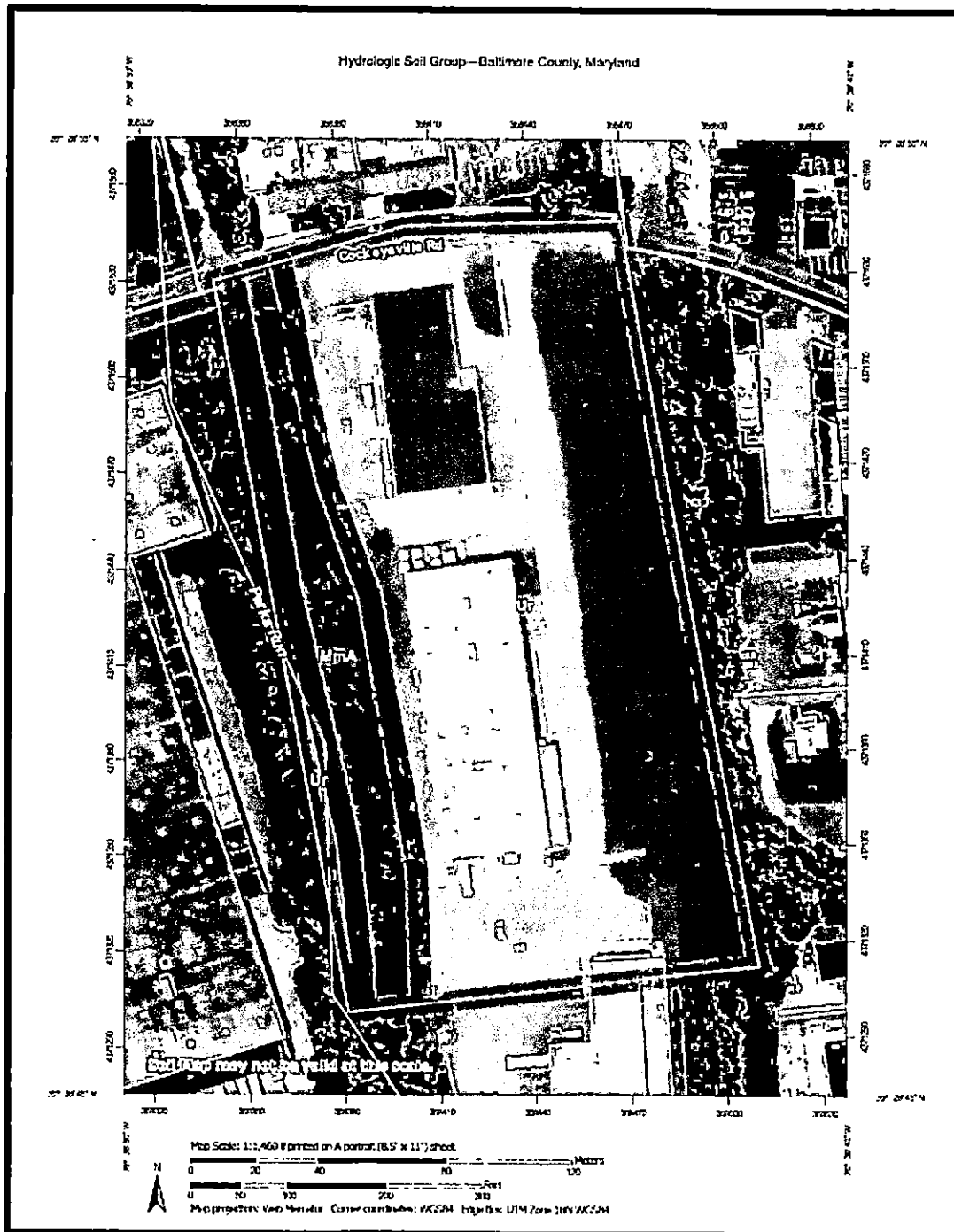


Figure 2 - Soil Map

[Type here]

1.4 MD Stream Use Designation and Wetlands

The project is located within the Loch Raven Reservoir Watershed (MD 8 Digit Watershed 02-13-05-05). Parks Run flows from south to north adjacent to the site into Beaverdam Run. The drainage area for the entire project site is designated as MD Stream Use III-P.

There are no wetlands or Waters of the U.S. within the project area.

1.5 100-Year Floodplain and Chesapeake Bay Critical Area

The project site is located within a FEMA Zone A per FIRM Panel 2400100235F, Revised September 26, 2008. Figure 3 illustrates the Flood Risk Map per www.mdfloodmaps.org.

Flood Risk Map

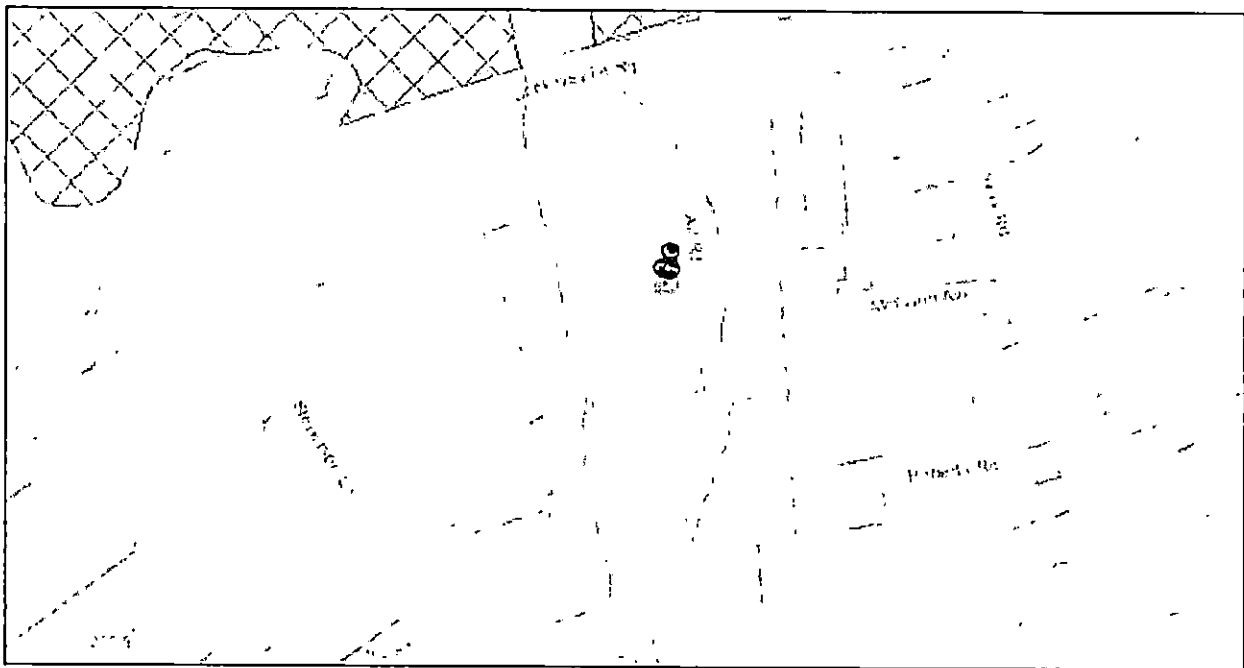


Figure 3 – Flood Risk Map

2. PROJECT DETAILS

2.1 Proposed Silo

Details

In order to eliminate impacts to the FEMA Floodplain, the silo is proposed to be located within the conveyance shadow (discussed later) of the concrete containment area in addition to being elevated a minimum of 1.0' above the BFE (base flood elevation).

The proposed silo will be constructed from welded carbon steel. It will have an outside diameter of 10-feet and a height of 56-feet and be elevated a minimum of 1.0' above the BFE by a four-leg support, braced on four sides and supported by an engineered foundation.

BFE Determination

The BFE was computed using the simplified method of contour interpolation as outlined in the FEMA Publication *Managing Floodplain Development in Approximate Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood Elevations*. Excerpt from this publication is shown below:

Determining BFEs for Riverine flooding:

On each side of the stream in the vicinity of the site, determine the ground elevation at which the superimposed Zone A boundary lies by interpolating between two contour lines. Add one-half of the map contour interval to the lower of the two interpolated elevations. This is the approximate BFE for the site (be sure to perform this method at each structure location).

By adding one-half of the contour interval to the lowest interpolated water-surface elevation, two things are achieved: 1) the final BFE is within one-half of the contour interval of both interpolated water-surface elevations and, therefore, is still within the acceptable tolerance of the topographic map (generally regarded as $\pm$ one-half of the map contour interval); 2) it is a conservative estimate of the BFE. If the BFE determined under this procedure seems too high, then a detailed analysis may be performed to justify lowering it.

The effective FIRM shown overlaid on current county topo was utilized to determine the right and left overbank water surface elevations at the upstream location of the proposed tower. These elevations must be within one-half of the map contour interval (1.0-foot) in order for the simplified method to be acceptable. The elevations were determined to be 260.2 for the left overbank and 259.8 for the right overbank. The difference of 0.4' is less than half the contour interval, thereby meeting the requirements to utilize this method.

The BFE was then determined by adding one-half the contour interval (1.0-feet) to the lower of the two elevations, 259.8, resulting in a final BFE determination of 260.8. The tower will therefore be required to be elevated to a minimum elevation of 261.8.

[Type here]

Figure 4, located in the following section, shows the topographic map utilized to determine the BFE.

Silo Placement

The silo will be located within the conveyance shadow of the existing building and containment area. The conveyance shadow is an area immediately above or below a building or other obstruction around which flood waters must flow. Below obstructions, this area is defined by a line drawn at a 4:1 ratio from each outside edge of the obstruction until they intersect. The resulting area is an area subject to ineffective flow where flood waters are not being actively conveyed downstream. Minor projects located within this area will not obstruct the flow of floodwaters, and therefore, will not impact the BFE.

The conveyance shadow was determined utilizing guidelines published by FEMA titled: *Managing Floodplain Development Through the National Flood Insurance Program, Unit 5*. The excerpt below can be found on pages 5-23 & 5-24 of said guidelines.

Minor projects: Some projects are too small to warrant an engineering study and the certification. Many of these can be determined with logic: a sign post or telephone pole will not block flood flows. A driveway, road or parking lot at grade (without any filling) won't cause a problem, either.

Building additions, accessory buildings, and similar small projects can be located in the conveyance shadow. This is the area upstream and downstream of an existing building or other obstruction to flood flows. Flood water is already flowing around the larger obstruction, so the addition of a new structure will not change existing flood flow.

NFIP Requirements

5-23

Determining the limits of the conveyance shadow is illustrated in Figure 5-6. Small structures located completely within the shadow can be permitted without the engineering analysis needed for a no-rise certification.

Note: Just because a small structure can be located in the conveyance shadow, it is still preferable to keep all development out of the floodway. Don't forget: all buildings must be elevated or otherwise protected from the base flood.

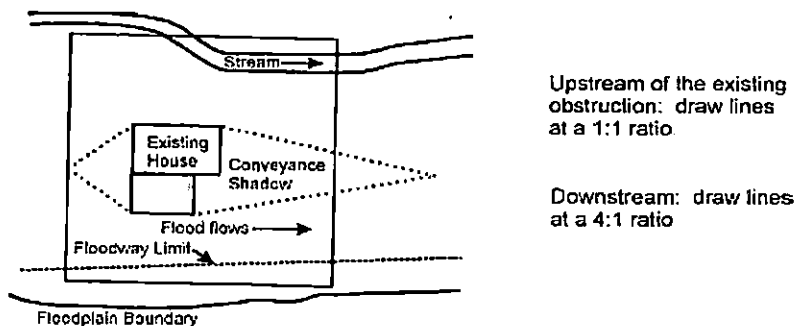


Figure 5-6. Determining the conveyance shadow

The conveyance shadow was determined by drawing a line at a 4:1 ratio from the right corner of the building and from the corner of the containment area on the left side of the building.

The exhibit shown below illustrates both the conveyance shadow and the BFE determination. The silo was positioned close to the left boundary of the conveyance shadow in order to reduce impacts to the spill area. Locating the silo within the conveyance shadow on the right side is not feasible due to required tractor trailer access.

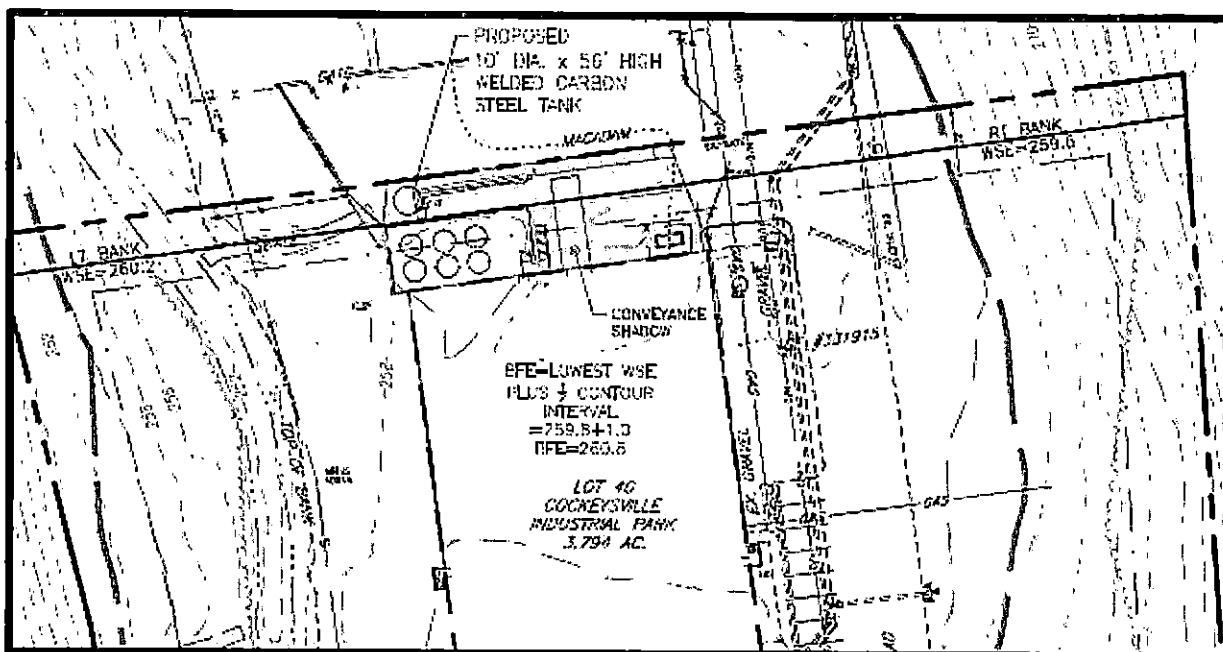


Figure 4 - Conveyance Shadow and BFE Determination

2.2 Proposed Chemical Storage Container

The proposed fireproof/floodproof chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Therefore, there will be no floodplain impact as a result of its installation. More importantly, site conditions relative to flooding events will be improved by replacing the fenced storage area with a permanent floodproof container. Thereby eliminating the likelihood of contamination of flood waters and eliminating undesirable fencing which traps debris.

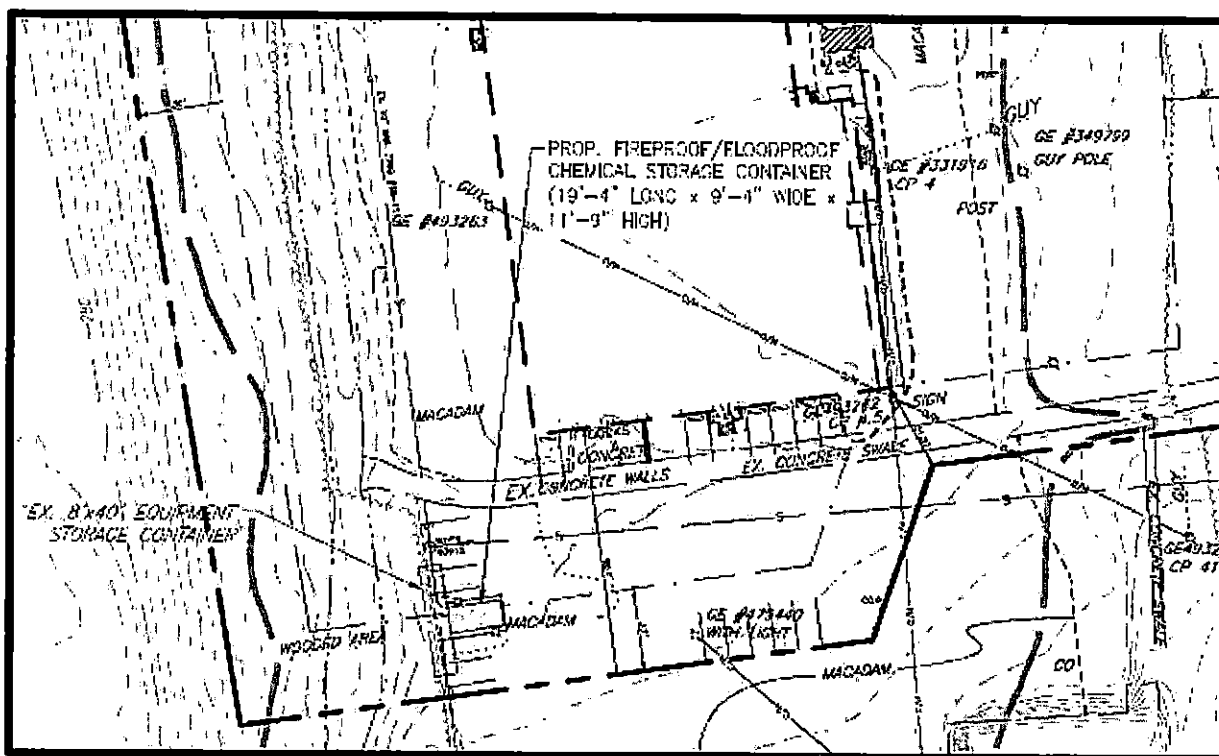


Figure 5 - Proposed storage container location

3. ZONING HEARING PETITION

3.1 Special Hearing

A Special Hearing will be required to allow new construction within the regulated 100-year FEMA floodplain. The proposed silo location was selected because it is within the conveyance shadow, and therefore, will not impact the base flood elevation. Justification to support the petition will include the original proposed location of the tank, the alternative locations reviewed and explanations as to why those alternative locations were or were not feasible (located in Appendix A). The current proposed location was one of the alternative locations considered.

The proposed chemical storage container will replace the existing fenced storage area which currently obstructs flood waters. Justification to support the petition will include how the proposed floodproof container will not impact the BFE and will improve conditions during a flooding event.

[Type here]

3.2 Setback Variance

The Subject property is located within ML-IM zoning district for which the front setback is 25-feet and the rear setback is 30-feet. There is only 15-feet available from the existing concrete containment area to the property line on the north side of the building where the silo is proposed to be located. Therefore, a variance will be required to allow the silo to be placed within the setback area. The justification to support the request will include the benefits of locating the tank as shown on the proposed plans compared to the only other feasible locations which would be located within the effective flow area of the floodplain and possibly negatively impacting the base flood elevation.

A Variance will also be required for the proposed storage container to be located within the rear setback area. Justification to support the request will include discussion of the existing fenced area and the benefits of replacing this area with a floodproof container to be located in the same location. Due to garage doors on the existing equipment storage container, the proposed container cannot be located further north, outside of the setback area.

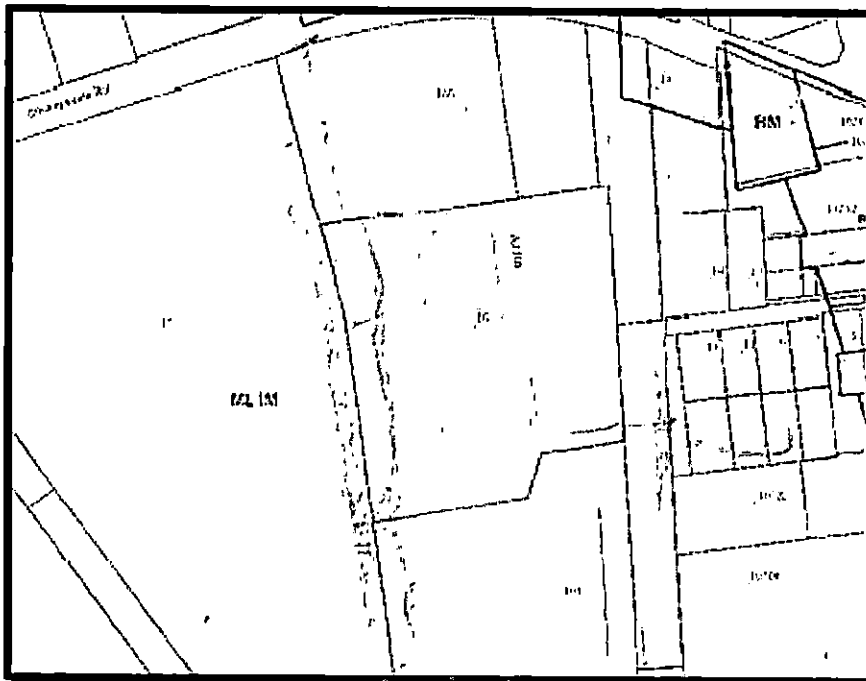


Figure 6 - Zoning Map

4. CONCLUSIONS

By utilizing guidance documents published by FEMA, the BFE was determined for the location of the proposed silo. The silo is proposed to be located within the conveyance shadow of the existing building in order to eliminate any negative impacts to the 100-year regulated floodplain. Additionally, it will be elevated a minimum of 1.0' above the base flood elevation as required.

Per guidelines published by FEMA titled: Managing Floodplain Development Through the National Flood Insurance Program, Unit 5, minor projects located within the conveyance shadow will not change the existing flood flow and therefore do not warrant an engineered study. The limits of the conveyance shadow were determined utilizing these guidelines and the proposed silo located within this area.

It can therefore be concluded that the proposed location of the silo will not negatively impact the regulated 100-year floodplain.

Additionally, the proposed fireproof/floodproof container will improve conditions within the 100-year floodplain by eliminating the risk of contamination during a flooding event while also eliminating undesirable fencing that traps debris. By locating the proposed container in the same location of the existing fenced area, the impact to the regulated 100-year floodplain will be eliminated.

APPENDIX A

Alternative Silo Location Analysis

Dry Holding Tank/Tower Response – Response to Alternative Locations

Option 1 – Not a good location. There are actually a total of six tanks containing polyols and/or castor oil, all vegetable based oils. There is NOT sufficient room within the existing containment area to install the new tower. The existing tanks contain liquids and must be located within the secondary containment structure. We have a Spill Prevention Control and Countermeasures (SPCC) Plan which defines what controls and processes we have in place to prevent a leak. The containment area must be able to contain 110% of the volume of one of the tanks in the event of a tank failure. If there was space to build the tower in the containment area, that would reduce the overall storage capacity of the containment structure.

Option 2 – Yes, this is a suitable and desirable location as long as the tower is constructed on the western-most portion of the highlighted area (Closest to Option # - Red Dot). This area contains a Spill Berm with a flow control valve that is designed to contain the volume of the largest compartment of the tanker trucks that drop off polyols on a daily basis. The spill berm is listed as spill control device in our SPCC Plan. If constructed in this location, the tower would need to be elevated in order to allow normal storm water flow. In fact, this area is subject to heavy sediment deposits after rain events. As part of the construction planning, we would attempt to implement a control or a feature that would allow for better drainage limiting the sediment buildup. This location is in close proximity to where the stored materials will be utilized inside the building and would require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building.

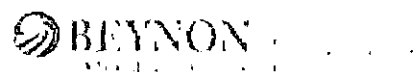
Option 3 – Yes, this is a suitable location. The tower would be constructed as close to the containment berm and containment wall as possible based upon the recommendations of the engineers and installers. To address Option 3, yes we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain. This location is in close proximity to where the stored materials will be utilized inside the building and will require the minimal amount of piping to move the stored materials to our blenders and mixers located in the northwestern corner of our building. Unlike Option 2, this area is currently NOT paved and serves as a vegetative buffer for storm water pollution control. Constructing the tower here would destroy a portion of the buffer and create additional impermeable surfaces in close proximity to the adjacent stream.

Option 4 – Not a good location. There is a parking area in this location. It was constructed using permeable pavement materials to limit runoff that could pollute the stream on the western portion of our property. Additionally, if installed here, we would need to construct an elaborate piping system to move the materials to our blenders and mixers located in the corner of the building where we have proposed installing the tower. In addition to significantly increasing the cost of the project, this would also increase the risk of a release of the material in the event of a pipe failure. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan, a requirement of our NPDES Permit.

Option 5 – Not a good location. There are transfer ports in this location where tanker trucks drop off polyols that are stored in tanks inside of our building along the eastern wall and where tanker trucks pick up finished materials that are shipped weekly to one of our affiliate companies. Also, our chillers and the electric transformer are located in this area. This area includes a few trees and grass that help control storm water runoff.

Option 6 – Not a good location. This area is at the opposite end of the property from where the materials stored in the tower will be used. This area is also the location of our two loading docks. During our peak season, we have close to 20 tractor trailers either picking up finished products, or dropping off raw materials. As it stands now, the trucks have a difficult time accessing the loading docks.

Option 7 – Not a good location. The proposed building is NOT being built. This area is at the opposite end of the property from where the materials stored in the tower will be used. There is a large storm water culvert in this area that channels all of the storm water from York Road and the adjacent Baltimore County Schools Facility. During a heavy rain event, this culvert becomes a "river." Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.



Option 8 - Not a good location. The proposed building is NOT being built. This area is at the opposite end of the property from where the materials stored in the tower will be used. Additionally, this area is unpaved and identified as a vegetative buffer in our Storm Water Pollution Prevention Plan.

Option 9 - As indicated in the response to Option 3, yes, we plan to place the tower on an elevated surface to allow normal storm water flow and to protect it from potential flood waters. Our building is constructed in a flood plain.

ALTERNATIVE LOCATIONS
OPTIONS FOR DRY
HOLDING TANK/TOWER

Legend

Option #4: Can the tank/tower be placed anywhere in this area?

Option #8: There was a proposed building on this side of the easement (no longer proposed). Could the tank/tower be located off the front corner of where that building was proposed?

Option #5: Can the tank/tower be located in either of these areas?

Option #7: There was a proposed building on this side of the easement (no longer proposed). Could the tank/tower be located beside where the proposed loading area was?

Option #1: Is there any room between these existing towers and the loading dock for the proposed tank/tower?

BSS, Hunt Valley, MD

ORIGINAL
PROPOSED TOWER/
TANK LOCATION

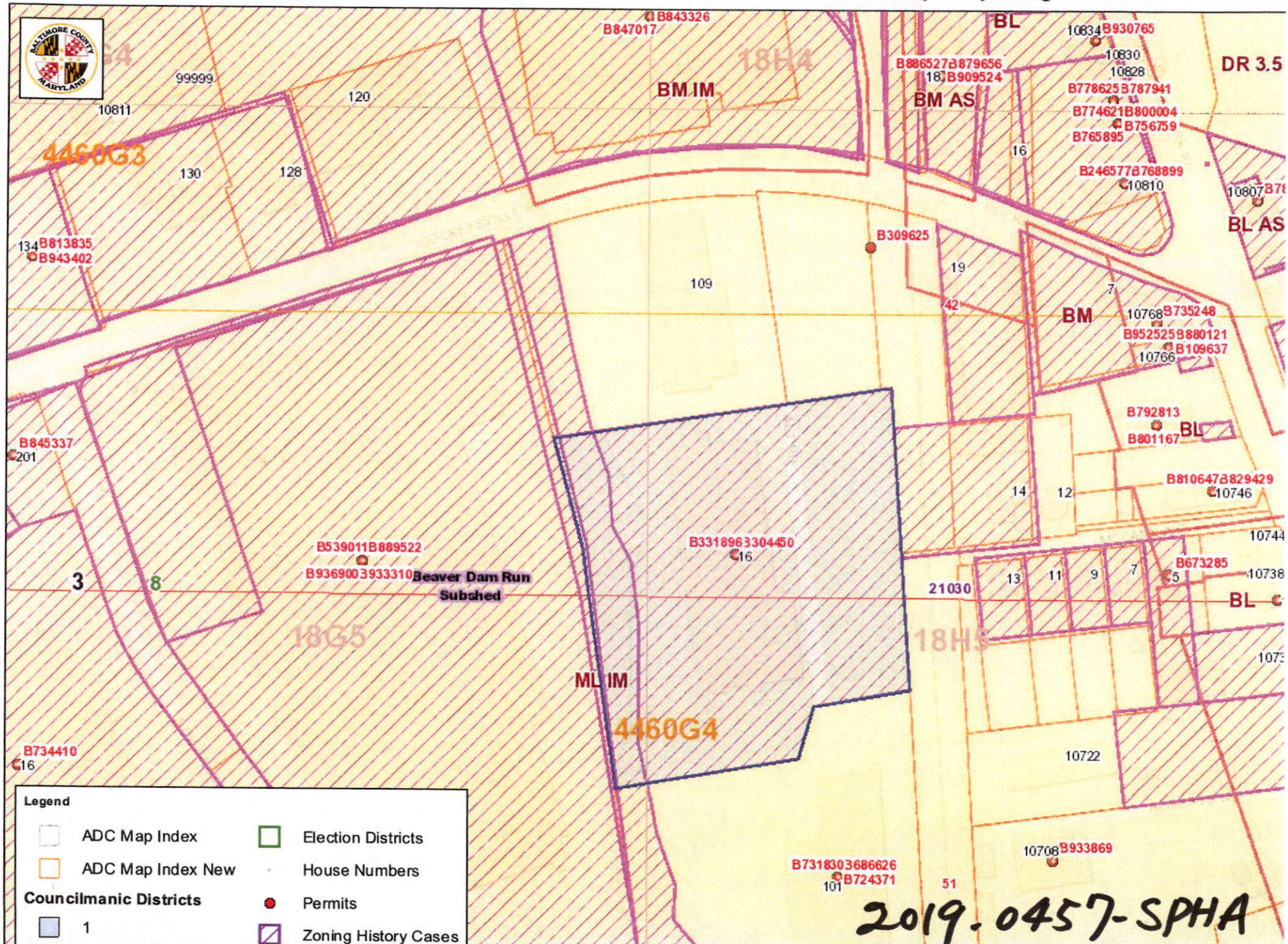
Option #3: Is this general area an option?

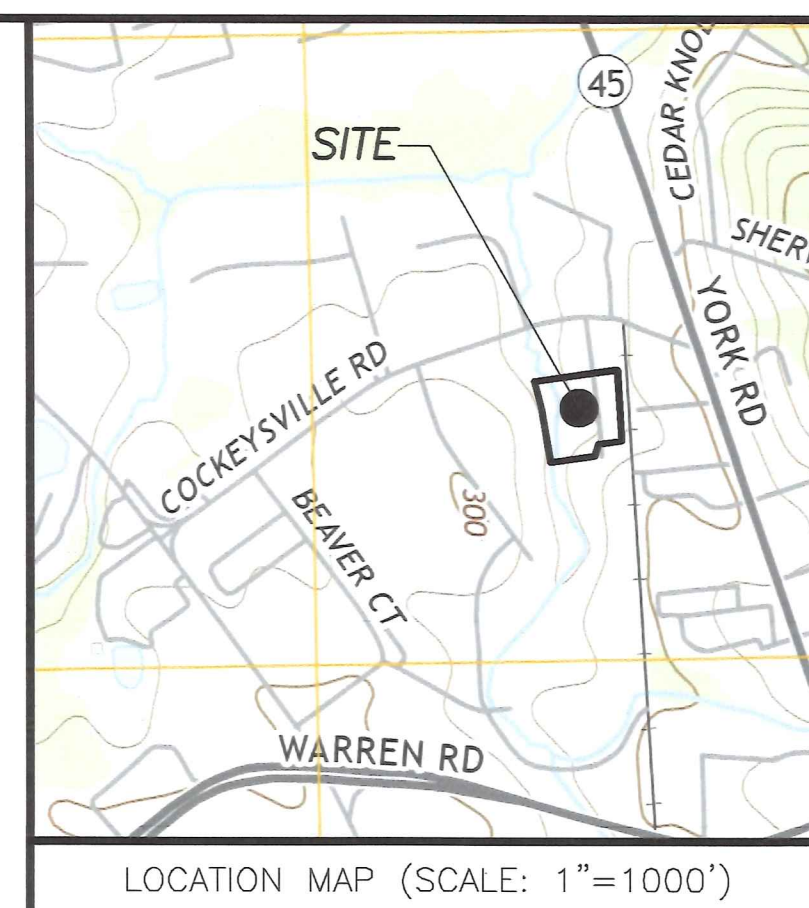
Option #2: Can the new tank/tower be put in this area so that it is within the building's "conveyance shadow" (not within the flow path)?

Option #3: If the proposed tank/tower location stays here, how close can it get to the existing containment area/towers?

Option #9: Can the tower be elevated at all? (ie- stilts, platform - above the flooding depth)

Google Earth

The seal of Baltimore County, Maryland, is a circular emblem. It features a yellow border with the words "BALTIMORE COUNTY" at the top and "MARYLAND" at the bottom in black capital letters. The center of the seal is divided into four quadrants by a white cross. The top-left and bottom-right quadrants are black with a yellow diagonal stripe. The top-right and bottom-left quadrants are white with a red diagonal stripe. In the center of the cross, there are three small yellow stars.



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